

privacy rights and civil liberties as well as an essential part of our national security strategy. When we worked to create this Board in the wake of the Nation's response to the terrorist attacks on September 11, 2001, we did so to ensure that our fundamental rights and liberties would be preserved as government takes steps to better secure our Nation. In the digital age, we must do more to protect our Nation from cyber attacks. But we must do so in a way that protects privacy and respects our fundamental freedoms.

Protecting national security and protecting Americans' fundamental rights are not in conflict. We can—and must—do both. The Privacy and Civil Liberties Oversight Board should help ensure that we do now that the Senate has finally been allowed to act on the nomination of Chairman Medine.

With that, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. UDALL of New Mexico. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of David Medine, of Maryland, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board?

Mr. GRASSLEY. 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. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from West Virginia (Mr. MANCHIN) are necessarily absent.

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

The result was announced—yeas 53, nays 45, as follows:

[Rollcall Vote No. 114 Ex.]

YEAS—53

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

NAYS—45		
Alexander	Enzi	McConnell
Ayotte	Fischer	Moran
Barrasso	Flake	Murkowski
Blunt	Graham	Paul
Boozman	Grassley	Portman
Burr	Hatch	Risch
Chambliss	Heller	Roberts
Coats	Hoeven	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker

NOT VOTING—2

Lautenberg	Manchin
------------	---------

The nomination was confirmed.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The Senator from Washington.

UNANIMOUS CONSENT REQUEST— H. CON. RES. 25

Mrs. MURRAY. Madam President, I just wish to talk for a moment. I have heard a lot from my constituents that they are very tired of the dysfunction in Washington, DC. They are tired of political gridlock that impacts their businesses, their children's schools, and their paychecks. After spending last week with families and businesses that are impacted by sequestration in my home State of Washington, I know this is especially true right now.

When I became chair of the Senate Budget Committee, I said I hoped Democrats and Republicans would be able to work together to end the cycle of governing from crisis to crisis and the attempts to negotiate budget policy through brinkmanship, which we have seen far too much of in recent years.

I believe this goal is just as important today—and is, in fact, more attainable—but we need Republicans to meet us at the table and proceed to conference under regular order.

We are at a unique moment in our debate about the country's fiscal and economic challenges. Following the 2 years that the bipartisan Budget Control Act took the place of a congressional budget, the Senate returned to regular order this year and we passed a budget resolution. The House has also passed their budget, and the President weighed in with a proposal for his path going forward.

We now have an opportunity to move through regular order to try to get a bipartisan budget agreement, and we should seize it.

Democrats and Republicans have different perspectives on a wide variety of issues. But just a few months ago, it seemed that Democrats and Repub-

licans did agree on at least one thing: the budget debate should proceed through regular order.

Democrats chose to move forward with a budget resolution through committee and said that an open process through regular order was the best way to reach a bipartisan agreement. And Republicans agreed. They said once the Senate and the House passed budgets “the work of conferring must begin.” They said a conference was—and I quote—the “best vehicle” for the budget debate “because we’re doing it in plain sight.” They said we needed the open public debate that regular order requires.

In fact, Senator McCONNELL said Senate Democrats should “return to regular order and transparency in the legislative process.” The Obama administration has also said regular order is the way to proceed. But Senate Republicans have now blocked our efforts to move to conference, not once but twice.

Some Republicans said they want to negotiate a “framework” behind closed doors before going to conference. But that is what a budget is; it is a framework that lays out our values and our priorities and helps us plan for the country’s future. I think that framework is exactly what we ought to be debating in a formal and public conference, and there is no reason to wait.

Now, I know this is not going to be easy. There are vast differences between the Senate and House budgets and the visions we each present. But I believe we will be most effective at resolving these differences if we have time for open debate and discussion and opportunities to identify common ground.

Waiting until the last minute is not a good option. The uncertainty that is caused in the lead-up to every manufactured crisis over the past 2 years has hurt our businesses, it has hurt our economy, and it is threatening our fragile economic recovery. It keeps us from planning and investing in our future, and it makes Americans question whether their government is capable of solving any problems that confront us.

I know—and we all know—there are extreme elements in our political system that think “compromise” is a dirty word. I know some Republicans think they do not have the political space to make a bipartisan deal until the very last minute of a crisis. But I believe many of our colleagues on both sides of the aisle want to return to regular order and move us away from the constant crises.

I am hoping the voices of reason win because American families and our businesses expect us to do better than running down the clock.

So I urge my Republican colleagues to join us now in proceeding to conference through regular order, as they have said we should. That is the best way to reach a deal that is the best and most responsible path for our country to move forward on.

So, Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 33, H. Con. Res. 25; that the amendment which is at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res. 25, as amended, be agreed to; the motion to reconsider be considered made and laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate, all with no intervening action or debate.

Ms. LANDRIEU. Madam President, would the Senator yield for a question? Is a question in order?

Mrs. MURRAY. There is a UC before the Senate. If no one objects, I would be happy to answer a question.

Ms. LANDRIEU. Reserving the right to object—which I am not going to do, but I just want to clarify the Senator's motion—the Senator is simply asking us to move the budget which she passed after a heroic effort on the part of many to pass a budget so we could move to regular order. The Senator's consent is only asking us to move with all due speed to a conference to resolve the differences between the House budget and the Senate budget. Is that the Senator's understanding?

Mrs. MURRAY. The Senator from Louisiana is correct. The UC I am requesting simply takes us to conference so the House and the Senate Members can agree—Republicans and Democrats alike—to work toward a bipartisan solution.

Ms. LANDRIEU. One more question: Are not there Republicans represented on that committee? In fact, would the Republicans have the majority representation from the House?

Mrs. MURRAY. The Senator is correct.

Mr. MCCONNELL. Parliamentary inquiry: Are we making a speech?

Ms. LANDRIEU. No. I am asking a question.

Mr. MCCONNELL. Or are we considering objecting to a consent request?

The PRESIDING OFFICER. Is there objection to the request?

Mr. MCCONNELL. Reserving the right to object, I would ask consent that the Senator modify her request so that it not be in order for the Senate to consider a conference report that includes tax increases or reconciliation instructions to increase taxes or raise the debt ceiling.

The PRESIDING OFFICER. Is there objection?

Mrs. MURRAY. Madam President, reserving the right to object, and I will in a moment, we considered over 100 amendments on the Senate floor. All of those kinds of amendments were brought up, debated, and considered as part of the resolution, as we do on any debate. So there is no need to go back and redo all of our amendments again. So I object and ask simply again our

UC to move forward to conference so we can discuss all of these issues in regular order.

The ACTING PRESIDENT pro tempore. Objection is noted.

Is there objection to the original request?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Louisiana.

Ms. LANDRIEU. Madam President, can I be heard for 3 minutes on this subject?

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

Ms. LANDRIEU. Madam President, this is very disturbing that the minority leader has objected to taking the budget to conference because the only way to get a compromise on the budget is to take it to conference, as the chair of the Budget Committee has asked us to do, to work out the differences between the Republican version of the budget and the Democratic version of the budget.

Right now, President Obama has some ideas about what his budget would look like. The Democrats and Republicans passed a budget here. The Republicans have passed a budget on the House side. The only way to work that out is following the leadership of the chairman of the Budget Committee, who is a senior Member now of this body, who understands regular order, understands the art of compromise, understands that there is a Democratic-controlled Senate, a Republican-controlled House, and a Democratic President—all who have legitimate but varying views about how the budget should be worked out may I say, a very important subject for the people of the United States because we are running deficits as far as the eye can see. While we have made some progress in cutting substantially—and we have raised some revenues—it is important to get our budget better in balance so we can grow this economy, keep this recovery going, stop throwing cold water on the recovery that is underway, and help Americans get jobs and create business.

I am flabbergasted to hear that the minority leader has just said no to that plan—said no, we are not going to conference. We object unless you do X, Y, and Z.

It is always an objection, a “but.” Democrats could come to this floor and say the same thing: I do not want to go to conference unless we decide we cannot, under any circumstance, even talk about Medicaid or Social Security or cutting education or health care; we will not go to conference unless we put that on the table.

We will never get to conference if both sides dig in before the discussions can even begin. That is where we are. I can understand the majority leader's frustration, and I most certainly appreciate the leadership of the Budget Committee chair. I am just so sorry to see that the chairman of the Budget

Committee cannot even get the budget to conference to begin the debate on compromise because of this nonregular order status, because of the Republican minority, led by the Senator from Texas, of course, but reiterated by the Senator from Kentucky.

Mrs. MURRAY. Madam President, I thank the Senator from Louisiana. I just have to say I am frustrated and shocked at the reaction of our Republican counterparts who have repeatedly—repeatedly—said to the Senate: You need to pass a budget. We did so under regular order. Everyone will remember the night we spent here until 5 a.m. going through hundreds of amendments—the ones the minority leader just objected to that he wanted guarantees on before we went to conference. We voted on all those amendments. That is what this process is all about.

How can I, as Budget chairman, now do what the country is asking us to do, which is to compromise, move forward, and solve our problems rather than managing by crisis? If we cannot go to conference, how are we going to get a budget agreement moving forward? Everyone in this country knows this debate. It has gone on for several years. It went through the supercommittee. It went through an election where people's voices were heard. Now, after just berating us for not having a budget, the Senate Republicans are saying: Well, that did not matter. We do not care if you have a budget. We are just going to sit here.

That kind of chaos is exactly what this country does not need when it comes to our fragile economy today and people are trying to get back on their feet. I am ready to go to work. I am ready to sit down with the Republican leadership from the Budget Committee in the House and their conferees, to put our ideas on the table, and to make some tough choices. But I cannot do it until the Senate Republicans quit objecting to us moving to conference to get that done.

So this is the third time we have asked, the third time we have been turned down. We are going to keep trying to get this done. I am committed to solving one of the biggest problems facing our country—give us certainty, get us back on track—but I cannot do it when the Republicans are objecting to allowing us to go to conference. So I am very disappointed.

I yield the floor.

RECESS

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

Thereupon, the Senate, at 12:42 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).