

[Rollcall Vote No. 104 Ex.]
YEAS—75

Alexander	Graham	Murkowski
Ayotte	Hagan	Murphy
Baldwin	Harkin	Murray
Begich	Heinrich	Nelson
Blumenthal	Heitkamp	Portman
Blunt	Heller	Pryor
Booker	Hirono	Reed
Boxer	Hoeven	Reid
Brown	Isakson	Rockefeller
Burr	Johanns	Sanders
Cantwell	Johnson (SD)	Schatz
Cardin	Kaine	Schumer
Carper	King	Scott
Casey	Kirk	Shaheen
Coats	Klobuchar	Stabenow
Collins	Landrieu	Tester
Coons	Leahy	Thune
Corker	Levin	Udall (CO)
Crapo	Manchin	Udall (NM)
Donnelly	Markey	Walsh
Durbin	McCain	Warner
Feinstein	McCaskill	Warren
Flake	Menendez	Whitehouse
Franken	Merkley	Wicker
Gillibrand	Mikulski	Wyden

NAYS—21

Barrasso	Hatch	Risch
Boozman	Inhofe	Roberts
Chambliss	Johnson (WI)	Rubio
Cochran	Lee	Sessions
Enzi	McConnell	Shelby
Fischer	Moran	Toomey
Grassley	Paul	Vitter

NOT VOTING—4

Bennet	Cornyn
Coburn	Cruz

The nomination was confirmed.

NOMINATION OF TERRELL
MCSWEENEY TO BE A FEDERAL
TRADE COMMISSIONER

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

The bill clerk read the nomination of Terrell McSweeney, of the District of Columbia, to be a Federal Trade Commissioner for the unexpired term of seven years from September 26, 2010.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided in the usual form.

Mr. HARKIN. Mr. President, today the Senate is voting to confirm Terrell McSweeney's nomination to an open seat on the Federal Trade Commission. This vote is long overdue as the FTC has lacked a full complement of Commissioners for more than a year. The confirmation of Ms. McSweeney will bring the Commission to a full complement of Commissioners and ensure that the mission of consumer protection can be fully realized.

Ms. McSweeney is a highly qualified candidate. She has already served as Domestic Policy Advisor to Vice President JOE BIDEN. She has worked here in the Senate—first as a page while still in high school and later as then-Senator BIDEN's Deputy Chief of Staff and Policy Director, and she has been a lawyer in private practice. She is a graduate of Harvard University and Georgetown University Law School. I have had the privilege of knowing Terrell McSweeney for a number of years, and I have every confidence that

she will make an excellent FTC Commissioner.

The FTC undertakes critical work to ensure that Americans are protected from deceptive and misleading advertising and marketing and to ensure that American businesses do not engage in unfair and anticompetitive practices. I would like to commend the Senate for taking up her nomination and urge my colleagues to support Ms. McSweeney's confirmation as a Commissioner on the Federal Trade Commission.

Mr. REID. Mr. President, I yield back the time.

The PRESIDING OFFICER. Without objection, it is so ordered. All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Terrell McSweeney, of the District of Columbia, to be a Federal Trade Commissioner for the unexpired term of 7 years from September 26, 2010?

Mr. BARRASSO. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays are ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from Texas (Mr. CORNYN), and the Senator from Texas (Mr. CRUZ).

Further, if present and voting, the Senator from Oklahoma (Mr. COBURN) would have voted "yea" and the Senator from Texas (Mr. CORNYN) would have voted "yea".

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

The result was announced—yeas 95, nays 1, as follows:

[Rollcall Vote No. 105 Ex.]
YEAS—95

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

Walsh	Warren	Wicker
Warner	Whitehouse	Wyden

NAYS—1

Vitter

NOT VOTING—4

Bennet	Cornyn
Coburn	Cruz

The nomination was confirmed.

The PRESIDING OFFICER (Mr. BROWN). The majority leader is recognized.

Mr. REID. We have a number of votes scheduled. They are going to go by voice, I am told.

Mr. President, we are going to have a cloture vote an hour after we come in tomorrow morning, and there is no reason we cannot be finished tomorrow, but that doesn't mean we will be finished tomorrow.

We will have to cooperate and have to work out the time problems we have with the matters that will be pending after we complete the votes on these two measures now.

So we could finish tomorrow. It is up to all of us. Otherwise, we may have to spill over a little into late on Friday.

NOMINATION OF DEBRA L. MILLER
TO BE A MEMBER OF THE SUR-
FACE TRANSPORTATION BOARD

NOMINATION OF STEVEN JOEL AN-
THONY TO BE A MEMBER OF
THE RAILROAD RETIREMENT
BOARD

NOMINATION OF DANIEL W.
YOHANNES TO BE REPRESENTA-
TIVE OF THE UNITED STATES OF
AMERICA TO THE ORGANIZATION
FOR ECONOMIC COOPERATION
AND DEVELOPMENT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to consideration of the following nominations which the clerk will report.

The legislative clerk read the nominations of Debra L. Miller, of Kansas, to be a Member of the Surface Transportation Board; Steven Joel Anthony, of Virginia, to be a Member of the Railroad Retirement Board; Daniel W. Yohannes, of Colorado, to be Representative of the United States of America to the Organization for Economic Cooperation and Development.

The PRESIDING OFFICER. Under the previous order, 2 minutes will be equally divided for the Miller nomination.

Who yields time?

Ms. STABENOW. Mr. President, I yield back all time.

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

All time is yielded back.

VOTE ON MILLER NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Debra L. Miller, of Kansas, to be a Member of