

"The Democrats are going to make Capitol Police and Capitol support staff—who they refuse to pay—work all night so they can give speeches patting themselves on the back for shutting down the government and hurting the American people," Senate Majority Whip John Barrasso wrote on X. "How ridiculous is that?"

Senators, whose pay is protected by the U.S. Constitution, received their salaries on Monday.

The Senate is expected to vote on legislation this week sponsored by Republican Wisconsin Sen. Ron Johnson to pay military personnel and federal employees who are reporting to work during the shutdown.

Democrats are expected to filibuster the bill. Several members of their caucus have argued that every federal worker should be paid during the shutdown despite repeatedly voting against reopening the government.

The article continues:

Merkley's overnight remarks follow other Senate Democrats staging all-night speeches to protest the Trump administration this year.

In April—

The article concludes—

New Jersey Sen. Cory Booker delivered the longest Senate floor speech in history to attack the president and his policies.

The facts speak for themselves. Americans deserve better than Democrats' rubbish.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

GOVERNMENT FUNDING

Mr. DAINES. Mr. President, I am here to make some comments about my friend Bill Mercer, whom we are actually going to vote on here on the floor in a minute, but I wanted to set the record straight on something. I am tired of the lies being spread around.

There is a lie about what is happening here in Washington, and the lie is this: Republicans control the Presidency, the House, and the Senate, so it is on the Republicans for shutting it down. That is a lie. It takes 60 votes to get something done here in the U.S. Senate. We are looking for five Democrats to join us.

It is already bipartisan. Three Democrats have joined us. If five more join the Republicans, we have done this 11 times in voting for this clean CR, which Democrats have done repeatedly under Joe Biden's watch. If five Democrats join us, we will open the government back up. But just wanted to set that straight at home. Yes, Republicans have majority control of the Senate, but it takes 60 votes to get an outcome here in Washington. We have 53 Republicans, if five Democrats join us, we will get this done.

NOMINATION OF WILLIAM W. MERCER

Mr. DAINES. Mr. President, I rise today to speak in support of my friend Mr. Bill Mercer and his nomination to serve as the next judge for the U.S. District Court for the District of Montana.

President Trump made an excellent choice when he picked Bill. I was thrilled to see him quickly approved by the Senate Judiciary Committee, and now, today, the U.S. Senate will vote in the next hour or so on his final confirmation. And I urge my colleagues to join Senator SHEEHY and I in supporting his nomination.

Bill is a lifelong Montanan. He was born in Billings. We have known each other for a long time; in fact, we went to rival high schools, and we actually competed against each other in speech and debate. He was a Billings West Golden Bear, and I was a Bozeman Hawk. This is what makes America great. Two kids from Montana dreamed big, they worked hard, and now we have the opportunity to serve the State we love together.

Bill received his undergraduate degree from the University of Montana. He later went on to receive a master of public administration from Harvard and his law degree from George Mason University. Bill served his State and country in various roles over the past three decades. In Montana, he served as U.S. attorney for the District of Montana from 2001 to 2009. He represented Billings in the Montana House of Representatives for the past 7 years. Bill also worked at the U.S. Department of Justice where he served as Principal Associate Deputy Attorney General and Acting Associate Attorney General during the George W. Bush administration.

He has been actively engaged in his community, serving in five nonprofit boards of directors in Montana.

Bill has been a member of the Montana Bar for 32 years. He has appeared at State and Federal court in Montana and as lead counsel in numerous cases.

He has represented clients in appellate courts, which resulted in oral arguments in 15 cases in the Court of Appeals for the Ninth Circuit, the DC Circuit, and the Montana Supreme Court.

Bill has been recognized by his peers in the legal community for outstanding track records, being rated among the best lawyers in Montana for environmental and commercial litigation.

Throughout his extensive legal career and years of public service, Bill has represented Montana's interests very well. He is committed to the rule of law and the original interpretation of the Constitution.

He understands Montana's laws and issues. His experience as a widely respected and effective member of the Montana House has helped him understand the needs of our State, our families, and our communities.

I believe his time serving in Helena has given him an important perspective on the law and the importance of judicial impartiality. Federal judges play a critical role in our government. It is important that we pick servant leaders who are committed to our Founding ideals and to protecting the role of the judiciary.

These are lifetime appointments. He will have a lasting impact on both Montana and the Nation.

I have no hesitation when I say Bill is the top choice to serve as Montana's next Federal judge. I have seen his commitment to our State firsthand, and his time at the Department of Justice, as U.S. attorney, and as a State legislator prepared him well. There is not a better pick to serve the State of Montana.

I urge my colleagues to join me in voting favorably for Bill's confirmation.

I look forward to seeing the profound influence Bill will have in Montana and the Nation as he steps into this new role.

Thank you.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE

Mr. THUNE. Mr. President, I ask unanimous consent that notwithstanding rule XXII, following the cloture vote on the motion to proceed to Calendar No. 168, H.R. 5371, the Senate vote on the motion to invoke cloture on the Lewis nomination; and if cloture is invoked on the Lewis nomination, all postcloture time be expired, and the Senate vote on the motion to invoke cloture on the Meredith nomination; further, if cloture is invoked on the Meredith nomination, all postcloture time be expired and the Senate vote on confirmation of the nominations at a time to be determined by the majority leader, in consultation with the Democratic leader, no earlier than Thursday, October 23; further, if confirmed, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action; finally, that the mandatory quorum calls with respect to Calendar No. 168, H.R. 5371, as well as the Meredith and Lewis nominations be waived.

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

Mr. THUNE. Mr. President, I ask the Chair to execute the order of October 21, with respect to Calendar No. 168, H.R. 5371, and I further ask that following disposition of that vote, the Chair execute the previous order with respect to the Lewis, Meredith, and Mercer nominations in that order.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 168, H.R. 5371, a bill making continuing appropriations

and extensions for fiscal year 2026, and for other purposes.

John Thune, James E. Risch, Tim Sheehy, John Cornyn, Mike Rounds, John R. Curtis, Jim Justice, Katie Boyd Britt, Todd Young, David McCormick, Bill Hagerty, Marsha Blackburn, Rick Scott of Florida, John Barrasso, Kevin Cramer, Cindy Hyde-Smith, Lindsey Graham.

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

The question is, Is it the sense of the Senate that debate on the motion to proceed to Calendar No. 168, H.R. 5371, a bill making continuing appropriations and extensions for fiscal year 2026, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 54, nays 46, as follows:

[Rollcall Vote No. 581 Ex.]

YEAS—54

Banks	Fetterman	McCormick
Barrasso	Fischer	Moody
Blackburn	Graham	Moran
Boozman	Grassley	Moreno
Britt	Hagerty	Mullin
Budd	Hawley	Murkowski
Capito	Hoeben	Ricketts
Cassidy	Husted	Risch
Collins	Hyde-Smith	Rounds
Cornyn	Johnson	Schmitt
Cortez Masto	Justice	Scott (FL)
Cotton	Kennedy	Scott (SC)
Cramer	King	Sheehy
Crapo	Lankford	Sullivan
Cruz	Lee	Tillis
Curtis	Lummis	Tuberville
Daines	Marshall	Wicker
Ernst	McConnell	Young

NAYS—46

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

(Mr. DAINES assumed the Chair.)

(Mr. MORENO assumed the Chair.)

The PRESIDING OFFICER (Mrs. HYDE-SMITH). On this vote, the yeas are 54, the nays are 46.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The motion was rejected.

MOTION TO RECONSIDER

Mr. THUNE. Madam President, I enter a motion to reconsider.

The PRESIDING OFFICER. The motion is entered.

Mr. THUNE. Madam President, I ask unanimous consent that the remaining rollcall votes in this series be 10 minutes in length.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair rises before the Senate the pending cloture motion, which the clerk will state.

The bill 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. 458, Bill Lewis, of Alabama, to be United States District Judge for the Middle District of Alabama.

John Thune, Bernie Moreno, Katie Boyd Britt, Chuck Grassley, James Lankford, Pete Ricketts, Markwayne Mullin, Tim Sheehy, Jon A. Husted, Eric Schmitt, Jim Justice, James E. Risch, Tom Cotton, Steve Daines, Ted Budd, John R. Curtis, John Boozman.

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

The question is, Is it the sense of the Senate that debate on the nomination of Bill Lewis, of Alabama, to be United States District Judge for the Middle District of Alabama, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. BARRASSO. The following Senator is necessarily absent: the Senator from Idaho (Mr. RISCH).

The yeas and nays resulted—yeas 60, nays 39, as follows:

[Rollcall Vote No. 582 Ex.]

YEAS—60

Banks	Graham	Moran
Barrasso	Grassley	Moreno
Blackburn	Hagerty	Mullin
Boozman	Hassan	Murkowski
Britt	Hawley	Paul
Budd	Hoeben	Peters
Capito	Husted	Ricketts
Cassidy	Hyde-Smith	Rounds
Collins	Johnson	Schiff
Cornyn	Justice	Schmitt
Cotton	Kaine	Scott (FL)
Cramer	Kennedy	Scott (SC)
Crapo	King	Shaheen
Cruz	Lankford	Sheehy
Curtis	Lee	Sullivan
Daines	Lummis	Thune
Durbin	Marshall	Tillis
Ernst	McConnell	Tuberville
Fetterman	McCormick	Wicker
Fischer	Moody	Young

NAYS—39

Alsbrooks	Hickenlooper	Rosen
Baldwin	Hirono	Sanders
Bennet	Kelly	Schatz
Blumenthal	Kim	Schumer
Blunt Rochester	Klobuchar	Slotkin
Booker	Lujan	Smith
Cantwell	Markey	Van Hollen
Coons	Merkley	Warner
Cortez Masto	Murphy	Warnock
Duckworth	Murray	Warren
Gallego	Ossoff	Welch
Gillibrand	Padilla	Whitehouse
Heinrich	Reed	Wyden

NOT VOTING—1

Risch

The PRESIDING OFFICER (Mr. JUSTICE). On this vote, the yeas are 60, the nays are 39. The motion is agreed to.

The motion was agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Bill Lewis, of Alabama, to be United States District Judge for the Middle District of Alabama.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 373, Stephen Chad Meredith, of Kentucky, to be United States District Judge for the Eastern District of Kentucky.

John Thune, Markwayne Mullin, John Barrasso, Tim Sheehy, Pete Ricketts, Ted Budd, Bill Hagerty, Bernie Moreno, John R. Curtis, Jon A. Husted, Jim Justice, Ashley B. Moody, Roger Marshall, Joni Ernst, Ron Johnson, John Boozman, John Kennedy.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. KENNEDY. Mr. President, is this a 10-minute vote?

The PRESIDING OFFICER. This is a 10-minute vote.

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

The question is, is it the sense of the Senate that debate on the nomination of Stephen Chad Meredith, of Kentucky, to be United States District Judge for the Eastern District of Kentucky, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. BARRASSO. The following Senator is necessarily absent: the Senator from Alaska (Ms. MURKOWSKI).

Mr. DURBIN. I announce that the Senator from New York (Mrs. GILLIBRAND) and the Senator from Maryland (Mr. VAN HOLLEN) are necessarily absent.

The yeas and nays resulted—yeas 52, nays 45, as follows:

[Rollcall Vote No. 583 Ex.]

YEAS—52

Banks	Graham	Moreno
Barrasso	Grassley	Mullin
Blackburn	Hagerty	Paul
Boozman	Hawley	Ricketts
Britt	Hoeben	Risch
Budd	Husted	Rounds
Capito	Hyde-Smith	Schmitt
Cassidy	Johnson	Scott (FL)
Collins	Justice	Scott (SC)
Cornyn	Kennedy	Sheehy
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	Lummis	Tillis
Cruz	Marshall	Tuberville
Curtis	McConnell	Wicker
Daines	McCormick	Young
Ernst	Moody	
Fischer	Moran	