

Taken together, Schydlower's service to his country in the military and as a prosecutor, as well as his courtroom experience both on and off the bench, make him well-suited to serve on the Federal bench with distinction.

I urge my colleagues to support his nomination.

VOTE ON SCHYDLOWER NOMINATION

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

Mr. SCHATZ. 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 Indiana (Mr. BRAUN) and the Senator from Florida (Mr. SCOTT).

The result was announced—yeas 90, nays 8, as follows:

[Rollcall Vote No. 104 Ex.]

YEAS—90

Baldwin	Gillibrand	Ossoff
Barrasso	Graham	Padilla
Bennet	Grassley	Peters
Blackburn	Hagerty	Reed
Blumenthal	Hassan	Ricketts
Booker	Heinrich	Risch
Boozman	Hickenlooper	Romney
Brown	Hirono	Rosen
Budd	Hoeben	Rounds
Butler	Hyde-Smith	Rubio
Cantwell	Johnson	Sanders
Capito	Kaine	Schatz
Cardin	Kelly	Schumer
Carper	Kennedy	Scott (SC)
Casey	King	Shaheen
Cassidy	Klobuchar	Sinema
Collins	Lankford	Smith
Coons	Lee	Stabenow
Cornyn	Lujan	Tester
Cortez Masto	Lummis	Thune
Cotton	Manchin	Tillis
Cramer	Markey	Van Hollen
Crapo	McConnell	Warner
Cruz	Menendez	Warnock
Daines	Merkley	Warren
Duckworth	Moran	Welch
Durbin	Mullin	Whitehouse
Ernst	Murkowski	Wicker
Fetterman	Murphy	Wyden
Fischer	Murray	Young

NAYS—8

Britt	Paul	Tuberville
Hawley	Schmitt	Vance
Marshall	Sullivan	

NOT VOTING—2

Braun	Scott (FL)
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The nomination was confirmed.

(Mr. KAINE assumed the Chair.)

(Mr. BOOKER assumed the Chair.)

(Mr. TESTER assumed the Chair.)

(Mr. REED assumed the Chair.)

The PRESIDING OFFICER (Ms. BUTLER). 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, and the Senate will resume legislative session.

LEGISLATIVE SESSION

UDALL FOUNDATION REAUTHORIZATION ACT OF 2023—Continued

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE

Mr. SCHUMER. Madam President, I ask unanimous consent that the only motions and amendments in order to the House message to accompany H.R. 2882 be the following: Paul motion to refer, which is at the desk; motion to concur with Cruz No. 1804; motion to concur with Tuberville No. 1781; motion to concur with Lee No. 1722; motion to concur with Schmitt No. 1795; motion to concur with Johnson No. 1706; motion to concur with Lankford No. 1713; motion to concur with Lankford No. 1718; Blackburn motion to refer, which is at the desk; further, that the Senate vote in relation to the above motions and amendments in the order listed; that upon the disposition of the Blackburn motion to refer, Senator BUDD be recognized to make a motion to table the motion to refer with amendment No. 1794, and if that motion is not agreed to, Senator HAGERTY be recognized to make a motion to table amendment No. 1793, and that if that motion is not agreed to, Senator BUDD be recognized to make a motion to table the motion to refer with amendment No. 1792; further, that if the tabling motions are not agreed to, the cloture motion with respect to the House message be withdrawn, the pending amendments and motions be withdrawn, and the Senate vote on the motion to concur in the House amendment to the Senate amendment to H.R. 2882, with 60 affirmative votes required for adoption of the motion to concur, without further intervening action or debate, and with 2 minutes for debate, equally divided, prior to each vote; further, that S. 4072, introduced earlier today, be placed on the calendar and, notwithstanding rule XXII, at a time to be determined by the majority leader in consultation with the Republican leader but no later than Friday, April 19, 2024, the Senate proceed to the consideration of S. 4072, Crapo tailpipe emissions; that there be up to 2 hours for debate, equally divided, and upon the use or yielding back of time, the bill be considered read a third time, and the Senate vote on passage of the bill with 60 affirmative votes required for passage, without intervening action or debate, and if passed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SCHUMER. Madam President, I am going to be brief because we want to move quickly on to votes.

It has been a very long and difficult day, but we have just reached an agreement to complete the job of funding the government. It is good for the country that we have reached this bi-

partisan deal. It wasn't easy, but tonight our persistence has been worth it.

I want to thank the great leadership of Chair MURRAY and Vice Chair COLLINS for making this agreement possible.

Again, it is good for the American people that we have reached a bipartisan agreement to complete the job of funding the government tonight.

I am going to put us into a short quorum call as we wait for the first person of the first amendment to arrive. He is on his way. I will ask everyone to stay in their seats so we can get this done very quickly. Some people have very important places to go, and we want to get her there.

UNANIMOUS CONSENT AGREEMENT

Madam President, I ask unanimous consent that all of the votes after the first vote be 10 minutes.

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

Mr. SCHUMER. Again, I would ask Members respectfully but with strength to sit in their chairs, please, so we can get this done.

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

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

ORDER OF BUSINESS

Mr. SCHUMER. Madam President, I ask unanimous consent to modify the previous order so that the Lee motion to concur be first in the order.

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

The Senator from Utah.

MOTION TO CONCUR WITH AMENDMENT NO. 1722

Mr. LEE. Madam President, I move to concur in the House amendment to the Senate amendment to H.R. 2882 with further amendment No. 1722.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Utah [Mr. LEE] moves to concur in the House amendment to the Senate amendment with further amendment numbered 1722.

The amendment is as follows:

(Purpose: To prohibit Federal funding for the use of the CBP One application to facilitate the entry of aliens into the United States)

At the appropriate place in Division C, insert the following:

SEC. ____ . None of the funds appropriated or otherwise made available by this division may be made available to utilize the U.S. Customs and Border Protection CBP One application, or any successor application, to facilitate the entry of any alien into the United States.

The PRESIDING OFFICER. There is now 2 minutes of debate equally divided.

Mr. LEE. Madam President, when the rest of us board an airplane, we always

have to show a photo ID to prove who we are, that we are who we claim to be. Not so if you are an illegal immigrant.

If you are an illegal immigrant under the Biden administration, all you have to do is pull out the CBP One app. It is an app that they created. It doesn't prove who they are. It just says you can board the airplane. That is not OK, and that is not fair. In fact, just between January and September of last year, 221,000 illegal aliens entered the United States this way, and they were allowed to fly around the country without having ID.

This has had tragic consequences. An example of the danger presented by this is reflected in the fact that Haitian immigrant Cory Alvarez, whose entry into the United States was facilitated by the CBP One app, raped a 15-year-old, mentally impaired girl in the United States. He has, thankfully, since been arrested for this horrific crime. It should never have had to come to this. This would stop that from happening.

I urge my colleagues to support this amendment and end this lawlessness.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, the CBP One app is a downloadable app to schedule appointments with CBP at a land port of entry. Under our existing asylum laws, noncitizens may apply for asylum at our Nation's ports of entry.

Using this app improves security because it provides the CBP with advanced notice of who is arriving and of those individuals who have already passed security checks. About 1,400 appointments a day occur through the app. By providing people with advanced travel authorization, it allows them to avoid human traffickers and drug cartels and other criminal organizations.

Accepting this amendment will lead to more encounters at the border, pulling our agents from other work and responsibilities, like stopping drug cartels from getting fentanyl through our border, and it will create long lines at ports of entry as individuals travel to the border to apply for asylum, and it will all but guarantee a shutdown for no sensible reason.

I strongly urge my colleagues to vote no.

VOTE ON MOTION TO CONCUR

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. LEE. Madam President, I call 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 legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: The Senator from Indiana (Mr. BRAUN), the Senator from Kansas (Mr. MARSHALL), the Senator from Florida (Mr. RUBIO), and the Senator from Florida (Mr. SCOTT).

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

The result was announced—yeas 45, nays 51, as follows:

[Rollcall Vote No. 105 Leg.]

YEAS—45

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

NAYS—51

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

NOT VOTING—4

Braun	Rubio
Marshall	Scott (FL)

The motion was rejected.

The PRESIDING OFFICER (Mr. KING). The Senator from Kentucky.

UNANIMOUS CONSENT REQUEST

Mr. PAUL. Mr. President, I ask unanimous consent that the next four amendments be considered simultaneously and individually; that each individual amendment be listed at the table by number; that over the next 15 minutes we will vote on all four. Each person who is for the amendment can speak a minute for it, and each person who is against it can speak a minute against it, as we have been doing. But four amendments will be considered over the next 15 minutes, individually, at the desk. Each Senator will come forward and vote on all four amendments one at a time, but we will be done with four amendments in 15 minutes. I ask unanimous consent.

The PRESIDING OFFICER. Is there objection?

The majority leader.

Mr. SCHUMER. Mr. President, I object. Let me just say to my colleagues, accuracy is very important. We must make sure the vote count is accurate. But if we all sit in our seats and do 10-minute votes, we can get this done as quickly as possible.

The PRESIDING OFFICER. The Senator from Kentucky.

MOTION TO REFER

Mr. PAUL. Mr. President, I move to refer the message to accompany H.R. 2882 to the Committee on Appropriations with instructions.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. PAUL] moves to refer the message with respect to

H.R. 2882 to the Committee on Appropriations of the Senate with instructions to report the same back to the Senate in 1 day, not counting any day on which the Senate is not in session, with changes that reduce the total amount made available under the message by 5 percent, which shall not include the reduction of any amount made available to the Department of Defense or the reduction of any amount made available for securing the international border of the United States.

The PRESIDING OFFICER. There will be 2 minutes of debate, equally divided.

The Senator from Kentucky.

Mr. PAUL. I yield back my time.

Mrs. MURRAY. Mr. President, in that case, I will also yield back my time.

The PRESIDING OFFICER. All time has been yielded back.

VOTE ON MOTION TO REFER

The question is on agreeing to the motion.

Mr. PAUL. 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 Indiana (Mr. BRAUN), the Senator from Florida (Mr. RUBIO), and the Senator from Florida (Mr. SCOTT).

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

The result was announced—yeas 34, nays 63, as follows:

[Rollcall Vote No. 106 Leg.]

YEAS—34

Barrasso	Fischer	Mullin
Blackburn	Grassley	Paul
Britt	Hagerty	Ricketts
Budd	Hawley	Risch
Cassidy	Hoeven	Rounds
Cornyn	Hyde-Smith	Schmitt
Cotton	Johnson	Scott (SC)
Cramer	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tuberville
Daines	Lummis	
Ernst	Marshall	

NAYS—63

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

NOT VOTING—3

Braun	Rubio	Scott (FL)
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The motion was rejected.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Mr. President, for the information of all Senators, we are going to try to skip the recap. That will save a lot of time. But that means everyone has to be in his or her seat. Don't go to the front and answer. Just be in your seat and answer yes or no when called.

The PRESIDING OFFICER. The Senator from Texas.

MOTION TO CONCUR WITH AMENDMENT NO. 1804

Mr. CRUZ. Mr. President, I move to concur in the House amendment to the Senate amendment to H.R. 2882, with further amendment No. 1804.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Texas [Mr. CRUZ] moves to concur in the House amendment to the Senate amendment to H.R. 2882, with further amendment numbered 1804.

The amendment is as follows:

(Purpose: To prohibit the use of funds to waive certain sanctions with respect to Iran)

At the appropriate place, insert the following:

SEC. _____. None of the funds appropriated by this Act may be obligated or expended to make a determination or issue a waiver pursuant to—

(1) section 1245(d)(5) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(5)); or

(2) section 1244(i) or 1247(f) of the Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8803(i) and 8806(f)).

The PRESIDING OFFICER. There will be 2 minutes of debate on this motion, equally divided.

The Senator from Texas.

Mr. CRUZ. Mr. President, right now, Israel is facing the worst war in the Middle East in 50 years. On October 7, more than 1,200 Israelis were murdered by Hamas terrorists; more than 30 Americans were murdered by Hamas terrorists.

Hamas was funded by Iran. Hezbollah is funded by Iran. In the last 3 years, the Biden administration has flowed more than \$100 billion to Iran, has sent the money that paid for the Hamas terrorists that committed those acts of atrocities.

This amendment is very simple: It prohibits the Biden administration from sending billions of dollars to Iran. The ayatollah pledges death to America and death to Israel.

The question is: Does the United States of America want to be responsible for funding the genocidal, theocratic lunatic who leads Iran, who is funding Hamas, who is waging war against Israel?

The Democrats are going to move to table. And so a vote for yes is a vote to fund Iran. A vote for no is to say: Not one more penny should go to the lunatics in Iran.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Maryland.

Mr. CARDIN. Mr. President, I rise in opposition to this motion. It does not do what the Senator from Texas says.

Our sanctions are critical national security tools. The U.S. Iranian sanc-

tions are the strongest economic sanctions in the world. The Cruz amendment would eliminate the waiver that is available for national security interests.

This provision would effectively limit the use of the waiver in any instances of which has met the significant threshold; for example, use for accommodating humanitarian or basic human needs, including food and medicine and to pay for vetted third-party, non-Iranian vendors. It would also impair our ability to maintain the international coalition and support of our sanctions against Iran.

MOTION TO TABLE

And for all those reasons, I move to table the motion to concur with the Cruz amendment No. 1804 and ask for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the motion to table.

Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Indiana (Mr. BRAUN), and the Senator from Florida (Mr. SCOTT).

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

The result was announced—yeas 51, nays 47, as follows:

[Rollcall Vote No. 107 Leg.]

YEAS—51

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

NAYS—47

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

NOT VOTING—2

Braun Scott (FL)

The motion to table was agreed to.

MOTION TO CONCUR WITH AMENDMENT NO. 1781

The PRESIDING OFFICER. The Senator from Alabama.

Mr. TUBERVILLE. I move to concur in the House amendment to the Senate amendment to H.R. 2882 with a further amendment No. 1781.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from Alabama [Mr. TUBERVILLE] moves to concur in the House amendment to the Senate amendment with a further amendment numbered 1781.

The amendment is as follows:

(Purpose: To prohibit funding for entities that permit certain students to participate in girls' or women's athletics)

At the appropriate place, insert the following:

SEC. _____. **PROHIBITION ON FUNDING ENTITIES THAT PERMIT CERTAIN STUDENTS TO PARTICIPATE IN GIRLS' OR WOMEN'S ATHLETICS.**

(a) IN GENERAL.—None of the funds appropriated under any division of this Act may be used by a State, local educational agency, or institution of higher education, that permits any student whose biological sex (recognized based solely on a person's reproductive biology at birth) is male to participate in an athletic program or activity designated for girls or women.

(b) DEFINITIONS.—In this section:

(1) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the meaning given the term in section 101 or 102 of the Higher Education Act of 1965 (20 U.S.C. 1001, 1002).

(2) LOCAL EDUCATIONAL AGENCY, STATE.—The terms "local educational agency" and "State" have the meanings given the terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

The PRESIDING OFFICER. There will be 2 minutes of debate on this motion, equally divided.

The Senator from Alabama.

Mr. TUBERVILLE. Mr. President, I still can't believe we are having serious conversations about men competing in women's sports. We have lost our minds. I know many of you have daughters, nieces, and granddaughters who play sports. My amendment would protect the integrity of women and girls in sports and protect them and sports itself, because women and girls are being discriminated against.

I am here to fight for the future of women's and girls' sports, for the safety of their locker rooms and showers. The Biden Department of Education is doing exactly the opposite.

My amendment is simple. A school should protect women in sports and ensure that only biological women can compete against each other. An educational institution should not be able to use Federal funds to implement a radical agenda and facilitate biological males competing in women sports.

It is time to draw the line in the sand. Women are being attacked, not just on the court, in the pool, but in the dressing room. It is time to show what side you are on. So when you vote, I hope you take a look in the camera and smile, and go home and explain your vote to the daughters and granddaughters and young women in your families.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Washington.

Mrs. MURRAY. Mr. President, this amendment would create an outright blanket ban on trans kids in K-12

schools participating in any sport activity consistent with their gender identity in every single State.

Let me just say this loud and clear: This amendment is as bigoted and dangerous as it is unnecessary. Of all the challenges facing our Nation, I am stunned this is how any Senator would ask this institution to spend its time.

Trans kids deserve to be kids. They deserve to play sports, go to school, be with their friends. They should not have to worry about hateful rhetoric and laws that attack their very existence, and they definitely shouldn't live in fear of a Congress that is going to stipulate that their school won't get any Federal funding if their coach just simply lets them play sports with their friends.

That is nothing to say that passing any amendment on this bill will guarantee a government shutdown.

I urge my colleagues—

The PRESIDING OFFICER. The Senator's time expired.

Mrs. MURRAY.—to vote yes on the motion to table.

MOTION TO TABLE

Mrs. MURRAY. I move to table the motion to concur with the Tuberville amendment No. 1781.

I ask for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the motion.

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 Indiana (Mr. BRAUN) and the Senator from Florida (Mr. SCOTT).

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

The result was announced—yeas 51, nays 47, as follows:

[Rollcall Vote No. 108 Leg.]

YEAS—51

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

NAYS—47

Barrasso	Cruz	Lankford
Blackburn	Daines	Lee
Boozman	Ernst	Lummis
Britt	Fischer	Marshall
Budd	Graham	McConnell
Capito	Grassley	Moran
Cassidy	Hagerty	Mullin
Collins	Hawley	Murkowski
Cornyn	Hoeben	Paul
Cotton	Hyde-Smith	Ricketts
Cramer	Johnson	Risch
Crapo	Kennedy	Romney

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

NOT VOTING—2

Braun
Scott (FL)

The motion to table was agreed to.
The PRESIDING OFFICER. The Senator from Missouri.

MOTION TO CONCUR WITH AMENDMENT NO. 1795

Mr. SCHMITT. Mr. President, I move to concur in the House amendment to the Senate amendment to H.R. 2882 with further amendment No. 1795.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Missouri [Mr. SCHMITT] moves to concur in the House amendment to the Senate amendment to H.R. 2882 with further amendment numbered 1795.

The amendment is as follows:

(Purpose: To prohibit the use of funds to label speech as disinformation or misinformation or to coerce online platforms to alter, remove, restrict, or suppress speech)

At the appropriate place, insert the following:

SEC. _____. (a) None of the funds made available by this Act may be used—

(1) by an employee acting under the official authority of the Federal Government to create a list or database with the purpose of gathering and labeling any speech of a United States citizen as disinformation or misinformation;

(2) to provide or transmit a list or database described in paragraph (1) or a single item of speech to any provider or operator of a covered platform in order to alter, remove, restrict, or suppress speech of a United States citizen that is shared on the covered platform based on a determination, by an employee acting under the official authority of the Federal Government, that the views of the speech in the list, database, or item are disinformation or misinformation; or

(3) to create, or provide funding to a foreign government, quasi-governmental organization, or nonprofit organization for the research, development, or maintenance of, any disinformation or misinformation list or ranking system relating to news content, regardless of medium.

(b) For purposes of this section, the term "covered platform" means an interactive computer service, as that term is defined in section 230 of the Communications Act of 1934 (47 U.S.C. 230).

The PRESIDING OFFICER. There will be 2 minutes of debate on this motion, equally divided.

The Senator from Missouri.

Mr. SCHMITT. Mr. President, Jefferson Smith, the newly minted Senator in Frank Capra's "Mr. Smith Goes to Washington," opined:

"Liberty's too precious a thing to be buried in books. Men should hold it up in front of them every single day of their lives and say: I'm free to think and to speak. My ancestors couldn't, I can, and my children will."

My amendment tackles a fundamental issue that should bring us together as a Senate: protecting Americans' First Amendment rights in the virtual town square.

The First Amendment is the beating heart of our Constitution. It protects fundamental human expression, and

the government shouldn't be deciding what we can read or what we can hear or what we can say.

Earlier this week, *Murphy v. Murray* was heard in the U.S. Supreme Court. I filed that case when I was attorney general of Missouri. At issue in that case is what is at the heart of the issue here in this amendment, which is pretty simple: Should the Federal Government and its leviathan of Agencies be allowed to coerce and collude with social media companies to censor speech online? The answer for every American should be a resounding no. Unfortunately, that is what top officials in the Biden administration were doing and why this amendment is so important.

What is more, censorship isn't limited to just conservative-leaning speech.

The PRESIDING OFFICER. The Senator's time is expired.

Mr. SCHMITT. This affects everyone, all ideologies. This should bring us together. This would protect Americans' free speech. I urge this body to support it.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. When we are giving speeches about our concern of the impact of disinformation and misinformation on America, this is exactly the wrong amendment.

We know the Russians, the Chinese, and God knows who else are using information and twisting information and delivering it to our neighbors as the truth, and how are they supposed to know any better? This amendment will basically remove the authority of the U.S. Government to speak up about misinformation and disinformation.

If you want our citizenry to be more vulnerable, vote yes on this amendment. If you want to make sure we are doing everything in our power to stop Vladimir Putin and others from infiltrating America, vote no on this amendment.

NOTE ON MOTION TO CONCUR

The PRESIDING OFFICER. The question is on agreeing to the motion.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Indiana (Mr. BRAUN), and the Senator from Florida (Mr. SCOTT).

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

The result was announced—yeas 47, nays 51, as follows:

[Rollcall Vote No. 109 Leg.]

YEAS—47

Barrasso	Cassidy	Cruz
Blackburn	Collins	Daines
Boozman	Cornyn	Ernst
Britt	Cotton	Fischer
Budd	Cramer	Graham
Capito	Crapo	Grassley

Hagerty	McConnell	Schmitt
Hawley	Moran	Scott (SC)
Hoeven	Mullin	Sullivan
Hyde-Smith	Murkowski	Thune
Johnson	Paul	Tillis
Kennedy	Ricketts	Tuberville
Lankford	Risch	Vance
Lee	Romney	Wicker
Lummis	Rounds	Young
Marshall	Rubio	

NAYS—51

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

NOT VOTING—2

Braun Scott (FL)

The motion was rejected.

The PRESIDING OFFICER. The Senator from Wisconsin.

MOTION TO CONCUR WITH AMENDMENT NO. 1706

Mr. JOHNSON. Mr. President, I move to concur in the House amendment to the Senate amendment to H.R. 2882 with further amendment No. 1706.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Wisconsin [Mr. JOHNSON] moves to concur in the House amendment to the Senate amendment to H.R. 2882 with further amendment numbered 1706.

The amendment is as follows:

(Purpose: To prohibit the disbursement of certain Federal funding to local jurisdictions that refuse to provide advance notice to the Department of Homeland Security regarding the release of illegal aliens from local custody)

At the appropriate place in division D, insert the following:

SEC. ____ None of the funds made available by this division may be used to provide Federal funds to a local jurisdiction that refuses to comply with a request from the Department of Homeland Security to provide advance notice of the scheduled date and time a particular illegal alien is scheduled to be released from local custody.

The PRESIDING OFFICER. There are two minutes equally divided.

The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, in the last 4 months, we have seen a string of horrific crimes in which the suspects are illegal immigrants.

In December, a 16-year-old cheerleader was stabbed to death in Edna, TX. In my State, a 20-year-old nurse was run down by a drunk driver. In January, again in my State, a Special Olympian was struck by a drunk driver. In Campbell County, VA, a 14-year-old girl was sexually assaulted. In January, a 2-year-old was caught in the crossfire of gangs and murdered. In Kenner, LA, a 14-year-old girl was raped by another individual and stabbed by an illegal suspect. On February 22, Laken Riley was beaten to death while jogging in Athens, GA.

Just last week, a 15-year-old mentally impaired girl was raped in Massachusetts.

This must stop.

My amendment is simple. It prohibits Labor, HHS, and Education funding from going to sanctuary cities that do not comply with requests from DHS to provide advance notice of date and time illegal aliens are scheduled to be released from local custody.

We can stop these crimes. We must secure our border. Please vote yes.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, this is a perfect example of an amendment that does not deserve to be debated without real work and real bipartisan commitment.

This is a legitimate issue, making sure that we have notice when you have an individual in State or local custody, but this version of the amendment doesn't work. It likely violates the 10th Amendment. It likely violates the Fourth Amendment. It fundamentally misunderstands the statute it implicates—8 USC 1373.

There is a better way to do this in a bipartisan manner. In fact, a number of us just recently introduced legislation that would allow ICE to obtain a legal warrant when you have an individual in State or local custody to make sure that they end up being put into removal proceedings.

So let's continue to work on this very important issue. This is just the wrong way to do it, likely deeply unconstitutional.

MOTION TO TABLE

For that reason, I would move to table the motion to concur with Johnson amendment No. 1706.

I would ask for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the motion to table.

Is there a sufficient second?

There is 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 Indiana (Mr. BRAUN) and the Senator from Florida (Mr. SCOTT).

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

The result was announced—yeas 51, nays 47, as follows:

[Rollcall Vote No. 110 Leg.]

YEAS—51

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

Warner	Warren	Whitehouse
Warnock	Welch	Wyden

NAYS—47

Barrasso	Graham	Paul
Blackburn	Grassley	Ricketts
Boozman	Hagerty	Risch
Britt	Hawley	Romney
Budd	Hoeven	Rounds
Capito	Hyde-Smith	Rubio
Cassidy	Johnson	Schmitt
Collins	Kennedy	Scott (SC)
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—2

Braun Scott (FL)

The motion to table was agreed to.

The PRESIDING OFFICER. The Senator from Oklahoma.

MOTION TO CONCUR WITH AMENDMENT NO. 1713

Mr. LANKFORD. Mr. President, I move to concur in the House amendment to the Senate amendment to H.R. 2882 with further amendment No. 1713.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. LANKFORD] moves to concur in the House amendment to the Senate amendment to H.R. 2882 with further amendment No. 1713.

The amendment is as follows:

(Purpose: To prohibit the use of funds for the Women and Infants Hospital, Rhode Island)

At the appropriate place, insert the following:

SEC. ____ Notwithstanding any other provision of any division of this consolidated Act, including the explanatory statement described in section 4 of the matter preceding division A of this Act and any Community Project Funding/Congressionally Directed Spending table, no amounts shall be made available under division D of this Act for the Women and Infants Hospital, Rhode Island, for facilities and equipment.

The PRESIDING OFFICER. We have 2 minutes of debate equally divided.

Mr. LANKFORD. Mr. President, I rise today to ask my colleagues to support my amendment that would strike earmark funding for a hospital that performs chemical and surgical abortions, including well into the fifth month of pregnancy. In fact, this hospital, on their website, they brag that they routinely provide abortions up to 22 weeks. Five and a half months into a pregnancy is a late-term abortion. This is beyond even the Roe standard of viability.

At 22 weeks—that is 5½ months—a baby at that point can certainly feel pain. A baby can smile. They have formed tear ducts. They can recognize their mom's voice. They are sensitive to loud voices. They even have their taste buds already formed at that point.

Portugal restricts abortions after 10 weeks. Austria, Denmark, Germany, Greece, Hungary, Ireland, Italy, Norway, Switzerland, and Ukraine all restrict abortion after 12 weeks. Belgium, Luxemburg, and Spain restrict after 14.

This is a hospital bragging they do abortions at 22 weeks. We may disagree

on when life begins, but we should not provide Federal dollars for a facility that advertises it performs late-term abortions routinely. We should strike this earmark.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, this amendment would strike funding to help Women & Infants Hospital, in Providence, RI, build a new midwifery unit in order to help ensure babies can safely enter the world and that their moms can have a safe and positive childbirth experience.

Some Members are insinuating that this is about abortion. No funds will be used for abortions. In fact, these funds will truly have a clear and direct benefit for arriving babies and moms.

And I would urge defeat of the amendment.

I yield my remaining time to Senator WHITEHOUSE.

Mr. WHITEHOUSE. Mr. President, the actual text of the application for this earmark says it is to develop a nationally accredited in-hospital birth center, a midwifery unit; to provide healthy birthing individuals the choice to give birth in protected, dedicated space for normal physiologic birth; reduce the risks and costs of instrumental births and surgical delivery; and reduce hospital length of stay, thereby reducing healthcare costs—also training midwives. It is one thing to be anti-abortion.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. WHITEHOUSE. We are not anti-midwifery, and I urge that we oppose the Senator's amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion is not agreed to.

The motion was rejected.

The PRESIDING OFFICER. The Senator from Oklahoma.

MOTION TO CONCUR WITH AMENDMENT NO. 1718

Mr. LANKFORD. Mr. President, I move to concur in the House amendment to the Senate amendment to H.R. 2882 with further amendment No. 1718.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. LANKFORD] moves to concur in the House amendment to the Senate amendment to H.R. 2822 with further amendment No. 1718.

The amendment is as follows:

(Purpose: To prohibit funding for the release of special interest aliens from Federal custody during such aliens' proceedings under the Immigration and Nationality Act)

At the appropriate place in division C, insert the following:

SEC. _____. No funds appropriated by this Act may be used to release from physical custody any alien whom the Secretary of Homeland Security or the Commissioner of U.S. Customs and Border Protection has determined potentially poses a national security risk to the United States or its interests (commonly referred to as a "special interest alien") during the pendency of proceedings for such alien under the Immigration and

Nationality Act (8 U.S.C. 1101 et seq.), including any related appeals.

The PRESIDING OFFICER. We have 2 minutes of debate equally divided.

The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, yesterday, 5,770 people illegally crossed our southern border. Some of them were identified as special interest aliens.

Now let me give the definition for "special interest aliens" from the Department of Homeland Security. This is a non-U.S. person who, based on analysis of travel patterns, potentially poses a national security risk to the United States or its interests. Often, such individuals or groups are employing travel patterns known or evaluated to possibly have a nexus to terrorism. That is what these individuals are. They have been identified by this administration's DHS as a potential national security risk and a possible nexus to terrorism.

The problem is most of them are released into the United States after a very quick screening at the border. Those individuals that have been labeled a national security risk are not being detained at our border. This amendment would simply say: If an individual has been identified by this administration as a national security risk, they have to be detained—

The PRESIDING OFFICER. The Senator's time is expired.

Mr. LANKFORD.—throughout the time they are evaluated until they are adjudicated.

I would ask for a "yes" vote.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, it has been deeply uncomfortable to be in such regular agreement with Senator LANKFORD on immigration policy. So it feels good to be back disagreeing with him.

This amendment is a bad idea for three reasons. One, it shuts down the government if it passes. Second, it is overly broad. What this really amounts to is a ban on individuals from certain countries—countries that tend to be Muslim countries—coming to the United States. But third and most important, it is unnecessary. It is duplicative. The Department of Homeland Security already has the power to deny entry to the country to anyone who is a public safety threat or a national security concern.

And so for those three reasons, I would urge my colleagues to oppose the bill.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion is not agreed to.

The motion was rejected.

The PRESIDING OFFICER. The Senator from Tennessee.

MOTION TO REFER

Mrs. BLACKBURN. Mr. President, I move to refer the message to accompany H.R. 2882 to the Committee on the Judiciary with instructions.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Tennessee [Mrs. BLACKBURN] moves to refer the message with respect to H.R. 2882 to the Committee on the Judiciary of the Senate with instructions to report the same back to the Senate in 1 day, not counting any day on which the Senate is not in session, with an amendment consisting of the text of S. 3881, as introduced in the Senate on March 6, 2024.

The PRESIDING OFFICER. You have 2 minutes of debate equally divided.

The Senator from Tennessee.

Mrs. BLACKBURN. Mr. President, let me tell you why my colleagues are going to vote no when we voice vote this in a few minutes. This is a concept that has been around for a while, and it is in legislation called the CLEAR Act. What this would simply do is say that our local and State law enforcement, when they apprehend a criminal illegal alien in this country, that they can detain that individual and require ICE to, within 48 hours, come to them to deport that individual.

They also would be required to reimburse that entity for the expenses, and then they would also prohibit funds going to cities that do not comply with Federal immigration law.

The fact that we have Americans losing their lives—Pierce Corcoran from Tennessee, Laken Riley, whom we have all talked about—

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. BLACKBURN.—because of criminal illegal aliens is the reason to vote yes.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Washington.

Mrs. MURRAY. Mr. President, this motion would impose exactly the sort of poison pill rider we all worked very hard to keep out of this important bipartisan package, and it is worth stating once more that there was a bipartisan proposal on border policy changes just a few weeks ago. Republicans walked away from that issue just as soon as Donald Trump told them to.

And, now, here we are tonight, facing a serious, prolonged shutdown. Some are pressing for measures like this even when they know full well they are putting forward partisan policies we worked very hard to keep out of this bill. And there is no way to support this motion now without forcing a pointless government shutdown—none.

If Republicans want to show that they are serious, they can work with us on comprehensive immigration reform and real solutions to the challenges we are facing at the border.

I urge my colleagues to oppose this motion.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion is not agreed to.

The motion was rejected.

The PRESIDING OFFICER. The Senator from North Carolina.

MOTION TO TABLE AMENDMENT NO. 1794

Mr. BUDD. Mr. President, I move to table Senate amendment 1794 for the

purpose of offering my amendment No. 1807.

I would like 2 minutes of debate.

The PRESIDING OFFICER. There is 2 minutes of debate equally divided.

The Senator from North Carolina.

Mr. BUDD. Mr. President, we are in the middle of the worst border crisis in American history as a direct result of the failed policies of President Biden.

My amendments are meant to address these failed policies. The amendment I am offering prevents illegal aliens who commit the crime of assaulting a law enforcement officer from ever obtaining legal status or citizenship.

This is particularly relevant to my home State of North Carolina in light of the murder of Lake County Deputy Sheriff Ned Byrd by an illegal alien in 2022.

Any Senator who claims to support the police should have no problem supporting this amendment. So before you shut down this amendment, just ask yourself: Do you believe that someone who beats up a cop and is here illegally should be allowed to legally remain in our country? I don't think so, and I hope that all of my colleagues would agree.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, we have a bipartisan, bicameral package of funding bills before us, and right now our job is to pass this as soon as possible. We cannot delay a moment further, and that is what this motion would do—needlessly drag this out even longer for absolutely no good reason at all.

It is already well past midnight. Let us finish this job, pass our bills. I urge my colleagues to vote no.

VOTE ON MOTION TO TABLE

The question is on agreeing to the motion to table amendment No. 1794.

Mr. BUDD. 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 legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent; the Senator from Indiana (Mr. BRAUN) and the Senator from Florida (Mr. SCOTT).

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

The result was announced—yeas 47, nays 51, as follows:

[Rollcall Vote No. 111 Leg.]

YEAS—47

Barrasso	Crapo	Johnson
Blackburn	Cruz	Kennedy
Boozman	Daines	Lankford
Britt	Ernst	Lee
Budd	Fischer	Lummis
Capito	Graham	Marshall
Cassidy	Grassley	McConnell
Collins	Hagerty	Moran
Cornyn	Hawley	Mullin
Cotton	Hoeven	Murkowski
Cramer	Hyde-Smith	Paul

Ricketts	Schmitt	Tuberville
Risch	Scott (SC)	Vance
Romney	Sullivan	Wicker
Rounds	Thune	Young
Rubio	Tillis	

NAYS—51

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

NOT VOTING—2

Braun Scott (FL)

The motion to table was rejected.

The PRESIDING OFFICER. The Senator from Tennessee.

MOTION TO TABLE AMENDMENT NO. 1793

Mr. HAGERTY. Mr. President, in order to consider my very simple and reasonable amendment, it is vital that the Senate must move the Democratic leader's blocking amendment out of the way in order to move forward with mine.

Let me cut through the procedural language here. I am bringing forward a vote on a very simple question: Do you support American taxpayer dollars being used to fly illegal immigrants from countries like Venezuela and Haiti into America to be settled in cities and towns near you?

If so, then vote against it. Vote no to preserve this practice of using taxpayer dollars to charter planes that move and import thousands of illegal aliens into your States.

Make no mistake here, President Biden has been secretly flying hundreds of thousands of illegal aliens from foreign countries into blue city airports. Just last year alone, in 2023, it was reported that some 320,000 illegal aliens had been flown in using this method. Americans are shocked that this is happening.

The PRESIDING OFFICER. Senator, your time has expired.

Does the Senator have a motion?

Mrs. MURRAY. Mr. President.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Exactly like the previous vote, this is a procedural vote that will cause a shutdown. I urge a "no" vote.

Mr. HAGERTY. Mr. President.

The PRESIDING OFFICER. The Senator from Tennessee.

VOTE ON MOTION TO TABLE

Mr. HAGERTY. I move to table Senate amendment No. 1793 for the purpose of offering my amendment No. 1808, and I ask for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the motion.

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 Indiana (Mr. BRAUN) and the Senator from Florida (Mr. SCOTT).

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

The result was announced—yeas 47, nays 51, as follows:

[Rollcall Vote No. 112 Leg.]

YEAS—47

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

NAYS—51

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

NOT VOTING—2

Braun Scott (FL)

The motion to table was rejected.

The PRESIDING OFFICER. The Senator from North Carolina.

MOTION TO TABLE

Mr. BUDD. Mr. President, let me be clear. The amendment I am offering prevents illegal aliens who commit the crime of burglary, theft, or shoplifting from being granted legal status or citizenship.

This is particularly relevant in the case of Laken Riley, where the illegal alien who murdered her had previously been arrested for those crimes.

The American people need to know who stands on the side of preventing tragedies and who will enable them. Now, I know my Democratic colleagues are fearful, perhaps squeamish, to prevent immigration issues from being voted on tonight. We have even gone into past midnight and into a brief government shutdown to avoid it.

I might be a freshman in this Chamber, but I have been here long enough to know that deadlines are powerful motivators but so should be common sense and common decency.

Look, we have seen the cost of not dealing with this issue in the tragic death of Laken Riley, and I hope each and every one of my colleagues would agree it is time to act and support my amendment.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Like the previous votes, this is procedural vote that will cause a shutdown. I urge a "no" vote.

The PRESIDING OFFICER. The Senator from North Carolina.

VOTE ON MOTION TO TABLE

Mr. BUDD. I move to table Senate amendment No. 1792 for the purpose of offering my amendment No. 1740, and I ask for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the motion. 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. THUNE. The following Senators are necessarily absent: the Senator from Indiana (Mr. BRAUN) and the Senator from Florida (Mr. SCOTT).

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

The result was announced—yeas 47, nays 51, as follows:

[Rollcall Vote No. 113 Leg.]

YEAS—47

Table with 3 columns of names: Barrasso, Blackburn, Boozman, Britt, Budd, Capito, Cassidy, Collins, Cornyn, Cotton, Cramer, Crapo, Cruz, Daines, Ernst, Fischer, Graham, Grassley, Hagerty, Hawley, Hoeven, Hyde-Smith, Johnson, Kennedy, Lankford, Lee, Lummis, Marshall, McConnell, Moran, Mullin, Murkowski, Paul, Ricketts, Risch, Romney, Rounds, Rubio, Schmitt, Scott (SC), Sullivan, Thune, Tillis, Tuberville, Vance, Wicker, Young.

NAYS—51

Table with 3 columns of names: Baldwin, Bennet, Blumenthal, Booker, Brown, Butler, Cantwell, Cardin, Carper, Casey, Coons, Cortez Masto, Duckworth, Durbin, Fetterman, Gillibrand, Hassan, Heinrich, Hickenlooper, Hirono, Kaine, Kelly, King, Klobuchar, Lujan, Manchin, Markey, Menendez, Merkley, Murphy, Murray, Ossoff, Padilla, Peters, Reed, Rosen, Sanders, Schatz, Schumer, Shaheen, Sinema, Smith, Stabenow, Tester, Van Hollen, Warner, Warnock, Warren, Welch, Whitehouse, Wyden.

NOT VOTING—2

Table with 2 columns: Braun, Scott (FL)

The motion to the table was rejected. The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Mr. President, could everyone please stay in their seats until we complete this vote? That way, we can get it done most quickly. Thank you. This is the final passage.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, it has been a long road, but we are about to vote on a bipartisan funding bill that the House passed overwhelmingly, and we are finally ready to close the book on fiscal year 2024.

This is not the legislation the Democrats and Republicans would have writ-

ten on our own. It is the result of tough negotiations. It is a bipartisan package that invests in families and our country's future.

I want to thank Vice Chair COLLINS and so many others for working with us to get this done.

This was not easy, but we all know how important the investments are that this bill makes in our country. It matters. So I hope all of our colleagues will join us now in voting to send these bipartisan bills to the President's desk. We don't have a minute to spare.

The PRESIDING OFFICER. The senior Senator from Maine.

Ms. COLLINS. Mr. President, it has been a long night and a long process, but we are on the verge of clearing the final six appropriations bills for this fiscal year, and that is an important milestone.

I want to thank Chair MURRAY, the members of the Appropriations Committee, and everyone who worked so constructively tonight, and I would be remiss if I did not thank our hard-working staff.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Mr. President, it has been a long day, a long week, and a very long few months, but, tonight, we have funded the government with significant investments for parents and kids, small businesses and healthcare workers, military families and so much more. It is no small feat to get a package like this done in divided government. These past few months have shown yet again that when bipartisanship has room to work, we can get the job done.

A deep and sincere thank you to all of my colleagues on both sides of the aisle for their good work. I thank Chair MURRAY, Vice Chair COLLINS, and all on Appropriations and their staffs. Thank you to my incredible staff too.

This was not easy, but our efforts have paid off with a strong funding bill that now goes to the President.

REMEMBERING PATRICIA COLLINS

Finally, Mr. President, many of us have signed a condolence book to Senator COLLINS on the loss of her mother. It was even more difficult for her to get this bill done given the circumstances, but she showed her usual strength, courage, and tenacity.

So I would like to just ask for a couple of seconds of silence for Susan's mother, and I will present this book to her.

(Moment of silence.)

VOTE ON MOTION TO CONCUR

The PRESIDING OFFICER. Under the previous order, the cloture motion is withdrawn, and the motion to refer and the motion to concur with amendment No. 1790 and the amendments pending thereto are withdrawn.

The question is on agreeing to the motion to concur.

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

The PRESIDING OFFICER. The yeas and nays have been requested.

Is there a sufficient second?

There is 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 Indiana (Mr. BRAUN) and the Senator from Florida (Mr. SCOTT).

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

The result was announced—yeas 74, nays 24, as follows:

[Rollcall Vote No. 114 Leg.]

YEAS—74

Table with 3 columns of names: Baldwin, Blumenthal, Booker, Boozman, Britt, Brown, Butler, Cantwell, Capito, Cardin, Carper, Casey, Cassidy, Collins, Coons, Cornyn, Cortez Masto, Cotton, Cramer, Duckworth, Durbin, Ernst, Fetterman, Fischer, Gillibrand, Graham, Grassley, Hassan, Heinrich, Hickenlooper, Hirono, Hoeven, Hyde-Smith, Kaine, Kelly, King, Klobuchar, Lujan, Manchin, Markey, McConnell, Menendez, Merkley, Moran, Mullin, Murkowski, Murphy, Murray, Ossoff, Padilla, Peters, Reed, Romney, Rosen, Rounds, Schatz, Schumer, Shaheen, Sinema, Smith, Stabenow, Sullivan, Tester, Thune, Tillis, Van Hollen, Warner, Warnock, Warren, Welch, Whitehouse, Wicker, Wyden, Young.

NAYS—24

Table with 3 columns of names: Barrasso, Bennet, Blackburn, Budd, Crapo, Cruz, Daines, Hagerty, Hawley, Johnson, Kennedy, Lankford, Lee, Lummis, Marshall, Paul, Ricketts, Risch, Rubio, Sanders, Schmitt, Scott (SC), Tuberville, Vance.

NOT VOTING—2

Table with 2 columns: Braun, Scott (FL)

The PRESIDING OFFICER. On this vote, the yeas are 74, the nays are 24.

Under the previous order requiring 60 votes for the adoption of this motion, the motion is agreed to.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, there were a lot of naysayers who didn't believe that this divided Congress could pass full-year appropriations bills. Tonight, we proved them wrong. We have finally passed all 12 bills to fund the government, and I am proud to be sending a \$1 billion increase in funding to childcare and pre-K to the President's desk.

As chair of the Appropriations Committee, you have a responsibility: You help decide in a big way how to set the Nation's spending priorities. I wanted to write our bills to put working people—the parents I talk to all around my State who can't afford or find childcare—first.

I remember when I drove 100 miles to Olympia, our State capital, with my two young kids to try and save their preschool program, and a State lawmaker told me I couldn't make a difference; I was just a mom in tennis

shoes. Well, this mom in tennis shoes is now the Senate Appropriations chair. I think it makes a difference when you have a former preschool teacher and someone who lived what it means to be a working mom with young kids holding the pen in our Nation's spending bills. So I decided childcare had to be at the top of our country's priorities, and this time it was not going to get knocked off.

I am so glad we are making this investment in our kids, in our families, and in our economy. But this bill delivers a lot more. President Biden will be signing a bipartisan bill that delivers on the investments that matter most in people's daily lives—on everything from Pell grants to community health centers—this funding, free of the devastating cuts and extreme riders that was pushed by the House Republicans that would have sent our country back decades.

From day one of this process, I said there would be no extreme far-right riders to restrict women's reproductive freedoms in these funding bills—not small, not big; none. And there are none.

Democrats stood firm to protect a woman's right to choose in these negotiations, beating back countless far-right policies from House Republicans to ban abortion and attack reproductive freedom in every way possible.

These bills came about after some tough negotiations, but they will move our country forward.

I have to, once again, thank my vice chair SUSAN COLLINS for her partnership. We passed 12 bills with overwhelming bipartisan support last summer, and that was important. I think that bipartisanship and shared commitment to doing what was right for the country served us well in negotiating these final spending bills.

I hope my House Republican colleagues now understand that bipartisanship is the only path forward in a divided government. I hope they understand that when you strike a deal, you have to stick to it. It has to mean something. And I hope my House Republican colleagues will now continue to work with us, not against us, to deliver for the American people.

As Appropriations chair, I am so glad to finally close the book on this year's government funding. I am ready as ever to work with all of my colleagues as we determine what investments our country will make. Let's keep working to help people and solve problems.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

DIRECTING THE CLERK OF THE HOUSE TO MAKE A CORRECTION IN THE ENROLLMENT OF H.R. 2882

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 100, which was re-

ceived from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 100) directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 2882.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mrs. MURRAY. I further ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The concurrent resolution (H. Con. Res. 100) was agreed to.

Mrs. MURRAY. 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. SCHUMER. 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 SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 534.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Susan M. Bazis, of Nebraska, to be United States District Judge for the District of Nebraska.

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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. 534, Susan M. Bazis, of Nebraska, to be United States District Judge for the District of Nebraska.

Charles E. Schumer, Richard J. Durbin, Peter Welch, Laphonza Butler, Richard Blumenthal, Alex Padilla, Tim Kaine, Christopher A. Coons, Robert P. Casey, Jr., Margaret Wood Hassan, Sheldon Whitehouse, Gary C. Peters, Catherine Cortez Masto, Jeanne Shaheen, Tammy Duckworth, Tina Smith, Chris Van Hollen.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 542.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Robert J. White, of Michigan, to be United States District Judge for the Eastern District of Michigan.

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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. 542, Robert J. White, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Charles E. Schumer, Richard J. Durbin, Alex Padilla, Tina Smith, Elizabeth Warren, Raphael G. Warnock, Gary C. Peters, Tim Kaine, Richard Blumenthal, Jack Reed, Sheldon Whitehouse, Peter Welch, Mark R. Warner, Christopher A. Coons, Tammy Duckworth, Benjamin L. Cardin, Debbie Stabenow.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 535.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Ann Marie McIff Allen, of Utah, to be United States District Judge for the District of Utah.