

The result was announced—yeas 52, nays 42, as follows:

[Rollcall Vote No. 294 Ex.]

YEAS—52

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

NAYS—42

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

NOT VOTING—6

Coburn	Landrieu	Roberts
Cochran	Murkowski	Rockefeller

The nomination was confirmed.

CLOTURE MOTION

The PRESIDING OFFICER. There is now 2 minutes equally divided prior to the cloture vote on the Coloretti nomination.

Who yields time?

Mrs. MCCASKILL. I yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the ending 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 Nani A. Coloretti, of California, to be Deputy Secretary of Department of Housing and Urban Development.

Harry Reid, Tim Johnson, Patrick J. Leahy, Patty Murray, Tom Udall, Brian Schatz, Charles E. Schumer, Barbara Boxer, Benjamin L. Cardin, Richard Blumenthal, Jeff Merkley, Al Franken, Robert P. Casey, Jr., Martin Heinrich, Elizabeth Warren, Richard J. Durbin, Christopher Murphy.

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 the nomination of Nani A. Coloretti, of California, to be Deputy Secretary of Department of Housing and Urban Development, 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 Louisiana (Ms. LANDRIEU) and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from Mississippi (Mr. COCHRAN), the Senator from South Carolina (Mr. GRAHAM), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from Kansas (Mr. ROBERTS).

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

The result was announced—yeas 59, nays 34, as follows:

[Rollcall Vote No. 295 Ex.]

YEAS—59

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

NAYS—34

Alexander	Grassley	Paul
Barrasso	Heller	Portman
Blunt	Hoeven	Risch
Boozman	Inhofe	Rubio
Burr	Isakson	Scott
Chambliss	Johanns	Sessions
Corker	Johnson (WI)	Shelby
Cornyn	Kirk	Thune
Crapo	Lee	Vitter
Cruz	McCain	Wicker
Enzi	McConnell	
Fischer	Moran	

NOT VOTING—7

Coburn	Landrieu	Rockefeller
Cochran	Murkowski	
Graham	Roberts	

The PRESIDING OFFICER. On this vote, the yeas are 59, the nays are 34.

The motion is agreed to.

NANI A. COLORETTI TO BE DEPUTY SECRETARY OF DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Nani A. Coloretti, of California, to be Deputy Secretary of Department of Housing and Urban Development.

The PRESIDING OFFICER. With respect to the nominations confirmed under the previous order, the motions to reconsider have been made and laid upon the table, and the President will be immediately notified of the Senate's actions.

CLOTURE MOTION

The PRESIDING OFFICER. There is now 2 minutes equally divided prior to the cloture vote on the Adler nomination.

Who yields time?

Mr. DURBIN. I yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

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 Robert S. Adler, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission.

Harry Reid, John D. Rockefeller IV, 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, Patrick J. Leahy, Sheldon Whitehouse.

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 the nomination of Robert S. Adler, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission, 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 Louisiana (Ms. LANDRIEU), the Senator from Michigan (Mr. LEVIN), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from Mississippi (Mr. COCHRAN), the Senator from South Carolina (Mr. GRAHAM), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from Kansas (Mr. ROBERTS).

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. 296 Ex.]

YEAS—52

Baldwin	Franken	Menendez
Begich	Gillibrand	Merkley
Bennet	Hagan	Mikulski
Blumenthal	Harkin	Murphy
Booker	Heinrich	Murray
Boxer	Heitkamp	Nelson
Brown	Hirono	Pryor
Cantwell	Johnson (SD)	Reed
Cardin	Kaine	Reid
Carper	King	Sanders
Casey	Klobuchar	Schatz
Coons	Leahy	Schumer
Donnelly	Manchin	Shaheen
Durbin	Markey	Stabenow
Feinstein	McCaskill	Tester

Udall (CO)	Warner	Wyden
Udall (NM)	Warren	
Walsh	Whitehouse	

## NAYS—40

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

## NOT VOTING—8

Coburn	Landrieu	Roberts
Cochran	Levin	Rockefeller
Graham	Murkowski	

The PRESIDING OFFICER (Ms. HEITKAMP). On this vote, the yeas are 52, the nays are 40.

The motion is agreed to.

# NOMINATION OF ROBERT S. ADLER TO BE A COMMISSIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Robert S. Adler, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission.

The PRESIDING OFFICER. Under the previous order, the time until 4 p.m. will be equally divided in its usual form.

The Senator from South Dakota.

Mr. THUNE. Madam President, are we in morning business?

The PRESIDING OFFICER. We are postcloture on the Adler nomination.

## OBAMACARE

Mr. THUNE. Very good.

Madam President, I wish to speak today about some of what is happening here with the agenda and where we might be headed. I think it is important to point out that the Democrats here, after this election, seem to be in disarray. We have fractures emerging on the left and the right.

Senate Democrats and the President are blaming each other for the Democrats' devastating election loss. The President is threatening a veto on a bipartisan tax extenders package that was negotiated by the House Ways and Means Committee chairman and the Senate Democratic leader.

The senior Senator from New York told an audience last week that passing ObamaCare was a mistake. To quote the Senator:

But unfortunately, Democrats blew the opportunity the American people gave them.

We took their mandate and put all of our focus on the wrong problem—health-care reform.

... it wasn't the change we were hired to make.

I could not agree more, but it is quite an admission from the third-ranking Democrat in the Senate.

Back in 2009, Republicans tried to tell Democrats we should focus on the

economy and that any health care reform should be targeted at helping those struggling to afford health care rather than upsetting our entire system, but Democrats refused to listen. Now it appears at least some of them are wishing they had.

The President tried to sell the health care law as a benefit for the middle class. At a 2010 tele-town hall, he told his listeners that "once this reform is fully in effect, middle-class families are going to pay less for their health care."

Unfortunately, as far too many Americans have found, the President's health care law has actually forced them to pay more. I have lost count of the number of letters I have gotten from constituents in South Dakota telling me how much their health insurance has gone up since the so-called Affordable Care Act passed.

One constituent emailed me in November to tell me:

Please do something about the Affordable Care Act. Health insurance is no longer affordable. In March our family health insurance policy went up \$150.00/month. Now [we've] received notice [of] another \$112.00 increase effective January 1, 2015, for a total monthly premium of \$857.00. This is more than our mortgage and we cannot afford it!!

Let me just repeat part of that last line. "This is more than our mortgage." How are middle-class families supposed to afford what amounts to a second mortgage payment each month? The answer of course is they can't.

The President can talk all he wants about the supposed benefits of his health care law, but the fact is ObamaCare has made life worse for this South Dakota family and it has made things worse for millions of families across the United States.

Since ObamaCare was signed into law, family health insurance premiums have risen by about \$3,000. That is a strain on any family budget just by itself, but it is even worse when we realize that the average family's income has dropped by nearly \$3,000 over the course of the Obama Presidency.

On top of this, ObamaCare has forced millions of Americans off health insurance plans they had and they liked. Frequently, they have been forced to pay more for their new plans while getting less.

Thanks to ObamaCare, Americans have lost access to doctors they liked and trusted, they have lost access to convenient hospitals and they have lost access to medications and that is just the damage ObamaCare is doing to Americans' health care. That is not to mention the damage it is doing to the economy at large.

As the Senator from New York made clear in his comments, he thinks the Democratic Party erred in passing ObamaCare because what Americans wanted was not health care legislation but jobs legislation, and he is right. But Democrats went ahead with ObamaCare anyway, and not only has it not helped the economy, as the

President said it would, it is actually hurting the economy.

Take one small part of ObamaCare, the tax on lifesaving medical devices such as pacemakers and insulin pumps. This tax has already been responsible for putting thousands of Americans out of work, and it is on track to eliminate thousands more jobs if it isn't repealed.

Then there is the ObamaCare 30-hour workweek rule, which is eliminating hours and reducing wages for thousands of American workers, and the numerous ObamaCare regulations that are making it difficult for small businesses to hire new workers.

As Democrats are now realizing, ObamaCare was a big mistake. What Democrats should have done, as the senior Senator from New York admits, was focus on creating jobs and opportunities for middle-class families.

The recent Gallup poll listing the overall health of the economy as Americans' top economic concern was just the latest poll in which Americans have listed jobs and the economy among their main worries. Yet Democrats have spent years ignoring the need for jobs and focusing on their own political priorities.

As the senior Senator from New York said:

When Democrats focused on health care, the average middle class person thought, "the Democrats aren't paying enough attention to me."

That average middle-class person is right.

In a few short weeks Republicans will take over the Senate, and we will be running things very differently.

Our first priority will be passing legislation to create jobs and opportunities for American workers. A significant part of that will be working to undo the damage ObamaCare has done to the economy. We will work to repeal the medical device tax and restore the 40-hour workweek. I hope Democrats will join us. I have a feeling many of them will.

As we have seen, opposition to these damaging ObamaCare provisions is not limited to Republicans. Democrats have joined us before to attempt to address these issues, and I look forward to working with these same Democrats and others in the new Congress.

As for the President, I hope he will finally admit his law is hurting Americans and join us in undoing the damage. Unfortunately, his actions so far have not demonstrated much openness to cooperation or any sign that he understands the American people are calling for a new era in Washington.

Democrats have spent the past several years focusing on the priorities of the far leftwing of their party instead of the American people's priorities—the economy and jobs. That is what the American people have been saying over and over they want their elected leaders to be focused on.

I hope the new Congress will mark the start of a new era in which Democrats join Republicans to help create