

county commissioners. The bill includes electric vehicles so that they get subsidized. Of course, electric vehicles pay no gas tax because they don't use gas; they use electricity. So they don't subsidize in any way or pay to use the roads for the wear and tear on the roads that they drive. Yet the Democrats are calling for billions and billions of dollars of subsidies for those drivers. Nearly every Democrat in this body still supports this taxpayer giveaway.

Nearly every Democrat in the Senate still supports Joe Biden's war on American energy. Well, the war on American energy is raising the cost to American consumers.

As I said, if we are going to take 18 cents off the cost of a gallon of gas when it is already up a dollar a gallon or more, and by summer will be a lot higher than that, it is like putting a bandaid on a bullet hole. And Joe Biden, once again, yesterday, talked to these county commissioners, promoting his so-called Build Back Better plan, which includes the Green New Deal, which is increased taxes on American energy, increased regulations on American energy, increased penalties on producing American energy. The American people get the fact that will raise the costs for them to drive their car, to heat their home, to grow crops, to get items to market—where shelves are still bare, and they were this past weekend at the grocery store in Casper, WY.

Democrats still are delighted that we ended the Keystone XL Pipeline. The Secretary of Energy was supposed to come out with a report about how many jobs were lost by that. Well, still waiting for the report. Homework is past due.

Will we ever see the report from the Secretary of Energy who doesn't want to point out this specific impact that Joe Biden has had on this country in terms of killing jobs and raising energy prices?

The American people see through all of this. That is why only 3 in 10 Americans today support the President of the United States on what he is doing about inflation. That means that just about every Republican and every Independent and a whole lot of Democrats don't like the fact that Joe Biden is ignoring them, refusing to focus on the issues that are important to them and their lives and their families and their future; that their dreams are being stolen and ripped from them; that they have been using savings that they wanted to use for things they had been planning for years. And what we see is another gimmick coming from the Democrats only because their eyes are on the midterms. Their eyes ought to be on the people at home who sent them here in the first place.

There is a solution to the high cost of American energy, and that is to produce more American energy. Let us make it here. We have it. Oh, we have it in abundance. We have it in Wyo-

ming. We have it all across the country. Produce American energy. Use American energy.

Vladimir Putin knows how to use energy. He uses it as a weapon, and he is using it as a weapon right now, holding Europe hostage. Germany has fallen into his trap with Nord Stream 2. He knows how to use energy. We have been in the United States an energy superpower. We are. We have the capacity to do it. We have gone from energy dependence to energy independence, to energy dominance. We need to return to the day when we are using American energy.

We are much better as a country and safer as a country and stronger as a country if we sell energy from the United States to our friends rather than follow the Joe Biden route of begging Vladimir Putin to sell some of his energy to us. That weakens America. It weakens us. It weakens our future.

We have the resources here in America. We have the know-how. We have the individuals wanting to work producing American energy. We need an administration which will allow us to do so, and we don't have one with the leadership in the White House and with the majority party in the House and the Senate right now.

I yield the floor.

The PRESIDING OFFICER. The Democratic whip.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. DURBIN. Madam President, I rise today to speak about the critical role played by U.S. attorneys and U.S. marshals in keeping America safe.

Law enforcement is a team effort, and we need officials at the Federal, State, and local levels working together to stop crime in this country and to keep people safe in their homes and in their neighborhoods.

It was only 2 months ago when I came to the floor of this Senate to request unanimous consent for the Senate to take up and confirm five U.S. attorney nominations. Despite the outstanding credentials of all of these nominees, one Senator, the junior Senator from Arkansas, refused to allow the Senate to confirm five nominees for U.S. attorney positions by a voice vote—a tradition in the Senate. That Senator's objections had nothing to do with the nominees. He said so. They had nothing to do with their records and had nothing to do with their qualifications.

Well, after he was confronted on the floor of the Senate, he lifted his objections. We were able to get those U.S. attorneys confirmed and put them to work, and there is work to be done in every State in the Union to make this a safer nation.

We believe in law enforcement—we believe in it at every level—and when there is delay in putting professionals in place, that delay can cost lives. If you stand up and say “I don't want to defund the police” but then refuse to fill vacancies when it comes to law enforcement, that is inconsistent.

Sadly, we find ourselves in the same position today, 2 months later, with the same Senator from Arkansas. He is again objecting to the swift confirmation of U.S. attorney and U.S. marshal nominations. In short, this same Senator is making it increasingly difficult for us to prosecute violent criminals, track down fugitives, and protect Americans from gang violence, cybercrime, terrorism, and fraud.

It is worth taking a moment to consider what U.S. attorneys and U.S. marshals do. The positions that they hold are nearly as old as the Nation itself. Both U.S. marshal and U.S. attorney positions were created by the Judiciary Act of 1789, passed by the First Congress, and signed into law by President George Washington.

The specific responsibilities have changed over time, but the core function is the same. This is the Federal answer to enforcing the law, prosecuting crimes, and protecting our communities. U.S. attorneys are charged with prosecuting all Federal criminal offenses. U.S. marshals have the responsibility of risking their lives to protect Federal judges and court-houses, tracking down fugitives, and assisting in locating and recovering missing children, just to mention a few. In short, U.S. attorneys and U.S. marshals play a critical role in enforcing the law, promoting public safety, and protecting our communities.

So it is sad that this same junior Senator from Arkansas is blocking the confirmations of six U.S. attorneys and two U.S. marshals today. Doing so threatens public safety across America and puts millions of Americans at risk, including the most vulnerable.

Despite all of the tough talk we hear from many of these Senators on the other side of the aisle about their dedication to law and order and keeping America safe, it is a Republican Senator who refuses to take up and confirm these nominations in an expeditious way.

Before I ask for consent for the Senate to confirm the nominees, I would like to yield to the majority leader.

Mr. SCHUMER. Madam President, I thank the majority whip.

Thank you for your good work as chair of the Judiciary and for your talk on this issue.

I thank my colleague from Minnesota, who has been passionate about getting this done as well.

I rise today to join with my Democratic colleagues in support of these U.S. attorneys and marshals who have singlehandedly been delayed for weeks by one Senator, the junior Senator from Arkansas.

For decades—decades—Democrats and Republicans have regularly cooperated to swiftly confirm the many, many individuals selected by each President to serve in their administration. Regardless of the party in the White House, both sides have long agreed that a President deserves to have his or her administration in place

quickly. That doesn't mean we don't disagree, but it does mean that when nominees are held up, opposed, or blocked, it is for a legitimate purpose, not for leverage and partisan games to score political points at the expense of public safety. Most of us still believe in that principle but, sadly, not all of us.

On the other side of the aisle, a small group of obstructionist Republicans has spent the last year hijacking the rules of the Senate to place an unprecedented number of holds on hundreds—hundreds—of Presidential appointees.

Let me repeat. This isn't about a few nominees here and there; we are talking about hundreds of nominees.

In this case, my colleague from Arkansas is holding back six U.S. attorneys and two U.S. marshals—vital roles in preserving public safety. The level of partisan obstruction is a new low for the Senate.

When President Trump was in office, every single U.S. attorney and U.S. marshal—every single one—was confirmed by this Chamber with unanimous consent. Yes, we had deep, deep problems with the Trump Department of Justice, but never did we demand a rollcall vote just to confirm nominees like these. In fact, the last time the Senate had to hold a rollcall vote—listen to this—the last time the Senate had to hold a rollcall vote to confirm a U.S. attorney was a half a century ago—nearly half a century ago—in 1975, and it is not hard to see why. U.S. attorneys and marshals aren't political positions. Their job is literally to keep Americans safe. They are Federal prosecutors, and they are Federal law enforcement.

If my Republican colleagues on the other side truly care about public safety, why are they obstructing the appointments of individuals whose jobs would precisely be to maintain public safety in the first place? It is "Alice in Wonderland" logic.

Now, this isn't just about breaking precedent. Right now, communities across the country still don't have their U.S. attorneys on the job because of obstruction here in the Senate. Districts in Georgia, Ohio, Nevada, Minnesota, Michigan, and Illinois are all still waiting for U.S. attorneys.

Sadly, the families who live in these communities shouldn't have to pay the price for what a very small number of Republicans are doing here, but, sadly, that is what is happening. It is a textbook example of why Americans are frustrated with the Senate and are frustrated with their government.

On the other hand, I want to thank my Democratic colleagues for advocating on behalf of the U.S. attorneys and marshals. I thank my friend Senator DURBIN, chairman of the Judiciary, for speaking passionately. I thank Senator KLOBUCHAR for coming to the floor to speak. I thank Senators ROSEN and CORTEZ MASTO and DUCKWORTH and BROWN, who have also spoken.

One way or another, these nominees will be confirmed by the Senate. Re-

publican obstructionists can try to delay, but they cannot stop these individuals from ultimately going through.

If the holds on these nominees are not dropped, I will be filing cloture on them, and we will schedule votes to advance them until the job is finished. If that means more late nights, then more late nights are coming. If it means vote series with six or seven or eight votes in a row, then that is what we will do.

Most of us don't want to go down that road, and we don't have to. The overwhelming majority of Democrats and Republicans want to preserve the decades of precedent and comity that has enabled us to work together on nominees.

So let me say for one last time, delaying the appointment of U.S. attorneys and U.S. marshals over cheap partisan games ultimately makes Americans less safe and weakens law enforcement.

I urge my Republican colleague to drop his obstruction or else he can explain to his colleagues why we have to schedule a dizzyingly large number of rollcall votes just to push these nominees through.

I thank my colleagues for their work and yield to Senator DURBIN.

Mr. DURBIN. I thank the majority leader. I would like to just add: There must be those following the debate who are wondering, "What is the basis for the junior Senator from Arkansas opposing these eight nominees? There must be something wrong with them. There must be something in their background that doesn't add up."

Consider the variety of individuals who are being held up by the junior Senator from Arkansas: Ryan Buchanan, of Georgia, to be U.S. attorney for the Northern District; Jason Frierson, of Nevada, to be U.S. attorney for the District of Nevada; Andrew Luger, of Minnesota, to be U.S. attorney for the District of Minnesota—and the Senator from Minnesota will speak to that in just a moment—Mark Totten, of Michigan, to be U.S. attorney for the Western District of Michigan; Marisa Darden, of Ohio, to be U.S. attorney for the Northern District of Ohio; Delia Smith, of the Virgin Islands, to be U.S. attorney for the District of the Virgin Islands; Eddie Frizell, again of Minnesota, to be U.S. marshal for the District of Minnesota; and LaDon Reynolds, of Illinois, to be U.S. marshal for the Northern District of Illinois.

We looked especially at our own nominees very closely to make sure that they were qualified to take on these Federal positions. Several of my colleagues are going to come to the floor today to speak about the nominees being held up by one Senator, so rather than delving into the records of all of the eight nominees, let me just focus on the one in Illinois—Chief LaDon Reynolds, nominated to serve as U.S. marshal for the Northern District.

Chief Reynolds has served the people of Illinois for nearly 30 years. He joined

the Oak Park Police Department in 1994, rising steadily through the ranks until his appointment in 2019 as chief.

In addition to his service at the Oak Park Police Department, Chief Reynolds serves on the Illinois Law Enforcement Training and Standards Board, the Illinois Commission on Discrimination and Hate Crimes, and the Executive Board of the Illinois Association of Chiefs of Police. In short, Chief Reynolds is eminently qualified to serve as U.S. marshal for the Northern District of Illinois. There is simply no valid basis to delay his confirmation.

And I have yet to hear the Senator from Arkansas come forward with a bill of particulars of why he has decided to single out the people whom I just mentioned, to deny them an opportunity to make communities safer across America. At a time of high crime and the need for a coordinated effort at every single level, there is absolutely no valid explanation of why these individuals are being withheld from their responsibilities in these communities.

We need to have law enforcement taken seriously and respected. Holding up nominations for no particular reason other than a political issue that may bother the Senator is certainly no reason for us to jeopardize the safety of innocent people living in these communities who depend on these Federal law enforcement officials to do their job.

At this point, I would like to make a unanimous consent request.

Madam President, I ask unanimous consent that the Senate proceed to the consideration of the following nominations en bloc: Calendar No. 660, 661, 662, 663, 739, 740, 741, and 742; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that any statement related to the nominations be printed in the RECORD and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

The Senator from Arkansas.

Mr. COTTON. Madam President, reserving the right to object, which I most certainly will do, I will just address what the Senator from Illinois said.

He said he has heard no explanation for why I am objecting to every Department of Justice nominee moving forward on a fast-track basis. That is false. He has heard my explanation repeatedly. He may not like it, but he has heard it.

I am taking this stance on behalf of four brave U.S. marshals who defended the Federal courthouse in Portland from leftwing street militias associated with the BLM movement and antifa.

The summer of 2020 was part of riots all across our country, but in Portland these riots were particularly dangerous. Marshals were targeted with lasers to blind them, with ball bearings,

with fireworks. There were efforts to barricade them inside the courthouse and set it on fire to burn them alive. These marshals are heroes, and they should be celebrated. Anyone who says they support law enforcement should be defending these marshals.

Not surprisingly, leftwing activists and leftwing organizations, like the ACLU, are coming to the defense of the leftwing street militia that attacked these marshals, tried to burn down the Portland courthouse, suing marshals on frivolous grounds.

Many of these marshals are being defended by the Department of Justice, as is the Department of Justice's longstanding custom and practice to either provide representation for its law enforcement officers when they are sued in court or, if there is some conflict, to reimburse them and pay their legal fees. Four marshals are not being defended, though.

These four marshals are GS-11s, GS-13s. They have been serving our country for a lifetime. Many of them are veterans, veterans of foreign wars. They face financial bankruptcy and ruin because the Department of Justice won't represent them; in many cases, won't even give them an answer or explain why the representation was denied.

When I learned of this, I demanded answers. And the Department of Justice had no answers. So if my colleagues think that I am going to just roll out the red carpet for Department of Justice nominees to be confirmed to politically connected positions, while GS-11s and GS-13s are hung out to dry, they have another thing coming.

Now, some of you may say: Well, maybe there are investigations underway. Maybe these officers engaged in misconduct. We don't know. They won't give us answers. But here is what we do know: All four of them—all four—are currently on unrestricted Active Duty—unrestricted Active Duty.

And I would add, all four—all four—are in the Special Operations Group for the Marshals Service, which means to say they are the marshals who are most likely to be deployed nationwide and put in circumstances that risk their lives and call for them to use violence, to include lethal violence.

Now, I don't know the circumstances that led to the denial of representation of these four marshals or why some of them are being strung along, but I have to assume—I have to assume—that if they are on unrestricted Active Duty in the Special Operations Group of the Marshals Service, that Merrick Garland and Vanita Gupta can't have any doubts about their fitness to serve or their actions for all those weeks in Portland when they defended the courthouse from leftwing street militias.

I understand my colleagues want to get their U.S. attorneys or their U.S. marshals confirmed. Maybe there are people at Main Justice they want to get confirmed as well. That is very

simple. We could do it today. We could hear from Merrick Garland or Vanita Gupta that they will defend these four U.S. marshals in court or we could hear a satisfactory answer of why they won't defend the marshals in court.

Is it because they were standing up to a leftwing street militia? Is it because they were taking a stance to defend Federal property from antifa? I don't know. We can't get an answer. Maybe my Democratic colleagues could get an answer.

But to think that I am just going to roll over and allow the Senate to fast-track nominees to the Department, when GS-11s and GS-13s, law enforcement officials, are being hung up to dry—sorry.

These are people—and I have talked to them—who were worried about buying Christmas gifts for their children last year because they had to pay legal fees, who are worried about paying the mortgage next month, who are worried about sending their kids to camp. Sorry if your lawyers have to wait for a week or two to get confirmed to the U.S. attorney's position. I am worried about four heroes who defended Federal property from leftwing street militias.

So, yes, I do object.

The PRESIDING OFFICER (Ms. BALDWIN). Objection is heard.

Mr. DURBIN. Madam President, try to follow that logic, if you will. The Senator is so committed to law enforcement, he is so committed to U.S. marshals, he won't let us appoint people to fill vacancies.

He takes the case in Portland, OR, where he wrote a letter to the Department of Justice within the last 2 weeks asking for the status of their defense of these 74 individuals. Now, he knows, and we all know, that before we can take any action for anybody, we need a confidentiality waiver, a privacy statement. That is routine in all of our offices.

Each one of these individuals, despite the interest of the junior Senator from Arkansas, has their own legal right to determine whether or not they want to waive any privacy so that they can tell the public or discuss even with the Senator their plight and how they want to address it.

There is also something called the attorney-client privilege, which the Senator, I am sure, is aware of. That, too, is a privilege which allows the individual to deny ordinary access to information if they so choose. It is their decision.

So the complication of the situation is ignored by the Senator from Arkansas. He is valiantly standing for U.S. marshals that he won't appoint. He believes they are important and that they give their lives to their country—and many have—and yet he won't let them stand up and do that on behalf of our communities.

He wants an answer to his letter, and until he gets an answer to his letter, then we are not going to be able to put law enforcement in place to deal with

crime in this country. We can make all the statements, run all the ads, make all the speeches on the floor about a concern for safety in our communities, and then the junior Senator from Arkansas says, "I want you to be safe in your community, but you can't have a U.S. attorney to prosecute those would-be terrorists. You can't have a U.S. marshal for pursuit of fugitives from justice. You can't have a U.S. marshal to protect the courthouse for men and women who go to work there every day and risk their lives for the administration of justice."

This is upside down. We are talking about 74 individuals. The Department of Justice has said they are going to defend 70 of them. One is a question, I assume, whether he was acting in the scope of his employment, and three are under review. And for that reason, this Senator has decided to stop the administration of justice in these jurisdictions or at least slow it down. That makes no sense whatsoever.

The basis for objecting to these individuals has nothing to do with their individual qualifications. He didn't raise a single question. All he said is, "Your lawyers are going to have to wait," as if these were just lawyers waiting for a fee.

These are men and women willing to serve, as he serves, in public service. It is more than just lawyers—not that there is anything wrong with that category of Americans—but it is individuals who are willing to engage in public service.

And why are we in such a hurry? We are in the second year of this President's administration. It is time to fill these vacancies.

As Senator SCHUMER said earlier on the floor, there are several on the Republican side who just want to drag this out interminably in the hopes that they can stop the Biden administration from filling these vacancies.

My colleague from Arkansas asked whether the DOJ is representing Federal law enforcement personnel who protected the Federal courthouse in Portland. The FOX News headline about his letter said: "Cotton places hold on DOJ nominees after refusal to defend US Marshals involved in Portland Antifa riots."

Here is the reality. The Department of Justice often represents or pays private counsel to represent Federal employees sued in their individual capacity, but there are some constraints, and I have mentioned them. For example, regulations require that the Department of Justice can only represent employees for actions within the scope of their employment; for example, protecting the Portland courthouse, which clearly is within the scope. And the Department of Justice can only represent them if doing so would be in the interest of the United States. It clearly would be if they are defending against terrorists.

The Senator knows this. Do you know why he knows it? Because the

Department of Justice responded to his letter. He just didn't like the response—it didn't go far enough.

The Department said, "The Department of Justice strongly supports the provision of representation to federal officers acting in the line of duty." The Department also told him that it represents or has paid for private counsel to represent 70 of these employees who have been sued in connection with the events in Portland, while denying only a single request for representation.

I don't know the facts of that denial. I don't know if there has been a privacy waiver signed. I don't know if this individual said, "I have an attorney-client privilege, and I don't have to tell the Senator from Arkansas or anyone what the circumstances are." The Senator from Arkansas is now demanding to know why the Department of Justice denied this one request for representation and why it is still reviewing three others. That is right—he is blocking the confirmation of critical law enforcement officials across the United States until he gets an answer that he likes.

The DOJ has already explained that it cannot comment further—here is what they said—"in light of significant confidentiality interests and applicable privileges." As I mentioned earlier the privacy laws and attorney-client privilege.

"DOJ's regulations make it clear that communication about an employee's requests for representation are protected by the attorney-client privilege, and the Privacy Act prevents DOJ from disclosing the personnel record of an employee," and that is as it should be.

Let me be clear. These privileges protect the privacy of the very law enforcement personnel whose interests the Senator from Arkansas claims to represent.

My Republican colleagues frequently claim to be the party of law and order, but in this matter and others, they are the ones playing politics with law enforcement because the Department of Justice will not snap to the Senator's request and violate standing Federal laws; because they won't ignore and violate those laws of privacy and attorney-client privilege, he is prepared to endanger the communities and law enforcement until he gets his way.

I have heard my Republican colleagues time and again claiming that the Biden administration and Democratic mayors in big cities are responsible for violent crime. They claim that the increase in violent crime has nothing to do with the fact that America is awash in guns, that the reality is that the increase in violent crime started during the last administration, under President Trump. It is affecting communities led by both Republican and Democratic officials. And it is being driven by gun violence.

FBI statistics show that 77 percent of homicides in 2020 were committed with guns. In Chicago, that number is high-

er. Ninety-three percent of homicides last year in Chicago were committed by gun.

We face a gun violence crisis. The Judiciary Committee held five hearings last year on ways to reduce it. I am going to continue it this year. But if we are going to address this crisis, we are going to need Senators from both parties to show some courage and to admit that gun violence in America is a real problem.

We also need Republicans to stop defending the violent insurrection that took place right in this Chamber on January 6, 2021. The Senator was present. All of us were. We will never forget that day as long as we live. Five brave police officers lost their lives as a result of what the Republican National Committee in its official policy position calls "legitimate political discourse."

This is nothing new. Last year, Congress passed the American Rescue Plan—\$350 billion for State and local governments. We made sure that funding was going to hire good law enforcement officials and invested in community violence intervention. Not a single Republican Senator approved it.

There are areas where we are working together on bipartisan legislation, and I hope we will continue to. Last year, President Biden signed three laws in that area.

I hope my Republican colleagues will take a lesson from today. If we are going to stand together, then let us all stand behind the Federal law enforcement team.

When President Trump asked for his team, Democrats in the Senate cooperated and gave those people to him. They weren't the people we would have chosen, but he was President and had the right to do his best to protect this Nation. So does President Biden.

President Biden has called for significant increases for our police in the Byrne Justice Program and the COPS Hiring Program, but this important funding has been delayed by debate over appropriations. We shouldn't delay the appointment of these key law enforcement officials either.

Again and again, Democrats are working to support law enforcement and to keep Americans safe. Sometimes we are joined in these efforts by Republicans and other times not, but there is no benefit to law enforcement when Senators block the confirmation of well-qualified U.S. attorney and U.S. marshal nominees, as we see today.

I urge the Senator from Arkansas to stand up for law enforcement. A political story on FOX is not worth undermining the lives of innocent Americans. We have to end this obstruction and let these nominees protect and serve.

I now yield to Senator KLOBUCHAR.

THE PRESIDING OFFICER. The junior Senator from Arkansas.

MR. COTTON. Madam President, I am surprised to hear the Senator from Illinois continue to refer to this as a polit-

ical issue or a political story when we have career law enforcement officers who put their lives on the line to defend Federal property from leftwing street militias. And they are worried if they can put the food on the table for their children, if they can buy them gifts at Christmas, if they can put braces on them, if they can send them to summer camp.

I don't consider that a political issue; I consider it standing up for law enforcement—not just these four but every deputy marshal around the country who forms the backbone of the Marshals Service, the backbone of the Marshals Service all across the country, who have to wonder if maybe they are going to be the next one to be hung out to dry by the Department of Justice if they confront a rioter with the wrong politics.

This is not a political issue.

Now, the Senator from Illinois continues to speak about confidentiality and attorney-client privilege as if this is all information that has been communicated to these four marshals and they just don't want to share it with us here in the Senate. That is not the case. Three of them, I would say, haven't heard anything. In a lawsuit that is almost 18 months old, they have been told nothing yet. That is why they have had to go out and retain their own counsel.

One of them was denied representation with no more basis than saying it is not in the interest of the United States of America. Well, forgive me if I don't trust Vanita Gupta to determine what is in the interest of the United States when it comes to defending law enforcement.

These marshals are told that these determinations are final and there is no appeal and there is no recourse. Well, I am the recourse now.

The Senator from Illinois keeps talking about these urgent law enforcement needs in his own State of Illinois. I would point out that the position that is empty has been empty since 2018. If it was so urgent, the Senator from Illinois could have cooperated with the Trump administration and tried to fill it then. These U.S. attorney positions that are empty—President Biden fired all U.S. attorneys a year ago. If it was so urgent to have Senate-confirmed U.S. attorneys in position, he could have asked them to continue to serve until he was able to find suitable replacements.

The Senator from Illinois also said: Well, Senator Cotton got his letter responded to. I am not looking for some courtesy exchange of letters here; I am trying to protect four U.S. marshals who defended the Portland courthouse from a leftwing street militia, who have been hung out to dry, imperiling the confidence of all marshals across the country in whether or not their political leadership at the Department of Justice will back them up when they are in a controversy. The Department still won't answer that. They won't

take any steps to answer it. They simply hide behind confidentiality and privilege just like they are hiding behind it with these four U.S. marshals—after 18 months.

What is so complicated? As the Senator from Illinois said, they are representing 70 others. What makes these four so different? Maybe they engaged in misconduct. Is that possible given the fact that they are all on unrestricted active duty in the Special Operations Group, the element of the marshals most likely to have to use violence, to include lethal violence? Would Merrick Garland and Vanita Gupta really send them back out on the streets if they had engaged in misconduct in Portland?

These marshals deserve better, and they could get better if the Department of Justice would just agree to represent them or if they would give a satisfactory, fact-based answer about why they are not representing them. Maybe some of my Democratic colleagues could call Merrick Garland or Vanita Gupta and ask them for such an answer or maybe just call them and say: Why don't you represent these four marshals? That seems like the obvious, satisfactory outcome for everyone here: U.S. marshals are represented in court, as they should be, and we can go back to fast-tracking Department of Justice nominees. But until we get to that outcome, we won't be fast-tracking Department nominees because I will continue to stand up for these brave men of law enforcement who deserve better from this Department of Justice.

THE PRESIDING OFFICER. The senior Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, I rise today in support of the two nominees from my State: Andy Luger, who has been nominated to be the U.S. attorney for the District of Minnesota; and Eddie Frizell, a veteran, serving our country bravely overseas, who has been nominated to be the U.S. marshal.

I was sitting here thinking to myself as I listened to Senator COTTON that there were a lot of things I disagreed with at the Trump Justice Department—many, many things; many, many things—but never once did I think about holding up the U.S. attorney of Arkansas or of Arizona or of Illinois because I disagreed with Donald Trump. Why? Because as someone who used to be in law enforcement, I understand how important these positions are, and I don't think they should be held hostage simply because he happens to have a disagreement about something the Justice Department is doing.

There were so many things that I disagreed with Bill Barr and his associates about, and not only did I support the nominee for Minnesota whom Donald Trump put up for both the marshal and the U.S. attorney and voted for them, but I actually issued a public statement saying that they were qualified. I worked with them, and I talked

to them ahead of time, and I actually liked them, because they might not have been, as the Senator from Illinois pointed out, my first choice, but there was something larger than politics and my first choice. My first choice was our justice system, our country, and the safety of our citizens.

Right now, in my home State, they do not understand why a Senator from Arkansas is holding up law enforcement in the State of Minnesota.

As the chief Federal law enforcement officer for their respective districts, U.S. attorneys are critical to ensuring that American communities are kept safe. This role is so vital that the Founders created the position during the very first Congress as part of the Judiciary Act of 1789. This is the same act that created the Attorney General and the structure of the courts.

Today, in my State, the U.S. attorney leads a team of nearly 130 dedicated law enforcement professionals, including 65 assistant U.S. attorneys. The office is responsible for bringing to justice those who commit a range of Federal crimes, including drug trafficking, child exploitation, cyber crimes, and national security matters.

After 9/11, it was the U.S. Attorney's Office in my home State of Minnesota that was involved in what was known as the hijacker who got caught. A citizen turned him in, and it was our U.S. Attorney's Office that worked with New York on that case.

It was our U.S. Attorney's Office that took on the second biggest white-collar case next to Madoff and won.

It was our U.S. Attorney's Office, under the nominee who is right now on the floor, Andy Luger, that took on perhaps the most infamous missing children case in the country. I know that the Presiding Officer, being from the State of Wisconsin, knows this case of Jacob Wetterling—sad, tragic case. He was able to put together the puzzle pieces that had eluded law enforcement because of his vast experience working as an assistant in the State of New York, working in Minnesota in this very office as an assistant and working his way up. He was able to put together that case with local, State, and Federal law enforcement and solve it and bring some justice and bring some closure for the Wetterling family, who will never see their son again. That is Andy Luger.

This is a guy who took on a sex trafficking case on his own with a young woman trafficked in the city of Rochester and brought the case to trial. This is someone who has reached out to our communities—our Native American communities—and gotten things done.

And this is someone, based on my discussions, Senator COTTON, with the Trump White House, that they would have actually, after firing all the U.S. attorneys, would have had him back. He decided to go to the private sector for a while, and now he is ready to come back.

So this is someone whom I have gotten calls about, since you put this hold on all the U.S. attorneys, from Republican Members of Congress who think we need him in place. I have gotten calls from Republicans across my State who want to put this guy in place.

We have double jeopardy here for my State because you are not only holding up, Senator COTTON, the U.S. attorney for the State of Minnesota, you are also holding up the U.S. marshal.

Andy Luger, the U.S. attorney nominee, as I noted, previously led the U.S. Attorney's Office for the District of Minnesota from 2014 to 2017. His proven experience is exactly what is needed to handle the challenges facing law enforcement in Minnesota today.

He has been waiting since January 1 to get this done because he figured this went well before the Committee—so he is waiting. He is waiting to serve our State, as is our U.S. marshal candidate.

In addition to the U.S. Attorney's Office, for over 160 years, the U.S. Marshals Service has helped keep Minnesota safe, protecting public servants, tracking down and apprehending fugitives, and operating the Witness Protection Program.

President Biden's nominee to serve as U.S. marshal for the District of Minnesota, as I noted, is Eddie Frizell. Chief Frizell was recommended by a selection committee, as was Andy Luger that Senator SMITH and I convened. It included leaders in Minnesota's law enforcement advocacy and communities.

Eddie Frizell brings nearly 30 years of experience in law enforcement in my State, including serving as a chief of police for the Metro Transit Police Department. As I noted, he is also a 30-year veteran of the Minnesota Army National Guard.

I once met him coming off a plane after his deployment. I will never forget that moment. As the brave soldiers are getting off that plane, I thought, "I know that guy." Yes, I was a Senator now. I knew him when he was a police officer and I was a county attorney. Thirty years, veteran of the Minnesota Army National Guard, including two overseas deployments—one to Bosnia and another to Kuwait and Iraq. Throughout his career, he has led by example, immersing himself in the community and becoming what our newspaper called a "model of persistence." His proven experience is exactly what is needed.

So why haven't we been able to confirm these two nominees, both of whom moved through the Judiciary Committee on a voice vote with broad bipartisan support, after I, as I noted, proudly supported President Trump's nominees—who, by the way, they went into their jobs, and they did their jobs.

That is how we do law enforcement. That is how it is supposed to work. This hold has nothing to do with the qualifications of the nominees for my State. Instead, as Senator DURBIN has just noted, Senator COTTON has put an

indiscriminate hold on all the Department of Justice law enforcement nominees, stalling appointments for critical positions in Illinois, Georgia, Nevada, Michigan, Ohio, the Virgin Islands, and, yes, my State of Minnesota. And I am sure, if he continues this—and as Senator SCHUMER has noted, he is going to have to call up votes for positions that, during the Trump administration, went through with consent during the Trump administration.

These nominees in these States are ready to serve millions of Americans, including 5.7 million people in my State who need the leadership of a permanent U.S. attorney and U.S. marshal.

Senator COTTON is seeking information from the Department of Justice, and I hope that his questions are answered, but I cannot stand by and let him use critical law enforcement nominations as leverage.

I note—and I will end with this—the timetables. During the last administration, Erica MacDonald—the U.S. attorney I mentioned, former judge who had been appointed by Tim Pawlenty—whom I met with in my house so I could make sure that we moved her nomination quickly, she was confirmed by the Senate, Senator DURBIN, to be U.S. attorney the same day her nomination was reported by the Judiciary Committee on May 24, 2018.

Tom Heffelfinger was nominated by, by the way, two President Bushes—the first and the second President Bush. When he was nominated by President George W. Bush to be U.S. attorney for Minnesota, his nomination was received by the Senate on September 4, 2001. He was reported favorably by the Judiciary Committee on September 13 and confirmed by the full Senate the next day. His entire confirmation process took 10 days.

And, by the way, when he retired from his position, he then served on my selection committees—the U.S. attorney who had served under both President Bushes. This is how law enforcement is supposed to work.

Before him, Todd Jones, who became, by the way, the head of the ATF—he was nominated by President Bill Clinton to be U.S. attorney for Minnesota. His nomination was received in the Senate on October 7, 1998. He was reported favorably by the Judiciary Committee the next day and confirmed by the full Senate on October 21, 1998. His entire confirmation process took only 14 days.

Finally, there was James Rosenbalm, who was nominated by President Ronald Reagan to be the U.S. attorney for Minnesota. His nomination was received by the Senate on October 21, 1981. He was reported favorably out of the Judiciary Committee that day and was confirmed by the full Senate that day. His entire confirmation process happened in 1 day.

I hope we can get back to this tradition of cooperation and recognition that these law enforcement leaders

aren't pawns in a political game. They are needed to help keep our communities safe and deserve to move through the Senate expeditiously.

We expect sound judgment from Federal law enforcement. Our constituents expect sound judgment when it comes to confirming top Federal law enforcement officers for a State. And it is time to do the right thing by confirming not just Mr. Luger and Mr. Frizell but the other law enforcement officers who have been held up. And I am happy to come back here day after day after day until we get this done.

The people who work in the U.S. Attorney's Office, Marshals Office, and my constituents deserve to have people in place.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Illinois.

Mr. DURBIN. Madam President, in the interest of allowing the Senators who are wishing to speak an appropriate amount of time and within the confines of our upcoming vote, I ask unanimous consent that there be 40 minutes, equally divided, between the majority and minority; that the majority side be recognized in the order of Senators ROSEN, CORTEZ MASTO, DUCKWORTH, and BROWN.

The PRESIDING OFFICER. Without objection, it is so ordered.

The junior Senator from Arkansas.

Mr. COTTON. Madam President, I feel like we are ships passing in the night here. I could go on and on about the exploits of these deputy marshals when they were Rangers and Green Berets and what they did in combat. But my Democratic colleagues aren't getting the heart of the matter: why they are being denied representation for defending the courthouse in Portland.

So I will direct a question to the Senator from Minnesota through the Chair: Does she believe that these four U.S. marshals should be represented in court like all other marshals are being represented?

The PRESIDING OFFICER. The senior Senator from Minnesota.

Ms. KLOBUCHAR. Being that I am the Senator from Minnesota and I am not on the staff of the Attorney General of the United States and I have nothing to with the State in which this happened, I am not aware of all the facts of this. And I think it would actually be inappropriate for me to be involved in Justice Department policy. I am here on behalf of the people in my State, and I want to get someone in place.

And I have made the case, Senator COTTON, that at no time did I not only hold up the U.S. attorneys or the marshals under Donald Trump, I actually supported the ones in my State. And I am just asking for that same courtesy for the people of my State. We have talked about this before. And I simply believe that we should be able to get our U.S. attorneys and marshals in place. And you can do what you want to complain about what is going on in

the Justice Department, to make your case to them, to go on TV about it, to make speeches in this Chamber, to write letters about it, to advocate, to gather your friends who might support you on this, but you shouldn't be hurting the people of my State while you do it.

The PRESIDING OFFICER. The junior Senator from Nevada.

Ms. ROSEN. Madam President, I urge my colleagues on the other side of the aisle to allow these highly qualified Federal law enforcement nominations to move forward.

In my State of Nevada, the position of U.S. attorney has been unfilled for nearly a year.

This position, well, it plays a vital role in maintaining the rule of law and making sure that justice is carried out in our State. The continued obstruction of these critical nominees impacts the public safety of Nevadans and impacts their ability to see justice served.

They have a highly qualified nominee to serve as U.S. attorney, Jason Frierson. He is a graduate of the University of Nevada, Reno, and the Boyd Law School of the University of Nevada, Las Vegas. He is a former Nevada Supreme Court clerk. And he served in the district attorney's office as a public defender and as a deputy attorney general for our great State.

In addition, Mr. Frierson has a long track record of fighting for hard-working Nevadans as speaker of the Nevada Assembly. I know he will lead in his role with integrity—integrity and a deep commitment to upholding the law as a top Federal prosecutor for our State.

There is absolutely no basis to delay his nomination and the nominations of other U.S. attorneys and marshals around the country. Holding up these qualified nominees does not help Americans. It only leaves them unprotected.

We must rise above partisan politics and do our duty to allow these key roles to be filled. For all of the people, for my State of Nevada, I urge my colleagues to allow the nomination of Jason Frierson and the other nominees in this block to finally move forward.

The PRESIDING OFFICER. The junior Senator from Arkansas.

Mr. COTTON. Madam President, again, I feel like we are ships passing in the night, not getting to the point here. So I will address a question to the junior Senator through the Chair, slightly differently than when I spoke to the Senator from Minnesota.

If officers are returned to unrestricted Active Duty on the Special Operations Group, does the Senator believe that they should be represented for past incidents of alleged misuse of force?

Ms. ROSEN. Senator, I will reiterate what my colleague from Minnesota said. I do not serve on the Judiciary Committee, and I do not serve in the Department of Justice. Therefore, I am not privy to the information that has been provided in privacy to the Department of Justice.

Those marshals, if they would like to divulge their information, they are free to do so as U.S. citizens. But there are privacy agreements with attorney-client privilege that is clearly not being able to be pursued in this fashion. So my opinion does not matter. What matters is the law. I do not serve in the Department of Justice; therefore I cannot answer your question.

Mr. COTTON. Unfortunately, they don't have any information to divulge. That is part of my point. The Department of Justice won't tell them why they are not being represented.

The PRESIDING OFFICER. The senior Senator from Nevada.

Ms. CORTEZ MASTO. Madam President, I rise to join my good colleague Senator ROSEN and my other colleagues in urging our friend and Senator from Arkansas to allow the nomination of these candidates for U.S. attorney and U.S. marshal to move forward.

And let me just start by answering the question that you have posed to both of my colleagues because I think it needs to be reframed. I think the premise really is this. There is no doubt that your ultimate goal here—and you have an ultimate goal that you are trying to achieve, and I don't question that. I do question, though, the procedure and the means by which you choose to succeed in your goal. And that is what we are talking about, Senator COTTON, because, at the end of the day, what you are trying to do is literally stand for U.S. marshals while at the same time harming the U.S. Marshals Service by not allowing two nominees to go before and get appointed to the U.S. Marshals Service. Likewise, you are adding to that—U.S. attorneys across the country, including one in the State of Nevada, who are on the frontlines of the law and order that we need in this country.

As you well know, U.S. attorneys work with U.S. marshals across the country to address violent crime in this country and prosecute it, to address drug trafficking, human trafficking, murders, and so on. So that means what you are trying to achieve here is actually harming law and order across the country. I don't think you intend to do that. I hope not. But that is what we are questioning right now, is the means by which you are trying to achieve here—what we are asking is for you to reconsider because at the end of the day—and I heard you earlier. I think you made some comment saying: Sorry your lawyers have to wait to get confirmed in a week or two. You know better. These aren't just lawyers. You know U.S. attorneys across this country are on the frontline of law and order. They are key to prosecuting essential crimes that we need to address in this country, including working with our U.S. marshals along with the FBI and other essential Federal Agencies.

I would ask that you reconsider the means by which you are trying to

achieve your goal because in Nevada, the position of U.S. attorney has been vacant for a full year. The President has nominated Jason Frierson for that role. As you heard, Senator ROSEN and I both support this excellent candidate, and the full Senate needs to confirm him and let him get to work.

You have heard his background. He is more than qualified for this position, and I am not hearing from you that you have concerns about his qualifications. But he is essential to ensure that we get somebody in place, confirmed very swiftly, so that he can get to work on behalf of the people in the State of Nevada and be on the frontlines of addressing and ensuring we have law and order not only in Nevada but across the country in these other States.

My question to you, Senator COTTON, is, would you reconsider the means by which you are trying to achieve your goal so that you are not harming those men and women who are on the frontlines of law and order across the country, including here in the State of Nevada that we are talking about? And you will hear from some of my other colleagues.

So I pose the question to you, Senator, through the Chair.

Mr. COTTON. If that is a question for me, I reject the premise of your question. I am not harming law enforcement; I am standing up for law enforcement.

Once again, if you deny four U.S. marshals legal representation because they stood up to leftwing street militias—which may be unpopular in certain quarters of your party—then you cause every marshal across the country and, for that matter, every law enforcement official across the country to doubt whether their political superiors are going to defend them in the future.

Look, if you want to have a broader debate about law enforcement, I can, but we are going to be here for a long time.

It is your party that voted in lockstep for the FIRST STEP Act that let thousands of violent felons back on the street who have now committed innumerable violent crimes. It is your party that marched and chanted in the streets for defunding the police. It is the Democratic floor leader who blocked my resolution in the summer of 2020 to condemn the “defund the police” movement. You all voted in lockstep to confirm Vanita Gupta, the Associate Attorney General, who is responsible ultimately for these decisions, even though I and other Republicans cautioned you she would use her position to wage a war on the police from the Department of Justice. That is what is happening now.

I am standing up for law enforcement.

Mr. DURBIN. Would the Senator from Nevada yield for a point?

Ms. CORTEZ MASTO. Yes.

Mr. DURBIN. The FIRST STEP Act—the Democrats did the FIRST STEP

Act, the Republicans were in the majority. It was a bill sponsored by Senators GRASSLEY, DURBIN, LEE, and many others. Who signed it into law? Donald Trump signed it into law, this so-called Democratic measure.

The PRESIDING OFFICER. The senior Senator from Nevada.

Ms. CORTEZ MASTO. Madam President, I am disappointed because I hear my colleague, but he is not listening. He keeps repeating the same talking point that he is defending law enforcement when, at the same time, he is harming law enforcement across the country. This really is nonsensical. It does not make sense not only to me and my colleagues but to the general public that is watching.

We are talking about filling positions at the U.S. Marshals Service and U.S. Attorney's Offices across the country. They are essential to addressing what we see across the country and ensuring that there is law and order.

So it is the means by which you are trying to achieve your goal which we would ask you to consider. Unfortunately, I am not hearing from my colleague from Arkansas that he is willing to reconsider it and stand up for law and order across this country and support the U.S. Attorney's Offices and marshals who need to be appointed.

I yield the floor.

The PRESIDING OFFICER. The junior Senator from Arkansas.

Mr. COTTON. To respond to the Senator from Illinois, it is true that President Trump signed the FIRST STEP Act. The FIRST STEP Act was the worst mistake of the Trump administration. Yes, it is true that a number of Republican Senators voted for it. They were wrong. They didn't start demanding that we defund the police in the summer of 2020. They condemned that. They stood up for law enforcement.

I yield the floor.

The PRESIDING OFFICER. The junior Senator from Illinois.

Ms. DUCKWORTH. Madam President, I join my colleagues, the Senators from Nevada and Minnesota, in my frustration as to why we are here today.

Today, I am joining them and urging my colleagues to join me in calling for the swift confirmation of Chief LaDon Reynolds to be the U.S. marshal for the Northern District of Illinois. As a seasoned law enforcement officer, Chief Reynolds is more than ready to take on the challenges of this important leadership role, including playing a key part in addressing the rising violent crime devastating our communities in Northern Illinois.

Yet the only reason he is not already confirmed to this position is because of a hold from Senator COTTON—a hold that is completely unrelated to Chief Reynolds' immense qualifications. These qualifications include serving with distinction as the chief of police of the Oak Park Police Department for nearly 30 years, teaching law enforcement officers about the importance of community-oriented policing at the Illinois Law Enforcement Training and

Standards Board Executive Institute, and working to protect communities from rising hate as a board member of Governor Pritzker's Commission on Discrimination and Hate Crimes.

Senator DURBIN and I carefully reviewed Chief Reynolds' experience and expertise. It is clear to us and the White House that he is the best fit for the job. What we are asking for now is simply to let Reynolds get to work; let him take charge of an office that has already gone without Senate-confirmed leadership for 4 years. We need to have a confirmed U.S. marshal leading Federal law enforcement operations to secure our Federal courthouses and capture violent fugitives of the law.

As U.S. marshal, Reynolds would also play an important role in the Biden administration's multijurisdictional strike force to investigate and prosecute gun traffickers channeling deadly weapons into the city of Chicago.

Every day, there are new stories of horrifying and often deadly impacts of rising violent crimes in the Northern District of Illinois. In fact, last year was one of the city of Chicago's deadliest in decades.

But statistics alone cannot fully describe the devastation our communities have endured. For so many Chicagoans, the presence of gun violence is a constant source of trauma and grief in their day-to-day lives. It is painful and gut-wrenching to see this sort of senseless violence happen again and again.

We cannot wait any longer to advance Reynolds' confirmation, especially not for his nomination to be used as a pawn for Senator COTTON to expedite a response to his unrelated pending inquiry to the U.S. Department of Justice. Instead, we must act to make sure the Northern District of Illinois U.S. Marshal's Office has the leadership it needs to fulfill its mission of administering justice and enforcing the law.

If Senator COTTON is serious about tackling violent crime and making our communities safe, then we must move forward with confirming LaDon Reynolds to be the next U.S. marshal for the Northern District of Illinois now. Chief Reynolds' nomination has my full support.

I request that Senator COTTON lift his blanket hold on the U.S. attorney and U.S. marshal nominees pending consideration before the Senate, including Reynolds' nomination.

I yield the floor.

The PRESIDING OFFICER. The junior Senator from Arkansas.

Mr. COTTON. We keep hearing that this is unrelated, as if I am upset with something the Coast Guard did or the Corps of Engineers wants to improve some water project in Arkansas. These are Department of Justice nominees, and right now, the Department of Justice is not standing up for law enforcement officers by hanging these four marshals out to dry. That is why I am not agreeing to fast-track these nomi-

nees. I am not going to agree to fast-track political nominees while the Department of Justice hangs out to dry career law enforcement officers.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Ohio.

Mr. BROWN. Fast-track? Fast-track? Senator CORTEZ MASTO said it has been a year since they have had a U.S. attorney confirmed, sitting in Nevada. In Ohio now, it has been—let me count the days—404 days since 6 million people in the Northern District of Ohio last had a permanent U.S. attorney leading the office. Senator COTTON, with his demagoguery, comes down here and talks about fast-track? I don't know what speed they move in Arkansas, but I would not consider what we are trying to do as fast-track.

They have been vetted. Senator PORTMAN supports this nominee. Let me talk about that.

We know the pandemic has caused an alarming rise in violent crime, especially gun crimes. The Northern District of Ohio, which includes Toledo, Cleveland, Akron, Canton, Youngstown, Mansfield, Warren—cities in basically the northern half of the State. The U.S. attorney has the highest caseload in the last 30 years, filing a record 846 indictments in 2021 alone without a full-time, confirmed U.S. attorney.

Even before the pandemic, the district had a staggering caseload after reaching a record low in 2016, with only 363 new cases through. Senator COTTON, I might add, the Obama administration. The number of new cases began to climb in 2017, at the beginning of the Trump administration, if you want to play those games, Senator COTTON. The number of new cases rose to 706 in 2018. This as kept climbing since. Last year, there were 170 homicides in the city of Cleveland, where my wife and I live—another 30-year record—not to mention a surge in carjackings.

We need to fill key law enforcement positions in Ohio and, as Senator CORTEZ MASTO said, as Senator DURBIN said, in their States—and Senator ROSEN and Senator DUCKWORTH. We need to fill these key law enforcement positions.

I hear from Ohio police officers that they are in desperate need of help, while we, through—Senator COTTON and others accuse Democrats of undermining police or whatever term they use—a term that none of us use—when we have supported local governments with more dollars so they can hire more police while you oppose those same positions, as we know. So we are working with local police to get them that help, whether it is confirming U.S. marshals, whether it is confirming U.S. attorneys.

Thankfully, we have an extremely qualified nominee in Ohio who is ready and eager to serve. The only thing standing in our way is the U.S. Senate. Apparently, the only thing standing in the Senate's way is Senator COTTON, although I am sure somebody else would be willing to take his place.

Marissa Darden is a seasoned prosecutor with extensive experience, a lead attorney in both civil and criminal cases. As an assistant U.S. attorney in the Northern District, she was recognized for her work on several cases involving highly complex legal issues. She received the National High Intensity Drug Trafficking Areas Award for outstanding opioid investigation effort in 2016 and for outstanding investigative effort in 2019.

Listen to what some people have said. Federal District Court Judge Benita Pearson: You can be assured that Darden will fiercely enforce the law while treating all—attorneys, staff, the accused, and the community—with respect and appropriate sensitivity.

Former Acting U.S. Attorney Justin Herdman, nominated by President Trump and supported by Senator PORTMAN and me both—U.S. Attorney Justin Herdman was the last confirmed U.S. attorney in the Northern District. He described her as an attorney of outstanding ability and unquestioned integrity. He said that she is a leader who has a proven track record of delivering results inside and outside the courtroom.

First Assistant Federal Public Defender Jacqueline Johnson told us that this was her first recommendation for U.S. attorney in 38 years of practicing in the Northern District. She said she based her recommendation on her belief that Ms. Darden possesses the intellect, vision, temperament, and judgment needed to lead the U.S. Attorney's Office during this perilous season.

DEA Special Agent in Charge Keith Martin. With 26 years of experience, she is one of the best he has ever encountered, he said. He explained that she was phenomenal in her interaction with law enforcement, cooperative, and stands on her principles. He can't imagine a better choice.

These qualifications—I repeat that Senator PORTMAN also supports Ms. Darden's nomination. Her confirmation would also be historic, making her the first African-American woman to ever serve as U.S. attorney in Ohio.

Unfortunately, Senator COTTON blocks this nomination in addition to these eight other law enforcement nominees. By his own admission, his objections to these nominees have nothing to do with their qualifications.

I support his desire to get answers from DOJ. He should get them. But the solution for his disagreement with DOJ is not with the 6 million Ohio citizens who pay a price or the millions of citizens in Illinois or in Nevada who pay a price, or Minnesota or anywhere.

The last thing I will say, last week I spoke with police officers, one of the many kind of roundtable zooms I do around the State with police officers from around the State. One officer conveyed his colleagues' frustration with politics today. He told me that officers in his department have begun leaving letters on their lockers that say, if

they are killed in the line of duty, they want no elected officials invited to their funerals.

He said, the notes don't say no Democrats, no Republicans; they say no elected officials. A whole bunch of them. The reason for that is the gamesmanship we see right now, that we are not willing to confirm U.S. attorneys, U.S. marshals, in many cases, Federal district judges, just because somebody's been offended by the lack of a letter or something somebody at the Justice Department said to them.

The fact is we need to do this. It will help our States, it will help our country combat crime.

Let's heed this officer's warning and come together to get qualified and talented law enforcement officials and professionals on the job.

The PRESIDING OFFICER. The junior Senator from Arkansas.

Mr. COTTON. Madam President, so contrary to what the Senator from Ohio says, I am not offended by the lack of a letter or offended by something someone said. I'm offended that four U.S. marshals—four U.S. marshals had to decide whether they are going to have enough money to buy Christmas gifts for their kids, pay their mortgage next month, put braces on their kids, send them to summer camp because that is the position that the Department of Justice has put them in.

To recap, four U.S. marshals were among dozens deployed to Portland last summer to guard the courthouse from leftwing street militias. They were targeted with blinding lasers, ball bearings, fireworks. There was an effort to barricade them into the courthouse and set it afire to burn them alive.

Now leftwing activists in leftwing organizations like the ACLU are suing them, and the Department of Justice won't provide them representation, won't even tell them why they are not providing them representation.

Maybe they engaged in some kind of misconduct? Maybe it was excessive force? That would be strange, because all four of these deputy marshals are now back on unrestricted active duty with the special operations group of the Marshal Service, the element most likely to be sent into the most dangerous circumstances and have to use violence, including lethal violence.

It would be pretty strange to send them back to the special operations group with no restrictions if they engaged in some kind of misconduct in Portland. That is what this is about and what it does to undermine the faith and confidence of every career law enforcement professional in the Department of Justice.

So, no, I will not agree to fast-track political nominees to the Department when the Department leadership is hanging out to dry career law enforcement officers.

Mr. DURBIN. Will the Senator yield for a question? I ask the question through the Chair.

Has the Senator been given a privacy waiver by the one marshal that the Department of Justice is not going to defend?

Mr. COTTON. No, I have not. But I know that the response that that marshal received was that the denial of representation was not in the interest of the United States. No more—

Mr. DURBIN. How much time do we have? I am sorry. Go ahead.

Mr. COTTON. No more facts, no more explanation, just like the three who are waiting for a determination and have been waiting for more than a year do not have any fact-based explanation.

Mr. DURBIN. Madam President, how much time do we have remaining?

The PRESIDING OFFICER. There are 1 minute 13 seconds.

Mr. DURBIN. Madam President, that last admission by the Senator from Arkansas tells the whole story. He doesn't even know why the Department is turning down representation of 1 person out of 74. They have agreed to represent 70 of these U.S. marshal employees, and they said they will represent them; and three are under review. One has been turned down; and he hasn't received a privacy waiver, so he doesn't know why. I don't know why either. But you know who is paying the price for it?

Millions of Americans who are asking for Federal law enforcement to be adequately staffed to do their job. The U.S. attorneys and U.S. marshals that want to keep us safe and be part of the team to do that. And because this Senator suspects there may be something suspicious about this, he doesn't have a privacy waiver, he is going to hold up those officials throughout the United States and put their communities in peril. Tell me that that is devotion to law enforcement.

The PRESIDING OFFICER. The junior Senator from Arkansas.

Mr. COTTON. This is exactly the point. Privacy waiver or not, what does it matter? Here is what we do know. Here is what we do know. That none of these four know why they were denied representation or why they haven't had a determination. We know that. And we know that they were sent back on unrestricted active duty to the special operations group.

I think the Department of Justice political leadership owes these brave law enforcement officers an answer before it hangs them out to dry and exposes them to risk of financial ruin and bankruptcy.

Mr. DURBIN. I yield back.

The PRESIDING OFFICER. Is all time yielded back?

Mr. COTTON. I yield back.

VOTE ON WALLANDER NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Wallander nomination?

Mr. BROWN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Arizona (Mr. KELLY) and the Senator from New Mexico (Mr. LUJÁN) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

The result was announced—yeas 83, nays 13, as follows:

[Rollcall Vote No. 58 Ex.]

YEAS—83

Baldwin	Grassley	Risch
Barrasso	Hassan	Romney
Bennet	Heinrich	Rosen
Blackburn	Hickenlooper	Rounds
Blumenthal	Hirono	Sanders
Blunt	Hoeven	Sasse
Booker	Hyde-Smith	Schatz
Boozman	Inhofe	Schumer
Brown	Kaine	Scott (FL)
Burr	Kennedy	Shaheen
Cantwell	King	Shelby
Capito	Klobuchar	Sinema
Cardin	Leahy	Smith
Carper	Manchin	Sullivan
Casey	Markey	Stabenow
Cassidy	Marshall	Tester
Collins	McConnell	Thune
Coons	Menendez	Tillis
Cornyn	Merkley	Toomey
Cortez Masto	Murkowski	Van Hollen
Cotton	Murphy	Warner
Cramer	Murray	Warnock
Crapo	Ossoff	Warren
Daines	Padilla	Whitehouse
Duckworth	Paul	Wicker
Durbin	Peters	Wyden
Fischer	Portman	Young
Gillibrand	Reed	

NAYS—13

Braun	Johnson	Rubio
Cruz	Lankford	Scott (SC)
Ernst	Lee	Tuberville
Hagerty	Lummis	
Hawley	Moran	

NOT VOTING—4

Feinstein	Kelly
Graham	Luján

The nomination was confirmed.

VOTE ON HONEY NOMINATION

The PRESIDING OFFICER (Mr. HICKENLOOPER). Under the previous order, the question is, Will the Senate advise and consent to the Honey nomination?

Mr. LEAHY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Arizona (Mr. KELLY), the Senator from New Mexico (Mr. LUJÁN), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

The result was announced—yeas 94, nays 1, as follows: