

employment litigation or administrative agency investigations, he always demonstrates an admirable commitment to integrity and to the rule of law. Over the years, he has gained the respect of his clients by handling a variety of important issues with excellence. He is listed in "The Best Lawyers in America" and in "Chambers USA, America's Leading Business Lawyers." Perhaps the strongest testament to Bob's aptitude and integrity, as well as the admiration of his colleagues, is the fact that he was previously selected to serve as president of the Nebraska Bar Association. Though Bob never assumed the bar presidency due to this nomination, this honor, which is not bestowed lightly, is a reflection of the trust placed in Bob by those who know and work with him.

For these reasons I am confident that we have found a truly remarkable and qualified person to fill the vacancy on Nebraska's Federal district court. I urge my colleagues to support Bob Rossiter's nomination so that he can put his outstanding intellect, skill, and judgment to work for the American people.

Thank you, Madam President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COATS). Without objection, it is so ordered.

TRIBUTE TO CORPORAL JASON CHESTER AND SERGEANT TREY DUPUY

Mr. COTTON. Mr. President, I would like to recognize Corporal Jason Chester and Sergeant Trey Dupuy of the Jonesboro Police Department as this week's Arkansans of the Week for heroically saving the life of a 13 year-old boy trapped in a storm drain.

Last month, 13-year-old Jacob Hunter was swept away during a flash flood in Jonesboro. Jacob was washed through the city's drainage system underneath a parking lot, where he held on for hours. Initial search efforts by police, fire, EMS, and other volunteers to find Jacob were unsuccessful, but Corporal Chester and Sergeant Dupuy wouldn't give up hope. They returned to the area where Jacob was first swept away and searched it again. Sergeant Dupuy leaned toward a storm drain and heard a faint cry for help. That is when the two officers jumped into action. They removed a heavy manhole cover and were able to pull Jacob to safety.

The entire State of Arkansas is grateful to Corporal Chester and Sergeant Dupuy and to all the first responders for their heroic efforts.

We don't hear news stories with happy endings enough these days, espe-

cially when the circumstances seem so grim, but because of the persistence and quick thinking of these two officers, Jacob Hunter is alive and well today.

I am honored to recognize Corporal Jason Chester and Sergeant Trey Dupuy for their efforts. Their determination and commitment to finding Jacob is a reflection of the true spirit of Arkansas. They remind us we owe a debt of gratitude to all first responders and emergency personnel across the country for the work they do to keep us safe.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Robert F. Rossiter, Jr., of Nebraska, to be United States District Judge for the District of Nebraska.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes for debate only on the nomination, equally divided in the usual form.

The Senator from Alaska.

CULTURE OF WHALING IN ALASKA

Mr. SULLIVAN. Mr. President, one of the great things about being able to come to the floor and preside—as is the Presiding Officer, and it is something I have had the opportunity to do a lot—is that when you are in the Chair, you get to hear a lot about the home States of other Members of the Senate. A lot of Senators like to come to the floor, as they should, to talk about their constituents and talk about so many things that are happening throughout our country.

We just heard the Senator from Arkansas talk about some local heroes in his State. He came to the floor to talk about them. Presiding, I have had the opportunity to hear many great stories: Vietnam veterans in North Dakota, great basketball from the Presiding Officer's State of Indiana, proud members of our military who live in Texas, and tight-knit communities in

responding to disasters in States across our Nation. These are great stories and in many ways they are what make our Nation great; it is what makes our Nation strong. Hearing about all the wonderful communities we have, I certainly have learned a lot from listening to these speeches, and I encourage my colleagues to come and talk about their States and do a little bragging. That is what I am going to do for the next couple of minutes.

My State, the great State of Alaska, has certainly captured the country's imagination in a lot of ways. It is hard to turn on cable TV without seeing a new show on Alaska, and for good reason. There is so much about the great State of Alaska that is awe-inspiring and captures the imagination of the American people. Our mountain ranges, hundreds of them, literally seem to go on for miles and miles—forever, like waves in the ocean. The color of our glaciers is unlike anything you have ever seen before. Our rivers and streams, particularly this time of year, are choked with salmon—millions and millions of salmon. We have moose, bear, wolves, caribou, and muskox. But one of the very best things about Alaska, one of the things that makes us unique, is our mix of cultures and the extraordinary lengths people in Alaska go to keep these cultures alive.

Today I wish to speak specifically about the culture of whaling and to honor our Alaska Eskimo whaling captains—heroes in our communities—and the communities that support these brave Americans.

In Alaska, 11 communities in northern Alaska, which we call the North Slope, participate in two whaling seasons. Nuiqsut, Kivalina, Barrow, Kaktovik, Wainwright, Gambell, Little Diomedede, Wales, Point Lay, Savoonga, and Point Hope—these are the whaling communities of my State.

There is a spring whaling season and a fall whaling season. Both correspond to the migration patterns of the great bowhead whale.

The spring has ended now, and it is time for celebration. Nalukataq season is upon us. This is when with the communities get together to celebrate the harvest. It is like a summer picnic on the top of the world, but without hot dogs. Families eat whale and muktuk.

Let me spend a few minutes talking about what it takes to harpoon a whale. I have never done it, but a lot of my constituents have. Amazingly, today's whaling captains and crews still hunt using handheld harpoons, as their ancestors had done for thousands of years. During the spring harvest, many of the villages—also as their ancestors had done—go into the icy waters of the Arctic in hand-sewn boats that are built using wooden frames and hand-sewn walrus or bearded seal skin.

When a bowhead whale is landed, to spread the good news the people exclaim "Yay, hey, hey" across the North Slope.

The VHF radios that sit on kitchen counters and dining room tables all

across this part of Alaska begin to buzz. When a whale is brought to shore, the entire community comes out to help pull in the giant leviathan. It is such an exciting time for these communities. It is exciting because every time it happens, a piece of this important culture is reenacted and honored. The whales are honored, and every part of the animal is used.

These are subsistence communities, meaning they use this whale—all of it. Whale meat is necessary to feed these communities. On average, a whale can produce between 6 tons to 25 tons of food.

I should point out that we have no road system in northern Alaska, so these communities are accessible only by air or seasonal barge transport. Some can be reached this way only at certain times of the year. In other words, these communities need their food; they need these whales.

The annual bowhead whale migration provides the largest subsistence resource available in these remote areas of our great State. Even so, when a whale is taken, the sharing does not stop simply with the residents of the community. The food is shared with other subsistence communities and family members throughout our State. This is yet another amazing example of the resourcefulness that has enabled humans to survive in the Arctic for a millennia and that shapes the character of Alaska to this date.

Yet, throughout the years, it has sometimes been a struggle for the first peoples of Alaska to get their quota of whales. In 1977, the International Whaling Commission tried to shut down the subsistence harvest for Alaska's native people. It was relying on incorrect population estimates provided by Western scientists, and they were ignoring what we in Alaska call traditional knowledge. The Alaska Eskimo whaling captains organized and started the Alaska Eskimo Whaling Commission, which is alive, well, and thriving today.

Here is a great story. In 1977, when the IWC, the International Whaling Commission, attempted to shut down the harvest in Alaska for Alaska Natives, our whalers told the Western scientists: You don't know how to count the whales because you're looking for them from the air during the spring migration, and they're swimming under the spring ice. You have to listen for them under the ice.

When one of the scientists argued that the whales wouldn't swim under the ice because it is too dangerous, Harry Brower, Sr., the father of some of the prominent whalers today, took the scientist to the ice, put an oar in the water, and told the scientist to put his ear to the oar. What the scientist heard was an entire world of marine life invisible to the eye.

From that, a research program using both traditional knowledge—Alaska Native knowledge—and Western science was born and is used today, still today, to monitor the size of the western Arctic bowhead population.

This research program, still combining Western science and traditional knowledge, is considered the gold standard, the most accurate and sophisticated way in which marine biologists measure whaling populations.

The bowhead whale population is healthy and growing. Currently, it is estimated that there are about 20,000 bowhead whales, up from about 10,000 in 2001. Our communities in Alaska do an enormously important part in terms of making sure there is conservation of the bowhead whale.

The current catch limit for Alaska natives is no more than 67 whales a year, a fraction of a percentage of the total population. That limit was set in 2013 and will last until 2018, when the IWC meets to establish new catch limits.

Every time a new catch limit—a new quota—comes up, there is a fight between the Alaska Eskimo Whaling Commission and the countries that don't respect that tradition and want to stop all subsistence whaling, including my constituents.

What I am hoping for these kinds of talks is that they will make all the Members of the Senate understand how important this tradition is for Americans, for Alaska Natives, and they can learn more about this important tradition.

I will do everything in my power to work with my colleagues here in the Senate to ensure that when the quota comes up in 2018, they have their fair share. This is a vital tradition. It is vital for subsistence, and it is vital to keep a culture alive and to respect a group of great Americans who bring uniqueness and strength not only to Alaska but to our country.

Here is how one of our Alaska Eskimo whaling captains puts it:

To our people, the bowhead is more than food. It keeps our families together. It keeps our children in school. It allows our elders to pass generational knowledge to our youth. It teaches us patience and perseverance. It teaches us generosity. It strengthens our community. It provides wisdom and insight. It gives us hope. It is our way of life. The spirit of the whale lives within each of us.

Let me repeat that last line. "The spirit of the whale lives within each of us."

These are some of the people of my State. These are my constituents. As I have said before, Alaska has bragging rights right now. Our whalers and their culture and their traditions are certainly worth bragging about.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

SUPREME COURT DECISIONS, ZIKA VIRUS FUNDING, AND JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, this morning the Supreme Court reaffirmed in *Whole Woman's Health v. Hellerstedt* that women—women, not politicians—should make their own health care choices. This was an important decision for women's health and women's constitutional rights. But the

fight to protect women's health continues. It is going to continue tomorrow here in the Senate when we have the first vote on the conference report to provide emergency funding to combat the Zika virus.

We are voting on emergency funding. Whether it is flooding in the South, wildfires in the West, ice storms in the winters, or hurricanes in the summers, Congress has always responded to crises with emergency funds. No offsets were required. Now, despite the overwhelming need for funding to fight Zika, when the threat of Zika is real and here, when the threat is of great risk to pregnant women, when the World Health Organization is urging women in Zika-impacted areas to delay pregnancy, House and Senate Republicans want to cut other programs to offset emergency funding for Zika. House and Senate Republicans decided on a conference report that continues their attacks on women's health. The report restricts Zika emergency funding for family planning services—limitations that will prevent some women from seeking health services from their own doctors or from primary care clinics that help serve women in rural areas, including in Puerto Rico, where there are already thousands of Zika cases.

Just after the Supreme Court reaffirmed a woman's right to make her own health care decisions, Republicans in the Senate and the House want to take that away. So it should come as no surprise to anyone tomorrow when I vote against this needlessly limiting response to what is a public health crisis.

Republicans should stop taking crises and using them to make attacks on women. Let's be honest about what we do here in the Senate. We have seen this kind of misguided leadership. We saw the Republicans' misguided leadership extend to the vacancy on the Supreme Court. The high cost of that obstruction was on full display last week when the Court's eight Justices deadlocked twice in one day. Since February, the Court—diminished by Republican inaction in this body—has been unable to issue a final decision on the merits in a total of seven cases. I cannot remember a time in my lifetime where that has happened in that short period of time.

The Supreme Court's inability to serve its highest function under the Constitution has left millions of families across the country waiting for justice, and they are uncertain of what the law is. This is the devastating reality for vulnerable immigrant families who are wondering whether they are going to be torn apart, whether the parents will be taken out and deported, sometimes leaving innocent children behind—after the Court deadlocked last week in a case concerning enforcement of the President's executive action on immigration.

The immigration case demonstrates the real harm of this Republican obstruction. Three years ago today, after

an extensive process in the Judiciary Committee where hundreds of amendments were debated, the Democratized Senate, backed by a number of Republicans, passed a comprehensive immigration reform bill on a vote of 68 to 32. Even though a majority of the House of Representatives would have passed that bill into law, the Republican Speaker of the House blocked the bill from even receiving a vote. Apparently, it would violate what they considered the revered Dennis Hastert rule. There were some Republicans who opposed it, even though it passed overwhelmingly. They had to show their reverence to the Dennis Hastert rule, so we did not get an immigration bill.

Because the Speaker refused to act and because they would not allow it to come to a vote, the President—who would not have had an Executive action if it had been voted on—was forced to use Executive action. His Executive action deferred the deportation of parents and children to prioritize the deportation of dangerous criminals. Before that Executive action could be implemented, however, a Republican-appointed district court judge in Texas issued a nationwide injunction—not just for Texas but for the whole Nation—blocking the order.

It was the inaction of Republicans in Congress that led the President to take sensible action to improve our broken immigration system. After blocking immigration reform, Republican obstruction continued in the Senate with the unprecedented refusal to consider the nomination of Chief Judge Merrick Garland to the Supreme Court. This left a hobbled Court of eight to consider this crucial immigration case.

So from legislation, to Executive action, to the hobbled Court, Republicans are responsible for creating these crises points. Why can't we go back to the days with responsible Republican leaders, like one of the greatest I served with, Howard Baker, or Bob Dole, or others, who would say we should at least do our job?

Now that the Supreme Court has finished its term, we can see the full scope of the damage caused by Republican obstruction. In addition to the nondecision in the immigration case, there have been six other cases where the Court could not reach a final decision on the merits. We still do not know whether lenders can discriminate against married women; whether consumers can sue companies for misuse of private information; whether employers can deny women employees access to contraception coverage; whether public-sector unions can recover fair-share costs for collective bargaining; whether a person can sue another State; or whether tribal courts can hold nontribal wrongdoers on tribal lands civilly liable. These are important questions, and the American people should have definitive answers. Our Constitution ensures equal justice for all; not a patchwork of different rights in different parts of the country. This

is the result of Senate Republicans' refusal to do their job and provide a hearing and a vote for Chief Judge Garland.

Chief Judge Garland is an outstanding nominee for the Supreme Court, and Americans overwhelmingly want him to receive a public hearing. The American Bar Association formally weighed in last week announcing that it had reviewed Chief Judge Garland's nomination and unanimously awarded him its highest rating of "Well-Qualified." To reach that rating, lawyers from across the country assessed his integrity, professional competence, and temperament. One said, "Garland is the best that there is. He is the finest judge I have ever met." Another said, "He is a judge's judge, with a very high standard and legal craftsmanship, a fine sense of fairness to all parties, a measured and dignified judicial temperament, and the highest respect for law and reasoned argument." One even said that Chief Judge Garland "may be the perfect human being."

Instead of scheduling a hearing for this impeccably qualified nominee, Republicans are holding Chief Judge Garland's nomination hostage in the hope that the Republican Party will nominate Donald Trump and they can then have Donald Trump make a different nomination. Of course, their nominee is the same candidate who has accused a sitting Federal judge of bias simply because his parents were Mexican-born. Come on.

It is unfathomable to me that Senate Republicans would prefer to diminish the Supreme Court for two terms rather than give Chief Judge Garland a fair and public hearing, but that is exactly what they are doing. No leadership in this Senate—Republican leadership or Democratic leadership—has ever done this. In fact, the last time we had a vacancy in the last year of a President's term, it was President Reagan, and the Democrats controlled the Senate. We voted unanimously to confirm President Reagan's Republican nominee to the Senate. The Democrats moved that nomination.

Senate Republicans are also failing to fulfill their constitutional responsibility to our district and circuit courts. In the 18 months that Senate Republicans have had a majority, they have allowed just 20 votes on judicial nominations—to disastrous results on our Federal courts as judicial vacancies have skyrocketed. Contrast this record to the last 2 years of George W. Bush's administration, when Democrats were in control. During that time, Democrats confirmed 68 of President Bush's judicial nominees and reduced the number of judicial vacancies to 34. Today, however, Senate Republicans' obstruction has caused judicial vacancies to nearly double from 43 to 83. Of these, 30 have been designated as judicial emergencies where caseloads are unmanageably high and the administration of justice is strained. When you look at the facts, Senate Republicans' claim that they have treated the Presi-

dent's judicial nominees fairly is not supported by the evidence. But more importantly, their persistent and unprecedented obstruction is harmful to the American people who are finding justice delayed in our Federal courts.

The nominee the Senate will finally vote on today, Robert Rossiter, is just one example of Republican obstruction. He was nominated over a year ago to fill a judicial emergency vacancy on the U.S. District Court for the District of Nebraska. Despite his nomination being voice voted out by the Judiciary Committee last October, Mr. Rossiter has been awaiting a floor vote for almost 250 days. Robert Rossiter has been in private practice in Nebraska for over 30 years. He has tried more than 70 cases to verdict. I will vote to support his nomination.

Even after today's vote, there will be 25 judicial nominations languishing on the Senate floor. Two of them were reported at the same time as Robert Rossiter and have also been awaiting a vote for 8 months. While there is an agreement to vote on the nomination of Judge Brian Martinotti to fill a vacancy in New Jersey, that vote will not happen until next month. And we do not have an agreement to vote on the nomination of Edward Stanton to the Western District of Tennessee. In 2010, the Senate voted unanimously to confirm Mr. Stanton as the U.S. attorney for that district, and his current nomination is supported by his two Republican home State Senators, as well as by every Republican on the Judiciary Committee. Only because of the efforts of Senator FISCHER is Mr. Rossiter's nomination receiving a vote today. I hope the Republican Senators of Tennessee will be able to persuade the majority leader to schedule a vote for Mr. Stanton's nomination before we leave for the July recess.

Instead of voting on these nominees and instead of holding a hearing on Chief Judge Garland's nomination, Senate Republicans are already talking about shutting down the confirmation process for judicial nominees next month. This is wrong. Hard-working Americans put in long hours to get their jobs done, and they deserve a Senate that does the same. But Senate Republicans have ignored their constitutional responsibilities and continued, as their party's standard bearer has said, to "delay, delay, delay."

It is the Senate's duty to ensure that an independent judiciary can function. But based on the deadlocks and delays we have seen, it is clear that, unlike when Democrats controlled this body and we made it possible for President Reagan to move his nominees, today's Senate Republicans will not act responsibly.

I would say these Senate Republicans should act on Chief Judge Garland's nomination, as well as the 25 judicial nominations that have been passed out by voice vote from the Judiciary Committee. They are languishing on the Senate floor day after day after day.

These are men and women who are prepared to do their job if we will give them a vote. They can't understand and the American public can't understand why the Senate Republican leadership won't let us do our job. After all, we are paid to do it.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COTTON. 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. COTTON. I ask unanimous consent that all time be yielded back.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

All time is yielded back.

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

Mr. COTTON. 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. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from West Virginia (Mrs. CAPITO), the Senator from Georgia (Mr. ISAKSON), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Illinois (Mr. KIRK), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from New Jersey (Mr. MENENDEZ), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The result was announced—yeas 90, nays 0, as follows:

[Rollcall Vote No. 111 Ex.]

YEAS—90

Alexander	Daines	Leahy
Ayotte	Donnelly	Lee
Baldwin	Durbin	Manchin
Barrasso	Enzi	Markey
Bennet	Ernst	McCain
Blumenthal	Feinstein	McCaskill
Booker	Fischer	McConnell
Boozman	Flake	Merkley
Brown	Franken	Mikulski
Burr	Gardner	Moran
Cantwell	Gillibrand	Murphy
Cardin	Graham	Murray
Carper	Grassley	Nelson
Casey	Hatch	Paul
Cassidy	Heinrich	Perdue
Coats	Heitkamp	Peters
Cochran	Heller	Portman
Collins	Hirono	Reed
Coons	Hoeven	Reid
Corker	Inhofe	Risch
Cornyn	Kaine	Roberts
Cotton	King	Rounds
Crapo	Klobuchar	Rubio
Cruz	Lankford	Sasse

Schatz	Stabenow	Udall
Schumer	Sullivan	Warner
Scott	Tester	Warren
Sessions	Thune	Whitehouse
Shaheen	Tillis	Wicker
Shelby	Toomey	Wyden

NOT VOTING—10

Blunt	Johnson	Sanders
Boxer	Kirk	Vitter
Capito	Menendez	
Isakson	Murkowski	

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. Under the previous order, the Senate will resume legislative session. The majority leader.

NATIONAL SEA GRANT COLLEGE PROGRAM AMENDMENTS ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask the Chair to lay before the body the message to accompany S. 2328.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 2328) entitled "An Act to reauthorize and amend the National Sea Grant College Program Act, and for other purposes," do pass with an amendment.

MOTION TO CONCUR

Mr. MCCONNELL. I move to concur in the House amendment to S. 2328.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to concur in the House amendment to S. 2328.

CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk on the motion to concur.

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to S. 2328, a bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

Mitch McConnell, John Cornyn, Thad Cochran, Marco Rubio, Lamar Alexander, John Hoeven, Jeff Flake, James M. Inhofe, Deb Fischer, Orrin G. Hatch, Johnny Isakson, Bob Corker, Lindsey Graham, John Boozman, Bill Cassidy, Mark Kirk, Daniel Coats.

MOTION TO CONCUR WITH AMENDMENT NO. 4865

Mr. MCCONNELL. I move to concur in the House amendment to S. 2328 with a further amendment.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows: The Senator from Kentucky [Mr. MCCONNELL] moves to concur in the House amendment to S. 2328 with an amendment numbered 4865.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end, add the following: This Act shall take effect 1 day after the date of enactment.

Mr. MCCONNELL. I ask for the yeas and nays on the motion to concur with the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4866 TO AMENDMENT NO. 4865

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 4866 to amendment No. 4865.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike "1 day" and insert "2 days".

MOTION TO REFER WITH AMENDMENT NO. 4867

Mr. MCCONNELL. I move to refer the House message on S. 2328 to the Committee on Energy and Natural Resources with instructions to report back forthwith with an amendment numbered 4867.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to refer the House message on S. 2328 to the Committee on Energy and Natural Resources with instructions to report back forthwith with an amendment numbered 4867.

The amendment is as follows:

At the end, add the following: This Act shall take effect 2 days after the date of enactment.

Mr. MCCONNELL. I ask for the yeas and nays on my motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4868

Mr. MCCONNELL. Mr. President, I have an amendment to the instructions.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 4868 to the instructions of the motion to refer S. 2328.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.