

on that bill, so everybody should be prepared for more votes.

I urge all of my colleagues to continue talking to me and to Senator COLLINS, and we will keep working to get as many amendments as possible.

Many of you have approached us already with your plans and thoughts. I urge the rest of you not to wait until the last minute. Senator COLLINS and I are working with the floor staff to line up votes.

I know everyone is anxious to have the August recess occur. We are as well. The sooner we can get the amendments and get this bill completed, the sooner all of us will be able to accomplish that.

I know a number of our colleagues on the floor have noted that this has been an open process. That is what Senator COLLINS and I set out to do, and we are going to make sure that continues.

This is a bipartisan bill. I will remind all of us that it got 6 Republican votes in committee and 73 votes to proceed to the open debate we have had this past week. That debate, again, is going to continue. I am hopeful we can move to a bipartisan finish on a good bill that reflects great ideas from both sides of the aisle.

I again want to thank Senator COLLINS for her work on this, and we are ready to move forward.

I yield the floor to her at this time.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Thank you, Madam President.

Colleagues, as the chairman of our subcommittee, Senator MURRAY, has pointed out, we are continuing to work through the amendments that have been filed on this bill.

I do not think I need to remind any of our colleagues on either side of the aisle that the August recess is fast approaching and the Senate will have to wrap up its work on this bill before we adjourn.

So I would say to my colleagues, if you have good ideas or even not so good ideas about this bill, we urge you to come to the floor and file your amendment and do so as soon as possible.

As Chairman MURRAY has pointed out, there has been an open amendment process. We have disposed of some amendments; a couple through rollcall votes, a few others through unanimous consent. But we could have done a lot more last week had people been willing to come to the floor and allow us to proceed to amendments that were filed.

I also want to highlight a letter the Appropriations Committee has received from more than 2,420 national, State, and local organizations, and State and local government officials in support of the funding that is in the programs that are included in this important bill. This is an important bill. It is a bill that will help us rebuild our crumbling infrastructure. It is a bill that helps us meet the housing needs of

homeless veterans, of disabled senior citizens, of very low-income families. It is a bill that will help the private sector create thousands of new jobs at a time when our economy needs them—in fact, hundreds of thousands of new jobs.

It is not surprising to me that so many organizations are lending their voices in support of this bill. I want to read one quote from the letter from these organizations. The letter notes that:

Through these investments, Congress supports small business job creation, expands our nation's infrastructure capacity, supports economic recovery and growth, reduces homelessness and housing hardships, and promotes lasting community and family economic success.

I think that is a very good description of the purpose and the programs in this bill.

One of the programs in this bill that is extremely popular and has been used very well to promote economic development and community reinvestment in my State is the funding for the Community Development Block Grant Program. That is an area where our bill differs greatly from the House bill.

I want to point out that tomorrow the House of Representatives is expected to consider its version of the fiscal year 2014 Transportation and Housing and Urban Development appropriations bill. Think about this. If we pass our bill, they pass their bill, we could actually proceed to a conference committee and work out the differences between our respective bills. The differences are marked. I do not minimize the differences in terms of priorities and funding, but that is what Congress is all about.

If we do pass our bill and the House proceeds to pass its version of the T-HUD appropriations bill, we will be the first but I hope not the only fiscal year 2014 spending bill that is ready for conference, goes to conference, and I hope becomes law.

Finally, let me say, I recognize the Senate bill is not perfect, despite the heroic efforts Senator MURRAY and I made in committee and the input and insight from our colleagues that are incorporated into this bill. But it is a good-faith bipartisan effort that attempts to strike the right balance between fiscal responsibility and our Nation's infrastructure and housing needs.

I am confident the bill that would come back from conference would be, frankly, at a lower spending level, which I and many on my side of the aisle want to see. But I was encouraged by the Senate's vote last week of 73 to 26 to allow the Senate to proceed to this bill. I know we can make improvements. That is what the amendment process is all about.

Again, I want to second what our chairman has said and encourage our colleagues to get their amendments filed and to work with both of us so we can proceed to wrap up this work ses-

sion on a high note of passing, on time, an individual appropriations bill. I am willing to work hard over the recess to conference the two bills, to get going on that. I know the chairman is as well.

I want to thank the chairman and my staff and her staff also for working so hard.

Mrs. MURRAY. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. LEAHY. Madam President, what is the parliamentary situation?

The PRESIDING OFFICER. The nomination of Mr. Comey to be the FBI Director.

#### COMNEY NOMINATION

Mr. LEAHY. Madam President, I wish to speak about the Comey nomination.

James Comey, Jr., should be confirmed to be our next Director of the Federal Bureau of Investigation. I feel it should be done without delay. Director Mueller has served very well, but his term expires early September. It is imperative the Senate work quickly to confirm his successor.

I worked with Ranking Member GRASSLEY to schedule James Comey's confirmation hearing as soon as we returned from the Fourth of July recess. Earlier this month, with Senator GRASSLEY's cooperation, we in the Judiciary Committee unanimously reported the nomination of James Comey to the floor. However, in contrast with the treatment of previous FBI Director nominees—the FBI Director nominees of all preceding Presidents—who were all confirmed by the full Senate within a day or two of being reported by the Senate Judiciary Committee, James Comey is the first FBI Director nominee to be filibustered in Senate history by either Republicans or Democrats.

In this case, of course, it is the Republicans who are filibustering a law enforcement position such as this, somebody who was voted out of the committee by every single Republican and Democratic Senator—and then to be filibustered by Republicans on his nomination?

We should be voting to confirm James Comey tonight. It has already taken twice as long to bring up this nomination for a vote in the full Senate as for any previous FBI Director. President Obama officially nominated James Comey on June 21, 38 days ago. No other FBI Director has waited longer than 20 days from nomination to confirmation. The FBI Director plays a very vital role in our national security, and the Senate must put an end to these routine delays.

Nearly 12 years ago, when the Senate considered President Bush's nomination of Robert Mueller to be Director of

the FBI on the same day he had been reported by the Senate Judiciary Committee, I spoke about how the rights of all Americans were at stake in the selection of a new FBI Director and how the FBI has extraordinary power to affect the lives of ordinary Americans.

Contrast that with President Bush, Democrats were in the majority, and we Democrats worked to get President Bush's nominee confirmed the same day he came out of committee.

We Democrats made sure politics were not in play in the confirmation of the FBI Director. Republicans shouldn't allow politics to play in the confirmation of an FBI Director. I said at the time, with Robert Mueller, I noted the FBI's sweeping investigatory powers, when used properly, can protect all of us by combating crime, espionage, and terrorism. But I also warned that unchecked, these same powers could undermine our civil liberties and our right to privacy.

When I spoke those words, I didn't know that just 40 days later the world—and the FBI—would change dramatically in the wake of the terrorist attacks on September 11. It shook this area, including even the Senate because of the anthrax attack, which killed a number of individuals. One of the anthrax letters was addressed to me. As the full Senate considers the President's nomination of James Comey to be the seventh Director of the FBI, what I said in 2001 holds true today. With the increased counterterrorism role of the FBI and the expansion of the FBI's surveillance activities, it is even more imperative that the next FBI Director possesses an unflagging commitment to the Constitution and the rule of law.

James Comey is the right man to lead the FBI. He has had a long and outstanding career in law enforcement. He worked for years as a front-line prosecutor on a range of cases fighting violent crime, terrorism, and white-collar fraud, all of which are at the core of the FBI's mission. He also served as the U.S. attorney for the Southern District of New York. He served as the Deputy Attorney General under President George W. Bush.

In fact, Madam President, many of us remember, when he was Deputy Attorney General, the dramatic hospital bedside confrontation James Comey had with senior White House officials who tried to prod an ailing John Ashcroft to reauthorize an NSA surveillance program—a program that the Justice Department had concluded was illegal. Yet White House staff was over there trying, at his hospital bed, to get the Attorney General to agree to it. But the Deputy Attorney General stepped in, in his role as Acting Attorney General, and stood firm against this attempt to circumvent the rule of law, and I believe he will continue to show the same strength of character and principled leadership if confirmed as Director.

During his confirmation hearing before the Judiciary Committee, James

Comey proved that his reputation for unwavering integrity and professionalism is well-deserved. One area of great concern for me was his approval of a 2005 legal memo to authorize the use of various methods of torture, including waterboarding. I wanted to make sure that as FBI Director, James Comey would never condone or resort to waterboarding a prisoner—something for which we have prosecuted people in other countries. He answered my questions and stated directly, unequivocally, that waterboarding is not only personally abhorrent but that it is torture and illegal. He also testified that if confirmed he would continue the FBI's policy of not permitting the use of abusive interrogation techniques against prisoners, including sleep deprivation and cramped confinement.

Mr. Comey and I do not agree on all matters. I do not agree with him that the Authorization for the Use of Military Force permits the government to detain indefinitely an American citizen captured on American soil in military custody without charge or trial, and I will continue to oppose efforts to codify such an interpretation of the law. I was glad James Comey committed to adhering to the current administration policy of not indefinitely detaining Americans in such circumstances.

When he testified before us, I saw a man of integrity and honesty, competent in background, and so once he is confirmed—and I trust he will be confirmed once this filibuster has ended—I will continue to press him on the scope and legality of surveillance conducted by the government pursuant to the PATRIOT Act and other authorities under the Foreign Surveillance Intelligence Act. As I noted during his confirmation hearing, just because the FBI has the ability to collect huge amounts of data does not mean it should be collecting huge amounts of data. As the head of our premier law enforcement agency, the FBI Director bears a special responsibility to ensure that domestic government surveillance does not unduly infringe upon our freedoms. I have long said that protecting our national security and protecting Americans' fundamental rights are not mutually exclusive. We can and must do both. I fully expect that James Comey will work to achieve both goals.

After Director Mueller's distinguished tenure at the Bureau, James Comey has big shoes to fill. The next Director must face the growing challenge of how to sustain the FBI's increased focus on counterterrorism while at the same time upholding the FBI's commitment to its historic law enforcement functions. It is going to be particularly difficult to protect this country and protect our law enforcement functions because of sequestration and other fiscal constraints, but I think the FBI has to continue to play a key role in combating the crimes that affect everyday Americans—from violent crimes, to bank robberies, to fraud and corruption cases.

If we learned nothing else since the September 11 attacks, we learned that it matters who leads our Nation at all levels of government. We need strong, principled, ethical leaders who steadfastly adhere to the law. I am confident that James Comey is such a leader. I am urging Senators on both sides of the aisle to join me in voting to overcome this filibuster in a vote to confirm him to be the next Director of the Federal Bureau of Investigation.

As I said before—and I will put into the RECORD how long it has taken from nomination to confirmation—twice as long as President Bush's FBI nomination, more than twice as long as President Reagan's FBI nomination, and twice as long as President Nixon's FBI nomination. In every one of those cases, no Democrat filibustered President Bush, President Reagan, and President Nixon. We all worked to get the FBI Director in there. This filibuster by my friends on the other side of the aisle is unprecedented. I wish they would treat President Obama the same way we treated President Bush, President Reagan, and President Nixon and not make President Obama seem to be somehow different and interfere with law enforcement the way they have.

Madam President, I ask unanimous consent to have printed in the RECORD a chart showing how long it took previous Presidents.

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

FBI Director Nominee	Total # days from nomination to confirmation
JAMES B. COMEY, JR. (OBAMA) .....	38 days—as of 7/29/13.
ROBERT S. MUELLER, III (W. BUSH) .....	15 days.
LOUIS FREEH (CLINTON) .....	17 days.
WILLIAM SESSIONS (REAGAN) .....	16 days.
WILLIAM WEBSTER (CARTER) .....	20 days.
CLARENCE KELLEY (NIXON) .....	19 days.

#### THE BUDGET

Mr. LEAHY. Madam President, I see my friend from Iowa on the floor, but I want to express for the record my concern about this kind of unprecedented obstruction. And it is unprecedented. I have been here 38 years, and this has never happened before, this unprecedented obstruction of the FBI nominee.

In addition to the unprecedented obstruction on the FBI nominee, I want to mention another topic that my friends on the other side of the aisle are blocking. A small minority of Senators are objecting to moving forward with a budget conference. We have all heard a lot of talk in the last few years about getting our fiscal house in order—it makes for a great campaign slogan. But I am afraid that too many in this body are not following through on their responsibility to govern.

It has been over four months since the Senate passed its version of a budget resolution. We all remember being here overnight voting on amendment after amendment. In the intervening months Senate Democrats have tried 17 times to move to a bipartisan budget conference with the House to work out