

Raymond T. Chen, of Maryland, to be United States Circuit Judge for the Federal Circuit?

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Louisiana (Ms. LANDRIEU) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE) and the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 198 Ex.]

YEAS—97

|            |              |             |
|------------|--------------|-------------|
| Alexander  | Flake        | Murphy      |
| Ayotte     | Franken      | Murray      |
| Baldwin    | Gillibrand   | Nelson      |
| Barrasso   | Graham       | Paul        |
| Baucus     | Grassley     | Portman     |
| Begich     | Hagan        | Pryor       |
| Bennet     | Harkin       | Reed        |
| Blumenthal | Hatch        | Reid        |
| Blunt      | Heinrich     | Risch       |
| Boozman    | Heitkamp     | Roberts     |
| Boxer      | Heller       | Rockefeller |
| Brown      | Hirono       | Rubio       |
| Burr       | Hoeven       | Sanders     |
| Cantwell   | Isakson      | Schatz      |
| Cardin     | Johanns      | Schumer     |
| Carper     | Johnson (SD) | Scott       |
| Casey      | Johnson (WI) | Sessions    |
| Chambliss  | Kaine        | Shaheen     |
| Chiesa     | King         | Shelby      |
| Coats      | Kirk         | Stabenow    |
| Coburn     | Klobuchar    | Tester      |
| Cochran    | Leahy        | Thune       |
| Collins    | Lee          | Toomey      |
| Coons      | Levin        | Udall (CO)  |
| Corker     | Manchin      | Udall (NM)  |
| Cornyn     | Markey       | Vitter      |
| Crapo      | McCaskill    | Warner      |
| Cruz       | McConnell    | Warren      |
| Donnelly   | Menendez     | Whitehouse  |
| Durbin     | Merkley      | Wicker      |
| Enzi       | Mikulski     | Wyden       |
| Feinstein  | Moran        |             |
| Fischer    | Murkowski    |             |

NOT VOTING—3

Inhofe Landrieu McCain

The nomination was confirmed.

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

The PRESIDING OFFICER. The Senate will now resume legislative session.

## CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, there will be 10 minutes for debate only, with the Senator from Maine Ms. COLLINS controlling 8 minutes and with 2 minutes equally divided in the usual form prior to a vote on the motion to invoke cloture on S. 1243.

Mrs. MURRAY. Madam President, the Senate is not in order.

The PRESIDING OFFICER. The Senate is not in order.

The Senate will be in order.

The majority leader.

Mr. REID. Madam President, have Senators sit down and shut up. OK. It is unfair. Senator MURRAY has something to say. Senator COLLINS has something to say. It is just not polite.

The PRESIDING OFFICER. The Senate will be in order. Senators will take their conversations from the well. The Senate will be in order.

The Senator from Maine.

Ms. COLLINS. Thank you, Madam President.

Madam President, the Senate will shortly decide whether to invoke cloture on the fiscal year 2014 Transportation, Housing and Urban Development appropriations bill. We have spent nearly 2 weeks debating this bill and working through approximately 85 amendments.

We were making progress. We even had a vote on a nongermane amendment, which clearly would have fallen to a point of order had one been raised. So no one has been shut out of this process.

Chairman MURRAY and I have repeatedly encouraged Senators to come to the floor, file, and debate their amendments to improve the bill we reported.

It has been an open and transparent debate thus far, a return to regular order—something I have heard virtually everyone here urge us to do.

Nevertheless, some Senators are intent on preventing this legislation from moving forward, despite the fact that this bill is not the final version of the transportation and housing appropriations bill. It is only one step in the process but an essential step—one that will allow the Senate to move forward and eventually negotiate with the House of Representatives to decide on a top line and to further improve the bill.

A considerable number of my colleagues have advocated for the House funding level of \$44 billion and have opposed the Senate bill. But I would like to point out that not one of my colleagues has offered a specific amendment, account by account, to reduce the funding levels, program by program, in this bill to meet the \$44 billion level in the House bill.

I personally offered an amendment that said that in October, if we find we have breached the top line of the Budget Control Act, we would go back to the appropriations process and redo the bill to meet that top line.

I would also point out that yesterday the House leadership was forced to pull its THUD bill from the floor due to lack of support. Some Republican Members thought the spending levels were too high. But it is surely significant that a substantial number of Republicans felt the bill, as written, was far too low and would hurt our homeless veterans, would delay repair of our crumbling infrastructure, and would slash the Community Development Block Grant Program to the lowest level in history, to below the 1975 level when it was first created by President Ford.

Let me point out that the numbers in the House bill were not realistic. That is one of the reasons it failed. The numbers in our bill are not unrealistic. They are too high. They would come down in conference. The President's request was artificially low due to several budget gimmicks and scoring differences. We took care of those gimmicks. We have an honest bill that is before our Members. Let me give you just one example of a gimmick that was in the President's budget. His request for the section 8 project-based rental assistance is insufficient to fully fund the 12-month renewal contracts with private owners.

We are not going to be throwing people out of those subsidized apartments after 10 months in the year. So Senator MURRAY and I added funding to more accurately reflect what was needed. That was over \$1 billion of the difference. There was the difference in the scoring by CBO and OMB. We have to go by CBO. That accounted for \$1.8 billion.

It is disappointing to me that we have not gone to conference on the budget because we would not be in this dilemma. We would have agreed-upon allocations that would guide the appropriations process. But in the absence of that, what is wrong with proceeding with this bill with cutting spending in it? If Members have amendments they wish to offer to cut spending—and there are a few that have been offered, but as I said, none that bring it down to the House's level in an account-by-account manner.

I am still hopeful we will be able to pass this bill and start bringing other appropriations bills to the floor before the end of the fiscal year because forcing the government to operate under continuing resolutions is irresponsible. It ends up costing more money in the long run. It is wasteful because we continue to fund programs that are no longer needed because we are just continuing current law.

So I urge my colleagues to think very carefully about this vote. It would be so unfortunate if we go home to our constituents in August and are forced to tell them we are unable to do our job. We should continue working on this bill. We should invoke cloture. This bill undoubtedly would have been reduced in conference had we been allowed to go forward.

I do wish to thank many of my colleagues for working with us as we tried so hard to advance this important legislation. I am particularly grateful to Chairman MURRAY for her bipartisan approach and collaboration and for working so closely with me throughout the process.

Finally, I would be remiss if I did not thank our staffs on both sides of the aisle for their hard work. They have worked night and day on this bill. I will put all of their names in the RECORD. I know my time is expiring.

Let's do the right thing. Let's proceed to end the debate on this bill, take

care of the rest of the germane amendments and proceed to final passage and ultimately to conference with the House. Let's show that we mean it when we say we are committed to full and open debate and returning to the process that used to serve us well.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I wish to echo what my good friend and partner on this bill Senator COLLINS just said. Similar to all of us, when I go home to my State of Washington, I do not hear a lot from my constituents about partisan politics. They do not ask me which party is up or which party is down. They do not care about the political games and certainly not who is winning or losing them.

The vast majority of people I talk to when I go home ask me what we are doing in Congress to create jobs and get this economy going again. They ask me what we are doing to break through this gridlock and the constant manufactured crises and make sure this country, this economy, is working for them and their families.

They tell me they want Democrats and Republicans working together. They want us to get into a room and put politics aside and put our country first and find some common ground and get something done. That kind of work is far too rare these days, though many of us are fighting to change that. I am very proud the Transportation bill we are about to vote on does just that.

The bill is not exactly what I would have written had I done it on our own or what Senator COLLINS would have done on her own.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. MURRAY. Madam President, I ask unanimous consent for 30 additional seconds.

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

Mrs. MURRAY. This is a bill that is a compromise that reflect the deep cuts we have set in the spending levels of the Budget Control Act. It reflects the best ideas of both sides. So I urge my colleagues to move past the obstruction, get over the gridlock. Let's show the American people we can work for them.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Madam President, I wish to commend the Senior Senator from Maine for the extraordinary amount of work she and her staff have put into this bill. But regretfully, where we are is cloture on this Transportation bill will be viewed as a question of whether we intend to keep the commitment we made to the American people 2 years ago this month to reduce \$2.1 trillion in spending over the next 10 years.

The House of Representatives is marking to a \$91 billion-a-year lower figure which reflects the law. I believe that if we invoke cloture on this bill and move forward, it will be widely

viewed throughout the country that we are walking away from the commitment we made, on a bipartisan basis, that the President signed just 2 years ago, that we would reduce spending by this amount of money, \$2.1 trillion over the next 10 years.

Regretfully, I would strongly urge my colleagues to keep the bipartisan commitment we made 2 years ago and to vote no on cloture on this bill.

I yield the floor.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill 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, hereby move to bring to a close debate on S. 1243, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

Harry Reid, Patty Murray, Barbara A. Mikulski, Jon Tester, Tom Harkin, Jack Reed, Dianne Feinstein, Tim Johnson, Tom Udall, Mark Begich, Christopher Murphy, Patrick J. Leahy, Richard J. Durbin, Bill Nelson, Christopher A. Coons, Amy Klobuchar, Mazie Hirono, Richard Blumenthal.

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 S. 1243, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Louisiana (Ms. LANDRIEU) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE) and the Senator from Arizona (Mr. MCCAIN).

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

The yeas and nays resulted—yeas 54, nays 43, as follows:

[Rollcall Vote No. 199 Leg.]

#### YEAS—54

|            |              |             |
|------------|--------------|-------------|
| Baldwin    | Hagan        | Murray      |
| Baucus     | Harkin       | Nelson      |
| Begich     | Heinrich     | Pryor       |
| Bennet     | Heitkamp     | Reed        |
| Blumenthal | Hirono       | Reid        |
| Boxer      | Johnson (SD) | Rockefeller |
| Brown      | Kaine        | Sanders     |
| Cantwell   | King         | Schatz      |
| Cardin     | Klobuchar    | Schumer     |
| Carper     | Leahy        | Shaheen     |
| Casey      | Levin        | Stabenow    |
| Collins    | Manchin      | Tester      |
| Coons      | Markey       | Udall (CO)  |
| Donnelly   | McCaskill    | Udall (NM)  |
| Durbin     | Menendez     | Warner      |
| Feinstein  | Merkley      | Warren      |
| Franken    | Mikulski     | Whitehouse  |
| Gillibrand | Murphy       | Wyden       |

#### NAYS—43

|           |              |           |
|-----------|--------------|-----------|
| Alexander | Enzi         | Murkowski |
| Ayotte    | Fischer      | Paul      |
| Barrasso  | Flake        | Portman   |
| Blunt     | Graham       | Risch     |
| Boozman   | Grassley     | Roberts   |
| Burr      | Hatch        | Rubio     |
| Chambliss | Heller       | Scott     |
| Chiesa    | Hoeven       | Sessions  |
| Coats     | Isakson      | Shelby    |
| Coburn    | Johanns      | Thune     |
| Cochran   | Johnson (WI) | Toomey    |
| Corker    | Kirk         | Vitter    |
| Cornyn    | Lee          | Wicker    |
| Crapo     | McConnell    |           |
| Cruz      | Moran        |           |

#### NOT VOTING—3

|        |          |        |
|--------|----------|--------|
| Inhofe | Landrieu | McCain |
|--------|----------|--------|

The PRESIDING OFFICER. On this vote, the yeas are 54, the nays 43. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

#### HIGH SPEED RAIL PERMITTING

Mrs. FEINSTEIN. Mr. President, Chairman MURRAY, and Senator BOXER, I rise to discuss with you the importance of funding for the Surface Transportation Board in this legislation, as well as the funding that Chairman MURRAY has provided to the Federal Railroad Administration to continue to administer its grant awards.

As you know, opponents of California's high-speed rail project are attempting to use the Federal permitting process in order to prevent the Nation's first high-speed rail project from moving forward and succeeding.

The Surface Transportation Board funding will provide the resources necessary to continue the Board's efforts to permit the growth of passenger rail projects in the United States. The funding in the bill for the Federal Railroad Administration will ensure that this agency is able to monitor and administer the grants it already awarded.

Mrs. MURRAY. I am pleased to fund the Surface Transportation Board. I agree with my colleague from California that this agency needs funding in order to comply with its governing statute, which directs the Board to support the growth of rail in the United States.

I share your concern that some opponents of a single project in California are trying to limit the ability of the Surface Transportation Board to operate under its statute. The appropriations bill before us provides the Surface Transportation Board with the resources necessary to facilitate California high-speed rail, not stand in its way.

This bill in no way limits the ability of the Board to oversee projects under its jurisdiction and facilitate their construction.

Ms. MIKULSKI. I agree that this bill in no way limits the ability of the Board to oversee projects under its jurisdiction and facilitate their construction.

Mrs. BOXER. Thank you, Chairman MURRAY and Chairman MIKULSKI, for explaining that this legislation will