

their careers. Congress is willing to consider permanent tax relief for companies to buy machinery. Why isn't Congress willing to make an investment in people? That's what tax relief for education is. An investment in our future. It is just as important as job-creating tax incentives for businesses. Some will say we can't afford this, but we really can't afford to lose billions of dollars of help for Americans working hard to educate their kids.

Education has made this country great. We should not let this opportunity pass us by. We should not let these education-related tax provisions expire. We should also continue to help make education affordable for families and students. This makes education accessible for all. I look forward to working with my colleagues on passing this bill.

PENDING NOMINATIONS

Mr. LEAHY. Mr. President, last week, I challenged Senate Republicans to do as well as Senate Democrats did in December 2001 when we proceeded to confirm 10 of President Bush's Federal judicial nominees. Regrettably my plea has been ignored. Since the confirmation of Judge Jacqueline Nguyen last Tuesday to fill a vacancy on the Federal bench for the Central District of California; Republican objections and delay have prevented progress on any of the nine judicial nominees pending on the Senate Executive Calendar. Judge Nguyen was herself delayed almost 6 weeks, from October 15 until she was at last confirmed on December 1. When Republicans finally agreed to allow a vote, she was confirmed unanimously, 97 to zero. Why the 6-week delay? Why the stalling? That question was not answered. In fact, during the time reserved for debate on this nomination no Republican spoke a word about it.

I know how hard pressed the Federal judges in Los Angeles are, and only wish we followed the action on Judge Nguyen's nomination by proceeding, as well, to the confirmation of another nominee for a vacancy on that court. Dolly Gee's nomination to the Central District of California remains pending before the Senate. She was reported by voice vote and without dissent from the Senate Judiciary Committee on October 15, as well. Once confirmed, she will be able to go to work helping to eliminate the backlog and delays in that court.

I was glad we were finally allowed to proceed with Judge Nguyen's nomination, but urged at that time that Senate Republicans allow votes on the other nominations as well. That has not happened. I noted that we had shown what we can do when we want to make progress. The Senate confirmed Judge Christina Reiss of Vermont and Judge Abdul Kallon of Alabama before the Thanksgiving recess, and 17 days after their hearing. That prompt action by the Senate demonstrates what we

can do working together in good faith. It should not take weeks for the Judiciary Committee to report nominations, and additional weeks and months before Senate Republicans allow nominations to be considered by the Senate.

There remain nine judicial nominations that have been given hearings and favorable consideration by the Senate Judiciary Committee but that remain stalled before the Senate. They are: Beverly Martin of Georgia, nominated to the Eleventh Circuit; Joseph Greenaway of New Jersey, nominated to the Third Circuit; Edward Chen, nominated to the Northern District of California; Dolly Gee, nominated to the Central District of California; Richard Seeborg, nominated to the Northern District of California; Barbara Keenan of Virginia, nominated to the Fourth Circuit; Jane Stranch of Tennessee, nominated to the Sixth Circuit; Thomas Vanaskie of Pennsylvania, nominated to the Third Circuit; and Louis Butler, nominated to Western District of Wisconsin. These nine nominees all await final action by the Senate. Some have been waiting since being reported by the Senate Judiciary Committee as long as 12 weeks ago.

Acting on these nominations, we can confirm 10 nominees this month. That is what we did in December 2001 when a Democratic Senate majority proceeded to confirm 10 of President Bush's nominees, and ended that year having confirmed 28 new judges nominated by a President of the other party. We achieved those results with a controversial and confrontational Republican President after a mid-year change to a Democratic majority in the Senate. We did so in spite of the attacks of September 11; despite the anthrax-laced letters sent to the Senate that closed our offices; and while working virtually around the clock on the PATRIOT Act for 6 weeks.

It is now December 9 and the Republican minority has consented to allow votes on only nine of President Obama's nominations to fill district and circuit court vacancies. We confirmed a tenth, Judge David Hamilton, after invoking cloture to overcome a Republican leadership-led filibuster. In comparison, by this date in 2001, we had confirmed 21 of President Bush's nominations, including six to fill circuit court vacancies. We will certainly fall well short of the total of 28 judicial confirmations our Democratic Senate majority worked to confirm in President Bush's first year in office.

This year we have witnessed unprecedented delays in the consideration of qualified and noncontroversial nominations. We have had to waste weeks seeking time agreements in order to consider nominations that were then confirmed unanimously. Judge Nguyen is the most recent example. We have seen nominees strongly supported by their home state Senators, both Republican and Democratic, delayed for months and unsuccessfully filibustered.

I have been concerned that these actions by the Republican leadership signal a return to their practices in the 1990s, which resulted in more than doubling circuit court vacancies and led to the pocket filibuster of more than 60 of President Clinton's nominees. The crisis they created eventually led even to public criticism of their actions by Chief Justice Rehnquist during those years.

I hope that instead of withholding consent and threatening filibusters of President Obama's judicial nominees, Senate Republicans will treat the nominees of President Obama fairly. I made sure that we treated President Bush's nominees more fairly than President Clinton's nominees had been treated. In the 17 months that I served as chairman of the Senate Judiciary Committee during President Bush's first term, the Senate confirmed 100 of his judicial nominations.

I want to continue that progress, but we need Republican cooperation to do so. I urge them to turn away from their partisanship and begin to work with the President and the Senate majority leader.

Unlike his predecessor, President Obama has reached out, reached across the aisle to work with Republican Senators in making judicial nominations. The nomination of Judge Hamilton, which the Republican leadership filibustered, was supported by the most senior Republican in the U.S. Senate, my respected friend from Indiana, Senator LUGAR. Other examples are the recently confirmed nominees to vacancies in Alabama supported by Senators SESSIONS and SHELBY, in South Dakota supported by Senator THUNE, and in Florida, supported by Senators MARTINEZ and LAMIEUX. Still others are the President's nomination to the 11th Circuit from Georgia, supported by Senators ISAKSON and CHAMBLISS, his nomination to the 6th Circuit from Tennessee, supported by Senator ALEXANDER, and his recent nominations to the 4th Circuit from North Carolina, supported by Senator BARR. President Obama has reached out and consulted with home State Senators from both sides of the aisle regarding his judicial nominees.

Instead of praising the President for consulting with Republican Senators, the Republican leadership has doubled back on what they demanded when a Republican was in the White House. No more do they talk about each nominee being entitled to an up-or-down vote. That position is abandoned and forgotten. Instead, they now seek to filibuster and delay judicial nominations. They have also walked back from their position at the start of this Congress, when they threatened to filibuster nominees on which home state Senators were not consulted. We saw with Judge Hamilton that they filibustered a nominee supported by Senator LUGAR.

When President Bush worked with Senators across the aisle, I praised him

and expedited consideration of his nominees. When President Obama reaches across the aisle, the Senate Republican leadership delays and obstructs his qualified nominees. I fear that Senate Republican delaying tactics will yield the lowest judicial confirmation total in modern history. If Senate Republicans continue their delaying tactics, the total could be as low as that during the 1996 session, during President Clinton's first term, when a Republican Senate majority would only allow 17 judicial confirmations, none for circuit courts.

Although there have been nearly 110 judicial vacancies this year on our Federal circuit and district courts around the country, only 10 vacancies have been filled. That is wrong. The American people deserve better. As I have noted, there are nine more qualified judicial nominations awaiting Senate action on the Senate Executive Calendar. In addition there are another four pending before the Senate Judiciary Committee that have been given hearings and could be reported to the Senate before Christmas. They will be available to be considered by the Senate once approved by the Judiciary Committee. The Senate should do better, and could if Senate Republicans would remove their holds and stop the delaying tactics.

During President Bush's last year in office, we reduced judicial vacancies to as low as 34, even though it was a Presidential election year. Judicial vacancies have now spiked. There are currently 97 vacancies on our Federal circuit and district courts, and 23 more have already been announced. This is approaching record levels. I know we can do better. Justice should not be delayed or denied to any American because of overburdened courts and the lack of Federal judges.

REMEMBERING ABE POLLIN

Ms. MIKULSKI. Mr. President, I rise to pay tribute to the life and legacy of my friend Abe Pollin. He was a businessman, community leader, philanthropist, familyman. He was someone who simply made our community and our Nation a better place.

Abe was a great man who did great things. But he did it without a lot of fanfare. He was a team owner who thought first about the community that supported his teams. He was an employer who didn't treat his athletes or his employees as commodities—but as members of his team.

Abe Pollin was also a developer. But he didn't just invest in buildings, he invested in communities. He built one of the first big apartment buildings in Bethesda, named after his beloved wife Irene, long before Bethesda became the vibrant downtown that it is today. He never lost faith in Washington—building the MCI Center, now the Verizon Center, in the mid 1990s—which led to the revival of downtown Washington.

Here in the DC Metro area, there are few community organizations that did

not benefit from his advice, his philanthropy or his leadership. Abe made our region a better place, and will be greatly missed.

My thoughts and prayers are with the Pollin family—his wife Irene, who is a founding mother of the effort to empower women to fight heart disease, and his children and grandchildren. I will be forever grateful for the Pollin family's early support of a young city council woman from Baltimore who wanted to run for Congress. Abe Pollin was one of my earliest supporters, and his faith in me meant a great deal.

Last night, thousands of people gathered at the Verizon Center to celebrate Abe Pollin's life. His legacy is a community that is stronger, more vibrant—and simply a better place to live.

SOMALIA

Mr. BROWNBACK. Mr. President, I rise to speak about the recent suicide bombing in Somalia and the broader security situation in that region. While our attention is necessarily focused on the wars in Afghanistan and Iraq, this latest bombing is a stark reminder that we cannot take our eye off of the Horn of Africa.

Last week, Somalis had a reason to celebrate. The graduation of several medical students from a university in Mogadishu was a welcome glimmer of hope for the future. Unfortunately, a suicide bomber intruded, blew himself up, and killed more than 20 others, including three Ministers from the fledgling Somali transitional government. There is, seemingly, no end to the violence which has plagued Somalia for a generation.

Somalia continues to lack a truly functional government, and for several years, we have watched the slow but steady development of extremism there. Though we support the development of a moderate government for Somalia, success is far from assured. The transitional government lacks control of significant parts of the country and struggles to provide the most basic services to the Somali people.

The most significant challenge to the transitional government comes from extremist groups such as al-Shabab, a group of Islamist terrorists with deep roots in Somalia that came to prominence after the defeat of the Islamic Courts Union 3 years ago. As we have seen throughout the world, if there is a power vacuum, violent extremists will seek to fill it, and that is what is taking place in Somalia. Somalia cannot succeed while groups such as al-Shabab grow and thrive.

Al-Shabab's future depends in no small part on support from outside the country. Al-Shabab gets new recruits from all over the world, it is strengthening ties to al-Qaida and the global jihadist network, it receives support from regional actors such as Eritrea, who use al-Shabab as a proxy for its own interests. Al-Shabab will not be

defeated while this outside support continues.

For this reason, I hope that our administration will work hard to support and pass a draft resolution now circulating at the United Nations Security Council. Uganda, one of the Council's current rotating members, has drafted a resolution that addresses Eritrean support for Somali extremist groups, including al-Shabab. The resolution, which follows strong warnings to Eritrea from the U.S. and the African Union not to support al-Shabab, would ban weapon sales to Asmara, prohibit technical, financial and other assistance related to military activities, and freeze the assets of Eritrean political and military leaders as well as restrict their travel.

Al-Shabab seeks to undermine any attempt to stabilize Somalia. A volatile Somalia jeopardizes the stability of the Horn of Africa region, which is itself important to security in Africa, the greater Middle East, and the rest of the world. Support for extremist groups such as al-Shabab is unacceptable, and as long as Eritrea provides arms to al-Shabab, there will be no chance for peace in Somalia. I hope that the Security Council can take up and pass this resolution soon, and I hope the United States will be a strong supporter of this effort. Somalia ought not be a safe haven for extremists or a playground for outside powers pursuing their own agendas. Though Somalia's future is far from clear, the Security Council should have no difficulty in agreeing on the need to take steps to cut al-Shabab's lifelines of outside support.

TRIBUTE TO VIDA CHAN LIN

Mr. ENSIGN. Mr. President, today I commemorate the beginning of an exciting chapter for the Las Vegas Asian Chamber of Commerce. For more than 20 years, this group of entrepreneurial southern Nevadans has worked together to provide resources and promote economic growth in the Asian community. Today, they will install the first woman to be president of their esteemed organization. Vida Chan Lin steps into this role—respected by her peers and energized by her passion for furthering the goals of the Las Vegas Asian Chamber of Commerce.

While this leadership role is a new opportunity for Ms. Lin, her lifetime of experience has prepared her to take on this role. As a child, she was exposed to running a business as she saw firsthand the daily challenges and joys in the restaurants her family owned. She then found great satisfaction in the insurance industry where she continued to exceed expectations and eventually start her own company.

Ms. Lin has always balanced her business drive and success with her commitment to community service. She has been an instrumental force behind the Las Vegas Asian Chamber of Commerce for many years. Her ability