

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The Senator from Utah.

Mr. LEE. Mr. President, I ask unanimous consent that I be permitted to speak for up to 10 minutes, followed by Senator MENENDEZ for up to 5 minutes, prior to the scheduled vote.

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

#### UNANIMOUS CONSENT REQUEST

Mr. LEE. Mr. President, it is a familiar headline: "Congress announces a deal to avoid a shutdown."

It is currently midday on Wednesday, March 20, and, on Friday at midnight, just the day after tomorrow, the government will run out of funding for more than half of the 12 budget categories, and most of the government's funding is found within this section that will shut down, absent legislation by Congress.

We are told that the only way we can avoid a shutdown is to vote for what we expect to be a monstrous spending plan, a bill written in secret by a small handful of appropriators and ultimately given the blessing of the "Law Firm of Schumer, McConnell, Johnson & Jeffries."

It should be noted that not one Member of this body has had the opportunity to fully review the legislative text or, in the case of nearly all Members of Congress, to see any of it. We have not seen it. We can't see it. We are not allowed to see it.

We don't know much about the particular details of the bill, what will be in it and what won't be in it. But if history is any indicator, as it has been proven to be reliably in the past, there are a few things about the bill of which we can now be certain, even before laying eyes on it.

It will, among other things, be full of earmarks, these special-interest giveaways handed out as sweeteners, as if to make the medicine go down. It won't force President Biden to secure the border. It will perpetuate massive deficits, approaching or possibly even exceeding \$2 trillion. To add insult to injury, we can be sure that, when the text is finally released, there will be, alas, insufficient time to read, comprehend the text, air it with the public, debate the bill, and offer and consider amendments.

You see, these bills—massive legislative undertakings that, in many instances, bundle all Federal spending or, in this instance, most Federal spending into one single package—have become synonymous with legislative excess and manipulation.

You see, the firm's *modus operandi* involves drafting these omnibus bills behind closed doors, with only a select group of appropriators contributing to their formulation. By design, and not by any coincidence, these bills are un-

veiled to the public and most Members of Congress with barely any time to spare before a potential government shutdown.

This strategic timing, which often unfolds strategically right before a long, scheduled recess, ensures that the bill passes, with minimal scrutiny and little or no opportunity for debate—any meaningful debate, certainly—for amendments.

In other words, it becomes a "take it or leave it" package. It is a charade, occasionally softened by allowing a few votes on just a few amendments. But make no mistake, the firm wields its influence to make sure that no substantial changes are made—certainly, nothing that could threaten the supposed sanctity of their original draft.

Members are thus cornered into a false dichotomy in which their votes for the measure are extracted—extorted, if you will. We are told to pass the bill unread, not understood, undebated, or, alternatively, face the chaos and inevitable public vitriol associated with a government shutdown.

Thus, the individual voices of our elected representatives—our elected lawmakers here in Congress, in both Houses, of both political parties—and, by extension, the will of the American people are diluted in a process dominated by a few at the expense of the many.

It is not that these bills are bad in every circumstance. There are a lot of things that are within them that the government needs, that most—perhaps all—of this body, in some cases, would find unobjectionable. The problem is not that the bill is rotten from one end to the other. It is, instead, that it has been written by a select few, and the many are not allowed to have any say in it.

And when it is brought forward without any timely, meaningful, fulsome opportunity for debate, discussion, public airing, and amendment, Congress, as a whole, becomes a rubberstamp to the firm.

The will of the people is thwarted, and, ultimately, millions—hundreds of millions—of Americans are effectively disenfranchised from the entire process.

Tonight, with just a few days before the government runs out of funding in these areas covered by this bill, this body, once more, throws American taxpayers under the bus and forsakes fiscal responsibility, if, in fact, we pursue this course once again.

In so doing, they oppose measures that the vast majority of Americans would support—measures like stopping an invasion happening right now at our southern border, resulting in a wave of crime, death, and destruction that we haven't seen in the past.

This is, rather, entirely the result of the whole system of government funding being designed not to benefit the vast majority of Americans but, rather, to benefit the very architects of these bills: the appropriators, ear-

marks, lobbyists, and special interests—and, of course, all at the direction of the firm.

These entities thrive in the shadows of this process, influencing legislation in ways that serve the architects themselves, often at the expense of the general public.

Americans are bearing the cost of decisions made without their consent or their knowledge, manifesting in, among other things, skyrocketing costs of living and staggering national debt, now exceeding \$34 trillion.

It is time to dismantle this corrupt process and restore transparency and accountability to the way we fund our government. The process behind what we fully expect to be a wasteful, insulting, minibus bill is a disgrace. And let history show that a few of us stood up and said so.

This is not the way. Once we get this bill, we shouldn't be forced to rush to judgment on it without debate, discussion, or amendment. We should, instead, adopt a short-term continuing resolution that would take us to April 12, to give lawmakers adequate time to review and understand the bill, to air it to the public, to offer amendments to the bill to improve it, and, finally, vote on it. That is the order in which it should occur, not the opposite.

Instead, the firm would take us down yet another road of "fire, ready, aim."

Voting for this minibus is voting in favor of massive deficits, corrupting earmarks, and funding Joe Biden's border invasion. So I invite my colleagues on both sides of the aisle to join us in fighting for fiscal responsibility, for the best interests of American families—the same families we are supposed to represent in Washington.

This proposal, this short-term continuing resolution, is neither Democratic nor Republican. It is neither liberal nor conservative. This is just common sense. Give people's elected lawmakers the chance to be involved in the lawmaking process because we are certainly not doing that now.

To that end, Mr. President, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of my bill, which is at the desk. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Washington.

Mrs. MURRAY. Mr. President, reserving the right to object, we have a clear and straightforward path ahead of us. We have at long last a bicameral, bipartisan agreement on all of our full-year bills. It is time to get them passed and close out fiscal year 2024. After all, we are now 6 months into the fiscal year. We have to get a move on.

So let's stay focused on the deadline in front of us right now. We are working as fast as possible to release the bill, the text of the minibus, as soon as

possible, and if there is bipartisan cooperation, we can get this package passed by the deadline.

This minibus is a carefully negotiated, bipartisan package that reflects the input of nearly every Senator and the priorities of every State in America. We need to turn the page on fiscal year 2024, take the government off of autopilot, and focus on passing these bills before Friday at midnight.

I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, in wrapping up my remarks, I just want to say this is unfortunate. We owe it to each other and we owe it to those we represent to actually discuss and debate the merits of legislation before being forced to pass it.

The fact that there is bipartisan agreement as to final numbers doesn't mean that most Senators have even seen the bill. They have not. They have kept it secret from us and from those we represent. It is simply disingenuous to suggest that this has been agreed upon long ago.

We need at least a few days to do this. That is why I am asking that we extend the spending period out to April 12. That would give us time to do that. It is unfortunate we didn't get that agreement today. We will be back.

Thank you.

The PRESIDING OFFICER. The Senator from New Jersey.

#### NOMINATION OF EDWARD SUNYOL KIEL

Mr. MENENDEZ. Mr. President, I rise today to support the confirmation of Mr. Edward Sunyol Kiel to the U.S. district court of New Jersey.

Mr. Kiel, whom Senator BOOKER and I proudly recommended to President Biden, is eminently qualified for this position. Mr. Kiel has spent the entirety of his career demonstrating an even temperament and an unshakable commitment to equal justice under the law.

With 27 years as a practicing attorney in New Jersey, he has amassed an abundance of trial experience and an objectively impressive record of pro bono work for numerous organizations and church groups.

Atop his outstanding credentials, Mr. Kiel is already quite familiar with the District of New Jersey and the Newark courthouse. In fact, he currently serves as a magistrate judge on that very same court. During his time on the bench, he has again and again proven himself a capable and even-keeled jurist, a sharp legal mind with a deep reverence for precedent and the rule of law.

Beyond his regular duties to the court, Judge Kiel has also devoted generous amounts of time to Newark vicinage's Pretrial Opportunity Program, an important initiative that offers treatment alternatives and non-custodial sentences for eligible individuals—once again proving his commitment not just to the law but to human beings impacted by our justice system.

I would be remiss to discuss Judge Kiel's qualifications without also touching on his incredible personal story. Judge Kiel was born in Daegu, South Korea, to parents who fled North Korea as refugees during the war, on foot.

While his parents did not have much in terms of material wealth, they were rich in faith and in love. With just \$40 in their pockets—a gift pooled together by their relatives before the journey—his family made a decision to come to the United States and bet it all on the American dream. On their very first Sunday in the United States, Judge Kiel's mother placed that \$40 in the church's offering plate—a symbol of her undying optimism for her family's new life in America.

Today, Judge Kiel works every day in the same exact courthouse where his parents became U.S. citizens in the 1970s. If that is not a shining example of the American dream, I don't know what is.

Judge Kiel's story is one that is familiar to so many in the Garden State and across America. His confirmation will be another important step towards achieving the ideal of an independent judiciary that reflects the best of America and mirrors our Nation's rich cultural tapestry. To this end, I commend President Biden for nominating the most racially and ethnically diverse group of qualified Federal judges of any President so far in our Nation's history.

In all branches and at all levels of our government, our democracy and institutions are made stronger by public servants whose lived experiences are as unique and colorful as America itself.

This is a cause to which I have dedicated my Senate career—ensuring that the governed see themselves in their own government, to ensure that our democracy is generally a government of, by, and for the people. It is therefore my sincere pleasure to vote today in favor of confirming Judge Kiel to the district court of New Jersey. I urge my colleagues to do the same. I have no doubt that he will continue to be an asset to New Jersey's Federal bench, and I encourage my colleagues to join me in swiftly confirming him today.

With that, I yield the floor.

#### 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. 465, Edward Sunyol Kiel, of New Jersey, to be United States District Judge for the District of New Jersey.

Charles E. Schumer, Richard J. Durbin, Brian Schatz, Mazie Hirono, Tina Smith, Gary C. Peters, Amy Klobuchar, Raphael G. Warnock, Catherine

Cortez Masto, Alex Padilla, Mark R. Warner, Tim Kaine, Sheldon Whitehouse, Martin Heinrich, Christopher A. Coons, Margaret Wood Hassan, Peter Welch.

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 Edward Sunyol Kiel, of New Jersey, to be United States District Judge for the District of New Jersey, 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. THUNE. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. MULLIN) and the Senator from Mississippi (Mr. WICKER).

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

The yeas and nays resulted—yeas 50, nays 48, as follows:

[Rollcall Vote No. 95 Ex.]

#### YEAS—50

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

#### NAYS—48

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

#### NOT VOTING—2

Mullin Wicker

The PRESIDING OFFICER (Ms. CORTEZ MASTO). On this vote, the yeas are 50, the nays are 48.

The motion is agreed to.

#### RECESS

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

Thereupon, the Senate, at 1:10 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. ROSEN).