

of the two Vice Presidents, although Daw Suu herself is prohibited from these positions. The prohibition itself reflects one of the many challenges that lie ahead. Others include addressing the problem of the military's quota of seats in the Parliament, promoting reconciliation among ethnic groups, and healing the divide among those of differing religious faiths.

For now, it is worth acknowledging the good news last week in Burma. The road to bring the bilateral relationship to where it stands today has been a long one indeed. The transition of power has the potential to be a watershed in Burma history. It provides an opportunity to reinvigorate the reform effort in that country.

#### HONORING SENATOR BARBARA MIKULSKI

Mr. MCCONNELL. Mr. President, President Obama recently announced the list of individuals he plans to honor with a Presidential Medal of Freedom. One of them is our colleague from Maryland. I know she was honored by it. I know that someone she mentioned on the floor yesterday—her great-grandmother—would feel a similar sense of honor too. This is a woman who played an important role in our colleague's life, one the Senator speaks of often. She emigrated from Poland when she was 16 years old with little more than a few pennies in her pocket. She couldn't even vote when she arrived. "She never thought," our colleague said, "that her own great-granddaughter would one day be a United States Senator. But then, it is only in America where my story would have been possible."

That is something all of us can appreciate, and we recognize our colleague from Maryland, the longest serving woman in Congress, for the President's choice to honor her in this way.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### CLEAN POWER PLAN

Mr. REID. Mr. President, the Clean Power Plan that has been promulgated by the President will avoid 3,600 premature deaths, 1,700 heart attacks, 90,000 asthma attacks, and 300,000 missed work and school days in just the next 15 years. It will also lower power bills by reducing wasted energy. It is the right thing to do, and the President will protect this because it is the right thing for the health of America.

#### HONORING SENATOR BARBARA MIKULSKI

Mr. REID. Mr. President, President Obama has announced to our gratifi-

cation that our own Senator BARBARA MIKULSKI will receive the Presidential Medal of Freedom. She is an inspiring figure. She and I came to the Senate together and we will leave the Senate together. She has been a friend, an ally, and one of the most articulate people I have ever served with. She has a way with words that are just BARBARA MIKULSKI's way of speaking. I so admire her for that and all the other things I mentioned.

She has spent decades as a leader in Congress, what will be 30 years in the Senate, and during that period of time she has done social work, which is what she did by profession, and has focused on the poor, the middle class, and the disadvantaged. She has inspired a generation of women and has been a mentor to both sides of the aisle.

We are all happy to see this great woman—and she is a great woman—receive the recognition she so rightly deserves from the President of the United States and a grateful country. We should all congratulate Senator MIKULSKI on receiving this great honor.

#### EXPRESSING OUR CONDOLENCES TO THE PEOPLE OF FRANCE

Mr. REID. Mr. President, at 11 a.m.—a few minutes from now—a number of us will be down in S-117, which is the Foreign Relations Room. At that time, we will receive Ambassador Gerard Araud, who is the Ambassador from France to the United States. We are going to be there to express our condolences to the people of France by doing what has been done for a long time when these tragedies occur. We will sign a book of condolences. I look forward to doing that, and I hope my colleagues will join in doing that at some time during the day.

#### NOMINATIONS

Mr. REID. Mr. President, for the first 6 years of Barack Obama's Presidency, Republicans have tried to block nearly every nomination that has come to the Senate.

From a record backlog of judicial nominees to the first-ever filibuster of a Secretary of Defense, Republicans abdicated their constitutional responsibility to provide their advice and consent regarding these nominations. In fact, the Republicans have blocked President Obama's nominees more than all the other Presidential nominees in history combined. Think about that. They have blocked more of this President's nominations than all the preceding Presidents in the history of our country. Seventy-one percent of all cloture motions filed on nominees during the history of the country were for President Obama's nominees. Seventy-three percent of cloture motions on judicial nominees were for Obama nominees. Ninety-seven percent of cloture motions on district court judges were for Obama nominees.

When Republicans assumed power of the Senate in January, some may have expected that their obligation to govern would bring an end to their obstruction, but it didn't. We all know what happened last year. We all know they were holding up all nominations they didn't like—not all of them but all of those they didn't like, and that is most all of them.

Something that has been traditional in this country, the National Labor Relations Board—they refused to allow us to have a vote. They filibustered every one of them, which meant that the National Labor Relations Board, which is so important to working men and women in this country, could not go forward. They didn't even have a quorum. The second highest court—some say the most important court in the land—is the DC Court of Appeals. They refused to allow any votes on nominees. They filibustered every one of them. We have five vacancies.

Well, something had to be done, and it was done. It was done for the right reason, and it was good for the country. Those people have now been confirmed. We have a better country as a result of that.

When the Republicans assumed power, they kept talking about how they wanted to get the Senate back to work. Sadly, we all know that has been an absolute joke. We have had more revotes than in the history of the country during the time they have been in power here. We have done less than any Senate in the history of the country. So getting the Senate back to work is not very honest.

Sadly, those who were hoping that the Republicans would get serious about governing have been terribly disappointed. Republicans are still doing everything they can to block even the most qualified nominees.

Many of these nominations are vitally important to our national security. I will list the people who have been blocked from having a vote in the Senate—and they have even gone one step further; they are not even holding hearings to allow them to come to the floor. Here are some who we could vote on and we should vote on: The Under Secretary of Defense for Personnel and Readiness, the Assistant Secretary of Defense for International Security, Under Secretary of the Air Force, Secretary of the Army, Under Secretary of the Army, Under Secretary of Treasury for Terrorism and Financial Crimes. Those positions are unfilled.

Think about the Secretary of Treasury for Terrorism and Financial Crimes. They are not even bringing it to a vote. As the United States continues to fight ISIS and its terrorism, shouldn't we confirm the person in Treasury who is responsible for terrorism and financial crimes?

How about the Secretary of the Army—do you think that is important? Being disappointed doesn't go very far if all my Republican colleagues say is a resounding no. But this is all part of

the Republican trend of grinding the nomination process to a halt.

So far this year the Republican Senate has confirmed 100 fewer civilian nominees than it did during the most comparable Senate session in 2007, for example. That number also lags well behind any other recent session.

Judicial emergencies are triple what they were at the beginning of this year. What is a judicial emergency? It means you have a judge who has more work than he can handle. Jury trials are not allowed to go forward, especially civil jury trials. Hearings on important issues, restraining orders, and other important issues are not held. In 2007 at this same stage we had confirmed 34 judges; this year, 10.

Consider the nomination of a man by the name of Felipe Restrepo for the Third Circuit in Philadelphia. He was nominated more than 1 year ago. The seat to which Judge Restrepo has been nominated is a judicial emergency, meaning there are more cases than the judges are able to handle. The seat has been vacant since July 2013. Judges have said: We may do the work, but we are not doing it the way we should be doing it because we are so busy on everything. That seat, I will repeat, has been vacant since July of 2013.

He is an American success story. He was born in Colombia and came to the United States as a toddler. In 1993 he became a U.S. citizen. He is eminently qualified, having graduated from the University of Pennsylvania—one of the Ivy League schools—and Tulane University Law School. He worked as a public defender and started his own practice focusing on civil rights and criminal defense issues. Since 2013 he has served with distinction as a district judge in the Eastern District of Pennsylvania. The Senate confirmed him in his current judge position unanimously.

More than a year ago, Senator CASEY and Senator TOOMEY—a Democrat and a Republican—jointly recommended Judge Restrepo to the President of the United States for this appointment to be a circuit court judge. Senator TOOMEY said at the time: “I believe [Judge Restrepo] will also make a superb addition to the Third Circuit.” But despite his public statements of support, the Republican Senator from Pennsylvania refused to allow the Judiciary Committee to move forward with a hearing on his nomination by refusing to turn in something called a blue slip, as it is blue. It has been tradition in the Senate forever that you need both Senators to turn in their blue slips. He won’t turn his in, which has delayed confirmation of a qualified man who has been recommended to the President. He could advance Judge Restrepo by signing a piece of paper, but he has long refused to do so. It is kind of baffling when he makes public statements about what a great guy he is.

After the media started asking questions about the delay, the junior Sen-

ator from Pennsylvania told the *Huffington Post*:

No, I’m not blocking him. But I’ve got to run for this lunch.

The junior Senator from Pennsylvania couldn’t wait for his lunch, but this judge and the people who he is responsible for taking care of are waiting. This Third Circuit is overwhelmed with work. It is a judicial emergency. Other judges are doing more work than they should be doing. They need him. So even though he couldn’t wait for lunch, he is making millions of Americans wait for a judge they desperately need.

In July his nomination was finally voted out of committee by voice—meaning there was no controversy—showing, of course, that it should be voted on now, immediately. That was in July. Remember, that was a year after he was nominated. We are now in November. Why has a qualified judge’s nomination sat on the floor since July waiting for a lunch that has never been completed?

It is past time that the Senate confirmed Judge Restrepo. Senator TOOMEY should demand and ask the majority leader to allow us to vote on Judge Restrepo before we leave for Thanksgiving—and in the process, sign that little piece of paper. We would be happy to work with Republicans to confirm this good man today.

Unfortunately, it is not just this junior Senator from Pennsylvania—they should also confirm Judge Mary Barzee Flores to the Southern District of Florida. Unfortunately, Judge Barzee Flores’s nomination has been held up due to the same delaying tactics that Senator TOOMEY used to stall Judge Restrepo. But this nominee is being delayed by one of the many Republicans running for President, the junior Senator from Florida.

Senators NELSON and RUBIO jointly signed and recommended that she become a judge in the Southern District of Florida. She was nominated on February 26, 2015—8 months ago—but since then the junior Senator from Florida is running for President. He doesn’t have time to mess with a judicial emergency. The Miami-based seat is considered another judicial emergency. It has been without a Senate-confirmed judge for more than a year.

Like her counterpart in Pennsylvania, she has an impeccable record. In fact, her nomination won wide praise in the Florida press. She is a familiar face to many in the legal community in South Florida, having served on the Eleventh Judicial Circuit of Florida in Miami for more than a decade. Prior to her judicial service, Judge Flores worked as a public defender for 13 years. By any measure, she is well qualified and deserves a hearing in the Judiciary Committee.

Senator NELSON indicated his support 8 months ago, but the junior Senator from Florida refuses to sign off on Judge Barzee Flores and is the only obstacle stopping the nomination from

moving forward. It is puzzling that Senator RUBIO is delaying a judge whom he helped recommend to President Obama. Without his approval, the chairman of the Judiciary Committee cannot schedule a hearing on the Barzee Flores nomination.

Even with his busy schedule traveling around the country—I recognize he doesn’t vote here. He does not like to be in the Senate. He said so. He does not like the Senate. That is why I said he should resign. He talked about other Senators who missed votes. Any Senator who ran for President during my time in the Senate loved the Senate. They may have missed votes, but they never, never denigrated the Senate. Senator RUBIO has done just that. So even with his busy schedule running for President and missing votes in the Senate, he should be able to find seconds to sign his blue slip that would allow Judge Flores to move forward with a hearing.

The junior Senator from Florida simply needs to sign a piece of paper to advance a qualified nominee whom he recommended to fill a judicial emergency in Florida, but like the junior Senator from Pennsylvania, he refuses to do so. His constituents are paying a price, a big price.

Sadly, Republicans’ strategy for the sake of obstruction is by no means limited—sadly, I say it again—to the junior Senators from Florida and Pennsylvania.

Right now, Republicans are blocking important State Department nominations.

The junior Senator from Arkansas is preventing three Ambassadors from getting their rightful vote on the Senate floor.

The junior Senator from Texas is blocking one of the most qualified nominees before the Senate, Gayle Smith. She was nominated 6 months ago as the next Administrator of the U.S. Agency for International Development. With this refugee problem facing the world, facing our country, wouldn’t it be nice if we had someone whose job it was to oversee this for our government? But, no, there is some extraneous issue the junior Senator from Texas—who is also running for President—is more concerned about than this important Agency.

I have spoken at length about the obsession of the senior Senator from Iowa with blocking more than 20 qualified State Department nominees. The nominees he has blocked are people who have worked as Foreign Service officers for a long, long time for different periods of time. When it comes time that they get automatic changes in their status, they get a few more dollars and get a different title. He is blocking these. That is so sad. There is no need for it.

If Republicans were serious about governing, they would change course and stop blocking these nominations. Every moment that Republicans delay, they are hurting our country in many

different ways: our justice system, our foreign policy system, and our ability to respond to the havoc that is taking place in the Middle East right now. Let's put an end to all of this obstruction. Let's move forward with votes on these qualified consensus nominees as we have done historically. It wasn't until this Republican crowd arrived in the Senate that they started doing it. We have never had this before. We may have held somebody up for a while, but they basically put a stamp of disapproval on anything that President Obama wants to do.

We are not going to stand by silently and allow these nominations to linger in the Senate. We are going to continue to demand that they schedule votes on these qualified, dedicated public servants so they can work on behalf of our great country.

Mr. President, would the Chair announce the business of the day.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each.

The Democratic whip is recognized.

#### TERRORIST ATTACKS AGAINST FRANCE

Mr. DURBIN. Mr. President, earlier in this session we observed a moment of silence to exhibit our solidarity with the people of France. I add my voice to others here today in sharing my deepest condolences and solidarity with the people of that great nation. As a result of barbaric violence that occurred over the weekend, we are finding this solidarity coming together from across the world, standing behind the people of France in their hour of need.

These events that occurred in Paris were heartbreaking and infuriating. America knows well from the tragic events of September 11 that this kind of savagery is a challenge to the civilized world, one which we must collectively stand and defeat.

As French President Hollande said to a joint session of the French Parliament, when France is attacked in such a manner, the whole world is attacked. I agree.

The people of Russia are also victims of such violence in the recent downing of their airplane departing Egypt, another tragedy for which ISIS has claimed credit. The people of Lebanon and Turkey have suffered horrific bombings in their capitals in the last few weeks from these same terrorist groups, and the brave reformers in Tunisia—one of the few countries to emerge from the Arab spring with an inclusive and inspiring democracy—have faced similar violence against innocent people at their museums and tourist destinations.

The perpetrator of all of these monstrous attacks is ISIS, which has filled

the void created by the wars in Iraq, Syria, and the broader political chaos of the Arab spring. These murderous henchmen have conducted the most heinous of acts: beheadings, mass rape, torture, and the murder of innocents in a sick attempt to intimidate the civilized world and to feed their own warped ideology.

I have supported President Obama's leadership in organizing a global coalition to defeat ISIS and will continue to do so. I applaud Secretary Kerry for his efforts to negotiate an end to the Syrian civil war, but we must do more.

When France is attacked and President Hollande reaches out to his allies, he is reaching out to the North Atlantic Treaty Organization, NATO, of which the United States is a member. He should reach out as well—and we all should reach out—to Russia which, as I mentioned earlier, has been victimized by this terrorist group in the downing of that aircraft. Then reach out to the Saudis and Muslim leaders around the world. Join us in a coalition to destroy ISIS, first in their occupied territory in Syria and in Iraq, and then in their murderous web of recruitment and hate around the world.

Several people in the United States have reacted to the tragedy in France by calling for us to suspend refugees coming to this country. Many of these people have not reflected on the refugee situation in our country. Each year, the United States of America accepts about 70,000 refugees from around the world. These refugees are each carefully investigated, reviewed and vetted. That process takes anywhere from 18 to 24 months before a refugee from any part of the world is allowed to enter the United States. We do everything humanly possible and take extraordinary efforts to make certain dangerous people do not arrive on our shores. That vetting process must continue and when it comes to suspicious circumstances, must be doubled in its intensity to make certain our Nation is safe, but for those who are focusing on that as the answer to what happened in Paris, they are very shortsighted.

One out of four of the refugees coming to the United States in the last fiscal year came not from the Middle East but from Burma. In addition to that, we find many refugees coming to the United States from Iraq. It turns out that over 3,000 refugees came from Iran. In each and every instance, we should apply the standard of strict vetting and the highest standards of investigation. I certainly stand by that, but those who say we should turn away refugees coming to the United States have forgotten the lesson of history. It was May of 1939, a ship docked in Florida. The ship was named the *SS St. Louis*. On that ship were almost 1,000 Jews from Europe who were trying to escape persecution. Sadly, the United States turned them away and they had to return to Europe. They were afraid for their lives. The Nazis had engaged in Kristallnacht and violence against

Jewish people, and these refugees were coming to our shores seeking refugee status. In May of 1939 we turned them away. They returned to Europe and over 200 of them died in the Holocaust.

Since that time the United States has taken a different approach to refugees. We have been a country sensitive to the reality that in many parts of the world people are living in fear of death every day and can only find safety on our shores. Over the years we have accepted 750,000 refugees from Vietnam; we have accepted over 500,000 Cuban refugees, including the fathers of two U.S. Senators, one who is running for President; we accepted over 200,000 Soviet Jews who were escaping persecution in the former Soviet Union; we have accepted refugees from around the world—from Somalia, from Bosnia. The list is long. That is an indication of who we are and our values.

Now, we need to be careful when any refugee comes to the United States. We should give them a thorough investigation, but for us to step back and say we are going to stop being a refuge for refugees from around the world is a retreat from America's values. Let us make sure the process for refugees, immigrants, and visitors is the very best. Let us carefully follow through on each one of them, but let us not turn our backs on many around the world who fear for their lives and are looking for the safety of the United States. That has been part of our heritage for over 60 years and it should continue.

What can we do? We know we have an obligation to keep America safe, and we know ISIS and terrorists like them are trying to find ways into the United States. First, we must acknowledge the obvious. For more than 14 years, with the exception of the Boston Marathon, involving lone-wolf terrorists, we have kept America safe. It has been through the good work of our men and women in the intelligence community, the military, the FBI, and in so many different aspects of our government.

So what can we do in the Senate to make sure they are able to do their job effectively? Why don't we do our job in the Senate. Why don't we pass the appropriations bills for these agencies. Imagine, here we are, over a month into this fiscal year, and the Senate has not passed the appropriations for the FBI, the appropriations for the Department of Homeland Security. What are we waiting for? Instead, we have vote after revote after revote over old issues that have been resolved on the floor of the Senate months ago. This week, if we want to fight terrorism and protect the United States, let us pass the appropriations bills for all of the agencies of our government. It is time to do it and to do it now.

Secondly, we need to make sure our country has the tools to fight terrorism, the kind of terrorism we have seen in Paris, France. We know we need to change the approach when it comes to the encryption of data and communications so that we have access