

that just in discretionary—didn't do it in the military, didn't do it in mandatory spending—just discretionary—2 cents out of the dollar, then you are going to get more than \$10 billion in savings. These are small, little steps. But, you know what? In the end, if you do that, if you cut a nickel out, it saves \$26 billion. Do it every year. Do it so we are not wasting taxpayers' money.

This is not government money. It is not your money. It is not my money. It is not the money of this Chamber or the House. It is the money of the people of this country, and we are charged with spending that carefully, accountably, and transparently to the people.

Tennesseans cannot take and they will not accept another year of this reckless spending. They are demanding change, and this is the barest minimum of what they would accept—tiny little cuts like that, just in the right direction, and then holding to it. Don't come back in 2 years and say: We have to raise the debt. They want to see some structural change.

Now, unfortunately, the President has said that he has no plans to negotiate his spending levels. It will be interesting to see what he has to say about this tonight, because to Tennesseans, it is almost, unfortunately—somebody said this weekend—it is laughable. It is shameful that he does not want to negotiate, that he is not going to talk about spending less, that he only wants to talk about spending more.

Senate Democrats cannot keep putting off this debate in order to save the President's failed agenda. Our job is not to serve the White House. It is to serve the American people. And they are saying: Do something about the wasteful, out-of-control spending.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MARKEY). Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 5.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Cindy K. Chung, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 5, Cindy K. Chung, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

Charles E. Schumer, Richard J. Durbin, Debbie Stabenow, Margaret Wood Hassan, Brian Schatz, Tina Smith, Elizabeth Warren, Tim Kaine, Ron Wyden, Patty Murray, Chris Van Hollen, Martin Heinrich, Jack Reed, Christopher A. Coons, Alex Padilla, Christopher Murphy, Sheldon Whitehouse, Richard Blumenthal.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 9.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Gina R. Mendez-Miro, of Puerto Rico, to be United States District Judge for the District of Puerto Rico.

CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 9, Gina R. Mendez-Miro, of Puerto Rico, to be United States District Judge for the District of Puerto Rico.

Charles E. Schumer, Richard J. Durbin, Sheldon Whitehouse, Martin Heinrich, Tim Kaine, Tammy Baldwin, Ben Ray Luján, Tammy Duckworth, John W.

Hickenlooper, Amy Klobuchar, Jack Reed, Jeanne Shaheen, Benjamin L. Cardin, Edward J. Markey, Alex Padilla, Margaret Wood Hassan, Catherine Cortez Masto.

Mr. SCHUMER. Finally, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, February 7, be waived.

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

Mr. SCHUMER. 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.

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

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

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 3, DeAndrea Gist Benjamin, of South Carolina, to be United States Circuit Judge for the Fourth Circuit.

Charles E. Schumer, Richard J. Durbin, Sheldon Whitehouse, Martin Heinrich, Tim Kaine, Tammy Baldwin, Ben Ray Luján, Tammy Duckworth, John W. Hickenlooper, Amy Klobuchar, Jack Reed, Jeanne Shaheen, Benjamin L. Cardin, Edward J. Markey, Alex Padilla, Margaret Wood Hassan, Catherine Cortez Masto.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of DeAndrea Gist Benjamin, of South Carolina, to be United States Circuit Judge for the Fourth Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Alaska (Mr. SULLIVAN).

The yeas and nays resulted—yeas 54, nays 43, as follows:

[Rollcall Vote No. 6 Ex.]

YEAS—54

Baldwin	Cortez Masto	Kaine
Bennet	Duckworth	Kelly
Blumenthal	Durbin	King
Booker	Feinstein	Klobuchar
Cantwell	Fetterman	Luján
Cardin	Gillibrand	Manchin
Carper	Hassan	Markey
Casey	Heinrich	Menendez
Collins	Hickenlooper	Merkley
Coons	Hirono	Murkowski

Murphy	Schatz	Tillis
Murray	Schumer	Van Hollen
Ossoff	Scott (SC)	Warner
Padilla	Shaheen	Warnock
Peters	Sinema	Warren
Reed	Smith	Welch
Rosen	Stabenow	Whitehouse
Sanders	Tester	Wyden

NAYS—43

Barrasso	Fischer	Paul
Blackburn	Grassley	Ricketts
Boozman	Hagerty	Risch
Braun	Hawley	Romney
Britt	Hoeben	Rounds
Budd	Hyde-Smith	Rubio
Capito	Johnson	Schmitt
Cassidy	Kennedy	Scott (FL)
Cornyn	Lankford	Thune
Cotton	Lee	Tuberville
Cramer	Lummis	Vance
Crapo	Marshall	Wicker
Cruz	McConnell	Young
Daines	Moran	
Ernst	Mullin	

NOT VOTING—3

Brown	Graham	Sullivan
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(Mr. MENENDEZ assumed the Chair.)
The PRESIDING OFFICER (Mr. WARNOCK). The yeas are 54; the nays are 43.

The motion is agreed to.
The Senator from Virginia.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. KAINE. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

UNANIMOUS CONSENT REQUESTS

Mr. GRASSLEY. Mr. President, the Senate Budget Committee is charged with the enforcement of budgetary levels and associated budgetary laws. This duty entails the review of measures through all stages of the legislative process. Consistent with the practice of previous chairs and ranking members of the committee, I have instructed my staff to review all bills and resolutions for which unanimous consent for passage is requested for any budgetary and programmatic effects.

To help my staff perform their duties and avoid unnecessary delays during the unanimous consent process, Members are encouraged to provide Budget Committee staff with legislative text and corresponding budgetary information from either the Congressional Budget Office or the Joint Committee on Taxation. I will use this information to weigh the budgetary and policy implications of each matter.

If after considering this information I decide to object to legislation, I will file notice of that decision publicly.

SENATE COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP RULES OF PROCEDURE

Mr. CARDIN. Mr. President, I ask unanimous consent that the following be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SENATE COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP COMMITTEE RULES—118TH CONGRESS

JURISDICTION

Per Rule XXV(1) of the Standing Rules of the Senate:

(1) Committee on Small Business and Entrepreneurship to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the Small Business Administration;

(2) Any proposed legislation reported by such committee which relates to matters other than the functions of the Small Business Administration shall, at the request of the chairman of any standing committee having jurisdiction over the subject matter extraneous to the functions of the Small Business Administration, be considered and reported by such standing committee prior to its consideration by the Senate; and likewise measures reported by other committees directly relating to the Small Business Administration shall, at the request of the Chair of the Committee on Small Business and Entrepreneurship, be referred to the Committee on Small Business and Entrepreneurship for its consideration of any portion of the measure dealing with the Small Business Administration and be reported by this committee prior to its consideration by the Senate.

(3) Such committee shall also study and survey by means of research and investigation all problems of American small business enterprises, and report thereon from time to time.

RULES OF PROCEDURE

General

All applicable provisions of the Standing Rules of the Senate, the Senate Resolutions, and the Legislative Reorganization Acts of 1946 and of 1970 (as amended), shall govern the Committee.

Meetings

(a) The regular meeting day of the Committee shall be the first Wednesday of each month unless otherwise directed by the Chair. All other meetings may be called by the Chair as he or she deems necessary, on 5 business days notice where practicable. If at least three Members of the Committee desire the Chair to call a special meeting, they may file in the office of the Committee a written request therefore, addressed to the Chair. Immediately thereafter, the Clerk of the Committee shall notify the Chair of such request. If, within 3 calendar days after the filing of such request, the Chair fails to call the requested special meeting, which is to be held within 7 calendar days after the filing of such request, a majority of the Committee Members may file in the Office of the Committee their written notice that a special Committee meeting will be held, specifying the date, hour and place thereof, and the Committee shall meet at that time and place. Immediately upon the filing of such notice, the Clerk of the Committee shall notify all Committee Members that such special meeting will be held and inform them of its date, hour and place. If the Chair is not present at any regular, additional or special meeting, such member of the Committee as the Chair shall designate shall preside. For

any meeting or hearing of the Committee, the Ranking Member may delegate to any Minority Member the authority to serve as Ranking Member, and that Minority Member shall be afforded all the rights and responsibilities of the Ranking Member for the duration of that meeting or hearing. Notice of any designation shall be provided to the Chief Clerk as early as practicable.

(b) It shall not be in order for the Committee to consider any amendment in the first degree proposed to any measure under consideration by the Committee unless an electronic copy of such amendment has been delivered to the Clerk of the Committee at least 2 business days prior to the meeting. Following receipt of all amendments, the Clerk shall disseminate the amendments to all Members of the Committee. This subsection may be waived by agreement of the Chair and Ranking Member or by a majority vote of the members of the Committee.

Quorums

(a)(1) A majority of the Members of the Committee shall constitute a quorum for reporting any legislative measure or nomination.

(2) One-third of the Members of the Committee shall constitute a quorum for the transaction of routine business, provided that one Minority Member is present. The term "routine business" includes, but is not limited to, the consideration of legislation pending before the Committee and any amendments thereto, and voting on such amendments, and steps in an investigation including, but not limited to, authorizing the issuance of a subpoena.

(3) In hearings, whether in public or closed session, a quorum for the asking of testimony, including sworn testimony, shall consist of one Member of the Committee.

(b) Proxies will be permitted in voting upon the business of the Committee. A Member who is unable to attend a business meeting may submit a proxy vote on any matter, in writing, or through oral or written personal instructions to a Member of the Committee or staff. Proxies shall in no case be counted for establishing a quorum.

Nominations

In considering a nomination, the Committee shall conduct an investigation or review of the nominee's experience, qualifications, suitability, and integrity to serve in the position to which he or she has been nominated. In any hearings on the nomination, the nominee shall be called to testify under oath on all matters relating to his or her nomination for office. To aid in such investigation or review, each nominee may be required to submit a sworn detailed statement including biographical, financial, policy, and other information which the Committee may request. The Committee may specify which items in such statement are to be received on a confidential basis.

Hearings, Subpoenas, & Legal Counsel

(a)(1) The Chair of the Committee may initiate a hearing of the Committee on his or her authority or upon his or her approval of a request by any Member of the Committee. If such request is by the Ranking Member, a decision shall be communicated to the Ranking Member within 7 business days. Written notice of all hearings, including the title, a description of the hearing, and a tentative witness list shall be given at least 5 business days in advance, where practicable, to all Members of the Committee.

(2) Hearings of the Committee shall not be scheduled outside the District of Columbia unless specifically authorized by the Chair and the Ranking Minority Member or by consent of a majority of the Committee. Such consent may be given informally, without a meeting, but must be in writing.