

an embarrassing record for the majority leader, and I think it is an embarrassing record for the Democrats—who control the Senate—to tolerate.

I think it is important for Americans to pay close attention to not just what Senators say when they go home, but actually what happens and what they do and what they stand for and what they vote on. So I would say the next time Democrats go home and tell their constituents they are introducing legislation to solve a problem, the constituents ought to ask, when? When is the vote? That is what I want to know. When is the vote? When is the vote, Mr. President? When is the vote, Senate Democrats? When is the vote, Majority Leader REID? When is the vote?

As usual, when the question is asked, silence. That is all we get in return.

So I actually believe we have a majority of Senators, Republicans and Democrats, who would actually vote to pass my amendment. This amendment I have to this bill on the floor—a majority of Senators, Republicans and Democrats, bipartisan, would vote to pass this amendment to stop the EPA's extreme takeover of waters across America. But under Senator REID's command-and-control style of leadership, I don't think we will ever know. I don't think we will have that vote, and I think Senator REID will block it.

So I would say that if my colleagues agree with the editorial board of the Washington Post, "Clear rules for clean water"—today's Washington Post editorial—then they should be able to stand and be counted. Democrats should demand it. In the recent history of the United States, if that history is any indication, as we can see by this embarrassing vote calendar, I am not at all confident that this body will ever be given the opportunity to stand and be counted, and the reason is because Majority Leader REID won't allow Republicans or Democrats to vote on my amendment or hardly anyone else's amendment.

Thank you, Mr. President.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ORDER OF PROCEDURE

Mr. LEVIN. Mr. President, I ask unanimous consent that the Republicans control the time from 2 p.m. until 3 p.m. and the majority leader control the time from 3 p.m. until 4 p.m. today.

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

AFGHANISTAN

Mr. LEVIN. Mr. President, I have just returned from Afghanistan, where

I met with the two Presidential candidates, Dr. Ashraf Ghani and Dr. Abdullah. Both Dr. Ghani and Dr. Abdullah are impressive men who have committed to reformist agendas and campaigned throughout the country. Afghanistan is fortunate to have two such capable Presidential candidates.

In the course of my meetings with the two candidates last Sunday and indeed during many meetings over the years, each has told me that he appreciates the support the United States has provided to their country, and each will sign a bilateral security agreement with the United States as soon as possible after the next President is inaugurated.

This is a particularly sensitive time for Afghanistan, which has not had a peaceful transition of power in the 50 years since Zahir Shah was overthrown in a coup. More than 7 million ballots were cast in the first round of the Presidential election back in April, and more than 8 million ballots were recorded in the runoff election last month. All agree there was an impressive turnout in a country where the Taliban has repeatedly threatened violence against those who vote.

There have been dramatic improvements in Afghanistan over the last decade in the number of schools and universities, in the number of students and teachers—particularly female students and female teachers—in Afghan life expectancy, in average income, and in many other areas. The Afghan Army and the Afghan National Police, who have taken over security responsibility from U.S. and coalition forces, have shown great capability by successfully securing two rounds of elections and repelling a concerted Taliban attack in the Helmand region of the country.

If the ongoing dispute about the outcome of the Afghan Presidential election is not resolved in a fair and credible manner, however, these achievements would be at risk. The Taliban does not have the ability to defeat the Afghan Army or to take over Afghan cities and population centers. However, if a disputed election were to lead to infighting or to the establishment of parallel governments, the army could be severely weakened and divided, providing new opportunities for the Taliban.

The United States and our coalition allies would be much less likely to provide the continued military and economic assistance that Afghanistan needs if that country's leaders cannot pull together and resolve their disputes through the existing election process.

The State Department stated on Monday:

The continued support of the United States for Afghanistan requires that Afghanistan remains united and that the result of this election is deemed credible.

Both candidates told me personally on Sunday that they believe a comprehensive audit of the election results is necessary and appropriate and that they will abide by the results of such

an audit. They also stated that they understand the outcome of the election will not be final and will not be credible until such an audit has been completed.

The two campaign teams have been working with the United Nations and other international elections experts over the last few days to develop an appropriate audit scope to recommend to the elections commission. I had hoped that an agreement on this review could be announced at the same time that a preliminary vote count was released on Monday. While that did not happen, the head of the Independent Election Commission said the following:

The announcement [of] preliminary results does not mean the winner has been announced. The investigation of votes could have impacts on the final results.

The two campaigns have already agreed on audit triggers that will result in the review of nearly half of the ballots cast, but they have not yet reached full agreement on the measures to be taken. I hope they will be able to do so in the very near future. But this is the bottom line: Whether or not they are able to reach agreement in full, the Electoral Complaints Commission, working with the Independent Election Commission, has a responsibility to decide how many ballots to audit, and they have that responsibility on their own initiative. The Independent Election Commission must then announce a winner.

The path to resolution of the matter is not unclear. On the contrary, the Afghan Constitution and election law are very clear. There is no uncertainty about this path. The Independent Election Commission and the Electoral Complaints Commission have the responsibility to proceed on their own to determine how many ballots need to be audited and to conduct an audit with or without the agreement of the candidates. Indeed, the United Nations Assistance Mission in Afghanistan has already called on the election commissions to do just that.

I said to the two candidates on Sunday that the Afghan people and the Afghan security forces have shown great bravery in standing up for their country and that it is now time for the country's leaders to do the same. It would be truly unfortunate if the great progress made in Afghanistan at the expense of so much Afghan, American, and coalition blood and treasure were to be jeopardized by political infighting and the failure of political leadership.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING
BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF JULIAN CASTRO
TO BE SECRETARY OF HOUSING
AND URBAN DEVELOPMENTNOMINATION OF DARCI L. VETTER
TO BE CHIEF AGRICULTURAL
NEGOTIATOR, OFFICE OF THE
UNITED STATES TRADE REP-
RESENTATIVE, WITH THE RANK
OF AMBASSADORNOMINATION OF WILLIAM D.
ADAMS TO BE CHAIRPERSON OF
THE NATIONAL ENDOWMENT
FOR THE HUMANITIES

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 Julian Castro, of Texas, to be Secretary of Housing and Urban Development; Darci L. Vetter, of Nebraska, to be Chief Agricultural Negotiator, Office of the United States Trade Representative, with the rank of Ambassador; and William D. Adams, of Maine, to be Chairperson of the National Endowment for the Humanities.

VOTE ON CASTRO NOMINATION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided in the usual form prior to the vote on the Castro nomination.

Mr. JOHNSON of South Dakota. Mr. President, I support the nomination of Mayor Julian Castro to be the next Secretary of the Department of Housing and Urban Development.

As Mayor of San Antonio, Mayor Castro has been on the front lines of helping his community reach its housing and economic development goals. In his tenure as mayor, he has focused on attracting well-paying jobs in 21st century industries, raising educational attainment, and revitalizing the city's urban core. HUD is a critical partner in these efforts nationwide. Mayor Castro will bring both direct experience with and an appreciation of the importance of HUD's programs to families and communities to the role of HUD Secretary.

Mayor Castro's nomination has been endorsed by a wide spectrum of stakeholders, including the National Association of Realtors, National Association of Homebuilders, and housing, local government, civil rights and Hispanic leadership organizations. He has also been endorsed by several recent HUD Secretaries who have served in both Democratic and Republican ad-

ministrations, including Henry Cisneros and former Senator Mel Martinez.

I urge my colleagues to support Mayor Castro's nomination.

Mr. BROWN. Mr. President, I ask unanimous consent to yield back all time.

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

The question is, Will the Senate advise and consent to the nomination of Julian Castro, of Texas, to be Secretary of Housing and Urban Development?

Mr. GRASSLEY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Louisiana (Mr. VITTER).

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

The result was announced—yeas 71, nays 26, as follows:

[Rollcall Vote No. 219 Ex.]

YEAS—71

Alexander	Gillibrand	Murkowski
Ayotte	Graham	Murphy
Baldwin	Hagan	Murray
Begich	Harkin	Nelson
Bennet	Heinrich	Portman
Blumenthal	Heitkamp	Pryor
Blunt	Heller	Reed
Booker	Hirono	Reid
Boxer	Hoeven	Rubio
Brown	Isakson	Sanders
Cantwell	Johanns	Schumer
Cardin	Johnson (SD)	Shaheen
Carper	Kaine	Shelby
Casey	King	Stabenow
Chambliss	Klobuchar	Tester
Cochran	Landrieu	Udall (CO)
Collins	Leahy	Udall (NM)
Coons	Levin	Walsh
Corker	Manchin	Warner
Cornyn	Markey	Warren
Donnelly	McCaskill	Whitehouse
Durbin	Menendez	Wicker
Feinstein	Merkley	Wyden
Franken	Mikulski	

NAYS—26

Barrasso	Flake	Moran
Boozman	Grassley	Paul
Burr	Hatch	Risch
Coats	Inhofe	Roberts
Coburn	Johnson (WI)	Scott
Crapo	Kirk	Sessions
Cruz	Lee	Thune
Enzi	McCain	Toomey
Fischer	McConnell	

NOT VOTING—3

Rockefeller	Schatz	Vitter
-------------	--------	--------

The nomination was confirmed.

VOTE ON VETTER NOMINATION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate divided in the usual form.

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

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

The question is, Will the Senate advise and consent to the nomination of Darci L. Vetter, of Nebraska, to be Chief Agricultural Negotiator, Office of the United States Trade Representative, with the rank of Ambassador?

The nomination was confirmed.

VOTE ON ADAMS NOMINATION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate divided in the usual form.

Ms. COLLINS. Mr. President, I rise in strong support of the nomination of Dr. William "Bro" Adams to be Chairman of the National Endowment for the Humanities, NEH.

The NEH is one of the largest supporters of humanities programs in the United States. The individual scholars, museums, libraries, universities, and other cultural institutions it supports enrich communities across the country. Through his extensive and impressive work in public service, education, and the humanities, Dr. Adams is well-qualified to lead the Endowment.

A Vietnam war veteran, Fulbright Scholar, college president, and board member for both the Maine Film Center and the Maine Public Broadcasting Corporation, Dr. Adams' diverse experiences have prepared him to lead the Nation's cultural agency. He is a graduate of Colorado College and earned his Ph.D. in the history of consciousness from the University of California at Santa Cruz.

Dr. Adams recently retired from a successful tenure as president of Colby College in Waterville, ME, where he served from 2000 through June of this year. He launched and executed an ambitious plan to expand the school and its cultural presence, overseeing a \$376 million capital campaign—the largest ever in the State of Maine. In doing so, Dr. Adams helped found the Goldfarb Center for Public Affairs and Civic Engagement, construct the Diamond Building for Social Sciences, launch a film studies program, and expand Colby's creative writing curriculum. Additionally, he played a pivotal role in growing Colby's Museum of Art into one of the largest art collections in Maine.

Under Dr. Adams' leadership, Colby College has supported several projects that have helped to reinvigorate the humanities in the Waterville community. These have included forging partnerships on major renovation projects such as of the Waterville Opera House, the Hathaway Creative Center's historic mill property, the Waterville Public Library, and the Maine Film Center.

Dr. Adams is a proven leader whose engagement and direction have enriched the State of Maine. I am confident that Bro Adams will lead the NEH and serve our country with great vision and integrity. I urge my colleagues to support this nomination.

Mr. REID. I ask unanimous consent that the time be yielded back.

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