

standards of fairness, evenhandedness, and adherence to the law we expect of our Federal judges.

I know I speak on behalf of so many in the Washington State legal community in supporting his nomination today. Mr. Rice's nomination was the product of a bipartisan selection commission we use in the State of Washington, and he received strong endorsements from both sides of the aisle.

We continue to use our bipartisan selection process in Washington State, despite the fact that it does take more time and a lot of effort, because it works to select judges of the highest quality and because it is intended to remove partisanship in the selection of our judges. You would think someone such as Thomas Rice would be able to move through this process very quickly and get to work on the court. Unfortunately, some of our colleagues on the other side of the aisle have slowed down and delayed this vote. Mr. Rice's nomination was actually reported unanimously out of the Judiciary Committee in October of last year, with strong bipartisan support—almost 4 months ago. But his nomination has sat on the Executive Calendar because some Senate Republicans refuse to consent to debate and vote on nominations just like his. I have not heard any objections from Republicans about Mr. Rice's qualifications, nor have I heard any Republican claim they have been unfairly blocked from any process. This delay is the result of an unprecedented effort by Senate Republicans to delay and block all of President Obama's judicial nominees.

There are now 20 judicial nominations reported favorably by the Judiciary Committee that are still sitting in wait on a final Senate vote. Fourteen of those nominations have been pending since last year and should have been confirmed before the end of last year. Eighteen of those nominations received strong bipartisan support from the Judiciary Committee. They deserve to move through this process in a fair way and get a vote here on the floor of the Senate—especially when both sides have agreed they are going to pass—because even though Republicans are making this about politics here in DC, this does have a real impact on our families and the court system throughout America. Nearly 10 percent of the Federal judgeships remain vacant right now, and 130 million Americans live in districts or circuits that have a vacancy that could be filled today if the Republican obstruction would end on nominations that have been vetted, considered, and favorably reported by the Judiciary Committee, including families in the Eastern District of my home State. This kind of obstruction is not good for our country. It hurts families' ability to access the courts in a timely fashion, and it puts politics ahead of our judicial system.

I urge all of our colleagues today to vote in support of Thomas Rice. He is

a great lawyer, and he is a community leader who I believe will make an exceptional Federal judge.

I really come today to also call on Republicans to end their obstruction and allow us to move forward quickly on debates and votes on these judicial nominations that have been backlogged for far too long.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

PUBLIC TRUST

Mr. DURBIN. Mr. President, we live in a time when public trust in all of our government institutions is at an alltime low and unfortunately continues to deteriorate. Recent polls indicate public confidence in Congress is at 11 percent, which is a record-low approval rating.

Americans have been skeptical of politicians in general and Congress in particular from the beginning of this Republic. It is a healthy skepticism which reflects the freedoms that are part of our democracy and the right of people to disagree with leadership with impunity under our Constitution, with some limitations. So I take it in historical context but still cannot escape the reality that the numbers today are lower than ever.

The legislative branch is not the only branch of government the public holds in low regard. Polls also indicate that the U.S. Supreme Court has recently received its second lowest approval rating in history.

One way those of us who serve in government can increase public trust and confidence is to be more transparent about how we operate and the standards to which we are held. The recent passage of the STOCK Act in the Senate is an indication of a continuing effort to alert the public to what we do as Members of Congress which bears scrutiny.

I make a disclosure each year, which goes beyond the requirements of the law, and many others do as well. The STOCK Act will bring many Members of Congress to an even higher level of disclosure—as they should be. One way we can increase our confidence in the institutions of government is to address those aspects which add to transparency and add to trust.

I think it is time for the Supreme Court to provide more transparency and accountability in two specific areas: First, the Supreme Court should allow live television cameras to broadcast open Court sessions so the general public can see firsthand how the Court operates and arrives at critical deci-

sions that literally change our lives. Second, the Supreme Court should formally adopt the Judicial Code of Conduct, which currently applies to all other Federal judges but for some inexplicable reason does not apply to Justices of the Supreme Court. The Court should also make public the other ethics rules it follows.

The Supreme Court decisions impact the lives of every American, but access to open sessions of the Court is incredibly limited. As a result, the Court's proceedings and the way it arrives at decisions are a mystery. Most Americans will never see the Supreme Court at work unless they are willing and able to travel to Washington, DC, and wait in line for hours or sometimes sleep outside overnight on the pavement in an effort to secure one of 250 seats in the Supreme Court courtroom.

In a democratic society that values transparency and openness, there is no valid justification for such a powerful element of our government to operate largely outside the view of American people.

I am pleased to have partnered with Senator CHUCK GRASSLEY, my Republican colleague from Iowa, on the Cameras in the Courtroom Act, S. 1945. He and I continue the work of our former colleague, Senator Specter, on this important issue. Our bill would require televising of all open sessions of the Court unless a majority of the Justices determine that doing so would violate due process rights of one or more of the parties before the Court. We give to the Court the last word on any given argument or case as to whether it will be public and televised.

In the coming weeks, the Supreme Court is going to consider the constitutionality of one of the most important pieces of legislation to be considered by Congress and signed by the President in decades—the affordable care act. During the yearlong congressional debate on health care reform, every hearing, floor debate, and vote was accessible to every American with a television set or a Webcast and a computer, at all times. The American people should have the same opportunity to watch the open session of the Supreme Court as it considers the constitutionality of health care reform legislation. On this point, there is bipartisan agreement. Despite our strong disagreements about the substance of the affordable care act, Democrats and Republicans from both Chambers have written to the Supreme Court, urging them to permit live video and audio broadcasts of the health care reform argument. The Court should allow live broadcasts of the health care reform hearing and all other open sessions of Court since each of the Court's decisions has the potential to have a transformative impact on the lives of so many Americans.

There are some who say we should not allow cameras in the Supreme Court because only bits and pieces of Court proceedings would be televised,

and they might be taken out of context. That reminds me of an editorial from a few years ago, and here is what it said:

Keeping cameras out to prevent people from getting the wrong idea is a little like removing the paintings from an art museum out of fear that visitors might not have the art history background to appreciate them.

Similar arguments were made when consideration was given to televising these proceedings. Nevertheless, for two decades the legislative sessions and committee meetings in the Senate and the House have been broadcast live, and the legislative branch is better for it. The majority of States permit live video coverage in some or all of their courts. It is time the Supreme Court did the same.

Mr. President, I am sure you have found when you have gone back home there are people who watch C-SPAN nonstop. I have literally had people in my hometown of Springfield come up to me in the grocery store and say: Is Senator BERNIE SANDERS feeling well? I saw him sitting at his desk, and he looked a little bit pale.

They follow it with such close regard for the Members and the speeches that it is a surprise to many of us who live in this institution and work in it every day.

In my view, the Cameras in the Courtroom Act is a reasonable approach that balances the public's need for information and transparency with the constitutional rights of those who appear before the court. As in past years, the Cameras in the Courtroom Act enjoys bipartisan support.

I thank Senators KLOBUCHAR, CORNYN, SCHUMER, HARKIN, GILLIBRAND, BEGICH, and the Presiding Officer, Senator BLUMENTHAL, for cosponsoring the bill. These Senators, as well as Senator GRASSLEY and myself, believe public scrutiny of Supreme Court proceedings will produce greater accountability, transparency, and understanding.

I thank Senator LEAHY, chairman of the Senate Judiciary Committee, for scheduling my bill, the Cameras in the Courtroom Act, for a vote in the Judiciary Committee. It was reported out with a strong bipartisan vote, and it is now pending on the Senate calendar. The bill has been cleared by every Democratic Senator for a vote by the full Senate. I am still hoping we can bring it to the floor as quickly as possible.

Mr. President, now I would like to touch on a related issue. Just as Supreme Court hearings should be televised to the American people, so too should the Court's ethical standards be available for review by the public. The ethics rules for all branches of government should be clear and public. When ethics decisions arise in the Senate—for example, the Senate Ethics Committee is responsible for enforcing the rules for Senators and our employees. Everyone knows the standards and expectations for Congress because they are a matter of public record. That

cannot be said for the Supreme Court of the United States.

Our Supreme Court has publicly adopted some limited ethics rules but not others. The Court does not have an ethics office, nor is it subject to the judicial conference which regulates all other Federal judges outside the Supreme Court. Instead, as the highest Court in the land, the Supreme Court polices itself, and it asks the American people to just trust them. Of course, I have the highest respect for the Justices' abilities and their judgment. It has been my honor to come to know some of these Justices personally over the years. But if the public is asked to trust the Justices to police themselves, we are at least entitled to know the rules by which they play.

To its credit, some of the Supreme Court's ethics rules are already pretty clear. Through an internal resolution, the Supreme Court has adopted the same financial restrictions that apply to all other Federal employees. I recently sent a letter—along with Senators LEAHY, WHITEHOUSE, FRANKEN, and BLUMENTHAL—to John Roberts, the Chief Justice of the Supreme Court, asking him to publicly release one of the Court's resolutions which says that the Justices will follow the same regulations on outside employment, honoraria, and income that apply to other justices. The Chief Justice agreed to our requests and publicly released this resolution for the first time since it was adopted in 1991. I applaud Chief Justice Roberts' action. I encourage him and the other Justices to continue on this path by releasing all of their ethics rules.

Nevertheless, there is more work for the Supreme Court to do to increase transparency and accountability. The Court should either adopt a court resolution agreeing to follow the judicial code of conduct—the same ethics code that applies to all other Federal judges—or adopt and publicly disclose their own ethics code. Many have called for the Supreme Court to adopt the Judicial Code of Conduct.

In response, Chief Justice Roberts has explained that the Justices use the code as one source of guidance but not the only source to decide ethics questions. Given that they already apply the code in practice, it seems a logical next step for the Court to adopt its own resolution formally affirming this practice or they can adopt a resolution making it clear which ethics rules do or do not apply.

All of the Justices deserve respect for the difficult and weighty decisions they face. But as some of the most powerful members of our government, it is not too much to ask of them to make their ethical standards open and clear. By making their ethics rules more transparent, the Justices will foster greater public trust and confidence in the Court and its decisions.

In conclusion, let me emphasize that I have a high regard for the Supreme Court and all of its Justices. I do not

intend to question or impugn any Justice with my suggestions. But let's be clear; we live in an era where there is a great deal of mistrust in government institutions, starting with Congress but through all branches of government. At the same time modern technology enables us to provide the American people with more access to the workings of government which could help to reduce some of this mistrust.

I, and many of my colleagues in the Senate, have worked for many years to increase openness and transparency in Congress and the executive branch. I encourage the Supreme Court to take the same approach. Televising Supreme Court proceedings and making public the Court's ethics rules would be a good start. The American people deserve to be able to watch the Supreme Court arguments and cases that can affect their lives, and they deserve to know the ethical standards that govern the Court when it decides cases.

GASOLINE PRICES

Mr. DURBIN. Mr. President, I mentioned yesterday on the Senate floor I spent a great deal of time in deep southern Illinois where some devastating and fatal tornadoes hit last week. As I said then and will repeat briefly now, the amazing outpouring of voluntarism and support from people far and wide was inspiring to me. It is great to know that, just as I had hoped, the people in my State rallied to help the victims.

There were formal organizations such as the American Red Cross and informal organizations such as Operation Blessing which brought together churches from all over the area. There was a Methodist church from Carrier Mills with about 20 of their parishioners. Some were children with rakes doing everything they could to help clean up the mess. It was inspiring to see that. I was happy for that.

I will tell you that in addition to the tornado issue we faced, the one thing that hit people between the eyes in Illinois this last week was gasoline prices. I was in the suburbs of Chicago on Friday evening and saw a gas station with regular gasoline for \$4.09. I saw some lower prices over the weekend, but that was the high watermark or high gasoline mark in my State that I observed. People are very sensitive to this. Gasoline prices literally affect the lives of people individually and families as well. They also have a direct impact on business.

I asked a vice president of Walmart about monitoring retail sales and how to increase retail sales, and he told me that with all of the hundreds and thousands of Walmart stores and employees, they literally monitor sales by the second in real time.

He said: I can observe the sales pattern in a store somewhere in America and tell you within a few pennies or dimes what the price of gasoline is in