

The nomination was confirmed.

[Rollcall Vote No. 267 Ex.]
YEAS—58

CLOTURE MOTION

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

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 Susan P. Watters, of Montana, to be United States District Judge for the District of Montana.

Harry Reid, Sherrod Brown, Richard J. Durbin, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Benjamin L. Cardin, Michael F. Bennet.

QUORUM CALL

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair now directs the clerk to call the roll to ascertain the presence of a quorum.

The assistant legislative clerk proceeded to call the roll and the following Senators entered the Chamber and answered to their names:

[Quorum No. 10]

Alexander	Enzi	Mikulski
Baldwin	Feinstein	Murkowski
Barrasso	Franken	Murray
Begich	Gillibrand	Nelson
Blumenthal	Harkin	Portman
Blunt	Hatch	Pryor
Booker	Heller	Reed
Boxer	Hirono	Reid
Brown	Hoeven	Risch
Cantwell	Isakson	Rockefeller
Cardin	Johnson (SD)	Sanders
Carper	Johnson (WI)	Schumer
Casey	Kaine	Shaheen
Chambliss	King	Shelby
Coats	Klobuchar	Stabenow
Coburn	Landrieu	Thune
Cochran	Leahy	Toomey
Collins	Lee	Udall (CO)
Coons	Levin	Warner
Corker	Markey	Warren
Crapo	McConnell	Whitehouse
Cruz	Menendez	Wicker
Donnelly	Merkley	Wyden

The PRESIDING OFFICER. A quorum is present.

The question is, Is it the sense of the Senate that debate on the nomination of Susan P. Watters, of Montana, to be United States District Judge for the District of Montana, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

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

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Illinois (Mr. KIRK).

The yeas and nays resulted—yeas 58, nays 39, as follows:

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

NAYS—39

Alexander	Cruz	Moran
Ayotte	Enzi	Paul
Barrasso	Fischer	Portman
Blunt	Flake	Risch
Boozman	Grassley	Roberts
Burr	Heller	Rubio
Chambliss	Hoeven	Scott
Coats	Isakson	Sessions
Coburn	Johanns	Shelby
Cochran	Johnson (WI)	Thune
Corker	Lee	Toomey
Cornyn	McCain	Vitter
Crapo	McConnell	Wicker

NOT VOTING—3

Graham	Inhofe	Kirk
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The PRESIDING OFFICER. The motion is agreed to.

NOMINATION OF SUSAN P. WATTERS TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MONTANA

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Susan P. Watters, of Montana, to be United States District Judge for the District of Montana.

The PRESIDING OFFICER. Pursuant to the provisions of S. Con. Res. 15 of the 113th Congress, there will be now be up to 2 hours of postcloture consideration of the nomination equally divided in the usual form.

The majority leader.

Mr. REID. Mr. President, if I yield back 1 hour of the majority's time, what time would the next vote occur?

The PRESIDING OFFICER. At 9:15 p.m.

Mr. REID. I yield back 1 hour.

The PRESIDING OFFICER. The time is yielded back.

The Senator from Mississippi.

Mr. WICKER. Mr. President, we are now on Calendar No. 349, Susan P. Watters of Montana to be U.S. district judge for the District of Montana. I note on the Executive Calendar this nomination came before the Senate from the committee on September 19. It is my understanding that this nominee was cleared by our side of the aisle and could have been brought up on any Monday afternoon by a voice vote.

I think Members might be wondering and certainly people within the sound of my voice tonight might be wondering why we are spending time tonight in a protracted debate on three district court nominees—Landya B. McCafferty of New Hampshire, Brian

Morris or Montana, and now Susan Watters of Montana to be confirmed—when there has never been a district court judge in the history of our Republic prevented from serving because of a filibuster.

To me, we have gotten to this point because of the heavyhanded overreach of the majority in trampling on the rights of folks on our side of the aisle. We find ourselves—temporarily, I hope—in the minority. That has a way of changing from time to time. But it is the sort of overreach that I am reminded of from 2009 when a supermajority in both Houses rammed through ObamaCare and caused all of the grief that we currently are facing and that real, live Americans are having with the so-called Affordable Care Act.

It actually might be in one way beneficial that we are spending this time on something that could have been done so quickly because it gives us an opportunity to point out that we should be right now, at this moment, working on the National Defense Authorization Act and also on the budget—two matters that are pending that must be addressed by this Senate before we can go home and take a day or two with our constituents and loved ones for the Christmas holiday. But it gives me an opportunity, as the budget comes over tonight from the House of Representatives, to point out one of the most onerous provisions in the budget, which has just passed with sweeping bipartisan support in the House of Representatives.

I will stand before this body tonight and say that I cannot vote and will not vote for this budget, and I hope that even yet Members of the Congress and the American public will listen to the broken promise that is contained in this budget that will be coming forward. We will perhaps get back to the nomination in a moment.

We should note two things about this budget. It asks for an additional contribution for pensions for Federal employees, but it does not do it to current Federal employees. As you enter the Federal service after the beginning of the year, you pay an additional amount that is withheld from your paycheck for your pension. That is hard to do, it is distasteful to do, but at least it is fair to the people who join the Federal service under one set of rules.

On the other hand, the budget that comes over to us from the House of Representatives and that I will oppose when it eventually does come up for a vote hopefully next week does to retired servicemen what we were persuaded not to do to Federal employees: It breaks a promise to retired service people who have already served their time. This is what it does. It says to every retired servicemember under the age of 62: You are not going to get your COLA anymore. Each year until you get to be 62, you are going to get your COLA, less 1 percent. I can tell you