

in consumers and businesses in the region experiencing some of the highest, most volatile energy costs in the country. These high energy costs are hurting Rhode Island families and businesses, threatening the growth of our economy, and reducing our competitiveness.

After paying their monthly home energy bills, Rhode Island families, who have been hit particularly hard during this period of high unemployment, are left with few resources to meet other basic needs. High energy costs also place Rhode Island businesses, manufacturers, and industrial users at a competitive disadvantage. To revitalize Rhode Island's rich manufacturing history, we must find ways to lower energy costs.

These were among the issues explored when I welcomed Secretary Moniz to Providence last month as part of the Administration's outreach on the Quadrennial Energy Review. Secretary Moniz had the opportunity to hear directly from Rhode Islanders impacted by high energy costs and engage in a dialogue of potential solutions.

While I continue working with my New England colleagues to find long-term solutions to ensure an affordable, cleaner, and more reliable energy system for the region, one of the things we can do to help families and businesses in our States right now is to pass the Shaheen-Portman energy efficiency bill.

Addressing the existing energy infrastructure constraints in New England is just one piece of the puzzle. Energy efficiency will also be an important tool in reducing demand, lowering energy costs, and addressing and maintaining the reliability of our energy system.

Improved efficiency not only saves families and businesses directly on their energy bills, but by also reducing demand, it helps to alleviate stress on the power system and can help mitigate volatile price spikes in the New England region, as we witnessed over the last several months.

I would also like to take a moment to speak about an amendment I have joined Senators COONS and COLLINS in filing to this bill to reauthorize the Weatherization Assistance Program. I, along with Senator COLLINS, yearly lead the fight in the Senate for funding for the Weatherization and State Energy Programs. This amendment would reauthorize and enhance these two well-established, cost-effective energy programs that support jobs, contribute to the Nation's economic recovery, and help meet important goals, such as improving energy efficiency and lowering energy costs.

I know that we have many supporters of the Weatherization and State Energy Programs here in the Senate, and I look forward to continuing to work with each of you to ensure that these important programs remain successful in improving energy efficiency, creating jobs, and reducing the overall

cost of heating and powering our homes and businesses.

While we should certainly do much more to advance our national energy policy—and I hope that we can take greater steps very soon—I urge my colleagues to join me now in supporting the Shaheen-Portman energy efficiency bill.

I once again commend those two Senators for their extraordinarily thoughtful, conscientious, and determined leadership. Now we must follow their example and pass this legislation.

#### BARRON NOMINATION

Mr. LEAHY. Mr. President, earlier today, the ranking member requested that the administration provide materials relating to Anwar Al-Awlaki so that all Senators would be able to properly evaluate Mr. Barron's nomination. The administration has now made available unredacted copies of any memo issued by Mr. Barron regarding the potential use of lethal force against Anwar Al-Awlaki. I hope and expect that all Senators will review these materials today.

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

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

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. BOOKER). The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. 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

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

Mr. LEAHY. Mr. President, today, we are again voting to overcome Republican filibusters of four highly qualified judicial nominees. The nominees are Judge Robin Rosenbaum to fill an emergency vacancy on the U.S. Court of Appeals for the Eleventh Circuit; Indira Talwani to fill a vacancy on the U.S. District Court for the District of Massachusetts; James Peterson to fill an emergency vacancy on the U.S. District Court for the Western District of Wisconsin; and Nancy Rosenstengel to fill an emergency vacancy on the U.S. District Court for the Southern District of Illinois.

Before proceeding with the qualifications of these four judicial nominees, I would like to address some questions regarding the nomination of David Barron. Mr. Barron has been nominated to fill a vacancy on the U.S. Court of Appeals for the First Circuit. There have been press accounts that Senate Republicans are placing a hold on Mr. BARRON's nomination because they are seeking access to a Justice Department memorandum regarding Anwar Al-Awlaki, an Al Qaeda leader who was killed by a U.S. drone strike in Yemen.

Since Senate Republicans have blocked every single judicial nominee this year from receiving an up-or-down vote, it comes as no surprise that they would attempt to block Mr. Barron as well. This is nothing new. As for the Justice Department memo, the majority leader and I have urged the administration to make the memo available to all Senators, and the administration has agreed. All Senators can review it for themselves. All members of the Judiciary Committee were previously able to review this memo, and now that his nomination is before the full Senate, it makes sense that all Senators will have that opportunity.

I am confident that once we proceed with Mr. Barron's nomination, Senators will vote to confirm him. He is brilliant nominee who is currently a professor at Harvard Law School. He is a nationally recognized expert on constitutional law, the separation of powers, administrative law, and federalism. He clerked on the U.S. Supreme Court for Justice John Paul Stevens. Justice Stevens has such high regard for Mr. Barron that the Justice attended his nomination hearing.

Mr. Barron has been an outstanding law professor and public servant. He has the credentials, expertise, and temperament to make an outstanding judge. As the acting head of the Department of Justice's Office of Legal Counsel in the beginning of the Obama administration, one of Mr. Barron's first actions was to withdraw several of the torture memos that OLC issued during the Bush administration that found "enhanced interrogation techniques" lawful, including sleep deprivation, stress positions, and waterboarding.

Mr. Barron has stood up for the rights of gay and lesbian students. In 2005, he coauthored amici briefs in the case *Rumsfeld v. FAIR*, which challenged the Solomon Amendment. The Solomon Amendment provided that if an institution of higher education denies military recruiters or ROTC programs access to campus, the entire institution would lose certain Federal funds. Until 2011, the Department of Defense discriminated based on sexual orientation, and many universities did not permit discrimination on campus. In response to a question for the record from Senator GRASSLEY on the issue, Mr. Barron said: "With respect to my participation along with other faculty members and my dean as amici in *Rumsfeld v. FAIR*, I believed it was important as a faculty member at Harvard Law School to help in the effort to ensure that gay and lesbian students at my institution continued to have equal opportunities to seek legal employment."

Mr. Barron is truly an outstanding nominee, and I hope all Senators will support his nomination when it comes up.

Today, we will vote to end the filibusters of four other very highly qualified nominees.

Judge Robin Rosenbaum has been nominated to fill an emergency vacancy on the U.S. Court of Appeals for the Eleventh Circuit. She has served since 2012 as a U.S. district judge in the Southern District of Florida, where she was previously a U.S. magistrate judge. Prior to her judicial service, she served as an assistant U.S. attorney in the Southern District of Florida from 1998 to 2007. Judge Rosenbaum has previously practiced at Holland & Knight, LLP, and as a trial attorney in the U.S. Department of Justice, Civil Division. In 1998, she served as a law clerk to Judge Stanley Marcus of the U.S. Eleventh Circuit Court of Appeals. She has the bipartisan support of her home state senators, Senator NELSON and Senator RUBIO. The Judiciary Committee reported her nomination by voice vote to the full Senate on March 6, 2014.

Indira Talwani has been nominated to fill a vacancy on the U.S. District Court for the District of Massachusetts. She has worked in private practice at Segal Roitman, LLP, since 1999 and has been a partner at the firm since 2003. She has previously practiced at the law firm of Altshuler Berzon LLP, where she was also a partner. After graduating from law school, Ms. Talwani served as law clerk to Judge Stanley Weigel of the U.S. District Court for the Northern District of California. She has the support of her home State senators, Senator WARREN and Senator MARKEY. The Judiciary Committee reported her favorably to the full Senate by voice vote on February 6, 2014.

James Peterson has been nominated to fill an emergency vacancy on the U.S. District Court for the Western District of Wisconsin. He has worked in private practice at Godfrey & Kahn, S.C., since 1999, where he has been a shareholder since 2007. Mr. Peterson has served as lead counsel on at least 15 civil cases that have been litigated to judgment. He has also actively participated in nine jury trials, three of which he was lead counsel. Mr. Peterson has briefed and argued civil appeals at the U.S. Court of Appeals for the Seventh Circuit, the Federal Circuit, and the Wisconsin Supreme Court. He has also authored two amicus briefs at the U.S. Supreme Court. In addition to his legal practice, Mr. Peterson has served as an adjunct instructor at the University of Wisconsin Law School. The ABA Standing Committee on the Federal Judiciary unanimously rated Mr. Peterson "well qualified" to serve on the Western District of Wisconsin Court, its highest rating. He has the bipartisan support of his home State senators, Senator JOHNSON and Senator BALDWIN. The Judiciary Committee reported him favorably to the full Senate by voice vote on February 6, 2014.

Nancy Rosenstengel has been nominated to fill an emergency vacancy on

the U.S. District Court for the Southern District of Illinois. She has served since 2009 as the clerk of court to the U.S. District Court for the Southern District of Illinois. She previously served for 11 years as a career law clerk to Judge G. Patrick Murphy of the U.S. District Court of the Southern District of Illinois. As a career law clerk, she assisted Judge Murphy in hundreds of civil and criminal cases. She also worked in private practice at Sandberg, Phoenix, & von Gontard as an associate from 1993 to 1998. She earned her B.A. cum laude from the University of Illinois in 1990. She earned her J.D. with honors from the Southern Illinois University Law School in 1993, where she was as an editor on the Southern Illinois University Law Journal. She has the bipartisan support of her home State senators, Senator DURBIN and Senator KIRK. The Judiciary Committee reported her nomination by voice vote to the full Senate on March 6, 2014.

Each of these nominees has the experience, judgment, and legal acumen to be good judges in our Federal courts. I thank the majority leader for filing cloture petitions, and I hope my fellow Senators will join me today to end these filibusters so that these nominees can get working on behalf of the American people.

Mrs. SHAHEEN. I ask unanimous consent that all time be yielded back.

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

#### 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 assistant 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 Indira Talwani, of Massachusetts, to be United States District Judge for the District of Massachusetts.

Harry Reid, Patrick J. Leahy, Mazie Hirono, Dianne Feinstein, Al Franken, Jack Reed, Amy Klobuchar, Robert P. Casey, Jr., Sheldon Whitehouse, Benjamin L. Cardin, Tom Harkin, Barbara Boxer, Richard Blumenthal, Edward J. Markey, Richard J. Durbin, Charles E. Schumer, Elizabeth Warren.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, is it the sense of the Senate that debate on the nomination of Indira Talwani, of Massachusetts, to be United States District Judge for the District of Massachusetts, 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. DURBIN. I announce that the Senator from Minnesota (Mr. FRANKEN), the Senator from Minnesota (Ms. KLOBUCHAR), and the Senator from Arkansas (Mr. PRYOR) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arkansas (Mr. BOOZMAN).

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

The yeas and nays resulted—yeas 55, nays 41, as follows:

[Rollcall Vote No. 134 Ex.]

#### YEAS—55

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

#### NAYS—41

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

#### NOT VOTING—4

Boozman	Klobuchar
Franken	Pryor

The PRESIDING OFFICER. On this vote the yeas are 55, the nays are 41.

The motion is agreed to.

The majority leader.

Mr. REID. Mr. President, the last vote was about 10 minutes over time. We waited patiently for everyone. For the next two votes, at the end of the time we are going to cut it off. We have a lot of things going on during lunchtime.

If you are not here, you are not going to be counted. We can't be waiting because it is impolite and unfair to everybody else. We have two more votes.

I yield back the time on the two judges.

We are going to have a third vote that will be by voice vote.

Ms. LANDRIEU. Mr. President, could this be a 10-minute vote?

Mr. REID. It is.

The PRESIDING OFFICER. Without objection, all time is yielded back.

#### NOMINATION OF INDIRA TALWANI TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS

The PRESIDING OFFICER. The clerk will report the nomination.