

stop this flow of humanity across our borders and actually solve the problem, the supplemental has now fallen to a budget point of order.

Likewise, this unanimous consent request to fund Iron Dome and wildfires exceeds the budget caps and the Budget Control Act. It is subject to a budget point of order. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, I am frankly not surprised that this objection has been made. It is too bad. I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 220, H.J. Res. 76; that a Mikulski substitute amendment at the desk providing emergency appropriations for combating wildfires in the Western States be agreed to; that the joint resolution, as amended, be read a third time and passed and the motion to reconsider be considered made and laid on the table with no intervening action or debate.

This relates just to the wildfires.

The PRESIDING OFFICER. Is there objection to the request?

Mr. CORNYN. Mr. President, reserving the right to object, I agree, like the crisis at the border, the wildfires in the Western States represent a genuine emergency and something we should address. But inasmuch as this consent asks for money that would break the budget caps and the Budget Control Act, it is subject to a budget point of order. I must object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, this is an emergency. There are no budget caps involved with an emergency. Everyone knows that. I am shocked that anyone in this Chamber would stop us from getting these critical funds to fight these fires that I have outlined on a very preliminary basis, and, of course, to help defend Israel.

By requesting this amendment, I am disappointed that it has been rejected. I have one more and then we can go on to something else.

I ask unanimous consent the Senate proceed to Calendar No. 220, that a Reid-McConnell-Mikulski substitute amendment at the desk providing emergency funding for the Iron Dome defense system in Israel be agreed to; that the joint resolution, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid on the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Oklahoma.

Mr. COBURN. Mr. President, reserving the right to object, would the Senator from Nevada, the majority leader, consider an amendment that would modify his request that would provide an offset for this bill?

The PRESIDING OFFICER. Does the majority leader agree to modify his request?

Mr. REID. Mr. President, reserving the right to object, this is an emer-

gency. Our No. 1 ally, at least in my mind, is under attack. If this is not an emergency, I do not know anything that is. So I refuse to modify my request.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request?

Mr. COBURN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, the Senator's amendment would cut the United States assessed contribution to NATO and the World Health Organization. Now as we speak, they are fighting to control an Ebola outbreak in Central Africa. Peace Corps volunteers have been called home from three different countries.

The amendment of the Senator, my friend from Oklahoma, would cut the International Civil Aviation Organization, which is now investigating what took place in Ukraine, killing 298 people. So even if you do not like the U.N., the Senator's amendment would cut UNICEF funds to help the world's poorest children. The Senator's amendment would cut the U.N. Voluntary Fund for Victims of Torture.

Now, that says it all. I have no more to say.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I would note—everybody should know that the U.N. gets well over \$7 billion of money every year from this Congress, the American people, with absolutely no accountability. There is no transparency on how it is spent. There is no accountability. They are not held accountable for how it is spent. The oversight that we have done over the past 6 or 7 years shows that the waste associated with the money that is sent to the U.N. is at least 30 percent—at least 30 percent when you do the actual oversight of it.

So we can talk about specifics. We can take a small portion from everywhere. I do not care. Or I will offer another pay-for. But the fact is, we do not get any accountability of the money this country sends to the U.N. today. Go see if you can find it. You cannot. You will not be able to find it. I want to fund Israel. I want to supply them. I also want to make sure our children have a future. It is not hard to find \$225 million out of \$4 trillion.

I yield the floor.

Mr. REID. Mr. President, under the previous order, I call for the Senate to proceed to the veterans conference report.

#### VETERANS ACCESS, CHOICE, AND ACCOUNTABILITY ACT OF 2014—CONFERENCE REPORT

The PRESIDING OFFICER. The Chair lays before the Senate the conference report to accompany H.R. 3230, which the clerk will report.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the amendment of the Senate to the bill H.R. 3230, making continuing appropriations during a Government shutdown to provide pay and allowances to members of the reserve components of the Armed Forces who perform inactive-duty training during such period, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment and the House agree to the same, signed by a majority of the conferees on the part of both Houses.

(The conference report is printed in the House proceedings of the RECORD of July 28, 2014.)

Mr. MCCAIN. What is the parliamentary situation?

The PRESIDING OFFICER. The Senator from Oklahoma is to be recognized to raise a budget point of order.

Mr. COBURN. Mr. President, let me say, first of all, I voted for the bill when it left here with the hope that we could accomplish something. We did accomplish some things. But it came back with \$12 billion unpaid for. Because of that, I raise a point of order against the emergency designation provision contained in section 8803(b) of the conference report for H.R. 3230, the Veterans' Access to Care Through Choice, Accountability and Transparency Act of 2014 pursuant to section 403(e)(1) of the fiscal year 2010 budget resolution, S. Con. Res. 13.

I ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, the waiver provisions of applicable budget resolutions, and section 4(g)(3) of the Statutory Pay-As-You-Go Act of 2010, I move to waive all applicable sections of those acts and applicable budget resolutions for purposes of the pending conference report.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I will speak very briefly. Mainly, I come here on the floor to thank the Senator from Vermont and my good friend from North Carolina on the hard work they and members of the Veterans Affairs' Committee have done on this issue. I greatly respect my dear friend from Oklahoma and his concern. But I would have to say to my colleagues: If there was ever a definition of an emergency, that emergency faces us today because our veterans are not receiving the care we owe them as a nation.

There are veterans who are dying as we speak for lack of care. There is gross mismanagement. There are problems that will take our new Secretary of Veterans Affairs literally years to

fix. I am proud that in this legislation there is choice, and there is the ability of the Secretary of Veterans Affairs to fire people who are not doing their job.

Those are the important aspects, most important to me, because I think we can change the Veterans Administration. But the present situation cries out for immediate action. Obviously there were parts of this legislation that I did not agree with. Obviously there were parts that the Senator from Vermont did not agree with. But the hard work put together by the Senator from North Carolina and the Senator from Vermont—I am very proud to say we bring before you a way to put a final stamp on beginning to end. This is not the beginning of the end. This is the beginning of the beginning of our effort to help those men and women who have defended our Nation with honor and dignity. We owe them that.

I urge my colleagues to vote in favor of the waiver of the Budget Act and to vote in favor of this legislation.

Mr. SANDERS. Mr. President, yesterday the House voted 420 to 5 for this conference report. They understood that taking care of veterans, as Senator McCain just indicated—the men and women who have put their lives on the line to defend us, who have sacrificed so much—is a cost of war, and in fact what we are talking about is an emergency. That is what the House said overwhelmingly yesterday.

On June 11, 2014, 6 or so weeks ago, by a vote of 93 to 3, the Senate supported the Sanders-McCain bill and it was emergency funded as a cost of war.

This bill, as Senator COBURN indicated, is about one-third of the cost of what we voted on in the original Sanders-McCain bill.

Let us defeat this point of order. Let us stand with the veterans of this country, let us reform the VA, and let us go forward.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I will be very quick.

What our colleagues should know is, since 2009, the VA budget has increased 58.7 percent, a 40-percent increase in the number of providers, with a 17-percent increase in the number of veterans using those providers. The problem is not money at the VA. The problem is management, accountability, and culture. So we are going to borrow \$12 billion from our children and reward the poor behavior and charge it to our children.

I ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I would say in response to my dear friend from Oklahoma, I agree with every single thing that he has said. But we must embark on fixing this problem. The choice and the ability to give the Secretary of Veterans Affairs the authority to hire and fire people is important to me that I believe they deserve our support.

I would also ask my friend from Oklahoma, can we leave here for 5

weeks and not address this issue? There are 50 veterans in my State that have probably died—at least allegations are such. Can we leave here and not act?

If I had written this bill with only you and me, I would say to my friend from Oklahoma, it would probably be \$10 billion less and all of it paid for. But we had to negotiate, not only with the other side of the aisle but with the other side of the Capitol.

So this is not perfect legislation. But for us not to pass it at this time would send a message to the men and women who have served this country that we have abandoned them. We can't do that.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I first thank everybody who worked on this. I know there are a lot of political conundrums that people find themselves in. We have an August recess. This issue has come up. But I wonder if I could ask a question of the Senator from Oklahoma, who knows so much about these issues.

Our staff has looked at the CBO report, and people keep talking about \$10 billion on the floor, but the Choice Program is only funded for 3 years. It looks to me as if this bill is really creating an unfunded liability. It is a \$250 billion cost over the next decade. I can't verify that based on the CBO numbers that have come out. But as we look at them, it looks as if the Choice Program continues and grows, and the number we are talking about is massive.

So I do wish we had more detailed information from CBO, the kind of information we got on the first bill after the fact. For some reason, we are not getting it on this.

But it appears to me that if this choice concept continues and we don't do those things to actually wind down and backfill—wind down VA for not providing services to these people because they are seeking it elsewhere—the cost of this could well be \$250 billion over the next 10 years unpaid for.

I would like for somebody to answer that. I don't know if Senator COBURN or someone else could. But we are not talking about \$10 billion is all I am saying.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. What we are talking about is an errant CBO score that doesn't fit with reality or the information given to them by the VA.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, what we are talking about, really, is rather than get in a car or van and drive for 40 miles and hours and have that all reimbursed and paid for, a person will go to the local care provider. Common sense shows that costs one heck of a lot less, I would say to my colleague.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, Senator COBURN forgot to mention one point when talking about the increase in VA funding. He forgot to mention that we were in two wars.

He forgot to mention that 500,000 men and women came back from Iraq and Afghanistan with posttraumatic stress disorder and TBI, not to mention the loss of legs, the loss of arms, eyesight and hearing.

He forgot to mention that many of the veterans from World War II, Korea, and Vietnam are getting older and need more detailed care.

So I think it is important that we put \$5 billion into the VA to provide the doctors, the nurses, the personnel they need, so that the veterans can get into the VA and have quality and timely care. That is what this legislation is about.

I ask for the yeas and nays.

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

The yeas and nays have been previously ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Carolina (Mrs. HAGAN), the Senator from Iowa (Mr. HARKIN), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Mississippi (Mr. COCHRAN), and the Senator from Kansas (Mr. ROBERTS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yes."

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

The yeas and nays resulted—yeas 86, nays 8, as follows:

[Rollcall Vote No. 253 Leg.]

#### YEAS—86

Ayotte	Grassley	Murray
Baldwin	Hatch	Nelson
Begich	Heinrich	Paul
Bennet	Heitkamp	Portman
Blumenthal	Heller	Pryor
Blunt	Hirono	Reed
Booker	Hoeven	Reid
Boozman	Inhofe	Risch
Boxer	Isakson	Rockefeller
Brown	Johanns	Rubio
Burr	Johnson (SD)	Sanders
Cantwell	Kaine	Schumer
Cardin	King	Scott
Carper	Kirk	Shaheen
Casey	Klobuchar	Shelby
Chambliss	Landrieu	Stabenow
Coats	Leahy	Tester
Collins	Levin	Thune
Coons	Manchin	Toomey
Cornyn	Markey	Udall (CO)
Crapo	McCain	Udall (NM)
Cruz	McCaskill	Vitter
Donnelly	McConnell	Walsh
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Fischer	Mikulski	Whitehouse
Franken	Moran	Wicker
Gillibrand	Murkowski	Wyden
Graham	Murphy	

## NAYS—8

Barrasso	Enzi	Lee
Coburn	Flake	Sessions
Corker	Johnson (WI)	

## NOT VOTING—6

Alexander	Hagan	Roberts
Cochran	Harkin	Schatz

The PRESIDING OFFICER. On the motion to waive, the yeas are 86, the nays are 8. The motion to waive is agreed to.

Mr. DURBIN. Mr. President, this week, the Senate confirmed Bob McDonald as the new Secretary of the VA and today we passed a compromise veterans bill that will help repair the overwhelmed Veterans Health Administration. These are two steps in the right direction to help the men and women who serve in our military receive the care they need when they come home.

Bob McDonald is an excellent choice to head the VA. I met with McDonald soon after he was nominated for this position and there is no doubt he is eager to take on the task of seeing that the VA honors its promise to the men and women of our armed services. McDonald ran Proctor and Gamble for several years and knows what it means to put the customer first. At the VA, veterans are the customers and we have to provide them with the best service possible. McDonald is a veteran, a West Point grad, and best of all, he is from Arlington Heights, IL. I am confident he is the right person for this difficult job.

After an internal audit, the VA confirmed whistleblower assertions that many VA employees manipulated waitlists to make wait times look better than they really were. The agency found that in some cases, staff intimidated schedulers into falsifying data. This is unacceptable.

I visited the Hines VA Hospital near Chicago last Friday where I met with Joan Ricard, director of the facility, and Rob Nabors, President Obama's Deputy Chief of Staff, who is overseeing the investigation into problems at the VA. We discussed some problems identified by whistleblowers at Hines pertaining to waitlists and other issues.

I am pleased that the Senate adopted the Veterans bill conference report. The House passed the bill 420-to-5 yesterday. VA Committee Chairman SANDERS worked very hard both with Members across the aisle and in the House to put this bill together. It will begin to fix some of the problems identified by the various investigations into misconduct at VA medical facilities.

This bill will allow the Secretary to fire senior staff who are not doing their job or who lied about secret waitlists. It will create 27 new VA health facilities to expand capacity, including a new research lab at Hines in Chicago. That research lab is 100-years-old and in dire need of repair. The new lease will help make it usable again.

This legislation will make it easier for veterans to get the care they need

outside the VA system if necessary. Now, any enrolled veteran who lives more than 40-miles from the nearest VA facility or who would have to wait too long for an appointment will be able to go to a private doctor. We need to get those waitlists down, and this is one way to make sure veterans are seen.

The IG investigation has cited a shortage of doctors, nurses, and other staff as being partly to blame for the waitlist problem. There simply is not enough staff to see all the veterans who need treatment. The bill also provides \$5 billion to hire new staff.

These are improvements we can all agree on.

Some have expressed concern about the cost of this bill but caring for veterans is part of the cost of going to war. We spent \$1.7 trillion in the Iraq War alone. We can spend \$12 billion to honor the promise we made to our servicemembers.

When we talk about war, we are not just talking about the thousands of people who died in Iraq and Afghanistan. We're talking about 200,000 men and women who came home with major injuries, both those we can see and some we cannot. We are talking about people with post-traumatic stress and traumatic brain injury, people missing limbs and those who lost hearing or eyesight. Veterans who are entitled to healthcare services should get the best healthcare they can, and they should get it in a timely manner.

There is no question that we need to fix this health care system. Where misconduct has been identified, those responsible should face the consequences, criminal or otherwise. The Sanders-Miller compromise is a good step in that direction. Secret waitlists and failures to provide care do not reflect the promise we made to the men and women who serve this country. Wars create veterans and veterans need medical care. Caring for servicemembers is part of the cost of going to war.

The PRESIDING OFFICER. The question occurs on adoption of the conference report.

The Senator from Vermont is recognized.

Mr. SANDERS. Mr. President, before we vote, I wish to take this opportunity to thank Senator MCCAIN for his intervention and making sure that we had serious negotiations.

I thank the staff of the Veterans' Affairs Committee: Steve Robertson, Dahlia Melendrez, Travis Murphy, Jason Dean, Carlos Fuentes, Becky Thowman, Ann Vallandingham, Janet Gehring, Elizabeth Austin-Mackenzie, Kathryn Monet, Katie Van Haste, Shanna Lawrie, Raphael Anderson, and Shannon Jackson. These guys worked really hard for months, and I very much appreciate what they did.

The PRESIDING OFFICER. The question is on agreeing to the adoption of the conference report.

Mr. BARRASSO. 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 assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Carolina (Mrs. HAGAN), the Senator from Iowa (Mr. HARKIN), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Mississippi (Mr. COCHRAN), and the Senator from Kansas (Mr. ROBERTS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea" and the Senator from Mississippi (Mr. COCHRAN) would have voted "yea."

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

The result was announced—yeas 91, nays 3, as follows:

[Rollcall Vote No. 254 Leg.]

## YEAS—91

Ayotte	Graham	Murphy
Baldwin	Grassley	Murray
Barrasso	Hatch	Nelson
Begich	Heinrich	Paul
Bennet	Heitkamp	Portman
Blumenthal	Heller	Pryor
Blunt	Hirono	Reed
Booker	Hoeben	Reid
Boozman	Inhofe	Risch
Boxer	Isakson	Rockefeller
Brown	Johanns	Rubio
Burr	Johnson (SD)	Sanders
Cantwell	Johnson (WI)	Schumer
Cardin	Kaine	Scott
Carper	King	Shaheen
Casey	Kirk	Shelby
Chambliss	Klobuchar	Stabenow
Coats	Landrieu	Tester
Collins	Leahy	Thune
Coons	Lee	Toomey
Cornyn	Levin	Udall (CO)
Crapo	Manchin	Udall (NM)
Cruz	Markey	Vitter
Donnelly	McCain	Walsh
Durbin	McCaskill	Warner
Enzi	McConnell	Warren
Feinstein	Menendez	Whitehouse
Fischer	Merkley	Wicker
Flake	Mikulski	Wyden
Franken	Moran	
Gillibrand	Murkowski	

## NAYS—3

Coburn	Corker	Sessions
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## NOT VOTING—6

Alexander	Hagan	Roberts
Cochran	Harkin	Schatz

The PRESIDING OFFICER. Under the previous order requiring 60 votes for adoption of the conference report, the conference report is agreed to.

MAKING CERTAIN CORRECTIONS IN THE ENROLLMENT OF H.R. 3230

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to consideration of H. Con. Res. 111 which the clerk will report.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 111) directing the Clerk of the House of Representatives to make certain corrections in the enrollment of the bill H.R. 3230.

The PRESIDING OFFICER. Under the previous order, the concurrent resolution (H. Con. Res. 111) is agreed to

and the motion to reconsider will be considered made and laid upon the table.

The majority leader.

#### ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding rule XXII, following disposition of the House message related to H.R. 5021, the highway bill, the Senate vote on cloture on Calendar No. 848, the Pryor nomination; further, that if cloture is invoked, all postcloture time be expired at 5:30 p.m. on Monday, September 8, 2014, the Senate resume executive session and the Senate proceed to vote on confirmation of the nomination; further, that if confirmed, 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 to the nomination; that any statements related to the nomination 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. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, we will have two more votes.

We will be in session tomorrow. There will be no votes tomorrow, but there will be some activity here that we have to complete. So the next vote will be Monday, September 8.

#### HIGHWAY AND TRANSPORTATION FUNDING ACT

Mr. REID. Mr. President, I ask that the Chair lay before the Senate the House message to H.R. 5021.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the House disagree to the amendment of the Senate to the bill (H.R. 5021) entitled "An Act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the highway trust fund and for other purposes."

The PRESIDING OFFICER. The majority leader.

Mr. REID. I move to recede in the Senate amendment to H.R. 5021.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, we request 2 minutes of debate on this side, 1 minute for the chairman of the Finance Committee and 1 minute for the chairman of the public works committee.

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

Mr. REID. Following that, I ask that 18 minutes be dispensed with.

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

The Senator from Oregon.

Mr. WYDEN. Mr. President, it is no secret that this Transportation bill is not the Senate's first choice. However, the alternative to acting tonight on transportation is to put at risk America's economy, our communities, and our quality of life. As Senator HATCH noted earlier tonight, the Senate had a real transportation debate this week with amendments, alternatives, and bipartisan initiatives. This will serve us well as we begin to work as soon as the Senate returns to develop a long-term, bipartisan transportation plan that ensures that our big-league economy is not plagued by little-league infrastructure.

I urge the Senate to support the legislation.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Senators, I will be brief. It is so unfortunate that the House walked away from the work we did, the bipartisan work we did together—79 votes. My goodness. We can't get that these days for Mother's Day. So it was fantastic what we did: the work of Senator WYDEN and Senator HATCH, the work of Senator CARPER and Senator CORKER, the work of Senator VITTER in our committee that I as chair. It is very sad because what we wanted to do was to take care of this problem this year, in this Congress, on our watch, not kick the can down the road. That is what they chose to do in the House. It is most unfortunate, and their pay-fors were just a lot of smoke and mirrors.

Having said all of that, we all know—and colleagues have asked me how am I going to vote—that we can't walk away from the highway trust fund. We can't let it stagger and fall. Millions of jobs and thousands of businesses depend on it.

So I will be voting aye, and I will be working with Senator WYDEN and the rest of my friends and colleagues to make sure we get a multiyear bill as soon as possible.

Thank you. I yield the floor.

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

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

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

Mr. DURBIN. I announce that the Senator from North Carolina (Mrs. HAGAN), the Senator from Iowa (Mr. HARKIN), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Mississippi (Mr. COCHRAN), and the Senator from Kansas (Mr. ROBERTS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "nay."

The result was announced—yeas 81, nays 13, as follows:

[Rollcall Vote No. 255 Leg.]

#### YEAS—81

Ayotte	Gillibrand	Moran
Baldwin	Graham	Murkowski
Barrasso	Grassley	Murphy
Begich	Hatch	Murray
Bennet	Heinrich	Nelson
Blumenthal	Heitkamp	Pryor
Blunt	Heller	Reed
Booker	Hirono	Reid
Boozman	Hoeven	Risch
Boxer	Inhofe	Rockefeller
Brown	Isakson	Sanders
Burr	Johanns	Schumer
Cantwell	Johnson (SD)	Shaheen
Cardin	Kaine	Shelby
Casey	King	Stabenow
Chambliss	Kirk	Tester
Coats	Klobuchar	Thune
Collins	Landrieu	Toomey
Coons	Leahy	Udall (CO)
Cornyn	Levin	Udall (NM)
Crapo	Manchin	Vitter
Donnelly	Markey	Walsh
Durbin	McCaskill	Warner
Enzi	McConnell	Warren
Feinstein	Menendez	Whitehouse
Fischer	Merkley	Wicker
Franken	Mikulski	Wyden

#### NAYS—13

Carper	Johnson (WI)	Rubio
Coburn	Lee	Scott
Corker	McCain	Sessions
Cruz	Paul	
Flake	Portman	

#### NOT VOTING—8

Alexander	Hagan	Roberts
Cochran	Harkin	Schatz

The PRESIDING OFFICER. The motion to recede from the Senate amendment to H.R. 5021 is agreed to.

#### EXECUTIVE SESSION

#### CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and, 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 Jill A. Pryor, of Georgia, to be United States Circuit Judge for the Eleventh Circuit.

Harry Reid, Patrick J. Leahy, Christopher A. Coons, Sheldon Whitehouse, Patty Murray, Amy Klobuchar, Maria Cantwell, Jack Reed, Bill Nelson, Elizabeth Warren, Tom Udall, Mazie Hirono, Richard Blumenthal, Barbara Boxer, Tom Harkin, Benjamin L. Cardin, Charles E. Schumer.

Mr. LEAHY. Madam President, for the fifth year in a row, more than a dozen qualified, consensus judicial nominees pending before the full Senate will remain on the Executive Calendar during the August recess. Each year, I have come before the Senate to remind my fellow Senators that their refusal to take action on these nominations prior to the August recess is an unfortunate departure from Senate tradition and to urge them to stop their obstructive practices and delay tactics. Again, I am disappointed to see partisanship and senseless obstruction