

McConnell
Moran
Nelson
Paul
Portman

Risch
Roberts
Rubio
Scott
Sessions

Shelby
Thune
Toomey
Vitter
Wicker

The PRESIDING OFFICER. On this vote the yeas are 58, the nays are 42. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The Senator from Vermont.

Mr. LEAHY. Mr. President, obviously I am disappointed by tonight's vote, but I am not new to this fight. We have had six public hearings on this issue. We heard interesting testimony by the head of the NSA who talked about 50-some-odd terrorist activities that have been thwarted by the bulk collection program. When he had to testify in public, it came down to possibly one.

I mention that because people asked whether we had hearings. We had six. But the reason I say I am not new to this fight is the very first vote I cast as a Senator in 1975 was in favor of the Senate resolution that created the Church Committee. I have worked ever since to ensure strong oversight of surveillance authorities.

We found in the Church Committee that administrations of both parties had so badly misused the tools they had in the intelligence community. We tried to put in restrictions that would balance our constitutional rights and the security that we needed as Americans. We tried to do that. I think we did.

That is why over the past decade I have consistently opposed expanding the USA PATRIOT Act and FISA Amendments Act sunsets without including meaningful reforms. The first sunsets were put in place by the Republican leader in the House, Dick Armey, a conservative Republican, and myself in the Senate. We joined together for the same reason: If you do not have an ability to look at these issues on a periodic basis, then they will get out of hand.

I fought the status quo every step of the way in these efforts. The broad coalition of those in favor of the USA FREEDOM Act shows we are gaining ground. While I am critical of those Republicans who failed to answer the call of the American people who elected them to stand up and work across the aisle, those who reverted to scare tactics rather than working productively to protect America's basic privacy rights and our national security—I acknowledge the hard work and principled stance of several Republicans: Senator HELLER, Senator LEE, and Senator CRUZ, as well as other Republicans in the other body, including my initial partner in this effort, Congressman JIM SENSENBRENNER. There have also been two important partners on the Democratic side in this reform effort: Senators FRANKEN and BLUMENTHAL who worked with me on transparency and the FISA Court reforms.

We Vermonters fight to protect our privacy rights. Every Vermonter does. They mean a great deal to us. Every

Vermonter feels that way, and this life-long Vermonter will not give up the fight. I owe that to the Vermonters I serve and to the Constitution I swore an oath to defend.

I would say to those both in this Chamber and outside who approached this issue by fomenting fear, fomenting fear stifles serious debate and constructive solutions, like the carefully drawn reforms in this bill. Doing it at the last minute is all the more regrettable. This Nation deserves more than that.

This Nation should not allow our liberties to be set aside by passing fears.

America will always face the threat of terrorist attacks, both outside our borders and inside. We didn't do away with all our civil liberties after the Oklahoma City bombing. It was an American who did that, somebody who served in our military, churchgoing, and so forth. No more should we do it if the attacks come from outside our country. We talk about 9/11. We had all the evidence necessary to stop 9/11 before it happened.

Everybody who has looked at that now agrees that if we had bothered to translate the material we had, if we had bothered to listen to people in Minnesota who tried to warn us about it, we could have stopped it.

But because mistakes were made then, let's not take away the liberties of 325 million Americans.

I felt this way when I was a prosecutor. We even had people escape from prison with the intent to kill me.

I said: OK. We will get them, but we will follow the law in doing it, and we did.

Mr. President, 13 years ago this week a letter was sent to me. The anthrax in it was so deadly that the one person who touched the envelope—that I was supposed to open—died. They died from it. We still haven't caught all of the people involved.

But notwithstanding that, when people came to me and said: Well, maybe we should do away with some of our search and seizure laws, maybe we should do away with some of our laws for wiretaps, after all somebody tried to kill you. And if you had touched that envelope you would have died.

I said: No, this is more than one Senator, more than one person, more than one individual. This is the Constitution of the United States. If we, 100 Members of this body, do not protect our Constitution, we do not protect our country, and we do not deserve to be in this body.

I will continue to fight, and whatever years I have left in this body, I will continue to fight to preserve our Constitution and our rights as Americans.

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

EXECUTIVE SESSION

NOMINATION OF PAMELA PEPPER TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF WISCONSIN

Mr. REID. I move to proceed to executive session to consider Calendar No. 928.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Pamela Pepper, of Wisconsin, to be United States District Judge for the Eastern District of Wisconsin.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk, and I ask the Chair to report it.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the 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 the nomination of Pamela Pepper, of Wisconsin, to be United States District Judge for the Eastern District of Wisconsin.

Harry Reid, Patrick J. Leahy, Robert Menendez, Patty Murray, Debbie Stabenow, Benjamin L. Cardin, Amy Klobuchar, Kirsten E. Gillibrand, Christopher Murphy, Brian Schatz, Richard J. Durbin, Richard Blumenthal, Tom Harkin, Angus S. King, Jr., Tom Udall, Mazie Hirono, Sheldon Whitehouse.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

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

The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF BRENDA K. SANNES TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF NEW YORK

Mr. REID. I move to proceed to executive session to consider Calendar No. 930.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Brenda K. Sannes, of

New York, to be United States District Judge for the Northern District of New York.

CLOTURE MOTION

Mr. REID. Mr. President, there is a cloture motion at the desk and I ask that it be reported.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the 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 the nomination of Brenda K. Sannes, of New York, to be United States District Judge for the Northern District of New York.

Harry Reid, Patrick J. Leahy, Robert Menendez, Patty Murray, Debbie Stabenow, Benjamin L. Cardin, Amy Klobuchar, Kirsten E. Gillibrand, Christopher Murphy, Brian Schatz, Richard J. Durbin, Richard Blumenthal, Tom Harkin, Angus S. King, Jr., Tom Udall, Mazie Hirono, Sheldon Whitehouse.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

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

EXECUTIVE SESSION

NOMINATION OF MADELINE COX ARLEO TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY

Mr. REID. I now move to proceed to executive session to consider Calendar No. 1032.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Madeline Cox Arleo, of New Jersey, to be United States District Judge for the District of New Jersey.

CLOTURE MOTION

Mr. REID. Mr. President, there is a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the 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 the nomination

of Madeline Cox Arleo, of New Jersey, to be United States District Judge for the District of New Jersey.

Harry Reid, Patrick J. Leahy, Robert Menendez, Patty Murray, Debbie Stabenow, Benjamin L. Cardin, Amy Klobuchar, Kirsten E. Gillibrand, Christopher Murphy, Brian Schatz, Richard J. Durbin, Richard Blumenthal, Tom Harkin, Angus S. King, Jr., Tom Udall, Mazie K. Hirono, Sheldon Whitehouse.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

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

EXECUTIVE SESSION

NOMINATION OF WENDY BEETLESTONE TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Mr. REID. I now move to proceed to executive session to consider Calendar No. 1033.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Wendy Beetlestone, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

CLOTURE MOTION

Mr. REID. There is a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the 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 the nomination of Wendy Beetlestone, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Harry Reid, Patrick J. Leahy, Robert Menendez, Patty Murray, Debbie Stabenow, Benjamin L. Cardin, Amy Klobuchar, Kirsten E. Gillibrand, Christopher Murphy, Brian Schatz, Richard J. Durbin, Richard Blumenthal, Tom Harkin, Angus S. King, Jr., Tom Udall, Mazie K. Hirono, Sheldon Whitehouse.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

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

EXECUTIVE SESSION

NOMINATION OF VICTOR ALLEN BOLDEN TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF CONNECTICUT

Mr. REID. I now move to proceed to executive session to consider Calendar No. 1034.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Victor Allen Bolden, of Connecticut, to be United States District Judge for the District of Connecticut.

CLOTURE MOTION

Mr. REID. There is a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the 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 the nomination of Victor Allen Bolden, of Connecticut, to be United States District Judge for the District of Connecticut.

Harry Reid, Patrick J. Leahy, Robert Menendez, Patty Murray, Debbie Stabenow, Benjamin L. Cardin, Amy Klobuchar, Kirsten E. Gillibrand, Christopher Murphy, Brian Schatz, Richard J. Durbin, Richard Blumenthal, Tom Harkin, Angus S. King, Jr., Tom Udall, Mazie K. Hirono, Sheldon Whitehouse.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

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

Mr. REID. 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. 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. I ask unanimous consent that the Senate proceed to a period of

morning business, with Senators allowed to speak for up to 10 minutes each.

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

CHRIST THE KING SCHOOL 75TH ANNIVERSARY

Mr. LEAHY. Mr. President, Christ the King School of Burlington, VT, will soon celebrate its 75th anniversary, and it remains one of the most distinguished educational hubs in the Green Mountain State. Begun as a school to accommodate the overflow of students from the Cathedral School, three-quarters of a century later it continues to offer young Vermont students the educational foundation on which to build successful futures.

The school has undergone a considerable transformation since it opened its doors to the community of Burlington and beyond in 1940, but its commitment to education has been constant. Its curriculum helps students experience learning through real-world experiences. Recently, students traveled to Ausable Chasm in New York. Students, their teachers, and many parents hiked the chasm, collecting foliage for a future science lab where students will use paper chromatography to separate the components in leaves. By giving students opportunities to take their learning outside of the classroom, they early on come to understand the importance of engaging with the surrounding community.

In addition to expanding their curriculum to include this experiential learning, Christ the King School's recent partnership with the Tarrant Institute for Innovative Education at the University of Vermont will help give students access to technology and professional development resources that might not otherwise be available.

Christ the King School has a long history of commitment to excellence in education. I commended the School in the RECORD as the school celebrated its 50th anniversary, and I am pleased to again commemorate another milestone. Our young people deserve the best in their educational development. Christ the King School continues to provide the academic and spiritual guidance it has delivered for the last 75 years, and I hope will do so for decades to come.

TRIBUTE TO KATHERINE PATERSON

Mr. LEAHY. Mr. President, Katherine Paterson is a treasure to Vermont. She is also a close friend to Marcelle and me. And today, at the age of 82, she continues to write with the grace and talent that has made her a two-time National Book Award winner and twice a Newbery medalist.

I have had the honor and good fortune to know Katherine for many years. Her humble and soft-spoken nature belie the power of her writing and

her myriad contributions to children's literature.

In announcing that she would be last year's winner of the Laura Ingalls Wilder Medal, the committee noted: "Katherine Paterson has been writing books that have made a profound difference in children's lives for 40 years. Her work acknowledges life's challenges and difficulties, yet she always leaves her readers with hope."

I ask that this recent profile of Katherine Paterson, from the Burlington Free Press, be printed in the RECORD.

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

[From The Burlington Free Press, Nov. 16, 2014]

KATHERINE PATERSON'S LIFE IN STORIES (By Sally Pollak)

Montpelier Author's Memoir is a Set of Stories, Many Could Serve as a Manual for Loving and Raising Kids

In her new book, "Stories of my Life," Katherine Paterson tells a set of wonderful stories that span her eight decades.

She writes about her young childhood in China, where she was born, and the mountain resort where she stayed with her mother and siblings (including a newborn sister) during wartime in the summer of 1937. Paterson tells about a family friend who was kissed by Robert E. Lee, and her distant cousin named Mark Twain. Yes, that Mark Twain. Paterson writes about taking her sixthgrade class on a field trip to the Washington zoo; the widow she lived with when she worked as a missionary in Japan, and her sons' adventures in places unknown to their mother.

Paterson doesn't write about her first fall in Barre, where she and her husband moved 28 years ago. The youngest of Paterson's four children went off to college, and Paterson had left behind friends in Virginia and Maryland.

"It rained a lot," Paterson said. "I ate Ben and Jerry's Coffee Heath Bar Crunch, and read."

Paterson, who turned 82 on Halloween, is an awardwinning author who started to write books in the bits of time when her young children were all asleep. She was able to devote more time to writing when her four kids were old enough for school. Paterson's books have won the most prominent honors in literature, including two Newbery Medals ("Bridge to Terabithia" and "Jacob Have I Loved") and two National Book Awards ("The Master Puppeteer" and "The Great Gilly Hopkins.") Before the Patersons moved to Vermont for John Paterson's work as a minister, the Patersons knew Vermont as the place they celebrated their wedding anniversary. They would drive north from New York's Lake George, where they spend summers, to eat at Dog Team Tavern. The restaurant in Middlebury, known for its sticky buns, burned down in 2006.

The ice-cream eating phase in the big brick house in Barre would give way to book-writing, including books set in Vermont. Paterson had barely unpacked when she met a woman at a book signing in Shelburne who began a conversation: "Now that you're a Vermonter. . . ." The woman went on to inquire if Paterson had an interest in writing a book that would be meaningful for children of Vermont migrant farm workers.

This involved getting to know her new home state by visiting farms and homes, and completing a book on a six-month deadline (a first). In order to meet the deadline, Paterson proposed writing an I Can Read

Book. "The Smallest Cow in the World," with illustrations by Burlington native Jane Clark Brown, was Paterson's first book for new readers.

Decades later Paterson attempted another genre for the first time: memoir, or memoir-ish.

"Stories of my Life" is lively, interesting and generous of spirit. Its stories are warm and humorous, and connected to a larger sphere: literature, religion, history. Certain stories could serve as a manual, a valuable one, for loving and raising kids.

Still, writing a memoir wasn't part of Paterson's plan.

"It just seems like such a me, me, me thing to do," Paterson said recently at her home in Montpelier, where she moved last spring. "I didn't think people nearest and dearest to me would want to play minor roles in the stories of my life."

KITCHEN SINK STORIES

The illness of Paterson's late husband, John Paterson, was a kind of catalyst for Paterson's recently published book. During his sickness, Katherine Paterson was somehow unable to start a novel, she said. Instead, she began to write down stories drawn from her life, what she calls in her book "kitchen sink stories."

These are stories she heard from her mother as a child, when she washed, dried and put away dishes with her mother and sister. Paterson's children grew up in a house with a dishwasher, and some stories went untold in the absence of that evening chore.

"I realized there were family stories that my children didn't know and I should write them down," Paterson said. "It would be a good thing for the kids and for the grandchildren."

The stories are a fascinating collection that take in family history (great uncles who died in the Civil War); Paterson's work and travel in Asia; her chance meeting while at graduate school with the man she would marry; raising a family with accompanying menagerie—and writing books.

In "Stories of my Life" Paterson draws connections between significant events and people in her own life, and aspects of her books: a story line, a character, a scene.

She explains that she discovered the "emotional heart" of her first novel, "The Sign of the Chrysanthemum" in a conversation with her oldest daughter, Lin.

Lin was born in Hong Kong; she was two years old when the Patersons adopted her. There were times when Lin was young that it was difficult for her parents to get through a "curtain" and reach their daughter, Paterson writes.

From her memoir: "Lin," I yelled, "how can I help you if you won't tell me what's the matter?"

She jerked to life, her eyes wide open. "Why did that woman give me away?"

Paterson would go on to write a novel built around this question: "What must it be like, I wondered, to have a parent somewhere whom you do not know?"

Later, at a time she was idea-less for a book, she asked her four children what to write about.

The kids voted for a mystery. Paterson was certain she wasn't capable of writing one. She describes this in her memoir: "Do you think," I asked my eager children, "that anyone who is regularly beaten at chess by a six year-old has the kind of brain it takes to plot a mystery story?"

Yet her kids' choice helped Paterson find her way to a story that involved Japanese puppet theater.

"So the children and I compromised," Paterson wrote. "I would try to write an adventure story with as much suspense as possible." The resulting book, "The Master Puppeteer," won the 1977 National Book Award.