

and everyone can check it out. Mr. Turner cites a number of arguments as to why we should not get oil from Canada. First, he says: That oil we get from Canada—we will just export it, so it will not reduce gas prices in the United States. But in a recent Department of Energy report, dated June 22, 2011, the U.S. Department of Energy says just the opposite; that the crude we bring in from Canada will be refined in the United States, and it will lower gas prices in the United States on the east coast, the gulf coast, and in the Midwest—not “may” reduce gas prices but “will” reduce them on the east coast, the gulf coast, and in the Midwest. Mr. Turner’s letter says the pipeline will leak and, gee, we don’t want a pipeline that leaks.

As my second chart shows, this is the second Keystone Pipeline. This first Keystone Pipeline has already been built. He says that Keystone Pipeline leaked, so we cannot build a second one. The first one had no underground leaks. The leaks he refers to were minor leaks at some of the joints as they constructed the thing, which is normal and they were quickly and readily handled and they were no problem. That is functioning today just fine, and there are no underground leaks. So that is not accurate either, is it?

As a matter of fact, let’s take a look at this chart. Those are not the only two pipelines we have in the United States. There are others. We have thousands of oil and gas pipelines across the country. But somehow building one more that will bring in 830,000 barrels a day to help reduce the price of gas is a problem. Really? That doesn’t make much sense.

The other argument he uses is that we are producing that oil in Canada in the oil sands, and that is not good because we have to excavate to do it. What is the reality with producing oil sands? It does have somewhat higher greenhouse gas emissions. How much? About 6 percent. That is how much more greenhouse gas emission we get. But we are moving from excavating to produce that oil and gas to in situ. In situ is drilling just like we do for conventional oil. That means the same amount of greenhouse gas, the same footprint. Eighty percent is in situ. It has the same amount of greenhouse gas. We have deployed new technologies and produce more energy and do it with better environmental stewardship. So these arguments aren’t accurate.

But the reality is this: Folks like Mr. Turner, rich and famous, I guess they can pay \$4 for gasoline. They can pay \$5 for gasoline or a lot more. That isn’t a problem for them. The problem is for hard-working Americans who have to pay that price at the pump every single day. So the administration has to decide who they are going to side with on this issue. Who are they going to side with on this issue? Are they going to continue to side with, I guess rich and

powerful interests that want to see those gasoline prices go higher, and for whom the price of gasoline at the pump really isn’t an issue or with hard-working Americans for whom this creates real hardship? That is the issue we have here with this vote that we will be having on the Keystone XL Pipeline.

The reality is this: We can have North American energy security. We can do it. Right now, between Canada and the United States, with some help from Mexico, we produce about 70 percent of our crude. The Keystone XL project alone would take us up over 75 percent. And with other sources, which some of my colleagues have referred to, such as shale and the in situ drilling I have talked about, we can easily meet our needs. In fact, if we include the work we are doing with natural gas, with biofuels, and with energy efficiency, I believe we can truly have North American energy security—meaning we can supply the energy needs in the United States and North America, with our friends in Canada, within 5 to 7 years. But we have to get started. We have to get started.

So let’s get started, Mr. President. Let’s start by approving the Keystone XL Pipeline project. Let’s show the world we are serious about getting this done. Asking the Saudis for more oil, as some of my colleagues have done, doesn’t solve the problem. Nor does taking oil out of the Strategic Petroleum Reserve. That doesn’t solve the problem. We solve the problem by truly producing all of the above—not saying it but doing it.

It is ironic the administration praises TransCanada for moving forward on building the only portion of this pipeline they can build without a Presidential permit. He praises them for moving forward at the very time the administration is blocking the project. And while they are blocking it, that means not one more drop of oil is coming into this country from Canada, not one more drop of oil is coming from my State of North Dakota down to the refineries to help reduce the price of gasoline at the pump. That is not an all-of-the-above energy policy. That is not helping American workers. And that is exactly why gasoline is \$3.70 a gallon and going higher.

It is time for Congress to act.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

#### SURFACE TRANSPORTATION REAUTHORIZATION

Mr. CARDIN. First, let me express my disappointment that we are not here debating the surface transportation reauthorization bill. We had a bill that came out of the Environment and Public Works Committee and came out of several other of our committees by unanimous vote, so it is a bipartisan bill. It is a bill that will save jobs and create jobs here in America. It will re-invest in our own infrastructure to

make America more competitive. And, as I said, it has been done in a bipartisan manner thanks to the hard work of many people.

I see Senator BOXER on the floor. Thanks to her incredible leadership, we have an agreed path forward from the point of view of the relevant amendments. So what is holding up the process? It is these amendments that have absolutely nothing to do with the transportation programs of this country. We are talking about policy in Egypt, which has nothing to do with our transportation needs. I would start by saying how disappointed I am that we haven’t yet started the real debate on our transportation reauthorization bill which will create jobs, save jobs, modernize America, and make us more competitive.

Let me yield for a moment, if I could, to my colleague from California, Senator BOXER.

Mrs. BOXER. If my friend would yield for a question and keep the floor—and I ask unanimous consent that the time for this colloquy not be taken off his time, or does he have unlimited time?

Mr. CARDIN. It is 10 minutes.

Mrs. BOXER. Well, let me say thank you to my friend. I know he is here to talk about judges, which is a critical issue. I am very happy he is going to do that. The lack of action on these qualified nominees is hurting our people.

But I wanted to thank him for his comments. The Senator from Maryland, Mr. CARDIN, is a senior member of the Environment and Public Works Committee and has worked so hard, along with our invaluable staff, and provided an invaluable contribution to the Transportation bill. I guess the question I will get to is this one: With 2.8 million jobs on the line—that is 1.8 million jobs we have currently attached to a highway bill and then an additional 1 million jobs which will be created because of some of the work we did on TIFIA to leverage the jobs—does not my friend believe this is the time to move a jobs bill, when we are in the process of seeing this economy finally turn around? The turnaround is not as fast as we want, but does my friend believe the timing of this couldn’t be better; and that if we pass this bill, which is so bipartisan, it will kick this economic recovery into higher gear?

Mr. CARDIN. The Senator is absolutely correct. We need more jobs in America. I congratulate the Obama administration for turning our economy around. We have had 23 consecutive months of private sector job growth, but we don’t have enough jobs yet. We have to create more jobs. Now is the time to be bold on looking for responsible programs that can move this country forward and creating more jobs, not only initially in road construction, in bridge construction and transit construction, but making us more competitive for the future and creating permanent job growth for America, jobs that cannot be exported.

That is what we should be doing, and that is why the surface transportation bill is so important for us to bring up and debate and pass.

And, quite frankly, the Senator from California had performed something unprecedented—well, not unprecedented but unusual here—in that she got bipartisan support from three committees, and we are working on the fourth now. Senator BOXER has gotten all the committees together, and so it is time to move this bill forward for jobs throughout America.

Mrs. BOXER. My very last question. I hope my friend is aware that right now the leadership is working very hard to take this very unwieldy list of amendments and get it down to some responsible number so we can begin, finally, in earnest. I have to point out that I don't understand how my Republican friends think it is appropriate to add to a highway bill the issue of birth control. I don't know how my friends on the other side think it is appropriate to repeal environmental laws on this highway bill. I don't understand, as my friend from Maryland pointed out, how they can say they can see a connection between a highway bill and what is happening in Egypt.

We care about all these issues, and the Senate will address these issues, but this is a jobs bill, a bipartisan jobs bill. So I want to end by thanking my friend for yielding to me, and I look forward to his remarks on judges, and I look forward to getting back to our transportation bill, which I am hopeful will happen at some point today.

Mr. CARDIN. I thank Senator BOXER.

Mr. President, I ask unanimous consent to speak for up to 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RUSSELL NOMINATION

Mr. CARDIN. Mr. President, I rise today to urge the Senate to confirm Judge George Levi Russell, III, of Maryland to be a United States District Judge for the District of Maryland.

The nomination of Judge Russell was reported out of the Judiciary Committee on February 16 by a voice vote, as the Acting President of the Senate knows. Judge Russell currently sits as a trial judge in the Baltimore City Circuit Court.

I take seriously the obligation of the Senate in terms of the advice and consent role we play. I am concerned that our judicial confirmation process in the Senate has broken down due to partisanship, particularly for non-controversial judges. Judge Russell's nomination now joins a long list of backlogged, noncontroversial judicial nominations that are stuck on the Senate floor. As of yesterday, the Senate calendar contained 20 judicial nominations approved by the Senate Judiciary Committee which are still awaiting a final vote. Fifteen of these nominees

have been pending since last year, and 18 of them have received strong bipartisan support from the Senate Judiciary Committee. These are non-controversial nominees that are due the up-or-down vote on the floor of the Senate, and there is no justification for the delay in the Senate's carrying out its constitutional responsibilities.

The Senate is responsible for the rising vacancy rate in our Nation's article III courts. The victims here are not only the nominee and his or her family, who are waiting on final Senate action, but the American people are also victims. They face increasing delays in courts that are overburdened and understaffed. A higher vacancy rate means lack of timely hearings and decisions by our Federal courts, affecting our citizens' access to justice and a fair and impartial resolution of their complaints.

In Maryland, we are trying to fill a vacancy that was created during the end of President Bush's term of office when Judge Peter Messitte took senior status in 2008. So this vacancy has been there for a long time. It is time for us to act. Judge Russell is an excellent candidate. He received bipartisan support in the Judiciary Committee and is ready to take office upon being confirmed by the Senate. The time for action is now.

Judge Russell brings a wealth of experience to this position in both State and Federal courts. Earlier in his career, he served as a Federal prosecutor and as an attorney in a private law firm. He now sits as a State trial judge court in Maryland. He has the experience.

He graduated from Morehouse College with a B.A. in political science in 1988 and a J.D. from Maryland Law School in 1991. He passed the bar examination and was admitted to practice law in Maryland in 1991. He then clerked for Chief Judge Robert Bell on the Maryland Court of Appeals, our State's highest court.

He worked as a litigation associate for 2 years at Hazel, Thomas, and then briefly at Whiteford, Taylor. He then served as an assistant U.S. attorney for the District of Maryland from 1994 to 1999, handling civil cases. In that capacity, he represented various Federal Government agencies in discrimination, accident, and medical malpractice cases. He then worked as an associate at the Peter Angelos law firm for 2 years.

In 2002, he went back to the U.S. Attorney's Office handling criminal cases until 2007. He represented the United States in the criminal prosecution of violent crime and narcotics cases during the investigatory stage, at trial, and on appeal. This included the initiation and monitoring of wiretaps to infiltrate and break up violent gangs in Baltimore City. He also served as the Project Safe Neighborhood coordinator for the office from 2002 until 2005. He participated in community outreach programs, including attending commu-

nity meetings on behalf of the office, and attending meetings with the Baltimore State's Attorney's Office to reduce violent crime in Baltimore neighborhoods.

In January 2007, Governor Ehrlich, who I am sure you are aware was the Republican Governor of our State, appointed Judge Russell to serve as an associate judge of the Baltimore City Circuit Court for a term of 15 years. As a trial judge, Judge Russell has presided over hundreds of trials that have gone to verdict or judgment and has experience in handling jury trials, bench trials, civil cases, and criminal cases. He has the professional experience which has been recognized by a Republican Governor and a Democratic President. He should receive a vote on the floor of this body and he should be confirmed.

Judge Russell has strong roots, legal experience, and community involvement in the State of Maryland. He was born and raised in Baltimore City, and has extended family who live in Baltimore. He serves as director and trustee on the board of the Enoch Pratt Free Library, which serves the disadvantaged throughout the State of Maryland. He served on the board of directors of the Community Law Center, which is an organization designed to help neighborhood organizations improve the quality of life for their residents. So he brings experience as a community activist as well as his professional experience.

He has also served as a board member of several organizations that devote substantial resources to helping the disadvantaged, including Big Brothers and Big Sisters of Maryland. I know he has often spoken to young people in schools about the obligation, duty, and mandate of a judge, and tries to demystify the role of a judge in a black robe. Judge Russell is particularly concerned with addressing the drug violence and mental health problems that plague Baltimore City.

The reason I went through all of his qualifications right now, even though his nomination is not pending, is that we have to put a face on the people who are being denied the opportunity for an up-or-down vote before the Senate. You hear the numbers; I have mentioned them—20—backed up. That is a large number when you look at the vacancy rates on our courts. When you look at this vacancy that has been pending now for the people of Maryland for 3 years, they have a right to action on the floor of the Senate. They have a right to have these nominees heard in regular order. But I want the people to know about this one individual and how qualified he is to assume the position on the District Court of Maryland.

I urge my colleagues to do everything they can. Let's carry out our responsibility. I am absolutely confident that Judge Russell possesses the qualifications, temperament, and passion for justice that will make him an outstanding United States District Court