

one of New Jersey's most significant seaside resort communities; the fourth most lucrative fishing port in the entire Nation, rich with scallop beds. It is less than 10 miles from Delaware waters—waters that the administration announced they are studying for possible future drilling.

So I am concerned that if the lease sales go forward, the coastlines of Maryland, Delaware, and New Jersey will be under threat—not just an environmental threat but an economic one as well. Approximately 60 percent—60 percent—of New Jersey's \$38 billion tourism industry comes from the Jersey shore, and the State's multibillion-dollar fishing industry would also be threatened by the specter of a potential oil spill.

We had an unfortunate incident in New Jersey's history. Years ago, in 1987, when the shore was polluted with medical waste in that year and medical waste that ended up on the beaches of New Jersey—syringes on the beach of New Jersey and other medical waste on the beaches of New Jersey—tourism revenue dropped 22 percent the very next year, and it took some time to recover. If a serious oil spill were ever to hit our coast, the damage would be enormously costly, and if the Exxon Valdez spill is any guide, much of the damage would be permanent.

It simply does not make sense to play Russian roulette with an asset that generates thousands of jobs and tens of billions of dollars per year for potential drilling assets that could never generate even one-tenth of that, and this is only in one State. Magnify that by so many other States that have similar coastal economies.

This tragedy in the gulf is a wakeup call. It demands that whatever we do in terms of drilling, we do carefully, thoughtfully, and with the very real images of this tragedy in mind. It is obvious—now more than ever—that we cannot ignore the risks of oil exploration, that we cannot take the safety of these rigs for granted or the reliability of redundant shutoff systems that were supposed to prevent such a spill.

It is time to weigh the risks against the payback. And what is the payback? Well, the Energy Information Administration, the entity our Federal Government has to give us information about our energy sources, estimates that opening all the shores—all shores to drilling—would amount to no more than a few hundred thousand barrels per day, which translates to a few tablespoons of gasoline per American vehicle. We don't keep oil in a domestic market. Oil is part of a world market, so there is no guarantee that American-produced oil comes to America for the purposes we need. It is hardly a drop in the bucket, with no measurable impact on gas prices. I don't want to gamble with the coastline of New Jersey or any of these other States for a few tablespoons of gasoline.

This image of a burning rig in the gulf that ultimately sunk and for

which we have all this disaster taking place is a wakeup call to all of us who are committed to finding the best energy options for the future—options that will not put hundreds of miles of our coastline at risk. I don't quite understand why it is that when we are talking about global climate change legislation, we are also in desperate pursuit of oil, which is a contributor to the greenhouse gas emissions we are trying to avoid and, in essence, change from, so we don't have the climactic changes that can threaten our way of life. However, that is exactly what we are doing by going after this.

So I am respectfully requesting that the administration reconsider its proposal to expand offshore drilling until we are absolutely certain we can protect the New Jersey shore and the entire Atlantic seaboard from the potential environmental and economic disaster that could come from coastal drilling. I don't know why the Atlantic coast has to be under siege, but it seems to be. The other coastline was largely kept unexplored.

Instead of doubling down on 19th century fuels such as oil, we should be investing in a 21st century green economy that will create thousands of new jobs, billions in new wealth, and help protect our air and water from pollution. It is time for this country to move forward and embrace the future rather than clutch to the ways of the past that have not only given us this addiction but at the same time given us the consequences in our environment of polluting it in a way that ultimately creates risks to our crops, our farmers, our shorelines, as well as our health. My home State of New Jersey still has far too much incidence of respiratory ailments, including cancers.

We can do much better than this. We should do much better than this. We should stop feeding an addiction that ultimately would only add but a few tablespoons of gas and not do anything about the price but put an enormous risk to the economy of these coastlines, to our natural habitats, and to the quality of air we breathe. I hope the President will understand this disaster is a wakeup call that needs to be thought of seriously before we move forward on something that can be so risky to our economy, to our environment, and to our way of life.

With that, I yield the floor and observe the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. McCASKILL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### SECRET HOLDS ON NOMINATIONS

Mrs. McCASKILL. Madam President, I came to the floor of the Senate last Tuesday to make 74 unanimous consent

motions to trigger a law this body voted for by a vote of 96 to 2 back in January of 2007, and this law says that once a unanimous consent motion is made for a nomination, that people who are secretly holding the nomination must come out into the sunlight.

The law requires that 6 days after that motion is made, whoever is holding the nominee must identify themselves and, in fact, that must be published in the CONGRESSIONAL RECORD. Tomorrow would be the day for publication for all the dozens of different nominees being held up by who knows who for who knows what reason.

I wished to make sure the leaders of both parties were aware that this time had run and, today, I will ask unanimous consent that a letter I sent to the minority leader and the majority leader acknowledging that the rule has been triggered, with the list of the various nominees, asking that they make sure the Members of their party have, in fact, come forward and identified themselves for the RECORD tomorrow.

I ask unanimous consent that the letter I sent to Leader McCONNELL and Leader REID be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, April 29, 2010.

Hon. MITCH McCONNELL,  
Minority Leader, U.S. Senate,  
The Capitol, Washington, DC.

MINORITY LEADER McCONNELL: Last week I went to the Senate floor to raise the issue of "secret holds" and to call attention to the need for openness and transparency within the United States Senate. As you know, a secret hold refers to the practice where one member of the Senate puts an anonymous hold on a nominee or legislation without publicly raising their objections. In spite of efforts in 2007 to end this practice, we now know that secret holds remain the status quo in the Senate. While efforts are being made to strengthen this rule and eliminate secret holds, I am concerned that Senators continue to ignore the current requirements for disclosure of holds.

Under the existing rule, after a unanimous consent request is made to confirm a nomination or pass legislation, the Senator with objections to the particular measure or nominee must notify their party leader and then submit a notice of intent specifying the reasons for their hold. Within six-session days of the unanimous consent request, the notice must be printed publicly in the Congressional Record. The rule is clear that it is incumbent upon the leaders of each party to enforce the rules should members fail to comply.

Today marks the sixth session-day since I made seventy-four unanimous consent requests to confirm the non-controversial nominations on the Senate Executive Calendar (a complete list is attached). These nominees were reported out of committee by voice vote or by a unanimous vote of the committee and have no known opposition. To date, there have not been any notices filed in the Congressional Record despite the fact that all seventy-four motions were objected to by Senator Kyl on behalf of his Republican colleagues. While, several of these nominations have since been confirmed by the Senate, the bulk of the nominations remain stalled without any public notification.

Therefore, I write today to ask if you have been notified by any member that he/she has objections to any of the confirmation requests I made last week. If so, I urge you to enforce the member's obligation to place a public notice in the Congressional Record stating their objection. Should there be no known opposition to these nominees I ask that they be immediately confirmed by unanimous consent of the Senate.

Thank you for the consideration of this request. Should you or your staff have any additional concerns or questions, please feel free to contact Nichole Distefano of my staff at [nichole\\_distefano@mccaskill.senate.gov](mailto:nichole_distefano@mccaskill.senate.gov).

Sincerely,

CLAIRE MCCASKILL,  
United States Senator.

U.S. SENATE,  
Washington, DC, April 29, 2010.

Hon. HARRY REID,  
Majority Leader, U.S. Senate,  
The Capitol, Washington, DC.

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CLAIRE MCCASKILL,  
United States Senator.

Mrs. MCCASKILL. Madam President, we have gone back and looked at the

Executive Calendar from a historic perspective. At the beginning of this week, we had 84 pending nominations. At the exact same time in President Bush's Presidency, we had eight. That is what we call a lopsided score—84 to 8. Of the 49 nominations we have voted on as a body since President Obama took office, 38 of them were confirmed by more than 70 votes. That is a pretty lopsided margin. Twenty of them were confirmed by more than 90 votes.

I am confident that if we took the time—which I think may be the desire of my friends on the other side—to file cloture and go through individual votes on all these nominees, the vast majority of them would receive those kinds of lopsided confirmations. This is a game we need to quit playing. The secret hold needs to end.

I have written some colleagues of mine, including Senator MARK WARNER and Senator WHITEHOUSE, and we have composed a letter—and we asked our colleagues to sign it—saying we will no longer participate in the secret hold. No more secret holds for us. We don't need the law to tell us we only have 6 days to secretly hold. We have asked in the letter that the secret hold be abolished. There is not a good reason for it. There isn't. Why does anything such as that need to be a secret? It is something that needs to be done publicly. The people whom everyone works for need to know why they are holding up a nomination or blocking a bill. The secrecy needs to stop.

You can hold somebody; it is your prerogative as a Senator to hold a nominee. Work against that nomination. Try to defeat them in committee. Keep in mind that all these nominees came out of committee without an objection—no objection in committee. If you want to object, that is your prerogative. Come out and tell the world why this is the wrong person for the job but don't hide. Don't hide.

I will be watching with interest tomorrow the CONGRESSIONAL RECORD. I am very worried we are going to have the old switcharoo, which means if you withdraw your hold in 6 days, then you can hand it off to somebody else. You can say: I no longer have a secret hold, and then you whisper to your buddy: Why don't you do it now and then we will have 6 more days and then another 6 days.

I wish to serve notice that I will be making these unanimous consent requests every time there is a secret hold, so anybody who does it is only going to have 6 days. Seriously, if we start the switcharoo and continue to go week after week without knowing who is holding these people or why, that is when people should get angry. That means they voted for a law that they had every intention of evading. People are mad enough at us. That is liable to get them over to the "flat furious" category if we go into that territory.

I am hopeful this Congress will be the Congress where we end the secret hold.

I wish to again acknowledge the work Senator GRASSLEY and Senator WYDEN have done for years. They have definitely tilled this ground, and they, in fact, put this in the law that we voted on in 2007. I compliment them for their work on this issue. We are continuing to work together on this issue. Senator WYDEN and Senator GRASSLEY are continuing to try to find a way to reform and make this place more open and transparent.

I invite all my colleagues to sign the letter—Republican, Democratic, Independent. Sign the letter. We have 43 signatures. That means we are almost halfway there. If we can get to 60—we can move mountains here when we get that magic 60 number. I hope we can get to 60 by the end of next week. That means we will have more than a majority to say: I don't need a rule or a law; I am willing to make any hold I have open to public inspection.

I wish to also make another unanimous consent request today. We have a very important function in government; that is, investigating accidents. We are getting ready to enter into the travel season. The National Transportation Safety Board is a very important body. In fact, they are going to be considering, in the next week, the "miracle on the Hudson" accident and the problem with aviation as it relates to the danger of birds and possible engine failure. In June, they will be investigating the tragic Metro accident here in Washington, when 9 people died. This is one of those boards where a Democrat and a Republican are both appointed. The Democrat has been waiting since last December, ostensibly, for the Republican. Dr. Earl Weener has been on the Executive Calendar for a number of weeks.

Dr. Rosekind and Dr. Weener are needed on the NTSB. If any Member has a reason to recuse themselves, they would not have enough Members to go forward with these investigations. This is the kind of work that needs to be done. This is what people want the government to do. There is a lot of stuff the government does they don't want us doing. They want us to figure out what is going on with accidents in our transportation system and come up with answers so we can avoid these deadly accidents in the future. I think it is important, in light of that, that I go ahead and make another unanimous consent request to try to confirm these two people so they can begin working on the National Transportation Safety Board as we enter into the most heavily traveled period in America—the summer vacation months, when so many more Americans are traveling with their families.

#### UNANIMOUS CONSENT REQUEST— EXECUTIVE CALENDAR

Mrs. MCCASKILL. Madam President, I ask unanimous consent that the Senate proceed to executive session for the