

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.

A special message to the women: Let's suit up. Let's square our shoulders. Let's put our lipstick on and fight for equal pay that won't be stopped. We are going to do it. We are going to fight today, and we are going to fight tomorrow, and I am combat ready.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DONNELLY). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### TESLA

Mr. REID. Mr. President, a week ago last Thursday, Tesla, a major company in America, announced that Nevada would be the new home to its gigafactory, which would produce lithium batteries for Tesla's electric cars. Just a few days later, Nevada's State legislature unanimously approved the incentive package to finalize a new economic boost for Nevada.

Tesla's gigafactory will spur economic development in Nevada. All told, the state-of-the-art manufacturing center is expected to pump \$100 billion into Nevada's economy and create up to 22,000 jobs.

This development is good news for Nevada, but it didn't happen by accident. It is the direct result of public-private partnerships and smart Federal and State policies. It is the result of Nevada being seen as a hub for renewable energy and innovative technologies. This project, as big as it is, will be powered with solar and geothermal. Nothing else will power this big project.

I have worked here in the Senate to promote legislation that encourages investment in clean energy and transportation innovation at all levels. In 2007, we passed the Energy Independence and Security Act, which created the Advanced Technology Vehicles Manufacturing Program. Under this program, the Department of Energy awarded a \$465 million loan guarantee to Tesla for the construction of a manufacturing facility in California. The question everyone has is: Was that loan a successful investment in Tesla?

The facts speak for themselves. Tesla repaid the loan in full 9 years early. Tesla is the company it is today because of this loan.

The availability of lithium, which ultimately helped attract Tesla to Nevada, also has its roots in Federal legislation. In 2009, with the economy in a deep recession and thousands of Nevadans losing their jobs, we passed the American Recovery and Reinvestment Act—better known as the stimulus. There were many good things for Nevada and the country in that stimulus legislation. For example, millions for education, millions for renewable energy development, and tax breaks for the middle class.

Also in the stimulus was a program to incentivize advanced battery manufacturing. Through this program, a \$28.4 million grant was awarded to Rockwood Lithium of Nevada, which would help to expand and improve the only operating domestic lithium facility in the country. It is located near the historic mining town of Goldfield, a place called Silver Peak. Nevada only has 17 counties. Esmeralda County, where this is located, has less than 1,000 people. So this mine is really important for our country. We are the only lithium mining facility in America.

Because of the stimulus, Tesla will have access to lithium mined in Nevada, as I indicated, for production of these batteries. But in order to truly promote innovation, we must as a Congress create opportunities for consumers to invest in new, advanced technologies, and we haven't done that. We need more tax incentives for that.

In 2008, we encouraged Americans to invest in the growth of the electric car industry through a tax credit of up to \$7,500 for the purchase of qualified electric vehicles. We expanded that credit in the American Recovery and Reinvestment Act in 2009 to ensure that while Americans recovered from the recession, we did so by investing in new technology that would produce lasting economic growth.

Tesla's investment in Nevada shows what is possible when public-private partnerships and smart Federal and State policies are encouraged. In the 21st century, this is how public-private partnerships should work, and it is so important to realize that through these grants, loans, and the private sector, working with States such as Nevada and California and the Federal Government, we were able to accomplish this.

This is a blueprint for success. Federal, State, and local leaders must clear obstacles that stymie innovation and incentivize cleaner technologies. We must make it easier for industry to invest in our communities, not just in Nevada but all across America.

As Elon Musk, the genius who has done SpaceX, PayPal, Tesla, and so many other things, said just the other day:

What the people of Nevada created is a state where you can; where you are very agile, where you can do things quickly and get things done. It's a real get-things-done state.

I want the RECORD to be spread with my public appreciation on behalf of all Nevadans to Governor Sandoval. His patience and diligence made this possible. I congratulate him because the work he did here was terrific.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, and that during this period of time Senators be allowed to speak for up to 10 minutes each.

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

#### UNLV'S TAKE BACK THE NIGHT

Mr. REID. Mr. President, I rise today to recognize the 21st annual Take Back the Night event at the University of Nevada, Las Vegas, UNLV.

The event is one of UNLV's oldest traditions. Hosted by the wonderful Jean Nidetch Women's Center, this event has done an amazing job of raising awareness about sexual assault and other forms of interpersonal violence including dating violence, domestic violence, and stalking. Take Back the Night is a worldwide event, and UNLV's branch has received numerous awards over the years. For instance, 2 years ago, as well as this year, the UNLV branch won the "Outstanding Collaborative Program" award; and in 2008, it won the "Outstanding Annual Program/Tradition" award.

Research has shown that college age women are at the highest risk for all forms of violence. According to the recent report released by the White House Task Force to Protect Students from Sexual Assault, the risk of sexual assault is 4 times higher for women ages 16 to 24 than any other population group. One assessment showed that more than one-half of the campus population knows at least two people who have been victims of sexual assault, domestic/dating violence, or stalking. Programs and events such as Take Back the Night importantly help provide survivors and victims with information about the services and options available to them.

The Jean Nidetch Women's Center has made Take Back the Night a capstone annual event at UNLV to give victims and survivors a place to seek advocacy and assistance. The center hosts public events in hopes of engaging students who may not otherwise seek help. It is an exceptional resource for a crucial issue that harms our society and campuses not only in Nevada, but around the country.

I commend the Jean Nidetch Women's Center and the entire UNLV campus for their commitment and dedication, and I look forward to learning about their future contributions to this important issue.

#### APPRENTICESHIP AND JOBS TRAINING ACT

Ms. COLLINS. Mr. President, I wish to speak in support of the Apprenticeship and Jobs Training Act, legislation