

my bill, the Pay Our Military Act. This bill would have made sure that we are paying our military, including our Coast Guard, in the event of a government shutdown.

A few hours ago, this looked like we really were going to have to do this. We ran the hotline on the Republican side. Every Republican Senator voted for this. And it makes sense.

This has usually been a bipartisan issue. If there is a government shutdown, which none of us want, we need to pay the men and women who are on the frontlines, in our country, overseas, many in dangerous situations defending our freedom—to make sure they are paid, to make sure they are paid.

The good news is, it looks like, just walking onto the floor here, the House is overwhelmingly passing the continuing resolution. It is not, I am sure, the deal I would have negotiated, but, nevertheless, it looks like there is a likelihood of that coming over here tonight soon, we hope, after the passage. It is likely going to pass in the House overwhelmingly and will likely pass here in the Senate later this evening. So we will likely not have a government shutdown, which is good.

And our military, who is doing a great job around the world, won't be subject to this crazy situation, which has happened before: The government shuts down, and the young men and women defending our freedom all around the world are not getting paid.

So with that, I am not going to ask for unanimous consent on this bill. I was hopeful nobody was going to block it. I am not sure if anyone was going to block it. At prior times, when we had been barreling toward a government shutdown, the Senate has actually taken action in a bipartisan way to pass this legislation—no troops getting their pay cut off. I was hopeful that was going to happen tonight. Maybe it would have; maybe it wouldn't. I am not going to bring it up.

What I want to do is just wish our troops a Merry Christmas.

You know, a lot of people are going to be serving away from their families, serving in dangerous parts of the world. I will tell you, in my great State, the great State of Alaska, our military has been really, really busy. It doesn't make a lot of news in the lower 48, but we have had two Russian incursions into our ADIZ in just the last week—young men and women flying in the middle of the night, going and intercepting Russian bear bombers and fighters. They are doing a great job, a professional job. It is dangerous work.

So to all of our troops, Merry Christmas. Keep up the great work. I am really glad that I am not having to bring my bill to pay all of you.

If the government shuts down, and if we ever have another government shutdown, I sure hope my Pay Our Military Act will get unanimous, bipartisan support.

If the U.S. Congress can't keep funding our government, the men and

women in our military should not suffer the consequences when they are defending our freedom around the world.

With that, I yield the floor.

NOMINATION OF SERENA RAQUEL MURILLO

Mr. DURBIN. Madam President, today, the Senate will vote to confirm Serena Murillo to the U.S. District Court for the Central District of California.

Born in Pomona, CA, Judge Murillo received her B.A. from the University of California, San Diego and her J.D. from Loyola Law School. After law school, she worked as a post-bar law clerk at Shernoff, Bidart, and Echeverria in Claremont, CA. She then worked as an associate attorney at McNicholas & McNicholas in Los Angeles, where she represented plaintiffs in personal injury cases.

From 1997 to 2014, Judge Murillo served as a deputy district attorney in the Los Angeles County District Attorney's Office. She prosecuted various criminal cases, including juvenile matters, felonies, white-collar crime, and criminal appeals. She tried approximately 68 cases to verdict in State court, half of which were jury trials.

Since 2015, Judge Murillo has been a judge on the Superior Court of California in Los Angeles County. From 2018 to 2019, she served by appointment of the chief justice of the California Supreme Court as an associate justice pro tem on the California Court of Appeal. She has presided over approximately 55 jury trials in civil, felony, and misdemeanor matters, nearly all of which were criminal trials. She has also taught as a lecturer in law at the University of Southern California Gould School of Law since 2022.

The American Bar Association rated Judge Murillo as "well qualified" to serve on the district court. She has deep ties to the Central District of California, and she enjoys the strong support of her home State Senators and the California legal community.

Judge Murillo's litigation background and experience as both an advocate and State court judge ensure that she will be an asset to the district court. I am proud to support her nomination, and I ask my colleagues to join me in my support.

The PRESIDING OFFICER. The Democratic whip.

Mr. DURBIN. Madam President, I ask unanimous consent that the scheduled vote begin immediately.

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

VOTE ON MURILLO NOMINATION

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

Mr. DURBIN. 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 West Virginia (Mr.

MANCHIN), and the Senator from California (Mr. SCHIFF) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Florida (Mr. RUBIO) and the Senator from Ohio (Mr. VANCE).

The result was announced—yeas 49, nays 47, as follows:

[Rollcall Vote No. 332 Ex.]

YEAS—49

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

NAYS—47

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

NOT VOTING—4

Manchin	Schiff
Rubio	Vance

The nomination was confirmed.

(Mr. KIM assumed the Chair.)

The PRESIDING OFFICER. 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.

LEGISLATIVE SESSION

SOCIAL SECURITY FAIRNESS ACT OF 2023

The PRESIDING OFFICER (Mr. DURBIN). Under the previous order, the Senate will resume the legislative session and the clerk will report the pending business.

The senior assistant legislative clerk read as follows:

A bill (H.R. 82) to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

The PRESIDING OFFICER. The majority leader.

JUDICIAL CONFIRMATIONS

Mr. SCHUMER. Mr. President, we just passed our 235th judge. It is historic. It sets a record. In a few moments, I will be speaking about that. But first, let us finish our housekeeping and other business, so we can

finish the business for the Senate for this year.

CLOTURE MOTION

Mr. SCHUMER. So I send a cloture motion to the desk.

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 Calendar No. 693, H.R. 82, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

Charles E. Schumer, Richard J. Durbin, Brian Schatz, Jeanne Shaheen, Tammy Baldwin, Alex Padilla, Robert P. Casey, Jr., Christopher A. Coons, Patty Murray, Tim Kaine, Jack Reed, Peter Welch, Margaret Wood Hassan, Chris Van Hollen, Debbie Stabenow, Christopher Murphy, Gary C. Peters.

AMENDMENT NO. 3355

Mr. SCHUMER. I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 3355.

The amendment is as follows:

(Purpose: To add an effective date)

At the end add the following:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 1 day after the date of enactment of this Act.

Mr. SCHUMER. I ask to dispense with further reading of the amendment.

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

Mr. SCHUMER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

AMENDMENT NO. 3356 TO AMENDMENT NO. 3355

Mr. SCHUMER. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 3356 to amendment No. 3355.

The amendment is as follows:

(Purpose: To add an effective date)

On page 1, line 3, strike "1 day" and insert "2 days".

Mr. SCHUMER. I ask to dispense with further reading of the amendment.

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

MOTION TO COMMIT WITH AN AMENDMENT NO.

3357

Mr. SCHUMER. I move to commit H.R. 82 to the Committee on Finance

with instructions to report back forthwith with an amendment.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] moves to commit H.R. 82 to the Committee on Finance with instructions to report back forthwith an amendment numbered 3357.

The amendment is as follows:

(Purpose: To add an effective date)

At the end add the following:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 3 days after the date of enactment of this Act.

Mr. SCHUMER. I ask to dispense with further reading.

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

Mr. SCHUMER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

AMENDMENT NO. 3358

Mr. SCHUMER. I have an amendment to the instructions at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 3358 to the instructions of the motion to commit.

The amendment is as follows:

(Purpose: To add an effective date)

On page 1, line 3, strike "3 days" and insert "4 days".

Mr. SCHUMER. I ask to dispense with further reading of the amendment.

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

Mr. SCHUMER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

AMENDMENT NO. 3359 TO AMENDMENT NO. 3358

Mr. SCHUMER. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 3359 to amendment No. 3358.

The amendment is as follows:

(Purpose: To add an effective date)

On page 1, line 1, strike "4 days" and insert "5 days".

Mr. SCHUMER. I ask to dispense with further reading of the amendment.

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

JUDICIAL CONFIRMATIONS

Mr. SCHUMER. Now, Mr. President, as you well know, a few minutes ago

the Senate confirmed Judge Murillo to serve as a California District Judge. She is the 235th judge confirmed by this majority.

The majority has now confirmed more judges under President Biden than any majority has confirmed in decades. This is historic. We have confirmed more judges than under the Trump administration, more judges than any administration in this century, more judges than any administration going back decades. One out of every four active judges on the bench has been appointed by this majority. Let me repeat that. One out of every four active judges on the bench has been appointed by this majority.

Together, these individuals are arguably the most qualified and historic nominees ever confirmed in a 4-year span.

I want to thank all Senators—Democrat and Republican—who supported these nominees. Both parties cooperating on many of these judges shows why the advice and consent process is critical to this body and to our democracy.

Two hundred thirty-five judges—that is 235 qualified and experienced mainstream judges. They are former consumer protection lawyers, labor lawyers, voting rights experts, civil rights lawyers, Federal prosecutors, public defenders, teachers, mentors, scholars, great Americans from every walk of life and legal practice.

I am very proud of this milestone, not because of the number alone but because of what the number means. It means our bench is now far more balanced in its experiences, expertise, and qualifications than 4 years ago.

For a very long time, the norm was to prioritize judicial nominees who came from a privileged pool. Most of them were prosecutors or from large corporate law firms. Most were male. Most were White.

But when Senate Democrats entered the majority, we cast a wider net. We turned to new individuals who would make excellent and uniquely qualified judges. For example, we confirmed nominees who represented union workers and had firsthand experience in union negotiations. We confirmed nominees who fought healthcare fraud in court and represented the public in cases of deceptive marketing tactics.

Our nominees have defended the right to vote. They have defended freedom of choice. They have represented victims of abuse. They have put criminal and drug traffickers behind bars. They have been teachers. They have been mentors.

Our nominees are also groundbreaking for their demographic diversity. One hundred fifty of these judges are women, the most under any President.

We confirmed the first Black woman to the highest Court in all the land, Ketanji Brown Jackson. She is also the first public defender to ever hold the title "Justice."

We confirmed the most Black judges, Hispanic judges, and AAPI judges and Native American judges under any President's full time in office.

All of these historic judges were confirmed because they were exceptionally qualified for the job.

Our courts, like all our institutions, are better off when they mirror this vibrant country.

There are a lot of people to thank. I want to thank, at the top of the list, you, Mr. President—Chairman DURBIN—for your diligence and hard work. I want to thank Ranking Member GRAHAM and the members of the Judiciary Committee—some of whom are here—for their great work. You recommended excellent individuals to the bench.

I want to thank, of course, President Biden for sending us such an impressive group of well-qualified and historic nominees. And I want to thank Vice President HARRIS, who came here when the vote was tied and helped us confirm a number of these nominees.

And thank you to our Republican colleagues, who recommended good nominees and supported many of ours as well.

Finally, I want to thank my great staff, especially my incredible nominations director, Catalina Tam. It wouldn't have happened without her diligent and hard work. A lot of behind-the-scenes work happened to get them confirmed, and so I am immensely grateful to everyone who worked tirelessly day in and day out.

Thanks to the hard work of the Senate majority, our courts are stronger, our country is strong, our democracy is stronger. And that is something every American can be proud of.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 851.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The clerk will report the nomination.

The legislative clerk read the nomination of David Michael Capozzi, of Maryland, to be a Director of the Amtrak Board of Directors for a term of five years. (New Position).

CLOTURE MOTION

Mr. SCHUMER. Mr. President, 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 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. 851, David Michael Capozzi, of Maryland, to be a Direc-

tor of the Amtrak Board of Directors for a term of five years. (New Position)

Charles E. Schumer, Robert P. Casey, Jr., Tammy Baldwin, Richard J. Durbin, Catherine Cortez Masto, Debbie Stabenow, Patty Murray, Amy Klobuchar, Chris Van Hollen, Jack Reed, Jeanne Shaheen, Andy Kim, Margaret Wood Hassan, Elizabeth Warren, Christopher A. Coons, Adam B. Schiff, Jeff Merkley.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 854.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Elaine Marie Clegg, of Idaho, to be a Director of the Amtrak Board of Directors for a term of five years.

CLOTURE MOTION

Mr. SCHUMER. Mr. President, 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 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. 854, Elaine Marie Clegg, of Idaho, to be a Director of the Amtrak Board of Directors for a term of five years.

Charles E. Schumer, Robert P. Casey, Jr., Tammy Baldwin, Richard J. Durbin, Catherine Cortez Masto, Debbie Stabenow, Patty Murray, Amy Klobuchar, Chris Van Hollen, Jack Reed, Jeanne Shaheen, Andy Kim, Margaret Wood Hassan, Elizabeth Warren, Christopher A. Coons, Adam B. Schiff, Jeff Merkley.

Mr. SCHUMER. I yield the floor.

The PRESIDING OFFICER (Mr. KING). The Senator from New York.

JACKIE ROBINSON BALLPARK NATIONAL COMMEMORATIVE SITE ACT

HOLCOMBE RUCKER PARK NATIONAL COMMEMORATIVE SITE ACT

Mrs. GILLIBRAND. Mr. President, if you have ever had kids, you know how important it can be to encourage their

education. But with many competing priorities, you sometimes need to use creative strategies to inspire success.

That is something that Holcombe Rucker did. Rucker was a Black World War II veteran and teacher in the 1940s in Harlem. He started a small outdoor basketball team for Black youth and encouraged his players to maintain good grades and decorum. Some say he is the father of outdoor organized basketball for youth and helped give thousands of kids better pathways to higher learning.

Holcombe Rucker grew up a poor parentless kid from 141st Street. He served in the Army during World War II before earning his bachelor's degree from City College. He then taught English at a Harlem junior high school, while also serving as a recreation director for both the St. Phillip's Church Community Center and the city parks department.

When Rucker formed his youth basketball tournament in the late 1940s, however, he didn't get much support from city recreational leaders. So he often paid out of his own shallow pockets to provide refreshments and T-shirts and other essentials for players. Rucker would even share his lunch with his students, often coming home to his wife with an empty stomach.

Rucker believed education and supervised recreation could make an enormous difference in the lives of his students. It is no surprise then why many of his players saw him as a father figure and credited him with helping to set them on a better path.

As Rucker's summer tournaments grew in popularity, parks department officials finally moved them to a more desirable location. That would ultimately become the Holcombe Rucker Park. The court attracted the city's most talented young basketball players, including future professional basketball stars like Kareem Abdul-Jabbar, Wilt Chamberlain, and Julius "Dr. J" Erving.

I want to thank Congressman ESPAILLAT for championing this bill, and I am proud to lead the effort in the Senate to designate this park, which is located on 155th Street, on the banks of the Harlem River, as the "Holcombe Rucker Park National Commemorative Site."

This bill would allow for an educational exhibit, a plaque or another marker to be installed that would help memorialize the legacy of Mr. Rucker for generations to come.

I want to thank Senator RUBIO for his assistance.

Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be discharged from further consideration of H.R. 6852 and the Senate proceed to an en bloc consideration of the following bills: H.R. 8012, which was received from the House and is at the desk; and H.R. 6852.

There being no objection, the committee was discharged of the relevant bill, and the Senate proceeded to consider the bills en bloc.