

Wood Hassan, Ben Ray Luján, Raphael G. Warnock, Tammy Duckworth, Jack Reed, John W. Hickenlooper, Catherine Cortez Masto, Tammy Baldwin, Brian Schatz, Christopher Murphy, Tina Smith, Debbie Stabenow, Sheldon Whitehouse.

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 Kenly Kiya Kato, of California, to be United States District Judge for the Central District of California, 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 Vermont (Mr. SANDERS) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Alabama (Mrs. BRITT) and the Senator from South Carolina (Mr. SCOTT).

The yeas and nays resulted—yeas 50, nays 47, as follows:

[Rollcall Vote No. 294 Ex.]

YEAS—50

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

NAYS—47

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

NOT VOTING—3

Britt	Sanders	Scott (SC)
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The PRESIDING OFFICER. The yeas are 50, the nays are 47.

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 Kenly Kiya Kato, of California, to be United States District Judge for the Central District of California.

NOMINATION OF KENLY KIYA KATO

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Judge

Kenly Kato to the U.S. District Court for the Central District of California.

Born in Los Angeles, CA, Judge Kato received her B.A. from the University of California, Los Angeles and her J.D. from Harvard Law School. She then clerked for Judge Robert M. Takasugi on the U.S. District Court for the Central District of California. Judge Kato began her legal career at the Federal Public Defender's Office for the Central District of California, where she served for 6 years. She then entered private practice and spent 10 years as a solo practitioner, representing clients in both civil and criminal cases. During this time, she tried approximately 15 cases to verdict. In 2014, she was appointed to serve as a magistrate judge on the U.S. District Court for the Central District of California. Judge Kato currently handles both a civil and criminal docket, and she has presided over several cases that have gone to verdict. In addition, she is heavily involved with diversionary programs within the Central District of California that focus on treatment, rehabilitation, and reentry issues for justice-involved individuals.

The American Bar Association unanimously rated Judge Kato "well qualified" to serve on the district court. The late Senator Feinstein strongly supported her nomination, and Senator PADILLA does as well. Judge Kato has the experience, temperament, and qualifications to serve on the U.S. District Court for the Central District of California. I will be supporting this outstanding nominee, and I urge my colleagues to do the same.

VOTE ON KATO NOMINATION

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

Ms. ROSEN. 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. THUNE. The following Senators are necessarily absent: the Senator from Alabama (Mrs. BRITT), the Senator from Florida (Mr. SCOTT), and the Senator from South Carolina (Mr. SCOTT).

Further, if present and voting: the Senator from Florida (Mr. SCOTT) would have voted "nay."

The result was announced—yeas 51, nays 46, as follows:

[Rollcall Vote No. 295 Ex.]

YEAS—51

Baldwin	Cortez Masto	King
Bennet	Duckworth	Klobuchar
Blumenthal	Durbin	Luján
Booker	Fetterman	Manchin
Brown	Gillibrand	Markey
Butler	Hassan	Menendez
Cantwell	Heinrich	Merkley
Cardin	Hickenlooper	Murphy
Carper	Hirono	Murray
Casey	Kaine	Ossoff
Coons	Kelly	Padilla

Peters	Shaheen	Warner
Reed	Sinema	Warnock
Rosen	Smith	Warren
Sanders	Stabenow	Welch
Schatz	Tester	Whitehouse
Schumer	Van Hollen	Wyden

NAYS—46

Barrasso	Graham	Paul
Blackburn	Grassley	Ricketts
Boozman	Hagerty	Risch
Braun	Hawley	Romney
Budd	Hoeven	Rounds
Capito	Hyde-Smith	Rubio
Cassidy	Johnson	Schmitt
Collins	Kennedy	Sullivan
Cornyn	Lankford	Thune
Cotton	Lee	Tillis
Cramer	Lummis	Tuberville
Crapo	Marshall	Vance
Cruz	McConnell	Wicker
Daines	Moran	Young
Ernst	Mullin	
Fischer	Murkowski	

NOT VOTING—3

Britt	Scott (FL)	Scott (SC)
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The nomination was confirmed.

The PRESIDING OFFICER (Mr. WELCH). 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 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. 36, Julia E. Kobick, of Massachusetts, to be United States District Judge for the District of Massachusetts.

Charles E. Schumer, Richard J. Durbin, Alex Padilla, Tim Kaine, Margaret Wood Hassan, Ben Ray Luján, Raphael G. Warnock, Tammy Duckworth, Jack Reed, John W. Hickenlooper, Catherine Cortez Masto, Tammy Baldwin, Brian Schatz, Christopher Murphy, Tina Smith, Debbie Stabenow, Sheldon Whitehouse.

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 Julia E. Kobick, of Massachusetts, to be United States District Judge for the District of Massachusetts, 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. THUNE. The following Senators are necessarily absent: the Senator from Alabama (Mrs. BRITT) and the Senator from South Carolina (Mr. SCOTT).

The yeas and nays resulted—yeas 52, nays 46, as follows:

[Rollcall Vote No. 296 Ex.]

YEAS—52

Baldwin	Blumenthal	Brown
Bennet	Booker	Butler

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

NAYS—46

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

NOT VOTING—2

Britt Scott (SC)

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 46.

And the motion to invoke cloture is passed.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Maryland.

ISRAEL

Mr. CARDIN. Mr. President, on October 7, Hamas brutally assaulted Israel, killing over 1,000 people—Israelis—and taking 240 hostages. On October 22, I was in Israel with 10 Senators—5 Democrats, 5 Republicans. We were there to see firsthand what Hamas had done.

To tell you that it was beyond description—it hit each one of us extremely hard. We saw the anguish in the country. The most difficult meeting we had was not with the war cabinet—and we met with the war cabinet, the major members of the war cabinet—but it was meeting with the families of the hostages.

It broke our heart. The hostage families told us: You are not going to see tears because there are no tears left in our body.

Unspeakable things happened, and the horror was beyond description.

I know my colleague Senator COLLINS has put up a photo of Abigail, a 3-year-old—a 3-year-old—who was taken hostage by Hamas.

We expressed to the Israelis our commitment to stand with Israel, Israel's right and obligation to defend itself, the need to take out Hamas, and our commitment to do everything we possibly can to bring the hostages home safely.

I want to start by thanking President Biden for his extraordinary leadership on behalf of our Nation in that mission. He has held meetings with the hostage families, with government leaders from Israel and other countries, and so have we.

We have had numerous meetings here in Washington and in our States with families of the hostages. We have had personal meetings and calls with leaders of other countries that we think could play a constructive role in bringing the hostages home.

We are committed to always putting a spotlight on the hostages until they are brought home safely. We stand ready to do anything we possibly can.

So let me just give you an example of my weekend. On Friday night, the Jewish community in Baltimore hosted a Shabbat dinner with 240 empty seats at a table. My wife Myrna represented me at that gathering, reading a letter that I had written in solidarity with the community.

On Saturday, I attended religious services at B'nai Israel in Montgomery County, and I was proud of what that congregation did to put a spotlight on the hostages and demanding their safe return. Cantor Perlman rendered a beautiful rendition in honor of our continued commitment to bring the hostages home.

And then, on Sunday, on which we normally have morning prayers at our congregation at Beth Tfiloh—normally, there might be 15 or 20 who might show up for morning prayers on a Sunday morning—we had in excess of 240 representing every hostage, remembering their plight in our prayers, and making it clear that we are committed to doing everything we can to bring them home.

So that is why I am on the floor, speaking to my colleagues and expressing my views as a Senator, as chairman of the Senate Foreign Relations Committee, and as a human, that we will not forget the hostages, and we will continue to do everything we can to bring them home.

On October 7, for many, the last they heard from their loved ones was the moments before the attack began, or, worse, just as they were being taken hostage. One woman was texting with her family as Hamas terrorists approached. She wrote:

If I don't live, stay happy in your life and take care of mom and dad all your life.

Then:

They're here.

One man's wife and children were missing after the attack. The soldiers could not identify them among the dead. But then they learned that someone had seen them being led off away alive, being taken hostage. The person said: Well, it sort of felt like winning the lottery.

Winning the lottery because your loved one was abducted and not murdered? Such painful combinations of hope and dread, but this is the unspeakable shock and grief being felt by so many since October 7, because, for every hostage, there are family members and loved ones praying that they are still alive, who cannot sleep at night as they imagine the pain and danger the hostages are facing in the tunnels of Gaza right now, who have

been enduring a nightmare since October 7.

On my trip to Israel we met with the families of the hostages, like the family of Hersh Goldberg-Polin, who was last seen loaded into a truck by Hamas after losing his arm in a grenade attack.

I am on the floor today because I want to tell just a few of the stories of those Hamas abducted and represent all the families of the hostages, families whose young children are being held by terrorists. Their stories are moving not only because of their suffering but because of their bravery.

I heard about a family that Hamas captured at gunpoint. In a moment of incredible heroism, the mother handed her toddler to her husband because he was a faster runner. He ran with bullets flying overhead so their daughter could be safe.

Yarden, the mother, is still in captivity. The families of the hostages will not give up. Their grace and bravery in the face of such horror is an inspiration.

The father of Itay, the father of Edan, the parents of Omer—all three of whom are from the New York area and even live near each other—they didn't know one another until this terrible tragedy unfolded and which now has brought them together.

Many of the families are communicating with each other, working together through WhatsApp groups. Within hours of the attack, they have created a website called "Bring Them Home Now." They are making sure the world hears their pleas. I want to make one thing crystal clear: We hear you. We stand with you in your effort to return your family members home safely. And I can assure you the Biden administration is working around the clock to help bring them home. They are working with governments who have the ability to negotiate using all the leverage they have to release them.

American personnel from the FBI and the Pentagon are working to support Israeli special operators. U.S. Special Forces are offering their expertise on hostage situations. Secretary Blinken said that "the entire United States Government will work every minute of every day" to bring them home. "Working as though these family members are our own," as I am.

President Biden has spoken repeatedly with Prime Minister Netanyahu. They have discussed efforts to locate and secure the release of hostages, including American citizens. On behalf of the Foreign Relations Committee, I want to assure you that we in the United States Senate stand with you as well. We must keep up the effort for the sake of those being held in Gaza. Don't forget they can come home safely. I am not naive. It will be tough, but it can happen.

One of the hostages that has already been released is an 85-year-old woman from a kibbutz in southern Israel, whose husband remains in Hamas captivity. She described her experience in

Gaza, being beaten while lying on a motorcycle and going through tunnels. Like many of the hostages, she lived near the Palestinians in the kibbutzim outside of Gaza. They would regularly drive Palestinian patients from Gaza to the hospitals in Israel for treatment.

Like Lilach, a woman that Hamas murdered, who actually worked in the field of trauma relief focusing mainly on children, she was a longtime activist of Women in Black, an anti-war movement that was established by Israeli women after the first intifada. Seven of her family are still being held hostage, including a 3-year-old.

The cruel irony of the Hamas terrorist attack is that those who face the worst of October 7 believe the most in peace. They cared for their Palestinian neighbors. They believed in the two-state solution. This attack has changed their community and all of Israel forever.

I know that the kind of sheer evil we saw in the attack on October 7 is shocking and horrible. I was 15 months old when the Auschwitz-Birkenau and other concentration camps were liberated. I was too young to understand the headlines. But when I grew up, I heard the stories of life and death from survivors firsthand.

This experience of the Holocaust was imprinted on me and on an entire generation of Jews. It shaped our values in how we work, how we enact policy, and how we live with our families. It guides me today here on the floor of the Senate. It tells me that, despite this being the darkest days for Jews since the Holocaust, we must have faith. Despite bearing witness to some of the most horrific evil acts ever committed, we must find a way to reserve hope.

So, in closing, to the families of loved ones who are being held by Hamas: Do not lose hope. We will never stop standing with you. To the hostages themselves, you are not alone. We will not stop working for your safe return. I pray that you will be back home soon playing soccer, practicing piano, celebrating your birthdays, living life in Israel that is safe and secure and at peace.

That is our prayer, but it is also our mission. We will not rest until we do everything we can for the safe return of the hostages.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Cloture having been invoked, the clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Julia E.

Kobick, of Massachusetts, to be United States District Judge for the District of Massachusetts.

The PRESIDING OFFICER. The majority whip.

U.S. SUPREME COURT

Mr. DURBIN. Mr. President, as a member of the Senate Judiciary Committee, you are aware of the fact that I announced last week in the committee that we would vote to authorize subpoenas to Harlan Crow, Robin Arkley, and Leonard Leo as part of the Judiciary Committee's continuing investigation into the ethical situation at the U.S. Supreme Court.

I do not make this decision lightly. Seeking authorization to issue subpoenas is a relatively rare occurrence in the committee. So today I come to the floor for a few minutes to explain why we have taken this significant step.

Over the last several months, it has become clear that the Supreme Court is in desperate need of a binding code of ethics as we learned of lavish gifts and luxury travel that certain Supreme Court Justices have accepted from a gaggle of fawning billionaires.

Let's start with Justice Clarence Thomas. The sheer number and value of gifts accepted by Justice Thomas is staggering, and the shamelessness with which he accepted them is stunning. For decades, Justice Thomas has accepted lavish gifts from Harlan Crow, a conservative billionaire with business before the Supreme Court. These gifts have ranged from a \$19,000 Bible once owned by Frederick Douglass to a \$15,000 bust of Abraham Lincoln. Justice Thomas also accepted private jet trips and free lodging at Bohemian Grove, an exclusive all-male, invitation-only retreat in the redwoods of California. And these are only examples of what Justice Thomas disclosed.

After the Los Angeles Times reported on these disclosures, Justice Thomas, in 2004, 19 years ago, promptly stopped disclosing gifts as required by law.

We learned this year that he continued to accept expensive gifts for the past 19 years and that these billionaire benefactors have been part of a growing list.

There isn't time to detail all of the undisclosed gifts, which the press has discovered, and luxury travel that Justice Thomas has accepted, but for the sake of a record, I am going to give a few examples.

In 2019, Justice Thomas and his wife flew to Indonesia on Harlan Crow's private jet and boarded Crow's 162-foot superyacht, the Michaela Rose, to island hop with Harlan Crow and his wife.

The total cost of that trip alone could have exceeded half a million dollars if Justice Thomas had chartered the jet and yacht. Lucky for him, Harlan Crow was happy to cover the costs.

Justice Thomas also continued to join Crow on trips to Bohemian Grove in California. He visited Crow's ranch in East Texas, spent summers at

Crow's private resort in the Adirondacks.

But there is more. Crow paid thousands of dollars to cover tuition for Justice Thomas's grandnephew. He purchased real estate owned by Thomas and his relatives, including Thomas's mother's home, where she continues to live rent-free. And Crow donated half a million dollars to a conservative advocacy group founded by Justice Thomas's wife.

I could go on and on and on because the list of gifts Justice Thomas has chosen to accept and failed to disclose goes on and on and on.

Justice Thomas is not the only Supreme Court Justice who has accepted lavish gifts from billionaires and refused to disclose them. In 2008, Justice Samuel Alito boarded a private jet bound for Alaska to enjoy a luxury fishing trip, a trip that should have cost him over \$100,000, but it didn't cost him one penny because of the man who organized the flight and joined Alito on the luxury fishing trip, Leonard Leo.

Mr. Leo arranged Justice Alito's free flight to Alaska and his free lodging once he arrived. Their host at the luxury fishing lodge was a gentleman named Robin Arkley. Over the next few days, Justice Alito and his travel companions enjoyed guided fishing trips, flights on bush planes, meals of Alaskan king crab and Kobe beef, and wines costing upward of \$1,000 a bottle.

Justice Alito did not disclose any of this, and when challenged, for example, on the jet ride—why that should be disclosed—he said he didn't view it as a gift because if he didn't go, the seat on the plane would have gone empty.

That is an interesting analysis of a gift from a strict constructionist.

This kind of scandalous behavior cannot continue. One former Federal judge who served for years on the judicial committee that reviews the Justices' financial disclosures had this to say about the gifts to Justice Thomas:

In my career, I don't remember ever seeing this degree of largesse given to anybody.

When referring to the cascade of gifts from Harlan Crow to Justice Thomas, the former chief White House ethics lawyer for Republican President George W. Bush said:

This is way outside the norm. This is way in excess of anything I've seen.

And renowned conservative jurist, Judge J. Michael Luttig, stated in testimony before the Senate Judiciary Committee:

The Supreme Court should want to lead by the example that only it can set. It should want to conduct itself in its non-judicial activities in all ways such that it is beyond reproach.

Unfortunately, the Supreme Court has not lived up to this expectation. That is why our Senate Judiciary Committee is exercising its constitutional authority to investigate. Months ago, I, along with my Democratic colleagues on the committee, sent letters to Crow, Arkley, and Leo, among others, seeking details about what exactly