

Markey	Rosen	Van Hollen
Menendez	Sanders	Warner
Merkley	Schatz	Warnock
Murphy	Schumer	Warren
Murray	Shaheen	Welch
Ossoff	Sinema	Whitehouse
Padilla	Smith	Wyden
Peters	Stabenow	
Reed	Tester	

## NAYS—47

Barrasso	Graham	Paul
Boozman	Grassley	Ricketts
Braun	Hagerty	Risch
Britt	Hoeven	Romney
Budd	Hyde-Smith	Rounds
Capito	Johnson	Rubio
Cassidy	Kennedy	Schmitt
Collins	Lankford	Scott (FL)
Cornyn	Lee	Scott (SC)
Cotton	Lummis	Sullivan
Cramer	Manchin	Thune
Crapo	Marshall	Tillis
Cruz	McConnell	Tuberville
Daines	Moran	Wicker
Ernst	Mullin	Young
Fischer	Murkowski	

## NOT VOTING—4

Blackburn	Hawley
Fetterman	Vance

The nomination was confirmed.

The PRESIDING OFFICER (Mr. KING). 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.

## 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. 141, David M. Uhlmann, of Michigan, to be an Assistant Administrator of the Environmental Protection Agency.

Charles E. Schumer, Catherine Cortez Masto, Sherrod Brown, Jack Reed, Benjamin L. Cardin, Sheldon Whitehouse, Jeff Merkley, Michael F. Bennet, Christopher A. Coons, Brian Schatz, Mazie Hirono, Tim Kaine, Richard J. Durbin, Christopher Murphy, Patty Murray, Tammy Duckworth, Margaret Wood Hassan.

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 David M. Uhlmann, of Michigan, to be an Assistant Administrator of the Environmental Protection Agency, 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.

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. FETTERMAN) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mrs. BLACKBURN), the

Senator from Louisiana (Mr. CASSIDY), the Senator from Missouri (Mr. HAWLEY), and the Senator from Ohio (Mr. VANCE).

Further, if present and voting: the Senator from Ohio (Mr. VANCE) would have voted "nay" and the Senator from Missouri (Mr. HAWLEY) would have voted "nay."

The yeas and nays resulted—yeas 51, nays 44, as follows:

[Rollcall Vote No. 185 Ex.]

## YEAS—51

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

## NAYS—44

Barrasso	Grassley	Ricketts
Boozman	Hagerty	Risch
Braun	Hoeven	Romney
Britt	Hyde-Smith	Rounds
Budd	Johnson	Rubio
Capito	Kennedy	Schmitt
Cornyn	Lankford	Scott (FL)
Cotton	Lee	Scott (SC)
Cramer	Lummis	Sullivan
Crapo	Manchin	Thune
Cruz	Marshall	Tillis
Daines	McConnell	Tuberville
Ernst	Moran	Wicker
Fischer	Mullin	Young
Graham	Paul	

## NOT VOTING—5

Blackburn	Fetterman	Vance
Cassidy	Hawley	

The PRESIDING OFFICER (Mr. PETERS). The yeas are 51, the nays are 44.

The motion is agreed to.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of David M. Uhlmann, of Michigan, to be an Assistant Administrator of the Environmental Protection Agency.

## LEGISLATIVE SESSION

## MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2024—MOTION TO PROCEED

Mr. SCHUMER. Mr. President, I move to proceed to Calendar No. 119, S. 2226.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows: Motion to proceed to Calendar No. 119, S. 2226, a bill to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

## CLOTURE MOTION

Mr. SCHUMER. 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 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. 119, S. 2226, a bill to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Charles E. Schumer, Jack Reed, Patty Murray, Gary C. Peters, Richard J. Durbin, Jeanne Shaheen, Margaret Wood Hassan, Jon Ossoff, Robert P. Casey, Jr., Chris Van Hollen, Sheldon Whitehouse, Christopher A. Coons, Mark Kelly, Debbie Stabenow, Brian Schatz, Mark R. Warner, Catherine Cortez Masto, Alex Padilla.

Mr. SCHUMER. I ask unanimous consent that the mandatory quorum call for the cloture motion filed today, July 13, be waived.

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

Mr. SCHUMER. I yield the floor.

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. PAUL. 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. PAUL. Mr. President, I ask unanimous consent that we proceed to the previously scheduled 1:45 p.m. vote now.

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

## EXECUTIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to 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 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. 21, Rachel Bloomekatz, of Ohio, to be United States Circuit Judge for the Sixth Circuit.

Charles E. Schumer, Richard J. Durbin, Richard Blumenthal, Christopher A. Coons, Benjamin L. Cardin, Tina Smith, Christopher Murphy, Mazie Hirono, Tammy Baldwin, Margaret Wood Hassan, John W. Hickenlooper, Sheldon Whitehouse, Catherine Cortez Masto, Brian Schatz, Gary C. Peters, Alex Padilla, Michael F. Bennet.

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 Rachel Bloomekatz, of Ohio, to be United States Circuit Judge for the Sixth 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 Senators are necessarily absent: the Senator from Tennessee (Mrs. BLACKBURN), the Senator from Louisiana (Mr. CASSIDY), the Senator from Missouri (Mr. HAWLEY), the Senator from South Carolina (Mr. SCOTT), and the Senator from Ohio (Mr. VANCE).

Further, if present and voting: the Senator from Ohio (Mr. VANCE) would have voted "nay," and the Senator from Missouri (Mr. HAWLEY) would have voted "nay."

The yeas and nays resulted—yeas 50, nays 45, as follows:

[Rollcall Vote No. 186 Ex.]

#### YEAS—50

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

#### NAYS—45

Barrasso	Graham	Murkowski
Boozman	Grassley	Paul
Braun	Hagerty	Ricketts
Britt	Hoeven	Risch
Budd	Hyde-Smith	Romney
Capito	Johnson	Rounds
Collins	Kennedy	Rubio
Cornyn	Lankford	Schmitt
Cotton	Lee	Scott (FL)
Cramer	Lummis	Sullivan
Crapo	Manchin	Thune
Cruz	Marshall	Tillis
Daines	McConnell	Tuberville
Ernst	Moran	Wicker
Fischer	Mullin	Young

#### NOT VOTING—5

Blackburn	Hawley	Vance
Cassidy	Scott (SC)	

The PRESIDING OFFICER (Mr. BOOKER). The yeas are 50. The nays are 45.

The motion is agreed to.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Rachel Bloomekatz, of Ohio, to be United States Circuit Judge for the Sixth Circuit.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The senior Senator from Texas.

#### SOUTHERN BORDER

Mr. CORNYN. Mr. President, under President Biden's leadership, the United States has shattered virtually every record in the book when it comes to uncontrolled illegal migration flows across the border. We have seen new records in border crossings in a single month, a single year, and in a single day, all on President Biden's watch.

The busiest day on record came 2 months ago, just before title 42, the public health title that was imposed as a result of the pandemic—the busiest day came just 2 months ago, just before that title was lifted or expired, when Border Patrol apprehended 10,300 migrants a day.

The pace of migration exceeded anything we have ever experienced under previous Presidents, and of course law enforcement, not knowing exactly what would happen once title 42 expired, braced for the worst.

Federal officials and immigration experts predicted an increase in border crossings when it was lifted. At one point, even the President's Department of Homeland Security said we could expect up to 18,000 migrants a day. Just to remind you, at its height, it was 10,300, but even President Biden's Department of Homeland Security said that could go to 18,000 now that title 42 went away.

It is not as if the President and Homeland Security don't have the tools necessary to control illegal immigration, but they simply lack the will to do so.

Fortunately, that surge that could have happened didn't happen, and we are left with a lot of opinions and guesses as to why that is true. One possibility is the drop could be seasonal. It is really hot in Texas and along that border triple-digit numbers and traveling across the open range of South Texas can be downright dangerous. If you have gone to the border crossing or Border Patrol in Falfurrias in Brooks County, which is just about 70 miles from the border, where the coyotes—the smugglers—will tell the migrants to get out of the vehicle, give them a jug of water and maybe a PowerBar, and they will say: You can walk around the border checkpoint, and we will catch you on the north side.

Unfortunately, as the cemetery in Brooks County will attest, many of those migrants don't make it because they simply die from exposure to the elements, particularly after experiencing a long trek from their homes.

So we don't know, due to the hot weather, whether in the fall and in the

spring these numbers will jack back up again. So the lull could be temporary. Migrants may be waiting to see how some of the cases are handled under President Biden's new border policies now that title 42 is gone.

Plus, we have to recall that we are dealing with very shrewd and smart operators in the criminal cartels. They understand that a massive flood of migrants may well finally trigger some reaction from the administration and authorities, and they may be just metering the flow of migrants across the border so as to not attract undue attention.

Well, it could be that this lull in numbers is just gimmicky accounting. The administration has set up what it calls new legal pathways in order to reduce the number of illegal migrants it encounters. In other words, it has quit counting some of the migrants who come across the border.

For example, the Biden administration, as part of this program, said: We are going to allow up to 30,000 migrants from Central America to come into the United States, give them a work permit, and we will make this for the next 2 years. The problem is, there is never anything temporary about temporary status, and in fact this is part of the gimmicky accounting. You simply subtract 360,000 migrants admitted under this new program over the course of a year, and it makes your numbers look a whole lot better than they really are. It remains to be seen whether this program is legal at all.

I can't imagine Congress, which has been given the main authority to deal with immigration law matters—whether this could be considered within the President's authority or power, but that remains to be decided perhaps in a court of law.

But I suspect that this drop in encounters is a result of a culmination of factors. My own personal opinion, living in Texas and having spent a lot of time at the border and talking to a lot of experts who serve there, like the Border Patrol—my own view is this is not likely to last long, this lull, but it is long enough for some of the mainstream media to accept what the administration is selling, which is that their new border policy is solving the problem.

I will go back and say what I said earlier, which is, even at 3,360 a day, that is more than three times what Jeh Johnson, the former Secretary of Homeland Security under Barack Obama, said was a real problem. Back in that day, he said if there were 1,000 people encountered at the border, that would be a serious problem. But the Biden administration, apparently, has no problem with more than three times the number of migrants currently being encountered at the border, even if it is temporary.

Well, you can see the administration trying to spike the football. Last May, the Department of Homeland Security said the drop in numbers is proof—