

considering legislation or listening to constituents. The drive to raise money is constant, and allowing vast new amounts of special interest money into the system will only increase the pressure. This causes a deterioration of Congress's ability to function, including its ability to adequately represent and respond to its constituents.

As the money raised and spent on campaigns by special interests continues to climb, Members of Congress will have to devote more time trying to keep up in the fundraising race. It is no wonder that, as the pursuit of campaign money has come to dominate politics, the American people have become increasingly dissatisfied with Congress' performance.

That is the whole point. That is why we are here. Because our elections cannot be for sale to the highest bidder. The Supreme Court has opened the floodgates. The American people are demanding that we close them.

Because they know, and we know, that we have a broken system. Today's New York Times editorial sums it up well. It states that, "As long as money is officially categorized as protected speech, there will be no brake on the ability of the rich and special interests to drown out other voices."

The First Amendment has already been hijacked by billionaires and special interests. Our amendment rescues it.

Here's the bottom line. Billionaires want to stay at the head of the table and our amendment will not let them. Let's be clear, they oppose any restriction. Any reform. Today's vote may have been along party lines, but I will leave it to the American people to judge why.

We will continue this fight. The momentum continues to grow, and we will eventually win. The American people hate the influence of money on our elections. They want elections to be about the quality of ideas, not the size of bank accounts. They want us to fight for the middle class, not the moneyed class. They want us to spend our time raising hopes, instead of raising cash.

As I said in my remarks earlier this week at the beginning of this debate, there is a well-known quote from the Watergate era. "Follow the money." Because we all know the truth: The road to corruption, to undue influence, is paved with money. We need to get off that road. For the integrity of our electoral system. For the people who send us here. For the future of our country.

As we wrap up this week's debate, and this historic vote, I want to thank several people. Senator BENNET joined me in this effort over 4 years ago. Our amendment in the 111th Congress had four cosponsors. Today it has 49. I also want to express my appreciation for the efforts of Chairman LEAHY and Senator DURBIN, and thank their staff, particularly Josh Hsu and Albert Sanders. The amendment received a hearing in the Judiciary Committee. It went

through markups in Senator DURBIN's subcommittee and in the full committee. It was debated, and revised, and improved.

I want to thank the diverse coalition of groups who have worked tirelessly to build support for our amendment. Groups like People For the American Way, Public Citizen, Common Cause, Free Speech For People, the Sierra Club, the NAACP, and all the organizations working under the banner of United For The People.

I ask unanimous consent that today's New York Times editorial, "An Amendment to Cut Political Cash," be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Sept. 11, 2014]

AN AMENDMENT TO CUT POLITICAL CASH

(By the Editorial Board)

There are 48 Democratic senators sponsoring a constitutional amendment to restore congressional control to campaign spending that is expected to come up for a vote later this week. They are not under the illusion that it will become the 28th Amendment soon, if ever. But their willingness to undertake a long and difficult effort shows the importance they attach to restoring fairness to American politics by reducing the influence of big money.

Hundreds of millions of dollars in outside spending—most of it from big business and labor interests—continue to flow into political races after being unleashed by the Supreme Court and lower court decisions. Each year a record is set: already, outside spending on this year's midterm elections (\$189 million so far) is more than three times what it was at this point in 2010.

The Supreme Court has said that's fine. In several misguided rulings, it has declared that spending money on politics is a form of free speech, and is thus deserving of constitutional protection. Beginning with the Buckley decision in 1976, the court ended the limitations on independent political spending in the name of speech, and with the Citizens United decision in 2010, it opened the spending floodgates to corporations and unions.

These decisions are the law of the land and cannot be overturned by simple legislation. Congress can encourage better behavior with public financing mechanisms, not that Republicans will agree even to that. As long as money is officially categorized as protected speech, there will be no brake on the ability of the rich and special interests to drown out other voices.

Barring a change in the makeup of the Supreme Court, it would take an amendment to reduce the flow of cash. The one under debate in the Senate declares that Congress and the states have the ability to "regulate and set reasonable limits on the raising and spending of money by candidates and others to influence elections." Addressing the Citizens United decision, it says that governments can "distinguish between natural persons and corporations" in setting those regulations, thus allowing restrictions on corporate or union spending that would not necessarily apply to individuals. To protect the free flow of information in the news media, the amendment adds the assurance that it will not abridge the freedom of the press.

Republicans, fearful of deflating their cushion of cash, are trying to portray the amendment as an assault on the Bill of Rights. But writing unlimited checks on be-

half of politicians was never part of the American birthright. This measure defines protected "speech" as it had been understood in the First Amendment for 185 years until the Buckley decision: actual words uttered or written by natural persons, not money spent, and certainly not from corporate treasuries.

The amendment would not be a cure-all. "The press" is an amorphous term in the digital age, and political groups could try to claim free-press status to get around regulation. And amending the Constitution should not be taken lightly. It is a last resort to fix a grave civic problem. But the backers of this amendment recognize that the nature of American democracy is at stake.

Mr. UDALL of New Mexico. I yield the floor and 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. PAUL. I ask unanimous consent that the order for the quorum call be rescinded.

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

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES RELATING TO CONTRIBUTIONS AND EXPENDITURES INTENDED TO AFFECT ELECTIONS

The PRESIDING OFFICER. The Senate will resume consideration of S.J. Res. 19.

Pending:

Reid amendment No. 3791 (to the committee-reported substitute to the joint resolution), of a perfecting nature.

Reid amendment No. 3792 (to amendment No. 3791), of a perfecting nature.

Reid amendment No. 3793 (to the language proposed to be stricken by the committee-reported substitute), of a perfecting nature.

Reid amendment No. 3794 (to amendment No. 3793), of a perfecting nature.

Reid motion to recommit the bill to the Committee on the Judiciary, with instructions.

Reid amendment No. 3795, of a perfecting nature.

Reid amendment No. 3796 (to (the instructions) amendment No. 3795), of a perfecting nature.

Reid amendment No. 3797 (to amendment No. 3796), of a perfecting nature.

CLOTURE MOTION

The PRESIDING OFFICER.

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion.

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 S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

Harry Reid, Patrick J. Leahy, Tom Udall, Bernard Sanders, Jeff Merkley, Mark Begich, Joe Manchin III, Amy Klobuchar, Tammy Baldwin, Mazie Hirono, Sherrod Brown, Elizabeth Warren, Robert Menendez, Robert P. Casey,

Jr., Al Franken, Sheldon Whitehouse, Richard J. Durbin.

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 S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections, 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 New York (Mrs. GILLIBRAND) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from Texas (Mr. CRUZ), and the Senator from Alaska (Ms. MURKOWSKI).

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

The yeas and nays resulted—yeas 54, nays 42, as follows:

[Rollcall Vote No. 261 Leg.]

YEAS—54

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

NAYS—42

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

NOT VOTING—4

Coburn	Gillibrand
Cruz	Murkowski

The PRESIDING OFFICER. On this vote the yeas are 54, the nays are 42. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

EXECUTIVE SESSION

NOMINATION OF JOHN HOOVER, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SIERRA LEONE

NOMINATION OF ANNE E. RUNG TO BE ADMINISTRATOR FOR FEDERAL PROCUREMENT POLICY

NOMINATION OF DAVID RADZANOWSKI TO BE CHIEF FINANCIAL OFFICER, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

NOMINATION OF MIRANDA A. A. BALLENTINE TO BE AN ASSISTANT SECRETARY OF THE AIR FORCE

NOMINATION OF JOSEPH L. NIMMICH TO BE DEPUTY ADMINISTRATOR, FEDERAL EMERGENCY MANAGEMENT AGENCY, DEPARTMENT OF HOMELAND SECURITY

NOMINATION OF ELIZABETH SEMBLER TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING

NOMINATION OF JUDITH M. DAVENPORT TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING

NOMINATION OF DAVID J. ARROYO TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING

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 bill clerk read the nominations of John Hoover, of Massachusetts, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Sierra Leone; Anne E. Rung, of Pennsylvania, to be Administrator for Federal Procurement Policy; David Radzanowski, of the District of Columbia, to be Chief Financial Officer, National Aeronautics and Space Administration; Miranda A. A. Ballentine, of the District

of Columbia, to be an Assistant Secretary of the Air Force; Joseph L. Nimmich, of Maryland, to be Deputy Administrator, Federal Emergency Management Agency, Department of Homeland Security; Elizabeth Sembler, of Florida, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2020; Judith M. Davenport, of Pennsylvania, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2020; and David J. Arroyo, of New York, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2016.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I ask unanimous consent to yield back the time on all the nominations that have just been reported.

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

VOTE ON HOOVER NOMINATION

The question is, Will the Senate advise and consent to the nomination of John Hoover, of Massachusetts, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Sierra Leone?

The nomination was confirmed.

VOTE ON RUNG NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Anne E. Rung, of Pennsylvania, to be Administrator for Federal Procurement Policy?

The nomination was confirmed.

VOTE ON RADZANOWSKI NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of David Radzanowski, of the District of Columbia, to be Chief Financial Officer, National Aeronautics and Space Administration?

The nomination was confirmed.

VOTE ON BALLENTINE NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Miranda A.A. Ballentine, of the District of Columbia, to be an Assistant Secretary of the Air Force?

The nomination was confirmed.

VOTE ON NIMMICH NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Joseph L. Nimmich, of Maryland, to be Deputy Administrator, Federal Emergency Management Agency, Department of Homeland Security?

The nomination was confirmed.

VOTE ON SEMBLER NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Elizabeth Sembler, of Florida, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2020?