

South Carolina and to deal with the agricultural emergency we have had.

We also say a prayer of thanksgiving for the great opportunity we have to live in the Southeast but also recognize that we are now ground zero for tornadoes and those types of death-defying acts that are taking place. We want all of the people in Georgia and Alabama to know that our prayers go out to them. We will do everything we can to make them right.

Thank you.

I yield back my time.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. ISAKSON. Mr. President, I yield back the remainder of our time and call the previous question.

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

The 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 Allison Jones Rushing, of North Carolina, to be United States Circuit Judge for the Fourth Circuit.

Mitch McConnell, David Perdue, Mike Crapo, Johnny Isakson, John Cornyn, Pat Roberts, James M. Inhofe, Thom Tillis, Roger F. Wicker, Lindsey Graham, Roy Blunt, John Thune, John Boozman, John Barrasso, James E. Risch, Richard Burr, John Hoeven.

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

The question is, Is it the sense of the Senate that the debate on the nomination of Allison Jones Rushing, of North Carolina, to be United States Circuit Judge for the Fourth Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

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

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN), the Senator from New Mexico (Mr. HEINRICH), the Senator from Vermont (Mr. SANDERS), and the Senator from Arizona (Ms. SINEMA) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 52, nays 43, as follows:

[Rollcall Vote No. 34 Ex.]

#### YEAS—52

Alexander	Fischer	Portman
Barrasso	Gardner	Risch
Blackburn	Graham	Roberts
Blunt	Grassley	Romney
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Isakson	Scott (SC)
Collins	Johnson	Shelby
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Cramer	Lee	Tillis
Crapo	McConnell	Toomey
Cruz	McSally	Wicker
Daines	Moran	Young
Enzi	Paul	
Ernst	Perdue	

#### NAYS—43

Baldwin	Hassan	Rosen
Bennet	Hirono	Schatz
Blumenthal	Jones	Schumer
Booker	Kaine	Shaheen
Cantwell	King	Smith
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Manchin	Udall
Coons	Markey	Van Hollen
Cortez Masto	Menendez	Warner
Duckworth	Merkley	Warren
Durbin	Murphy	Whitehouse
Feinstein	Murray	Wyden
Gillibrand	Peters	
Harris	Reed	

#### NOT VOTING—5

Brown	Murkowski	Sinema
Heinrich	Sanders	

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 43.

The motion is agreed to.

#### ORDER OF BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, all postclosure time on the Rushing nomination be considered expired at 4 p.m. on Tuesday, March 5; further, that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER (Mr. SULLIVAN). Without objection, it is so ordered.

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### REMEMBERING BERTA CACERES

Mr. LEAHY. Mr. President, 3 years ago yesterday, Berta Caceres, an indigenous rights activist in Honduras who had been a vocal opponent of the construction of a hydroelectric dam that threatened the territory of the Lenka people, was murdered in her home.

That cowardly crime, about which I have spoken many times, was the culmination of years of harassment and threats against her life, and it was by

no means an isolated case. At the time, it was only the latest of scores of assassinations of social activists who protested against the confiscation of land, forced evictions, and infrastructure development involving corrupt payoffs to circumvent environmental and social safeguards, and against abuses by Honduran security forces. Nobody has been punished for any of those other, similar, crimes.

I did not know Berta Caceres, but I knew of her. I remember when she was awarded the prestigious Goldman Environmental Prize. I remember the disgust and outrage I felt when I learned that she had been murdered.

I remember thinking that whoever would murder Berta Caceres, a charismatic leader who was recognized not only in her native country but around the world, must have been confident that they would never see the inside of a jail cell, because in Honduras only a small fraction of homicides, not to mention other violent crimes, ever results in conviction. Impunity and the corruption that enables it is a way of life there.

It was no surprise that in the days and weeks after Berta Caceres was murdered, the Honduran police tried to cover it up. It was only because of international pressure, including by the U.S. Embassy, that the fraudulent "investigation" did not end there, as so often happens in Honduras when the victim is not someone of notoriety.

Eventually, last November, after what seemed like interminable foot dragging, a trial resulted in the conviction of seven of those involved. That was a significant achievement, considering that absent international pressure Berta Caceres's case would have faded from memory like all the others. That trial also implicated top officials of the hydroelectric company DESA, one of whom is still awaiting trial 3 years later.

I was a prosecutor before I became a Senator. I prosecuted many murder cases. While premeditated murder is a horrific crime, it is often relatively easy to prove. In Berta Caceres's case, there was a lot of evidence. So to those who ask why, 3 years later, we are still waiting for justice, I think the answer is obvious. There are powerful forces within the Honduran Government who are beyond the reach of the Honduran justice system, and the attorney general recognizes that.

So today, 3 years later, there are some who conceived of, or knew of, the plan to murder Berta Caceres who have not been charged. The question, 3 years later, is when will they be charged? When will they be brought to justice?

Neither I nor the world have forgotten Berta Caceres. Our desire to see justice done in her case is as strong today as it was 3 years ago not only because of the importance it has for her family and her community, but for the larger cause of justice in Honduras. Impunity is a powerful, evil force, but I believe the whole truth about this crime will eventually be known.