

only has Sylvia Mathews Burwell discharged very well, she has won additional plaudits for her bipartisan work, as I have indicated today.

She is going to respond to the biggest and the big challenges in a way that I believe brings Americans together. That is what Senators have said throughout the process, and they have said it whether you have a D or an R next to your name. What the country needs, in short, is somebody who is a true agent of bipartisanship.

I conclude my remarks by saying I have gotten to know Sylvia Mathews Burwell well in the past few years. She is the right choice for the right time, and I strongly urge my colleagues on both sides of the aisle to join me this afternoon in supporting her nomination.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF SYLVIA MATHEWS BURWELL TO BE SECRETARY OF HEALTH AND HUMAN SERVICES

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant legislative clerk read the nomination of Sylvia Mathews Burwell, of West Virginia, to be Secretary of Health and Human Services.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Sylvia Mathews Burwell, of West Virginia, to be Secretary of Health and Human Services?

Mr. MORAN. 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 assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Mississippi (Mr. COCHRAN), the Senator from Utah (Mr. LEE), and the Senator from South Carolina (Mr. SCOTT).

Further, if present and voting, the Senator from Arkansas (Mr. BOOZMAN) would have voted "yea" and the Senator from Utah (Mr. LEE) would have voted "nay."

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

The result was announced—yeas 78, nays 17, as follows:

[Rollcall Vote No. 175 Ex.]

YEAS—78

Alexander	Flake	Merkley
Baldwin	Franken	Mikulski
Barrasso	Gillibrand	Murkowski
Begich	Graham	Murphy
Bennet	Grassley	Murray
Blumenthal	Hagan	Nelson
Booker	Harkin	Portman
Boxer	Hatch	Pryor
Brown	Heinrich	Reed
Burr	Heitkamp	Reid
Cantwell	Hirono	Rockefeller
Cardin	Hoeven	Sanders
Carper	Isakson	Schatz
Casey	Johanns	Schumer
Chambliss	Johnson (SD)	Shaheen
Coats	Johnson (WI)	Stabenow
Coburn	Kaine	Tester
Collins	King	Toomey
Coons	Klobuchar	Udall (CO)
Corker	Landrieu	Udall (NM)
Crapo	Leahy	Walsh
Donnelly	Levin	Warner
Durbin	Manchin	Warren
Enzi	Markey	Whitehouse
Feinstein	McCain	Wicker
Fischer	Menendez	Wyden

NAYS—17

Ayotte	Kirk	Rubio
Blunt	McConnell	Sessions
Cornyn	Moran	Shelby
Cruz	Paul	Thune
Heller	Risch	Vitter
Inhofe	Roberts	

NOT VOTING—5

Boozman	Lee	Scott
Cochran	McCaskill	

The nomination was confirmed.

NOMINATION OF CAROLYN HESSLER-RADELET TO BE DIRECTOR OF THE PEACE CORPS

The PRESIDING OFFICER (Mr. KAINE). Under the previous order, the Senate will proceed to the consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Carolyn Hessler-Radelet, of Virginia, to be Director of the Peace Corps.

Mr. GRASSLEY. Mr. President, I will vote to confirm the President's nominee for Director of the Peace Corps. However, I want explain why I objected to any unanimous consent request relating to this nomination in March and why I have withdrawn my objection. I objected because I was informed by the Peace Corps inspector general that she was having difficulty accessing records from the agency. The nominee is the acting director of the agency. The records relate to sexual assaults reported by Peace Corps volunteers.

The inspector general is entitled to access these records under the Inspector General Act and the Kate Puzey Act. Both acts reinforce the principle that agency operations should be monitored by an independent and objective inspector general. The Kate Puzey Act requires the agency to better respond to volunteers who report sexual assault and implement certain protections for victims of sexual assault. To ensure that these protections are actually implemented, it also requires the inspector general to conduct "a case review

of a statistically significant number of cases" of sexual assaults reported by volunteers.

However, the agency has gone out of its way to interpret the Kate Puzey Act as conflicting with the Inspector General Act. In fact, the agency repeatedly stated that certain provisions of the Kate Puzey Act override the Inspector General Act. That was never the intent of Congress. But the Peace Corps withheld most of the information that the inspector general requested from the agency.

Fortunately, the Peace Corps and the inspector general recently agreed on a memorandum of understanding, MOU. This MOU was agreed to only after I placed a hold on the Acting Director's nomination, and only after I sent three letters to the agency about the dispute, along with several other Members. Under the MOU, the Peace Corps has agreed to provide the inspector general with more information than before. For the time being, the inspector general believes that the MOU will allow her to carry out her oversight duties.

However, the inspector general has made it clear to me that the MOU has many shortcomings. Most importantly, the Peace Corps still refuses to acknowledge the inspector general's legal right to access the records in question. In addition, the MOU can be terminated by either party at any time. So the inspector general believes that she would be back at square one if the parties ever disagree in the future on the amount of information she needs to independently evaluate how the agency handled a specific case of sexual assault.

Still, the MOU represents progress. So I am voting in favor of this nomination. The law says that the inspector general is entitled to full and timely access to the records in question. So I will monitor this situation closely. And I will count on the nominee to guide the agency into full compliance with the law.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Carolyn Hessler-Radelet, of Virginia, to be Director of the Peace Corps?

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 PRESIDING OFFICER. The Senator from Wyoming.

THE ENVIRONMENT

Mr. ENZI. I rise to talk about the new regulations President Obama proposed this week that are obviously aimed at the coal industry, but let's be frank, these regulations go far beyond the President's campaign to put coal out of business. These regulations target energy to make it less affordable and less abundant. Once again we are seeing how consumers, students, and low-income families are getting priced