

Smith	Udall	Warren
Stabenow	Van Hollen	Whitehouse
Tester	Warner	Wyden

Rounds	Shelby
Rubio	Sullivan
Sasse	Thune
Scott	Tillis

Toomey
Wicker
Young

NOT VOTING—2

Duckworth	McCain
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The PRESIDING OFFICER. On this vote, the yeas are 56, the nays 42.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

Mr. MCCONNELL. Mr. President, I enter a motion to reconsider the vote.

The PRESIDING OFFICER. The motion is entered.

NAYS—48

Baldwin	Hassan
Bennet	Heinrich
Blumenthal	Heitkamp
Booker	Hirono
Brown	Jones
Cantwell	Kaine
Cardin	King
Carper	Klobuchar
Casey	Leahy
Coons	Manchin
Cortez Masto	Markey
Donnelly	McCaskill
Durbin	Menendez
Feinstein	Merkley
Gillibrand	Murphy
Harris	Murray

Nelson
Peters
Reed
Sanders
Schatz
Schumer
Shaheen
Smith
Stabenow
Tester
Udall
Van Hollen
Warner
Warren
Whitehouse
Wyden

NOT VOTING—2

Duckworth	McCain
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The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 48.

The motion is agreed to.

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 assistant 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, do hereby move to bring to a close debate on the nomination of JAMES BRIDENSTINE, of Oklahoma, to be Administrator of the National Aeronautics and Space Administration.

Mitch McConnell, John Hoeven, Johnny Isakson, James Lankford, Steve Daines, Mike Crapo, John Kennedy, John Barrasso, John Thune, Thom Tillis, Roger F. Wicker, James M. Inhofe, Richard Burr, Mike Rounds, Shelley Moore Capito, Tom Cotton, Cory Gardner.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of JAMES BRIDENSTINE, of Oklahoma, to be Administrator of the National Aeronautics and Space Administration, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH) is necessarily absent.

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

The yeas and nays resulted—yeas 50, nays 48, as follows:

[Rollcall Vote No. 78 Ex.]

YEAS—50

Alexander	Daines	Isakson
Barrasso	Enzi	Johnson
Blunt	Ernst	Kennedy
Boozman	Fischer	Lankford
Burr	Flake	Lee
Capito	Gardner	McConnell
Cassidy	Graham	Moran
Collins	Grassley	Murkowski
Corker	Hatch	Paul
Cornyn	Heller	Perdue
Cotton	Hoeven	Portman
Crapo	Hyde-Smith	Risch
Cruz	Inhofe	Roberts

Mr. Muniz graduated from the University of Virginia with high honors. He earned his law degree from Yale, where he was an editor of the Yale Law Journal. After law school, he served as a law clerk to two Federal judges, one on the U.S. Court of Appeals for the Second Circuit and the other for the U.S. District Court for the District of Columbia. In other words, he is exactly the kind of person that we hope would serve in public life.

I am delighted that he chose to accept the President's nomination and that we will have a chance this afternoon to confirm him.

As general counsel, he will have the important job of providing legal assistance to the Secretary concerning the programs and policies of the Department and making sure that these policies follow the law, which given his background, he has the experience to do.

He testified in his confirmation hearing that he is committed to advising the Secretary to follow the law as Congress wrote it.

I am glad we are having this vote today. I support his nomination. I urge my colleagues to do the same.

Mr. President, I thank the Senator from Texas for his courtesy in allowing me to speak before him.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the clerk will report the nomination.

The legislative clerk read the nomination of Carlos G. Muniz, of Florida, to be General Counsel, Department of Education.

The PRESIDING OFFICER. Under the previous order, there will now be 1 hour of debate on the nomination, equally divided between the Senator from New York or her designee and the Senator from Tennessee or his designee.

The majority whip.

REMEMBERING BARBARA BUSH

Mr. CORNYN. Mr. President, it is with sadness that I come to the Senate floor to speak about former First Lady Barbara Bush on her passing yesterday. Of course, she was the wife of our 41st President and the mother of our 43rd President.

My wife Sandy and I have wonderful memories of Mrs. Bush flying around the State of Texas with us during my campaign for attorney general. That the former First Lady of the United States was so willing to embark on this long day of campaigning speaks to her generosity and her devotion to causes she believed in. With her, we always felt like we were flying in first class.

Many kind things have already been said about the First Lady's sharp wit and her sense of humor, her efforts to improve child literacy, and her faith and loyalty to family and friends; and all of those are true. I will not try to top those statements. I will simply say what all of us are feeling today: sad

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of JAMES BRIDENSTINE, of Oklahoma, to be Administrator of the National Aeronautics and Space Administration.

The PRESIDING OFFICER. The Senator from Tennessee.

NOMINATION OF CARLOS MUNIZ

Mr. ALEXANDER. Mr. President, later this afternoon, the Senate will finally vote to confirm Carlos Muniz—a well-qualified nominee—to be general counsel at the U.S. Department of Education.

I came to the floor last week to ask for this vote because I believe Mr. Muniz has been subject to unreasonable delays. For example, Mr. Muniz was nominated by the President on June 6th of last year—316 days ago. He has been pending on the floor since we reported him out of the Health, Education, Labor, and Pensions Committee on October 18, 2017—182 days ago. In other words, he has been waiting for 6 months, following his approval by the relevant committee, for the Senate to consider this nomination. So it is time to confirm him. It is time to give Secretary DeVos an attorney and a general counsel.

Mr. Muniz has extensive experience as an attorney and in government. From January 2014 to February 2018, he was a partner at the law firm of McGuireWoods in Florida.

Prior to that, from January 2011 to 2014, he was Deputy Attorney General for the State of Florida and Chief of Staff to Attorney General Pam Bondi. There, he managed a 400-lawyer agency and oversaw all functions, including litigation, policy development, legislative affairs, and communications. He was also General Counsel for Florida's Department of Financial Services and Deputy General Counsel for Governor Jeb Bush.