

## 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 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.

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 Rachel P. Kovner, of New York, to be United States District Judge for the Eastern District of New York, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Oklahoma (Mr. INHOFE), the Senator from Georgia (Mr. ISAKSON), and the Senator from Wisconsin (Mr. JOHNSON).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea" and the Senator from Wisconsin (Mr. JOHNSON) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Hawaii (Ms. HIRONO), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), the Senator from Michigan (Ms. STABENOW), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The yeas and nays resulted—yeas 85, nays 3, as follows:

[Rollcall Vote No. 318 Ex.]

## YEAS—85

Baldwin	Collins	Gardner
Barrasso	Coons	Graham
Blackburn	Cornyn	Grassley
Blumenthal	Cortez Masto	Hassan
Blunt	Cotton	Hawley
Boozman	Cramer	Hoeven
Braun	Crapo	Hyde-Smith
Brown	Cruz	Jones
Burr	Daines	Kaine
Cantwell	Duckworth	Kennedy
Capito	Durbin	King
Cardin	Enzi	Lankford
Carper	Ernst	Leahy
Casey	Feinstein	Lee
Cassidy	Fischer	Manchin

Markey	Risch	Smith
McConnell	Roberts	Sullivan
McSally	Romney	Tester
Menendez	Rosen	Thune
Merkley	Rounds	Tillis
Moran	Rubio	Toomey
Murkowski	Sasse	Udall
Murphy	Schatz	Van Hollen
Murray	Schumer	Warner
Paul	Scott (FL)	Whitehouse
Perdue	Scott (SC)	Wicker
Peters	Shaheen	Young
Portman	Shelby	
Reed	Sinema	

## NAYS—3

Gillibrand	Heinrich	Wyden
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## NOT VOTING—12

Alexander	Hirono	Klobuchar
Bennet	Inhofe	Sanders
Booker	Isakson	Stabenow
Harris	Johnson	Warren

The PRESIDING OFFICER. On this vote, the yeas are 85, the nays are 3.

The motion is agreed to.

The Senator from Ohio.

Mr. BROWN. Mr. President, I ask unanimous consent to speak for 5 minutes.

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

## PENSIONS

Mr. BROWN. Mr. President, I just came from a rally—a meeting—with more or less 100 middle-class workers from Wisconsin, West Virginia, my State of Ohio, and all over the country. There were teamsters and mineworkers dressed in camo shirts. There were also bakery and confectionery workers, carpenters, and electricians. They were here because many of them—maybe all of them—are about to lose 50 percent of their pensions. They are about to lose their pensions because 10 years ago, in the end days of the Bush administration, which was when our economy plummeted and people were losing jobs—800,000 jobs a month in the last months of the Bush administration—and when companies were going out of business, a lot of the employers of these workers went out of business. When you put on top of that the Wall Street greed, you can see why these pensions are in jeopardy.

Too often in this town, the White House, frankly, and my Senate colleagues don't understand what collective bargaining is about. Collective bargaining is negotiating at the bargaining table the giving up of wages today so as to put money aside and have pensions and healthcare in the future. That is what these workers did, these teamsters and these confection workers and these ironworkers. That is what they did, but they are paying a price. There is nothing they did to cause this, but they are paying a price.

Now, parenthetically, this body fell all over itself to bail out Wall Street and to help the big auto companies, and look how they are paying back their workers. This body, the President—all of them are fine with bailing out the big guys. Yet the President has been absent, and the Senate Republican leadership has been absent. The exception is that Senator PORTMAN has been working with me, as has Senator

HOEVEN and others, but the leadership has been absent with regard to trying to fix this pension issue.

You love your country, and you fight for the people who make it work. You fight for the dignity of work, which means honoring and respecting work. We have to do better.

## UNANIMOUS CONSENT REQUEST—S. 2254

Mr. President, as in legislative session, I ask unanimous consent that the Committee on Finance be discharged from further consideration of S. 2254, the Butch Lewis Act; that the Senate proceed to its immediate consideration; that the bill be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there an objection?

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, in reserving the right to object, I have some sympathy for the motion that Senator BROWN made because he just came from a meeting with people who are very interested in getting this multiemployer pension issue straightened out.

It was 3 or 4 years ago that I spoke to a big delegation of people who were mostly from the Central States Teamsters, and they were very much lobbying for a solution to this problem. They treated me like a hero because at that time we were probably in the middle of a Government Accountability Office investigation of the mismanagement of these funds. We thought we were going to get a GAO report that would show the mismanagement, reap the benefits of that mismanagement, and recoup a lot of funds. Quite frankly, that Government Accountability Office study of about 2 years didn't prove what I thought and what the Central States Teamsters people thought was wrong. We still think the mismanagement was there, but if you don't have an authority like the Government Accountability Office to justify that, it doesn't give you much of a leg to follow up on.

Now we have the Butch Lewis Act for which Senator BROWN is asking unanimous consent. We also have other proposals that the Senate Committee on Finance, which I chair, has been working on—and not only under my chairmanship. The biggest part of this work was probably done when Senator Hatch was still the chairman of the committee.

I also want to give people the reasons I have asked to reserve the right to object.

The Butch Lewis Act doesn't provide long-term solvency to the Central States' plan or to other critical and declining multiemployer pension plans. It is a costly and incomplete attempt to fix the multiemployer system.

According to the Congressional Budget Office, many plans that would be eligible for loans under this legislation couldn't pay these loans back, and most of the plans taking the loans

would become insolvent even if they were able to pay back the loans. The bill acknowledges this failing by providing for direct Federal assistance for plans that go insolvent even after they receive loans.

Most critically, the Butch Lewis Act makes no reforms to the system in order to secure its long-term solvency. That is not the way we ought to be working to help retirees.

In getting back to the work of the Committee on Finance, since last year, both under Senator Hatch's leadership and mine, the committee has been working on a bipartisan basis to address the issues facing the multiemployer system. I emphasize the necessity of bipartisanship in the U.S. Senate. When you have a division of 53 to 47 and you have to have 60 votes to get something done in this body, bipartisanship is very, very important.

The committee is nearing its completion of a comprehensive proposal that will include financial assistance to the critical and declining multiemployer pension plans and provide long-term solvency to these plans and to the Pension Benefit Guaranty Corporation. That proposal will include financial relief for plans like Central States' and for the coal miners.

The Butch Lewis Act is so costly and does nothing to fix the flaws in the system that has brought about this bill. In relationship to the Government Accountability Office, I spoke to some of those flaws that I initiated a few years ago. There is really nothing in the proposal on which Senator BROWN is asking for a UC that addresses the mismanagement of the trustees. Our comprehensive plan includes reforms to address trustee requirements and plan operations. In other words, the people in the private sector who are managing this ought to have some responsibility of making sure they are doing it in a fiscally sound way and are carrying out the rights of the trustees.

So I object to this request.

The PRESIDING OFFICER. Objection is heard.

The Senator from Ohio.

Mr. BROWN. Mr. President, I thank Senator GRASSLEY, and we will be working together on this.

I just want to point out that there was, of course, some mismanagement. As does the Senator, I want to fix some of the structural issues, but time is of the essence. I understand this is not happening today, but time is of the essence with regard to these pensions, especially for the mineworkers. Those for the teamsters are next and for the others in the Central States. As Chairman GRASSLEY knows, it will get worse and worse and worse if we don't get this done this year.

I do want to emphasize, while there of course is some mismanagement of funds here, the preponderance of the problem is that a bunch of mining companies, construction companies, and transportation companies went out of business with the Bush recession in

2007, 2008, and 2009, taking away the companies paying into these funds.

The other part of it was Wall Street greed, generally what happened to the stock market.

That is the preponderance of the problem, but I concur with Senator GRASSLEY that we can work on a lot of this together. Senator PORTMAN and I especially have a responsibility to get this done, to make it happen.

I thank the chairman.

I yield the floor.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PERDUE).

#### EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Florida.

#### MAIDEN SPEECH

Mr. SCOTT of Florida. Mr. President, my story begins with my mom. My mom had a very difficult life. She grew up with a verbally abusive, alcoholic father. She married a physically abusive, alcoholic husband, whom she divorced when I was born. At that time, divorce was frowned upon. My birth father never gave my mom, my older brother, or me a dime. I never met him.

My mom eventually married the man who became my adoptive father, a busdriver who made all four combat jumps with the 82nd Airborne in World War II. This summer, I had the opportunity to go to the D-Day anniversary in Normandy and to look at the area he parachuted into, where 17 percent of his company died.

He was a loving father, but with only a sixth-grade education and five children, he struggled to support our family. We had no money and lived in public housing, but even with all of those issues, I cannot think of a better childhood.

Even with no money, my mom was optimistic and hopeful. She told us that we were blessed because God and our Founders created the greatest country ever, where anything was possible. I am not sure my mom ever really had a plan for us, but she certainly knew what she was doing. We sat through many sermons, and church was not optional. We were told we had to make straight A's. We memorized the first part of the Declaration of Independence and the 23rd Psalm. We became Eagle Scouts, cleaned the house, and had to have a job. I started working at 7 years old and haven't stopped since.

We weren't allowed to complain. Debt, Big Government, socialism, and communism were bad. College was for a better paying job.

We were constantly lectured about the dangers of drug abuse. Unfortu-

nately, drugs have destroyed the life of one of my family members.

I enlisted in the U.S. Navy at 18, where I swabbed the decks, cleaned the latrines, served the mess decks, and took college courses aboard a destroyer during the last years of Vietnam but never close to Vietnam.

I married my high school sweetheart at 19, and, today, Ann and I have two daughters, six very perfect grandsons, and a seventh very perfect grandchild on the way next year. My wonderful wife, Ann, is here today and has been by my side every step of our journey.

While I didn't always appreciate my tough-love, my-way-or-the-highway mom growing up, I now thank God every day for my mom and for this country. She gave me the opportunity to experience every lesson this country had to offer before I was 20.

Unfortunately, the left has worked hard over the last 50 years to discredit the values of the America I was raised with—the values of the America I want my grandsons to grow up with. We all acknowledge that Americans, our country, and our institutions have flaws, but the left has worked to discredit our Founders, our institutions, our churches, our law enforcement, our morals, and almost everything my mom taught me. It has been happening for a long time.

The left railed against our soldiers during the Vietnam war. They call those still believing in a supreme being or the commitment of marriage uninformed and old fashioned. They are now openly saying that churches that hold traditional values should lose their tax-exempt status.

The left doesn't care about our enormous debt, pushes for socialism, and criticizes the Boy Scouts. The left thinks it is OK that our schools don't teach about the Founding Fathers or free markets. They want you to think America was never great.

To a degree, the pressure from the left is working. Americans under 30 are less interested in joining the military. Church attendance is at an all-time low. Participation in the Boy Scouts, even after allowing girls in, has shrunk. Many are choosing not to have families. And Socialism, the single most discredited idea of the last century—an idea that has led millions into poverty and tyranny around the globe—has gained a foothold in one of our two political parties.

I spent most of my life in business. The values that my tough-love mom instilled in me helped me to achieve the success she expected—not just hoped for but expected—for me. I was able to live the American dream because I worked hard. I lived out the values my mom taught me in my business career—hard work and fiscal responsibility but with a caring spirit to support those around me.

I built a healthcare company that had lower costs and better quality of care than my competitors. We had the highest patient satisfaction surveys in