

cloture. Once that time has elapsed, the debate would automatically end unless the minority could assemble 40 senators to continue it.

An even better step would be to return to the old "Mr. Smith Goes to Washington" model—in which a filibuster means that the Senate has to stop everything and debate around the clock—by allowing a motion requiring 40 votes to continue debate every three hours while the chamber is in continuous session. That way it is the minority that has to grab cots and mattresses and be prepared to take to the floor night and day to keep their filibuster alive.

Under such a rule, a sufficiently passionate minority could still preserve the Senate's traditions and force an extended debate on legislation. But frivolous and obstructionist misuse of the filibuster would be a thing of the past.

Mr. UDALL of New Mexico. Let me finally say to the Senator from Oregon, the Presiding Officer, that I very much appreciate his support both in working with me on the constitutional option and sorting out the details and making sure we have things right and also for his incredible work in terms of pulling together the talking filibuster part of this. I was here today when he showed his charts, and he took our five ideas and, in the most simple form so the American people could understand it, capsulized those in those five charts.

I have been telling my staff—and you need to do this by the end of the debate—we need to find a way to shrink those and put those in the RECORD also because here we are sitting on the floor and we have these charts and we need to somehow have those be a representation also.

So with that, I yield the floor.

#### RULES REFORM

Mr. BENNET. Mr. President, I rise today in support of reasonable efforts to reform the Senate Rules. The American people expect us to work together to find solutions to the problems of the day. Yet anyone watching this body can plainly see that a few Senate rules no longer work.

I believe we should all be cautious and fair about respecting Senate tradition. But blindly adhering to tradition when the American people need us to take a fresh look helps no one. The rules have been changed before, when they needed to be.

Anyone watching this place over the last 2 years will tell you that a few of the rules no longer serve us. They need to be reformed.

We have seen consensus bills, supported by 80 or 90 Senators, get held up for many months because of a single Senator's secret objections.

And we have moved well beyond the intended use of the filibuster for exceptional circumstances and to provide for extended debate. In fact, the filibuster has been so corrosive to this body that we rarely ever even have debate during filibusters. The average American turns on their TV and only sees endless live quorum calls.

The American people are counting on us to get past the tired partisan bick-

ering. This is not about Democrats and Republicans. It has to be about the American people, what is in their interests. Whether one Senator secretly holding up a nominee's career for a year is in their interests. Whether promoting filibusters that stifle, rather than promote debate, is in their interests. Whether we have to waste valuable Senate calendar days watching time run in silence, on bills everyone knows are going to pass, because the rules require it, is in the American people's interests.

In my short time in the Senate, I have offered a number of reforms which would improve the ability of this body to function and help fix our broken politics.

I introduced a rules reform proposal and have testified before our Rules Committee to explain it to colleagues on the Committee. My proposal would eliminate the filibuster on motions to proceed, that are used to stifle, rather than promote debate. I am all for extended debate, yet filibustering motions to even proceed to measures has the result of actually preventing the Senate from even addressing the important issues of the day.

My resolution would also eliminate secret holds and place a time limit on all holds by individual Senators.

And it would require filibustering Senators to actually show up and vote in order to continue to block legislation. As it is now, if you want to obstruct Senate business, you can just go home. How does this promote debate? My commonsense proposal only requires you to stand up and be counted if you want to filibuster a bill or a nomination.

I don't have a monopoly on good ideas for reform. We have colleagues who have been here for many years with a lot to add to this discussion. And it is also healthy that so many new Members are introducing their own ideas. I am hopeful that we can achieve some consensus for the good of the country.

The PRESIDING OFFICER. The Senator from Mississippi.

#### RUSSIA

Mr. WICKER. Mr. President, I am speaking today on a very important international foreign policy issue. That will be the subject of my address today. I wanted to come down here the first day of this legislative session, this 112th Congress, and talk about the deteriorating situation with regard to oppression and the rule of law in Russia. I have come to this floor a number of times to share my concern on this subject. I wish to begin this Congress by once again expressing my deep concern for what we see happening just in the recent days in Russia.

I remember looking back in 1990 and 1991 at the hope we had, the optimism we in the West had as we watched the Iron Curtain fall, as we watched the wall tumble in Berlin, and we watched

with hope that this would be a new day for people behind the Iron Curtain and a new opportunity for freedom and openness in that society. Unfortunately, year after year, month after month, we have seen since the fall of the Soviet Union a very regrettable and disturbing deterioration in the rule of law in Russia and a move back to the authoritarian rule of old we all remember so well. Recent events in Russia once again cause us to believe this problem is escalating and have caused me to come to the floor today on this subject.

Last month, the leadership of this Senate pushed through, I think in haste, the New START treaty with Russia. I had concerns over the treaty, and I ultimately voted against it. We had a lot more debate that needed to take place. We had dozens of amendments that went undebated and unconsidered and not voted upon by this body, and I regret that. I always thought nuclear arms policy and treaties with regard to our nuclear stockpile should be based on the security of the American people and that the primary issue should be what is in the best interests of the United States. What we saw a lot of in the debate last month was instead an emphasis on New START as the centerpiece of this administration's effort to reset relations with Russia. I certainly support the resetting of our relations with Russia, but I do not believe the New START treaty was the best way to advance this.

But it should concern all of us, it should concern everyone within the sound of my voice, regardless of how we voted on New START that within 2 weeks' time of this body approving the New START treaty, a Russian court issued a second spurious guilty verdict against Mikhail Khodorkovsky and Platon Lebedev. Almost simultaneously, authorities in Russia arrested prominent Russian opposition figure, former Deputy Prime Minister Boris Nemtsov. These events took place within days of each other.

What do these recent events mean? To me, they are two other examples of the way the current Russian leadership does not respect universal values such as the rule of law or freedom of expression and assembly. The Russian Government does not share our commitment to international norms or fostering modernization. Resetting U.S.-Russian relations will be exceedingly difficult while these differences persist.

During the last Congress, I spoke several times on the trial of Mikhail Khodorkovsky and Platon Lebedev. I concluded my most recent remarks by saying that I hoped Russia would choose the right path and somehow justice would prevail in that case. Sadly, it did not. A Russian court issued another politically motivated guilty verdict against these two Russian dissidents. This disturbing verdict reveals that the Russian judiciary lacks independence and that Russian authorities

can act above the law at will. This latest verdict was not only sad for Mikhail Khodorkovsky, Platon Lebedev, and their families, but also for all people, for all of us who seek a more open Russia based on the rule of law.

Prime Minister Vladimir Putin's comments on the case before the verdict was even issued were very troubling indeed. According to the Associated Press, Russia's Prime Minister said that the crimes of the former oil tycoon have been proven—he said this before the verdict was even issued—and that a “thief should sit in jail.” Mr. Putin said Khodorkovsky's present punishment is more liberal than the 150-year prison sentence handed down in the United States to financier Bernard Madoff.

Citing the years of advocacy and statements from global leaders, the very respected publication *The Economist* explained that Putin's comments were “a humiliating slap in the face of all those foreign dignitaries . . . who had lobbied Dmitry Medvedev, Russia's president, to stop persecuting Mr. Khodorkovsky.” I agree with the comments contained in the publication *The Economist*.

In a democracy, courts are independent and the executive branch acts as a separate branch of government with no say in final court decisions. Prime Minister Putin's statement demonstrates that this separation does not exist in Russia.

As if the Khodorkovsky verdict did not make it clear enough that opposition will not be tolerated in Russia, Russian authorities arrested opposition leader and former Deputy Prime Minister Boris Nemtsov on New Year's Eve. This took place during a reportedly peaceful antigovernment rally in Moscow. Approximately 70 others were also arrested. A Moscow court sentenced former Deputy Prime Minister Nemtsov to 50 days in jail for allegedly disobeying police. This arrest was a tremendous disappointment, but it certainly was not a surprise. The Russian Government had recently begun granting permission for semiregular protests. I use the term “semiregular” because it was granted only for the last day of months with 31 days.

I met with Mr. Nemtsov last March when he was here in Washington. He came to my office, and we had a very enlightening discussion about the future of Russia. I admired his dedication and commitment to promoting democracy in Russia, and I hope and pray for his safety during the remaining days in a Moscow jail cell.

Sadly, we have learned that not all those who opposed the Russian Government do, in fact, return from Russian jails. Sergei Magnitsky, who was a young Russian anticorruption lawyer employed by an American law firm in Moscow who blew the whistle on the largest tax rebate fraud in Russian history perpetrated by high-level Russian officials, is an example. Magnitsky was arrested shortly after he testified to

authorities. He was held in detention for nearly a year without trial, under torturous conditions, and he died in an isolation cell on November 16, 2009, in Russia.

During the 111th Congress, I joined Senators CARDIN and MCCAIN in co-sponsoring the Justice for Sergei Magnitsky Act, which would freeze assets and block visas to Russian individuals responsible for Mr. Magnitsky's unfortunate death. In this, the 112th Congress, I will continue to highlight the treatment of opposition figures in Russia and the regrettable erosion of the rule of law.

I urge President Obama and Secretary of State Clinton to make the treatment of opposition figures a central part of our efforts to reset relations with Russia. In order to make progress on other issues, Russia needs to prove it is truly committed to the rule of law and the human rights of all of its citizens, including those who disagree with the government. Without this, our efforts to find common ground on other issues of mutual concern will continue to be undermined.

Mr. President, I yield the floor.

#### REMEMBERING ELIZABETH RIDGWAY

Mr. DURBIN. Mr. President, I wish to say a few words about Elizabeth Ridgway, an Illinoisan, educator, and hard-working employee of the Library of Congress who recently passed away. Elizabeth died on December 23, 2010, at the young age of 41.

In her role leading the Library's Educational Outreach Division, Elizabeth advocated for America's teachers and worked to provide them with better and expanded resources. In this capacity, she was responsible for administering the Teaching with Primary Sources program. In 2005, I secured authorization language to establish Teaching with Primary Sources to share with students and teachers the educational treasures of the Library of Congress. Many Illinois educators and educational facilities have participated in this program since its inception and, under Elizabeth's guidance, have been instrumental in the expansion of the program.

The numerous programs she directed now reach tens of thousands of teachers nationwide, providing them with important classroom materials, workshops, online and graduate courses, mentoring and grants. Countless students across our nation are benefitting from the Library's collections as a result of Elizabeth's work.

Librarian of Congress James H. Billington said Elizabeth “was a pioneering humanistic educator of the Internet Age.” He continued, “she was admired and beloved by colleagues at all levels of the Library—and by many local librarians and K–12 teachers all over America. . . . We will deeply miss her infectious enthusiasm and selfless dedication.”

I offer my deepest condolences to Elizabeth's family, colleagues, and friends. My thoughts are with all of you. Established by her family since her untimely passing, the Elizabeth Ridgway Education Fund at the Library will help continue her legacy. The lives that she has touched, and the teachers and students who her work has empowered, will be a lasting tribute to her life and her love of education. She inspired many with her dedication and leadership, and I have every confidence that others will continue the work Elizabeth loved so much.

#### JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, in the closing days of the 111th Congress, a brief flurry of activity led to the confirmation of 19 long-pending judicial nominations. Regrettably, the stalemate that had prevented the Senate from confirming a single nomination between September 13 and December 16 resumed when Senate Republicans denied action on 19 other well-qualified, consensus judicial nominations reported by the Senate Judiciary Committee. Ultimately, these nominations were returned to the President, including 15 nominations that received unanimous or near unanimous support in the committee. I suspect that when the President renominates these qualified individuals, they will be confirmed with overwhelming bipartisan support. The only question will be why we were unable to take action on them sooner.

In his “Year-End Report on the Federal Judiciary,” Chief Justice Roberts rightly called attention to the problem facing many overburdened district and circuit courts across the country. The rise in judicial vacancies, which topped 110 in 2010, and an increasing number of judicial emergencies is of great concern to all Americans who seek justice from our courts.

Unfortunately, the unprecedented obstruction of judicial nominations seen in the last Congress, and the dramatic departure from the Senate's longstanding tradition of regularly considering consensus, noncontroversial nominations, marked a new chapter in what Chief Justice Roberts calls the “persistent problem” of filling judicial vacancies. A *New York Times* editorial from January 4, 2011, refers to Senate Republicans' “refusal to give prompt consideration to noncontroversial nominees” a “terrible precedent.” I agree, and I will ask that the *Times'* editorial be printed in the *RECORD*.

Nearly all of the mere 60 district and circuit court nominations the Senate was allowed to consider last year were confirmed with the overwhelming, bipartisan support of the Senate. Yet nearly a third of these nominations—19—were held up for more than 100 days, only to be confirmed unanimously. As the *Times* editorializes, “apart from partisan gamesmanship, there was no reason that Republicans