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|--------------|----------|------------|
| Johnson (SD) | Merkley | Shaheen |
| Kaine | Mikulski | Stabenow |
| King | Murphy | Tester |
| Klobuchar | Murray | Udall (NM) |
| Leahy | Nelson | Walsh |
| Levin | Pryor | Warner |
| Manchin | Reed | Warren |
| Markey | Reid | Whitehouse |
| McCaskill | Schatz | Wyden |
| Menendez | Schumer | |

NAYS—44

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|-----------|--------------|-----------|
| Alexander | Flake | Murkowski |
| Ayotte | Graham | Paul |
| Barrasso | Grassley | Portman |
| Blunt | Hatch | Risch |
| Burr | Heller | Roberts |
| Chambliss | Hoeben | Rubio |
| Coats | Inhofe | Sanders |
| Coburn | Isakson | Scott |
| Collins | Johanns | Sessions |
| Corker | Johnson (WI) | Shelby |
| Cornyn | Kirk | Thune |
| Crapo | Landrieu | Toomey |
| Cruz | McCain | Vitter |
| Enzi | McConnell | Wicker |
| Fischer | Moran | |

NOT VOTING—6

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|---------|---------|-------------|
| Booker | Cochran | Rockefeller |
| Boozman | Lee | Udall (CO) |

The PRESIDING OFFICER. On this vote the yeas are 50, the nays are 44. The motion is agreed to.

NOMINATION OF SHARON Y. BOWEN TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Sharon Y. Bowen, of New York, to be a Commissioner of the Commodity Futures Trading Commission.

The PRESIDING OFFICER. Pursuant to the provisions of S. Res. 15 of the 113th Congress, there will be up to 8 hours of postcloture consideration of the nomination, equally divided in the usual form.

The majority leader.

Mr. REID. Madam President, I ask unanimous consent that with respect to the Harper nomination the motion to reconsider be considered made and laid upon the table and President Obama be immediately notified of the Senate's action.

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

Mr. REID. Madam President, I ask unanimous consent that notwithstanding rule XXII, the time following the scheduled recess until 4 p.m. be equally divided and controlled between the two leaders or their designees, and at 4 p.m. all postcloture time be expired and the Senate proceed to vote on confirmation of Calendar No. 755, Bowen; that following disposition of Calendar No. 755, the Senate proceed to vote on cloture on Calendar Nos. 691, Mastroianni; 692, Hendricks; 733, Chutkan in the order listed; further, that if cloture is invoked on any nomination, then, on Wednesday, June 4, 2014, at 11 a.m., all postcloture time on the nominations be expired and the Senate proceed to vote on confirmation of the nominations in the order listed; further, that following these votes, the Senate proceed to vote on cloture on

Calendar No. 798, Burwell; further, that there be 2 minutes for debate prior to each of these votes, equally divided in the usual form; that any rollcall votes, following the first in each series, be 10 minutes in length; that if any nomination is confirmed, the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD and that the President be immediately notified of the Senate's action.

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

Mr. REID. Madam President, with this agreement we will have four rollcall votes today at 4 p.m. and as many as four rollcall votes on Wednesday at 11 a.m.

RECESS

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

Thereupon, the Senate, at 12:52 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

NOMINATION OF SHARON Y. BOWEN TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION—Continued

The PRESIDING OFFICER. Under the previous order, the time until 4 p.m. will be equally divided between the two leaders or their designees.

Who yields time? If neither side yields time, all time will be equally charged.

Mr. CORNYN. Mr. President, we are not in a quorum call, are we?

The PRESIDING OFFICER (Mr. MANCHIN). The Senator is correct.

EPA RULE

Mr. CORNYN. Mr. President, 17 years ago the Senate voted on something called a sense-of-the-Senate resolution designed to protect American workers and their families from misguided policy with regard to CO₂ regulations. Of course, CO₂, or carbon dioxide, is a necessary element of life, and plant life depends on CO₂ for photosynthesis, which helps make them green. To hear some of the pseudoscientists talk about CO₂ here in Washington, you would think it was poison. Suffice it to say, 17 years later the Obama administration is trying to enact similar legislation that was rejected 17 years ago by the Senate in that sense-of-the-Senate resolution.

Back in 1997 Members of the Senate were concerned that the Clinton administration might sign a global climate change treaty that imposed higher costs on the United States while exempting developing countries such as China or India. These concerns turned out to be well-founded. The Clinton administration did indeed sign such a

treaty known as the Kyoto Protocol in December of that year, but it never got around to having it ratified here in the Senate largely because of a unanimous resolution this Chamber passed several months earlier.

The sense-of-the-Senate resolution I alluded to a moment ago was voted on in July 1997, and it received 95 votes in favor and 0 votes opposed. Ninety-five Senators expressed their opposition to any climate change agreement that would result in serious harm to the economy of the United States. They also rejected any agreement that failed to include other countries, and that is for good reasons I will explain in a moment.

The message sent by these 95 Senators—a unanimous vote in the Senate—is pretty clear. It makes absolutely no sense for America to adopt job-killing carbon regulations while CO₂ emissions from developing countries continue to skyrocket and are not subjected to the same restrictions.

Don't just take my word for it. Listen to what one of the most prominent supporters of the 1997 resolution, Secretary of State John Kerry—at the time he was the junior Senator of Massachusetts—had to say:

It's just common sense that if you are really going to do something to effect global climate change, and you are going to do it in a fair-minded way . . . we need to have an agreement that does not leave enormous components of the world's contributors and future contributors of this problem out of the solution.

In effect, what he was saying was: Why would America do this to itself and throw a wet blanket on job creation and economic growth when other countries were going to continue to produce CO₂ unabated?

One of the cosponsors of this resolution was the late Democratic Senator Robert Byrd. The Presiding Officer knows Senator Byrd and his legacy very well. While explaining his opposition to the Kyoto-style climate deals, Senator Byrd said:

I don't think the Senate should support a treaty that requires only half of the world . . . to endure the economic costs of reducing emissions while developing countries are free to pollute the atmosphere, and in so doing, siphon off American industries.

Another cosponsor was Secretary of Defense Chuck Hagel, who was then the junior Senator from Nebraska. He described the likely consequences of Kyoto-style agreements in these terms:

As industries flee the United States and other industrialized countries, they would re-establish themselves in developing countries that have much weaker environmental standards than our own.

I have just one more point about the Kyoto Protocol, which was unanimously voted down, in essence, 17 years ago.

A year after that, in 1998, there was a then-unknown Illinois State senator who voted on legislation that denounced Kyoto and prohibited State regulation of greenhouse gases in Illinois. If you guessed it was Barack Obama, you would be right.