

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Indiana (Mr. DONNELLY) and the Senator from Iowa (Mr. HARKIN), are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Missouri (Mr. BLUNT), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Utah (Mr. HATCH), the Senator from Kansas (Mr. MORAN), and the Senator from Kansas (Mr. ROBERTS).

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

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

The yeas and nays resulted—yeas 52, nays 40, as follows:

[Rollcall Vote No. 262 Leg.]

#### YEAS—52

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

#### NAYS—40

Alexander	Flake	Murkowski
Ayotte	Graham	Paul
Boozman	Grassley	Portman
Burr	Heller	Risch
Coats	Hoeven	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	King	Toomey
Crapo	Kirk	Vitter
Cruz	Lee	Wicker
Enzi	McCain	
Fischer	McConnell	

#### NOT VOTING—8

Barrasso	Donnelly	Moran
Blunt	Harkin	Roberts
Chambliss	Hatch	

The PRESIDING OFFICER. On this vote the yeas are 52, the nays are 40. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. REID. I ask unanimous consent that the next two rollcall votes be 10 minutes in duration.

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

### 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 bill 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 Jeffery Martin Baran, of Virginia, to be a Member of the Nuclear Regulatory Commission.

Harry Reid, Barbara Boxer, Benjamin L. Cardin, Barbara A. Mikulski, Richard J. Durbin, Mazie K. Hirono, Robert P. Casey, Jr., Christopher A. Coons, Sheldon Whitehouse, Tom Udall, Edward J. Markey, Sherrod Brown, Tim Kaine, Bernard Sanders, Jeff Merkley, Cory A. Booker, Thomas R. Carper.

Mrs. BOXER. Mr. President, I have a parliamentary inquiry. Do I have a minute to speak in favor of this nominee?

The PRESIDING OFFICER. There is 2 minutes equally divided.

#### BARAN AND BURNS NOMINATIONS

Mrs. BOXER. Mr. President, I wish to speak about the two nominees who are coming back to back. I thank Senator VITTER for allowing us to move these forward. I thank the majority leader for bringing them up.

We are down on the membership of the Nuclear Regulatory Commission. We need to fill these positions. One of the nominees is Jeffery Baran. I will be very quick.

Mr. Baran has had more than 10 years of experience, including his current role as staff director of energy and commerce on the House Energy and Commerce Committee, where he actually oversaw the NRC and he staffed 13 hearings overseeing the NRC.

The other nominee is Mr. Stephen Burns, who has served in many roles, most recently as general counsel for the NRC from 2009 to 2012. He has a wide range of experience in policy and enforcement issues.

As long as I have been around, I have not seen two more qualified nominees. I urge my colleagues to vote for cloture and then, when we vote tomorrow, yes on the nominations themselves.

The PRESIDING OFFICER. Is there further debate?

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 Jeffery Martin Baran, of Virginia, to be a Member of the Nuclear Regulatory Commission, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Indiana (Mr. DONNELLY) and the Senator from Iowa (Mr. HARKIN) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Missouri (Mr. BLUNT), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Utah (Mr. HATCH),

the Senator from Kansas (Mr. MORAN), the Senator from Kansas (Mr. ROBERTS), and the Senator from Alabama (Mr. SHELBY).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted "nay" and the Senator from Alabama (Mr. SHELBY) would have voted "nay."

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

The yeas and nays resulted—52 yeas, 39 nays, as follows:

[Rollcall Vote No. 263 Ex.]

#### YEAS—52

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

#### NAYS—39

Alexander	Fischer	McCain
Ayotte	Flake	McConnell
Boozman	Graham	Murkowski
Burr	Grassley	Paul
Coats	Heller	Portman
Coburn	Hoeven	Risch
Cochran	Inhofe	Rubio
Collins	Isakson	Scott
Corker	Johanns	Sessions
Cornyn	Johnson (WI)	Thune
Crapo	Kirk	Toomey
Cruz	Lee	Vitter
Enzi	Manchin	Wicker

#### NOT VOTING—9

Barrasso	Donnelly	Moran
Blunt	Harkin	Roberts
Chambliss	Hatch	Shelby

The PRESIDING OFFICER. On this vote the yeas are 52, the nays are 39. The motion is agreed to.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill 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 Stephen G. Burns, of Maryland, to be a Member of the Nuclear Regulatory Commission.

Harry Reid, Barbara Boxer, Benjamin L. Cardin, Barbara A. Mikulski, Richard J. Durbin, Mazie K. Hirono, Robert P. Casey, Jr., Christopher A. Coons, Sheldon Whitehouse, Tom Udall, Edward J. Markey, Sherrod Brown, Tim Kaine, Bernard Sanders, Jeff Merkley, Cory A. Booker, Thomas R. Carper.

The PRESIDING OFFICER. There is now 2 minutes of debate equally divided.

Mrs. BOXER. I urge an "aye" vote.

I yield back all time.

The PRESIDING OFFICER. All time is yielded back.

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 Stephen G. Burns, of Maryland, to be a Member of the Nuclear Regulatory Commission, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Indiana (Mr. DONNELLY), and the Senator from Iowa (Mr. HARKIN) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Missouri (Mr. BLUNT), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Utah (Mr. HATCH), the Senator from Kansas (Mr. MORAN), the Senator from Kansas (Mr. ROBERTS), and the Senator from Alabama (Mr. SHELBY).

Further, if present and voting, the Senator from Alabama (Mr. SHELBY) would have voted "Nay".

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

The yeas and nays resulted—yeas 54, nays 37, as follows:

[Rollcall Vote No. 264 Ex.]

#### 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
Collins	Markey	Udall (CO)
Coons	McCaskill	Udall (NM)
Durbin	Menendez	Walsh
Feinstein	Merkley	Warner
Franken	Mikulski	Warren
Gillibrand	Murphy	Whitehouse
Hagan	Murray	Wyden

#### NAYS—37

Alexander	Flake	Murkowski
Ayotte	Graham	Paul
Boozman	Grassley	Portman
Burr	Heller	Risch
Coats	Hoeven	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Sessions
Corker	Johanns	Thune
Cornyn	Johnson (WI)	Toomey
Crapo	Kirk	Vitter
Cruz	Lee	Wicker
Enzi	McCain	
Fischer	McConnell	

#### NOT VOTING—9

Barrasso	Donnelly	Moran
Blunt	Harkin	Roberts
Chambliss	Hatch	Shelby

The PRESIDING OFFICER. On this vote the yeas are 54, the nays are 37.

The motion is agreed to.

#### VOTE EXPLANATION

• Mr. DONNELLY. Madam President, I regret having missed today's vote on the motion to invoke cloture on S. 2199, the Paycheck Fairness Act. Had I been present, I would have voted in

favor of the motion to invoke cloture on S. 2199.

In addition, had I been present, I would have voted in favor of the motion to invoke cloture on Executive Calendar No. 1004, Jeffery Martin Baran, of Virginia, to be a Member of the Nuclear Regulatory Commission and the motion to invoke cloture on Executive Calendar No. 1003, Stephen G. Burns, of Maryland, to be a Member of the Nuclear Regulatory Commission.●

#### NOMINATION OF STEPHEN G. BURNS TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Stephen G. Burns, of Maryland, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2019.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. May I ask a question? Has the Senate returned to legislative session?

The PRESIDING OFFICER. We are in executive session postcloture on the Burns nomination.

Ms. MIKULSKI. I ask unanimous consent to speak as in morning business.

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

#### PAYCHECK FAIRNESS

Ms. MIKULSKI. Well, there is the Senate. There they go again. Whenever we women fight for fair pay, we are either sidelined, redlined, or pushed aside.

We, moving for paycheck fairness, feel the way women feel every single day in the workplace. When they are trying to get equal pay for equal work, they are either not listened to or there is some kind of reason to make sure the discussion never comes up. Once again, because of eight votes separating, we could not debate paycheck fairness.

The Paycheck Fairness Act is a bill that would finish the job we started with Lilly Ledbetter.

This is not right. When women are out there trying to earn equal pay for equal work, they should have the opportunity to do so. Now they feel stymied. In Lilly Ledbetter, we took the first step to right this wrong, but it was not the only step.

Paycheck fairness closes the innumerable loopholes that prevent women from being able to get equal pay for equal work. All we wanted to do was bring up the bill to debate it, to amend it, and then vote on final passage. We could not get cloture on the filibuster. Those are wonky parliamentary words that said we could have unlimited debate.

If we had gotten cloture under our rules, that would have been 30 hours of debate. I think that is enough time.

There could have been amendments but, guess what, they had to be germane; that is, pertinent to the bill, or they had to be relevant or pertinent to the bill. What is wrong with that? That is not a gag rule. That is not muzzling anybody.

No, no, it wasn't good enough. Do you know why we didn't get cloture? They didn't want to bring up this bill for a final vote or amendments. They are hiding behind parliamentary procedure.

Do you know what. Our paycheck fairness bill was so simple and stayed straightforward. Do you know what it would have done? It would have prevented retaliation against workers for sharing information about their wages. Right now, the most secret thing in our country is not only our national security, but what you make. You can't discuss your wages with the person next to you. So if a woman was trying to figure out what the guy next to her was making, and he wanted to tell her—men of quality always support us women as we seek equality. If he wanted to tell her, both could have been fired—her for asking and him for telling. We wanted to close that loophole.

The other thing the bill would do, it would prevent employers from being able to use almost any reason to justify paying a woman less. For years, employers have exploited loopholes in the Equal Pay Act, inventing any number of reasons why a woman should be paid less. It would also prevent women from being limited to just back pay when they are discriminated against. Those are the three major issues.

In the United States of America, when we said all men and women were created equal, we have to be able to be equal, and one of the most important places you are equal is in the workplace. So if women are doing the same job, we ought to get the same pay. That is the American way. But once again we were stymied. Once again they tried to push us back.

I am going to say this today on behalf of myself, the majority of the women in the Senate, and many of the great guys in the Senate: They want to make sure that today's vote doesn't say we are stopping this fight. Once again, we are going to reach out to the grassroots, particularly to the women of America, to join in the fight to change the Federal law books so women can get change in the family checkbooks. They can try to stop us on the floor, but they cannot stop our movement.

Once again, as I have said before, when we have had a setback, we are going to fight. We are going to fight on the Senate floor, we are going to take this to the people in the country, we are going to fight it through the elections, and we are going to fight it through the community. I am going to say to every single person in the United States of America: Be part of this movement.