

Hoeven Mullin Sullivan  
Hyde-Smith Paul Thune  
Johnson Ricketts Tuberville  
Lankford Risch Vance  
Lee Rubio Wicker  
Lummis Schmitt Young  
Marshall Scott (FL)  
Moran Scott (SC)

NOT VOTING—4

Barrasso Fetterman  
Feinstein Kelly

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

NAYS—39

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

NOT VOTING—4

Barrasso Fetterman  
Feinstein Kelly

The nomination was confirmed. The PRESIDING OFFICER (Mr. HICKENLOOPER). Under the previous order, the motion to reconsider be 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. 42, Andrew G. Schopler, of California, to be United States District Judge for the Southern District of California.

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

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

Is it the sense of the Senate debate on the nomination of Andrew G. Schopler, of California, to be United States District Judge for the Southern 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 senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Pennsylvania (Mr. FETTERMAN), and the Senator from Arizona (Mr. KELLY) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Mr. BARRASSO).

The yeas and nays resulted—yeas 57, nays 39, as follows:

[Rollcall Vote No. 42 Ex.]

YEAS—57

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

The PRESIDING OFFICER (Mr. LUJÁN). On this vote, the yeas are 57, the nays are 39.

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 Andrew G. Schopler, of California, to be United States District Judge for the Southern District of California.

RECESS

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

Thereupon, the Senate, at 1:16 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. LUJÁN).

EXECUTIVE CALENDAR—Continued

NOMINATION OF ANDREW G. SCHOPLER

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Judge Andrew Schopler, who has been nominated to the U.S. District Court for the Southern District of California.

Since 2016, Judge Schopler has served as a magistrate judge for the Southern District of California. To date, he has presided over five misdemeanor trials. Prior to his Federal judicial appointment, he served as a judge pro tem for 5 years on the San Diego Superior Court's Small Claims Court, where he presided over dozens of civil bench trials. Before joining the bench, Judge Schopler served the Southern District of California as an Assistant U.S. Attorney for 12 years, spending 4 years in the general crimes section, four in the criminal enterprise/narcotics enforcement section, and four in the major frauds and special prosecutions section, where he served as deputy chief. Judge Schopler began his legal career in North Carolina as an assistant public defender at the Orange and Chatham

County Public Defender's Office and in private practice. He tried approximately 55 cases to verdict or judgment and was sole counsel in 39. Since 2014, Judge Schopler has also served this country as a major in the U.S. Army, California Army National Guard. In 2018, he deployed to Afghanistan for 8 months.

Born in Chapel Hill, NC, Judge Schopler earned his J.D. cum laude from Harvard Law School in 1997 and his B.A. summa cum laude from Dartmouth College in 1994. Senators Feinstein and Padilla strongly support Judge Schopler's nomination. The American Bar Association has also unanimously rated him 'well qualified' to serve on the Southern District of California.

I urge all of my colleagues to join me in supporting this highly qualified nominee.

VOTE ON SCHOPLER NOMINATION

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

Mr. PETERS. 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 Pennsylvania (Mr. FETTERMAN), the Senator from Arizona (Mr. KELLY), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Mr. BARRASSO).

The result was announced—yeas 56, nays 39, as follows:

[Rollcall Vote No. 43 Ex.]

YEAS—56

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

NAYS—39

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

NOT VOTING—5

Barrasso Fetterman Sanders  
Feinstein Kelly

Warner  
Warnock

Warren  
Welch

Whitehouse  
Wyden

NAYS—37

Blackburn Hagerly  
Boozman Hawley  
Braun Hoeven  
Britt Hyde-Smith  
Budd Johnson  
Cassidy Lankford  
Cotton Lummis  
Cramer Marshall  
Crapo Moran  
Cruz Mullin  
Daines Paul  
Ernst Ricketts  
Fischer Risch

Rubio  
Schmitt  
Scott (FL)  
Scott (SC)  
Sullivan  
Thune  
Tillis  
Tuberville  
Vance  
Wicker  
Young

The nomination was confirmed.  
The PRESIDING OFFICER. 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. 43, Arun Subramanian, of New York, to be United States District Judge for the Southern District of New York.

Charles E. Schumer, Richard J. Durbin, Jeff Merkley, Jeanne Shaheen, Elizabeth Warren, Sheldon Whitehouse, Richard Blumenthal, Christopher A. Coons, Jack Reed, Alex Padilla, Gary C. Peters, Angus S. King, Jr., Mazie Hirono, Tim Kaine, Brian Schatz, Cory A. Booker, Margaret Wood Hassan.

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 Arun Subramanian, of New York, to be United States District Judge for the Southern District of New York, 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 Pennsylvania (Mr. FETTERMAN), the Senator from Arizona (Mr. KELLY), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Mr. BARRASSO).

The yeas and nays resulted—yeas 58, nays 37, as follows:

[Rollcall Vote No. 44 Ex.]

YEAS—58

Baldwin	Grassley	Murray
Bennet	Hassan	Ossoff
Blumenthal	Heinrich	Padilla
Booker	Hickenlooper	Peters
Brown	Hirono	Reed
Cantwell	Kaine	Romney
Capito	Kennedy	Rosen
Cardin	King	Rounds
Carper	Klobuchar	Schatz
Casey	Lee	Schumer
Collins	Lujan	Shaheen
Coons	Manchin	Sinema
Cornyn	Markey	Smith
Cortez Masto	McConnell	Stabenow
Duckworth	Menendez	Tester
Durbin	Merkley	Van Hollen
Gillibrand	Murkowski	
Graham	Murphy	

NOT VOTING—5

Barrasso Fetterman Sanders  
Feinstein Kelly

The PRESIDING OFFICER (Mr. WELCH). On this vote, the yeas are 58, the nays are 37.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Arun Subramanian, of New York, to be United States District Judge for the Southern District of New York.

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

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

CRIME

Mr. CORNYN. Mr. President, communities across the country have paid the price of Democrats' soft-on-crime policies. The Democratic Party has backed woke prosecutors who refuse to enforce broad swaths of the Criminal Code. It has endorsed "defund the police" policies and candidates, and it has consistently shown more sympathy for the criminals who commit crimes than for the victims who were hurt by them.

It is no surprise that these decisions carry very dangerous consequences, which are being felt across America. Businesses are fleeing Portland, OR, due to surging crime. The mayor of Chicago was just defeated in her primary because she failed to address rampant crime in that city.

One city that is not immune to these consequences is our Nation's Capital, Washington, DC. So far this year, the District of Columbia has seen more than three dozen homicides—a nearly 40 percent increase compared to last year. Forty percent. Sex crimes have more than doubled compared to last year, and there have been more than 1,200 motor vehicle thefts, including carjackings, which is more than double the number at this point last year. In total, the Nation's Capital, where we are located, reported a 25-percent increase in crime compared to last year.

With crime on the rise, you would expect that the elected leaders of the DC City Council would take steps to improve public safety, but that is not what they did. In fact, council members took the exact opposite approach. Forget deterring criminal conduct; the

DC City Council responded to this crime wave by reducing penalties for violent crimes. It actually passed legislation that decreases punishment for many of the same crimes that have been on the rise over the last year—lower penalties for carjackings, home invasions, and robberies and lower penalties for convicted felons who illegally carry firearms and for felons who use guns to commit other crimes. There are no mandatory minimum sentences for any crime other than first-degree murder.

It is a slap in the face of every law-abiding resident and visitor to this city; every person who worries about getting carjacked on their way home from work, like the people who work for us here in the Nation's Capital; or being robbed on the Metro, like the visitors from our States who come to the Nation's Capital who don't expect to be assaulted and robbed; or individuals who have their residence targeted by a serial burglar.

This is not the kind of legislation that is meant to keep people safe; it is just the latest iteration of failed soft-on-crime policies. It is no surprise that DC's Criminal Code rewrite was met with severe backlash.

Even the Washington Post published an editorial entitled "DC's crime bill could make the city more dangerous." Well, I give them credit for stating the obvious.

The U.S. attorney for the District of Columbia warned that this measure prevents courts from imposing penalties that appropriately reflect the seriousness of the offense and the defendant's criminal history.

One local elected official used especially harsh words to describe a portion of the bill that would allow someone convicted of sexual assault to petition for early release after 20 years. She said:

I don't think the DC Council should be helping rapists get out of prison early. That's crazy.

Crazy indeed—so crazy, in fact, that the city's liberal Mayor, Muriel Bowser, even vetoed this measure when it reached her desk, saying it "does not make us safer."

I don't find myself agreeing with the Washington Post editorial board or the Mayor of the District of Columbia often, but they are both right here.

DC Council members should have viewed her veto and the public outrage as a sign that they should go back to the drawing board, but unfortunately they doubled down. DC City Council overrode the Mayor's veto. They ignored the deep concerns of citizens of this city and the dire warnings from public safety advocates and plowed ahead.

Fortunately, that is not the end of the road for this dangerous and deeply misguided bill. The Constitution of the United States gives Congress exclusive legislative jurisdiction over the District of Columbia. It is a Federal district. We must take action to prevent