

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:

(Rollcall Vote No. 59 Ex.)

## YEAS—94

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

## NAYS—1

Hawley

## NOT VOTING—5

Feinstein	Kelly	Whitehouse
Graham	Lujan	

The nomination was confirmed.

The PRESIDING OFFICER (Ms. SMITH). Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

The PRESIDING OFFICER. The Senator from Iowa.

## CRIME

Mr. GRASSLEY. Madam President, I have come to this floor before for the same subject, but I now come to express my concerns once again about the rise in crime in America. Now I want to express what that rise in crime means for everybody if we don't stop it. If we don't act soon, and don't reverse the trend of tolerating crime, a generation of Americans will see the greatest cities fall once again into decay. We have seen it before, and it is not something that we want to see again. To stop it, we must allow the police to enforce the law and demand that prosecutors do their job.

A couple of generations of Americans have now grown up not knowing how dangerous some of our biggest cities used to be. The two that come to mind are New York and Washington, DC.

First, let's look at New York 20, 40 years ago. When asked what they think of Times Square in Manhattan, most younger Americans would probably say that it is a tourist trap. But it wasn't always that way. In the 1970s, Times Square was an open sore, filled with adult theaters, drugs, and rampant crime. Back then, the New York City subway looked like something from some dystopian horror movie. In other words, you avoided New York City subways if you could.

Now, let's turn to Washington, DC, in the late 1980s. Its decay could almost be traced back entirely to one person. Just a few blocks from here where we are standing right now, a drug dealer named Rayful Edmond ran the most notorious crack cocaine operation in the country. By 1989, he was bringing 1,700 pounds of cocaine into DC every month. He used to put snipers on rooftops near his headquarters. Police suspected his operation was involved in 30 homicides. During that time, the city's murder rate doubled. Washington had the nickname the "murder capital of the world."

Then something great happened. Mayors and prosecutors got serious about dealing with crime. They sent Rayful Edmond to jail for life. People who lived in cities felt much safer. Businesses flourished. Pervasive fear gradually lessened because police took criminals off the street.

The crime rates in New York and Washington plummeted. Young families moved to urban neighborhoods that were far too dangerous just a few years before. This was wonderful, obviously. The block where Rayful Edmond once put his snipers on rooftops is now a very normal residential street.

Our cities, everybody knows, should be places where we want to live. We should enjoy going there to see other people. We shouldn't avoid cities because we are afraid of getting harassed on the streets or carjacked, at the worst. But that is what is beginning to happen again. All over the country, our biggest cities are starting to look dangerous and empty. History repeats and repeats.

Cities are devolving into what they were just a couple of decades ago. Homicides in 22 major cities have gone up 44 percent since 2019. Carjackings are up double, even triple, and worse in some cities. Thieves are stealing from stores with impunity. When that happens, those businesses shut down, leaving neighborhoods with empty storefronts and a recipe for urban decline.

Crime is up because of the permissive approach by too many so-called progressive prosecutors. One prosecutor in San Francisco has said that if you steal less than \$950, you won't be prosecuted. No wonder people are committing more crimes. These prosecutors see criminals as victims, releasing them back into the streets shortly after being arrested. This sows fear in local residents. Common sense ought to tell everybody that. Common sense says it kills growth. Common sense says it hurt neighborhoods. Common sense says it endangers regular people who want to live their lives peacefully.

America is a nation of progress. We are a nation of progress moving forward. Our current backward slide to urban decays in the 1970s and 1980s is tragic. Working-class families and those who can't afford to move somewhere safer will bear the brunt of it.

The solution here is not very complicated. A recent poll showed two out

of every three people know what some of these blue-city mayors haven't figured out yet: More police equals less crime.

When prosecutors list a whole bunch of crimes that they won't prosecute, it encourages lawbreaking. Also, we need to stop the crusade to defund the police. They need to stop progressive prosecutors. You know, I know there is prosecutorial discretion. We all know that not every crime can be punished or prosecuted.

But if you were a smart prosecutor who didn't want to encourage more crime, you wouldn't tell the whole world that certain crimes aren't going to be punished and others will be punished, because that is inviting those laws to be broken. That is why you see dozens of people rushing into a retail store, grabbing everything they can that is under \$950 and leave.

Prosecutors ought to keep their mouths shut and just do the job; and if they use discretion, keep it to themselves not to punish some crimes.

So we need to make sure that repeat offenders and those who are a threat to society don't get bail. Otherwise, younger generations of America will learn all over again the harsh lessons about how quickly our greatest cities can fall into decay.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

## UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. MERKLEY. Madam President, I am on the floor today to talk about the nomination of Ambassador Julieta Valls Noyes, to serve as Assistant Secretary of State for the Bureau of Population, Refugees, and Migration.

Originally nominated last July, Ambassador Noyes' nomination was reported favorably out of the Foreign Relations Committee in October.

Since then, she has waited in limbo for all of us to act. Ambassador Noyes has a distinguished 35-year career with the State Department, serving in important and challenging roles, many of those roles tied directly to the work she would be doing at the Bureau of Population, Refugees, and Migration, often referred to as PRM.

As Ambassador to Croatia, she presided over the final stages of a refugee resettlement program after the Balkan wars, while hosting regional conferences and trainings for prosecutors, police, and judges on refugee-related issues.

As Deputy Assistant Secretary in the Bureau of European and Eurasian Affairs, Ambassador Noyes oversaw the