

his family with unaffordable deductibles in order to keep his premiums at the level he can afford to pay. It is basically: Edward, don't get sick. Don't have a medical expense throughout your family every year, and you will be OK. But if you do, what you didn't pay in premiums you are going to have to pay in much higher deductibles.

John from Martinsville, IN, was finally able to get on the healthcare.gov Web site. He found the bronze plan that was going to be at least \$100 more per month. He doesn't qualify for a government subsidy, and he doesn't see any way this new law will be saving money for his family. John says the only thing he sees is that he now will be subsidizing the health care system even more than before the law was passed.

DeWayne from Shipshewana, IN, wrote to tell me that not only is the small group health insurance plan his business currently offers not available any longer starting in 2014, but in his 15 years of administering the business health plans, he said he has never seen a rate increase this high.

DeWayne's health insurance plan for him and his business employees will increase 65 percent in this coming year. DeWayne's small group health insurance is increasing 65 percent for 2014—and this is called the Affordable Care Act?

I wish to give one more broken promise. William from Granger, IN, wrote and told me that his wife who works as a part-time nurse will no longer be offered health care since she works part-time. I assume they have children at home or maybe the hospital has determined they want to stay under that 40-hour workweek level, so they put her on part-time. I am not exactly sure what the case is.

In any event, they have discovered they will have premiums rise from \$11,544 a year under their current plan to \$19,076 per year, an increase of over \$7,500.

He goes on to say: "So much for [the President's promise] if you like your plan . . . if you like your doctor . . . your costs will go down by \$2,500."

William's costs go up by \$7,500.

This isn't only Republicans in Washington highlighting these health care costs. These are Hoosiers from all backgrounds, Republicans, Democrats, and from all walks of life, sharing their stories with me about how they are paying the price for the President's broken promises.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

## CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

## EXECUTIVE SESSION

### NOMINATION OF ANNE W. PATTERSON TO BE AN ASSISTANT SECRETARY OF STATE (NEAR EASTERN AFFAIRS)

The PRESIDING OFFICER. Under the previous order the Senate will proceed to executive session to consider the following nomination which the clerk will report.

The legislative clerk read the nomination of Anne W. Patterson, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Ambassador, to be an Assistant Secretary of State (Near Eastern Affairs).

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the nomination of Anne W. Patterson, of Virginia, to be an Assistant Secretary of State?

Mr. COATS. 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 legislative clerk called the roll.

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

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from South Carolina (Mr. GRAHAM), the Senator from Illinois (Mr. KIRK), the Senator from Arizona (Mr. MCCAIN), the Senator from Kentucky (Mr. PAUL), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Arizona (Mr. MCCAIN) would have voted "nay."

The result was announced—yeas 78, nays 16, as follows:

[Rollcall Vote No. 274 Ex.]

### YEAS—78

Ayotte	Durbin	Levin
Baldwin	Feinstein	Manchin
Baucus	Fischer	Markey
Begich	Flake	McCaskill
Bennet	Franken	McConnell
Blumenthal	Gillibrand	Menendez
Booker	Grassley	Merkley
Boozman	Hagan	Mikulski
Boxer	Harkin	Murkowski
Brown	Hatch	Murphy
Burr	Heinrich	Murray
Cantwell	Heitkamp	Nelson
Cardin	Hirono	Portman
Carper	Hoeven	Pryor
Casey	Inhofe	Reed
Chambliss	Isakson	Reid
Coats	Johnson (SD)	Rockefeller
Cochran	Johnson (WI)	Sanders
Collins	Kaine	Schatz
Coons	King	Schumer
Corker	Klobuchar	Shaheen
Cornyn	Landrieu	Stabenow
Donnelly	Leahy	Tester

Thune  
Toomey  
Udall (CO)

Udall (NM)  
Warner  
Warren  
Whitehouse  
Wicker  
Wyden

### NAYS—16

Alexander	Heller	Rubio
Barrasso	Johanns	Scott
Coburn	Lee	Sessions
Crapo	Moran	Shelby
Cruz	Risch	
Enzi	Roberts	

### NOT VOTING—6

Blunt	Kirk	Paul
Graham	McCaIn	Vitter

The nomination was confirmed.

## CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative 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, hereby move to bring to a close debate on the nomination of Jeh Charles Johnson, of New Jersey, to be Secretary of Homeland Security.

Harry Reid, Sherrod Brown, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Benjamin L. Cardin, Michael F. Bennet.

### QUORUM CALL

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair now directs the clerk to call the roll to ascertain the presence of a quorum.

The assistant legislative clerk proceeded to call the roll and the following Senators entered the Chamber and answered to their names:

### [Quorum No. 13]

Alexander	Grassley	Nelson
Ayotte	Harkin	Portman
Baldwin	Hatch	Pryor
Barrasso	Heinrich	Reid
Baucus	Heitkamp	Risch
Bennet	Heller	Roberts
Booker	Hoeven	Rockefeller
Boozman	Isakson	Sanders
Boxer	Johnson (WI)	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Scott
Cardin	Landrieu	Sessions
Coats	Leahy	Shaheen
Coburn	Lee	Stabenow
Cochran	Manchin	Thune
Cornyn	Markey	Toomey
Crapo	McConnell	Udall (NM)
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Fischer	Murkowski	
Franken	Murray	

The PRESIDING OFFICER. A quorum is present.

The question is, Is it the sense of the Senate that debate on the nomination of Jeh Charles Johnson, of New Jersey, to be Secretary of Homeland Security, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator

from Missouri (Mr. BLUNT), the Senator from South Carolina (Mr. GRAHAM), the Senator from Illinois (Mr. KIRK), the Senator from Arizona (Mr. MCCAIN), the Senator from Kentucky (Mr. PAUL), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Arizona (Mr. MCCAIN) would have voted "nay."

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

The yeas and nays resulted—yeas 57, nays 37, as follows:

[Rollcall Vote No. 275 Ex.]

#### YEAS—57

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

#### NAYS—37

Alexander	Enzi	Moran
Ayotte	Fischer	Portman
Barrasso	Flake	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rubio
Chambliss	Heller	Scott
Coats	Hoeven	Sessions
Coburn	Inhofe	Shelby
Cochran	Isakson	Thune
Corker	Johanns	Toomey
Cornyn	Johnson (WI)	Wicker
Crapo	Lee	
Cruz	McConnell	

#### NOT VOTING—6

Blunt	Kirk	Paul
Graham	McCain	Vitter

The PRESIDING OFFICER. On this vote the yeas are 57, the nays are 37.

The motion is agreed to.

The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that the remaining votes this evening be 10 minutes in duration.

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

#### NOMINATION OF JEH CHARLES JOHNSON TO BE SECRETARY OF HOMELAND SECURITY

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Jeh Charles Johnson, of New Jersey, to be Secretary of Homeland Security.

The PRESIDING OFFICER. Cloture having been invoked, under the previous order all postcloture time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Jeh Charles Johnson, of New Jersey, to be Secretary of Homeland Security.

Mr. COATS. I ask for the yeas and nays.

Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

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

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from South Carolina (Mr. GRAHAM), the Senator from Illinois (Mr. KIRK), the Senator from Arizona (Mr. MCCAIN), the Senator from Kentucky (Mr. PAUL), and the Senator from Louisiana (Mr. VITTER).

The result was announced—yeas 78, nays 16, as follows:

[Rollcall Vote No. 276 Ex.]

#### YEAS—78

Alexander	Feinstein	Mikulski
Ayotte	Flake	Moran
Baldwin	Franken	Murkowski
Barrasso	Gillibrand	Murphy
Baucus	Hagan	Murray
Begich	Harkin	Nelson
Bennet	Hatch	Pryor
Blumenthal	Heinrich	Reed
Booker	Heitkamp	Reid
Boxer	Heller	Roberts
Brown	Hirono	Rockefeller
Burr	Isakson	Sanders
Cantwell	Johanns	Schatz
Cardin	Johnson (SD)	Schumer
Carper	Johnson (WI)	Shaheen
Casey	Kaine	Stabenow
Chambliss	King	Tester
Coats	Klobuchar	Thune
Coburn	Landrieu	Toomey
Cochran	Leahy	Udall (CO)
Collins	Levin	Udall (NM)
Coons	Manchin	Warner
Corker	Markey	Warren
Donnelly	McCaskey	Whitehouse
Durbin	Menendez	Wicker
Enzi	Merkley	Wyden

#### NAYS—16

Boozman	Hoeven	Rubio
Cornyn	Inhofe	Scott
Crapo	Lee	Sessions
Cruz	McConnell	Shelby
Fischer	Portman	
Grassley	Risch	

#### NOT VOTING—6

Blunt	Kirk	Paul
Graham	McCain	Vitter

The nomination was confirmed.

Mr. LEAHY. Mr. President, I am pleased to support the confirmation of Jeh Johnson to be the Secretary of Homeland Security. Mr. Johnson's distinguished career in public service, including his service as a Federal prosecutor and as general counsel of the Department of Defense, will suit him well as he takes on this new and very challenging responsibility. I look forward to inviting Mr. Johnson to testify before the Senate Judiciary Committee for an oversight hearing in the new year, which he has committed to do. Mr. Johnson will oversee many issues within the Judiciary Committee's jurisdiction, not the least of which is Federal immigration policy.

I had the opportunity to meet with Mr. Johnson recently and discuss some of the issues that have been of interest to me over the last several years. I encouraged him to continue to support the exceptional work U.S. Citizenship and Immigration Services Director Alejandro Mayorkas has done to make

USCIS a better, stronger agency. In particular, I encouraged Mr. Johnson to build upon Director Mayorkas' work to strengthen and improve the EB-5 Regional Center Program, which is a successful, job-creating immigration program that has transformed parts of Vermont and other communities across the country. I look forward to working with Mr. Johnson and Director Mayorkas following his confirmation as Deputy Secretary for Homeland Security to continue the partnership the Senate Judiciary Committee developed with USCIS to make the improvements necessary to maintain the highest standards of integrity in this important program, and to sustain it as a significant economic engine for the United States.

I relayed to Mr. Johnson my concerns about Border Patrol checkpoints in the interior of the country, such as the one that the previous administration implemented and operated nearly 100 miles south of the Canadian border on Interstate 91 in Vermont. Over the past several years, I have heard from many Vermonters who find the idea of a Federal checkpoint 100 miles from the Canadian border, deep into the State of Vermont, entirely inconsistent with Vermont values and an overbearing Federal presence that creates an environment susceptible to racial profiling and the needless harassment of law abiding citizens. I continue to have serious questions about the effectiveness of checkpoints such as these, especially when weighed against the significant intrusion into the privacy of Americans.

I also discussed with Mr. Johnson my concerns related to the treatment of Americans returning to the United States, in particular the practice of CBP officials conducting warrantless searches of Americans' persons and belongings, including conducting forensic searches of electronic devices. These searches within the border zone are not subject to the usual protections provided by the Fourth Amendment to Americans. Recent CBP activities have raised serious questions about whether Federal officials are circumventing the protections of the Fourth Amendment by conducting opportunistic searches on individuals when those officials know they will be reentering the United States. As I wrote in a letter to the current acting secretary, such authority must be used with great restraint. I look forward to continuing my discussions about these important issues with Mr. Johnson.

Finally, I will seek to work with Mr. Johnson to address the overbroad material support bar in our immigration law. It has resulted in people, including vulnerable refugees, being unfairly barred from the United States based solely on de minimus commercial or social conduct that has negligible connection to the support of terrorism. One example involves an individual who sold flowers to members of a terrorist group, and is now considered to