

[Rollcall Vote No. 252 Leg.]

YEAS—39

Barrasso	Fischer	Moran
Blackburn	Graham	Mullin
Boozman	Grassley	Paul
Braun	Hagerty	Ricketts
Britt	Hoeben	Risch
Budd	Hyde-Smith	Romney
Cassidy	Johnson	Rubio
Cornyn	Kennedy	Schmitt
Cramer	Lankford	Scott (SC)
Crapo	Lee	Sullivan
Cruz	Lummis	Thune
Daines	Marshall	Tillis
Ernst	McConnell	Tuberville

NAYS—56

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

NOT VOTING—5

Coons	Manchin	Vance
Cotton	Scott (FL)	

The PRESIDING OFFICER (Ms. CORTEZ MASTO). On this vote, the yeas are 39, the nays are 56. The motion is not agreed to.

The motion was rejected.

EXECUTIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume executive session.

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. 787, Byron B. Conway, of Wisconsin, to be United States District Judge for the Eastern District of Wisconsin.

Charles E. Schumer, Richard J. Durbin, Ben Ray Lujan, Benjamin L. Cardin, Jack Reed, Sheldon Whitehouse, Jeanne Shaheen, Tim Kaine, Chris Van Hollen, Tina Smith, Christopher A. Coons, Margaret Wood Hassan, Richard Blumenthal, Tammy Duckworth, Tammy Baldwin, Martin Heinrich, Alex Padilla.

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 Byron B. Conway, of Wisconsin, to be United States District Judge for the Eastern District of Wisconsin, 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. DURBIN. I announce that the Senator from Delaware (Mr. COONS) and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Arkansas (Mr. COTTON), the Senator from Florida (Mr. SCOTT), and the Senator from Ohio (Mr. VANCE).

The yeas and nays resulted—yeas 58, nays 37, as follows:

[Rollcall Vote No. 253 Ex.]

YEAS—58

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

NAYS—37

Barrasso	Hagerty	Ricketts
Blackburn	Hawley	Risch
Boozman	Hoeben	Rounds
Britt	Hyde-Smith	Rubio
Budd	Kennedy	Schmitt
Cassidy	Lankford	Scott (SC)
Cornyn	Lee	Sullivan
Crapo	Lummis	Thune
Cruz	Marshall	Tuberville
Daines	McConnell	Wicker
Ernst	Moran	Young
Fischer	Mullin	
Grassley	Paul	

NOT VOTING—5

Coons	Schatz	Vance
Cotton	Scott (FL)	

The PRESIDING OFFICER (Mr. HELMY). On this vote, the yeas are 58, the nays are 37.

The motion is agreed to.

The Senator from Delaware.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. CARPER. Mr. President, the Office of Government Ethics is an Agency that independently works to oversee the executive branch's ethics program. The Director serves a term of 5 years in this instance, leading work that prevents financial conflicts of interest and ensures that the executive branch, regardless of political party, holds itself to the highest ethical standards.

Our Nation has been without a Senate-confirmed Director to this critical Agency for more than a year. I will say that again: more than a year. But, fortunately, we have a highly qualified nominee for this post, one who has received support from both Democrat and Republican Senators, including Senators on the Senate Committee on Homeland Security and Governmental Affairs, which I used to chair.

Since 2016, David Huitema has served as the Assistant Legal Adviser for Ethics and Financial Disclosure at the De-

partment of State. In this role, he has the responsibility of managing the Department's ethics program. Previously, he served as an attorney-adviser at the Department of State, worked in private practice for several years, and completed a clerkship at the U.S. Court of Appeals for the 11th Circuit.

Mr. Huitema has a deep and thorough knowledge of the law and of ethics compliance in addition to his range of experience at the State Department and in private practice. I have no doubt that his skills and his experience will enable him to effectively lead the Office of Government Ethics.

Mr. President, I ask unanimous consent that the Senate consider the following nomination: Calendar No. 620, David Huitema, of Maryland, to be Director of the Office of Government Ethics for a term of five years; that the Senate vote on the nomination without intervening action or debate; 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. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, reserving the right to object, directing the Office of Government Ethics is an important position due to the Office's role in aiding the President with the nominations process and assistance to the Senate in evaluating potential conflicts of interest for Presidential nominations.

This point was, of course, made clear in Mr. Huitema's HSGAC hearing, as he testified to the committee that nominee vetting would be not just a priority but priority one for the Office of Government Ethics and would dominate the next year, meaning the year that is about to arrive.

Given the fact that this position serves, once confirmed, for a 5-year term, it is also important for us to remember that we are now just a few weeks away from a Presidential election, a Presidential election that will determine who will serve as President of the United States for the next 4 years. So in light of that, we should wait to see who is elected before confirming this person to a 5-year term.

It is concerning to me that during his hearing before the Homeland Security and Governmental Affairs Committee, Mr. Huitema left open the possibility of supporting a partisan policy, a partisan approach, from a nonpartisan position, one that can be used as a means of further weaponizing our government against officials who might be appointed, should President Trump win, in a Republican administration. Individuals responsible with directing the Office of Government Ethics must not engage, promote, or tolerate partisan lawfare.

Particularly in the midst of unprecedented lawfare and political weaponization of the U.S. Government against Donald Trump by the Biden-Harris administration, I have got grave

concerns that have led me to oppose their partisan nominees and policies considered in this Chamber, particularly between now and the election. The Biden-Harris administration forfeited that courtesy when they decided that they wanted to govern more like a banana republic than the United States of America.

Now, after these two assassination attempts that we have seen so far on Donald Trump, continued lawfare by Democrats at both State and national levels and unacceptable rhetoric from Vice President HARRIS, who has brought foreign leaders to campaign for her in a key battleground State, it is clear that they have changed their tune. And so I am not going to change my tune.

We have to remember that the President of the United States, at any given moment, for constitutional purposes, is the executive branch, is the living embodiment of the executive branch. This is an office that really ought to be filled at least with Members being allowed to take into account the outcome of a coming Presidential election. With that Presidential election just weeks away, there is no reason this has to be done today. In fact, there are very, very good reasons for us not to do it today.

Let's take this up after the Presidential election. That is the appropriate time to raise this. If Mr. Huitema is willing to further clarify his position and the next sitting President appoints him to fill the position, I am happy to revisit this question. Until then, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Michigan.

UNANIMOUS CONSENT REQUESTS—EXECUTIVE CALENDAR

Mr. PETERS. Mr. President, shortly, I will ask for unanimous consent to confirm Rahkel Bouchet and John Truong to be associate judges for the District of Columbia Superior Court. The DC Superior Court functions as the State-level trial court in the Nation's Capital. Vacancies on the superior court bench have been straining the court, delaying justice for individuals and families all across the District.

Judge Bouchet and Mr. Truong each have the expertise and the temperament needed to serve on the superior court and are committed to serving the people of the District of Columbia.

Judge Bouchet has served as a magistrate judge for the District of Columbia's Superior Court since 2016 and is currently the deputy presiding magistrate judge. Prior to joining the bench, Judge Bouchet served as a clinical law professor and spent over 15 years in private practice, focusing on family and criminal law.

Mr. Truong is currently a Deputy Chief in the Civil Division of the U.S. Attorney's Office for the District of Columbia, where he has served since 2013. He previously served as assistant U.S. attorney in the office's Criminal Divi-

sion, where he prosecuted misdemeanor and felony crimes in the DC Superior Court.

Mr. President, these are not controversial nominees. They were vetted and recommended to the President by an independent local commission and received bipartisan support in my committee. In fact, former President Trump has also nominated Judge Bouchet and Mr. Truong to serve on the DC Superior Court.

The people of the District deserve to have the empty seats on the superior court filled by qualified judges, and I urge my colleagues to join me in supporting these nominees.

Mr. President, I ask unanimous consent that the Senate consider the following nomination: Calendar No. 770, Rahkel Bouchet, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years; that the Senate vote on the nomination without intervening action or debate; 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. Is there objection?

The Senator from Tennessee.

Mr. HAGERTY. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Michigan.

Mr. PETERS. Mr. President, I ask unanimous consent that the Senate consider the following nomination: Calendar No. 771, John Cuong Truong, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years; that the Senate vote on the nomination without intervening action or debate; 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. Is there objection?

The Senator from Tennessee.

Mr. HAGERTY. Mr. President, I object. Reserving the right to object, this summer, several of us made clear that, given the unprecedented lawfare by the Biden-Harris administration against President Trump, we will not consent to fast-tracking any judicial nominees before the coming election, and we are keeping our word on that.

If Democrats truly want these nominees confirmed, Senator SCHUMER can schedule them for votes. The truth is, they don't care enough about these nominations to do that so they are trying to confirm them this way, with the fast-track process.

Look, I have firsthand experience with this process. In 2017, Senate Democrats forced floor votes and 30 hours of postcloture time on my confirmation to be U.S. Ambassador to Japan under President Trump. So I am not standing in the way of confirma-

tion. As promised, though, I will not fast-track judicial confirmations before the election, when the American people will get a chance to reject the politicized administration of justice that is occurring here in America right now. We clearly stated this position, and now we are following through on it. Therefore, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Michigan.

EXECUTIVE CALENDAR

Mr. PETERS. Mr. President, shortly, I will ask for unanimous consent to confirm Ann Fisher and Ashley Poling to serve as Commissioners on the Postal Regulatory Commission, or the PRC.

The PRC is an independent Agency that serves as the Postal Services regulator, providing oversight as well as accountability. This bipartisan Commission is most effective with a full complement of Commissioners who have diverse perspectives but who are all committed to ensuring the transparency and accountability of the Postal Service.

Ann Fisher and Ashley Poling have both served as PRC Commissioners since 2019, and they have both demonstrated their commitment to robust oversight of the Postal Service. These are not controversial nominees. They are both dedicated public servants with deep expertise of the Postal Service. Both were previously nominated to the PRC by former President Trump, and they were unanimously confirmed by the Senate. They also received strong bipartisan support in my committee for their renominations, and I would urge my colleagues to join me in confirming these well-qualified nominees.

Mr. President, I ask unanimous consent that the Senate consider the following nominations en bloc for the Postal Regulatory Commission: Calendar No. 772, Ann C. Fisher, and Calendar No. 773, Ashley Jay Elizabeth Poling; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

The question is, Will the Senate advise and consent to the nominations of Ann C. Fisher, of South Dakota, to be a Commissioner of the Postal Regulatory Commission for a term expiring October 14, 2030 (Reappointment), and Ashley Jay Elizabeth Poling, of North Carolina, to be a Commissioner of the Postal Regulatory Commission for a term expiring November 22, 2030 (Reappointment)?

The nominations were confirmed en bloc.

The PRESIDING OFFICER. The Senator from Utah.

UNANIMOUS CONSENT REQUEST—H.R. 8281

Mr. LEE. Mr. President, the Democrats' talking points against the SAVE