

Mr. MORAN. I ask unanimous consent that the order for the quorum call be rescinded.

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

#### CRABTREE NOMINATION

Mr. MORAN. Mr. President, I wish to speak for a few moments on the Senate floor. We are working our way through a number of confirmations relating to Federal district judges across the country. One of them is the potential Federal district judge for my State of Kansas. I rise to speak in support of one of those individuals who will be considered by the Senate this week, Daniel Crabtree. He was nominated by the President to be a U.S. district court judge for the District of Kansas.

I want to attest to my colleagues my view that he is a gentleman who should be confirmed by the Senate. He was reported out of the Judiciary Committee without opposition and is rated unanimously "well qualified" by the American Bar Association, which, in part, confirms my view that he would make an outstanding Federal judge.

I actually have known this individual for more than 30 years, dating back to our days at the University of Kansas School of Law, where he was 1 year ahead of me in law school. I have followed his personal and professional development since that time. We have remained acquainted, we have been friends, and for a short period of time we practiced law at the same firm in downtown Kansas City. He is worthy of our support today, but he is also someone who has my respect and admiration.

After graduating from the University of Kansas School of Law, Dan Crabtree became an associate and ultimately became a partner at the downtown Kansas City law firm then called Stinson, Mag & Fizzell. He became a partner in 1988. The firm merged into a firm called Stinson Morrison Hecker in 2002.

He is a litigator with extensive experience in the Federal and State courts, and he received recognition by the publication "Best Lawyers" in Kansas City as the Antitrust Lawyer of the Year in 2013. In 2014 he was the Kansas City Banking and Finance Litigation Lawyer of the Year. Again, this is outside confirmation of his qualifications and capabilities.

Dan is a lifelong resident of our State. He grew up in Kansas City, KS, the suburbs of Kansas City, MO, on the Kansas side of the line. He and his wife Maureen and their teenager daughter continue to live in Kansas City, KS, today.

I have often spoken on the Senate floor about the special way of life we have in our State, and Dan Crabtree, in his hometown of Kansas City, KS, exemplifies what I so often admire, respect, and speak of on the Senate floor about his humility, his devotion to others, his relationship with his community, and how important it is to him

to be an active member in trying to make life better for other people, those who are his neighbors and those who surround him in Kansas City and Kansas, our State. He has those characteristics of a Kansan.

I have often known people who have been very successful in their professional lives, who have succeeded, for example, in law school, gone on to a large prestigious firm, and in many instances it seems as if they forgot where they came from. Dan continues to live in his hometown and continues to work to make certain that good things happen in that community. He does that with a great sense of humility. While he has the attributes that could cause him to be superior in his attitude toward others, Dan is humble, caring, and compassionate. His pride in where he comes from is evidenced by a devotion to many community activities—the Community Foundation of Wyandotte County and the Greater Kansas City Community Foundation. He sits on the board of directors for the Kansas City Sports Commission, and he is responsible in part for bringing 14 NCAA championships to Kansas City over the past few years.

All of this encompasses who Dan is. He is a husband, a father, a lawyer, and a community leader. He is exemplary in fulfilling each of those roles. Mostly, I want to say that his character, integrity, and professional achievements are worthy of being a member of the Federal bench. In fact, I can think of few others whom I have met in my time as a Senator but also my time as a practicing attorney in Kansas City who would fulfill the solemn duties of this position better than Dan Crabtree.

I thank the President for nominating Dan Crabtree, and I ask my colleagues to join me in swiftly confirming him as a judge for the U.S. District Court for the District of Kansas.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

#### THE MINIMUM WAGE

Mr. THUNE. I come to the floor to discuss the proposed minimum wage hike and the jobs it will cost Americans.

With more than 10 million Americans unemployed, the last thing this body should be doing is considering legislation that would jeopardize jobs. Yet this week we are back in session with another one of the Democrats' election-year gimmicks: a 40-percent minimum wage hike that the Congressional Budget Office estimates would result in a loss of up to 1 million jobs in this country.

Minimum wage hikes are a favorite Democratic proposal when economic times are tough and election-year prospects are dim. Hiking wages sounds good, after all, and Democrats figure it is a sure-fire way to appeal to Americans. But the truth is that when the consequences of a minimum wage hike

are explained to them, Americans don't want it. Why is that? Because Americans want jobs. A minimum wage hike during such a weak economic recovery wouldn't result in job gains; it would result in job losses. It is simple: When you make something more expensive, people can afford less of it. When you drive up the cost of hiring workers, employers can't afford to hire as many of them, especially when you consider that many of those who employ minimum wage workers are small business owners.

Democrats are proposing a 40-percent hike in an economy in which unemployment is already high and job growth is already weak—in other words, a massive minimum wage hike under the worst possible conditions.

It should surprise no one that the Congressional Budget Office has estimated this hike could cost up to 1 million jobs. Who would be hurt by most by these lost jobs? Women, for one. The Congressional Budget Office estimates that 57 percent of the roughly half a million jobs that would be lost by the end of 2016 thanks to this bill would be jobs that are held by women. Young people would also be hit particularly hard. Our economy's overall unemployment rate is not good, but the unemployment rate for 16- to 24-year-olds is even worse—more than twice the national average. The unemployment rate for African Americans between 16 and 24 is still worse than that—a staggering 23.6 percent, almost four times the national average.

Duquesne University economist Antony Davies estimates that the Democrats' proposed minimum wage increase would hike unemployment for those under 25 years old without a high school diploma by 7 to 10 percent. If you are somebody who really needs a job—people under 25 years old without a diploma—the unemployment rate, which is already staggeringly high, could go up by 7 to 10 percent according to a Duquesne University economist.

Finally, the Democrats' proposed minimum wage hike would harm the lowest income and lowest skilled workers—in other words, the very people it is supposed to help. When businesses are faced with the reality of higher employment costs from a minimum wage hike, who are they going to let go? Low skilled workers, the same workers who are most likely to be making the minimum wage.

In a March 2014 survey of businesses currently employing minimum wage workers, 38 percent reported they would have to let some employees go to cover the cost of the minimum wage hike, while 54 percent reported they would reduce their hiring.

In South Dakota small business owners told me the same thing at a recent roundtable I held in my State. Multiple Main Street business owners told me they would stop hiring younger, less experienced workers and/or reduce the hours of their current employees. Others spoke of the devastating impact the

cost increases would have on their businesses. One gentleman who employs 30 workers at a Dairy Queen in South Dakota told me that a \$3 increase in the minimum wage would cost his business an additional \$100,000 per year. That is a huge amount for a small business in a rural area of South Dakota. To deal with these costs, this owner, like so many other small business owners around the country, is going to be forced to hike prices on the products he offers, and that will affect individuals and families in South Dakota and across the country.

Middle-class families have already seen their incomes fall by nearly \$3,500 on this President's watch. The Congressional Budget Office makes clear that a minimum wage hike will mean their purchasing power will be even further reduced and eroded.

The evidence is clear: Minimum wage hikes cost jobs. When informed that they cost jobs, the strong majority of Americans reject these hikes, but unfortunately Democrats have a habit of ignoring both the evidence and the American people.

Take ObamaCare. Democrats jammed the bill through Congress on a party-line vote over the objections of the American people and despite plenty of evidence to suggest that ObamaCare wouldn't work. But, committed to their liberal fantasy of successful government-run health care, they ignored all the evidence to the contrary and forced the bill through. The American people are suffering as a result—canceled health care plans, lost doctors and hospitals, higher prices, fewer choices, and reduced access to medications. The list goes on and on.

Last week the fifth annual U.S. Bank Small Business Survey reported that businesses now rank health care as their No. 1 concern. More than 60 percent of them, quoting from the survey, "now say the long-term impact of the Affordable Care Act will be negative on their business."

Another article over the weekend reported that "health insurers are preparing to raise rates next year for plans issued under the Affordable Care Act."

Still another article from The Hill newspaper on Saturday stated that Democrats in competitive elections generally regard ObamaCare as a four-letter word, with many of their campaign Web sites omitting any reference to the law.

Democrats know ObamaCare has failed, but instead of trying to replace the law, they are just trying to distract with more bad policies that make it even harder to create jobs in this country.

American families are hurting. They need jobs—steady, good-paying jobs. Yet Democrats are ignoring this priority in favor of liberal pet projects that pander to their political base.

There is a clear contrast developing in the Senate: Democrats are offering distractions and Republicans are offer-

ing proposals that would spur job creation, increase opportunity, and help middle-class families, proposals such as Senator HOEVEN's bill to force approval of the Keystone Pipeline and the 42,000 jobs the President's own State Department says it would support.

There is Senator COLLINS' proposal to amend the ObamaCare 30-hour work-week provision that is causing employers to cut hours.

We have the proposal from Senators HATCH, TOOMEY, and COATS to repeal ObamaCare's tax on lifesaving medical devices such as pacemakers and insulin pumps—a tax that has already negatively affected tens of thousands of jobs in this industry and stands ready to damage many more.

Then there is Senator PORTMAN's bill to require executive branch agencies to conduct a cost-benefit analysis of new regulations so that fewer burdensome, job-killing regulations emerge from the administration.

There are bills from Senator LEE, Senator MCCONNELL, and Senator AYOTTE to give working parents more flexibility in the workplace so that they can make it to more soccer games and more dance recitals while maintaining steady jobs.

Senator RUBIO has a bill to amend the National Labor Relations Act to allow employers to give raises to deserving employees.

Then there is my own to help long-term unemployed workers by providing them with a one-time low-interest loan of up to \$10,000 to start a new job or to relocate to a State or metropolitan area with lower unemployment.

The PRESIDING OFFICER (Mr. SCHATZ). The time of the Senator has expired.

Mr. THUNE. Those are the issues on which we should be focused. I hope we will start—and start creating jobs and opportunities for the American people.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session.

#### 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 Sheryl H. Lipman, of Tennessee, to be United States District Judge for the Western District of Tennessee.

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

Mr. LEAHY. Mr. President, today, we will vote to end filibusters on the nominations of Sheryl Lipman to the U.S. District Court for the Western District of Tennessee, Stanley Bastian to the U.S. District Court for the Eastern District of Washington, Manish Shah to a judicial emergency vacancy on the U.S. District Court for the Northern District of Illinois, Daniel Crabtree to the U.S. District Court for the District of Kansas, Judge Cynthia Bashant to the U.S. District Court for the Southern District of California, and Judge Jon Levy to the U.S. District Court for the District of Maine. These are just 6 of the 31 judicial nominees currently pending on the Senate Floor.

Every single one of these nominees was voted out of the Judiciary Committee with bipartisan support and every single one of these nominees has the support of their home State Senators. Nevertheless, we are once again being forced to follow the costly ritual of filing and voting on cloture for non-controversial nominees and wasting valuable floor time repeating this exercise. Meanwhile, it is our Federal Judiciary and the American people who suffer from these delays.

I recently heard remarks from the Minority Leader claiming that "many of these nominees would have been confirmed last December had we not" instituted the rules change. This statement is simply belied by the facts. Senate Republicans have obstructed and slowed the nominations process throughout this President's entire tenure—in both his first and second terms. At the end of each calendar year, Senate Republicans deliberately refuse to vote on several judicial nominees who could and should be confirmed in order to consume additional time the following year confirming these nominees. This has happened at the conclusion of every single year of the Obama presidency.

At the end of 2009, they left 10 nominations on the Executive Calendar without a vote. Two of those nominations were returned to the President, and it subsequently took 9 months for the Senate to take action on the other 8. This resulted in the lowest 1-year confirmation total in at least 35 years. In 2010 and 2011, Senate Republicans left 19 nominations on the Senate Executive Calendar at the end of each year. It then took nearly half the following year for the Senate to confirm these nominees. In 2012, Senate Republicans left 11 judicial nominees without action and another four had hearings but Republicans refused to expedite their consideration. In 2013, Senate Republicans left 9 nominations on the Executive Calendar. Another 15 judicial