

This publication comes out on a daily basis to tell us which nominations have been sent to the floor of the Senate by the committees. They do not reach the floor of the Senate until a process is followed which involves nomination by the President of the United States, an investigation of the nominee by agencies of the government and by our committees, and then consideration of those nominees.

Many committees have hearings where the nominees are called before them. Questions can be asked. They certainly are in the Judiciary Committee where I serve. Then, at the end of the day the committee decides whether to submit this nominee's name for the consideration of the full Senate.

So the fact that Senator HARKIN came to the floor this evening is an indication of the frustration many of us feel about what has happened.

So far since President Obama took office last year, the Senate has had rollcall votes on 51 nominations. There are others who have been approved without rollcalls. But of those 51 nominations which were subjected to rollcall votes, 22 were confirmed with more than 90 votes and 18 were confirmed with 70 votes or more. That means that almost 80 percent of those nominees have passed with overwhelming support.

Many of those votes took place after lengthy delays. In other words, these men and women who agreed to serve our Nation and to serve the President and made personal sacrifices to do that went through the long and arduous process, made it to the Senate calendar, and then had to wait. On average, the President's nominees have languished on this Senate calendar for over 105 days, with many taking much longer; more than 3 months for those who were sent to the Senate floor. I know because some of these nominees are people I have met and worked with, even people I have recommended to the President. It is an uneasy feeling to be nominated, to be waiting for your opportunity to serve in positions large and small, and then to be told, day after weary day, that the Senate just did not get around to it.

This week the Executive Calendar contains more than 107 names of nominees. More than 85 percent of those nominees came through the committee process with overwhelming support. Point of comparison for those who will say: The Republicans may be playing games now with nominations, but I am sure you Democrats did the same thing to President Bush.

Not true. At this time in President George W. Bush's Presidency, there were exactly 13 nominees on the calendar. There are over 107 nominees on the calendar at this moment. There is no comparison.

It is time for the Republicans to stop abusing the Senate's responsibility to provide advice and consent on the President's well-qualified nominees. If I take a look at some of these nomi-

nees, it is troubling because they are overwhelmingly qualified for the jobs for which they have been recommended.

The Illinois nominees currently on the calendar include Craig Becker to be a member of the National Labor Relations Board. He was recess-appointed after waiting for 16 weeks on the calendar. Mary Smith to be Assistant Attorney General, she has been on the calendar for more than 16 weeks. Gary Scott Feinerman, to be U.S. district judge for the Northern District of Illinois, has been waiting 6 weeks. He is a man eminently qualified who was passed out of the Judiciary Committee by voice vote. Sharon Johnson Coleman, another nominee from Illinois to be U.S. district judge, again approved by voice vote unanimously, has been sitting on the calendar for 6 weeks. Robert Wedgeworth to be a member of the National Museum and Library Services Board, has been waiting for 4 weeks; Carla D. Hayden, to be a member of the National Museum and Library Services Board, another 4 weeks; and Darryl McPherson, who we would like to have serve as a U.S. marshal in the Northern District of Illinois. He was just sent to the calendar. This is an indication. In the Northern District of Illinois, several years ago, we had the tragic murder of the family of a U.S. district court judge. So when we talk about filling the position of U.S. marshal in that particular district, it is because we know that there is a vulnerability for the men and women serving the government as judges, a vulnerability which resulted in a tragedy for one of our more celebrated and liked Federal judges in Chicago.

Why would we hold up this man's nomination? Wouldn't we want the U.S. marshal in place doing his job? It is an important responsibility administratively, but it is equally important to protect the men and women in the judiciary. Why would we want to delay that when we have been through the tragic murder of a family in the Northern District of Illinois?

That is why I wanted to join Senator HARKIN. We are leaving now for a little over a week over Memorial Day. Many of us will be back home for Memorial Day, then moving around in different places. This calendar will sit here for another 10 or 12 days. The men and women whose names are in nomination will wait another 12 days or 2 weeks before they can be considered. In the meantime, their lives are on hold. Their service to our country is delayed. The President's ability to put his team together has been diminished by this strategy from the Republican side.

Tonight Senator HARKIN tried to move 51 of these nominees. Senator McConnell objected. It is unfortunate, truly unfortunate, that we don't step forward and give these men and women a chance to serve the government and give the President a chance to have those in place who will make his administration complete. That is the only fair thing for us to do.

I hope when we return we will come to our senses and take a different strategy. More than 107 men and women whose names are on this calendar are waiting for us to make that decision. In fairness to the President and to the Nation, I hope we make it with dispatch.

#### JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, as the Senate recesses for Memorial Day, I wish the Republican leadership had worked with us to clear the nominations that have been pending on the calendar for far too long. There is now a backlog of 26 judicial nominees awaiting final Senate action. Nineteen of the 26 were reported by the Judiciary Committee without a single negative vote from any Republican or any Democratic Senator on the committee. There is no reason, nor is there any excuse, for the Senate not having promptly considered and confirmed those judicial nominees. Two other nominations received only one or as few as four negative votes. That means that six of the seven Republicans voted in favor of Judge Wynn to the Fourth Circuit, and nearly half the Republicans on the committee supported Jane Strach's nomination to the Fourth Circuit, as does Senator ALEXANDER. Still Republicans refuse to enter into time agreements on those nominations, the four others or, for that matter, any of the 26 judicial nominations they are stalling from consideration and confirmation.

The Senate is well behind the pace I set for President Bush's judicial nominees in 2001 and 2002. By this date in President Bush's Presidency, the Senate had confirmed 57 of his judicial nominees. Despite the fact that President Obama began sending us judicial nominations 2 months earlier than President Bush had, the Senate has only confirmed 25 of his Federal circuit and district court nominees to date.

Federal judicial vacancies remain over 100 around the country. Yet 26 judicial nominations considered and favorably reported by the Senate Judiciary Committee remain stalled awaiting final Senate action. The Senate should vote on all of them without further obstruction or delay.

Before the Memorial Day recess in 2002, there were only six judicial nominations reported by the Senate Judiciary Committee and awaiting final consideration by the Senate. They had all been reported within the last week before the recess began. This year, by contrast, Republicans have stalled nominations reported as long ago as last November. Only one of the 26 was reported close to this recess. The others, more than two dozen, have all been languishing without final action because of Republican obstruction. This is not how the Senate should act, nor how the Senate has conducted its business in the past. This is new and it is wrong.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. I ask unanimous consent that the order for the quorum call be rescinded.

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

#### MORNING BUSINESS

Mr. DURBIN. I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

#### TRIBUTE TO JOSEPH FLYNN

Mr. DURBIN. Mr. President, I rise to congratulate Joseph Flynn, a constituent and friend, on the occasion of his 90th birthday. It has often been said that our Greatest Generation is comprised of those Americans who pulled the country out of the depths of the Great Depression and went on to lead the Allies to victory in World War Two. My friend Joe Flynn is a quintessential member of that generation. One of 11 children born to immigrant parents in Chicago, he exemplifies the virtues of love of family, devotion to country, generosity to neighbors, and unstinting hard work.

Growing up in Chicago's Old Town neighborhood, the guiding light of Joe's life was his mother, Mary. She instilled in him the moral foundation that continues to guide him to this very day. Joe began his working life while still a boy, hawking newspapers on Chicago street corners and stocking shelves in the neighborhood grocery store. When Joe was just out of his teens, he, like so many other young men of his time, faced the prospect of his country going to war and calling on him to do his part.

Except Joe didn't wait for his country to call—he enlisted in the Army 2 months before the attack on Pearl Harbor.

Joe spent the next 4 years in the Army serving as a medic in the 941st Field Artillery. His unit landed on Omaha Beach shortly after D-day, was among the first American units to enter a liberated Paris, and saw action at the Battle of the Bulge.

Despite all that, Joe—never one to complain—says that he had an easy war. His opinion is that the American men and women in uniform today are the ones with the tough duty. They are the ones that this old soldier respects.

Coming home to a country at peace, Joe married his girlfriend, Martha Tampa, herself a veteran of the Women's Army Corps. They raised six children: Tim, Joe, Anne, Martha, Deborah and Kevin. Joe and Martha had been married for more than 57 years when Martha passed away, but if you ask

Joe, he will no doubt tell you she is still very much alive in his heart.

To provide for his family, Joe worked at the A. Finkl & Sons steel mill. He supervised the loading of multiton pieces of machined steel onto trucks to keep America's industrial base supplied. He rose at 4:30 a.m. to take a CTA bus to his job, and he often worked 60 hours or more to earn the precious overtime money his family needed to pay for their mortgage, their groceries, and their education.

As hard as Joe worked, when he got off the bus at night, he would run a half mile home because he couldn't wait to see his family. After greeting Martha and his kids, he would sit down and call his mother.

The people Joe loves are everything to him, and he now has nine grandchildren and two great-grandchildren: Ryan, Meghan, Gwyneth, Gillian, Dylan, Ashley, Brittney, Courtney, Caitie, Ethan and Oliver. He also holds dear his children's spouses and significant others: Doug, Catherine and Bill.

Joe's politics are simple. Being a life-long working man—who still mows his own lawn and cleans his own gutters—he believes that the working men and women of the United States deserve their fair share of the country's prosperity in the good times and its help in the hard times.

History doesn't often record people like Joe as being great men, but as his family will tell you, he is the greatest example of a good man they know.

#### SANCTIONS ON IRAN

Mr. KYL. Mr. President, on May 25, Robert Kagan, a senior associate at the Carnegie Endowment for International Peace, wrote a column in the Washington Post explaining that Russia's recent agreement to tighten sanctions on Iran is not as significant as the Obama administration has claimed.

Dr. Kagan wrote that the Obama administration paid a high price to get Russia to agree to "another hollow U.N. Security Council resolution" and that the Russians "sometimes used to say and do more" during the Bush administration. It is unclear to me what the administration can point to as the fruits of the Russia reset, at least as far as the United States is concerned.

Mr. President, I ask unanimous consent to have Dr. Kagan's column printed in the RECORD.

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

[From the Washington Post, May 25, 2010]

#### A HOLLOW 'RESET' WITH RUSSIA

(By Robert Kagan)

It took months of hard negotiating, but finally the administration got Russia to agree to a resolution tightening sanctions on Iran. The United States had to drop tougher measures it wanted to impose, of course, to win approval. Nevertheless, senior Russian officials were making the kinds of strong statements about Iran's nuclear program that they had long refused to make. Iran "must

cease enrichment," declared Russia's ambassador to the United Nations. One senior European official told the New York Times, "We consider this a very important decision by the Russians."

Yes, it was quite a breakthrough—by the administration of George W. Bush. In fact, this 2007 triumph came after another, similar breakthrough in 2006, when months of negotiations with Moscow had produced the first watered-down resolution. And both were followed in 2008 by yet another breakthrough, when the Bush administration got Moscow to agree to a third resolution, another marginal tightening of sanctions, after more negotiations and more diluting.

Given that history, few accomplishments have been more oversold than the Obama administration's "success" in getting Russia to agree, for the fourth time in five years, to another vacuous U.N. Security Council resolution. It is being trumpeted as a triumph of the administration's "reset" of the U.S.-Russian relationship, the main point of which was to get the Russians on board regarding Iran. All we've heard in recent months is how the Russians finally want to work with us on Iran and genuinely see the Iranian bomb as a threat—all because Obama has repaired relations with Russia that were allegedly destroyed by Bush.

Obama officials must assume that no one will bother to check the record (as, so far, none of the journalists covering the story has). The fact is, the Russians have not said or done anything in the past few months that they didn't do or say during the Bush years. In fact, they sometimes used to say and do more. Here's Vladimir Putin in April 2005: "We categorically oppose any attempts by Iran to acquire nuclear weapons. . . . Our Iranian partners must renounce setting up the technology for the entire nuclear fuel cycle and should not obstruct placing their nuclear programs under complete international supervision." Here's one of Putin's top national security advisers, Igor S. Ivanov, in March 2007: "The clock must be stopped; Iran must freeze uranium enrichment." Indeed, the New York Times' Elaine Sciolino reported that month that Moscow threatened to "withhold nuclear fuel for Iran's nearly completed Bushehr power plant unless Iran suspends its uranium enrichment as demanded by the United Nations Security Council"—which prompted the Times' editorial page to give the Bush administration "credit if it helped Moscow to see where its larger interests lie." Nine months later, of course, Russia delivered the fuel.

It remains to be seen whether this latest breakthrough has greater meaning than the previous three or is just round four of Charlie Brown and the football. The latest draft resolution tightens sanctions in some areas around the margins, but the administration was forced to cave to some Russian and Chinese demands. The Post reported: "The Obama administration failed to win approval for key proposals it had sought, including restrictions on Iran's lucrative oil trade, a comprehensive ban on financial dealings with the Guard Corps and a U.S.-backed proposal to halt new investment in the Iranian energy sector." Far from the comprehensive arms embargo Washington wanted, the draft resolution does not even prohibit Moscow from completing the sale of its S-300 surface-to-air missile defense system to Tehran. A change to the Federal Register on Friday showed that the administration had lifted sanctions against four Russian entities involved in illicit weapons trade with Iran and Syria since 1999, suggesting last-minute deal sweeteners.

What is bizarre is the administration's claim that Russian behavior is somehow the result of Obama's "reset" diplomacy. Russia