

NOT VOTING—7

Coburn	Landrieu	Udall (CO)
Cochran	Leahy	
Cruz	Rockefeller	

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 69, the nays are 24.

The motion is agreed to.

CHANGE OF VOTE

Ms. HEITKAMP. Mr. President, on rollcall vote No. 309, I voted "aye." It was my intention to vote "nay." Therefore, I ask unanimous consent that I be permitted to change my vote since it will not affect the outcome of the vote.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The foregoing tally has been changed to reflect the above order.)

NOMINATION OF GREGORY N. STIVERS TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF KENTUCKY

The ACTING PRESIDENT pro tempore. The clerk will report the nomination.

The bill clerk read the nomination of Gregory N. Stivers, of Kentucky, to be United States District Judge for the Western District of Kentucky.

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be 2 minutes of debate equally divided prior to the cloture vote on the Leeson nomination.

Without objection, all time is yielded back.

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

The 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 Joseph F. Leeson, Jr., of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Harry Reid, Patrick J. Leahy, Christopher A. Coons, Dianne Feinstein, Richard J. Durbin, Richard Blumenthal, Brian Schatz, Debbie Stabenow, Michael F. Bennet, Robert P. Casey, Jr., Jeff Merkley, Christopher Murphy, Edward J. Markey, Al Franken, Tom Harkin, Sheldon Whitehouse, Angus S. King, Jr.

The ACTING PRESIDENT pro tempore. 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 Joseph F. Leeson, Jr., of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania, 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. LAN-

DRIE), the Senator from Vermont (Mr. LEAHY), the Senator from West Virginia (Mr. ROCKEFELLER), and the Senator from Colorado (Mr. UDALL) 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 Texas (Mr. CRUZ), and the Senator from Illinois (Mr. KIRK).

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

The yeas and nays resulted—yeas 66, nays 26, as follows:

[Rollcall Vote No. 310 Ex.]

YEAS—66

Ayotte	Hagan	Nelson
Baldwin	Harkin	Paul
Begich	Hatch	Portman
Bennet	Heinrich	Pryor
Blumenthal	Heitkamp	Reed
Booker	Hirono	Reid
Brown	Isakson	Roberts
Cantwell	Kaine	Rubio
Cardin	King	Sanders
Carper	Klobuchar	Schatz
Casey	Levin	Schumer
Chambliss	Manchin	Shaheen
Coats	Markey	Stabenow
Collins	McCain	Tester
Coons	McCaskill	Toomey
Donnelly	McConnell	Udall (NM)
Durbin	Menendez	Vitter
Feinstein	Merkley	Walsh
Flake	Mikulski	Warner
Franken	Murkowski	Warren
Gillibrand	Murphy	Whitehouse
Graham	Murray	Wyden

NAYS—26

Alexander	Enzi	Lee
Barrasso	Fischer	Moran
Blunt	Grassley	Risch
Boozman	Heller	Scott
Boxer	Hoeven	Sessions
Burr	Inhofe	Shelby
Corker	Johanns	Thune
Cornyn	Johnson (SD)	Wicker
Crapo	Johnson (WI)	

NOT VOTING—8

Coburn	Kirk	Rockefeller
Cochran	Landrieu	Udall (CO)
Cruz	Leahy	

The PRESIDING OFFICER. On this vote, the yeas are 66, the nays are 26.

The motion is agreed to.

NOMINATION OF JOSEPH F. LEESON, JR., TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant bill clerk read the nomination of Joseph F. Leeson, Jr., of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

CLOTURE MOTION

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to a cloture vote on the Griggsby nomination.

Mr. VITTER. I ask unanimous consent that all time be yielded back.

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 assistant 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 Lydia Kay Griggsby, of Maryland, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

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.

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 Lydia Kay Griggsby, of Maryland, to be a Judge of the United States Court of Federal Claims, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Louisiana (Ms. LANDRIE), the Senator from Vermont (Mr. LEAHY), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Colorado (Mr. UDALL), and the Senator from New Mexico (Mr. UDALL) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), the Senator from Mississippi (Mr. COCHRAN), the Senator from Texas (Mr. CRUZ), and the Senator from Illinois (Mr. KIRK).

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

The yeas and nays resulted—yeas 53, nays 36, as follows:

[Rollcall Vote No. 311 Ex.]

YEAS—53

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

NAYS—36

Alexander	Corker	Flake
Barrasso	Cornyn	Graham
Blunt	Crapo	Grassley
Boozman	Enzi	Hatch
Coats	Fischer	Heller

Hoeven	McConnell	Scott
Inhofe	Moran	Sessions
Isakson	Paul	Shelby
Johanns	Portman	Thune
Johnson (WI)	Risch	Toomey
Lee	Roberts	Vitter
McCain	Rubio	Wicker

NOT VOTING—11

Burr	Cruz	Rockefeller
Chambliss	Kirk	Udall (CO)
Coburn	Landrieu	Udall (NM)
Cochran	Leahy	

The PRESIDING OFFICER. On this vote, the yeas are 53, the nays are 36.

The motion is agreed to.

NOMINATION OF LYDIA KAY GRIGGSBY TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant bill clerk read the nomination of Lydia Kay Griggsby, of Maryland, to be a Judge of the United States Court of Federal Claims.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for debate only until 1:45 p.m., with the time equally divided in the usual form.

The Senator from Pennsylvania.

LEESON NOMINATION

Mr. TOOMEY. Mr. President, I rise this morning to offer my support for a gentleman for whom cloture was just invoked. We are going to have the confirmation vote this afternoon. I am talking about Mr. Joseph Leeson from Pennsylvania. He has been nominated to serve as a U.S. district judge for the Eastern District of Pennsylvania.

I wish to start by thanking Chairman LEAHY and Ranking Member GRASSLEY for facilitating and moving his candidacy through the process, through the committee, and Senator REID and Senator MCCONNELL, our respective leaders, for bringing the nomination to the Senate floor. I appreciate that cooperation.

I should also point out that I am very grateful for the cooperation of my colleague Senator CASEY. Senator CASEY and I have spent a lot of time and energy making sure we fill the vacancies that occur on the Federal bench in Pennsylvania with absolutely the most qualified, terrific Pennsylvanians, and we have been blessed that so many wonderful Pennsylvanians have offered to serve in this role, to make this sacrifice for public service. In the 4 years I have been in the Senate, Senator CASEY and I have confirmed 13 district judges. We placed a judge in the Reading courthouse in Berks County, which had been vacant for 3 years; placed a judge in the Easton courthouse, which had been vacant for 10 years; and when Mr. Leeson is hopefully confirmed this afternoon, that will bring our total to 14.

I look forward to Joseph Leeson's speedy confirmation, and here is why. He is going to be a great Federal judge. Joe Leeson is a graduate from Catholic University, where he got his law degree. I have known Joseph Leeson certainly by his reputation for a very long time. He is a very well-respected attorney in Allentown, PA, and my family and I live just outside Allentown and have for a long time.

Joe Leeson is a partner in Leeson & Leeson. He has very extensive trial experience. He has counseled people in accidents and injury cases. He has represented legislators and mayors. His practice includes litigation, municipal law, nonprofit, and religious law. Across the board he has a very diverse portfolio.

He has also had a long and distinguished commitment to public service. Joe Leeson has served as the Bethlehem city solicitor, as a member of the Bethlehem city council, and on the administrative board of the Pennsylvania Catholic Conference.

If confirmed, he will sit in the Allentown courthouse, and we need a Federal judge in the Allentown courthouse. We have an outstanding judge there now, but we need another because the size of the Lehigh Valley region requires that. It will be terrific to have a second Federal judge in the Allentown courthouse for what I think will be the first time.

Mr. President, I will conclude by saying there is no question in my mind that Mr. Leeson has the experience, the acumen, the temperament, and the integrity to be an outstanding Federal judge. He will be a great addition to the bench, and I urge all my colleagues to support his confirmation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

DIVIDED GOVERNMENT

Mr. CORNYN. Mr. President, I wish to make some very brief remarks about divided government.

Since 1981, there have been more than 25 years in which one party controlled the White House while the other party controlled at least one Chamber of the Congress. By comparison, there have been fewer than 9 years in which one party controlled both the Presidency and all of Congress. So as we can see, divided government has been the norm and unified government—single-party government—the exception.

The truth is I suspect the American people like divided government because they realize it is another layer of checks and balances on what happens up here in Washington, DC, which are very important to making sure we get things done right and give it the kind of deliberation and thoughtful consideration they deserve, particularly if we are talking about legislating for a country of about 320 million people or so.

It also forces us to do something that maybe isn't our first instinct; that is, rather than to insist on our way, it forces us to build consensus, which is actually a good thing when we are talking about the American people.

So what has it given us in the recent past? It has given us a Republican President and a Democratic House that worked together on Social Security reform in 1983 and tax reform in 1986. Several years ago it was another Republican President and a fully Democratic Congress that worked together on landmark disability and environmental laws. In the mid-1990s, it was a Democratic President and a Republican Congress that worked together on welfare reform and balanced the budget.

This is what can happen when we have divided government and the willingness of the President and the Congress to work together to try to solve problems. We can actually do hard things—things that we could never do with a purely one-party government or the other.

Then in 2001 a Republican President and Democratic Senate worked together on education reform—No Child Left Behind. I still remember when former Governor Bush—then-President Bush as the 43rd President—worked together with Teddy Kennedy, the liberal lion of the Senate, on No Child Left Behind. It raised more than a few eyebrows back home in Texas, but that demonstrated what can happen when one side of the aisle and the other side of the aisle try to work together in the best interests of the American people.

Here is the short of it: Divided government does not translate into gridlock. It doesn't have to. It can, but it doesn't have to. We actually have another choice. Each of the four Presidents who came directly before President Obama found it possible to sign major bipartisan legislation despite having serious philosophical differences with Members of the opposing party.

I remember a conversation I had recently with one of my colleagues who was just reelected to the Senate and he is, let's say, from the other end of the political spectrum from me. He made the obvious point: I am not going to change who I am, I am not going to change what I believe in, but I am going to look for ways to legislate in the Senate.

I thought he stated it very well: I am not going to change who I am as a conservative. I am not going to do something which I would view to be unprincipled in order to get an outcome. But I do think that leaves an awful lot of room for us to work together to try to legislate in the center.

My impression is—from the Presiding Officer and others I have talked to and chatted with and seeing their reported comments—there is a big appetite on both sides of the aisle to make this place work again. I think if there is a single message that I heard from November 4, in this last election, it is