Since it is relevant and since it is germane and since we did not deal with it in committee, I think the right way to approach it is to say: Let's dispose of it the way we dispose of other differences of opinion. Let's vote on it and let's move on.

If I may say through the Chair, before Senator FEINSTEIN came, I said, in my view, I wanted the Senators and staff to know we would be voting today for the third time on whether to cut off debate, and my hope was that we could dispose of the Cotton amendment at 60 votes and we could then finish the bill.

I also said that while I defended Senator COTTON's right to offer the amendment and that he will get a vote—because the majority leader has the parliamentary tools to file cloture and make sure there is a vote on the Cotton amendment by Wednesday—I intend to vote against the Cotton amendment because I think it risks the possibility that Iran's heavy water might be sold to a country, such as North Korea, that could use it to make nuclear weapons. I think first it should be considered by the Foreign Relations Committee or the Armed Services Committee or the Intelligence Committee. For those reasons, I intend to vote against it.

I am hopeful that when we get to 5:30, maybe conversations would continue, and the possibility could even exist that we could agree today to vote on the Cotton amendment at 60 votes, dispose of it, vote on cloture to move ahead with the bill, and have final passage of the bill. If we can't do that, I see no reason we can't do it over the next couple of days.

I thank the Senator from California for the way she has worked with me on this issue. We have gotten almost to the finish line. She and I would like to set a good example for the other 11 appropriations bills that are coming up. There are other bills beyond that which we need to deal with, such as the 21st-century cures legislation on biomedical research, and there is the Zika legislation that many Senators are interested in. My hope is that we will find a way to resolve the only major issue that remains so we can pass a bill that virtually every Senator in this body has some interest in and will probably vote for.

I am optimistic and hopeful that we can move quickly on disposing of the Cotton amendment so we can finish the bill. Ideally we would do it today, but we can certainly get it done by tomorrow or Wednesday.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mrs. ERNST). Morning business is closed.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2028, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 2028) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Pending:

Alexander/Feinstein amendment No. 3801, in the nature of a substitute.

Alexander amendment No. 3804 (to amendment No. 3801), to modify provisions relating to Nuclear Regulatory Commission fees.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I ask unanimous consent that all time during quorum calls until 5:30 p.m. today be charged equally between both sides.

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

The Senator from California.

Mrs. FEINSTEIN. Madam President, I wish to address the distinguished chairman of this subcommittee. Working with Senator ALEXANDER on this bill has been a very good experience for me, and I think my friend knows that. We take great pride in getting things done.

I very much appreciate his mentioning the standoff on the nuclear cruise missile legislation in some form of analogy, but I will say this: I have been in this body a long time, as has the Senator from Tennessee, and we both know that not everybody gets their vote. It just doesn't work that way. I can remember having an amendment on a bill year after year after year, and I never got a vote for it. That is not an unusual thing to happen. What has been unusual is to have one person take down a bill—particularly an appropriations bill.

We were hoping we could demonstrate that we worked out our difficulties with this legislation. The Senator from Tennessee gave on some points, and I gave on some points. As my friend was good enough to mention, one of the points I gave on is something that I consider to be a very big issue which has not yet been settled, and that is a standoff nuclear cruise missile—and it has not yet been satisfactorily demonstrated to me that it is necessary—and that we do not have a satisfactory conventional weapon that can go through air defense systems. I believe we do. In any event, there is a strong constituency that feels as I do. Senator ALEXANDER has been good enough to give me a hearing and some report language which contains some questions which the Defense Department will hopefully answer forthwith. I appreciate that, and that was enough for me. The standoff nuclear cruise missile is something we need to look more deeply into.

The amendment that our side is so strongly opposed to, accompanied by the White House, is where one Senator is essentially hitting at the Iran nuclear agreement. The Iran nuclear agreement is not something that all of us don't know a lot about. A great deal of time was spent on it. There was a great deal of discussion both in subcommittees and on the floor, and there was a vote on it. So to a great extent, in my mind, it is very much a settled issue. The President has the right to go ahead with it, and I think that is very important. More importantly, Iran has kept the agreement and Iran has lived up to the terms of this nuclear-related agreement. If one thinks Iran doesn't know what is going on, one is wrong. Some of us went to meet with the Iranian Foreign Minister, and there was a question as to what is happening now, and of course there was concern.

Having said that, the chairman gave me a hearing and some report language. I certainly would have no objection to giving the Senator from Arkansas a hearing, and yet I would not stand here and say that we should not protect the sanctity of that agreement, because I believe we should.

I think the administration has done the right thing with the sale of this heavy water because we know if that heavy water is used in the United States of America, it will be used for peaceful purposes. A lot of it will go to a distinguished lab in the State of the Senator from Tennessee as well as other places. It can be sold to licensed businesses that do medical research and other kinds of manufacturing, such as carbon fiber, et cetera, where the nuclear component of heavy water is helpful. We know that if it goes on the open market, North Korea—if they were to be a buyer—would not use it for peaceful purposes; they would use it to help enrich plutonium for a bomb. So it makes imminent sense to me.

The reason I oppose what is happening so strongly is because it is a strike at the Iran nuclear agreement, and it is seen that way by the administration. The administration has said they will veto the bill if this is in it. I don't want to lose the bill because of this—because of one Senator who wants to strike out with that agreement. I think that is the wrong thing to do.

The Senator from Tennessee has been good enough to discuss this with me, and I really do appreciate that. We have discussed it in our caucus. There are very strong feelings about not moving to cloture until this issue is settled. I would certainly be happy to help settle it. From the conversation Senator ALEXANDER and I had yesterday, it is my understanding that he is willing to oppose it. I trust that is still the case.

I wish to ask a question to the chairman of our subcommittee through the Chair.

Is it correct that the Senator from Tennessee would stand in opposition to this amendment?

Mr. ALEXANDER. Madam President, the answer to that question is yes, and

I wish to continue my answer to the question. While I defend Senator COTTON's right to have a vote, I see it a little differently than Senator FEINSTEIN. Senator FEINSTEIN supports the Iran agreement; I oppose it. In my opinion, this is not a vote about the Iran agreement; this is a question about what we should do with Iran's heavy water.

I will oppose the Cotton amendment, No. 1, because if it were adopted, it would create the possibility that Iran's heavy water might be purchased not by the United States for peaceful purposes but will be purchased by countries like North Korea that might use it to make nuclear weapons; and No. 2, I think it would be more appropriate to have the Foreign Relations Committee, the Armed Services Committee, or the Intelligence Committee consider it. For those reasons, I intend to vote against the Cotton amendment.

Mrs. FEINSTEIN. Madam President, I thank the Chair and I thank the Senator. I think that is a very wise response, and I think it is a correct response. I think it does belong in the Foreign Relations Committee.

We have worked so hard to get a bill that could set a standard for this body so we could go back to regular order and begin to get appropriations bills passed in this house. Candidly, I don't want to lose that opportunity, and I think we still have it. Hope still reigns eternal, in my view, and I hope Senator COTTON will see that this is not worth taking down this bill, because I believe that would happen. I believe there are enough votes to deny cloture, and that is too bad. I don't want to see it because that means it is going to happen with other bills. It means that we are going to have what some term as poison pill amendments. The administration views this as a poison pill amendment. We know at Interior there are poison pill amendments. Both Senator ALEXANDER and I have chaired that committee, and we know what happens. We are trying to set an example on this floor by working things out.

It would seem to me that a reasonable Senator might say: All right. I am not going to hold up this bill. I made my point. I realize what is happening. I know this heavy water is going to be put to good use in this country. I know that Iran has to limit its supply at 130 metric tons, so we know this heavy water is out of Iran. As a matter of fact, it is in a storehouse in Oman. It is on the market, and the United States has said we would buy it. That is the right thing to do to set an example so that nuclear proliferation does not take place, and this is part of that. It is my hope that we will be able to resolve that.

The Senator from Tennessee is imminently reasonable, and I like to believe that I am reasonable, I say to my colleague. I am hopeful that maybe before the hour of 5 p.m., we might be able to come to some agreement; otherwise, I think the cloture motion will be defeated.

I yield the floor.

Mr. ALEXANDER. Madam President, I thank the Senator from California. She and I will talk some more. I think we have stated the similarity in our positions, which is our opposition to the Cotton amendment, and the difference in our positions. She sees it as intricately related to the Iran nuclear agreement, which she passionately supports, and I see it as a separate issue because I oppose the Iran agreement. I don't think we will work that out in public here over the next hour and a half, so I suggest we continue our conversations between us, the majority, and the Democratic leader, and see where we get by 5:30 p.m. My hope is that we can dispose of the Cotton amendment, finish the bill, and get on with the other important business of the Senate sooner rather than later.

I thank the Senator.

The PRESIDING OFFICER. The Senator from Oregon.

REMEMBERING BOB BENNETT

Mr. WYDEN. Madam President, I wish to make some remarks about our wonderful colleague who passed away last week, Senator Bob Bennett. Two of Senator Bennett's favorite Senators are here on the floor this afternoon—Senator FEINSTEIN and Senator ALEXANDER. What Senator Bennett liked so much about Senator ALEXANDER and Senator FEINSTEIN is what we have seen this afternoon. The two of them have a difference of opinion with respect, I gather, to the Iran deal. I happen to share Senator FEINSTEIN's view, but the two of them are trying to find common ground here in the Senate. That is the Senate at its best, and that is exactly what Bob Bennett liked so much about both my colleague from California and my colleague from Tennessee. So I think it is very fitting that I open my remarks about Senator Bennett after having listened once again to the Chair and ranking member talk about how the Senate is supposed to do business.

There are so many wonderful things to say about Bob Bennett, but I thought I would begin by talking about Senator Bennett's favorite subject because of something he created. He saw it is a great opportunity for the Senate, and he called it the grand bargain. Whenever I had a chance to sit down and talk with him—I had joined the Finance Committee—he would talk about the opportunities that were related to taxes. He often talked with Senator ALEXANDER and me, as my colleague remembers.

He talked to us about health care and taxes. He was very interested in innovation. By the way, I think he was one of the first Senators who purchased a hybrid vehicle close to 20 years ago, and he used that discussion to branch into the kinds of building connections that you have to do when you are talking about how you are going to increase the standard of living for Americans in a constantly changing world where you are really dealing with global economics. We don't just sell stuff to people down the street; we are competing against economic forces from all over the world.

When Senator Bennett talked about his idea of a grand bargain—and you could be sitting with him in the Senate dining room, for example, and he probably took out a napkin if he couldn't find a piece of paper—what he was interested in was what I call principled bipartisanship. In other words, nobody gets everything they want, but what you try to do is find principles that you feel strongly about and principles that the other side feels strongly about—and that is what Senator ALEXANDER and Senator FEINSTEIN were talking about this afternoon—and you find some common ground.

It was very fortunate, as I look at my career in public service, that I had a chance to work with Bob Bennett. I will tell you, the way I see it, there was no better grand bargain in life than a friendship with Bob Bennett. We differed on plenty of stuff, just as I am sure Senator FEINSTEIN and Senator ALEXANDER differ on matters. Bob would always say: RON is pro-choice, I am pro-life; RON was against the Iraq war, I was for the Iraq war. But we didn't spend our time arguing about those kinds of things. What we were interested in was finding ways to solve problems.

I remember one example that I think my colleagues on the floor remember as well. Back at the time of Y2K, the turn of the century—oh, my goodness, one would have thought that western civilization was going to end. We were going to have this technology meltdown. It was going to be chaos around the world. Well, there were two bills at the time, two pieces of legislation. There was a bill from our former colleague, Senator Dodd, and Senator Bennett. I was a young upstart member of the Commerce Committee. Senator MCCAIN, knowing my interest in technology policy, basically gave me a great honor by saying ''Why don't you be my running mate?'' because he was the chairman of the committee. So there were two bills; one was Senator MCCAIN and I as the junior running mate, and the other was Bob Bennett and Chris Dodd. Everybody said there was going to be all kinds of fighting among the four of us. Nobody is going to agree. Nobody will pass a piece of legislation, and the country, as a result, will not be prepared.

Well, because of Bob—I basically was the newcomer to the Senate. This was a big, important piece of legislation. Bob and Chris Dodd and Senator MCCAIN basically said: We are not going to have any part of some bickerfest here in the U.S. Senate; we are going to solve a problem. And they did. You bet, it picked up opposition. There were some folks on the progressive side who had reservations about some provisions, and there were some folks on the conservative side who had reservations about the legislation. We

passed a bill. I remember going down to the Y2K center that night and staying up all night. I can't claim that our legislation was responsible for such a smooth-running transition, but we like to think that the fact that the Senate decided to set aside partisanship and actually get something done was constructive.

The reality is that Bob Bennett firmly believed that he was elected to do more than just get reelected. I think that was right in the core of how he worked in the U.S. Senate.

I have been in public life awhile. I was the director of the Gray Panthers for a number of years when I was a young man with a full head of hair and rugged good looks. I was always dreaming about being a major part of health reform, so I put together a bill. I said: I think my party is right that we are never going to get health care fixed unless we have universal coverage; otherwise, it will be cost shifting, and there won't be prevention. But the Republicans had a valid point, too, that there ought to be a role for the private sector.

So I was talking to Republicans, and Senator ALEXANDER remembers these visits. I went in to see Senator Bennett, whom I watched on the floor talking about health care, and he sounded like someone who might be interested, but I still thought it was a long shot. I said: My God, he is a really conservative fellow from Utah. He and a progressive fellow from Oregon probably don't have much in common, except for the fact that they are both tall. I talked to him in his office. He later said to a newspaper person: I gave the closest thing that you do in the Senate to convey that I really wasn't interested because you never say no, especially to somebody sincere. He said that a number of times. So he thought about it, and he spent time talking to people.

I remember this as if it were yesterday because his seat was across the aisle, just a few seats away. He and Senator Rockefeller were the tallest Senators at the time; Senator Kerry and I kind of came in—I don't know—third or fourth or something like that. He came bounding over and he said: I want to do this with you. And I did a kind of double take because I thought, I don't think I am hearing this right. He said: Yes, you are talking about how the Democrats are right about universal coverage, and I am going to have to get my side kind of acclimated to that, but you acknowledge that there ought to be a role somehow, some way for the private sector. I said: You bet, that was the point. He said: I am in.

So one of his newspapers—in looking at all the kind things that have been said—said that Bob Bennett did so much good work. We hope what his career stood for was that you could find common ground and that the Senate would remember going forward that bipartisanship is not a death sentence. Bipartisanship is a chance to find a way to solve problems, whether it was Y2K, which was exciting, or something else.

I think it is worth mentioning, because I did a stint as chairman of the Energy and Natural Resources Committee, that Bob Bennett put together a truly impressive public lands bill. It involved one of his fast-growing counties—Washington County—and several hundred thousand acres of wilderness, of land management, by the Bureau of Land Management and the National Park Service alike. Suffice it to say that when I heard about it for the first time, Senator Bennett asked for my help, and I thought, man, there is no way he is going to be able to move something like this because you had all the progressive environmental organizations, you had lots of people from the counties who of course resisted these sorts of things, and you had lots of challenges in the West putting together public lands policies. We saw it again here recently in eastern Oregon. But Bob Bennett pulled it off. He pulled it off because he pretty much just smothered both sides with attention. Each side would have a point. He would respond. He would send his staff down to talk to people. And those who wouldn't normally possibly agree came together and found common ground on public lands policy.

I remember because the President signed it in 2009, Senator Bennett and I were in the back—I guess largely because we were the tallest—and we talked about how unlikely it was that we would be there and that we would have all of these opportunities to serve together.

As we remember Bob Bennett, my hope is we will understand, as did Senator Bennett, that, much like today, neither side had enough votes to get everything it wanted. That was the case then, and it continues to be the case today. He understood that no single party had a lock on all the good ideas, but rather than just shrug his shoulders or go out and race for a microphone in order to score some sort of quick political advantage, Bob Bennett, in his career in the Senate, stood for what we call principled bipartisanship.

I imagine there are going to be a number of farewells this week to a wonderful friend, a terrific Senator, in my view, and an even better person. I just hope that apropos of what we have seen with Senator FEINSTEIN and Senator ALEXANDER, as they approach another big vote, let's put as much of our time and effort into finding common ground as possible. Sometimes it can't be done. I get that, and Bob Bennett did too. But certainly we can put vastly more time and effort into finding common ground, pursuing what Bob Bennett was all about because he was a U.S. Senator who gave public service a good name.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Madam President, if I may, I want to thank the Senator from Oregon for those remarks.

My colleagues might be interested to know that I was chairman of Rules, and Bob was the ranking member, and this was during the period before the first inauguration of Barack Obama. As we all know, the Rules Committee is in charge of making the arrangements for the occasion.

Bob was really just a wonderful person to work with. In the first place, we worked really well together. We sat down, we went over the problems, and we talked about solutions. Then came the subject of the Senate lunch following the inaugural. Well, I didn't pay much attention to it. Then I realized that this was a huge thing. It was in National Statuary Hall. There were decorations. We had to get a fine painting. In this case, I arranged for it to be a great California landscape by Thomas Hill, which came from the museum in New York. To plan for it, there is something that has been traditional, which is the meal tasting, and Senator Bennett and his wonderful wife Joyce and my husband and I went up to the fourth floor, and the table was set as it would be set at this lunch. We did a tasting from every culinary caterer who was bidding to do the lunch, believe it or not, and I think there were four of them. So there were four entrees and four salads and four desserts. And Joyce and Bob and Dick and I sat there, and we went through the motions and did it. But it was with great humor. And the two of them together really were a very special couple.

The Senator from Oregon knew him in a different way than I knew him. Bob Bennett truly was a man among men. He had a humility about him, but he also had a real can-do sense, and he really cared about his Senate term. I know Senator ALEXANDER knew him well. It was really wonderful for me on the Rules Committee because it was much the way the Senator from Tennessee is on Energy and Water appropriations.

I had a chance to meet Joyce and get to know her, and it was very special. I think we put on a very good inaugural—a bipartisan inaugural, if you will—and I just want to say thank you, Senator.

Mr. WYDEN. Thank you.

Mrs. FEINSTEIN. Because this really was a man who didn't participate in any obstruction or any difficulty. He was always positive and always willing to do his part and to help. That is really very special.

I would like to give my best to his family and his friends. The State of Utah had a wonderful Senator in Bob Bennett, and he will be missed.

Thank you, Madam President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. FLAKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COATS). Without objection, it is so ordered.

AMERICAN MANUFACTURING COMPETITIVENESS ACT

Mr. FLAKE. Mr. President, I come to the floor today to speak in support of legislation reforming the MTB, or the miscellaneous tariff benefit process. I am pleased to help this legislation advance. It is my hope that this bill will soon be on the President's desk. As many will remember, a dark cloud hung over the Congress with regard to the practice of earmarking in early 2009.

The feeding at the earmark trough had long since expanded to the point of ridiculousness. Earmarks exploded to their annual record of $29 billion in 2006. They were long a problem before that, but it had become much, much worse at that time.

Congress had become accustomed to powerful Members getting a large chunk of the earmark pie, and rank-and-file Members would fight over the scraps.

We saw less and less true oversight as more and more spending was doled out in congressional back rooms. It wasn't just spending on earmarks that we didn't have good oversight on. It was the entire Federal budget. It was largely a problem because so much of our time in Congress was spent doling out earmarks and making sure that every Member got a few and that they were scattered around. We really gave up on the oversight that we should have been conducting.

At the same time, earmarks opponents had ample opportunity to shame the process by highlighting bridges to nowhere, teapot museums, and the National Cowgirl Hall of Fame, for example, receiving these earmarks.

But attention on the issue focused sharply in early February of 2009, when reports surfaced that a lobbying firm specializing in defense appropriations had been raided by the FBI. The New York Times noted that the firm ''set up shop at the busy intersection between political fund-raising and taxpayer spending, directing tens of millions of dollars in contributions to lawmakers, while steering hundreds of millions of dollars in earmarks contracts back to his clients.''

The cloud over Congress darkened even further with suggestions of pay-to-play straw-man contributions, the reimbursing of employees for political contributions, and pressuring others for political giving. In quick succession, both the House and the Senate rightly put in place a moratorium over all earmarks, a ban that has remained intact ever since.

While we gladly said goodbye to the bad old days of congressional porkbarrel spending, we soon found out that there were several things that Congress only knew how to do through earmarking. This included the so-called miscellaneous tariff benefits, or MTBs.

MTBs are provisions that, when signed into law, provide tariff and duty relief for imports that are not domestically produced. The historic MTB process benefited from a consensus-driven process administered by the International Trade Commission that, for the most part, set it apart from the much ridiculed Federal largesse doled out by earmarking. Unfortunately, the original process also required that an original bill be introduced by a Member of Congress—a specific bill for a specific tariff reduction, often to benefit a particular for-profit company.

I have long held that doing away with these individual bills and establishing an MTB process that relies on the ITC to accept and review proposals over which Congress has final say would be preferable. Such an approach would both comply with the earmark moratorium while providing taxpayers a measure of confidence that undue influence was not being inappropriately exerted.

I am pleased to have the opportunity to work with both House and Senate leadership and with members of the Senate Finance Committee and the House Committee on Ways and Means on moving such a proposal forward.

To be clear, my goals of being an original cosponsor of the American Manufacturing Competitiveness Act of 2016 and vocally supporting moving forward with legislation reforming the MTB process is twofold. First and foremost, cutting tariffs is the right thing to do. In fact, I would support permanent tariff reductions as a means of furthering the benefits of free trade and lightening the burden on U.S. producers. In addition, the longer we go without being able to move forward with MTB bills, the more threatened the earmark moratorium is.

I wish I could say that all Members of Congress are willing to permanently walk away from this wayward process of congressional earmarking, but that is not the case. Those wishing to go back to the bad old days will use any excuse to support ending the earmark moratorium.

Reforming the MTB process not only provides a path for much needed tariff relief and a modicum of confidence for taxpayers, but it is also good for the long-term survival of the earmark moratorium.

I am pleased to be a part of this effort moving forward. The House companion legislation passed with overwhelming support. I believe there were only two dissenting votes in the House. It is my hope that the Senate will soon follow suit.

I yield back the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. HEITKAMP. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

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 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 Senate amendment No. 3801 to Calendar No. 96, H.R. 2028, an act making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, Tim Scott, Marco Rubio, Michael B. Enzi, Daniel Coats, Cory Gardner, Roy Blunt, John Cornyn, Mike Rounds, James Lankford, Roger F. Wicker, Thad Cochran, Lamar Alexander, Johnny Isakson, David Vitter, Patrick J. Toomey, Rand Paul.

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 amendment No. 3801, offered by the Senator from Tennessee, Mr. ALEXANDER, as amended, to H.R. 2028, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN), the Senator from Texas (Mr. CRUZ), the Senator from Illinois (Mr. KIRK), the Senator from Arizona (Mr. MCCAIN), and the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted ''yea'' and the Senator from Pennsylvania (Mr. TOOMEY) would have voted ''yea.''

Mr. REID. I announce that the Senator from Illinois (Mr. DURBIN), the Senator from Missouri (Mrs. MCCASKILL), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The yeas and nays resulted—yeas 50, nays 42, as follows:

[Rollcall Vote No. 66 Leg.]

YEAS—50

Alexander	Donnelly	Manchin
Ayotte	Enzi	Menendez
Barrasso	Ernst	Moran
Blunt	Fischer	Murkowski
Boozman	Flake	Paul
Burr	Gardner	Perdue
Capito	Graham	Portman
Cassidy	Grassley	Risch
Coats	Hatch	Roberts
Cochran	Heitkamp	Rounds
Collins	Hoeven	Rubio
Corker	Inhofe	Sasse
Cotton	Isakson	Scott
Crapo	Johnson	Sessions
Daines	Lankford	

Shelby	Thune	Vitter
Sullivan	Tillis	Wicker

NAYS—42

Baldwin	Heinrich	Nelson
Bennet	Heller	Peters
Blumenthal	Hirono	Reed
Booker	Kaine	Reid
Boxer	King	Schatz
Brown	Klobuchar	Schumer
Cantwell	Leahy	Shaheen
Cardin	Lee	Stabenow
Carper	Markey	Tester
Casey	McConnell	Udall
Coons	Merkley	Warner
Feinstein	Mikulski	Warren
Franken	Murphy	Whitehouse
Gillibrand	Murray	Wyden

NOT VOTING—8

Cornyn	Kirk	Sanders
Cruz	McCain	Toomey
Durbin	McCaskill	

The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 42.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. MCCONNELL. Mr. President, I enter a motion to reconsider the vote.

The PRESIDING OFFICER. The motion is entered.

The Senator from Tennessee.

AMENDMENT NO. 3804 WITHDRAWN

Mr. ALEXANDER. Mr. President, I withdraw my amendment No. 3804.

The PRESIDING OFFICER. The amendment is withdrawn.

The majority leader.

AMENDMENT NO. 3878 TO AMENDMENT NO. 3801

Mr. MCCONNELL. Mr. President, I offer the Cotton amendment No. 3878.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. COTTON, proposes an amendment numbered 3878 to amendment No. 3801.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to purchase heavy water produced in Iran.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the Cotton amendment.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The 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 Senate amendment No. 3878 to amendment No. 3801 to Calendar No. 96, H.R. 2028, an act making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, Thad Cochran, Lamar Alexander, Johnny Isakson, Marco Rubio, David Vitter, Patrick J. Toomey, Steve Daines, Richard C. Shelby, James Lankford, John Thune, James M. Inhofe, Lisa Murkowski, Tom Cotton, Pat Roberts, John Barrasso, John Hoeven.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the Alexander substitute amendment No. 3801.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The 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 Senate amendment No. 3801 to Calendar No. 96, H.R. 2028, an act making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, Bob Corker, Tom Cotton, Thom Tillis, Mike Crapo, Joni Ernst, Jerry Moran, John Boozman, Lindsey Graham, John Thune, Daniel Coats, Chuck Grassley, Shelley Moore Capito, Thad Cochran, Lamar Alexander, Richard Burr, Roy Blunt.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

TRIBUTE TO DR. JAMES RICHARDSON

Mr. REID. Mr. President, today I wish to recognize the career of Dr. James ''Jim'' Richardson, who is retiring from the University of Nevada, Reno, UNR, this year.

Dr. Richardson is stepping down from his positions as director of judicial studies and foundation professor of sociology and judicial studies after 48 years of service to UNR. His commitment and dedication to the judicial studies and justice management programs have been invaluable in preparing students for careers in the justice system. Dr. Richardson has enriched the lives of hundreds of students, including the many undergraduate students he introduced to the field of sociology and the doctoral candidates he mentored as they completed their dissertations.

In addition to his teaching activities, Dr. Richardson has been a prolific researcher and writer. He was among the first researchers to focus on new religious movements. He has been praised for his interdisciplinary approach to sociology, particularly for his incorporation of subjects such as law, psychology, and economics into the study of religion. Dr. Richardson has authored or coauthored 9 books, more than 150 articles, and 85 book chapters. In addition, he has held nearly 350 presentations in almost 30 countries. Through his work, Dr. Richardson has made important contributions to the scholarship of sociology and has enriched academia as a whole.

Dr. Richardson has had an impact on the practice of law and the justice system in more direct settings as well. For instance, he has served as an expert witness on a variety of legal cases. He has also been a consultant for the Federal Bureau of Investigation and has worked to help law enforcement officials better understand the interaction between the justice system and religious groups. In addition, Dr. Richardson has researched several issues for the Nevada Supreme Court.

I congratulate Dr. Richardson on his many successes and decades of dedicated service to UNR and to the Silver State. Both the justice system and academia have benefitted from his work, and I wish him the best in his retirement and future endeavors.

VOTE EXPLANATION

Mr. DURBIN. Mr. President, I was necessarily absent from this evening's vote on cloture on the substitute amendment No. 3801 to the Energy and Water Development and Related Agencies Appropriations bill, H.R. 2028, which was not agreed to.

On rollcall vote No. 66, had I been present, I would have voted to oppose cloture. The junior Senator from Arkansas has proposed an amendment which would grind the Senate's appropriations process to a halt while undermining U.S. national security. This amendment is simply another attempt to undermine the Joint Comprehensive Plan of Action, JCPOA, that has verifiably eliminated the threat of Iran's nuclear program to the United States, Israel, and the international community. In fact, the junior Senator from Arkansas attempted to undermine this national security agreement before it was even negotiated by leading a partisan letter to Iran's Supreme Leader, implying that Congress would not honor any potential diplomatic resolution to the conflict. The unprecedented attempt failed.

Now that this agreement has been implemented, he is trying to undermine it again by attempting to prohibit the Department of Energy from taking actions which support the deal and remove nuclear-related materials