

hope that he would be open to working with me in the future on some bipartisan legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mrs. BLACKBURN. Mr. President, I ask the previously scheduled vote begin immediately.

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

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Peter Hoekstra, of Michigan, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Canada.

VOTE ON HOEKSTRA NOMINATION

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

Ms. SMITH. 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 bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO) and the Senator from Oklahoma (Mr. MULLIN).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

The result was announced—yeas 60, nays 37, as follows:

[Rollcall Vote No. 202 Ex.]

YEAS—60

Table with 3 columns of names: Banks, Blackburn, Boozman, Britt, Budd, Capito, Cassidy, Collins, Cornyn, Cotton, Cramer, Crapo, Cruz, Curtis, Daines, Ernst, Fetterman, Fischer, Graham, Grassley, Hagerty, Hassan, Hawley, Hoeven, Husted, Hyde-Smith, Johnson, Justice, Kaine, Kennedy, King, Klobuchar, Lankford, Lee, Lummis, Marshall, McConnell, McCormick, Moody, Moran, Moreno, Murkowski, Paul, Peters, Ricketts, Risch, Rounds, Schmitt, Scott (FL), Scott (SC), Shaheen, Sheehy, Slotkin, Sullivan, Thune, Tillis, Tuberville, Warner, Wicker, Young.

NAYS—37

Table with 3 columns of names: Alsobrooks, Baldwin, Bennet, Blumenthal, Blunt Rochester, Booker, Cantwell, Coons, Cortez Masto, Duckworth, Durbin, Gallego, Gillibrand, Heinrich, Hickenlooper, Hirono, Kelly, Kim, Lujan, Markey, Murphy, Murrey, Ossoff, Padilla, Reed, Rosen, Schatz, Schiff, Schumer, Smith, Van Hollen, Warnock, Warren, Welch, Whitehouse, Wyden.

NOT VOTING—3

Table with 3 columns: Barrasso, Mullin, Sanders.

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to re-

consider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Ronald Johnson, of Florida, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the United Mexican States.

VOTE ON JOHNSON NOMINATION

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

Mr. WHITEHOUSE. 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 Wyoming (Mr. BARRASSO), the Senator from Missouri (Mr. HAWLEY), the Senator from Oklahoma (Mr. MULLIN), and the Senator from Florida (Mr. SCOTT).

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

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

The result was announced—yeas 49, nays 46, as follows:

[Rollcall Vote No. 203 Ex.]

YEAS—49

Table with 3 columns of names: Banks, Blackburn, Boozman, Britt, Budd, Capito, Cassidy, Collins, Cornyn, Cotton, Cramer, Crapo, Cruz, Curtis, Daines, Ernst, Fischer, Graham, Grassley, Hagerty, Hoeven, Husted, Hyde-Smith, Johnson, Justice, Kennedy, Lankford, Lee, Lummis, Marshall, McConnell, McCormick, Moody, Moran, Moreno, Murkowski, Paul, Ricketts, Risch, Rounds, Schmitt, Scott (SC), Sheehy, Sullivan, Thune, Tillis, Tuberville, Wicker, Young.

NAYS—46

Table with 3 columns of names: Alsobrooks, Baldwin, Bennet, Blumenthal, Blunt Rochester, Booker, Cantwell, Coons, Cortez Masto, Duckworth, Durbin, Fetterman, Gallego, Gillibrand, Hassan, Heinrich, Hickenlooper, Hirono, Kaine, Kelly, Kim, King, Klobuchar, Lujan, Markey, Merkley, Murphy, Murrey, Ossoff, Padilla, Reed, Rosen, Schatz, Schiff, Schumer, Shaheen, Slotkin, Smith, Van Hollen, Warner, Warnock, Warren, Welch, Whitehouse, Wyden.

NOT VOTING—5

Table with 3 columns: Barrasso, Hawley, Mullin, Sanders, Scott (FL).

The nomination was confirmed.

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

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant executive clerk read the nomination of Kevin Cabrera, of Florida, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Panama.

VOTE ON CABRERA NOMINATION

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

Mr. WICKER. 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 executive clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from Missouri (Mr. HAWLEY), the Senator from Oklahoma (Mr. MULLIN), and the Senator from Alabama (Mr. TUBERVILLE).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

[Rollcall Vote No. 204 Ex.]

YEAS—51

Table with 3 columns of names: Banks, Barrasso, Blackburn, Boozman, Britt, Budd, Capito, Cassidy, Collins, Cornyn, Cotton, Cramer, Crapo, Cruz, Curtis, Daines, Ernst, Fischer, Graham, Grassley, Hoeven, Husted, Hyde-Smith, Johnson, Justice, Kennedy, Lankford, Lee, Lummis, Marshall, McCannell, McCormick, Moody, Moran, Moreno, Murkowski, Paul, Ricketts, Risch, Rounds, Schmitt, Scott (FL), Scott (SC), Shaheen, Sheehy, Sullivan, Thune, Tillis, Wicker, Young.

NAYS—45

Table with 3 columns of names: Alsobrooks, Baldwin, Bennet, Blumenthal, Blunt Rochester, Booker, Cantwell, Coons, Cortez Masto, Duckworth, Durbin, Fetterman, Gallego, Gillibrand, Hassan, Heinrich, Hickenlooper, Hirono, Kaine, Kelly, Kim, Lujan, Markey, Merkley, Murphy, Murrey, Ossoff, Padilla, Peters, Schatz, Schiff, Schumer, Shaheen, Slotkin, Smith, Van Hollen, Warner, Warnock, Warren, Welch, Whitehouse, Wyden.

NOT VOTING—4

Table with 3 columns: Hawley, Mullin, Sanders, Tuberville.

The nomination was confirmed.

The PRESIDING OFFICER (Mr. SCHMITT). 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.

The Senator from Massachusetts.

UNANIMOUS CONSENT REQUEST—S. 103

Mr. MARKEY. Mr. President, I rise today to lawfully extend the deadline by which ByteDance must either divest TikTok or face a ban in the United States.

In a few moments, I will ask unanimous consent to pass my legislation with Senator WYDEN, Senator VAN HOLLEN, and Senator BOOKER, the Extend the TikTok Deadline Act, to extend the divestment deadline until October.

My colleagues may be wondering: Didn't President Trump just extend the TikTok deadline last week by 75 days? Why are we passing legislation to do the same thing? Well, it is because we need legislation because President Trump's move was illegal, both the first time he extended the deadline in January and his second extension last Friday.

Although the statute permits the President to extend the TikTok deadline by 90 days if certain conditions are met, President Trump never triggered that provision in the statute. Instead, he twice issued Executive orders that directed the Department of Justice to not enforce the law for 75 days. Nothing in the statute permits President Trump to simply not enforce Federal law.

By Trump's logic, he could negate any statute enacted by Congress by simply directing his administration to not enforce it. That is not how our system of government actually works. It is lawless, and it is dangerous.

Beyond being an affront to the rule of law, these Executive orders are also unfair to TikTok's 170 million creators and users and the 7 million small businesses that rely on the platform to reach their customers.

By lawlessly extending the TikTok divestment deadline, Trump has effectively put the fate of TikTok in the hands of risk-averse corporate shareholders at major technology companies like Oracle and Apple and Google. That is because the TikTok ban imposes up to \$800 billion in fines for companies like Oracle and Apple and Google that help keep TikTok online and distribute the app through their app stores.

Trump's lawless extension puts these companies in a difficult spot. They can comply with the law—take TikTok offline and face the wrath of Trump and the public—or they can violate the law—leave TikTok up and risk ruinous legal liability.

So far, the tech companies have been willing to risk that liability based on promises from President Trump that he won't punish them. But we all know that President Trump's promises aren't worth a whole lot. The President could reverse course at any moment or threaten to rescind his Executive order to coerce these companies into supporting unrelated political objectives. No good comes from giving any President that kind of leverage.

So while TikTok remains online today, these unilateral illegal extensions are unfair to TikTok's users and dangerous for our country.

So here is the thing: I actually agree with the President on extending the TikTok divestment deadline. There was no reason that TikTok should have gone dark in January, just a couple of days after the Supreme Court ruled on the law.

Clearly, the Supreme Court had only 2 days left to resolve all of the national security issues, all of the other issues that were surrounding this issue. It wasn't TikTok or anyone else's fault that it took all the way up until to 2 days before the deadline to have TikTok get an answer as to whether or not what was happening was constitutional. So we needed more time to have a negotiation over whether or not those national security issues and other issues could be resolved.

It is now, ultimately, again, a decision that has to be made as to whether or not TikTok should have gone dark last week as rumors swirled about potential new investors in TikTok's U.S. business.

We don't need to find a lawful solution; it is imperative that we find a lawful solution. That is why I am bringing my legislation out here. That will protect free speech rights of TikTok's 170 million users and will also give us some time to be able to negotiate an end.

I want national security issues to be the central part of this negotiation, and I believe such a solution is possible. But unlawful, ad hoc extensions only sow chaos for the tech companies facing ruinous penalties and for the millions of Americans who rely on TikTok as a vital communications platform.

Instead, Congress should pass my legislation, the Extend the TikTok Deadline Act, to lawfully extend the divestment deadline until October, creating legal certainty for TikTok's users and creators and giving all parties a longer period to reach a solution.

So, Mr. President, as if in legislative session and notwithstanding rule XXII, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from further consideration of S. 103, and the Senate proceed to its immediate consideration; further, that the bill be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there an objection?

The Senator from Arkansas.

Mr. COTTON. Mr. President, reserving the right to object because I do object to this effort and will object to future efforts to change the TikTok law.

Let's remember how we got here. TikTok is a Chinese communist spy app and a tool of Chinese communist propaganda. That is why Congress passed an overwhelmingly bipartisan

law mandating that TikTok's parent company sell it if TikTok is to continue operating in America.

Why did Congress pass this law? Because TikTok is not just another social media platform. TikTok addicts our kids, harvests their data, exposes them to pedophiles, and promotes harmful and manipulative content, including vile, anti-Semitic videos.

TikTok also silences, censors, and suppresses content that exposes communist China for what it really is—a monstrous tyranny. The truth about China's genocide against the Tibet and Uighur people, the massacre at Tiananmen Square, the crackdown on Hong Kong, the origins of COVID, and more are all disappeared behind the veil of TikTok's algorithm.

What TikTok doesn't say is only part of the problem. What it does say is deadly.

The Chinese version of TikTok tells kids to study hard, eat their vegetables, and revere their dictator, Xi Jinping. But the American version of TikTok exposes our kids to videos that glamorize and glorify violence, obscenity, eating disorders, drug use, and even suicide.

TikTok's lethal algorithm has, without question, cost the lives of too many Americans. That is why TikTok is so dangerous, and that is why Congress insisted that TikTok cut ties entirely with communist China.

President Trump is trying to implement the law that Congress passed, and many American businesses and investors are, apparently, interested in buying TikTok.

I applaud patriotic Americans who want to buy this app and cut all ties with the Chinese communists. But reports have surfaced that some businesses and investors want a bad deal that would violate the law by letting communist China continue to influence the TikTok algorithm. Even worse, these potential buyers may ask Congress to somehow indemnify them for violating the law or immunize them for TikTok's past crimes against and injuries to the American people, especially young Americans.

Let me say bluntly to any American who wants to invest in some half-ass TikTok deal: Congress will never protect you from going into business with communist China.

So American businesses and investors who want to dip their beaks in the golden TikTok fountain should think twice before giving their money and their good name to Chinese communists. If the TikTok deal maintains any operational relationship with China, you will be stuck with the consequences. Caveat emptor.

So I do oppose this effort to change the law, and I will oppose, in the future, other efforts to change the law that Congress already passed. Let's allow President Trump to negotiate and see if communist China is willing to make a deal. If not, then the law is the law.