

The State of Washington, if my memory is correct, has the highest minimum wage in the country. Their unemployment rate is lower than the national average.

There is another point I would like to make that needs to be made over and over. We talk a lot in this country about welfare reform. I think that in general, when people use that expression, what they are talking about is lower income people who may be breaking the law and taking advantage of programs for which they are not quite eligible.

Let me say a word about the need for welfare reform but in a somewhat different tone, and let me say that the biggest welfare recipient in this country happens to be the wealthiest family in the United States of America; that is, the Walton family, who owns Walmart, a family that is worth \$100 billion—more wealth, by the way, than the bottom 40 percent of the American people. The wealthiest family in America is the largest welfare recipient in America. How is that? Well, the reason they are so wealthy, the reason that family is worth \$100 billion is they make huge profits because they pay their workers starvation wages. But in order to keep their workers going, the taxpayers of this country—through Medicaid, through nutrition programs, through affordable housing—give assistance to Walmart so that their workers can keep coming to work. So somebody who works at Walmart for \$7.25 or \$8 an hour, more often than not their children are on Medicaid paid for by the taxpayers of this country. They and their kids are on food stamps paid for by the taxpayers of this country. Many of their employees live in affordable housing subsidized by the taxpayers of this country.

So the Walton family becomes the wealthiest family in this country while working-class and middle-class taxpayers provide assistance to their workers so they can continue going to work. Let me make the very radical suggestion that maybe the wealthiest family in America might want to pay their employees a living wage so that the taxpayers of this country do not have to subsidize them.

I would conclude by telling those young people in major cities around this country that many of us respect and appreciate the courage they are showing. It is not easy to walk out of a job when you don't have any money, because your employer may say: You are out of here; you are fired. But these young people have the courage to stand and say: No. We are human beings. We live in the greatest country on Earth. We have to earn a living wage. We can't make it on starvation wages.

So I thank those young people for standing for justice not only for themselves but for all Americans, and I hope that Members of Congress listen carefully to what they are saying and that we go forward as soon as possible in passing a minimum wage that will provide dignity for millions of workers.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

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

The assistant bill clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, we know what is ahead of us the next hour or so. I ask unanimous consent that we change that.

In between the vote on Chen, the judge, and the next vote, I ask that there be 10 minutes, and 2 minutes of that would be 1 minute on each side, and 8 minutes would be given to the co-manager of that bill, SUSAN COLLINS. That would be for debate only.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### THUD APPROPRIATIONS

Mrs. MURRAY. Mr. President, we have spent the last 2 weeks here on the Senate floor talking about our bipartisan transportation and housing bill. This is a bill that is all about creating jobs, investing in our families and in our communities, and laying down a strong foundation for a long-term and broad-based economic growth. This bill is not exactly a bill I would have written on my own. I know it is not exactly a bill Senator COLLINS would have written on her own. But it is a compromise bill that reflects the deep cuts we made when we set spending levels in the Budget Control Act as well as the best ideas from both sides of the aisle of ways we can improve and reform our transportation and housing investment.

The transportation and housing investments in this bill have a direct impact on the families and communities we represent, from improving our roads, to reducing traffic and helping Main Street businesses, to making sure our bridges are safe so we do not see more collapses like the one back home in my State of Washington, to supporting our most vulnerable families, seniors, and veterans with a roof over their heads when they need it the most and making investments in our communities that mayors across our country use to create local jobs in their hometowns and so much more.

Senator COLLINS and I worked very hard together to write a bipartisan bill to invest in programs that should not be partisan. I think we succeeded. Six Republicans voted for this bill in committee; 73 Senators voted to bring this bill to the floor for a debate. That debate was a full and open one, with amendments and votes from Democrats and Republicans.

I wish to personally thank Senator COLLINS for her hard work on this bill, and I also thank all of our staff on the appropriations subcommittee: Alex Keenan, Dabney Hegg, Meaghan McCarthy, Rachel Milberg, and Dan Broder; as well as the staff of Senator COLLINS, who spent endless hours: Heideh Shahmoradi, Kenneth Altman,

Jason Woolwine, and Rajat Mathur—all of whom worked so hard and put in so many hours and late nights on this strong bipartisan bill.

After 2 weeks of debate and discussion and a bipartisan bill before us, we are now going to move very shortly to a final vote. I want to be clear. This bill has the support of the majority of the caucus. In the House of Representatives, what did we see happen yesterday? They pulled their transportation and housing bill off the floor. The Republican leadership would not even allow a vote on their bill because they did not have a majority in their caucus. The chairman of the House Appropriations Committee said that showed that sequestration is unworkable and needs to be replaced. That is the House Republican chairman. But here in the Senate we have a majority, and we should move to pass this bill.

The only thing that can block the passage of this bill, the only way a bipartisan bill with the support of the majority could be stopped is if Republican leaders whip their own Members into filibustering a jobs and infrastructure bill that many of those Republicans actually support. That is the only way.

The choice before us is clear, and I urge my colleagues to make the right one. This vote is not about whether you support this exact bill or agree with the exact spending level. As Senator COLLINS has made clear again and again, you can think the spending level is too high and still support this process in which we pass a bill in the Senate and work with the House bill on a compromise. You can certainly disagree with the bill and not think it should be subjected to a filibuster.

The bottom line is that a vote to wrap up and vote on this bill is a vote for jobs and the economy and for bipartisan solutions to the problems facing our Nation. A vote to filibuster this bill is a vote for more gridlock, more obstruction, more partisanship, and more political games.

I know when I go home to Washington State I want to be able to tell my constituents that Democrats and Republicans worked together to solve some problems, help them, and grow the economy. I know there are many Democrats and Republicans here today who want to be able to say the same to their constituents, and I hope they will stand with me and Senator COLLINS and vote against a filibuster of our bipartisan bill.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

#### UNANIMOUS CONSENT REQUEST—S. 101

Mr. VITTER. Mr. President, I stand today to discuss and strongly support my bill, S. 101, the State and Local Government Bailout Prevention Act. I urge all of us to unite to pass this bill

expeditiously. Let me briefly explain what it is about.

I first introduced this bill in early 2011, February 2011, because two things were happening. First of all, several significant State and local entities were teetering on the verge of bankruptcy. At the same time, the Federal Government—things in Washington—was in a horrible state fiscally, such that we could clearly not afford to take on more spending, more debt, more responsibility. I wanted to pass legislation that would make it crystal clear that neither we, the Congress, nor the Treasury Department, nor the Federal Reserve, nor any other Federal entity was going to bail out State or local governments that had acted irresponsibly and tipped into bankruptcy.

Things have not gotten better since then. In fact, in many ways things have gotten worse, and very recently, just in the last few weeks, the city of Detroit filed for bankruptcy—the largest municipal bankruptcy in U.S. history. Other large States and local communities are teetering on the verge of bankruptcy. Many States are in a horrible fiscal situation, such as California and Illinois.

Meanwhile, we are not in a fundamentally more sound place here in Washington at the Federal level. Even if we stick to the Budget Control Act numbers—and that is very much up in the air, but even if we stick to those numbers, Congress will spend \$967 billion in discretionary money this year, and that will result in a \$810 billion deficit—almost a \$1 trillion deficit this year.

This Nation, total, is almost \$17 trillion in debt. The balance sheet of the Federal Reserve has swollen from \$800 billion in August of 2007 to over \$3.5 trillion today.

Now more than ever, S. 101, the State and Local Government Bailout Prevention Act, is appropriate, is needed. That is why I come to the floor today to urge expeditious passage of S. 101. This bill is very simple, basic, straightforward, but important. It would simply do four things: First, it would prohibit the use of Federal funds to bail out State and local government budgets. Second, it would prevent the Federal Reserve from providing assistance to or creating a facility to help, again, State and local governments in a bailout situation. Third, it would prevent Congress and the Treasury Department from bailing out State and local governments. Fourth, there is specific language so we do not create any confusion that this is not intended to stop or deter or interfere with appropriate assistance in declared disaster areas.

That is the sum and substance of S. 101, the State and Local Government Bailout Prevention Act. When you look at situations such as Detroit—the largest ever municipal bankruptcy—and when you look at our fiscal situation in Washington at the Federal level, this clear bar of the Fed bailing out State and local governments is very much needed.

I ask unanimous consent that the Committee on Banking, Housing, and

Urban Development be discharged from further consideration of S. 101 and the Senate proceed to its immediate consideration and that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. WYDEN. Mr. President, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. WYDEN. Mr. President, I will be very clear. First, I say to my colleague from Louisiana, he and I have worked together often on a whole host of issues. He is on Environment and Public Works; I chair Energy. I want him to know I am happy to continue working with him on this and other issues. The reason I have to object at this time is that the language as it is written would deal a huge body blow to more than 700 rural and heavily forested counties across the country in more than 40 of our States. It, in effect, could prohibit payments under the Secure Rural Schools and Community Self-Determination Act.

This legislation, which was a bipartisan bill—Senator Larry Craig and I authored this legislation—is a lifeline for these hard-hit rural communities that are walking on a tightrope. They are trying to balance, for example, how they are going to keep the schools open and how they are going to have law enforcement in their communities. Declining revenues from Federal forests spurred the creation of this program to compensate for the loss of receipts from the Federal forests. Suffice it to say that without this legislation we could have school perhaps 3 days a week in a big chunk of rural America. I mentioned law enforcement. The question of how you maintain 24-hour law enforcement in a lot of these areas has been drawn into question. I think that without this assistance we might have some counties facing bankruptcy.

Given the fact that this language does not clarify the status of the Secure Rural Schools Program, I have to object. I am going to continue to object until the legislation does clarify that it will not prohibit payments under that legislation, which is a lifeline for rural America.

We have had a number of recorded votes on that particular legislation here in the Senate. It has received overwhelming bipartisan support. It was authorized on a bipartisan basis.

I am going to yield the floor. I know colleagues want to speak on this issue. I want it understood how concerned I am about the legislation in its present form. That is why I have to object at this time.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Ms. STABENOW. Mr. President, I too join with our colleague from Oregon in raising great concern about what this proposal would do. This is a proposal—we have seen, actually, three of them now—that would cut all Federal funding for any community that has either

defaulted or, more important, is at risk, has problems financially. What does that mean? It means that any city, any county, any local unit of government that is struggling with a tight budget could potentially lose all Federal funding. We are not talking about a bailout here. We are talking about the same Federal funds that go to every community—no funding for emergency services such as police departments and fire departments; no funding for transportation, for roads and bridges; cutting off funding for special education and for our schools; no funding for economic development to help these communities that are challenged because of, possibly, economic circumstances such as a shifting manufacturing base or other economic issues beyond their control.

This is extremely broad. According to some legal definitions, “default” could mean anything—late payments on any kind of an obligation. It makes absolutely no sense.

Let me also indicate that one of the real concerning problems here is that it would exempt emergency spending for a natural disaster. I appreciate that the Senator from Louisiana would want to do that given the fact that we had Hurricane Katrina hit in New Orleans and our whole country came together. People in Detroit raised money to help with Hurricane Katrina. But I suggest that for the 41 cities and counties that filed bankruptcy over the last 20 years or the hundreds from Texas, to Kentucky, to Alabama, and beyond who now have troubled bond ratings and are considered at risk—this is really a slap in the face to every city and community across our country.

This is not about stopping a bailout for Detroit. We are working hard. People are coming together. This is a community that is coming back thanks to a tremendous amount of grit, hard work, and leadership from the business community, religious community, community leaders, and so on. This is about whether we are going to support communities that need some help.

Think about this: If a city is doing well and has a wealthy tax base and an upper middle-income community with high-powered lobbyists, then they should get Federal money—taxpayer money? Children with disabilities can get special education. We are going to help build roads and bridges in communities. But if a community is having some financial difficulty, then, unfortunately, we would say we would not allow the same ordinary Federal funding every community gets to be available for that community. That is not the right values for America.

That is why the International City/County Management Association, the National Association of Counties, the National League of Cities, the U.S. Conference of Mayors, the Government

Finance Officers Association strongly oppose this effort.

I have one final statement to make before turning to our distinguished senior Senator from Michigan.

When we are looking at what is happening right now in Detroit and around the country, once again we are seeing workers and retirees on the frontline who have lost their pensions and their wages. In the auto rescue, we saw Delphi retiree pensions were not protected. Now in the city of Detroit, police, fire, and city workers are not protected. So when we talk about the middle class of this country—people working hard every day—we need to put them first. We need to make sure nobody loses their pension. We need to make sure we stand as a country with cities that are in distress and working hard to become vibrant and strong again.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Mr. LEVIN. Mr. President, I too object to the unanimous consent request. While the sponsor says it is aimed at bailouts, no one I know of is seeking a bailout from the communities that would be impacted. Despite the stated intention, the effect of this bill is to endanger the financial health of hundreds of cities and counties in every corner of this country. It would weaken the safety and security of countless Americans who call those communities home. I don't know of anyone seeking a bailout. Yet bailout is the word that is used frequently here by the sponsor of this legislation.

What is the definition? Communities at risk of defaulting. Hundreds and hundreds of communities are "at risk of defaulting." It is unclear what that means. But the strains on local governments in the last few years—particularly following the financial crisis we had—are real. To say that any community, city, or State, for that matter, that is at risk of defaulting is to be challenged in terms of getting regular support from the Federal Government.

This is not limited to loans. This bill affects grants as well as loans. In the words of the bill, "grants and aid" would be prevented. All sorts of Federal funding, in other words, besides those kind of actions of the Federal Government involving credit or reliance on credit of the donor or for repayment.

The Congressional Research Service says this, again, applies not just to loans but to grants as well. Why in Heaven's name would struggling communities—whether it is my hometown of Detroit or any other community in this country—be denied the ability to seek grants is beyond me. It is not limited to loans but grants as well. This bill goes way beyond the bailouts that no one is seeking and would have a severe impact on cities and towns across the country.

Standard & Poor's lists more than 250 securities offered by Louisiana municipalities that are below investment grade. One State has 250 communities

with securities below investment grade, which presumably means there is a significant credit risk in those communities. Under this bill, are those communities not eligible to seek regular grants? I am afraid so, and that is not just me saying that. Again, that is from the CRS.

Finally, Senator STABENOW has made reference to a letter that we received from the National League of Cities, National Association of Counties, the United States Conference of Mayors, and others, opposing this legislation because it goes way beyond its stated purpose of preventing bailouts.

Again, my town—and I don't know of any town that has—has not asked for a bailout. I am proud to have been living in Detroit all of my life. It doesn't need this kind of legislation poking at it to stop something from going to Detroit, which it has not applied for.

I know this legislation was introduced before this recent bankruptcy application on the part of the city of Detroit, but nonetheless to seek a unanimous consent in this context and in this moment to pass legislation—apparently without even a hearing—seems to me to be beyond the pale.

As a lifelong resident of Detroit, I oppose this proposal. I oppose it because thousands of municipalities that have suffered in the aftermath of the recent recession would be negatively affected. Our residents, their residents, our employees, their employees, and retirees around the country deserve better.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. VITTER. Mr. President, I appreciate the two Senators from Michigan being the only ones on the floor right now objecting and saying this has nothing to do with Detroit, but, of course, it does.

I am very sorry to hear this objection. There is no objection on the Republican side. Of course there would be an objection if, in fact, this legislation would bar normal Federal grants and normal Federal loans unrelated to a bailout of a State or a municipality in bankruptcy mode, but it doesn't do that.

The legislation is very specific and very targeted. It is about a bailout of a State or locality in bankruptcy mode, and that is what it is about. It is not about normal routine Federal funding, and that is why there is no Republican objection.

One of the distinguished Senators from Michigan makes the point that Detroit has not formally asked for a bailout. That is true so far. But when the mayor talked to the Wall Street Journal about this, he "left the door open for a Federal bailout after the city's bankruptcy filing." When asked directly whether Detroit would seek a Federal bailout, Mayor Bing said, "Not yet."

Similarly, the Governor of Michigan Rick Snyder didn't support a bailout but said on CBS's "Face the Nation:" "If the Federal Government wants to do that, that's their option." That is

not exactly not opening the door and considering that opportunity.

Again, I didn't file this bill in the last 2 weeks. I originally filed this bill in February of 2011. Unfortunately, Detroit isn't the only municipal or State bankruptcy on the maps. States can't formally file bankruptcy, but in laymen's terms they can essentially go bankrupt. Detroit is not the only issue on the map. Many States face a horrible fiscal situation as well, such as California and Illinois. There is a real danger of these States and localities seeking a Federal bailout. This bill is about that. It is not about normal Federal funding. It is not about the safe and secure rural schools program. It is not about any of that routine stuff. It is about a bailout of a State. It is about a bailout of the municipality or other local jurisdiction. Of course, Detroit, unfortunately, is the most obvious example after its historic bankruptcy filing very recently.

Again, I am sorry to hear their objection. I am sorry the two Senators from Michigan are here on the floor about this. I don't think that is a coincidence because this is a bill about bailouts. I think we should pass it, and be very crystal clear at the Federal level that we are not going to take on that bailout role and responsibility.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Mr. LEVIN. On line 7, page 1: "Notwithstanding any other provision of law"—and then after talking about Federal funds not being used to purchase or guarantee obligations, it then says:

no Federal funds may be used . . . or provide direct or indirect grants-and-aid, to any State government, municipal government, local government, or county government which, on or after January 26, 2011, has defaulted on its obligations.

It is very clear. It is line 7, page 1, and lines 1 and 2 on page 2: "direct or indirect grants-and-aid to" may not be provided to any city which has defaulted on its obligations. This is the language of the bill.

It also says on line 12 of page 2 that the funds of the United States may not be used "to assist such government entity." "Assist any such government entity."

Hundreds of governments would be covered by this legislation. It is no coincidence that the Senators from Michigan are here on the floor because we are the most current victims of this language if it were ever passed. There are hundreds of others who would be victimized by this language because of its breadth, and that is what the Senator from Oregon was very dramatically pointing out.

Mr. President, I ask unanimous consent that the language from the bill be printed in the RECORD at this time.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 101

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. PROHIBITION ON THE USE OF FEDERAL FUNDS TO PAY STATE AND LOCAL OBLIGATIONS.**

(a) IN GENERAL.—Notwithstanding any other provision of law, no Federal funds may be used to purchase or guarantee obligations of, issue lines of credit to, or provide direct or indirect grants-and-aid to, any State government, municipal government, local government, or county government which, on or after January 26, 2011, has defaulted on its obligations, is at risk of defaulting, or is likely to default, absent such assistance from the United States Government.

(b) LIMIT ON USE OF BORROWED FUNDS.—The Secretary of the Treasury shall not, directly or indirectly, use general fund revenues or funds borrowed pursuant to title 31, United States Code, to purchase or guarantee any asset or obligation of any State government, municipal government, local government, or county government, or otherwise to assist such government entity, if, on or after January 26, 2011, that State government, municipal government, or county government has defaulted on its obligations, is at risk of defaulting, or is likely to default, absent such assistance from the United States Government.

(c) PROHIBITION ON FEDERAL RESERVE ASSISTANCE.—Notwithstanding any other provision of law, the Board of Governors of the Federal Reserve System shall not provide or extend to, or authorize with respect to, any State government, municipal government, local government, county government, or other entity that has taxing authority or bonding authority, any funds, loan guarantees, credits, or any other financial instrument or other authority, including the purchasing of the bonds of such State, municipality, locality, county, or other bonding authority, or to otherwise assist such government entity under any authority of the Board of Governors.

(d) LIMITATION.—Subsections (a) through (c) shall not apply to Federal assistance provided in response to a natural disaster.

Mr. LEVIN. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I support the nomination of Raymond T. Chen, to be United States Circuit Judge for the Federal circuit. This is the 29th judicial confirmation this year. With today's confirmation, the Senate will have confirmed 200 lower court nominees; we have defeated two. That's 200 to 2. That is an outstanding record. That's a success rate of 99 percent.

We have been doing that at a fast pace. During the last Congress, we confirmed more judges than any Congress since the 103rd Congress, which was 1993 to 1994.

So far this year, the first of President Obama's second term, we've already confirmed more judges than were confirmed in the entire first year of President Bush's second term. At a similar stage in President Bush's second term, only 10 judicial nominees had been confirmed. We are now at a 29-to-10 comparison with President Obama clearly ahead of where President Bush was. And, as I said, we have already confirmed more nominees this year—29—than we did during the entirety of 2005, the first year of Presi-

dent Bush's second term, when 21 lower court judges were confirmed.

With regard to hearings, the record shows that President Obama is being treated much better than President Bush during his second term.

Last week we held the 11th judicial nominations hearing this year. In those hearings we have considered a total of 33 judicial nominees. Compare this favorable treatment of President Obama during the beginning of his second term versus the first year of President Bush's second term. At this stage in President Bush's second term, the Committee had held not 11 hearings with 33 judicial nominees, but only 3 hearings for 5 nominees, and all of those were hold-overs from the previous Congress.

In fact, for the entire year of 2005, Senate Democrats only allowed 7 hearings for a grand total of 18 judicial nominees.

It is hard to believe, but no nomination hearings on judicial nominees were held during April, May, June, or July. Four months with no judicial nomination hearings. Yet, we recently rushed through hearings on nominees to the DC Circuit Court of Appeals, plus a number of District nominations. In fact, in just the last few weeks, we have held hearings for 14 judicial nominees. That's not very far behind the entire output of 2005—7 hearings, 18 nominees.

Again, we have already exceeded that number—11 hearings and 33 judicial nominees. The bottom line is that the Senate is processing the President's nominees exceptionally fairly.

President Obama certainly is being treated more fairly in the first year of his second term than Senate Democrats treated President Bush in 2005. It is not clear to me how allowing more votes and more hearings than President Bush got in an entire year amounts to "unprecedented delays and obstruction." Yet, that is the complaint we hear over and over from the other side. So I just wanted to set the record straight—again—before we vote on this nomination.

Raymond T. Chen is nominated to be United States Circuit Judge for the Federal circuit. He received his B.S. from the University of California, Los Angeles, in 1990 and his J.D. from New York University School of Law in 1994. Upon graduation, Mr. Chen worked at Knobbe, Martens, Olson & Bear in California from 1994 to 1996. As an associate, he drafted district court briefs and legal memoranda on specific patent and trademark issues as well as several patent applications spanning various technologies.

In 1996, Mr. Chen joined the senior technical assistant's office at the Federal circuit in Washington as one of three technical assistants. There, he researched and wrote memoranda, commenting on drafts of court opinions for both legal and technical accuracy as well as identification of conflicting legal precedent, occasionally writing for individual judges.

From 1998 to 2008, Mr. Chen served as an associate solicitor in the Office of

the Solicitor at the United States Patent and Trademark Office. During that time, he was first or second chair on several dozen Federal Circuit briefs defending the agency's patent and trademark decisions, and he presented approximately 20 arguments in the Federal Circuit.

He regularly appeared in district court defending the agency against lawsuits brought under the Administrative Procedure Act. He was also a legal advisor on several patent policy and legal issues within the agency, occasionally prosecuting patent attorneys in administrative proceedings for violating the agency's code of professional responsibility.

In 2008, Mr. Chen became the Deputy General Counsel of Intellectual Property Law and Solicitor. There he supervises other lawyers in the Solicitor's Office and has presented oral arguments in some of the seminal patent cases before the Federal circuit.

In addition, Mr. Chen deals with higher-level patent and trademark policy issues within the agency. He also coordinates the determination of what positions the United States should take as an amicus in intellectual property cases before both the Supreme Court and the Federal circuit.

Lastly, Mr. Chen is responsible for the review and clearance of all new regulations and amendments to existing regulations for the Office of the Solicitor.

The ABA Standing Committee on the Federal Judiciary gave him a unanimous "well qualified" rating.

The PRESIDING OFFICER (Ms. BALDWIN). All time has expired.

Mr. GRASSLEY. I ask my colleagues to vote for this nomination.

Mr. LEAHY. Madam President, I ask unanimous consent for 30 additional seconds.

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

Mr. LEAHY. I believe we should act quickly on a number of judicial vacancies. Eleven of the twelve circuit and district nominees currently pending before the Senate were reported by voice vote. All Democrats, all Republicans on the Judiciary Committee voted together. There is no reason why we couldn't consider all 12 today, along with Mr. Chen. If we work together, then we can fulfill the needs of the Federal judiciary.

Madam President, have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not.

Mr. LEAHY. I request the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

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

Raymond T. Chen, of Maryland, to be United States Circuit Judge for the Federal Circuit?

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Louisiana (Ms. LANDRIEU) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE) and the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 198 Ex.]

YEAS—97

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

NOT VOTING—3

Inhofe Landrieu McCain

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. The Senate will now resume legislative session.

## CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, there will be 10 minutes for debate only, with the Senator from Maine Ms. COLLINS controlling 8 minutes and with 2 minutes equally divided in the usual form prior to a vote on the motion to invoke cloture on S. 1243.

Mrs. MURRAY. Madam President, the Senate is not in order.

The PRESIDING OFFICER. The Senate is not in order.

The Senate will be in order.

The majority leader.

Mr. REID. Madam President, have Senators sit down and shut up. OK. It is unfair. Senator MURRAY has something to say. Senator COLLINS has something to say. It is just not polite.

The PRESIDING OFFICER. The Senate will be in order. Senators will take their conversations from the well. The Senate will be in order.

The Senator from Maine.

Ms. COLLINS. Thank you, Madam President.

Madam President, the Senate will shortly decide whether to invoke cloture on the fiscal year 2014 Transportation, Housing and Urban Development appropriations bill. We have spent nearly 2 weeks debating this bill and working through approximately 85 amendments.

We were making progress. We even had a vote on a nongermane amendment, which clearly would have fallen to a point of order had one been raised. So no one has been shut out of this process.

Chairman MURRAY and I have repeatedly encouraged Senators to come to the floor, file, and debate their amendments to improve the bill we reported.

It has been an open and transparent debate thus far, a return to regular order—something I have heard virtually everyone here urge us to do.

Nevertheless, some Senators are intent on preventing this legislation from moving forward, despite the fact that this bill is not the final version of the transportation and housing appropriations bill. It is only one step in the process but an essential step—one that will allow the Senate to move forward and eventually negotiate with the House of Representatives to decide on a top line and to further improve the bill.

A considerable number of my colleagues have advocated for the House funding level of \$44 billion and have opposed the Senate bill. But I would like to point out that not one of my colleagues has offered a specific amendment, account by account, to reduce the funding levels, program by program, in this bill to meet the \$44 billion level in the House bill.

I personally offered an amendment that said that in October, if we find we have breached the top line of the Budget Control Act, we would go back to the appropriations process and redo the bill to meet that top line.

I would also point out that yesterday the House leadership was forced to pull its THUD bill from the floor due to lack of support. Some Republican Members thought the spending levels were too high. But it is surely significant that a substantial number of Republicans felt the bill, as written, was far too low and would hurt our homeless veterans, would delay repair of our crumbling infrastructure, and would slash the Community Development Block Grant Program to the lowest level in history, to below the 1975 level when it was first created by President Ford.

Let me point out that the numbers in the House bill were not realistic. That is one of the reasons it failed. The numbers in our bill are not unrealistic. They are too high. They would come down in conference. The President's request was artificially low due to several budget gimmicks and scoring differences. We took care of those gimmicks. We have an honest bill that is before our Members. Let me give you just one example of a gimmick that was in the President's budget. His request for the section 8 project-based rental assistance is insufficient to fully fund the 12-month renewal contracts with private owners.

We are not going to be throwing people out of those subsidized apartments after 10 months in the year. So Senator MURRAY and I added funding to more accurately reflect what was needed. That was over \$1 billion of the difference. There was the difference in the scoring by CBO and OMB. We have to go by CBO. That accounted for \$1.8 billion.

It is disappointing to me that we have not gone to conference on the budget because we would not be in this dilemma. We would have agreed-upon allocations that would guide the appropriations process. But in the absence of that, what is wrong with proceeding with this bill with cutting spending in it? If Members have amendments they wish to offer to cut spending—and there are a few that have been offered, but as I said, none that bring it down to the House's level in an account-by-account manner.

I am still hopeful we will be able to pass this bill and start bringing other appropriations bills to the floor before the end of the fiscal year because forcing the government to operate under continuing resolutions is irresponsible. It ends up costing more money in the long run. It is wasteful because we continue to fund programs that are no longer needed because we are just continuing current law.

So I urge my colleagues to think very carefully about this vote. It would be so unfortunate if we go home to our constituents in August and are forced to tell them we are unable to do our job. We should continue working on this bill. We should invoke cloture. This bill undoubtedly would have been reduced in conference had we been allowed to go forward.

I do wish to thank many of my colleagues for working with us as we tried so hard to advance this important legislation. I am particularly grateful to Chairman MURRAY for her bipartisan approach and collaboration and for working so closely with me throughout the process.

Finally, I would be remiss if I did not thank our staffs on both sides of the aisle for their hard work. They have worked night and day on this bill. I will put all of their names in the RECORD. I know my time is expiring.

Let's do the right thing. Let's proceed to end the debate on this bill, take