The PRESIDING OFFICER. On this vote the yeas are 50, the nays are 44. The motion is agreed to.

NOMINATION OF SHARON Y. BOWEN TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Sharon Y. Bowen, of New York, to be a Commissioner of the Commodity Futures Trading Commission.

The PRESIDING OFFICER. Pursuant to the provisions of S. Res. 15 of the 113th Congress, there will be up to 8 hours of postcloture consideration of the nomination, equally divided in the usual form.

The majority leader.

Mr. REID. Madam President, I ask unanimous consent that with respect to the Harper nomination the motion to reconsider be considered made and laid upon the table and President Obama be immediately notified of the Senate’s action.

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

Mr. REID. Madam President, I ask unanimous consent that notwithstanding rule XXII, the time following the scheduled recess until 4 p.m. be equally divided and controlled between the two leaders or their designees, and at 4 p.m. all postcloture time be expired and the Senate proceed to vote on confirmation of Calendar No. 798, Burwell; further, that there be 2 minutes for debate prior to each of these votes, equally divided in the usual form; that any rolloff call, following the first in each series, be 10 minutes in length; that if any nomination is confirmed, the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD and that the President be immediately notified of the Senate’s action.

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

Mr. REID. Madam President, with this agreement we will have four rolloff call votes today at 4 p.m. and as many as four rolloff call votes on Wednesday at 11 a.m.

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:52 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

NOMINATION OF SHARON Y. BOWEN TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION—Continued

Mr. CORNYN. Mr. President, 17 years ago, the Senate voted on something called a sense-of-the-Senate resolution designed to protect American workers and their families from misguided policies with regard to CO\textsubscript{2} regulations. Of course, CO\textsubscript{2}, or carbon dioxide, is a necessary element of life, and plant life depends on CO\textsubscript{2} for photosynthesis, which helps make them green. To hear some of the pseudoscientists talk about CO\textsubscript{2} here in Washington, you would think it was poison. Suffice it to say, 17 years later the Obama administration is trying to enact similar legislation to what one of the most prominent supporters of the 1997 resolution, Senator Robert Byrd—at the time he was the junior Senator of Massachusetts—had to say:

'It’s just common sense that if you are really going to do something to affect global climate change, and you are going to do it in a fair-minded way . . . we need to have an agreement that does not leave enormous components of the world’s contributors and future contributors of this problem out of the solution.

In effect, what he was saying was: Why would America do this to itself and throw a wet blanket on job creation and economic growth when other countries were going to continue to produce CO\textsubscript{2} unabated?

One of the cosponsors of this resolution was the late Democratic Senator Robert Byrd. The Presiding Officer knows Senator Byrd and his legacy very well. While explaining his opposition to the Kyoto-style climate deals, Senator Byrd said:

I don’t think the Senate should support a treaty that requires only half of the world to encourage the economic costs of reducing emissions while developing countries are free to pollute the atmosphere, and in so doing, siphon off American industries.

Another cosponsor was Secretary of Defense Chuck Hagel, who was then the junior Senator from Nebraska. He described the likely consequences of Kyoto-style agreements in these terms:

As industries flee the United States and other industrialized countries, they would re-establish themselves in developing countries that have much weaker environmental standards than our own.

I have just one more point about the Kyoto Protocol Byrd, which was unanimously voted down, in essence, 17 years ago.

A year after that, in 1998, there was a then-unknown Illinois State senator named Barack Obama, who voted against the Kyoto Protocol and prohibited State regulation of greenhouse gases in Illinois. If you guessed it was Barack Obama, you would be right.
One of the State senators voting in favor of the bill, condemning Kyoto, and banning State regulations of greenhouse gases in Illinois was Barack Obama. President Obama voted for legislation that explicitly rejected the type of CO₂ regulations that he is now trying to impose on the entire U.S. economy.

Yesterday I discussed some of the costs of those regulations, how enormous they would be, and how they would disproportionately fall on the poor and workers in our country. The truth is most of the burden of higher energy costs would fall on retired people, seniors, and people on a fixed income.

In my State our electricity capacity is regularly strained due to the hot August summers. People in my State depend on their air conditioners for safety. The threat of limited access to electricity, or higher costs that people can’t afford, literally threatens their health and certainly their welfare. Lost jobs, lost wages, higher utility rates, and tighter family budgets are the inevitable consequences of this proposed EPA rule that was announced late last week.

For one, the EPA has also proposed another rule on new powerplants that would impede technological innovation. Several of my Democratic colleagues expressed their deep concern about the additional EPA rule in a recent letter to the President. These seven Democrats noted that “American technology providers would be incentivized to stop research and innovation in coal combustion, further delaying domestic development of pioneering new technologies that could be exported to improve plants around the world.”

Earlier today one of these Democrats who signed the letter, and happens to be the Presiding Officer at this time, said the administration was “working against us” on CO₂ regulations, and he described the EPA proposals as “unreasonable and unacceptable.” This is obviously not a partisan issue by any means.

Any regulation that is this costly is almost impossible to justify unless it was to have clear benefits that outweighed those costs. President Obama’s EPA rule can’t lay claim to having enormous benefits in spite of these huge costs.

If you agree with my friends about the long-term risks posed by rising CO₂ emissions, and that this sort of regulation is justified, the projected growth of global emissions over the coming decades has almost nothing to do with America and almost everything to do with developing countries such as China and India.

Indeed, our emissions have gone down over recent history. Some of that has been due to the renaissance of natural gas, which burns cleaner. But the fact is that anything we would do would be confined to the United States and our economy and would have no impact whatsoever on developing countries such as China and India. Indeed, China—by a very wide margin—is already the planet’s largest CO₂ emitter. The U.S. Government estimates that China alone will account for nearly half of all growth in worldwide emissions between 2010 and 2040.

In short, nothing America does by itself or to itself will stop global emissions from rising. In fact, even if we could magically reduce our own emissions to zero over the next quarter century our worldwide economy would still increase significantly without major reductions in China, India, and other developing countries.

Yet, despite all these costs to American workers and American families—literally a threat due to the lack of grid capacity in places such as Texas because of high-priced energy—President Obama is moving ahead with this massive new energy tax that is effectively, in the words of our colleague from Louisiana, all pain and no gain, and he is right.

To put this in context, I think it is important that anyone who happens to be listening understands a few points.

No. 1, regardless of what the President calls it, the EPA rule is indeed a massive new national energy tax, one that will affect all workers, all consumers, and all families in America.

No. 2, the reason it is being enacted via the regulatory process is because Members of the Senate rejected it 4 years ago at a time when even our Democratic colleagues had a supermajority. In other words, they could have done it when they wanted to when the Senate controlled the White House and both Chambers of Congress, but they chose not to do it then.

No. 3, it fits with a broader and deeply disturbing matter. Time and time again, the President has used unelected bureaucrats and unaccountable executive branch agencies such as the EPA, to do here. The American people—my constituents in Texas and the Presiding Officer’s constituents in West Virginia—can’t vote the rascals out of office, so there is no accountability in the system. That is what the President was bragging about when he said: I have a phone, and I have a pen. He was effectively saying he was going to do it alone, and that is what he is trying to do here.

The result has been a misguided explosion of burdensome and onerous regulations, and those have a cost to our economy. The last quarter—the last 3 months of the year—we learned that instead of the economy growing in a way that will create more jobs and reduce unemployment, the economy actually contracted. It shrank by a full percentage point. One of the reasons why the economy shrank is because of overly burdensome regulations where there is no cost-benefit analysis, much less any cost-benefit calculus whatso-

According to one estimate, between 2012 and 2013, Federal regulatory costs increased by nearly $500 billion—a truly astonishing figure. Not only have these regulations proven to be onerous and unwieldy, they have been implemented by agencies that are hopelessly incompetent at handling even basic responsibilities.

As my friend the junior Senator from Oklahoma said a few years ago: It is absurd to allow an agency as incompetent as the EPA to exercise vast new powers when they can’t manage less complex tasks. If the EPA can’t train 250,000 contractors to manage lead paint rules . . . why should we expect them to regulate the energy-consuming processes used in every sector of the economy?

If this competence question of a huge bureaucracy sounds familiar, I think we are now learning that when the hubris overcomes the good judgment of leaders here in Washington and decides to overrule one-sixth of the economy, which is our health care sector, you get ObamaCare and the disaster that has proven to be in terms of its implementation.

None of the essential promises that were made about how it would actually work have been kept. In other words, if you like what you have, you can keep it, the price would go down $2,500 for a family of four, and, yes, you can keep your doctor. None of those promises have proven to be true. Yet those were the promises upon which ObamaCare was passed. Now we see the administration make additional extravagant promises that can only be borne out of hubris based on what we have seen as the implementation and implementation and implementation of ObamaCare.

Not only have these regulations proved to be onerous, they are not going to work the way the administration predicts, except we are pretty sure it will kill jobs and reduce economic growth and further extend this lengthy recession which has been the slowest economic recovery in America since the Great Depression.

At a time of mass unemployment and historically low levels of labor force participation, America needs an energy policy that is pro-jobs and pro-worker and profamily. This new EPA rule is the opposite of that. It would destroy jobs, it would hurt workers, and it would hurt consumers because it would raise the cost of living for middle-class families, including people on fixed incomes such as seniors. The fact that such a regulation is even being considered not in Congress but in the executive branch agencies such as the EPA, amid the weakest economic recovery since the Great Depression, illustrates once again how out of touch the administration’s priorities truly are.

I wish to clarify once again that the debate over President Obama’s EPA
rule is not about the science of climate change; it is a debate about whether massive regulations should be forced to pass a simple cost-benefit analysis. The EPA rule clearly fails that test.

For all of those reasons and plenty more, we will be continuing to urge President Obama, from this side of the aisle but in a bipartisan way, to put jobs and families ahead of politics and ideology.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PORTMAN. 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. PORTMAN. I ask unanimous consent to speak for 9 minutes.

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

BURWELL NOMINATION

Mr. PORTMAN. Mr. President, I appreciate the Presiding Officer allowing me to do so this afternoon. I am speaking in the context of a nomination we are likely to consider on the floor this week. I am told on Thursday we are going to be asked to confirm the President’s nomination of Sylvia Burwell to be the next Secretary of Health and Human Services.

This is a very important job for a number of reasons. One reason is it is the job in charge of implementing the Affordable Care Act, otherwise known as ObamaCare. Therefore, I think it is an appropriate time to talk about the urgent need for us to address some of the continuing problems we have had with implementation.

This whole subject of ObamaCare of course has divided this Chamber pretty sharply over the last few years. Part of the reason is it was forced through the Congress without a single bipartisan vote; in other words, all Democratic votes and not a single Republican vote. Also, it was pushed through quickly, so it resulted in a lot of problems. We have seen that in terms of the implementation of ObamaCare generally including some of the computer problems and some of the concerns people have about having their health care canceled and so on.

I wish to speak about a specific issue with regard to implementation, one on which I hope we could be together, that this issue would unite us as Republicans and Democrats—that we would take forceful action to deal with it. It is an issue I think all of us agree on because it has to do with the taxpayers. It has to do with money that might be going out under ObamaCare that is not appropriate. It is ensuring that the subsidy payments under the Affordable Care Act, otherwise known as the poverty line but are above the poverty line; actually, above 133 percent of the poverty line. In fact, people who earn up to 400 percent of the poverty line are eligible for these subsidies. Recently, the Kaiser Foundation estimated the people who can legally qualify for these funds and receive them is about 6.6 million Americans. These subsidies can be fairly large. They can exceed $10,000 a year, for instance, for a family of four. So we are talking about billions of dollars of taxpayer money. The question is, Are they going to the right people? I think, because there is so much money involved, the American people should be able to right now to know that the government has in place a system to ensure that the people who are supposed to get it are getting it and to ensure that those who are claiming the subsidies and receiving the taxpayer dollars are eligible for them.

In January of this year, in response to a requirement actually attached to legislation that passed the Senate called the Ryan-Murray budget—in response to that legislation there was a requirement that there be some sort of process put in place—the Secretary of Health and Human Services, Kathleen Sebelius, wrote to Congress in a letter that HHS had “implemented numerous systems and processes to carry out” income verification procedures.

So she sent a letter to the Congress saying: Don’t worry about it. We have it covered. We have implemented numerous systems and processes to carry out income verification procedures. Unfortunately, what we are finding out now—and here we are, gosh, 6 months later—is that a lot of those assurances might not be accurate, that it appears as though they have not put in place these processes.

The Washington Post wrote a recent article that got my attention. It got my attention because it reported that, in fact, the program has been built that is capable of verifying those eligible to receive the subsidies. In fact, according to internal reports that were obtained by the Washington Post, since no computer capability for verifying eligibility yet exists, Health and Human Services will begin sorting out income verification procedures. Unfortunately, what we are finding out now—and here we are, gosh, 6 months later—is that a lot of those assurances might not be accurate. I think that is like somehow the government is telling us, Don’t worry about it. We have it covered. Yet when news broke about this problem last month through this story in the Washington Post, I wrote a letter to the IRS Commissioner because the obvious thing to do would be to check the information that is given with the IRS records to see whether the 1040 matches up with what you are saying your income is.

In the letter, I said: Can you give us the answers about these very serious questions that have been raised, and can you tell us what the Department of Health and Human Services is doing about this?

I asked for a response by June 1. It is now past June 1 and I have received nothing but silence in response. That is why I have come to the floor today to say, look, I do not think anybody on either side of the aisle in the Senate thinks this is acceptable. Some on the other side might say: Well, we are more concerned about people who are not getting the subsidies they are eligible for because the verification is not in place to help them. The point is that the subsidies ought to go to the people who are eligible. Whether they are overstating or understating their income and therefore made eligible or not eligible, there ought to be a system in place. That is a minimum requirement. I think, that we would all want to have in place to be able to, again, save these payments from going out in a fraudulent way. To the tune of what could be billions of dollars. I cannot imagine anyone thinks the current situation is acceptable.

So we are going to see if HHS gets its act together and gets serious about enforcing these rules. I think it is going to require new leadership. That is why I am hoping that with the nomination and debate this week of Sylvia Burwell to be the next Secretary of HHS, we can have a discussion about this issue and that she can provide some of that new leadership from the top to ensure that indeed we do have accountability through the system and we can figure out whether this situation will be resolved.

Unfortunately, I think it is also going to require leadership from the top—top, meaning from the White House as well. This is not an isolated incident. Unfortunately, of incompetence, I would say, on behalf of our Federal Government in implementing in this case a very complicated law. We have seen this recently with the scandal
that has involved the VA—the VA health system—another big complicated system that is obviously not working to take care of the needs of our veterans, who should be at the front of the line receiving the best care and that is why, we find out are at the back of the line. They may not be on the list at all, as we saw with regard to the Phoenix VA center, where 1,700 people were just taken off the list altogether. We have seen it with regard to the IRS scandal, where you have the Intergovernmental Service actually going after Americans because of their political beliefs. Nothing could be more wrong in terms of building faith and trust in our Federal system than to think that the tax collector is going after folks because of their political beliefs.

So all these recent issues that have come up of incompetence and of the government not keeping the trust are bad. It's bad even in good times. Today is not a good time because already the faith in the Federal Government is at record lows. The faith in this institution is at a record low, they say.

It should be our responsibility to begin to rebuild that faith by doing what makes sense. What is going on at HHS does not make sense. Everyone knows there needs to be a system in place and a permanent automated system to deal with that; the same with the VA, the same with the IRS. I hope we see that kind of leadership. I hope we can do that because it is the right thing to do for taxpayers, but it also rebuilds trust in the American Government system. To do that is going to require some serious and immediate action.

In the case of HHS, I call on the administration today to make good on the promise they made in January where they said: No problem. We have it covered. We have a system in place where they said: No problem. We have it covered. We have the promise they made in January. It should be our responsibility to rebuild trust in the American Government system.

In the process of Sylvia Burwell’s nomination, let’s raise this issue. Let’s encourage her to show leadership at HHS to be able to deal with this issue. Let’s ensure that subsidies are going to the right people and that taxpayers are being protected.

I thank the Presiding Officer for the time.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

STUDENT LOAN DEBT

Mr. DURBIN. Mr. President, during this last break I went back to Illinois and visited a lot of college campuses. I went to Augustana College, which is in the Quad Cities, and then went to Illinois State University in Normal, IL, and then down to the University of Illinois.

At each one of those campuses I had a press conference on student debt. Student debt today has reached a point where we have to pay close attention to it—and we should. The vast majority of Americans ask a very basic question: Senator, is there anything you are doing today that really is going to help the millions of Americans currently paying on student loans in America, legislation that is going to be introduced tomorrow can make a big difference.

I am sponsoring a bill with Elizabeth Warren, the Senator from the Commonwealth of Massachusetts, a very bright lady who was on the faculty of the Harvard Law School and who understands these issues better than almost anyone I have ever met. She is the one college student loan refinancing bill.

Here is what we are trying to do. We are trying to get those students who are trapped in big debts with high interest rates a chance to refinance their loans today. Is it possible? Well, when I met these students at different schools, they told me their stories. As a former college borrower myself, as a father raising three kids who went through college, it was sad. It was really sad to hear their stories because the amount of debt that students are running into now is dramatically higher than anything those of us who were in the early stages of college loans ever experienced.

I will not even tell you how much I borrowed because it makes me sound ancient. But it scared me to death when I borrowed that money to go through college and law school for fear I would never pay it back. It turns out I did as I was supposed to. But students today many times find themselves so deeply in debt they just cannot get out from under it.

Now, I am going to set over here on this side a whole category of speeches on institutions known as for-profit colleges and universities. They are in a special place in my thinking. For-profit colleges and universities, who are they? The biggest one is the University of Phoenix. Apollo Group owns a series of universities. Their ads are everywhere. They are in a special place in my thinking. They are trying to get those students who are low-income students and their families. They are looking for middle-income students as well. Since 2003 the amount of student loan debt in America has quadrupled. Nationally there are now almost 40 million borrowers with more than $1 trillion in debt. There is more student loan debt in America today than the combined sum total of all credit card debt. That is more than there is in auto loans. Only mortgages would be a higher category of debt in terms of its total cost.

The average student loan debt increased by 49 percent between 2005 and 2012 to $27,850. On average, Illinois graduates in the class of 2012 left with a little over $28,000 in debt, but their individual debts could be much higher. And that is a much higher; and 1.7 million Illinoisans have outstanding student loan debt out of a population of about 12.5 million.
What effect does $1 trillion in student loan debt have on the American economy? The Federal Reserve warns us that it is threatening current and future economic growth. The student loan debt crisis has been compared to the mortgage crisis we went through 8 or 9 years ago. It is in the American culture that each successive generation wants to do better than the previous one. But student loan debt is crippling middle-class growth for younger generations.

Currently the median household wealth of people my age, in the 55-to-65 bracket, is 44 times the net worth of the median household of people younger than 35. People under the age of 35 are struggling. This is historically unprecedented and has a lot to do with the student loan debt.

I have heard from so many people in my State about this issue. They say student loan debt is preventing them from buying a car, borrowing any more money to educate their children, marrying and, once married, having children. I have met couples who have said: We made a family decision; no kids until we pay off the student loans; I am not going to be able to support us until I pay them off in time to make that decision.

Think about that for a second. They cannot even start a family because of the student debts and the fear that they are going to default on them. I heard it firsthand back in Illinois last week. One student I met, Mabinty Taravallie, is struggling with student loan debt even though she has done everything right. She immigrated to the United States from Africa when she was 11 years old. Her family was very poor but they told her: You have to have an education.

She graduated from high school, went to a local community college—a good place to start—and completed her undergraduate degree in sociology at the University of Illinois. She told me she wanted to help others pick themselves up out of poverty as she did, so she went to graduate school for a master’s degree in sociology at the University of Illinois. Although she was able to get through her undergraduate years without much debt, she spread out her graduate studies over 3 years as she was raising her family of three kids.

She had one graduate assistantship, but she had to pay for the rest with loans. To compound this problem, her husband, another University of Illinois graduate student in education, also has student loans. Together, Mabinty and her husband, who completed their degrees, have a debt of $150,000. One wants to be a social worker and the other wants to be a teacher.

Now she worries about how her family is going to be able to cope, with debt three times the annual salary she might receive as a social worker. The irony is even as a college degree becomes harder to afford for the middle class, it is more important than ever that people get educated, trained, and skilled for better jobs. Only college-educated workers have had wage gains in the past 30 years. If you don’t go the college route, your chances of success are diminished dramatically. That is why we want to address these serious issues.

This bill I am talking about, the one we are going to introduce tomorrow, will give students with college student loan debt who are current on their loans an opportunity. I talked to Mabinty and other students. It meant for her that her interest rate would come down from 6.8 percent to 3.8 percent. If you have ever gone out to get a mortgage or you know somebody who did, they will explain to you that 3 percent of your interest rate is a big deal. If you can get your interest rate reduced by 3 percent, your chances of paying off the principal are going to be a lot better.

This bill I have cosponsored with Elizabeth Warren, Jack Reed, and others is called the Bank on Students Emergency Loan Refinancing Act. It will help millions of current borrowers refinance their Federal or private student loans into these lower Federal interest rates. Those with Federal loans can refinance into lower rates, the same rates available to students who took out new loans this year.

Under the Warren bill, those with private loans—many of whom have sky-high interest rates and are facing collection agencies beating up on them—can refinance with Federal loans with lower rates and strong consumer protection. Refinancing, incidentally, is fully paid for. This is a point I want to make, because this is where we lose the other side of the aisle. This is where we can’t find bipartisan cosponsorship for refinancing college loans.

Here is how we pay for it. The PRESIDING OFFICER. The time of the Senate has expired. Mr. DURBIN. I ask for 2 additional minutes.

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

Mr. DURBIN. Most of us have heard the name Warren Buffett, one of the wealthiest men in America. He raised the question a few years ago: Why, in America, is my income tax rate as a multimillionaire lower than my secretary’s income tax rate? There is an explanation in the Tax Code, but it isn’t a very good one. Warren Buffett said I should be paying more than she is paying. So we have come up with something called the Buffett rule, which says if you are in the multimillionaire category, you are going to pay a higher income tax rate than your secretary.

What a radical idea that is. I am just kidding. I think it is reasonable, and that is how we pay for refinancing college loans.

The problem is that we go to the other side of the aisle and say: We want to refinance college loans. It is going to take some money to do it. We will put in the Buffett rule so millionaires pay more in their income taxes. They say: We don’t want any part of it. We will not increase taxes on anybody.

Well, by taking that position, they are going after 44 million Americans with college loan debt at higher interest rates and all the problems they generate.

Which is better, that millionaires pay a little more so working families across America have a fair shot of paying off their college loans or saying we are not going to touch the Tax Code for any reason whatever—and isn’t it a darn shame for these students and their families?

Well, it is pretty obvious to me what we should be doing.

I met Shiann Poshard last week at Illinois State University. She graduated with a teaching degree and about $30,000 in student debt. She has a job, and she is going to be teaching in public schools in Eureka, IL. Even so, on a first-year teaching salary—with an upcoming wedding, incidentally—her student loan debt will undoubtedly be a burden. If she is allowed to refinance her loans, which she has at 6.8 percent, she could cut her interest rate almost in half. That will make a big difference.

Tomorrow, when this legislation is introduced, I hope anyone who has a family anywhere who have borrowed money for college, who has a son or daughter deep in debt and wondering how they are going to get out from under it, contact your Senator or your Congressman and ask them: Are you going to be part of this college student loan refinancing effort? I hope they will say yes. We need bipartisan support to help these students out of the debt they are facing today.

I yield the floor. The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior to the vote on the confirmation of the nomination.

Mr. DURBIN. I ask unanimous consent to yield back all time on the pending nomination.

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

The question is, Will the Senate advise and consent to the nomination of Shaleny M. Bowen, of New York, to be a Commissioner of the Commodity Futures Trading Commission for a term expiring April 13, 2018?

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

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

Mr. JOHANNS. 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.
The assistant legislative clerk read the nomination of Mark G. Mastroianni, of Massachusetts, to be United States District Judge for the District of Massachusetts.

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, hereby move to bring to a close debate on the nomination of Bruce Howe Hendricks, of South Carolina, to be United States District Judge for the District of South Carolina.


The PRESIDING OFFICER. The yeas and nays resulted—yeas 56, nays 35, as follows:

[Rollcall Vote No. 169 Ex.]

YEAS—59

Ayotte  
Baldwin  
Barrasso  
Blumenthal  
Booker  
Burton  
Cochran  
Cruz  
Enzi  
Fischer  
Gillibrand  
Hagan  
Moran  
Murphy  
Nelson  
Paul  
Portman  
Risch  
Risch  
Rubio  
Santarsiero  
Sensenbrenner  
Sessions  
Sheehan  
Shey  
Thune  
Vitter  
Wicker  
Wyden

NAYS—39

Alexander  
Barrasso  
Barrasso  
Bennet  
Blumenthal  
Boozman  
Booker  
Brown  
Cochran  
Coons  
Durbin  
Franken  
Gillibrand  
Hagan  
Harkin  
Hirono  
Johnson (SD)  
Kaine  
Klobuchar  
Leahy  
Levin  
McCaskill  
Mikulski  
Murkowski  
NL  
Ndume  
Nelson  
Paul  
Portman  
Risch  
Risch  
Rubio  
Risch  
Rubio  
Risch  
Risch  
Risch  
Risch  
Sensenbrenner  
Sessions  
Sheehan  
Sheehan  
Sheehan  
Shey  
Thune  
Vitter  
Wicker  
Wyden

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from Colorado (Mr. UDALL) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Mississippi (Mr. COCHRAN), and the Senator from Utah (Mr. LEE).

The question is, Is it the sense of the Senate that debate on the nomination of Bruce Howe Hendricks, of South Carolina, to be United States District Judge for the District of South Carolina, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from Colorado (Mr. UDALL) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Mississippi (Mr. COCHRAN), and the Senator from Utah (Mr. LEE).

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

The yeas and nays resulted—yeas 56, nays 39, as follows:

[Rollcall Vote No. 168 Ex.]

YEAS—56

Arotie  
Baldwin  
Beitch  
Bennet  
Blumenthal  
Boozman  
Booker  
Brown  
Cochran  
Coons  
Durbin  
Franken  
Gillibrand  
Hagan  
Harkin  
Heitkamp  
Hirono  
Isakson  
Johnson (WI)  
Johnson (SD)  
Kaine  
Klobuchar  
Leahy  
Levin  
McCaskill  
Mikulski  
Murkowski  
Murphy  
Moran  
Murphy  
Nelson  
Portman  
Portman  
Risch  
Risch  
Risch  
Risch  
Risch  
Sensenbrenner  
Sessions  
Sheehan  
Sheehan  
Shey  
Thune  
Vitter  
Wicker  
Wyden

NAYS—39

Alexander  
Barrasso  
Barrasso  
Bennet  
Blumenthal  
Boozman  
Booker  
Brown  
Cochran  
Coons  
Durbin  
Franken  
Gillibrand  
Hagan  
Harkin  
Heitkamp  
Hirono  
Isakson  
Johnson (WI)  
Johnson (SD)  
Kaine  
Klobuchar  
Leahy  
Levin  
McCaskill  
Mikulski  
Murkowski  
Murphy  
Nelson  
Portman  
Risch  
Risch  
Risch  
Risch  
Risch  
Sensenbrenner  
Sessions  
Sheehan  
Sheehan  
Shey  
Thune  
Vitter  
Wicker  
Wyden

The assistant legislative clerk read the nomination of Mark G. Mastroianni, of Massachusetts, to be United States District Judge for the District of Massachusetts.