

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. MCCAIN. I thank the Presiding Officer.

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. GRASSLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

NOMINATION OF THEODORE DAVID CHUANG TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MARYLAND—Continued

Mr. GRASSLEY. Madam President, I ask for the yeas and nays, and I yield back any remaining time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

Is there a sufficient second? There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Theodore David Chuang, of Maryland, to be United States District Judge for the District of Maryland?

The yeas and nays are ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) and the Senator from Montana (Mr. TESTER) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Kansas (Mr. MORAN), and the Senator from Florida (Mr. RUBIO).

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

The result was announced—yeas 53, nays 42, as follows:

[Rollcall Vote No. 127 Ex.]

YEAS—53

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

NAYS—42

| | | |
|-----------|---------|--------------|
| Alexander | Collins | Grassley |
| Ayotte | Corker | Hatch |
| Barrasso | Cornyn | Heller |
| Blunt | Crapo | Hoeven |
| Burr | Cruz | Inhofe |
| Chambliss | Enzi | Isakson |
| Coats | Fischer | Johanns |
| Coburn | Flake | Johnson (WI) |
| Cochran | Graham | Kirk |

| | | |
|-----------|----------|--------|
| Lee | Portman | Shelby |
| McCain | Risch | Thune |
| McConnell | Roberts | Toomey |
| Murkowski | Scott | Vitter |
| Paul | Sessions | Wicker |

NOT VOTING—5

| | | |
|---------|---------|--------|
| Boozman | Rubio | Tester |
| Moran | Sanders | |

The nomination was confirmed.

Mr. MCCAIN. Mr. President, earlier today, I voted against confirmation for Theodore David Chuang to be U.S. district judge for the District of Maryland because of his involvement in the State Department's response to Congressional inquiries into the attack on the U.S. Embassy in Benghazi, Libya. The State Department refused to comply with a subpoena from the House Oversight and Government Reform Committee without citing any valid privilege. I cannot support any nominee who played a part in stonewalling attempts by Congress to uncover the truth surrounding the events in Benghazi on September 11, 2012.

NOMINATION OF GEORGE JARROD HAZEL TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MARYLAND—Continued

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on the Hazel nomination.

Does anyone yield back their time?

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of George Jarrod Hazel, of Maryland, to be United States District Judge for the District of Maryland?

The clerk will call the roll.

Mr. DURBIN. I announce that the Senator from Michigan (Mr. LEVIN), the Senator from Michigan (Ms. STABENOW), and the Senator from Montana (Mr. TESTER) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Kansas (Mr. MORAN).

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

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 128 Ex.]

YEAS—95

| | | |
|------------|-----------|-----------|
| Alexander | Brown | Collins |
| Ayotte | Burr | Coons |
| Baldwin | Cantwell | Corker |
| Barrasso | Cardin | Cornyn |
| Begich | Carper | Crapo |
| Bennet | Casey | Cruz |
| Blumenthal | Chambliss | Donnelly |
| Blunt | Coats | Durbin |
| Booker | Coburn | Enzi |
| Boxer | Cochran | Feinstein |

| | | |
|--------------|-----------|-------------|
| Fischer | Klobuchar | Roberts |
| Flake | Landrieu | Rockefeller |
| Franken | Leahy | Rubio |
| Gillibrand | Lee | Sanders |
| Graham | Manchin | Schatz |
| Grassley | Markey | Schumer |
| Hagan | McCain | Scott |
| Harkin | McCaskill | Sessions |
| Hatch | McConnell | Shaheen |
| Heinrich | Menendez | Shelby |
| Heitkamp | Merkley | Thune |
| Heller | Mikulski | Toomey |
| Hirono | Murkowski | Udall (CO) |
| Hoeven | Murphy | Udall (NM) |
| Inhofe | Murray | Vitter |
| Isakson | Nelson | Walsh |
| Johanns | Paul | Warner |
| Johnson (SD) | Portman | Warren |
| Johnson (WI) | Pryor | Whitehouse |
| Kaine | Reed | Wicker |
| King | Reid | Wyden |
| Kirk | Risch | |

NOT VOTING—5

| | | |
|---------|----------|--------|
| Boozman | Moran | Tester |
| Levin | Stabenow | |

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, we are going to have one more recorded vote. The next vote will be on Monday at 5:30. We will have two votes at that time.

NOMINATION OF JANICE MARION SCHNEIDER TO BE AN ASSISTANT SECRETARY OF THE INTERIOR

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

The legislative clerk reported the nomination of Janice Marion Schneider, of New York, to be an Assistant Secretary of the Interior.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on the nomination.

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

Is there a sufficient second?

There is a sufficient second.

Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Janice Marion Schneider, of New York, to be an Assistant Secretary of the Interior?

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Michigan (Ms. STABENOW) and the Senator from Montana (Mr. TESTER) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Kansas (Mr. MORAN).

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

The result was announced—yeas 64, nays 32, as follows:

[Rollcall Vote No. 129 Ex.]

YEAS—64

| | | |
|-----------|------------|----------|
| Alexander | Bennet | Brown |
| Ayotte | Blumenthal | Cantwell |
| Baldwin | Booker | Cardin |
| Begich | Boxer | Carper |

| | | |
|------------|--------------|-------------|
| Casey | Hirono | Pryor |
| Coats | Johnson (SD) | Reed |
| Collins | Kaine | Reid |
| Coons | King | Risch |
| Corker | Klobuchar | Rockefeller |
| Crapo | Landrieu | Sanders |
| Donnelly | Leahy | Schatz |
| Durbin | Levin | Schumer |
| Feinstein | Manchin | Shaheen |
| Flake | Markey | Udall (CO) |
| Franken | McCaskill | Udall (NM) |
| Gillibrand | Menendez | Walsh |
| Hagan | Merkley | Warner |
| Harkin | Mikulski | Warren |
| Hatch | Murkowski | Whitehouse |
| Heinrich | Murphy | Wyden |
| Heitkamp | Murray | |
| Heller | Nelson | |

LEGISLATIVE SESSION

ENERGY SAVINGS AND INDUSTRIAL COMPETITIVENESS ACT OF 2014—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to engage in a colloquy with the Senator from South Carolina as in morning business.

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

BENGHAZI

Mr. MCCAIN. Mr. President, 19 months ago a terrible thing happened in Benghazi, Libya. Four brave Americans were murdered, and the issue has not only not been resolved but as each of the last 19 months has ensued, the issue of how and under what circumstances this heinous crime was committed continues. The Senator from South Carolina and I, the Senator from New Hampshire, and some others, have vowed we will never give up on this issue until the truth is known and the people who perpetrated it are brought to justice.

We have seen another page turn in this chapter of coverup and obfuscation by this administration by the belated—19 months later—release of the following emails. The first one we will not pay much attention to. This is from Benjamin Rhodes, who is supposed to be the public affairs officer for the National Security Council. In fact, he is obviously the propaganda organ. The goals, as he states them, are to underscore these protests are rooted in an Internet video and not a broader failure of policy.

I tell my colleagues that was not a fact. That was not a fact. There was no evidence these protests were rooted in an Internet video. In fact, the station chief before these talking points were made up sent a message that this is not—not—a spontaneous demonstration.

To show that we will be resolute in bringing people who bring harm to Americans to justice, and standing steadfast through these protests; to reinforce the President's strength and steadiness—that is all about the Presidential campaign. It is not about trying to find out who perpetrated this heinous crime. It is not about trying to respond to the people who committed these acts.

In fact, because of the coverup and the obfuscation and now 19-month delay, not a single person who was responsible for the murder of these four brave Americans has been brought to justice, as the President promised they would be.

Yesterday Mr. Carney said the release of this information had nothing to do with the attack on Benghazi. My friends, I have heard a lot of strange things in my time, but that has to be

the most bizarre statement I have ever heard. This is all about a Presidential campaign. This is all about an effort to convince the American people the President of the United States had everything under control.

The next day, on the Sunday talk shows, Susan Rice said Al Qaeda had been decimated. False; that the embassy was safe and stable and secure. False. And of course the whole issue of blaming an Internet video lasted on and on for a couple of weeks when it was clear the evidence did not indicate that.

I yield to my friend from South Carolina on this issue, and then I will return.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. I thank my colleague.

To remind the body of what we are talking about, this email was released as a result of a lawsuit, and not voluntarily by the White House. In August of last year, the House of Representatives and the committees of jurisdiction subpoenaed all documents related to Benghazi and basically were stiff-armed.

Senators MCCAIN, AYOTTE, and I have written enough letters to destroy a small forest to the White House with virtually nothing to show for it. A private organization called Judicial Watch sued under the Freedom of Information Act, and an independent judiciary—thank God for that—ordered this White House to disclose this email just days ago. Knowing the email was going to come out, the White House provided it to the Congress a few days ago.

What does that tell us? That tells us they did not want anyone to know about this email. They talk about 25,000 documents they have provided. It doesn't matter the number of documents they provided to the Congress. They could have provided us with the Benghazi phone book. It is the relevance of the documents and the significance of the documents. The reason they did not want anyone—me and anyone else—to know about this email is because it is the smoking gun that shows that people at the White House level—these are people who work at the White House for the administration—were very intent on shaping the story about Benghazi away from what they knew to be the truth.

Here is the problem for the White House. This was 7 weeks before an election. President Obama had said repeatedly: Bin Laden is dead, Al Qaeda is on the run, the war is receding, my foreign policy is working. Many of us were critical of President Obama's foreign policy, particularly in Libya, because after Qadhafi fell, we really did nothing to secure the country.

Senator MCCAIN, myself, and a couple of other Senators—RUBIO—went in 2011 to Libya. We said in an op-ed piece if we don't get rid of these militias, Libya is going to become a safe haven for terrorists.

NAYS—32

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| Barrasso | Grassley | Portman |
| Blunt | Hoeven | Roberts |
| Burr | Inhofe | Rubio |
| Chambliss | Isakson | Scott |
| Coburn | Johanns | Sessions |
| Cochran | Johnson (WI) | Shelby |
| Cornyn | Kirk | Thune |
| Cruz | Lee | Toomey |
| Enzi | McCain | Vitter |
| Fischer | McConnell | Wicker |
| Graham | Paul | |

NOT VOTING—4

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|---------|----------|
| Boozman | Stabenow |
| Moran | Tester |

The nomination was confirmed.

NOMINATION OF SUZAN G. LEVINE TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SWISS CONFEDERATION AND THE PRINCIPALITY OF LIECHTENSTEIN

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

The legislative clerk read the nomination of Suzan G. LeVine, of Washington, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Swiss Confederation, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Principality of Liechtenstein.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate prior to the vote on the LeVine nomination.

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Suzan G. LeVine, of Washington, to be Ambassador of the United States of America to the Swiss Confederation, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Principality of Liechtenstein?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table and the President will be immediately notified of the Senate's action.