

by the President to execute his views of immigration.

The attitude of USCIS management is not that the Agency serves the American public or the laws of the United States, or public safety and national security, but instead that the agency serves illegal aliens and the attorneys which represent them.

What a statement. Who is the government supposed to represent? We represent the people of the United States who are lawfully here.

While we believe in treating all people with respect, we are concerned that this agency tasked with such a vital security mission is too greatly influenced by special interest groups.

Boy, that is the truth. We had in one day Microsoft—a great company—demanding that more workers be allowed to come into the country so that they can work, in the same week they announced laying off 18,000.

In September of this year, Mr. Palinkas issued this statement:

Many millions come legally to the U.S. through our wide open immigration policy every year—whether as temporary visitors, lifetime immigrants, refugees, asylum-seekers, foreign students, or recipients of our “visa waiver program” which allows people to come and go freely. Yet our government cannot effectively track these foreign visitors and immigrants. And those who defraud authorities will face no consequences at all in most cases. Our caseworkers cannot even do in-person interviews for people seeking citizenship, they cannot enforce restrictions on welfare use, and they even lack the basic office space to properly function. Applications for entry are rubber-stamped, the result of grading agents by speed rather than discretion. We’ve become a clearinghouse for the world.

Now that is the truth and anybody who knows what is going on in our system knows it. The President’s action will beget even more lawlessness in the future. It is a statement to the world: No matter what the law says, you come to America, you get to stay. You will not be deported.

This is a recipe for disaster. It cannot work. What we need in this country, and can achieve if Congress and the President will act, is to create a lawful system and enforce the law. We need to make it a system that we can be proud of and that is fairly applied. We need a system that ends the ability of people to defraud our country and come in unlawfully, and to serve the interest of working Americans.

That is what it is all about: Are we serving their interest, or are we listening to special interests—political groups and activist groups, politicians who think they gain political advantage, and certain businesses who want more, cheaper labor? Don’t we represent the vast majority of the people? Isn’t there a national interest—an interest of the American people? Somebody needs to defend that interest. It has been lost in this process.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume executive session.

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

The PRESIDING OFFICER. Is there further debate on the nomination?

Hearing none, the question is, Will the Senate advise and consent to the nomination of Gregory N. Stivers, of Kentucky, to be United States District Judge for the Western District of Kentucky?

The nomination was confirmed.

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

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior to the vote on the Leeson nomination.

Mr. CASEY. I ask unanimous consent all time be yielded back.

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

The question is, Will the Senate advise and consent to the nomination of Joseph F. Leeson, Jr., of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania?

Mr. CASEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

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 Massachusetts (Mr. MARKEY), 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 Kansas (Mr. MORAN).

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

The result was announced—yeas 76, nays 16, as follows:

[Rollcall Vote No. 312 Ex.]

YEAS—76

Alexander	Burr	Cornyn
Ayotte	Cardin	Crapo
Baldwin	Carper	Donnelly
Barrasso	Casey	Durbin
Bennet	Chambliss	Enzi
Blumenthal	Coats	Feinstein
Blunt	Collins	Fischer
Boozman	Coons	Flake
Brown	Corker	Franken

Graham	Leahy	Roberts
Grassley	Lee	Rubio
Hagan	Levin	Schumer
Harkin	Manchin	Scott
Hatch	McCain	Sessions
Heitkamp	McCaskill	Shaheen
Heller	McConnell	Shelby
Hirono	Merkley	Tester
Hoeven	Murkowski	Thune
Inhofe	Murphy	Toomey
Isakson	Nelson	Vitter
Johanns	Paul	Walsh
Johnson (WI)	Portman	Warner
Kaine	Pryor	Whitehouse
King	Reed	Wicker
Kirk	Reid	
Klobuchar	Risch	

NAYS—16

Begich	Johnson (SD)	Stabenow
Booker	Menendez	Udall (NM)
Boxer	Mikulski	Warren
Cantwell	Murray	Wyden
Gillibrand	Sanders	
Heinrich	Schatz	

NOT VOTING—8

Coburn	Landrieu	Rockefeller
Cochran	Markey	Udall (CO)
Cruz	Moran	

The nomination was confirmed.

VOTE EXPLANATION

Mr. MARKEY. Mr. President, I was absent from the rollcall vote on the nomination of Joseph F. Leeson, Jr. to be United States District Judge for the Eastern District of Pennsylvania. Had I been present, I would have opposed his nomination.

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

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior to a vote on the Griggsby nomination.

Who yields time?

The Senator from Vermont.

Mr. LEAHY. Madam President, today we will vote to confirm Lydia Griggsby to serve on the Court of Federal Claims.

I thank the Majority Leader for filing cloture on her nomination. She should have been confirmed several months ago but Republicans refused to consent to a vote on her nomination for no good reason.

Lydia was nominated on April 10 of this year. She had a hearing on June 4 and was reported out of committee by a unanimous voice vote on June 12. She is completely noncontroversial and exceptionally well qualified to serve on this court.

It should not have taken 6 days, let alone 6 months, for the Senate to approve her nomination. Despite this unnecessary delay, I am pleased that we finally ended the filibuster and will confirm her today.

Lydia has served on my Judiciary Committee staff since 2006 and currently serves as my chief counsel for Privacy and Information Policy. In this position, she has worked across the aisle on important legislation to

promote accountability and transparency. Before coming to the Judiciary Committee she served on the Senate Ethics Committee.

I recommended Lydia to the President for this position because I know her intellect and good judgment will make her a fine judge. Before Lydia came to work in the Senate, she served in the Justice Department and tried several matters before the Court of Federal Claims. When she is confirmed, it will most certainly be the court's gain and the Judiciary Committee's loss.

I will miss her wise counsel and I wish her all the best.

Madam President, I yield back all time.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Lydia Kay Griggsby, of Maryland, to be a Judge of the United States Court of Federal Claims?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table and the President will be immediately notified of the Senate's actions.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior to a vote on the motion to invoke cloture on the Baran nomination.

The Senator from California.

Mrs. BOXER. Madam President, I know we have a lot to talk about. This will be very quick.

I want to point out that is an opening at the Nuclear Regulatory Commission, which is such an important agency because they work on the safety of powerplants, many of which are aging. We voted for Mr. Baran for a short-term seat. He had extensive hearings, 88 questions asked in writing. I feel very strongly that he is very suited for this position. He worked for the Energy and Commerce Committee in the House and worked in a very bipartisan fashion.

In any case, I think this is a very important position and a very qualified individual, and I urge an "aye" vote.

The PRESIDING OFFICER. Is there further debate?

If not, 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 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, 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, Bernard Sanders.

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 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 assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Louisiana (Ms. LANDRIEU), 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 Kansas (Mr. MORAN).

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

The yeas and nays resulted—yeas 53, nays 40, as follows:

[Rollcall Vote No. 313 Ex.]

YEAS—53

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

NAYS—40

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

NOT VOTING—7

Coburn	Landrieu	Udall (CO)
Cochran	Moran	
Cruz	Rockefeller	

The PRESIDING OFFICER. On this vote, the yeas are 53, the nays are 40.

The motion is agreed to.

NOMINATION OF JEFFERY MARTIN BARAN 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 Jeffery Martin Baran, of Virginia, to be a Member of the Nuclear Regulatory Commission.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior to a vote on the motion to invoke cloture on the McFerran nomination.

Mr. ALEXANDER. Madam President, I ask unanimous consent 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 Lauren McGarity McFerran, of the District of Columbia, to be a Member of the National Labor Relations Board.

Harry Reid, Tom Harkin, 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 Lauren McGarity McFerran, of the District of Columbia, to be a Member of the National Labor Relations Board, 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 Louisiana (Ms. LANDRIEU), 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 Kansas (Mr. MORAN).

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

The yeas and nays resulted—yeas 51, nays 42, as follows:

[Rollcall Vote No. 314 Ex.]

YEAS—51

Baldwin	Cardin	Gillibrand
Begich	Carper	Hagan
Bennet	Casey	Harkin
Blumenthal	Coons	Heinrich
Booker	Donnelly	Heitkamp
Boxer	Durbin	Hirono
Brown	Feinstein	Johnson (SD)
Cantwell	Franken	Kaine