

fifth-generation farm in Londonderry. They specialize in growing apples and other kinds of fruit as well as other products. I think his comments here really show the experience of so many growers in New Hampshire this year.

Ken says:

I am writing you this letter on Labor Day 2023. Labor Day weekend is usually a busy time on the farm. The farm stand is packed with people buying apples, peaches, and other fruit. Some years Pick-your-own apples is beginning and people are coming to the orchard for outings.

Not this year.

I am sitting in my office, writing this letter, because there are no peaches or other stone fruit, pears, and few apples.

At least 95 percent of the apple blossoms were killed by a severe frost on May 18, 2023. The peaches and stone fruit were killed by an unusually cold night in February.

The consequences of these weather events are dramatic. The farm stand is operating at a reduced level selling the few vegetables we grow.

Most years we hire three to five people for the harvest season to pick, pack and help sell the crop. This year, we have to tell the people that have worked for us for many years that there were not jobs for them.

We have had to cancel all our wholesale contracts with supermarkets, no apples.

We have had to stop selling to other farm stands we have sold to for years as well as telling the New Hampshire Food Bank that we had nothing to sell them this year.

This is the first time in more than 50 years, since I have been associated with the family business, that we have not had an apple crop.

Ken's experience reflects that of almost all of our growers in New Hampshire.

In July, the Secretary of Agriculture declared a Federal disaster for New Hampshire growers as a result of the frost. However, for agricultural disasters, as the Presiding Officer knows, there is no Federal relief that is automatically triggered even after the Secretary of Agriculture has declared a Federal disaster.

Instead, Congress must specifically appropriate funds. There is plenty of precedent for this. In 2023, Congress provided \$3.7 billion for agricultural disasters that had occurred in calendar year 2022, and in 2022, Congress provided \$10 billion for agricultural disasters that occurred in 2020 and 2021.

Federal disaster relief is particularly urgent for farmers like those in New Hampshire who are underserved by existing Federal agricultural programs. In fact, many of our apple growers don't even have crop insurance because they have found that it doesn't really work for their businesses the way it is currently structured.

I hope we can come together to support appropriations bills, but I hope we can also come together to provide the urgently needed relief funding for our farmers—those who have been so affected in New Hampshire and New England.

I urge my colleagues to support this effort and to ensure that agricultural disaster relief is enacted promptly.

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

The PRESIDING OFFICER. Without objection, so ordered.

### 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. 282, Gen. Charles Q. Brown, Jr., for reappointment as Chairman of the Joint Chiefs of Staff and appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 152 and 601: to be General.

Charles E. Schumer, Mark Kelly, Patty Murray, Alex Padilla, Tammy Baldwin, Angus S. King, Jr., Catherine Cortez Masto, Margaret Wood Hassan, Debbie Stabenow, Michael F. Bennet, Richard Blumenthal, Kirsten E. Gillibrand, Martin Heinrich, Maria Cantwell, Benjamin L. Cardin, Chris Van Hollen, Richard J. Durbin, Jack Reed, Brian Schatz.

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 Executive Calendar No. 282, the following named officer for reappointment as Chairman of the Joint Chiefs of Staff and appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 152 and 601: to be General, Gen. Charles Q. Brown, Jr., 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 California (Mrs. FEINSTEIN) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Alaska (Ms. MURKOWSKI) and the Senator from South Carolina (Mr. SCOTT).

Further, if present and voting: the Senator from Alaska (Ms. MURKOWSKI) would have voted "yea."

The yeas and nays resulted—yeas 89, nays 8, as follows:

[Rollcall Vote No. 234 Ex.]

### YEAS—89

Baldwin	Blumenthal	Brown
Barrasso	Booker	Budd
Bennet	Boozman	Cantwell
Blackburn	Britt	Capito

Cardin	Hyde-Smith	Romney
Carper	Johnson	Rosen
Casey	Kaine	Rounds
Cassidy	Kelly	Rubio
Collins	Kennedy	Sanders
Coons	King	Schatz
Cornyn	Klobuchar	Schumer
Cortez Masto	Lankford	Scott (FL)
Cotton	Lujan	Shaheen
Cramer	Lummis	Sullivan
Crapo	Manchin	Sinema
Daines	Markey	Smith
Duckworth	McConnell	Stabenow
Durbin	Menendez	Sullivan
Ernst	Merkley	Tester
Fetterman	Moran	Thune
Fischer	Mullin	Tillis
Gillibrand	Murphy	Van Hollen
Graham	Murray	Warner
Grassley	Ossoff	Warnock
Hagerty	Padilla	Warren
Hassan	Paul	Welch
Heinrich	Peters	Whitehouse
Hickenlooper	Reed	Wicker
Hirono	Ricketts	Wyden
Hoeven	Risch	Young

### NAYS—8

Braun	Lee	Tuberville
Cruz	Marshall	Vance
Hawley	Schmitt	

### NOT VOTING—3

Feinstein	Murkowski	Scott (SC)
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The PRESIDING OFFICER (Mr. MURPHY). On this vote, the yeas are 89, the nays are 8, and the motion is agreed to. The Senator from Alabama.

### NOMINATIONS

Mr. TUBERVILLE. Mr. President, 2 hours ago, Senator SCHUMER announced that we will be voting on the Commandant of the Marine Corps, the Army Chief of Staff, and the Chairman of the Joint Chiefs of Staff.

It is about time. I have called for individual votes on these nominees for almost 6 months. Instead of voting, Democrats have spent months complaining about having to vote. They want to use floor time for things like liberal judges, like the one we confirmed a couple of hours ago.

Senator SCHUMER could have confirmed these nominees a long, long time ago. We have had more than 80 days off this year in the Senate, not including weekends. Yet Senator SCHUMER is outraged that we are voting on these nominations.

As I have noted before, the current Chairman of the Joint Chiefs of Staff was given a floor vote in 2018. The current nominee for that position, General Brown, was given a floor vote for his current position not long ago. Despite what Senator REED and others have said, there is nothing wrong with a floor vote on these nominations.

I ran for Senate so I could vote on behalf of the people of the State of Alabama. I didn't come up here just to outsource my job to the Pentagon or the White House. Yet that is exactly what Democrats want to do. That is the current position of Senate Democrats.

The Constitution says we make the laws here in Congress, not in the Pentagon and not in the White House. So this is not about me. It is about the Senate and the Constitution. This is a win today for the legislative branch of government. Voting gives all Senators a voice for their constituents.

The Constitution says that the Senate is to "advise and consent" to the President's nominations. Over the last 6 months, Democrats in this Chamber have actually complained that the Senate has too much power. Senator SCHUMER made reference this afternoon to proposals by Democrats to make the Senate weaker. Senate Democrats have been more than happy to go along with executive overreach when a Democrat is in the Oval Office.

Democrats have spent the last 6 months attacking me for standing up to an illegal and immoral new policy. Many of these attacks have been wrong on the facts. First, they said I was leaving important jobs open. That is false.

Then they complained that we have acting officials in many important roles. They claim that generals and admirals just can't do the job as an acting official.

Senator REED came to the floor 2 weeks ago and said we "have no effective military leadership" in several branches of the military right now. One member of the House said the military is "paralyzed."

I don't even think the Pentagon would defend these accusations. Democrats still have never shown me one fact to show that we were behind on readiness. It is just not true.

Just last week, GEN Charles Flynn, our top Army general in the Pacific, said he hasn't noticed any challenges because of the hold—not any. Over the weekend, the outgoing Chairman of the Joint Chiefs of Staff, General Milley, said our readiness is better than it has been in years.

This hold is not affecting readiness.

If Democrats want to complain, then they should look in the mirror. I don't control the Senate floor; the Democrats do.

In a typical week, we work 3 days. Those aren't the kinds of hours people are working back in my home State of Alabama. This is one of the least productive Senates in our lifetime.

Democrats can't have it both ways. Either they can confirm these nominees through regular order or they can stop complaining about acting officials.

Democrats say there is a large backlog of nominees. They say it would take a long time. Well, I agree. It has been a big backlog. But, again, CHUCK SCHUMER allowed the backlog to build up over 6 months. It is his fault.

We could have been confirming one or two a week over the last 200 days. It would have taken us just 4 hours of voting each week.

But we didn't do it. We took another angle of just sitting back and watching. CHUCK SCHUMER refused again and again and again.

We don't have a lack of leadership in our military. We have a lack of leadership right here in the U.S. Senate.

Despite the lack of leadership, Senators are perfectly capable of voting. Voting is our job. That is why we were sent here.

So to be clear, my hold is still in place. The hold will remain in place as long as the Pentagon's illegal abortion policy remains in place. If the Pentagon lifts the policy, then I will lift my hold—easy as that. That has been my position from the very beginning.

I am not afraid to vote on these nominees or on all of these nominees. I came here to this Chamber to vote, and I reserve the right to seek another cloture petition on the nominees in the future.

So that is where we stand today.

I yield the floor.

## RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 6:15 p.m.

Thereupon, the Senate, at 5:01 p.m., recessed until 6:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WHITEHOUSE).

## EXECUTIVE CALENDAR—Continued

### VOTE ON BROWN NOMINATION

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

Mr. KAINE. 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) and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Arkansas (Mr. COTTON), the Senator from Kansas (Mr. MORAN), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from South Carolina (Mr. SCOTT).

Further, if present and voting: the Senator from Alaska (Ms. MURKOWSKI) would have voted "yea" and the Senator from Kansas (Mr. MORAN) would have voted "yea."

The result was announced—yeas 83, nays 11, as follows:

[Rollcall Vote No. 235 Ex.]

### YEAS—83

Baldwin	Cornyn	Hoeven
Barrasso	Cortez Masto	Hyde-Smith
Bennet	Cramer	Kaine
Blackburn	Crapo	Kelly
Blumenthal	Daines	Kennedy
Booker	Duckworth	King
Boozman	Durbin	Klobuchar
Britt	Ernst	Lankford
Brown	Fetterman	Lujan
Budd	Fischer	Manchin
Cantwell	Gillibrand	Markey
Capito	Graham	McConnell
Cardin	Grassley	Menendez
Carper	Hagerty	Merkley
Casey	Hassan	Mullin
Cassidy	Heinrich	Murphy
Collins	Hickenlooper	Murray
Coons	Hirono	Ossoff

Padilla	Schatz	Van Hollen
Paul	Schumer	Warner
Peters	Scott (FL)	Warnock
Reed	Shaheen	Warren
Ricketts	Shinema	Welch
Risch	Smith	Whitehouse
Romney	Sullivan	Wicker
Rosen	Tester	Wyden
Rounds	Thune	Young
Sanders	Tillis	

### NAYS—11

Braun	Lee	Schmitt
Cruz	Lummis	Tuberville
Hawley	Marshall	Vance
Johnson	Rubio	

### NOT VOTING—6

Cotton	Moran	Scott (SC)
Feinstein	Murkowski	Stabenow

The nomination was confirmed (Mr. KELLY assumed the Chair.)

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

## 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. 281, Gen. Randy A. George for appointment as Chief of Staff of the Army and appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 7033: to be General.

Charles E. Schumer, Mark Kelly, Patty Murray, Alex Padilla, Tammy Baldwin, Angus S. King, Jr., Catherine Cortez Masto, Margaret Wood Hassan, Debbie Stabenow, Michael F. Bennet, Richard Blumenthal, Kirsten E. Gillibrand, Martin Heinrich, Maria Cantwell, Benjamin L. Cardin, Chris Van Hollen, Richard J. Durbin, Jack Reed, Brian Schatz.

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 the following named officer for appointment as Chief of Staff of the Army and appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 7033: to be General, Gen. Randy A. George, 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 California (Mrs. FEINSTEIN), the Senator from Hawaii (Mr. SCHATZ) and the Senator from Michigan (Ms. STABENOW) are necessarily absent.