

Last, there are going to be questions asked about those two Trump judges and why the administrative stay and why for 3 months and why the amazing coincidence that those 3 months of administrative stay was the period that it took to pick up this character, shove him through the nominations process, shove him through the Republican-controlled Judiciary Committee, and stuff him onto the bench without that hearing taking place. That is too much coincidence for this lawyer.

So this is not over. I strongly suspect that my colleagues will come to regret and lament their vote for this character. Bad nature is hard to make disappear.

I will end where I began the first time I came to the floor to discuss the nomination of Emil Bove to the Third Circuit, and that is the story about the snake by the side of a path, injured and broken, who was picked up by the lady who was walking along and taken to her home, where the snake was fed and cared for until he healed. Then she took him back to where she had found him, back to his home. She set him down beside the path, and he bit her.

As she was dying from the snake's venom, she said to the snake: Why did you bite me—the one who picked you up, the one who cared for you, the one who fed you, the one who brought you back here to your home area?

The snake said: You knew when you picked me up that I was a snake. This is my nature.

This man's nature will out.

I yield the floor.

The PRESIDING OFFICER (Ms. LUMMIS). The Senator from Utah.

VOTE ON BROWN NOMINATION

Mr. CURTIS. I know of no further debate on the Brown nomination.

The PRESIDING OFFICER. Is there further debate?

If not, the question is, Will the Senate advise and consent to the Brown 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 bill clerk called the roll.

Mr. BARRASSO. The following Senator is necessarily absent: the Senator from Tennessee (Mr. HAGERTY).

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

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS) is necessarily absent.

The result was announced—yeas 54, nays 44, as follows:

[Rollcall Vote No. 447 Ex.]

YEAS—54

Banks	Capito	Cramer
Barrasso	Cassidy	Crapo
Blackburn	Collins	Cruz
Boozman	Cornyn	Curtis
Britt	Cortez Masto	Daines
Budd	Cotton	Ernst

Fischer	Lummis
Graham	Marshall
Grassley	McConnell
Hawley	McCormick
Hoeben	Moody
Husted	Moran
Hyde-Smith	Moreno
Johnson	Mullin
Justice	Murkowski
Kennedy	Paul
Lankford	Ricketts
Lee	Risch

NAYS—44

Alsobrooks	Hirono	Sanders
Baldwin	Kaine	Schatz
Bennet	Kelly	Schiff
Blumenthal	Kim	Schumer
Blunt Rochester	King	Shaheen
Booker	Klobuchar	Slotkin
Cantwell	Lujan	Smith
Duckworth	Markey	Van Hollen
Durbin	Merkley	Warner
Fetterman	Murphy	Warnock
Gallego	Murray	Warren
Gillibrand	Ossoff	Welch
Hassan	Padilla	Whitehouse
Heinrich	Peters	Wyden
Hickenlooper	Reed	

NOT VOTING—2

Coons Hagerty

The nomination was confirmed.

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

The majority leader.

EXECUTIVE CALENDAR

Mr. THUNE. Madam President, I ask that the Senate execute the order of July 23 with respect to the Bove nomination.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Emil J. Bove III, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

VOTE ON BOVE NOMINATION

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

Mr. SCHUMER. 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. BARRASSO. The following Senator is necessarily absent: the Senator from Tennessee (Mr. HAGERTY).

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

The result was announced—yeas 50, nays 49, as follows:

[Rollcall Vote No. 448 Ex.]

YEAS—50

Banks	Cassidy	Daines
Barrasso	Cornyn	Ernst
Blackburn	Cotton	Fischer
Boozman	Cramer	Graham
Britt	Crapo	Grassley
Budd	Cruz	Hawley
Capito	Curtis	Hoeben

Husted	McCormick	Scott (FL)
Hyde-Smith	Moody	Scott (SC)
Johnson	Moran	Sheehy
Justice	Moreno	Sullivan
Kennedy	Mullin	Thune
Lankford	Paul	Tillis
Lee	Ricketts	Tuberville
Lummis	Risch	Wicker
Marshall	Rounds	Young
McConnell	Schmitt	

NAYS—49

Alsobrooks	Hickenlooper	Rosen
Baldwin	Hirono	Sanders
Bennet	Kaine	Schatz
Blumenthal	Kelly	Schiff
Blunt Rochester	Kim	Schumer
Booker	King	Shaheen
Cantwell	Klobuchar	Slotkin
Collins	Lujan	Smith
Coons	Markey	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murkowski	Warnock
Durbin	Murphy	Warren
Fetterman	Murray	Welch
Gallego	Ossoff	Whitehouse
Gillibrand	Padilla	Wyden
Hassan	Peters	
Heinrich	Reed	

NOT VOTING—1

Hagerty

The nomination was confirmed.

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

The Democratic leader.

Mr. SCHUMER. Madam President, I want to be very clear about what Senate Republicans are doing.

Tonight, Senate Republicans vote to put Emil Bove—a January 6 sympathizer—on one of the highest courts in the country. They reward a man—credibly accused of wanting to lie to judges—with a black robe and a gavel of his own. And they are confirming him for one reason only: Mr. Bove is loyal to Donald Trump. Therefore, Donald Trump wants him on the bench. The calculus is as simple as that—as simple as that.

It is unfathomable that, just over 4 years after the insurrection at the Capitol—when rioters smashed windows, ransacked offices, and desecrated this Chamber—Senate Republicans are willingly putting someone on the bench who shielded these rioters from facing justice, who said their prosecution was a grave national injustice.

To my colleagues who were here on January 6 and who are now putting him on the bench, shame on you. To confirm Mr. Bove is a sacrilegious act against our democracy, a deep violation against the spirit of our oaths of office.

But this is not just about January 6. Mr. Bove has been accused by multiple whistleblowers of telling DOJ lawyers to intentionally mislead judges about the administration's policy. Mr. Bove denied these claims, but we have text messages, emails, and other documents saying otherwise. Recently, another whistleblower has come forward, sharing evidence with Senators, suggesting Mr. Bove misled the Judiciary Committee during his sworn testimony.

Since it seems very likely Mr. Bove lied to Senators, he never should become a Federal judge, but Republicans

are rushing Mr. Bove through tonight, hoping the American people aren't paying attention. That includes the Judiciary chairman, someone who prides himself on standing up for whistleblowers but who rushed the process through in committee without fully vetting this nominee and without getting to the bottom of the facts underpinning these grave accusations.

Honestly, how have Republicans allowed the bar to fall so low—so dismally low—that they would confirm someone accused of lying to judges to the bench without turning over every stone and examining every lead before making this decision?

How have our Republican colleagues forgotten the horrors of January 6 so soon that they would let Mr. Bove—one of the great defenders of the insurrectionists—sail through this Chamber?

This is a dark, dark day, a dark vote, and a dangerous nominee Republicans are confirming.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Madam President, I want to thank Senator SCHUMER, the Democratic leader, for his words.

This is a really tough moment for me, not just because this is in New Jersey. This is someone who has had something I have never seen before—hundreds of judges, hundreds of Federal prosecutors and Federal public defenders from both parties come forward, saying that Emil Bove should not be on the Third Circuit as a judge for a lifetime position; not only that, but that his temperament of using vulgarities to show, it is claimed, that folks should disobey—that the Trump administration should disobey—court orders disqualifies him from being on the bench. That is one thing that bothered me.

The other thing is the fact that he has had some of the worst ethics violations of any judge I have seen come before the Judiciary Committee in holding back exculpatory evidence when he was a prosecutor. He was called by former prosecutors and former defense attorneys the drunk driving version of a prosecutor—reckless and dangerous.

Then, finally, what was the ultimate frustration was we saw a whistleblower come forward who had impinged his testimony with receipts, but there were other whistleblowers trying to come forward who were afraid for themselves because of this climate in which people who stand up and speak the truth are often targeted and attacked. Contrary to what my colleague was saying on the floor, their lawyers were trying to get somebody in the Republican Party just to listen to the evidence, and no one wanted to even listen.

This is a sad day for our democracy. This is a sad day for the judiciary and a sad day for the U.S. Senate, whose constitutional obligation is to advise and consent, to look at all of the evidence, especially when you have whis-

tleblowers standing up with courage and wanting to speak the truth—not even to listen to it. We saw those tactics in the Judiciary Committee: not wanting to have debate, not wanting to have a discussion, rushing this nominee through as quickly as possible to this floor for a vote before any more evidence could come out before another 200, 300, 400 judges or prosecutors could come out with damning indictments of this man's qualifications.

This is a very unfortunate day for the U.S. Senate, a very unfortunate day for the State of New Jersey, and a very unfortunate day for the Third Circuit. I am expressing my deepest disappointment in this body in its abdication of its responsibilities.

LEGISLATIVE SESSION

Mr. THUNE. Madam 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. THUNE. Madam President, I move to proceed to executive session to consider Calendar No. 271.

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 Cheryl Mason, of North Carolina, to be Inspector General, Department of Veterans Affairs.

CLOTURE MOTION

Mr. THUNE. Madam 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. 271, Cheryl Mason, of North Carolina, to be Inspector General, Department of Veterans Affairs.

John Thune, Tommy Tuberville, Bernie Moreno, Tim Sheehy, John Barrasso, John R. Curtis, Cindy Hyde-Smith, Mike Rounds, Katie Boyd Britt, Roger Marshall, Pete Ricketts, John Boozman, David McCormick, Tim Scott of South Carolina, Rick Scott of Florida, Eric Schmitt, Lindsey Graham.

LEGISLATIVE SESSION

Mr. THUNE. Madam 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. THUNE. Madam President, I move to proceed to executive session to consider Calendar No. 254.

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 Andrea Lucas, of Virginia, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2030 (Reappointment).

CLOTURE MOTION

Mr. THUNE. Madam 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. 254, Andrea Lucas, of Virginia, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2030. (Reappointment)

John Thune, Tommy Tuberville, Bernie Moreno, Tim Sheehy, John Barrasso, John R. Curtis, Cindy Hyde-Smith, Mike Rounds, Katie Boyd Britt, Roger Marshall, Pete Ricketts, John Boozman, David McCormick, Tim Scott of South Carolina, Rick Scott of Florida, Eric Schmitt, Lindsey Graham.

LEGISLATIVE SESSION

Mr. THUNE. Madam 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. THUNE. Madam President, I move to proceed to executive session to consider Calendar No. 59.

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 Casey Mulligan, of Illinois, to be Chief Counsel for Advocacy, Small Business Administration.

CLOTURE MOTION

Mr. THUNE. Madam 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.