

Hirono	Mullin	Shaheen
Hoeven	Murphy	Sinema
Hyde-Smith	Murray	Smith
Johnson	Ossoff	Stabenow
Kaine	Padilla	Sullivan
Kelly	Paul	Tester
Kennedy	Peters	Thune
King	Reed	Tillis
Klobuchar	Ricketts	Tuberville
Lankford	Risch	Van Hollen
Lujan	Romney	Vance
Lummis	Rosen	Warner
Manchin	Rounds	Warnock
Markey	Rubio	Warren
Marshall	Sanders	Welch
McConnell	Schatz	Whitehouse
Menendez	Schmitt	Wicker
Merkley	Schumer	Wyden
Moran	Scott (FL)	Young

NAYS—1

Lee

NOT VOTING—3

Feinstein Murkowski Scott (SC)

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. 249, Gen. Eric M. Smith for appointment as Commandant of the Marine Corps and appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 8043: to be General.

Charles E. Schumer, Mark Kelly, Patty Murray, Alex Padilla, Tammy Baldwin, Angus S. King, Jr., Catherine Cortez Masto, Margaret Wood Hassan, Debbie Stabenow, Michael F. Bennet, Richard Blumenthal, Kirsten E. Gillibrand, Martin Heinrich, Maria Cantwell, Benjamin L. Cardin, Chris Van Hollen, Richard J. Durbin, Jack Reed, Brian Schatz.

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 the following named officer for appointment as Commandant of the Marine Corps and appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 8043: to be General, Gen. Eric M. Smith, 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 California (Mrs. FEINSTEIN) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Alaska (Ms. MURKOWSKI), the Senator from Utah (Mr. ROMNEY), and the Senator from South Carolina (Mr. SCOTT).

Further, if present and voting: the Senator from Alaska (Ms. MURKOWSKI) would have voted "yea."

The yeas and nays resulted—yeas 96, nays 0, as follows:

[Rollcall Vote No. 238 Ex.]

YEAS—96

Baldwin	Graham	Paul
Barrasso	Grassley	Peters
Bennet	Hagerty	Reed
Blackburn	Hassan	Ricketts
Blumenthal	Hawley	Risch
Booker	Heinrich	Rosen
Boozman	Hickenlooper	Rounds
Braun	Hirono	Rubio
Britt	Hoeven	Sanders
Brown	Hyde-Smith	Schatz
Budd	Johnson	Schmitt
Cantwell	Kaine	Schumer
Capito	Kelly	Scott (FL)
Cardin	Kennedy	Shaheen
Carper	King	Sinema
Casey	Klobuchar	Smith
Cassidy	Lankford	Stabenow
Collins	Lee	Sullivan
Coons	Lujan	Tester
Cornyn	Lummis	Thune
Cortez Masto	Manchin	Tillis
Cotton	Markey	Tuberville
Cramer	Marshall	Van Hollen
Crapo	McConnell	Vance
Cruz	Menendez	Warner
Daines	Merkley	Warnock
Duckworth	Moran	Warren
Durbin	Mullin	Welch
Ernst	Murphy	Whitehouse
Fetterman	Murray	Wicker
Fischer	Ossoff	Wyden
Gillibrand	Padilla	Young

NOT VOTING—4

Feinstein Romney
Murkowski Scott (SC)

The PRESIDING OFFICER (Mr. PETERS). On this vote, the yeas are 96, the nays are 0.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of the following named officer for appointment as Commandant of the Marine Corps and appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 8043: to be General, Gen. Eric M. Smith.

The PRESIDING OFFICER. The Senator from Texas.

UNANIMOUS CONSENT REQUEST—S. 2791

Mr. CRUZ. Mr. President, since 1790, the Coast Guard, our Nation's oldest continuous seagoing service, has been the world's premier force in maritime safety, security, and stewardship. Guided by its core values of honor, respect, and devotion to duty, the Coast Guard is a symbol of resolve to our adversaries and of hope to those in peril at sea.

Our Nation relies on more than 50,000 members of the Coast Guard each day to keep our country safe, to project national power, and to champion the rule

of law and governance on our waters and beyond.

In Texas, Coast Guard members are on patrol 365 days a year. From Station South Padre Island to Sector Houston-Galveston and beyond, Coast Guard members keep our citizens and our country safe. Just this week, a Coast Guard Air Station Houston helicopter crew completed a daring rescue, saving the life of a mariner 10 miles off the coast of Galveston, TX. When our Nation calls, the Coast Guard is always ready to answer.

As the ranking member of the Senate Commerce Committee, which has responsibility for policies affecting the Coast Guard and Coast Guard servicemembers and their families, I believe that in the event of a shutdown, the Coast Guard must be paid without question and without delay.

That is why, last week, I introduced the bipartisan Pay Our Coast Guard Act, which would treat coastguardsmen the same as all other servicemembers for purposes of pay and benefits if there is a lapse in appropriations. If a continuing resolution is not passed, the prudent thing to do—the right thing to do—is to agree now that we will pay the men and women of the Coast Guard. That is what this bill does.

If there is a shutdown, military personnel from all branches of the Armed Forces will keep working. In past shutdowns, Congress acted swiftly to pay our troops. But since the Coast Guard is housed in the Department of Homeland Security and not the Department of Defense, coastguardsmen were left out; they weren't compensated.

Our bipartisan legislation, which I introduced along with Senators CANTWELL, SULLIVAN, and BALDWIN, avoids that scenario by saying if there is a shutdown, all of our Armed Forces, including the Coast Guard, must be paid. This bipartisan bill makes clear, here and now, that we will not take the Coast Guard hostage to a shutdown fight.

While the American people can always count on the Coast Guard, the Coast Guard has not been always able to count on this Chamber to do the right thing. During the last government shutdown, which was precipitated by the Democrat majority in this Chamber in 2019, members of a single branch of our Armed Forces, the Coast Guard, worked without paychecks for 34 days, oftentimes alongside servicemembers of other branches who were still being paid. The Defense Department was funded, but the Homeland Security Department was not. So I joined with several Senate colleagues to advance a bill that would have treated members of the Coast Guard the same as those of the Air Force, the Army, the Navy, and the Marine Corps.

That bill was brought up before the entire U.S. Senate, but it was blocked by the Democratic leader.

The only thing necessary to ensure timely payment of every Coast Guard servicemember was for my colleagues

across the aisle to withdraw their objection. Regrettably, that did not happen. While coastguardsmen put their lives in danger protecting our maritime borders, some of their families were forced to resort to food pantries and short-term loans to pay for housing.

We have the opportunity today to get that right. Last month we marked the 233rd birthday of the Coast Guard. To commemorate the occasion, this Chamber unanimously passed a resolution that I introduced honoring the Coast Guard's excellence in maritime border security. The resolution also expressed the Senate's gratitude for the Coast Guard's work in protecting our people and our borders from illegal immigration and keeping deadly drugs like cocaine and fentanyl from entering the United States.

Again, that resolution passed the Senate unanimously in July. I hope to see similar unanimous support for the Coast Guard from my colleagues today. Let's not wait until we know if there is going to be a shutdown or not to make sure that coastguardsmen are treated fairly and equitably. Let's act now to show the coastguardsmen who keep us safe that we have got their backs as well.

Let's do the right thing by making clear that if we pay our Department of Defense groups, we are also going to pay our troops from the Coast Guard.

At this point, I want to yield to my colleague, the Senator from Alaska, Senator SULLIVAN.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. I want to thank my colleague and friend Senator CRUZ from Texas, who has presented our bill, the Pay Our Coast Guard Act, which he noted is a bipartisan bill in the Commerce Committee—the chairman, the ranking member. I am the ranking member on the subcommittee in charge of the Coast Guard. The chair of that committee, Senator BALDWIN, is also a cosponsor of this bill.

Senator CRUZ laid it out really well. This is a very simple bill. The men and women who protect our coastline, who protect our country, who are in the military, whom I see working so hard, risking their lives day in and day out in Alaska, where we have some of the most members of the Coast Guard stationed in our great State than in almost any other State—they need to be protected, and they need to know the U.S. Senate has their back.

Now, it is kind of hard to believe what Senator CRUZ just mentioned, but let me repeat what happened in 2019. When there was a partial government shutdown, every branch of the U.S. military—the Army, the Navy, the Marine Corps, the Air Force—they all got paid. They all got paid, with one exception—the Coast Guard.

Imagine how you felt if you were in the Coast Guard, watching your brothers and sisters in the other services getting paid and you weren't. There

were operations going on in the Persian Gulf where members of the Marine Corps, the Navy, and the Coast Guard were doing joint operations against Iranian aggression and one of those members on those ships and boats wasn't getting paid—the Coast Guard members.

So this happened in America. As a matter of fact, the Commandant of the Coast Guard, at the time, ADM Karl Schultz, said:

[T]his marks the first time in our Nation's history that servicemembers in a U.S. Armed Force have not been paid during a lapse in government appropriations.

So what are we doing on the floor today? We are saying: Let's not let this happen again.

In the event of a shutdown, which none of us want, let's make sure that what happened—and Senator CRUZ just mentioned it. Coast Guard men and women across the country, including in Alaska, woke up for 34 days and did not know whether they were going to get a paycheck and, essentially, had to rely on donations from the communities in which they served to do their job.

Now, look, the communities came together, and that was a wonderful thing. But I have committed to my Coast Guard members in Alaska and throughout the country that this should never happen again. This is a no-brainer, and I certainly hope no Senator is going to come down here and object and say: Well, this is an appropriations issue.

Come on. This is a right or wrong issue. Fix it. We are trying to fix it—right now.

I was the one who came down during the last government shutdown and tried to get unanimous consent. I talked to the President of the United States. He said he was going to sign our bill to pay the Coast Guard, and the Democratic minority leader, at the time, blocked it. I certainly hope none of our colleagues, Democrat or Republican, are going to block it again.

This is a bipartisan bill. It makes sense, and the Coast Guard and their family members are watching. Does the U.S. Senate have their back or not?

I strongly encourage my colleagues to work with us to pass our Pay Our Coast Guard Act bill right now.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, I thank Senator SULLIVAN for his excellent and heartfelt remarks.

As if in legislative session, I ask unanimous consent that the Committee on Appropriations be discharged from further consideration of S. 2791, the Pay Our Coast Guard Act, and that the Senate proceed to its immediate consideration; further, that the bill be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Washington.

Mrs. MURRAY. Mr. President, reserving the right to object, I share my

colleagues' concern with making sure the men and women of the Coast Guard get the pay they deserve in a timely way. In fact, I don't want any of our Federal workers to miss a paycheck. But this bill, which essentially says the Coast Guard gets paid as long as other members of our armed services are being paid, won't actually stop anyone from missing a paycheck in a few weeks because the looming shutdown would also stop pay for the military.

I appreciate that my colleagues want to talk about how Coast Guard pay is handled compared to other branches of our armed services, but, respectfully, the pressing issue right now is making sure everyone gets paid, and we prevent a completely unnecessary shutdown that would hurt our families across the country, which is why I am working around the clock to make sure we pass a bipartisan CR and supplemental package. And I would urge all of my colleagues to join me in that effort.

And I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Texas.

Mr. CRUZ. Mr. President, I want every member of the Coast Guard to understand what just happened. We are 9 days away from the expiration of current government funding. No one here knows whether a shutdown will happen or not, but it is not complicated, with partisan divisions in Washington, that there is a very real risk of a shutdown.

I believe President Biden and the majority leader of the Senate—Senator SCHUMER—want a shutdown. Whether they want it or not, it is clear there is a very real risk. And if, 9 days from now, what happened in 2019 happens again, which is that our soldiers are paid, our sailors are paid, our airmen are paid, our marines are paid, but our coastguardsmen are left in the lurch—that is what happened in 2019, when Senator SULLIVAN and I came to the floor, tried to take care of our coastguardsmen then, and the Democrats objected. And if, 9 days from now, for the over 50,000 coastguardsmen across this country, their paychecks stop, you will know why, and it was because of two simple words just uttered on behalf of Democrat leadership: "I object."

Had the Democrats simply not said those words—"I object"—our coastguardsmen would be paid in 9 days. And understand that this legislation, as Senator SULLIVAN pointed out, is bipartisan legislation. It is authored by the chairman and ranking member of the Commerce Committee and the chairman and ranking member of the subcommittee with jurisdiction over the Coast Guard. And yet Democrat leadership wants to engage in a partisan battle with the House of Representatives, and they want to hold the men and women of the Coast Guard hostage.

I am going to urge the Democrat leadership to reconsider. I don't know

whether we will have a shutdown or not, but I know it is unfair to treat coastguardsmen like the red-haired stepchild of our Armed Forces.

The men and women of the Coast Guard, when disaster strikes—and, look, I saw firsthand, when Hurricane Harvey hit Texas, the incredible heroism of coastguardsmen who risked their lives to save people in harm's way.

What just happened on the Senate floor is not right, and I would encourage Democrat leadership to listen to their own Democrat chairman of the Commerce Committee, their own ranking member of the Coast Guard committee and say: We are going to end this unfair discrimination against the Coast Guard. We are going to treat our Armed Forces with equity, and regardless of dysfunction in Washington, we are going to pay our Coast Guard.

It is the right thing to do, and I would urge members from both sides of the aisle to come together and say: Just as we know the Coast Guard has our back if we are in trouble, that we have got their back as well. It is the right thing to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I am shocked, disappointed, and, to be honest, stunned. I didn't think anyone was going to object to this bill. It makes no sense to do so. I didn't understand the Senator from Washington's explanation. Her colleague from Washington is actually the chairman of the Commerce Committee and a cosponsor of this bill.

So, again, this is a no-brainer. None of us want a government shutdown, but, if it happens, we can't let what happened in 2019 be repeated. And what happened in 2019 was that every member of the military services was paid, with the exception of the Coast Guard. And I have told them that we won't let that happen again.

So I am going to keep coming down to the floor with Senator CRUZ, and we are going to get this bill passed.

And if you are watching and you are a Coast Guard member and you understand what happened, Democratic leadership in the U.S. Senate just blocked this bill—a bipartisan bill to make sure you get treated fairly in the event of a government shutdown.

It is the right thing to do. Senator CRUZ and I will keep working it to make sure this happens.

I yield the floor.

VOTE ON SMITH NOMINATION

Mr. CARDIN. Mr. President, I ask consent that the vote begin immediately.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Smith nomination?

Mr. CARDIN. 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. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Alaska (Ms. MURKOWSKI), the Senator from Utah (Mr. ROMNEY), and the Senator from South Carolina (Mr. SCOTT).

Further, if present and voting: the Senator from Alaska (Ms. MURKOWSKI) would have voted "yea."

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 239 Ex.]

YEAS—96

Baldwin	Graham	Paul
Barrasso	Grassley	Peters
Bennet	Hagerty	Reed
Blackburn	Hassan	Ricketts
Blumenthal	Hawley	Risch
Booker	Heinrich	Rosen
Boozman	Hickenlooper	Rounds
Braun	Hirono	Rubio
Britt	Hoeven	Sanders
Brown	Hyde-Smith	Schatz
Budd	Johnson	Schmitt
Cantwell	Kaine	Schumer
Capito	Kelly	Scott (FL)
Cardin	Kennedy	Shaheen
Carper	King	Sinema
Casey	Klobuchar	Smith
Cassidy	Lankford	Stabenow
Collins	Lee	Sullivan
Cooms	Lujan	Tester
Cornyn	Lummis	Thune
Cortez Masto	Manchin	Tillis
Cotton	Markey	Tuberville
Cramer	Marshall	Van Hollen
Crapo	McConnell	Vance
Cruz	Menendez	Warner
Daines	Merkley	Warnock
Duckworth	Moran	Warren
Durbin	Mullin	Welch
Ernst	Murphy	Whitehouse
Fetterman	Murray	Wicker
Fischer	Ossoff	Wyden
Gillibrand	Padilla	Young

NOT VOTING—4

Feinstein	Romney
Murkowski	Scott (SC)

The nomination was confirmed.

The PRESIDING OFFICER (Mr. SCHATZ). 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 Senator from Florida.

UNANIMOUS CONSENT REQUEST—S. 2721

Mr. SCOTT of Florida. Mr. President, I was Governor of Florida from January 2011 through January 2019, and we had a variety of disasters. We had four major hurricanes; we had wildfires; we had flooding—a variety of things.

What you find out in that role as Governor is you find out the importance of the Federal Government. FEMA is very important to disaster relief.

Disaster relief is partially borne by whomever is impacted, a family or a business. Partially, it is impacted by the city or county, partially by the State, and partially by the Federal Government.

My experience with FEMA is they are hard-working individuals that work

hard to try to be a good partner with our States.

Last September, about 12 months ago, we had a horrible hurricane in our State, Hurricane Ian. We lost over 150 people. We had unbelievable damage. FEMA has been a partner in that hurricane relief.

Just recently—about 3 weeks ago, 4 weeks ago—we had another hurricane, Idalia, and again FEMA came down and is a partner in that hurricane relief.

I met with President Biden 3 weeks ago when he came down to tour the damage, and I talked to him about the importance of getting FEMA fully funded.

There is a Federal Disaster Relief Fund that is part of FEMA that pays for things like debris pickup, helps individuals who have lost their homes, helps our small businesses—a variety of things like that.

Right now, this thing is getting low on funds. I checked on September 11. It is down to \$2.5 billion. And they project, by the end of this month, it will be down to \$550 million. What they also told me is that there is a community in every State in this country that is getting impacted by the FEMA Disaster Relief Fund.

So I have been trying, for months, to get a vote on a bill which is pretty commonsense. No. 1, it will put funds into FEMA so they can provide help for all these communities in every State. No. 2, the next thing it does is helps our farmers.

Our farmers in Florida have been waiting for almost 12 months for relief from the Department of Agriculture. Historically, what the Department of Agriculture did, especially when I was Governor, was they would provide a block grant to the State, to our farmers, so the money could get out to our farmers quicker.

For whatever reason, Secretary Vilsack, the Secretary of Ag, has decided now that he has to have separate legislation from Congress that gives him specific authority that he can do a block grant.

It has never happened before. But for whatever reason, he believes it has to happen now. That is in this bill.

The Army of Corps of Engineers is a key partner in beach renourishment in any State that has been impacted. I know our Presiding Officer had wildfires, and I am sure their beaches have had some impact. So it would also help our Army Corps of Engineers, help with beach renourishment, and also help our military installations after a disaster.

So mine is a commonsense bill. It impacts some community in every State in the country. So what I am asking for is a stand-alone vote on my bill. It is called the Federal Disaster Responsibility Act. I hope every Senator here will unanimously agree that we should do this.

Mr. President, as in legislative session, I ask unanimous consent that the Committee on Finance be discharged