

huge fine to the broadcasters, over \$30 million. But at just the same time that she was nominated by the President to regulate and oversee these broadcasters, they all magically reached a new settlement that just so happened to reduce the fine by 98 percent—from \$32 million to a few hundred thousand dollars, just like that.

When Senators have asked for more details about these questionable settlements, she has been less than forthcoming. The fact pattern makes one wonder if she thought she could start cashing in favors from the people she is supposed to regulate before she even got the job.

Oh, and by the way, this nominee made personal cash contributions to the campaigns of multiple current sitting Senators while her own nomination was pending before them. She sent money to four Democratic Senators even as a pending nominee—a pending nominee—before the Senate.

The latest reappearance of this nomination is a case study in President Biden's refusal to pivot, moderate, or find common ground. They are tripling down on extremism that even a Democratic Senate has already rejected twice. I urge our colleagues on the Commerce Committee to push for answers.

The Senate must say no to a radical activist controlling our airwaves. And the American people should ask why—why—the Biden administration is this desperate to control what citizens can see, hear, think, and say.

VOTE ON MENDEZ-MIRO NOMINATION

The ACTING PRESIDENT pro tempore. Under the previous order, the question is, Will the Senate advise and consent to the Mendez-Miro nomination?

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

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. CASEY) is necessarily absent.

The result was announced—yeas 54, nays 45, as follows:

[Rollcall Vote No. 11 Ex.]

YEAS—54

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Rosen
Blumenthal	Hirono	Sanders
Booker	Kaine	Schatz
Brown	Kelly	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Lujan	Smith
Collins	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murkowski	Warnock
Feinstein	Murphy	Warren
Fetterman	Murray	Welch
Gillibrand	Ossoff	Whitehouse
Graham	Padilla	Wicker
Hassan	Peters	Wyden

NAYS—45

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	Scott (SC)
Cotton	Lee	Sullivan
Cramer	Lummis	Thune
Crapo	Marshall	Tillis
Cruz	McConnell	Tuberville
Daines	Moran	Vance
Ernst	Mullin	Young

NOT VOTING—1

Casey

The nomination was confirmed. The PRESIDING OFFICER (Mr. HICKENLOOPER). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

CLOTURE MOTION

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

The senior assistant 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. 7, Lindsay C. Jenkins, of Illinois, to be United States District Judge for the Northern District of Illinois.

Richard J. Durbin, Sheldon Whitehouse, Martin Heinrich, Tim Kaine, Tammy Baldwin, Ben Ray Lujan, Tammy Duckworth, John W. Hickenlooper, Amy Klobuchar, Jack Reed, Jeanne Shaheen, Brian Schatz, 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 Lindsay C. Jenkins, of Illinois, to be United States District Judge for the Northern District of Illinois, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. CASEY) is necessarily absent.

The yeas and nays resulted—yeas 58, nays 41, as follows:

[Rollcall Vote No. 12 Ex.]

YEAS—58

Baldwin	Collins	Graham
Bennet	Coons	Grassley
Blumenthal	Cornyn	Hassan
Booker	Cortez Masto	Heinrich
Brown	Duckworth	Hickenlooper
Cantwell	Durbin	Hirono
Capito	Feinstein	Kaine
Cardin	Fetterman	Kelly
Carper	Gillibrand	King

Klobuchar	Peters	Stabenow
Lujan	Reed	Tester
Manchin	Romney	Van Hollen
Markey	Rosen	Warner
Menendez	Rounds	Warnock
Merkley	Sanders	Warren
Murkowski	Schatz	Welch
Murphy	Schumer	Whitehouse
Murray	Shaheen	Wyden
Ossoff	Sinema	
Padilla	Smith	

NAYS—41

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

NOT VOTING—1

Casey

The PRESIDING OFFICER (Mr. LUJÁN). On this vote, the yeas are 58, the nays are 41.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Lindsay C. Jenkins, of Illinois, to be United States District Judge for the Northern District of Illinois.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:25 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. LUJÁN).

EXECUTIVE CALENDAR—Continued

VOTE ON JENKINS NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Jenkins nomination?

Mr. CARDIN. 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 Pennsylvania (Mr. CASEY) is necessarily absent.

The result was announced—yeas 59, nays 40, as follows:

[Rollcall Vote No. 13 Ex.]

YEAS—59

Baldwin	Capito	Cortez Masto
Bennet	Cardin	Duckworth
Blumenthal	Carper	Durbin
Booker	Collins	Feinstein
Brown	Coons	Fetterman
Cantwell	Cornyn	Gillibrand

Graham	Merkley	Shaheen
Grassley	Murkowski	Sinema
Hassan	Murphy	Smith
Heinrich	Murray	Stabenow
Hickenlooper	Ossoff	Tester
Hirono	Padilla	Tillis
Kaine	Peters	Van Hollen
Kelly	Reed	Warner
King	Romney	Warnock
Klobuchar	Rosen	Warren
Luján	Rounds	Welch
Manchin	Sanders	Whitehouse
Markey	Schatz	Wyden
Menendez	Schumer	

Hassan	Merkley	Shaheen
Heinrich	Murkowski	Sinema
Hickenlooper	Murphy	Smith
Hirono	Murray	Stabenow
Kaine	Ossoff	Tester
Kelly	Padilla	Tillis
King	Peters	Van Hollen
Klobuchar	Reed	Warner
Luján	Rosen	Warnock
Manchin	Sanders	Warren
Markey	Schatz	Welch
Menendez	Schumer	Whitehouse

Shaheen	Sinema	Smith
Stabenow	Tester	Van Hollen
Warner	Warnock	Warren
Welch	Whitehouse	Wyden

## NAYS—45

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

## NOT VOTING—1

Casey

The nomination was confirmed.

## CLOTURE MOTION

The PRESIDING OFFICER. 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. 12, Matthew L. Garcia, of New Mexico, to be United States District Judge for the District of New Mexico.

Richard J. Durbin, Sheldon Whitehouse, Martin Heinrich, Tim Kaine, Tammy Baldwin, Ben Ray Lujan, Tammy Duckworth, John W. Hickenlooper, Amy Klobuchar, Jack Reed, Jeanne Shaheen, Brian Schatz, Edward J. Markey, Benjamin L. Cardin, 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 Matthew L. Garcia, of New Mexico, to be United States District Judge for the District of New Mexico, 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 Pennsylvania (Mr. CASEY) is necessarily absent.

The yeas and nays resulted—yeas 54, nays 45, as follows:

[Rollcall Vote No. 14 Ex.]

## YEAS—54

Baldwin	Cardin	Duckworth
Bennet	Carper	Durbin
Blumenthal	Collins	Feinstein
Booker	Coons	Fetterman
Brown	Cornyn	Gillibrand
Cantwell	Cortez Masto	Graham

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

## NOT VOTING—1

Casey

The PRESIDING OFFICER (Mr. WELCH). On this vote, the yeas are 54, the nays are 45.

The motion is agreed to.

Under the previous order, with respect to the Jenkins nomination, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the Garcia nomination.

The legislative clerk read the nomination of Matthew L. Garcia, of New Mexico, to be United States District Judge for the District of New Mexico.

The PRESIDING OFFICER. The Senator from Oregon.

## UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. MERKLEY. Mr. President, I ask unanimous consent that at 4:30 p.m. today, all postcloture time with respect to the Garcia nomination be considered expired and the Senate vote on confirmation of the nomination.

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

## TRIBUTE TO ELVIA MONTOYA

Mr. MERKLEY. Mr. President, I come to the floor today to recognize and bid farewell to a valued member of my team, our legislative director, Elvia Montoya.

Five years ago, our office had the fortune of bringing Elvia onboard as a legislative correspondent—or LC—working on issues of education, equal rights, and healthcare. These are incredibly important issues. And she did such an incredible job working on them that it wasn't long at all before she was promoted to handle them as our legislative assistant.

And time and time again, year after year, no matter what new task she took on or what challenge was thrown at her, she succeeded and thrived.

Every Oregonian, every American, across this Nation is better off today, thanks to her tireless efforts.

Seventy-two thousand children in our State, for instance, who normally get free or reduced-priced lunches during the school year continue to get healthy and nutritious meals during the summer months. They have Elvia to thank for that because she is the one who included language in the fiscal year 2020 Further Consolidated Appropriations Act to reinstate the program.

Thousands of nurses are on the job today saving lives because we invested in the training and workforce development that are key to the future of this critical profession through the Nursing Workforce Reauthorization Act of 2019. And Elvia wrote that bill and helped get it passed as part of the CARES Act; and thank goodness she did, or the nursing shortage today would be much worse than it is.

And Elvia was always three steps ahead in the lead-up to the COVID-19 pandemic. In January of 2020, over 2 months before life as we knew shut down and people were only vaguely aware of a new virus coming out of China, she saw right away that this had the potential to upend life around the Globe.

By the end of that month, she had persuaded me to lead a letter calling on the World Health Organization to declare a public health emergency of international concern.

By the end of February, our office had a resource page for Oregonians who were starting to hear about this new, dangerous virus and were growing nervous. This was phenomenal timing because Oregon had its first confirmed case on Friday, February 28, 2020. The announcement came well after working hours.

But even late on a Friday evening, she was on the ball, alerting me and other senior staff and starting to prepare for the long battle ahead as she led our team in that battle for the next year-plus.

She kept tabs on the virus, day in and day out, leading briefings for our team and providing daily updates on the spread and impact of the virus. And she led my team's efforts to help enact the COVID relief bills as we took up and passed them here on the Senate floor—from the Coronavirus Preparedness and Response Supplemental Appropriations Act to the Families First Coronavirus Response Act; the CARES Act to the Paycheck Protection Program and Healthcare Enforcement Act.

And she wasn't just invested in policy. She was also invested in the logistical challenges we faced under COVID. One night, when a truck was supposed to be delivering supplies of personal protective equipment—or PPE, as we call it—delivering it from the national stockpile to the main resource warehouse in Oregon, from where it would be distributed to hospitals and clinics and other places the following morning, things went awry.