

INOUE), the Senator from Minnesota (Ms. KLOBUCHAR), and the Senator from Virginia (Mr. WARNER) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. BENNETT), the Senator from Kansas (Mr. BROWNBACK), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mrs. HUTCHISON), the Senator from Oklahoma (Mr. INHOFE), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from Kansas (Mr. ROBERTS).

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

The result was announced—yeas 89, nays 0, as follows:

[Rollcall Vote No. 3 Ex.]

YEAS—89

Akaka	Enzi	Menendez
Alexander	Feingold	Merkley
Barrasso	Feinstein	Mikulski
Baucus	Franken	Murray
Bayh	Gillibrand	Nelson (NE)
Begich	Graham	Nelson (FL)
Bennet	Grassley	Pryor
Bingaman	Gregg	Reed
Bond	Hagan	Reid
Boxer	Harkin	Risch
Brown	Hatch	Rockefeller
Bunning	Isakson	Sanders
Burr	Johanns	Schumer
Cantwell	Johnson	Sessions
Cardin	Kaufman	Shaheen
Carper	Kerry	Shelby
Casey	Kirk	Snowe
Chambliss	Kohl	Specter
Coburn	Kyl	Stabenow
Cochran	Landrieu	Tester
Collins	Lautenberg	Thune
Conrad	Leahy	Udall (CO)
Corker	LeMieux	Udall (NM)
Cornyn	Levin	Vitter
Crapo	Lieberman	Voinovich
DeMint	Lincoln	Webb
Dodd	Lugar	Whitehouse
Dorgan	McCaïn	Wicker
Durbin	McCaskey	Wyden
Ensign	McConnell	

NOT VOTING—11

Bennett	Hutchison	Murkowski
Brownback	Inhofe	Roberts
Burr	Inouye	Warner
Byrd	Klobuchar	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table. The President shall be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from Pennsylvania.

SENATOR ARLEN SPECTER CASTS HIS 10,000TH VOTE

Mr. CASEY. Mr. President, I rise tonight to speak of my colleague, Senator ARLEN SPECTER, who tonight cast his 10,000th vote as a Member of the Senate. We watched history tonight. Sometimes we have a chance to witness history. Of course, we look forward to his many more votes, but we also look behind us at some of his own personal political history as well his service here in the Senate.

I will offer a few remarks tonight about his service. I can say, after knowing him for many years, and especially after serving with him for now more than 3 years, if you go down that list of votes—all those rollcall votes over many years, serving the people of Pennsylvania—he has had one priority with those votes: Those votes were cast on behalf of the people of Pennsylvania.

He has always been an independent voice for the people of our State. He has fought a lot of battles for the people of Pennsylvania. I know the people of our Commonwealth are proud of his service.

His public service began after he became a lawyer. He went to the University of Pennsylvania, and then to Yale Law School, and then eventually he joined the District Attorney's Office in Philadelphia. He rose through that office and became the District Attorney of Philadelphia. He was elected twice to that office and served 8 years.

He was elected to the Senate in 1980 and was reelected four times after that. He was reelected in 1986, 1992, 1998, and 2004. So he has performed those years of service as a Senator. Of course, it is more than about years and about votes. It certainly is about the substance of those votes, fighting those battles, such as on behalf of the veterans of Pennsylvania.

We have had a million or more veterans, for many years, in our State. Those who fought our wars, those who worked in our factories, those who went on to build Pennsylvania gave their first measure of devotion to the country fighting on battlefields. He has always fought for them. He chaired the Veterans' Affairs Committee here in the Senate. He continues those battles on behalf of the veterans of Pennsylvania.

On health care, we could talk for a long time about the battles he has fought over and over again; not only the battles he fought in the last year or two as the issue was being debated in the Senate, but especially the battles he fought over many years, battles on behalf of children and women, battles for health care for the vulnerable, those who were poor and may not have a strong advocate other than their Senators or Members of Congress. So he has fought battles on health care.

You could isolate a lot of different issues under that general heading, but one that comes to mind for me is the National Institutes of Health. No one I know of in the Senate has fought more battles for the National Institutes of Health and all of the research that comes from the great work done there, and all the cures, all the ways people are saved because of that research at NIH.

He has fought battles on job creation, not only to preserve and protect and create more jobs at a time of recession—such as the horrific recession we have been living through and our workers and families have been suffering

through—but battles over many years, battles to protect the rights of workers to organize and collectively bargain, battles to make sure jobs are kept in Pennsylvania instead of going overseas or somewhere else. He has fought those battles to protect our workers and our jobs.

He has fought battles on national defense, making sure we are doing everything possible to keep the people of our Commonwealth and our country safe from foreign enemies, safe from terrorists, and safe from those who seek to do us harm. Over many years, ARLEN SPECTER has cast those votes as well, keeping us safe and keeping us strong.

His independence is something that is critically important to any State, but especially a State such as Pennsylvania. We have a State of over 12 million people. We have a lot of different regions in our State, a lot of different constituencies, and a lot of different challenges all across the State.

What the people of Pennsylvania expect their Senators to do is to try their best to fight their battles, to try to remain an independent voice for them, not for some special interests in Washington. ARLEN SPECTER has done that for years, being that strong, consistent, independent voice for the people of our State.

He has had a strong sense of justice from the time he was a young lawyer, through his service as a prosecutor making sure our streets were safe in Philadelphia, and through what he has done here in the Senate, fighting battles for justice every day in his service in the Senate.

Finally, in a very broad sense, but a very important sense, not only when times are tough, as they are now economically, but even when times seem good, even when the budgets are better and people do not seem to be as concerned about what the Federal Government can do to help them through a difficult period—even in those times of prosperity, he has always fought for our workers and our families.

It is very easy for me to stand here, as someone who has watched him over the years in his service in this Senate—and I know as someone who has served with him for more than 3 years—it is very easy for me to say, without any effort at all, that those 10,000 votes he has cast have been votes on behalf of the people of Pennsylvania, and I believe for the best interests of the people of the United States of America.

I commend ARLEN on that tremendous vote total. I commend him also for his public service, his enduring public service for the people of Pennsylvania. I also commend his wife Joan and his family who I know have supported him for many years to make sure he could help us serve the people of Pennsylvania.

Congratulations, ARLEN.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I thank my distinguished colleague Senator CASEY for those very generous remarks. He and I have worked together for the past 3 years plus, but beyond that we have worked during his tenure as a statewide officeholder, as Auditor General and Treasurer of the Commonwealth of Pennsylvania.

I have not only worked with ROBERT CASEY, JR., but I have worked with Robert Casey, Sr., his distinguished father who was Governor of the State.

While we were waiting for the train to arrive—this is an unusual evening in the Senate because the Acela was late, and it had a number of Senators coming from New York and points north. The train was about an hour late, so the vote was kept open for their arrival, and we had a chance to reminisce about some of our experiences in the past, such as when I first met his father, who was a young State senator and a candidate for Governor, when I was District Attorney of Philadelphia, and reminiscing about the controversial report his father, as Auditor General, made in 1970 on welfare problems, and it was very controversial. Although we were of different parties at that time, I backed up Auditor General Casey because I was the DA and I knew he was right. When his father was Governor, I was a frequent recipient of calls on the need for some assistance for Pennsylvania, and the answer was always yes.

I am delighted to be his colleague in the Senate, and I thank him for those remarks.

While waiting for the past hour, I have been reflecting on the 10,000 votes I have cast. I said to Senator CASEY, it gave me a unique time where I had nothing else to do except to wait for some Senators to arrive on the late train to vote, and I made some notes about those reflections.

Senator MENENDEZ arrived on the train and has some comments to make, and I told him I would yield to him. When he has finished his statement, in the absence of any other Senator seeking recognition, I intend to reflect on those 10,000 votes. So I say to people who think C-SPAN is about to go off, if you are interested, wait.

I again thank Senator CASEY and defer to my colleague, the distinguished Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, let me first of all thank my distinguished colleague from Pennsylvania for yielding before he reflects on the history of his 10,000 votes. I am sure there are many of great consequence he cast that he is going to reflect upon.

I want to echo my colleague from Pennsylvania as well, Senator CASEY's comments about Senator SPECTER. I will only focus on two points of the many he mentioned. One is the National Institutes of Health. The reality is, ARLEN SPECTER's advocacy and passion—partly from his own personal ex-

perience when he has had to overcome some of his own personal health challenges—has given him a real understanding of what the National Institutes of Health is all about and what it means. His advocacy and work there has made a huge difference in the lives of literally millions of people across this country based on the research that is done there that ultimately can save a life or can enhance a life. That is a legacy that any one of us in the United States would want to give.

Secondly, the other thing I respect about Senator SPECTER is that when he has had to cross the aisle in order to make sure he has stood on behalf of the people of Pennsylvania and in the Nation's best interests, he has done that. Nowadays, that is a lot more difficult to find. Senator SPECTER has a history of crossing the aisle when it is necessary on behalf of the people of Pennsylvania to stand by their side. That did not impede him from moving to whomever he could with whomever he could in this body and with administrations, both present and past, in order to achieve those goals. I salute him in that respect.

I appreciate Senator SPECTER letting me have a few minutes on an incredibly important issue.

NOMINATION OF JUDGE JOSEPH A. GREENAWAY, JR.

Mr. MENENDEZ. Mr. President, I rise in support of the nomination to the United States Court of Appeals for the Third Circuit of a distinguished jurist from New Jersey, Judge Joseph A. Greenaway, Jr., which seems to be blocked by some people in this Chamber yet unknown. I know it is not from my side of the aisle because I have checked. So it is on the Republican side of the aisle. Yet Judge Greenaway fully embodies the respect for justice and the rule of law that we demand of all of our judges. He has strong bipartisan support, and his nomination could easily have been taken care of this evening but for a few Republicans blocking the vote.

I say to my friends on the other side of the aisle: End the obstructionism. Do what is right. Let us have a vote on this eminently qualified, noncontroversial nominee. It is clear the obstruction of this nomination is not about this nominee. He is eminently qualified. I will talk about that in a moment. And it is not about what is right for this Nation. It certainly is not about acting in the best interests of a badly overburdened Federal judicial system. In fact, oddly enough, it is not about ideology. It is not even about Judge Greenaway or the other seven nominees whom our friends are delaying. It is about the politics of having this President and this Congress fail, the politics of no, the politics of obstruction, of stopping any progress on any issue and almost every nominee. Our friends on the other side came to the floor in the last administration,

the administration of President Bush, on countless occasions to argue for an up-or-down vote. I heard that many times: "Give us an up-or-down vote," demanding that a simple majority of the President's nominees is all that is needed—a simple majority of this Chamber. That is a position diametrically opposed to their position today. In fact, they went so far at that time to proclaim that filibusters of the President's nominations were unconstitutional, and they threatened what became known then as the nuclear option—to undo the right of Senators to filibuster a nominee. Well, which is it? What do my friends on the other side believe is right or is the question: What do they believe will work? Where is the call for an up-or-down vote now from our Republican colleagues? Where is the argument on the unconstitutionality of filibusters now? You can't have it both ways.

We can agree to disagree on some nominees on principle, and we have over the years. But the numbers this year belie any notion that the obstruction of Judge Greenaway and all the pending nominees is purely a matter of principle. In this past year, our Republican colleagues have obstructed virtually all the President's nominees, confirming only 12 Federal circuit and district court nominees, the lowest number in a half century. Let me repeat that: the lowest number in a half century. Contrast that to the 100 judicial nominees confirmed in the 17 months Chairman LEAHY chaired the Judiciary Committee during the Bush administration.

As Chairman LEAHY has pointed out on this floor, in December of 2001, the first year of George W. Bush's administration, Senate Democrats confirmed 10 of President Bush's nominees in December alone, leaving only 4 nominations on the calendar—in the first year. All four of those nominees were confirmed soon after the Senate returned the following year, in 2002. In stark contrast, this past December, our Republican colleagues left 10 judicial nominees without Senate action and insisted on returning 2 of them to the President for renomination.

So I urge my colleagues to reconsider, to end this obstructionism, and allow this body to exercise its constitutional authority of advice and consent and confirm the nomination of Joseph A. Greenaway to the U.S. Court of Appeals for the Third Circuit. He is eminently qualified and deserves consideration.

Let me close on that. At the age of 40, Justice Greenaway was appointed by then-President Clinton to the Federal bench, where he served for over a dozen years with distinction. By the way, he got put through by unanimous consent. It wasn't even—it was by unanimous consent of the Chamber when he was put on the Federal bench. He went through unanimously, out of the Judiciary Committee, for this position on the appellate division—unanimously out of the committee.