

also one of the considerations he had on moving forward with these judges?

Mr. REID. I say to the chairman of the Judiciary Committee—and I mentioned this yesterday at some length and I believe the Presiding Officer was here when I did that—more than half of the people in America today are living in areas where there has been declared a judicial emergency. Nevada is one of them. We have courts where these judges are overwhelmed with work. I said yesterday I don't want these judges to act as if they were night court judges dealing with traffic cases. As I said yesterday, these judges deal with what we used to refer to when I practiced law as: "What are you trying to do, make a Federal case out of it?" They said that because there is no finer law dispensing anyplace in the world than in our Federal court system. And we can't do that when these men and women are overwhelmed with work.

The circuit court level is one thing. It is too bad they are overwhelmed with work. But on the trial court level, they are dealing with everyday problems that people have, including accidents, antitrust cases, businesses having gone bankrupt, and all the other things the Federal court has jurisdiction over.

My friend is absolutely right. We should not only be concerned about the 17 people who have been selected by the President of the United States to be a judge after having gotten a signoff from the Republican Senator in their State. I should have talked not only about them individually but what they represent, and that is trying to do something about the emergencies that exist for more than half of Americans.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. McCONNELL. Mr. President, I think that colloquy underscores my point. My friends on the other side are concerned that the jobs of 17 individuals may be delayed for a few months. I doubt if any of them is unemployed at the moment. It is highly unlikely that any of these individuals will not be confirmed in an orderly process as we have been engaged in this year.

The issue is a question of priorities. What is more important, getting these 17 individuals into a job a little bit quicker than the majority has experienced so far or turning to a measure overwhelmingly supported by Republicans and Democrats in the House and supported by the President of the United States and that might create, in the very near future, hundreds of thousands of jobs? So it is a question of priorities. That is why I say this is a manufactured dispute.

I will have much more to say, in great detail, about the judges issue. But for the moment, the point is this, quite simply: What are our priorities? Do we want to pass an overwhelmingly bipartisan jobs bill the President supports as soon as possible—certainly open for any amendment the majority leader might seek to offer—or do we

want to create a controversy over judges who are almost never denied confirmation when we have been confirming judges all along?

I don't know that there is much point to continuing this discussion any longer this morning. I will have a lot more to say about how we ended up in a situation where the majority leader is seeking to manufacture a crisis that shouldn't—a conflict or a crisis that doesn't exist.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Here is my idea. I have a great idea. My friend the Republican leader said these judges are all going to be approved anyway, so I have an idea. Let's go to this IPO bill immediately after we finish the highway bill, with the agreement that we will dispose of these judges immediately after that. That sounds good to me. I am happy to do that. How about that? Before my friend leaves, how about a deal on that? As soon as we finish this highway bill, we will move to the IPO bill, and as soon as we finish that and get it out of the Senate, we will then have up-or-down votes on those 17 judges. This does not include an agreement on the appellate judges. We will deal with those at a subsequent time. How about that?

Mr. McCONNELL. I am sorry.

Mr. REID. I will say again to my friend, I would hope that what we could do is when we finish the highway bill, go to the IPO bill, and then as soon as we finish that have an up-or-down vote on these judges. I would be happy to work in any reasonable fashion.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. McCONNELL. We have been discussing—this is not the best time for the debate on the judges, but the point is this: We have been processing judges. It is highly unlikely any of these district judges are not going to be confirmed. We have done a number of them this year. We have done seven this year. District judges are almost never defeated.

This is a very transparent attempt to try to slam-dunk the minority and make them look as though they are obstructing things they aren't obstructing. We object to that. We don't think that meets the standard of civility that should be expected in the Senate. So any effort to make the minority look bad or to slam-dunk them that is sort of manufactured, as this is, is going to, of course, be greeted with resistance. It could be that that is precisely what my friend the majority leader has in mind, to try to make the Senate look as though it is embroiled in controversy where no controversy exists.

So my suggestion is why don't we do first things first. First things first. And it strikes me that an overwhelming bipartisan jobs bill clearing the House would be something the American people would applaud. It is supported by the President. Why don't we take that

up? The majority leader or any of us can offer any amendments we think are appropriate and move it toward passage, because that is the kind of thing people expect of us.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. It is obvious that the jobs bill has nothing to do with the holding up of these judges as has been articulated by my friend. It is a question of stalling things, as has happened all this Congress. As indicated, more than half the American people are in areas where there are judicial emergencies. It is important we get this dispensation of justice done, and do it quickly.

The controversy on the IPO bill does not exist. There is not any. I would suggest to my friend, though, we have very many things left to do. The postal service; we do not want it to go broke. We have the Violence Against Women Act we need to get done. We have all these judges, of course. We have cybersecurity. So if we move—and I am going to move quickly—to this IPO bill, I cannot imagine why we would need any amendments.

I indicated that out of my right as majority leader, I can offer a perfecting amendment, and that would be to find out if the body feels strongly about what they have said publicly: that the Ex-Im Bank should be part of the bill. That would hold the bill up for one vote, about 15 minutes.

But in addition to that, we are not going to have a knockdown, drag-out on the IPO. If everybody loves the House bill so much, that is what we will vote on.

You have heard the expression: fill the tree. We will fill the tree and go to the IPO bill. If everybody loves it so much, we should get it to the President's desk as fast as we can.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, I listened with interest to the colloquy between my two friends, the distinguished majority and minority leaders. It is almost—and I think the American people see it as almost—a kabuki dance because the fact is, the majority leader is right to seek votes on these district court nominees. He seeks to secure Senate votes for 17 highly qualified Federal district court nominations favorably reported by the Judiciary Committee. They are being blocked by Senate Republicans.

I wish we could find a way to stop these damaging filibusters. They are totally unprecedented. It is greatly damaging the most respected court system in the world: our Federal court system. That means Americans are not getting the justice without delay they are entitled to. We must work together to ensure that the Federal courts have the judges they need to provide justice for all Americans without needless delay.

Federal district court judges are the trial court judges who hear cases from litigants across the country and preside over Federal criminal trials, applying the law to facts and helping settle legal disputes. They handle the vast majority of the caseload of the Federal courts and are critical to making sure our Federal courts remain available to provide a fair hearing for all Americans. Nominations to fill these critical positions, whether made by a Democratic or Republican President, have always been considered with deference to the home state Senators who know the nominees and their states best, and have always been confirmed quickly with that support.

I have been here 37 years, with Republican Presidents, Democratic Presidents, Republican majorities, Democratic majorities. Never in those 37 years have we seen district court nominees blocked for months as we have seen since President Obama was elected.

These kinds of consensus nominees are normally taken up within a few days or a week after being nominated and voted out of our Judiciary Committee, whether nominated by a Democratic or a Republican President. It was certainly the approach taken by Senate Democrats when President Bush sent us consensus nominees. As a result, we were able to reduce vacancies in the Presidential election years of 2004 and 2008 to the lowest levels in decades. That was also how we confirmed 205 of President Bush's judicial nominees in his first term.

For those who want to understand where the partisanship is, here is a little bit of history. For 31 months of the first 48 months of President Bush's first term, Republicans controlled the Senate, and for 17 months, Democrats controlled the Senate. To show that we wanted to set aside partisanship, in our 17 months that we were in control, Senate Democrats helped confirm 100 of President Bush's nominees. In the 31 months Republicans were in charge, they did 105, which was slightly more nominees. But the fact is, we actually moved a lot faster on President Bush's nominees than the Republicans did.

I was chairman of the committee, and I tried to do that to get us away from what we had seen where Republicans had pocket-filibustered 60 of President Clinton's nominees. I wanted to get back to where we took politics out of the Federal courts.

But we have seen now a complete reversal of this. Senate Republicans have ensured that nominees who in the past would have been confirmed promptly by the Senate are now blocked for months. An unprecedented number of President Obama's highly qualified men and women to district courts has been targeted for opposition and obstruction while extreme outside groups tar their records and reputations with invented controversies. It is unprecedented and it hurts our system of justice in this country.

Two weeks ago, at a meeting of the Senate Judiciary Committee, the Senator from Utah conceded that a "new standard" is being applied to President Obama's nominations. He was saying out loud what has been apparent from the start of President Obama's term—that Republican Senators have applied a different and unfair standard to President Obama's judicial nominees.

I was here with President Ford, President Carter, President Reagan, President George H.W. Bush, President Clinton, President George W. Bush, and now President Obama. I can attest that Republicans have set a different standard for President Obama than has been applied to any of the other Presidents I have known since I have been here. I have to ask myself, what is so different about this President that he is treated to a different, tougher standard than any of the Presidents before him? I just ask. President Obama's district court nominees have been forced to wait more than four times as long to be confirmed by the Senate as President Bush's district court nominees at this point in his first term, taking an average of 93 days after being voted on by the Senate Judiciary Committee.

When I hear Republican Senators claim there is no obstruction and there is no reason for the majority leader to push for votes on these nominations, I wonder if they have looked at our recent history.

I spoke of President Bush's first term. Mr. President, 57 of his district court nominations were confirmed within 1 week of being favorably reported by the Judiciary Committee—1 week. In stark contrast to those 57, only 2 of President Obama's district court nominations have been confirmed within 1 week of being reported—less than one twenty fifth the number of President Bush's. More than half of the nominations for which the leader has now filed cloture have been pending since last year—many months, not days. This must be the new standard the Senator from Utah has said Senate Republicans are using for President Obama's nominations—a different standard than all the Presidents before him. I will at least praise the Senator from Utah for his honesty.

Indeed, 10 of the nominations on which the Majority Leader has been required to file cloture in order to end the Republican filibuster and get a vote have been awaiting a vote since last year. Nine of them had the support of every Republican as well as every Democratic Senator serving on the Judiciary Committee. They all should have been considered and confirmed last year.

I understand and share the Majority Leader's frustration. He has been unable to obtain the usual cooperation from the minority to schedule debates and votes on these widely supported, consensus nominees. I regret that the Majority Leader has been forced to take this action but the millions of Americans seeking justice in their

courts should not be forced to wait any longer.

To understand how unusual and wrongheaded this is, consider the following: Republicans are opposing judicial nominees they support. They are stalling Senate action for weeks and months on judicial nominees who they do not oppose and who they vote to confirm once their filibuster can be ended and the vote scheduled. That is what happened after a four-month filibuster when the Senate finally voted on the nomination of Judge Barbara Keenan. That is what happened when after a five-month filibuster, the Senate finally voted on the nomination of Judge Denny Chin. Once the Republican filibusters were ended, they were confirmed unanimously. That is what happened after an eleven-month delay before confirmation of Judge Albert Diaz of North Carolina. That is what happened after seven-month delays before confirmations of Judge Kimberly Mueller of California, Judge Catherine Eagles of North Carolina, Judge John Gibney, Jr. of Virginia, and Judge Ray Lohier of New York. That is what happened after six-month delays before the confirmations of Judge James Bredar and Judge Ellen Hollander of Maryland; Judge Susan Nelson of Minnesota, Judge Scott Matheson of Utah and Judge James Wynn, Jr. of North Carolina. That is what happened after five-month delays before confirmations of Judge Nannette Brown of Louisiana, Judge Nancy Torresen of Maine, Judge William Kuntz of New York, and Judge Henry Floyd of South Carolina. This is what happened after four-month delays before the confirmations of Judge Edmond Chang of Illinois, Judge Leslie Kobayashi of Hawaii, Judge Denise Casper of Massachusetts, Judge Carlton Reeves of Mississippi, Judge John Ross of Missouri, Judge Timothy Cain of South Carolina, Judge Marina Marmolejo of Texas, Judge Beverly Martin of Georgia, Judge Joseph Greenaway of New Jersey, Judge Mary Murguia of Arizona, and Judge Chris Droney of Connecticut.

So, too, I expect the district court nominee to fill a judicial emergency vacancy in Utah, supported by Senator HATCH, will not be controversial once the vote takes place. The district court nominees to fill judicial emergency vacancies in Texas, supported by Senator HUTCHISON and Senator CORNYN, should easily be confirmed. The nominees to fill judicial emergency vacancies in Illinois supported by Senator KIRK, should not be controversial. The district court nominee in Louisiana supported by Senator VITTER, should not be controversial. The district court nominee in Missouri supported by Senator BLUNT, should not be controversial. The district court nominee in Arkansas supported by Senator BOOZMAN, should not be controversial. The district court nominee in Massachusetts supported by Senator BROWN, should not be controversial. The district court nominee

in South Carolina supported by Senator GRAHAM, should not be controversial. The district court nominee in Ohio supported by Senator PORTMAN, should not be controversial.

Senate Democrats never applied this standard to President Bush's district court nominees, whether we were in the majority or the minority. During his eight years in office, President Bush saw only five of his district court nominees have any opposition on the floor and that opposition had to do with doubts about those nominees' suitability to be Federal judges. After only three years, 19 of President Obama's district court nominees have already received opposition. Even though President Obama has worked with Republican and Democratic home state Senators to identify highly-qualified, consensus nominees, his district court nominees have already received more than five times as many "no" votes in three years as President Bush's district court nominees did in his eight years over his two terms. This is further proof of the Republicans' new standard.

I find that reprehensible. It means President Obama's nominees are being treated differently than any Presidents, Democratic or Republican, before him. It is no accident that 1 out of every 10 Federal judgeships remains vacant in the fourth year of President Obama's first term. It is not happenstance that judicial vacancies are nearly double what they were at this point in President Bush's first term. The extended crisis in judicial vacancies is the result of deliberate obstruction and delays by Senate Republicans.

A few years after Republican Senators insisted that filibusters of President Bush's judicial nominees were unconstitutional, they reversed course and filibustered President Obama's very first judicial nomination, that of Judge David Hamilton of Indiana, a widely-respected 15-year veteran of the Federal bench who had the support of the most senior and longest-serving Republican in the Senate, Senator LUGAR. The Senate rejected that filibuster and Judge Hamilton was confirmed, but the pattern of partisan obstruction of President Obama's judicial nominees was set from the very start.

That is wrong—that is wrong—and that is turning your back on a majority of Americans who voted for President Obama in the last election, Americans from all across the country, of all backgrounds, of all races, of all religions—to turn your back on them by saying: You may have elected him, but we are going to hold him to a different standard. It is wrong.

At the end of each of the last two years, the Senate Republican leadership continued this obstruction by ignoring long-established precedent and refusing to agree to schedule votes on dozens of consensus judicial nominees before the December recess. Last year it took us until June to confirm nominees who should have been confirmed

in 2010. This year we have had to end two more of the nine Republican filibusters of President Obama's judicial nominations to confirm nominees who should have been confirmed the year before and fully a dozen judicial nominees from last year remain to be considered. And here we are in the middle of March, having to fight to hold votes on 10 district court nominees who should have been confirmed last year.

This obstruction is purposeful and it is damaging. The people who bear the brunt of this Republican obstruction are the American people. The result of the Senate Republicans' obstruction is that the ability of our Federal courts to provide justice to Americans around the country is compromised. Millions of Americans, who are in overburdened districts and circuits, experience unnecessary delays in having their cases resolved. Nearly one hundred and sixty million Americans live in districts or circuits that have a judicial vacancy that could be filled today if Senate Republicans would just agree to vote on the nominations now pending on the Senate calendar. It is wrong to delay votes on qualified, consensus judicial nominees.

Our courts need qualified Federal judges, not vacancies, if they are to reduce the excessive wait times that burden litigants seeking their day in court. It is unacceptable for hard-working Americans who turn to their courts for justice to suffer unnecessary delays. When an injured plaintiff sues to help cover the cost of his or her medical expenses, that plaintiff should not have to wait three years before a judge hears the case. When two small business owners disagree over a contract, they should not have to wait years for a court to resolve their dispute.

When Senate Democrats opposed some of President Bush's most ideological nominees, we did so openly, saying why we opposed them. At the same time, we continued to move consensus nominees quickly so they could begin serving the American people. That is what I did as Chairman for 17 months during the first two years of the Bush administration and how we were able to lower judicial vacancies by confirming 100 of his circuit and district court nominees. That is how we reduced vacancies in the presidential election years of 2004 and 2008 to the lowest levels in decades, half of what they are now. That is how we had already confirmed 172 of President Bush's circuit and district nominees by this point in his first term, as compared to only 131 of President Obama's and being 40 confirmations and nine months behind the pace we set then. We did so because we put the needs of the American people before partisanship and obstruction.

We had another discussion of these matters in the Senate Judiciary Committee two weeks ago. Senator COBURN said that this is "exactly what makes Americans sick of what we are doing."

I agree. I have been saying for some time that this needless obstruction is what has driven approval ratings of Congress down to single digits. The Senator from Oklahoma observed that it would behoove us all to get back to the days when these lower court judicial nominations were not areas of partisan conflict. I agree. I have tried to do my part in that regard by treating Republican Senators fairly and protecting their rights. President Obama has done his part by consulting with Republican home state Senators and selecting moderate, well-qualified nominees. It is time for Senate Republicans to do their part and not abuse their rights under our Senate rules and procedures. It is time for them to end the partisan stalling. It is time for Senate Republicans to agree to schedule votes on these long-delayed and much-needed judges.

Once we have overcome these unprecedented filibusters of President Obama's district court nominations, I hope that it will not take more delays and more cloture petitions to end the filibusters against the five outstanding nominees by President Obama to fill vacancies on our Federal circuit courts. Two delayed from last year are outstanding women: Stephanie Dawn Thacker of West Virginia, nominated to the Fourth Circuit, and Judge Jacqueline Nguyen of California, nominated to fill one of the many judicial emergency vacancies on the Ninth Circuit. Ms. Thacker, an experienced litigator and prosecutor, has the strong support of her home state Senators, Senators ROCKEFELLER and MANCHIN. Judge Nguyen, whose family fled to the United States in 1975 after the fall of South Vietnam, was confirmed unanimously to the district court in 2009 and would become the first Asian Pacific American woman to serve on a U.S. Court of Appeals. Last week, The Sacramento Bee ran an editorial about Judge Nguyen's nomination that noted that "for those of us in the real world particularly those seeking justice in the federal courts—it would be far, far better if these qualified jurists could get to work." I will ask unanimous consent that the article be printed in the RECORD. Both Ms. Thacker and Judge Nguyen were reported unanimously by the Judiciary Committee last year and both should be considered and confirmed by the Senate without additional damaging delays.

I hope Republicans and Democrats can join together to put an end to this damaging pattern of obstruction and filibusters. It hurts our Federal courts. It is a disrespect to the President of the United States. It goes way beyond partisanship. But it is wrong, and it means this great body we are all privileged to serve in. This is the sort of thing I never thought I would see in the Senate of the United States. I say that based on 37 years of experience with Senators I have admired and have publicly stated I have admired in both

parties. This is wrong. Let's go back and let the Senate be the conscience of the Nation, not a body that reflects some of the worst instincts of our Nation.

I ask unanimous consent that the article to which I refereed be printed in the RECORD.

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

[From the Sacramento Bee, Mar. 6, 2012]

JUSTICE DELAYED AS JUDGE NOMINEES WAIT

Republicans in the U.S. Senate are once again using President Barack Obama's judicial nominations as pawns in their political chess match.

There's even loose talk of putting off votes as long as possible, in hopes that Obama loses in November and the seats can be filled by a Republican president.

That's absurd.

There are too many vacancies on federal courts in California and other states, where there aren't enough judges to handle the caseloads. Too often, justice delayed really is justice denied.

Democratic leader Harry Reid of Nevada is apparently so fed up that he's willing to go to war to get confirmation votes on the Senate floor, Politico reports.

Good for him. The Republicans deserve to be called out on their obstructionism—and their hypocrisy, since they often complain about how slow the federal courts are.

The focus is on 14 qualified nominees who won bipartisan support in the Senate Judiciary Committee, including two from California who were unanimously approved but have been on hold for months.

One is Jacqueline Nguyen of Los Angeles, who was nominated by Obama last September for the 9th U.S. Circuit Court of Appeals and endorsed by the judiciary panel on Dec. 1. The first Vietnamese-American woman to serve as a federal judge, she was 10 when her family fled Vietnam at the end of the war. They started as refugees in Camp Pendleton and made their own version of the American Dream.

The second is Michael Fitzgerald, who was nominated last July for a judgeship in the Central District of California and received committee approval on Nov. 3. A Los Angeles attorney and former federal prosecutor, he would become the first openly gay federal judge in the state and the fourth nationwide.

Both those courts are in an official "judicial emergency" because cases are so backed up.

There are two more recent nominations for 9th Circuit seats that have gone through the Judiciary Committee. Paul Watford, a Los Angeles attorney and former prosecutor, was approved on a 10-6 vote on Feb. 2. Andrew Hurwitz, an Arizona Supreme Court justice, was approved on a 13-5 vote Thursday.

The San Francisco-based 9th Circuit is a particular target for Republicans, who like to rail against what they call its liberal, activist bent. Their delaying tactics succeeded in forcing Goodwin Liu, a highly regarded UC Berkeley law professor who grew up in Sacramento, to withdraw his nomination last July. (Gov. Jerry Brown then nominated him to the California Supreme Court, where Liu now serves.)

It must be said that there are also political advantages for Obama if the delays continue. It would give him more ammunition to campaign against a "do-nothing Congress." Given the ways of Washington, that may be the most likely scenario.

But for those of us in the real world—particularly those seeking justice in the federal courts—it would be far, far better if these qualified jurists could get to work.

Mr. LEAHY. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. Will the Senator suspend?

Mr. LEAHY. Yes.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

Mr. LEAHY. Mr. President, unless the Senator from California seeks recognition—

Mrs. BOXER. I do.

Mr. LEAHY. Mr. President, I yield for the Senator from California.

The ACTING PRESIDENT pro tempore. The Senator from California.

SURFACE TRANSPORTATION ACT

Mrs. BOXER. Mr. President, I thought I could give Senators and those who may be following this very elongated debate on the highway bill an update as to where we are. We have a managers' package we are hoping to approve momentarily. It is a bipartisan package. We continue to work across the aisle. Under the consent, we want to move forward with that. We had, I believe, a holdup yesterday. We are working to find out why. But we are very hopeful that will move forward. Then we have a series of votes on amendments, beginning at about noon. So at 11:30 or so, we will be back on the bill.

I want to say to my friends on the other side of the aisle and to my friends on this side of the aisle that we are making great progress. This is a jobs bill. This is a major jobs bill. This is the biggest jobs bill.

They passed an IPO bill over there in the House. ERIC CANTOR is saying it is a jobs bill. I do not know how many jobs it will create. It is an investor bill. It is good; I am for it. But it does not come anywhere close to the bill we are working on today. Because on March 31, if we do not act on this transportation bill, everything will come to a screeching halt, if I might use that analogy. Because there will not be a gas tax anymore going into the Federal highway trust fund, there will not be any funds going from the Federal Government to the various planning organizations in all of our States and communities.

All of us know that since the days of President Eisenhower we have had a

national system for roads, bridges, highways, and so on. So we have a lot of work to do here. I want to say, we are very close to the day when everything will stop. So I think we are making great progress.

I know the majority leader and the minority leader talked about finishing this bill today. That means a lot of cooperation because we have to get through about 20 amendments plus a managers' package. I think we can do it. I know we can do it.

Then, frankly, we can actually go home and tell our people we voted on a huge jobs bill. How huge? We are going to protect 1.8 million jobs, and a lot of construction jobs. I have often told people that the unemployment rate among construction workers is way higher than the general population. Our unemployment rate is about 8.3 percent. We have a 15-, 16-, 17-percent unemployment rate among construction workers.

And God bless this President. He has worked so hard on making sure we have set the table for job growth. We have had terrific job growth, but even with those 200,000-plus jobs created last month, construction jobs actually went down.

So we are looking at an industry that is in a great deal of trouble. It is because of the housing market. It is still not stabilized. Until we solve our housing crisis—and, again, the administration and the Congress are trying to do everything to allow people to stay in their homes so we don't keep having defaults, houses on the market, short sales, and all the rest. Once that is behind us, we will see a whole new day for construction. But that day isn't here.

It would be a dereliction of our duty if we fail to pass this bill because we will save 1.8 million jobs. That is how many people are working as a result of our ongoing transportation action. We have to save that. Then because of some very good work done in my home State, particularly in Los Angeles, we have come up with a new way to create an additional 1 million jobs by leveraging a program called the TIFIA Program, transportation infrastructure financing. It means as our State and our local areas pass, say, a sales tax to build transit or roads or highways, we, the Federal Government, can front that money at virtually zero risk and leverage these funds threefold.

In this bill we would be protecting 1.8 million jobs and creating up to 1 million new jobs because of the TIFIA Program. I want to say this bill is a bipartisan effort—hugely bipartisan.

I just talked to Senator INHOFE late last evening. We talked about the fact that we don't want to have it held up anymore. We want to move it through, and we are going to move it through. We are very pleased.

Anyone who follows politics knows Senator INHOFE is one of the most conservative Members of the Senate, and I am one of the most liberal Members of