

Hirono	Murphy	Stabenow
Kaine	Murray	Tester
Klobuchar	Nelson	Udall
Leahy	Peters	Van Hollen
Manchin	Reed	Warner
Markey	Sanders	Warren
McCaskill	Schatz	Whitehouse
Menendez	Schumer	Wyden
Merkley	Shaheen	

NOT VOTING—2

Graham Sessions

The motion was agreed to.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The majority leader is recognized.

MOTION TO PROCEED TO EXECUTIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 13, Thomas Price to be Secretary of Health and Human Services.

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

Mr. MCCONNELL. 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 bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: 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 51, nays 48, as follows:

[Rollcall Vote No. 46 Leg.]

YEAS—51

Alexander	Fischer	Murkowski
Barrasso	Flake	Paul
Blunt	Gardner	Perdue
Boozman	Graham	Portman
Burr	Grassley	Risch
Capito	Hatch	Roberts
Cassidy	Heller	Rounds
Cochran	Hoeven	Rubio
Collins	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	McCain	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young

NAYS—48

Baldwin	Gillibrand	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Coons	Leahy	Tester
Cortez Masto	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Murphy	Wyden

NOT VOTING—1

Sessions

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Thomas Price, of Georgia, to be Secretary of Health and Human Services.

The PRESIDING OFFICER. The majority leader.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to 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 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, do hereby move to bring to a close debate on the nomination of Thomas Price, of Georgia, to be Secretary of Health and Human Services.

Mitch McConnell, David Perdue, Johnny Isakson, Tom Cotton, Mike Crapo, James E. Risch, Jerry Moran, Pat Roberts, Roy Blunt, Lamar Alexander, John Barrasso, Orrin G. Hatch, Jeff Flake, John Cornyn, Shelley Moore Capito, John Thune, Richard Burr.

MOTION TO PROCEED TO LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: 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 52, nays 47, as follows:

[Rollcall Vote No. 47 Ex.]

YEAS—52

Alexander	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heller	Rounds
Cassidy	Hoeven	Rubio
Cochran	Inhofe	Sasse
Collins	Isakson	Scott
Corker	Johnson	Shelby
Cornyn	Kennedy	Sullivan
Cotton	King	Thune
Crapo	Lankford	Tillis
Cruz	Lee	Toomey
Daines	McCain	Wicker
Enzi	McConnell	Young
Ernst	Moran	
Fischer	Murkowski	

NAYS—47

Baldwin	Gillibrand	Nelson
Bennet	Harris	Peters
Blumenthal	Hassan	Reed
Booker	Heinrich	Sanders
Brown	Heitkamp	Schatz
Cantwell	Hirono	Schumer
Cardin	Kaine	Shaheen
Carper	Klobuchar	Stabenow
Casey	Leahy	Tester
Coons	Manchin	Udall
Cortez Masto	Markey	Van Hollen
Donnelly	McCaskill	Warner
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Murphy	Wyden
Franken	Murray	

NOT VOTING—1

Sessions

The motion was agreed to.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The majority leader.

MOTION TO PROCEED TO EXECUTIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 12, Steven Mnuchin to be Secretary of the Treasury.

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

Mr. MCCONNELL. 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. CORNYN. The following Senator is necessarily absent: 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 51, nays 48, as follows:

[Rollcall Vote No. 48 Leg.]

YEAS—51

Alexander	Fischer	Murkowski
Barrasso	Flake	Paul
Blunt	Gardner	Perdue
Boozman	Graham	Portman
Burr	Grassley	Risch
Capito	Hatch	Roberts
Cassidy	Heller	Rounds
Cochran	Hoeven	Rubio
Collins	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	McCain	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young

NAYS—48

Baldwin	Durbin	Manchin
Bennet	Feinstein	Markey
Blumenthal	Franken	McCaskill
Booker	Gillibrand	Menendez
Brown	Harris	Merkley
Cantwell	Hassan	Murphy
Cardin	Heinrich	Murray
Carper	Heitkamp	Nelson
Casey	Hirono	Peters
Coons	Kaine	Reed
Cortez Masto	King	Sanders
Donnelly	Klobuchar	Schatz
Duckworth	Leahy	Schumer

Shaheen
Stabenow
Tester

Udall
Van Hollen
Warner
Whitehouse
Wyden

Warren
Whitehouse
Wyden

NOT VOTING—1

Sessions

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Steven T. Mnuchin, of California, to be Secretary of the Treasury.

The PRESIDING OFFICER. The majority leader.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

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

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, do hereby move to bring to a close debate on the nomination of Steven T. Mnuchin, of California, to be Secretary of the Treasury.

Mitch McConnell, Roger F. Wicker, John Boozman, Orrin G. Hatch, Roy Blunt, John Cornyn, Steve Daines, Tim Scott, John Hoeven, Michael B. Enzi, John Barrasso, John Thune, Mike Rounds, Mike Crapo, James M. Inhofe, Joni Ernst, Chuck Grassley.

MOTION TO PROCEED TO
LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

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

Mr. MCCONNELL. 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 senior assistant legislative clerk called the roll.

The result was announced—yeas 52, nays 48, as follows:

[Rollcall Vote No. 49 Ex.]

YEAS—52

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Collins	Isakson	Sessions
Corker	Johnson	Shelby
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	
Fischer	Paul	

NAYS—48

Baldwin	Gillibrand	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Coons	Leahy	Tester
Cortez Masto	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Murphy	Wyden

The motion was agreed to.

LEGISLATIVE SESSION

The PRESIDING OFFICER (Mr. BLUNT). The majority leader.

PROVIDING FOR CONGRESSIONAL
DISAPPROVAL OF A RULE SUB-
MITTED BY THE SECURITIES
AND EXCHANGE COMMISSION—
MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to H.J. Res. 41.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to H.J. Res. 41, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Securities and Exchange Commission relating to "Disclosure of Payments by Resource Extraction Issuers."

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

Mr. MCCONNELL. 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.

The result was announced—yeas 52, nays 48, as follows:

[Rollcall Vote No. 50 Leg.]

YEAS—52

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Collins	Isakson	Sessions
Corker	Johnson	Shelby
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	
Fischer	Paul	

NAYS—48

Baldwin	Coons	Hassan
Bennet	Cortez Masto	Heinrich
Blumenthal	Donnelly	Heitkamp
Booker	Duckworth	Hirono
Brown	Durbin	Kaine
Cantwell	Feinstein	King
Cardin	Franken	Klobuchar
Carper	Gillibrand	Leahy
Casey	Harris	Manchin

Markey	Peters	Tester
McCaskill	Reed	Udall
Menendez	Sanders	Van Hollen
Merkley	Schatz	Warner
Murphy	Schumer	Warren
Murray	Shaheen	Whitehouse
Nelson	Stabenow	Wyden

The motion was agreed to.

PROVIDING FOR CONGRESSIONAL
DISAPPROVAL OF A RULE SUB-
MITTED BY THE SECURITIES
AND EXCHANGE COMMISSION

The PRESIDING OFFICER. The clerk will report the joint resolution.

The legislative clerk read as follows:

A resolution (H.J. Res. 41) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Securities and Exchange Commission relating to "Disclosure of Payments by Resource Extraction Issuers."

The PRESIDING OFFICER. Pursuant to 5 U.S.C. 802(d)(2), there will now be up to 10 hours of debate, equally divided between the proponents and the opponents of the joint resolution.

The Senator from Idaho.

Mr. CRAPO. Mr. President, I rise today to discuss the regulatory burden imposed by the SEC's extractive resource rulemaking and offer my support for the resolution to disapprove it.

I will take a few minutes to talk about the complicated history of this rule and then about the concerns with the way it was formulated.

The SEC originally adopted the rule in 2012 and was challenged in court by the Chamber of Commerce and the American Petroleum Institute. In 2013, the U.S. district court threw out the regulation, contending, among other things, that the SEC misread the requirements of the statute. The SEC did not appeal the decision, acknowledging that it needed to rewrite the rule.

The SEC's proposed timetable for a new rule was delayed several times, and in 2014, Oxfam America sued to compel the SEC to move forward on a new rulemaking. The court ordered the SEC to file an expedited schedule and, as a result, a new rule was proposed in 2015 and finalized last year.

As one can see, this rule and its various iterations have been fraught with controversy for many years. Advocates of the rule have said that it will combat corruption in resource-rich nations. The SEC's final rule raised doubts about this. The final rule stated several things, including: The direct causal relationship between increased transparency in the extractive industry and social benefits is "inconclusive." In fact, it noted that "research and data available at this time does not allow us to draw any firm conclusions." Unlike the potential benefits, though, the costs are reasonably certain.

The SEC estimated up to \$700 million in initial costs and up to \$590 million in ongoing annual costs. Put another way, each company would endure between \$560,000 and \$1.6 million in initial costs, and between \$224,000 and \$1.3 million in