

Moran	Romney	Sullivan
Murkowski	Rounds	Thune
Paul	Rubio	Tillis
Perdue	Sasse	Toomey
Portman	Scott (FL)	Wicker
Risch	Scott (SC)	Young
Roberts	Shelby	

NAYS—44

Baldwin	Hassan	Reed
Bennet	Heinrich	Rosen
Blumenthal	Hirono	Schatz
Brown	Jones	Schumer
Cantwell	Kaine	Shaheen
Cardin	King	Sinema
Carper	Klobuchar	Smith
Casey	Leahy	Stabenow
Coons	Manchin	Tester
Cortez Masto	Markey	Udall
Duckworth	Menendez	Van Hollen
Durbin	Merkley	Warner
Feinstein	Murphy	Whitehouse
Gillibrand	Murray	Wyden
Harris	Peters	

NOT VOTING—3

Booker	Sanders	Warren
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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.

The majority leader.

LEGISLATIVE SESSION

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 422.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Barbara McConnell Barrett, of Arizona, to be Secretary of the Air Force.

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 senior 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, do hereby move to bring to a close debate on the nomination of Barbara McConnell Barrett, of Arizona, to be Secretary of the Air Force.

Mitch McConnell, Martha McSally, Rick Scott, John Thune, Mike Crapo, Lamar Alexander, Johnny Isakson, John Cornyn, Roy Blunt, Roger F. Wicker, John Hoeven, Mike Rounds, Kevin Cramer, Steve Daines, John Boozman, Cindy Hyde-Smith, James E. Risch.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 359.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Frank William Volk, of West Virginia, to be United States District Judge for the Southern District of West Virginia.

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 senior 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, do hereby move to bring to a close debate on the nomination of Frank William Volk, of West Virginia, to be United States District Judge for the Southern District of West Virginia.

Mitch McConnell, Martha McSally, Rick Scott, John Thune, Mike Crapo, Lamar Alexander, Johnny Isakson, John Cornyn, Roy Blunt, Roger F. Wicker, John Hoeven, Mike Rounds, Kevin Cramer, Steve Daines, John Boozman, Cindy Hyde-Smith, James E. Risch.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 363.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Charles R. Eskridge III, of Texas, to be United States District Judge for the Southern District of Texas.

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 senior 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, do hereby move to bring to a close debate on the nomination of Charles R. Eskridge III, of Texas, to be United States District Judge for the Southern District of Texas.

Mitch McConnell, Martha McSally, Rick Scott, John Thune, Mike Crapo, Lamar Alexander, Johnny Isakson, John Cornyn, Roy Blunt, Roger F. Wicker, John Hoeven, Mike Rounds, Kevin Cramer, Steve Daines, John Boozman, Cindy Hyde-Smith, James E. Risch.

LEGISLATIVE SESSION

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 328.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of David John Novak, of Virginia, to be United States District Judge for the Eastern District of Virginia.

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 senior 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, do hereby move to bring to a close debate on the nomination of David John Novak, of Virginia, to be United States District Judge for the Eastern District of Virginia.

Mitch McConnell, John Boozman, John Cornyn, Mike Crapo, Pat Roberts, Mike Rounds, Thom Tillis, Roger F. Wicker, Cindy Hyde-Smith, Kevin Cramer, John Hoeven, Rob Portman, Dan Sullivan, Chuck Grassley, Richard Burr, John Thune, Roy Blunt.

LEGISLATIVE SESSION

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 348.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Rachel P. Kovner, of New York, to be United States District Judge for the Eastern District of New York.

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 senior 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, do hereby move to bring to a close debate on the nomination of Rachel P. Kovner, of New York, to be United States District Judge for the Eastern District of New York.

Mitch McConnell, John Boozman, John Cornyn, Mike Crapo, Pat Roberts, Mike Rounds, Thom Tillis, Roger F. Wicker, Cindy Hyde-Smith, Kevin Cramer, John Hoeven, Rob Portman, Dan Sullivan, Chuck Grassley, Richard Burr, John Thune, Roy Blunt.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum calls for the cloture motions be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Oklahoma.

GOVERNMENT FUNDING

Mr. LANKFORD. Mr. President, the Permanent Subcommittee for Investigations just finished a major research project.

I happen to sit on that committee led by ROB PORTMAN. He has done a phenomenal job of trying to pull all the information together to study government shutdowns.

Government shutdowns are not new to us. We hear about them a lot lately, but in the last 40 years, we have had 21 government shutdowns—21.

We have seen this issue over and over again; that when we get to a point of contention and argument, we end up shutting the government down to be able to resolve it.

So the point of discussion is not just here in DC; it is all over the country. The question is, How does that really affect the country and how does that affect the U.S. Government?

The basic study PSI did to go back and look at this was they found that the Federal workforce in the last shutdown lost 57,000 years of productivity, if you spread out all the Federal work-

ers who were furloughed, the time they were furloughed, and the time that was lost.

The total economy lost about \$11 billion in productivity during that time period, and the Federal taxpayer lost right at \$4 billion in lost money that is just gone. The cost of shutting the government down, the cost of reopening, the cost of pay during the furlough time periods when there weren't actually people there—\$4 billion lost to the taxpayer.

Yet we will probably have another one at some point and probably have another one, and it seems they just keep coming—21 of these in the last 40 years.

There is a group of us who have continued to push this. ROB PORTMAN has done it for years, several others of us have worked on other projects to try to figure out how do we resolve this issue of government shutdowns.

MAGGIE HASSAN, a Democratic colleague from New Hampshire, and I a year ago started talking through how we could get to a bipartisan solution to end government shutdowns.

We have a very unique proposal to go with this. It is a proposal that is not trying to be novel; it is not trying to be cute. It is trying to solve the problem.

Our issue is that we have very serious differences when we get to budget areas. It is \$1 trillion in total spending that we are talking about when we do the 12 appropriations bills. It is no small argument. But we should be able to resolve these things in a way that actually works and is effective.

So here is our basic idea. The process works, supposedly, where you do a budget that determines an overarching number that everyone agrees to. This is what is called the top-line number.

Then you take that top-line number in the House and the Senate in their Appropriations Committees. It gets broken up into 12 smaller bills. Those are called the appropriations bills. Those 12 bills all have to be passed by the House, by the Senate, and then they have to conference them together and get that finished by the end of the fiscal year.

It sounds like a good theory. That was the plan, at least, that was made in 1974, when this was designed. But the plan that I just laid out has worked only four times since 1974. So if you think every year that the budget process didn't work again, you are correct. It didn't work again. It has worked only four times since 1974.

What MAGGIE HASSAN and I would like to insert into this process is the ability to have serious, hard debate on difficult financial issues where we have disagreements but contain the fight to Washington, DC, to do two things: Make sure that we get to the appropriations process, that it is done well, and to hold the Federal workers and Federal families and the rest of the country harmless as we argue through this.

Here is the simple idea: If we get to the end of the fiscal year, if we do not have any 1 of those 12 appropriations bills done—and we should have all 12 of them done. But if even one is undone when we get to the end of the fiscal year, there is a continuation of spending exactly as it was the year before. It just continues to run the same as it was the year before so that Federal agencies, Federal workers will continue to operate as they normally do. But because there is not an appropriations bill done for the next year, while Federal workers are being held harmless and agencies are being held harmless, Members of Congress and our staffs and the Office of Management and Budget of the White House would lose all travel ability. We would have no official travel ability at all. We couldn't go home and see our families, couldn't travel on codels, couldn't do other responsibilities. We would be here in Washington and be in session in the House and the Senate every day of the week, weekdays and weekends included.

It is literally the equivalent of when my brother and I would get into an argument when we were kids, which clearly didn't happen often. But when it did happen, my mom would say to my brother and me: The two of you go into one of your rooms. Work this out. When you get it worked out, you can come out.

That would basically put Washington, DC, inside the box. The rest of the country is not in it, but Washington, DC, would have to stay here, and we would have to work out our differences. When it is worked out, then we pass appropriations bills.

The other feature that is added to it is that we can't move on to other things. We couldn't get distracted and say that we are just not going to do appropriations bills and then just stay here and do other things. We would have to do appropriations bills during that time period.

This is a simple idea, though most people I have talked to have said: That is too simple. That would never work.

As I have talked to my colleagues in the House and the Senate, just about all of them have cringed when I have said that we are going to be here weekdays and weekends and keep going on one topic until we finish that one topic.

It is our constitutional responsibility to take care of the American people's tax dollars and to make sure it is done correctly. We can move on to other things when we fulfill our constitutional responsibility on that. Just about everyone I have talked to has said: That is an idea that I could vote for, that I can support.

I bring it up to this body to tell people that we are still negotiating the final language of this bill. If there is an idea that people have to say "I have one thing to ask about it," bring it. If you have one thing to suggest to change it, bring it. But in the next few