

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. MURRAY. I ask that all time be yielded back.

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

#### EXECUTIVE SESSION

#### NOMINATION OF NEIL GREGORY KORNZE TO BE DIRECTOR OF THE BUREAU OF LAND MANAGEMENT

#### NOMINATION OF FRANK G. KLOTZ TO BE UNDER SECRETARY FOR NUCLEAR SECURITY

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

The legislative clerk read the nominations of Neil Gregory Kornze, of Nevada, to be Director of the Bureau of Land Management, and Frank G. Klotz, of Virginia, to be Under Secretary for Nuclear Security.

The PRESIDING OFFICER. Without objection, all time has been yielded back.

Mrs. MURRAY. 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 Neil Gregory Kornze, of Nevada, to be Director of the Bureau of Land Management?

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. COBURN).

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

The result was announced—yeas 71, nays 28, as follows:

[Rollcall Vote No. 102 Ex.]

#### YEAS—71

Alexander	Crapo	Klobuchar
Ayotte	Donnelly	Landrieu
Baldwin	Durbin	Leahy
Begich	Feinstein	Levin
Bennet	Flake	Manchin
Blumenthal	Franken	Markey
Blunt	Gillibrand	McCaskill
Booker	Hagan	Menendez
Boxer	Harkin	Merkley
Brown	Hatch	Mikulski
Cantwell	Heinrich	Murkowski
Cardin	Heitkamp	Murphy
Carper	Heller	Murray
Casey	Hirono	Nelson
Chambliss	Hoeven	Portman
Coats	Isakson	Pryor
Collins	Johnson (SD)	Reed
Coons	Kaine	Reid
Corker	King	Risch

Rockefeller  
Sanders  
Schatz  
Schumer  
Shaheen

Stabenow  
Tester  
Udall (CO)  
Udall (NM)  
Walsh

Warner  
Warren  
Whitehouse  
Wyden

#### NAYS—28

Barrasso  
Boozman  
Burr  
Cochran  
Cornyn  
Cruz  
Enzi  
Fischer  
Graham  
Grassley

Inhofe  
Johanns  
Johnson (WI)  
Kirk  
Lee  
McCain  
McConnell  
Moran  
Paul  
Roberts

Rubio  
Scott  
Sessions  
Shelby  
Thune  
Toomey  
Vitter  
Wicker

#### NOT VOTING—1

Coburn

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

#### VOTE ON KLOTZ NOMINATION

Mr. REID. Madam President, what is the pending business?

The PRESIDING OFFICER. There is now 2 minutes of debate prior to a vote on the Klotz nomination.

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

The PRESIDING OFFICER. All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Frank G. Klotz, of Virginia, to be Under Secretary for Nuclear Security?

The nomination was confirmed.

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

#### LEGISLATIVE SESSION

#### PAYCHECK FAIRNESS ACT— MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, I believe we are done with the voting at this point.

The PRESIDING OFFICER. We are in legislative session.

Ms. STABENOW. Madam President, I would like to talk for a moment about the critical importance to women and families across Michigan and the country of ending pay discrimination against women so women will finally get equal pay for equal work.

I was so proud to see so many colleagues on the floor earlier today, including the distinguished Presiding Officer, speaking about the importance of women being able to earn a full dollar instead of 77 cents on every dollar.

Part of giving everyone in this country a fair shot to get ahead is not only making sure they are getting paid a fair wage, which we are fighting to make sure happens, but also to make sure they are not getting paid less simply because of their gender. If somebody is working 40 hours a week, they ought to be paid the same for 40 hours a week if it is the same job. That is what the Paycheck Fairness Act is

really all about. It gives everyone, regardless of their gender, the tools they need to help end gender discrimination in pay and hold those engaged in discriminatory behavior accountable. That is really what it is all about, and we will have a chance very soon to vote.

I hope we would all agree that discrimination because of gender or for any reason has no place in our society. Yet too many Americans rightly feel they are trapped in a rigged game where heads, the privileged and powerful win, and tails, everybody else loses.

When it comes to pay, we know the system is rigged against women. Today, in 2014, women still only make 77 cents for every dollar compared to a man doing exactly the same work. That is the national average. It is even worse in many places around the country. Frankly, it is even worse for women of color, with African-American women getting paid even less and Latinas doing worse still.

My colleagues and I have been speaking on the floor today not just because we are voting on the Paycheck Fairness Act tomorrow but also because today is what we are calling Equal Pay Day. April 8 is the day women finally catch up. When you look at all the work that was done during the whole calendar year of 2013, and then add January, February, and March through April 8, that is how long it has taken women to make the same income as a man in the same job who worked last year. A woman has to work 1 year, 3 months, and 8 days in order to earn the same amount as a man who has worked 1 year. That is just not right, and that is what this debate is all about.

Some people say we are just talking about pennies on the dollar and dismiss the issue as nonsense or worse. Those pennies add up—hour after hour, day after day, week after week, year after year.

In my home State of Michigan, pay discrimination robs the average working woman and her family of more than \$13,000 in wages every single year—\$13,000 out of their pocket just because they are a woman rather than a man in the same job. While these women are working for discounted wages, they certainly don't get a 23-percent discount on their gas. They don't pay 23 cents less on every dollar at the grocery store or when the rent or the mortgage comes due.

In fact, I have a chart to show what the average working woman and her family in Michigan could buy with the \$13,000 a year she has worked hard every day to earn but never sees in her paycheck. She could buy just over 2 year's worth of food for her family. She could pay for almost a year on her mortgage and utility. Can you imagine that? Mortgage and utility payments go right out the window because she is not getting equal pay for equal work. She could buy almost 3,500 gallons of gasoline for her car. That is enough gas for me to drive back and forth from Detroit to Los Angeles more than 16

times. That is how much a woman loses in her pay every year because of discrimination and lack of equal pay for equal work. But gender discrimination is not just about numbers on a page. In fact, it is not about numbers on a page. It is about real women who are working hard, who have suffered and continue to suffer, because we have not given women and their families the tools they need to make sure they can get equal pay for equal work. That is what this is about: knowing what your coworkers in the workplace are making so you can find out whether you are being paid fairly—the information, the tools women need.

Let's be clear. Women aren't the only ones paying the price for wages lost and benefits denied. Gender discrimination in pay costs everybody in the family. The cost of gas is for everybody in the family. The cost of food is for everybody in the family. The inability to buy some extra sports equipment or clothing or pay for the cost of college affects everybody in the family. I hear far too many stories about this problem from my constituents in Michigan.

Linda from South Lyon wrote to tell me her story. Not only does she make less than her male counterparts, but a senior executive even bragged to her that he hires women because he can pay them less. This is 2014, and we have an executive who thinks it is OK to even say that.

Last week I met Kerri Sleeman, an engineer from Hancock, MI, who came to the Senate to testify about her story. I have to say, in Hancock, MI, we still have 20 feet of snow. This is the Upper Peninsula of Michigan. One has to be tough to live in beautiful Hancock, MI, and have a lot of great winter clothing. But it is an absolutely gorgeous place.

Kerri was working for an auto parts supplier that was forced into bankruptcy in 2003. As with the company's other employees, she had to be involved in the bankruptcy process to get her last paycheck and the other wages she was owed. One day she received an update from the bankruptcy court about the claims against her former company and she made a shocking discovery: All of the men she had been supervising had been paid more than her—all of them. All of them. An engineer in Hancock, MI.

Kerri said: It was heartbreaking. It was embarrassing. It was infuriating. And it will affect me for the rest of my life.

Can my colleagues imagine it? First, she is out of a job. She has to go to court just to get her paycheck, and then, adding insult to injury, she finds out she has been discriminated against for years without even knowing it. Kerri lost out on thousands of dollars in pay and benefits simply because she is a woman. As is the case for most people, she could have used that money. She said she would have used it to help pay the copay for her husband's heart surgery, which instead she had to

put on her credit card. Her story underscores why we need to pass this vital legislation before the Senate.

Kerri not only lost out on her pay at her job week after week, month after month, she will lose out on Social Security benefits for the rest of her life as well. This is not fair. It is not how things should work. Kerri deserves a fair shot, and she has not been given it.

We have heard other stories such as Kerri's before, and one of those was that of Lilly Ledbetter, who worked hard at a Goodyear tire plant and was discriminated against for nearly 20 years. She did not realize, again, that she was being paid less. Just as with Kerri, she will never get the Social Security benefits she would have earned if she hadn't been paid less for just being a woman. The law that bears her name—the Lilly Ledbetter Fair Pay Act—was a huge step in the right direction. But today more than 50 years after we passed the Equal Pay Act—imagine, 50 years ago we thought we dealt with this; 50 years ago, the Equal Pay Act—and 5 years after we passed the Lilly Ledbetter Fair Pay Act, we still have so much work to do to make sure women are actually receiving equal pay for equal work.

It was a great day when the Lilly Ledbetter Fair Pay Act became the very first bill President Barack Obama signed into law after he took office. I wish to thank the President for today signing two Executive orders that will help protect the employees of Federal contractors from pay discrimination. As the President has said, he doesn't want his daughters or anyone's daughters to be paid less just because they are women. I agree. I know the Presiding Officer does as well.

Now we must do our part here in the Senate to make sure all Americans have the tools they need to protect themselves from this form of discrimination and hold those responsible accountable.

This is not about special protections. In fact, I find any language—any discussion of “special protections”—so offensive, as I know women in Michigan and across the country do: somehow protections because we want to go to work and know we are being paid the same as the person next to us, who just happens to be a man, and we are women. This is simply about treating all Americans fairly. That is exactly what Democrats are committed to. We want to make sure everybody has a fair shot to get ahead. It has to start with equal pay for equal work. That means paying a fair wage, paying men and women what they earn, and it means if a woman works 40 hours a week, she should get paid for 40 hours a week, not for 30 hours or 31 hours.

The difference in pay simply because of gender discrimination really is the difference. That \$13,000 I talked about earlier is the difference between whether a woman is able to fully benefit from her work and have what she needs to put food on the table and gas in the car

and tuition for her son or daughter to be able to go to college, and all of the other things we want for our families.

What this chart shows just isn't good enough. We want the full dollar, because 77 cents on every dollar is not enough. If we truly reward work, it shouldn't matter if a person is a man or a woman. A person's work should be equally rewarded for the same jobs. It is time the Senate come together—and we are going to have a chance to do that—to pass the Paycheck Fairness Act. It is right for women and their families. It is right for our economy. It is simply the right thing to do.

Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Iowa.

#### FAIR SENTENCING ACT

Mr. GRASSLEY. Madam President, there are reports that after we return from either this break or the next, the Senate may take up the so-called Fair Sentencing Act, so I rise today to start discussing this bill with my colleagues, particularly those who do not serve with me on the Judiciary Committee.

Over the past 30 years, this Nation has achieved tremendous success in cutting crime. There are fewer victims who suffer fewer physical and financial injuries. Neighborhood safety has improved, reducing fear and helping economic growth. These gains have been hard won. Congress played a major role, enacting mandatory sentencing guidelines, mandatory minimum sentences, providing assistance to law enforcement, and building more prisons. The mandatory guidelines, combined with abolishing parole, led to lengthier sentences, and what is fair about it all is that we have fewer disparities in sentencing. No longer would the sentence depend on whether the criminal faced a tough or a lenient judge, and factors such as the defendant's race and income could not be taken into account.

Unfortunately, the Supreme Court, applying novel readings of the Constitution, struck down mandatory sentencing guidelines. As a result, Federal judges are departing downward from the guidelines, issuing shorter sentences and injecting more disparity into the system. States are reducing their incarceration rates. While there are probably multiple contributing factors, crime rates recently have been rising. The only means left for Congress to ensure that criminals are sentenced to appropriate sentences then is mandatory minimums, now that the Supreme Court has judged sentencing guidelines as being unconstitutional.

Those convicted of the manufacture, sale, or possession with intent to distribute, and importation of a wide range of drugs, including heroin, cocaine, PCP, LSD, ecstasy, and methamphetamine may have their sentences cut in half or even more from the current mandatory minimums.

Supporters of the bill say it allows for shorter sentencing only for “non-violent offenders.” I am going to prove the bill does more than that. The term

“nonviolent offenders” is highly misleading. First, that phrase conjures up people in jail for simple possession, and this bill does not apply to simple possession at all, for any drug.

Second, the types of offenses the bill applies to are violent. Importing cocaine is violent. The whole operation turns on violence. Dealing heroin also involves violence or the threat of violence.

Third, the crime for which the defendant is being sentenced might have been violent. The mandatory minimum sentence would be cut even if the criminal’s codefendant used a gun.

Fourth, the criminal himself could have a violent history. Although the bill does not apply to a drug crime for which the defendant used violence, it does apply to criminals with a history of violence. That is, the bill would permit a shorter mandatory minimum where the defendant was not violent on this occasion, but was in the past. Supporters of the bill never acknowledge that it would apply to drug dealers with a history of violent crime.

Other provisions of the bill expand the safety valve that allows judges to impose mandatory minimum sentences on offenders with minimal criminal history. The bill’s proponents never identify which violent offenders who fail to qualify for even the bill’s expanded safety valve should be able to receive the bill’s shorter mandatory minimum sentences.

And don’t pay attention to the smoke screen that the bill leaves the maximum sentence alone. Judges are not sentencing anywhere near the maximum today. The whole point of the bill is to allow judges to ignore current mandatory minimums for serious offenses such as heroin importation and cocaine dealing, and sentence defendants to half the minimum they are now receiving.

We know from the experience of the States that when mandatory minimum sentences are reduced, judges use their greater discretion only to sentence the same or more leniently, even when the drug offender has a history of violence. For instance, the State of New York changed its drug sentencing laws to give judges more discretion. Judges began in the overwhelming majority of the cases to sentence offenders to the now lower minimum sentences. New York judges have sentenced drug offenders—even offenders with prior felony convictions—to the lower minimums. Do we really want offenders such as these out on the streets earlier than is the case now, and while out there on the street to prey on our citizens? That is what they will do.

Although supporters of the bill claim it will reduce costs, what it will really do is shift costs from prison budgets to crime victims.

As Professor Matt DeLisi of Iowa State University testified before our Judiciary Committee, juvenile drug use is the best predictor of chronic offending and that, in his words, “drug

users offend at levels 3–4 times greater than persons not convicted of drug crimes.” He stated that criminal justice research shows that “releasing 1% of the current Bureau of Prison population would result in approximately 32,850 additional murders, rapes, robberies, aggravated assaults, burglaries, auto thefts, and incidents of arson.”

So the empirical data are clear. Lower mandatory minimum sentences mean increased crime and an increased number of victims. Why would we, then, vote to increase crime and create more crime victims?

Various police organizations answer that question by coming out against this bill.

The National Narcotic Officers’ Association has written—and I will give you a fairly long quote:

As the men and women in law enforcement who confront considerable risk daily to stand between poison sellers and their victims, we cannot find a single good reason to weaken federal consequences for the worst offenders who are directly responsible for an egregious amount of personal despair, community decay, family destruction, and the expenditure of vast amounts of taxpayer dollars to clean up the messes they create.

End of quote from the National Narcotic Officers’ Association.

The Federal Law Enforcement Officers Association has also come out against the bill. They stated:

It is with great concern that the Federal Law Enforcement Officers Association views any action or attempt . . . that would alter or eliminate the current federal sentencing policy regarding mandatory minimum sentencing.

The mandatory minimum sentencing standard currently in place is essential to public safety and that of our membership.

End of quote from the Federal Law Enforcement Officers Association.

Law enforcement is telling us that this bill would be bad policy and create more crime victims, but it is also saying that were this ill-considered legislation to pass, the safety of police officers, who safeguard us, would be jeopardized. How can we possibly do that to those who bravely protect us—our law enforcement people?

The bill is particularly misguided in light of current conditions concerning drug use. We are in the midst of a heroin epidemic right now. Deaths from heroin overdoses in Pennsylvania are way up. In the State of Vermont, the Governor devoted this year’s entire state of the State message to the heroin problem. Cutting sentences for all heroin importation and dealing makes no sense at all considering the concerns of these Governors and other State leaders and law enforcement people.

Now let’s turn to what the Obama administration thinks. Typical of its pattern of disregarding the law across a large range of areas, this administration refuses to charge some defendants for crimes they duly committed if doing so would subject them to mandatory minimum sentences. Typical with this administration’s pattern of dis-

regarding the law, it is not taking action in most situations where States have enacted laws decriminalizing marijuana, even though that is contrary to Federal law. Do you think the Obama administration would stand silently by if a State enacted laws that allowed guns, rather than drugs, to be sold inconsistently with Federal law? Well, of course not.

According to a story this week in the Washington Post, one of the reasons for the heroin epidemic is that marijuana decriminalization is leading growers to produce more heroin for importation into this country. That is because the availability of marijuana is rising and consequently the price is falling. So there is money available to be spent elsewhere. So many who used to grow marijuana now can make much more money cultivating opium poppies for heroin export to this country. But the administration supports this bill, which allows judges to lower mandatory minimum sentences for heroin importation. Doesn’t that boggle the mind?

My conservative colleagues who rightly oppose the administration’s lawlessness in so many areas should think twice before supporting the administration here. They should oppose a bill that gives judges additional authority only for lowering sentences for dealing, manufacturing, and importing LSD, heroin, cocaine, ecstasy, and methamphetamine.

The National Association of Assistant United States Attorneys has courageously disagreed with the public opinion of their employer, the Department of Justice and Attorney General Holder. The National Association of Assistant United States Attorneys—and, remember, these people are on the Federal payroll enforcing and prosecuting under Federal law—this organization has written in opposition to the bill:

Mandatory minimums deter crime and help gain the cooperation of defendants in lower-level roles in criminal organizations to pursue higher-level targets.

They have been demonstrably helpful in reducing crime.

End of quote from the National Association of Assistant United States Attorneys.

So why on Earth, then, would we cut sentences for sellers and importers of the worst drugs now plaguing our cities, our suburbs, and even rural areas?

Not every mandatory minimum sentence may be set at the perfect level. We should and can have a discussion concerning lowering some sentences and maybe even raising others—others that probably should be raised, such as for child pornography, terrorism, sexual assault, domestic violence, and various fraud offenses.

We can reduce jail time but not sentences. Many States have done this for inmates whose risk assessments and behavior in jail, including successful completion of programs proven to reduce recidivism, earn our confidence that these people, out of prison, are

less likely to reoffend. But we should not cut sentences up front for serious offenders such as heroin dealers. We should not do so where these offenders have a history of violence. We should not drastically cut the only tool we have to reduce sentencing disparities among judges.

The mislabeled Fair Sentencing Act is the wrong answer to the problems we face. I hope the Senate will not take up this bill, but if it does, my colleagues should take a clear-eyed look at this very dangerous bill and oppose it, as I will.

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.

Mrs. SHAHEEN. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. SHAHEEN. More than 50 years ago, President Kennedy signed the Equal Pay Act, making equal pay for equal work the law of the land. Yet wage discrimination still persists. Today women continue to be paid just over three-quarters of what their male counterparts receive for performing the same work. More women than ever before are graduating from college, but over the course of their careers they will each make an average of \$1.2 million less than a man with the same level of education.

Unfortunately, that is not unique. Across a wide array of industries and with all different occupations, well-qualified women continue to earn an average of 77 cents for each dollar that our male counterparts earn, regardless of performance or educational background. Pay discrimination hurts women, it hurts families, and it hurts our economy.

Back in the early eighties, I served on New Hampshire's Commission on the Status of Women. During that period I chaired a task force on women's employment in New Hampshire, and we wrote a report about what we found. Sadly, we found a lot of discrimination against women in employment. At that time women were only making 59 cents for every \$1 a man earned, but the conclusion of our report was this was not only an issue for the women, it was an issue for their spouses, for their families, and for the economy of New Hampshire. The same is true today.

In 2011, women were the sole or primary breadwinner in more than 40 percent of households with children. Equal pay for these women is not solely about a fair paycheck. It is also about paying for a visit to the pediatrician, it is about being able to afford the prescription their children need, it is also about paying the heating bills during a long winter or providing Internet access so their kids can do their homework. There is a lot the average woman could do with the extra \$10,000 she

would earn each year if it were not for pay discrimination.

As Governor, I signed a law to prohibit gender-based pay discrimination in New Hampshire and to require equal pay for equal work. In the year before that law was signed, women in New Hampshire made 69 percent of their male colleagues' wages. Today, in New Hampshire, they make 78 percent, so we make about 1 penny more in New Hampshire than national average. But at this rate, my granddaughters—some of whom are still in grade school—will enter and leave the workforce before we achieve equal pay for equal work. The estimate is that if we continue at this rate, it will be 2056 before we achieve equal pay for equal work.

Today on Equal Pay Day, I call on Congress to pass the Paycheck Fairness Act so that all of our daughters, granddaughters, their husbands, families, and their children can get a fair paycheck. This commonsense legislation would update the Equal Pay Act to require that pay differences be based on legitimate business reasons, and it would protect women so they can't be penalized by their employers for discussing their salaries. Pay discrimination is not fair, it is not right, and it needs to end.

I urge all of our colleagues to support the Paycheck Fairness Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. I thank Senator SHAHEEN for her leadership on these issues and so many other issues in the Senate. I listened to the Senator's comments and I fully concur in the information the Senator has brought forward, that paycheck fairness is not just a matter of fairness for women, it is a matter of fairness for our country. Not only will women benefit, our economy will benefit and our country will benefit by making sure that equal pay for equal work is what happens in our country.

I thank the Senator, and I yield.

Mrs. SHAHEEN. I thank Senator CARDIN of Maryland and point out that I know this is an area where he also has worked very hard over many years. It is the kind of issue that men and women should be able to agree on. This is something that is not fair for women, but it is also not fair for their husbands and their sons. I know the Senator feels that way. Because when your wife isn't getting what she deserves, then you and your family are also hurt as a result.

Mr. CARDIN. It is not just my wife, I also have two beautiful grandchildren, granddaughters, and they are going to do just fine, but I want to make sure they are treated fairly in the workplace—and I want all people treated fairly in the workplace.

I thank Senator SHAHEEN. As I said, equal pay for equal work. Paycheck fairness is truly an American value. I thank all our leaders here. I particularly want to acknowledge Senator MI-

KULSKI, my colleague from Maryland, for her extraordinary leadership on pay equity issues, on this particular issue of paycheck fairness, and for the work she has done throughout her whole career as a real leader on gender issues.

As Senator SHAHEEN pointed out, today is Equal Pay Day, and the reason for that is women, on average, earn about 77 percent of what a man earns for doing the same work. We are not talking about different work, but we are talking about doing the exact same work that women are discriminated against in the amount of compensation they receive. So on average women have to work 3 additional months every year to earn the same amount of money a man earns for doing the same work. That is not right and it needs to change.

Today I was at the White House with the President and some of our colleagues. Lilly Ledbetter was there. I know the Presiding Officer recalls that Lilly Ledbetter has been one of the real leaders on pay equity. She worked at Goodyear for over 20 years, and after being there for two decades she found out from one of her coworkers—who anonymously passed along information to her about what people were making—that for 20 years she was receiving less compensation for doing the exact same work her male counterparts were doing. She had no idea about this. There was no justification for the difference. So she decided she would do something about it, not just for herself but for those who are in the workplace and should be treated fairly.

So she filed an action and she took this case all the way to the Supreme Court of the United States, but guess what the Supreme Court did. They said: Lilly Ledbetter, you are right. You were discriminated against. You were paid less because of your gender, but guess what. Because it has been going on for so long, you don't have any remedy. Now that is absolutely ridiculous, that 5-to-4 decision of the Supreme Court.

That cost Lilly Ledbetter hundreds of thousands of dollars in lost compensation as a result of that discriminatory action. So Congress took action and changed that, and I was proud to be part of the Congress that cast that vote. It was the first bill signed by President Obama shortly after he took office, and I remember the pride we all had that we were able to take a major step forward on behalf of an enforceable right for women to be paid equal pay for equal work.

But the job wasn't done. Tomorrow we can take another giant step forward by advancing, and I hope enacting, the Paycheck Fairness Act. I hope colleagues on both sides of the aisle will support this legislation so we can continue to make progress down this road of equal pay for equal work.

In the White House today President Obama took action on his own. As he has said he would, he used his Executive power to do what he can to advance the cause of equality in this

country. So he signed two Executive orders. The first is what we call the sunshine executive order that will require Federal contractors to allow their employees to share information about their salaries. They can no longer take retaliatory action because coworkers share their salary information. The second Executive order will require contractors to provide information to the Department of Labor as to what their salary and compensation amounts are based on gender so there can be a record to make sure employers that are doing work for the Federal Government and that are benefiting from the U.S. taxpayers are doing the right thing as far as equal pay for equal work.

These are two very important changes the President has instituted through the use of the power of the White House. We can do something permanent about it by the passage of the Paycheck Fairness Act. That is our responsibility, and I hope we will get that done. It will make a better America. As we pointed out, yes, it is about women being treated fairly in the workplace, it is about my two granddaughters being treated fairly in the workplace, but it is also about our economy and it is about our values. It is all of the above.

I might also mention that it affects retirement security. Because women aren't paid as much, they do not have as much money when they retire. They are more strapped when it comes to how they spend their money. They have less money available for their retirement security. Women over the age of 50 receive only about 56 percent of what men of similar age receive in pension benefits because they haven't earned as much. A good part of that is because they are not being paid fairly in the workplace. Paycheck fairness will certainly help.

We want to give a fair shot to every woman in this country. Many are the sole support for their families. Eliminating the wage gap will provide \$450 billion of additional income into our economy. You know what that goes for. It goes to buy a new car or help pay for their children's education. It provides the wherewithal so women can go out and pay their rent, their mortgage payments, the wherewithal to take care of their families. They can even put money away for retirement so they have the security they need after they retire. It helps to grow a middle class in this country, and that is what we all should be about.

So paycheck fairness helps give women a fair shot of equal pay for equal work. It requires employers to demonstrate that wage disparities between men and women holding the same position and doing the same work are not related to their gender. That seems simple enough. Doing different work, obviously the pay is different. Same work, why is there a difference?

The bill ensures the remedies available to victims of gender discrimina-

tion are similar to the remedies available to those who are discriminated against based upon their race or national origin. We have in place a way we can correct this. We know how to use those tools. Let us also use them for those who have been discriminated against in their pay because of their gender.

The legislation updates the Equal Pay Act to make it more in line with class action procedures available under title VII of the Civil Rights Act of 1964. This gives us an effective remedy to take care of a class of workers who have been discriminated against in the workplace, and it also prohibits employers—this is very important—from punishing or retaliating against workers who share salary information.

That is what the President did today with the stroke of his pen for those companies that do business with the Federal Government. We can make it universal in the workplace. We can shine a light on what is happening. As former Supreme Court Justice Louis Brandeis observed: "Sunlight is said to be the best disinfectant." We strive for greater transparency in our government because we know that will help provide a better government. So we allow our workers to share information without fear that they will be discriminated against or that actions will be taken against them by their employer.

Our mission as Senators is clearly written in the first few words contained in the preamble of the Constitution. Our mission is to "form a more perfect Union, establish Justice, ensure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity."

Paycheck fairness is essential for our carrying out that mission. I urge my colleagues to support this very important legislation.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

TRIBUTE TO GOVERNOR MICHAEL O. LEAVITT

Mr. LEE. Madam President, this week the Salt Lake Chamber of Commerce will honor my friend, the former Governor of Utah, Michael Leavitt, with our Giant In Our City Award. I would like to take this opportunity to honor my fellow Utahn, whose example as a public servant is instructive for all those who wish to make a difference.

Mike Leavitt, who is a native of Cedar City, was the 14th Governor of the great State of Utah. He was handily elected to three terms as Governor, a feat that only one other Utahn has ever accomplished. In 2003, during his third term, he was nominated by President George W. Bush and confirmed by

the Senate as Administrator of the Environmental Protection Agency. After just over 1 year at the EPA, Governor Leavitt was nominated and confirmed as the Secretary of Health and Human Services, where he served through the end of the Bush administration. He is the coauthor and author of several books, and he has most recently served on Mitt Romney's campaign as the head of Governor Romney's transition team.

These accomplishments alone are enough to warrant praise and admiration for Governor Leavitt, but I would like to underscore the way in which he served in these positions to explain the virtues of leadership and service. It has been said those who lead best lead by example, and Mike Leavitt is one of those best leaders. He has continuously focused on efficiency, relationships, professionalism, and improvement. These qualities are not only cultivated in Mike Leavitt personally, but they are also fostered in all those with whom he works.

Governor Leavitt's efforts to make government work for the people—as government always should work—stands as one of his greatest accomplishments. Such accomplishments often require innovation and entrepreneurship, which Mike Leavitt learned prior to his governorship as the president and CEO of the Leavitt Group. An example of this innovation is the emergence of a new kind of education in the mid-1990s. When many in the education sector were skeptical of the possibility of online learning, Governor Leavitt proposed a new idea for a competency-based online university. He worked to gain the support of other Governors, and after many months of preparation, Western Governors University was established. This institution was part of Governor Leavitt's mission to expand access to and reduce the cost of higher education. Today WGU is recognized as one of the most innovative and affordable universities in the country.

Governor Leavitt encouraged his fellow Utahns to avoid focusing on what is wrong with America, a lesson we as Senators would do well to follow. He reminded Utahns to focus on what is right with America, as he believes wholeheartedly in the greatness of our Nation. He once said: "In the history of mankind, there has never been a nation as admired, as willing and as capable of inspiring and fulfilling hope." The dignified competence of that statement is needed in these Halls and needed around the world today.

Utah was an example of such dignified confidence in 2002 when the State hosted the Winter Olympics. Governor Leavitt's precision in preparing the State for the games produced a tremendous success not only for Utah but also for our country. Working on the issues that are constitutionally reserved to the States and to the people, Governor Leavitt oversaw the expansion of Utah's transportation network and managed facilities and lands with great care. He

sought out skilled leaders to help in this grand effort, and thousands upon thousands of Utahns volunteered countless hours to make the 2002 Olympics one of the most successful Olympic Games in history.

Multiple volumes of the CONGRESSIONAL RECORD could be filled with examples of service and leadership exemplified by this great Utahn, especially from his years leading the EPA and HHS. However, in the interest of brevity, I will simply say that this country needs more citizens like Mike Leavitt. We need men and women who are able to focus on the details and simultaneously think on a macro scale. We need leaders who believe in our founding principles and who make important decisions with those very same principles in mind. We need leaders who will make government more efficient, more responsive, more deliberate, and more meaningful. Such meaningfulness may often require less from the Federal Government. When action is required from us in this body, let prudence, love for country, love for our fellow beings and dedication to principles, displayed so admirably by Governor Mike Leavitt, be our guide.

Thank you, Madam President. I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

#### FORT HOOD

Mr. DURBIN. Madam President, it is with a heavy heart that I rise today to speak about the tragic shooting last week at Fort Hood. The shooting claimed the lives of three innocent people. One was a son of Illinois, and 16 others were wounded.

As chairman of the Defense Appropriations Subcommittee, I often begin subcommittee hearings by quoting the Chairman of the Joint Chiefs of Staff, General Martin Dempsey. At his speech at the National Press Club 2 years ago, General Dempsey spoke about the number of challenges facing the military, from Afghanistan to sequestration, and the need to take care of our troops when they transition to civilian status. General Dempsey said: "No matter how well we address the other challenges"—and I quote him—"if we don't get the people right, the rest of it doesn't matter."

His words reflect a basic truth. More than weapons systems or stockpiles of ammunition, the strength of our military and the security of America depend on the men and women who volunteer to risk their lives for us.

Investigators are still trying to understand what happened as an Army specialist went on a shooting rampage at Fort Hood. Press reports speculated on a host of possible motives, from mental health difficulties following a recent deployment, grief over the death of his mother, and even financial pressure. As we wait for the answers to this tragedy, we are grateful for the discipline and bravery of the military policewoman who confronted the shooter and cut short what could have been an

even worse tragedy. We are grateful for the military chaplain who shielded bystanders and helped them reach safety.

In my State of Illinois, we are mourning Army SGT Timothy Owens. He is from downstate, my neck of the woods, born in Effingham, IL, and dreamed of being a soldier since he was a little boy. He used to wear camouflage and bomber jackets with sunglasses to look like a soldier, in hopes that someday that would come true.

He went to high school in Rolla, MO, where he met Billy, the young woman who would later become his wife. They were married just last August.

After high school Tim and his family moved back to Effingham where Tim worked and taught taekwon do in the local gym. In 2003 Tim Owens decided to pursue his life long dream. He enlisted in the U.S. Army. Sergeant Owens served proudly in Iraq and Afghanistan, and he recently signed up for 6 more years. His tours in Iraq and Afghanistan gave him special understanding and empathy for other soldiers who faced difficulties when they returned home. He used his skill and compassion in his work as a counselor at Fort Hood helping veterans deal with post traumatic stress disorder and other mental health challenges. It was a heartbreaking irony that Sergeant Owens was killed when he tried to persuade the shooter at Fort Hood to lay down his weapon. Sergeant Owens was 37 years old.

I offer my deepest condolences to Sergeant Owens' friends and family, especially his wife and his parents. Tim Owens served America honorably, and I know they are proud of him.

We also pray for the families of the other soldiers who lost their lives last week at Fort Hood and all those who were injured. Losing soldiers on friendly soil seems almost incomprehensible. Yet this is not the first time we have seen this sort of senseless death at a U.S. military facility. It is not even the first time we have seen it at Fort Hood.

Tomorrow at Fort Hood President Obama will lead a memorial service to honor those who died last week. As we remember the soldiers who were lost and pray for those who were wounded, we also need to ask ourselves if there is more that we can do to protect the members of our military and their families.

In the speech 2 years ago, General Dempsey said the vast majority of servicemembers end up stronger from the experience that they served. He said: "They are disciplined, they are courageous . . . they have a sense of purpose." They are men and women we should be very proud of, and we are.

There are also a few who for some reason or another need help. Some may bear invisible wounds from war. As we wind down our involvement in Afghanistan, our task as a Nation is to get all of the people right, as General Dempsey reminded us. Servicemembers and veterans who are struggling with

health issues, including mental health issues, need to get the care that is necessary to bring them back to a full participation in life.

Military families shouldn't have to struggle to put food on their table or a roof over their heads. A grateful Nation can do a lot better than that. No member of the military who risked his or her life overseas should have to worry about losing his or her life on a military base in America. In the midst of the tragedy last week many people at Fort Hood acted nobly and courageously, but something went terribly wrong.

We owe it to our servicemembers and their families to understand how this terrible loss happened so we can work to make sure it does not happen again.

Madam President, 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.

The PRESIDING OFFICER. The Senator from Rhode Island.

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

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

Mr. WHITEHOUSE. Thank you very much.

#### CLIMATE CHANGE

Madam President, I am now here for the 64th time to ask my colleagues to wake up to the threat of climate change. It was almost exactly 2 years ago in April 2012 that I began speaking on the floor every week that the Senate is in session.

I have tried to make a compelling case for my colleagues. First and foremost I have relied on the overwhelming scientific evidence and the near unanimity of the scientific community.

Ninety-seven percent of climate scientists agree that the increase of carbon dioxide in our atmosphere due to human activities is driving unprecedented changes, and, of course, they are changes that Americans see all about them in their lives now. If 97 doctors told you that you needed surgery, who among us in our right mind would heed the advice of the three doctors who said they were unsure and we should delay the treatment?

I have talked about global warming. I have talked about the weirding of the weather—heat waves, extreme downpours, drought, shifting seasons. I have talked at length about the devastating toll on our oceans, which hold such peril in my home State, Rhode Island, the Ocean State. Our oceans are warming, rising, and becoming more acidic, and all of that is undeniable. It is measurable. It threatens our coastal communities and marine species alike.

I have described the potential for deep economic disruption in industries such as fishing and farming or inundation or wildfire. I have looked at the threat to human health. I have conveyed the deep concerns of corporate



leaders who understand that climate change is bad for business and of faith leaders who appeal to our moral duty to conserve God's creation and to spare those who are most vulnerable to catastrophe. I have answered the claims of those in this Chamber who deny the reality of climate change and the need for action, and I have called out the network of fossil fuel propaganda that seeks to mire this Congress in phony manufactured doubt.

I have been joined by colleagues who share my commitment to rouse this Congress from its oil- and coal-induced slumber, including the historic all-night stand on the floor that reached hundreds of thousands of Americans. But unfortunately, it seems we still have some ways to go. I could stand here until I am blue in the face supplying the Chamber with reasoned arguments and scientific facts on climate change, and some here in Congress would ignore it because they reject information from scientists and they ignore empirical evidence.

So maybe it is time to bring in some muscle—the American military. Climate change threatens our strategic interests, our military readiness, and our domestic security in many ways. It is a serious national security issue. Don't take my word for it. Our top military commanders and strategic planners at the Department of Defense say so.

Four years ago the Department of Defense released the Quadrennial Defense Review, clearly linking for the first time climate change and national security. The 2010 review concluded that the effects of climate change can contribute to increases in regional instability driven by demand for food, water, and natural resources, and to extreme weather events which will increase the need for humanitarian aid and disaster relief, both within the U.S. and abroad.

Then-Chairman of the Joint Chiefs of Staff Admiral Michael Mullen put it this way. I will quote him:

The scarcity of and potential competition for resources like water, food, and space, compounded by the influx of refugees if coastal lands are lost does not only create a humanitarian crisis, but it creates conditions of hopelessness that could lead to failed states and make populations vulnerable to radicalization.

That is the U.S. Chairman of the Joint Chiefs of Staff.

Last year 9 retired generals and admirals joined 17 former members of the House and Senate and several former cabinet level officials and issued this warning. They said:

The potential consequences to climate change are undeniable, and the cost of inaction, paid for in lives and valuable U.S. resources will be staggering.

The 2014 Quadrennial Defense Review was released last month in tandem with the Department of Defense budget request, and it is just as straightforward in its warnings on climate change.

I will quote:

Climate change poses another significant challenge for the United States and the world at large. . . . Climate change may exacerbate water scarcity and lead to sharp increases in food costs. The pressures caused by climate change will influence resource competition while placing additional burdens on economies, societies, and governance institutions around the world.

The second installment of the current Intergovernmental Panel on Climate Change assessment report, released just last week, echoes what our own military leaders are already telling us. According to the report, "Climate change can directly increase risks of violent conflicts in the form of civil war and inter-group violence by amplifying well-documented drivers of these conflicts such as poverty and economic shocks."

In response to our changing climate, the Department of Defense is conducting a comprehensive assessment of the risks to U.S. military installations. This is not a trivial effort and it is not being undertaken without cause.

The Pentagon is also working with other nations to strengthen the network of humanitarian assistance for disaster response. The reach of our military stretches to every corner of the globe and so do the effects of climate change. Our commanders recognize the need to adapt in every theater.

Much has been made of the U.S. military and diplomatic pivot to the Pacific region. While ADM Samuel J. Locklear, commander, U.S. Pacific Command, has called climate change the biggest long-term security threat in the Pacific because it "is probably the most likely thing that is going to happen . . . that will cripple the security environment, probably more likely than the other scenarios we all often talk about." The head of our Pacific command is describing this as the most likely thing to happen to cripple the security environment.

The threat extends from pole to pole. Former Supreme Allied Commander and Commander of U.S. Forces in Europe James Stavridis is wary of the ongoing reduction in Arctic sea ice. He states, "This will present potential problems, from oil spills, dangers to wildlife, search and rescue for commercial shipping and tourist boats, and open zones of maneuver for the navies of the Arctic nations to interact."

Our American military leaders are clear in sounding this alarm. In Congress some of us are taking these warnings seriously. The Bicameral Task Force on Climate Change, which I lead with Congressman WAXMAN, invited national security experts to share their perspective on climate change. Retired Marine Corps Brig. Gen. Stephen Cheney is CEO of the American Security Project, founded in 2005 by former Senators John Kerry, Chuck Hagel, Gary Hart, and Warren Rudman. He stressed that climate change is not a new issue within national security issues and that the United States must engage the world on this issue, which of course

we cannot do while we are paralyzed by false denial.

Retired Army BG Gerald Galloway spoke of the risk extreme weather events pose to military installations. He said:

When communities and installations are unaware of their vulnerability to these events, the results can be disastrous. A failure to be prepared shifts the military's focus from maintaining a constant level of readiness to dealing with each of these climate change impacts as they occur. Both floods and increased temperatures can bring training to a halt or restrict critical movements.

This message was echoed by retired Army CPT Jon Gensler, who described the difficulty of maintaining our readiness, particularly in responding to ever-increasing requests for disaster-related humanitarian assistance.

The consensus is clear from the people to whom we have entrusted our national security: Climate change is a serious threat to national security and to global security for which we need to plan and prepare. That is the message Secretary of State John Kerry brought to an audience in Jakarta, Indonesia, earlier this year. He said:

In a sense, climate change can now be considered another weapon of mass destruction, perhaps the world's most fearsome weapon of mass destruction. . . . The fact is that climate change, if left unchecked, will wipe out many more communities from the face of the earth. And that is unacceptable under any circumstances—but it is even more unacceptable because we know what we can do and need to do in order to deal with this challenge.

Yet Congress sleepwalks, refusing to listen, refusing to speak of it, refusing to act when duty calls us to act, when history calls us to act, and when decency calls us to act.

I have a book in my office written by Geoffrey Regan. It is entitled "Great Naval Blunders: History's Worst Sea Battle Decisions from Ancient Times to the Present Day." It is an interesting book to read. It is a long history of episodes of folly and error that have ended in disaster. It contains the account of a fleet of British naval ships docked at harbor as a great typhoon bore down on them. The ships' captains knew the typhoon was so strong that it would tear the ships loose from their anchors and wreck them. They knew their only safe strategy was to up anchor, head out of the harbor, and try to weather the storm at sea, but none of the captains wanted to be the first ship to leave the port so they all stayed and the typhoon swept down and they were destroyed.

Regan calls this "an error of judgment that will forever remain a paradox in human psychology." We can make those kinds of errors of judgment, and for those captains and crews, the error was fatal. Facing certain destruction, those sea captains refused to take the action that they knew was necessary to save their ships, to save themselves, and to save their crews.

I think of that story as we stand in the Senate unable to respond to what

is looming down on us from climate change. The science could not be clearer. It is grownup time around here, and we need to take it seriously. The fact that one side of the aisle can't even use the word "climate change" is a terrible sign.

John Wayne, a great American actor whom we all know, had a number of wonderful roles in his life. One of John Wayne's roles was to play Sergeant Stryker in the movie "Sands of Iwo Jima." In that movie, Sergeant Stryker had a memorable phrase: "Life is tough, but it's tougher if you're stupid." We have all the information in front of us that we need to avoid being stupid. Collectively, that is what we are being. Similar to those captains, knowing what is bearing down on us, we are somehow unable to take the action that will protect us, our country, and will protect our children and future generations. There is no better way to describe it than through the words of Sergeant Stryker: "Life is tough, but it's tougher if you're stupid."

It is time to wake up.

I yield the floor.

Mr. BENNET. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The majority leader.

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

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

#### EXECUTIVE SESSION

#### NOMINATION OF MICHELLE T. FRIEDLAND TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT

Mr. REID. Madam President, I move to proceed to executive session to consider Calendar No. 574.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Michelle T. Friedland, of California, to be United States Circuit Judge for the Ninth Circuit.

#### CLOTURE MOTION

Mr. REID. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to report the cloture motion.

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 Michelle T. Friedland, of California, to be

United States Circuit Judge for the Ninth Circuit.

Harry Reid, Patrick J. Leahy, Debbie Stabenow, Jack Reed, Christopher A. Coons, Patty Murray, Elizabeth Warren, Richard J. Durbin, Mazie Hirono, Sheldon Whitehouse, Richard Blumenthal, Barbara Boxer, Kirsten E. Gillibrand, Charles E. Schumer, John D. Rockefeller IV, Bernard Sanders, Cory A. Booker.

Mr. REID. Madam President, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

#### LEGISLATIVE SESSION

Mr. REID. I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### NOMINATION OF DAVID WEIL TO BE ADMINISTRATOR OF THE WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR

Mr. REID. I now move to proceed to executive session to consider Calendar No. 613.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of David Weil, of Massachusetts, to be Administrator of the Wage and Hour Division, Department of Labor.

#### CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to report the motion.

#### 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 David Weil, of Massachusetts, to be Administrator of the Wage and Hour Division, Department of Labor.

Harry Reid, Tom Harkin, Jon Tester, Barbara Boxer, Charles E. Schumer, Benjamin L. Cardin, Patrick J. Leahy, Richard J. Durbin, Robert P. Casey, Jr., Christopher A. Coons, John D. Rockefeller IV, Carl Levin, Bill Nelson, Sheldon Whitehouse, Christopher Murphy, Patty Murray, Tom Udall.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

#### LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### UNANIMOUS CONSENT AGREEMENTS—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that at a time to be determined by me, in consultation with Senator McCONNELL, this week, the Senate proceed to executive session to consider Calendar No. 649; that there be 1 hour for debate, with 15 minutes under the control of the Democratic leader or his designee and 45 minutes under the control of the Republican leader or his designee; that upon the use or yielding back of time the Senate proceed to vote on the nomination; the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; and that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

Mr. REID. I ask unanimous consent that at a time to be determined by me, in consultation with Senator McCONNELL, on Wednesday, April 9, the Senate proceed to executive session to consider Calendar No. 507; that there be 2 minutes for debate equally divided in the usual form; that upon the use or yielding back of time the Senate proceed to vote on the nomination; the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER (Mr. DONNELLY). Without objection, it is so ordered.

#### REMEMBERING CORPORAL WILLIAM F. DAY

Mr. McCONNELL. Mr. President, I rise today to honor a fallen soldier from my home State, the Commonwealth of Kentucky. Nearly 64 years after being killed in the Korean war, Army CPL William F. Day's remains were finally returned home last week.