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## Senate

The Senate met at 2 p.m. and was called to order by the Honorable TIMOTHY M. KAINE, a Senator from the Commonwealth of Virginia.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, who spreads the lightning against the dark clouds, Your Name is holy. Your blessings continue to sustain this Nation and all who labor for liberty. May our Senators never take for granted their privilege to serve both You and country. Give them such gratitude that their actions will reinforce their thanksgiving. Lord, provide them with wisdom to become Your hands, feet, and voice in these challenging times.

Lord, be with those who support our lawmakers, particularly the family members who routinely sacrifice for America's good. May these often unsung heroes and heroines know that You are aware of their faithfulness and will reward their efforts.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, June 23, 2014.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable TIMOTHY M. KAINE, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

Mr. KAINE thereupon assumed the Chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### BIPARTISAN SPORTSMEN'S ACT OF 2014—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 384, S. 2363, the Bipartisan Sportsmen's Act of 2014.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 384, S. 2363, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

### SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will be in a period of morning business until 5:30 p.m. Following morning business, the Senate will proceed to executive session and proceed to a series of four cloture votes on three U.S. district court judges from Florida and one from Vermont.

### 60-VOTE THRESHOLD

We tried all last week—I am sorry to say unsuccessfully—to consider three very important appropriations bills. These bills are very significant because they provide this great government of ours with the resources it needs to serve the American people.

I think we have had enough sequestrations and government shutdowns, and I hope my Republican colleagues aren't headed in that direction again.

Given the importance of the appropriations legislation and the need to keep our government operating, I had hoped we could have a cooperative amendment process and participation from all Senators.

Our vote last Tuesday on the motion to proceed was promising, as 95 Senators voted to move forward on these three important bills. However, it is a shame we had to file cloture. If we had not had to file cloture, which resulted in 95 Senators voting to move forward on very important bills, we could have saved 3 days' worth of downtime and doing nothing. But that has happened for many years now with Republicans blocking, obstructing, and misdirecting basically everything we do here.

On the bill we had before the Senate last week, unfortunately, the Republican leader stalled the Senate's progress on these appropriations bills with his recent conversion to the idea of insisting on simple majority votes. He now insists on majority votes or nothing.

Over the past 5 years, virtually everything we have done here in the Senate has been subject to a 60-vote threshold. Why? Because the Republican leader has insisted on that.

Almost 50 times since President Obama took office, the Republican leader has employed the 60-vote threshold in order to block legislation—and good legislation. Bills pertaining to the treatment of 9/11 responders, funding our military, disclosure of campaign contributions, and small business jobs bills all received majority votes but were blocked at one time or another by the new McConnell rule. Under the McConnell rule, everything that comes before the Senate has to have 60 votes.

He has called himself "the proud guardian of gridlock." He has even gone to great lengths in defending the use of the 60-vote threshold.

Allow me to share, as I did last week—and I will do it again because I

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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think it is worth repeating—a few of the Republican leader's past statements on the importance of 60 votes.

The Republican leader said: "Now, look, we know that on controversial matters in the Senate, it has for quite some time required 60 votes."

Another direct quote by the Republican leader:

[R]equiring 60 votes, particularly on matters of this enormous importance, is not at all unusual. It is the way the Senate operates.

The Republican leader also said:

Matters of this level of controversy always require 60 votes. So I would ask my friend, the majority leader, if he would modify his consent request to set the threshold for this vote at 60?

On July 30 the Republican leader said again—I am running through the months here:

For him to suggest that a matter of this magnitude, in a body that requires 60 votes for almost everything, is going to be done with 51 votes makes no sense at all.

Again he said:

So it is not at all unusual that the President's proposal of this consequence . . . would have to achieve 60 votes. That is the way virtually all business is done in the Senate . . .

The Republican leader holds himself as the person who has established this rule—the so-called McConnell rule—and is boasting about it. He has insisted on the 60-vote threshold time and time again over the past 5 years. So it is without logic, and it would deviate from the norm, that he, the Republican leader, has made. So I guess that is where we are. We are now operating under a 60-vote threshold and that is the norm that he, the Republican leader, has established around here.

The Republican leader's newfound support of the 51-vote threshold is timely, given his proposal to curb EPA regulatory powers because of an issue he thinks exists, even though there has been no rule promulgated by the White House. He is looking way off into the future. We have had months and months of people offering their opinions and suggestions as to how, if at all, this proposed rule could be changed, but he wants to do something about it even though there is nothing to change right now.

It is patently unfair to give the Republican leader a simple majority vote on his amendment when there have been so many other pieces of legislation he has blocked with the 60-vote threshold. However, we Democrats are willing to meet the Republican leader and his caucus halfway.

Here is the suggestion. We will agree to a simple majority vote on the Republican leader's EPA amendment in exchange for a 51-vote threshold on bills that are important to American families, such as an increase in the Federal minimum wage. A vast majority of the American people—Democrats, Republicans, and Independents—want the minimum wage raised.

How about a vote on equal pay for working women? The vast majority of American people want their wives, daughters, mothers, and sisters to have the same paycheck when they do the same work as a man.

How about legislation permitting student borrowers to refinance their student loans? They blocked us on that legislation with the 60-vote threshold.

How about energy efficiency legislation? They blocked that many times.

How about a simple majority vote on the disclosure of campaign contributions? How about a simple majority vote on updating voting right protections that the Supreme Court did away with? How about a simple majority vote for background checks on gun purchases? Eight-five to 90 percent of the American people support that, and over half the NRA members support that.

What I am saying is, OK, if the Republican leader wants to vote on the EPA amendment with a simple majority vote, fine, we will take that. But let's have a simple majority vote on these other issues we feel are extremely important to help the middle class.

In exchange for a simple majority vote on legislation—I repeat, legislation that is so timely—such as, minimum wage, student loans, equal pay for men and women, energy efficiency legislation, and background checks for gun purchases, we could have a simple majority vote on the EPA amendment.

It is only fair that bills blocked by the McConnell rule be granted the same treatment as the Republican leader's own legislation. To do otherwise would be unjust to the many Senators who introduced legislation that is important to American families.

I hope we can come to a quick agreement on this offer and move to an open amendment process on appropriations bills, which should make Republicans happy. They said they wanted amendments; they can have amendments.

#### RESERVATION OF LEADER TIME

Will the Chair announce the business of the day.

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 5:30 p.m. with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. I 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.

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

The PRESIDING OFFICER (Ms. HIRONO). Without objection, it is so ordered.

#### HONORING OUR ARMED FORCES

##### LANCE CORPORAL BRANDON GARABRANT

Mrs. SHAHEEN. Madam President, it is with a heavy heart that I rise this evening to honor the life and service of U.S. Marine Corps LCpl Brandon Garabrant. Brandon was a native of Greenfield, NH, who, sadly, was killed in action on Friday in Afghanistan.

Lance Corporal Garabrant was serving his first tour overseas after completing basic training at Camp Lejeune last year.

In the days since we learned that Brandon made the ultimate sacrifice for his country, we have been touched by the selfless devotion with which he lived his life and which defined him as a citizen and a marine.

His dedication to our country was so focused that he completed his basic training at Camp Lejeune just 1 day before he graduated from ConVal Regional High School. Brandon also served throughout his high school years as a volunteer firefighter with the Temple Volunteer Fire Department.

Although he was just 19 years old when he deployed to Afghanistan, Brandon faced the enormous task of defending our Nation with unshakable conviction.

Brandon's thoughts on the eve of his April deployment most aptly demonstrate his devotion to his country, to his community, and to his fellow marines. Brandon wrote:

Fighting for our country, our brothers to the left and right, our friends and families back home. So that you can have the right for freedom and to live the American dream without fear of anything. Here comes a long journey into the unknown.

It is certainly a very long journey for Brandon.

Brandon is survived by his mother Jessie, his father John, and his younger siblings Jacob and Mykala.

It is my hope that during this extremely difficult time Brandon's family and friends will find comfort in knowing that Americans everywhere appreciate deeply his sacrifice in defense of our country so the rest of us may continue to live in peace and freedom.

Brandon epitomized the best New Hampshire tradition of service, and his example will not soon be forgotten by those who were fortunate enough to have known him.

I ask my colleagues and all Americans to join me in honoring the life and service of this brave young American, Brandon Garabrant.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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