

LEE), and the Senator from Alabama (Mr. SESSIONS).

Further, if present and voting, the Senator from Utah (Mr. LEE) would have voted “nay.”

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. 361 Ex.]

YEAS—53

Baldwin	Heinrich	Nelson
Begich	Heitkamp	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Booker	Kaine	Rockefeller
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Leahy	Shaheen
Carper	Landrieu	Stabenow
Casey	Leahy	Tester
Coons	Coons	Udall (CO)
Donnelly	Corker	Manchin
Donnelly	Donnelly	Markay
Durbin	Durbin	McCaskill
Feinstein	Feinstein	Menendez
Franken	Flake	Merkley
Gillibrand	Franken	Mikulski
Hagan	Gillibrand	Murphy
Harkin	Hagan	Wyden

NAYS—40

Alexander	Fischer	Murkowski
Ayotte	Flake	Paul
Barrasso	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heller	Rubio
Coats	Hoeven	Scott
Coburn	Inhofe	Isakson
Collins	Isakson	Johnson (WI)
Corker	Johnson (WI)	Thune
Cornyn	Kirk	McCain
Crapo	McCain	McConnell
Cruz	McCain	McCormick
Enzi	Moran	Wicker

NOT VOTING—7

Boxer	Johanns	Sessions
Chambliss	Lee	
Cochran	Sanders	

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

The motion to invoke cloture is agreed to.

Closure having been invoked, under the previous order, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Antony Blinken, of New York, to be Deputy Secretary of State?

Mr. REID. 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 legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Mississippi (Mr. COCHRAN), the Senator from Nebraska (Mr. JOHANNS), the Senator from Utah (Mr. LEE), and the Senator from Alabama (Mr. SESSIONS).

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

The result was announced—yeas 55, nays 38, as follows:

[Rollcall Vote No. 362 Ex.]

YEAS—55

Baldwin	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Booker	Johnson (SD)	Rockefeller
Brown	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Landrieu	Stabenow
Casey	Leahy	Tester
Coons	Levin	Udall (CO)
Donnelly	Corker	Manchin
Donnelly	Donnelly	Udall (NM)
Durbin	Durbin	Walsh
Feinstein	Feinstein	Warner
Franken	Flake	Warren
Gillibrand	Franken	Whitehouse
Hagan	Gillibrand	Wyden
Harkin	Hagan	

NAYS—38

Alexander	Fischer	Murkowski
Ayotte	Ayotte	Paul
Baldwin	Grassley	Portman
Bennet	Hatch	Risch
Blumenthal	Hatch	Roberts
Booker	Heller	Rubio
Brown	Hoeven	Scott
Burr	Inhofe	Shelby
Coats	Isakson	Johnson (WI)
Coburn	Isakson	Thune
Collins	Collins	Toomey
Corker	Corker	Vitter
Cornyn	Cornyn	Wicker
Crapo	Crapo	
Cruz	Cruz	
Enzi	Enzi	

NOT VOTING—7

Boxer	Johanns	Sessions
Chambliss	Lee	
Cochran	Sanders	

The nomination was confirmed.

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

#### CLOTURE MOTION

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

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 Colette Dodson Honorable, of Arkansas, to be a Member of the Federal Energy Regulatory Commission.

Harry Reid, Brian Schatz, Patrick J. Leahy, Bernard Sanders, John E. Walsh, Patty Murray, Jack Reed, Tom Udall, Sheldon Whitehouse, Amy Klobuchar, Debbie Stabenow, Christopher A. Coons, Robert Menendez, Carl Levin, Barbara Boxer, Tom Harkin, Richard J. Durbin.

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the nomination of Colette Dodson Honorable, of Arkansas, to be a Member of the Federal Energy 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 legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER)

and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Mississippi (Mr. COCHRAN), the Senator from Nebraska (Mr. JOHANNS), the Senator from Utah (Mr. LEE), and the Senator from Alabama (Mr. SESSIONS).

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

The yeas and nays resulted—yeas 65, nays 28, as follows:

[Rollcall Vote No. 363 Ex.]

YEAS—65

Alexander	Graham	Murkowski
Ayotte	Hagan	Murphy
Baldwin	Harkin	Murray
Bennet	Heitkamp	Portman
Blumenthal	Hirono	Pryor
Booker	Hoeven	Reed
Brown	Johnson (SD)	Rockefeller
Burr	Kaine	Schatz
Coats	King	Schumer
Coburn	Klobuchar	Shaheen
Collins	Landrieu	Stabenow
Corker	Leahy	Tester
Cornyn	Manchin	Udall (CO)
Crapo	Markey	Udall (NM)
Cruz	McCain	Walsh
Enzi	McCormick	Warner
Fischer	Moran	Whitehouse
Flake	Paul	Wyden

NAYS—28

Barrasso	Grassley	Roberts
Blunt	Hatch	Rubio
Coats	Heller	Scott
Corker	Isakson	Shelby
Cornyn	Johnson (WI)	Thune
Crapo	Kirk	Toomey
Cruz	McCain	Vitter
Enzi	Moran	Wicker
Fischer	Paul	Risch

NOT VOTING—7

Boxer	Johanns	Sessions
Chambliss	Lee	
Cochran	Sanders	

The PRESIDING OFFICER. On this vote, the yeas are 65, the nays are 28.

The motion is agreed to.

#### NOMINATION OF COLETTE DODSON HONORABLE TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Colette Dodson Honorable, of Arkansas, to be a Member of the Federal Energy Regulatory Commission.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I am going to submit to the body a unanimous consent request in just a minute. However, I want everyone to understand we are trying our utmost to have a pathway so we can move along. We don't have that done yet, but we are working on it. We have a lot of work still to do. 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.

Mr. REID. Mr. President, I ask that everyone be patient. I am trying to be as patient as I can be, as is the Republican leader.

UNANIMOUS CONSENT AGREEMENT—H.R. 5771

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding cloture having been invoked, the Senate now resume legislative session and the Senate then proceed to consideration of Calendar No. 627, H.R. 5771, which is the tax extenders legislation; that there be 30 minutes of debate equally divided between the two leaders or their designees prior to a vote on passage of the bill, which will be a 60-vote threshold; that there be no amendments, motions or points of order in order prior to the vote; further, that if H.R. 5771 is passed, the Senate proceed to consideration of H. Con. Res. 124, which is a concurrent resolution correcting the enrollment of H.R. 5771, modifying the title of the bill; that the concurrent resolution be agreed to; and that following disposition of the concurrent resolution, the Senate resume executive session and consideration of the Honorable nomination.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### LEGISLATIVE SESSION

#### TAX INCREASE PREVENTION ACT OF 2014

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5771) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions and make technical corrections, to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, with this tax bill, the Congress is turning in its tax homework 11½ months late and expects to earn full credit. Tax incentives will last just 2 weeks before families and businesses are thrown back into the dark with respect to the taxes they owe. The legislation accomplishes nothing for 2015.

The debate takes place against the backdrop of positive economic news, showing that unemployment is down and wages are up—just the kind of news the Congress ought to build on by providing certainty and predictability for families and businesses. Instead, the Congress is about to pass a tax bill that doesn't have the shelf life of a carton of eggs.

Of course, we have the power to enshrine tax provisions for any length of

time we choose. What the Congress can't do is travel back through time. The Congress can pass this \$41 billion bill, but it cannot change anything taxpayers did 6, 8 or 10 months ago. Those decisions have been made.

The only new effects of this legislation apply to the next 2 weeks. That is not enough time for the key provisions; for example, putting a dent in veterans unemployment, to start a clean energy project, to hire new workers or to help a student who is on the fence about whether to enroll in college next semester. Particularly important is this bill drops the health coverage tax credit, yanking away an economic lifeline that working-class Americans were counting on this April 15. This means that for tens of thousands of our people in States such as Wisconsin, Illinois, Ohio, and Pennsylvania, who have been kicked down by a fiercely competitive economy, they are going to face a very unpleasant surprise this spring.

I am just going to spend a minute talking about how the Senate got here and where our tax policy should go in the future. The truth is the Senate didn't need to be in this spot. Within a few weeks after I became chairman of the Finance Committee, with the help and good counsel of Senator HATCH and many members of the committee, we unanimously passed the EXPIRE Act, a balanced, bipartisan bill that would provide 2 years of certainty and a springboard to comprehensive reform. When the bill came to the floor, a host of Senators said they were eager to move it forward. Democrats and Republicans all wanted to move ahead, but the toxic Senate environment and a battle over amendments caused the EXPIRE Act to stall out.

This fall there were discussions with the House about a bipartisan, bicameral agreement. I was encouraged at the outset, especially when the House indicated they would accept the Senate's bipartisan work. We also talked about the possibility of making several provisions permanent. In my view, any agreement on permanent tax policy has to be balanced—balanced between support for business and support for working families. A deal that is skewed in just one direction fails the test of fairness. The Democrats on the Finance Committee felt the same way.

The negotiations progressed, more offers were traded, and there was real hope. However, after weeks of hard work, there was a conflicting process and that drove House Republicans to quit the negotiations. Senate negotiators, in effect, were left without a dance partner. Our team kept making new offers. We tried to suggest proposals that had drawn support from Republicans and Democrats in the past, but the House settled on passing this 2-week extender bill that is now before us this evening.

However Senators choose to vote on this legislation, I want to recognize that this bill proves, once and for all, how broken America's tax system is.

The Congress is about to spend \$41 billion on a tax incentive package that when done right ought to lift the cloud of uncertainty and strengthen the important parts of our American economy. Instead, all of the \$41 billion in this legislation is going to go for things that happened months and months ago. Virtually all of the \$41 billion has absolutely no incentive power whatsoever. Reforming the Tax Code is going to be hard, but it can be done. I sat next to our former colleague Senator Gregg every week for 2 years to produce the first bipartisan Federal income tax reform bill. I am very grateful to our current colleague Senator COATS, who picked up on those efforts. Senator HATCH—and I commend him for it—put out an analysis for tax reform issues, recognizing that getting more perspectives in the debate is going to help advance reform.

I know Senator HATCH is going to keep working diligently when he takes the gavel—and I congratulate him for that—in January, and I look forward to working with him.

Before we wrap up for the year, I also want to congratulate Senator CASEY and Senator BURR, who worked tirelessly in a bipartisan way on behalf of the disabled. I met with these disabled folks in our community, and I commend Senator CASEY and Senator BURR for their work.

Here is the bottom line for the future: The middle class deserves a tax cut. The tax system in America needs to do more to promote innovation and launch a new wave of job creation. Our country desperately needs a simpler and more competitive corporate tax system that draws investment and jobs to our country. We have to end the cycle of stop-and-go policy that leaves taxpayers in the dark time and time again.

I want to yield our remaining time to my colleague Senator CANTWELL, from Washington and close by saying, retroactive tax bills, such as the one before the Senate tonight, may satisfy some, but they leave our workers, our families, and businesses wanting. It is the time for real tax reform.

For the last word on our side, my colleague and seatmate, Senator CANTWELL.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I thank the Senator for his leadership on the Finance Committee and just point out to my colleagues who come from States that don't have an income tax that this legislation before us tonight includes making sure we are able to deduct our State sales tax from our Federal tax obligations. I hope we will be here someday when we can actually get tax fairness in the code. This is a permanent solution. We don't have to go back every year to try to get the tax fairness our States deserve. My colleague Senator MURRAY is here and knows this issue well. But tonight at least we can say Washingtonians can