

amendment rollcall votes on this single bill than the Senate took all of last year on all bills combined.

This is what Senator MURRAY, a Democrat, said when the Senate first passed this bill in July: “I am very proud of the bipartisan work we have done on the Senate floor—debating amendments, taking votes, and making this good bill even better.” I know her Republican counterpart, Senator ALEXANDER, feels exactly the same way, just like Senator INHOFE, a Republican, agrees with Senator BOXER, a Democrat, when she refers to the highway bill as “a major accomplishment.”

ORDER FOR RECESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate recess from 12:30 p.m. until 2:15 p.m. today for the weekly conference meetings and that if cloture is invoked on the conference report to accompany S. 1177, the time during the recess count toward the postclosure time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

PLATFORM OF THE REPUBLICAN PARTY

Mr. REID. Mr. President, Donald Trump is standing on the platform of hate—I am sorry to say hate that the Republican Party has built for him.

It was just last week that I came to the floor of the Senate and said the Republican Party is running on a platform of hate. Yesterday Donald Trump provided the strongest evidence yet that it is true. Trump’s proposal to bar Muslims from entering this country is hateful, despicable, and really vile. We are a country founded on religious liberty, not a country that imposes religious tests. Trump’s statement is a slap in the face to the millions of peace-loving Muslims living here and to those who want to travel and live here. We welcome them all, and to them I say: Donald Trump is not America.

Sadly, however, Donald Trump has become the Republican Party, because it is just not him—many of the leading candidates for the Republican nomination have said the same hateful things, especially about Muslims. Jeb Bush and TED CRUZ proposed religious tests for refugees. You can’t condemn Trump when you want to impose a religious test on women and children fleeing death and persecution. Ben Carson has called Muslims “rabid dogs.” Chris Christie said they should be tracked.

Today, Donald Trump offered the only true statement he has made for some time, referring to some of his fel-

low Republicans, those running against him for President. He said:

They have been condemning almost everything I say and then they come to my side.

That is disturbing, but it is true. Republican candidates condemn Trump’s remarks and then adopt his racist policies as their own.

We shouldn’t try to fool ourselves: This sort of racism has been prevalent in Republican politics for decades. Trump is just saying out loud what other Republicans merely suggest.

Political leaders must condemn these hateful, un-American statements with their words and their actions. Silence only empowers bigots.

NOMINATIONS

Mr. REID. Mr. President, as the year draws to an end, Republicans are doing high fives and celebrating as if they hit a home run when they haven’t even singled.

Republicans are seeing a distorted image of reality. All their talk of productivity and progress overlooks many facts and ignores their constitutional duty to provide advice and consent on President Obama’s nominations—any President’s nominations. Republicans are balking at fulfilling their constitutional role.

The job of Congress is to pass laws and to confirm nominations. By that measure, this Congress has been the least productive ever. The total number of bills passed and nominations confirmed this Congress is lower than any Congress in decades. This Republican majority has confirmed fewer nominations than any Congress in decades. Because of Republicans’ obstruction, qualified nominees are prevented from serving the American people.

Yesterday the Senate skipped over the confirmation of Judge Luis Felipe Restrepo and confirmed just the 11th judge this session. There are 18 more judicial emergencies than when the Republicans took control of the Senate. What is a judicial emergency? It means they have more work than the judge can do. Instead of making progress in judicial backlogs across the Nation, we are falling even further behind and creating more emergencies. One of those judicial emergencies is Judge Restrepo. He is a talented Federal district judge from the State of Pennsylvania, and he is a talented Latino nominated for the Third Circuit.

The junior Senator from Pennsylvania—who is responsible for delaying this good man for more than 6 months in the committee—finally engaged on the nomination. On Monday the junior Senator said: I am sending a letter to Senator McCONNELL requesting a vote on his confirmation. I don’t know why he couldn’t say to the Republican leader: Will you bring this up for a vote? Why the letter? Where has Senator TOOMEY been since July when this nomination was first reported out of the committee 5 months ago? Why has this nomination been pending for more

than a year? I wonder if it is because election time is here. Senate Democrats have waited months to confirm this good man. He should be confirmed now, today. Sadly, though, Republicans are blocking every Latino judicial nominee currently being considered.

Here is a partial list: Judge Restrepo—I already talked about him; Armando Bonilla, who is the first Latino ever nominated to the Court of Federal Claims; John Michael Vazquez, nominated to the District of New Jersey; Dax Eric Lopez, nominated to the Northern District of Georgia, who would make history as the first Hispanic appointed Federal judge in that State. Georgia has a large number of Hispanics in that State.

Because of this obstruction, last night the Senate skipped over Judge Restrepo—I mentioned that earlier—leaving another judicial emergency. Instead, the Senate confirmed Travis Randall McDonough as district judge for the Eastern District of Tennessee. After confirming Judge McDonough, 19 judicial nominees remain on the Executive Calendar who were all voted out of committee unanimously.

Yesterday’s confirmation marks only the 11th judicial confirmation this entire Congress. At this point in 2007, Democrats worked with President Bush to confirm 36 judicial nominees—11 compared to 36. It is obvious why they are doing it; they hope Donald Trump will be elected President and Hillary Clinton will not be. Yesterday’s confirmation marks the 11th judicial confirmation of this Congress. If the Republican Senate keeps up this pace, many of their recommendations—from Tennessee, Iowa, Georgia, and many other States—are at risk of not being confirmed. These are Republican selections. The American people are paying the price.

Since the Republicans took control of the Senate, the number of judicial emergencies around the country has more than doubled. During this session of Congress, we have only confirmed one circuit judge. Because of the Republicans slow-walking, the Senate is currently on pace to confirm the lowest number of judges in a comparable session in half a century.

As William Gladstone said, “Justice delayed is justice denied.” That is true. More than 30,000 people across the country have been waiting for more than 3 years for a resolution to their court case.

Judge Lawrence O’Neill, who was nominated by President George W. Bush to the Eastern District of California, is fed up with the staggering delays in his court. Here is what he said:

Over the years I’ve received several letters from people indicating, “Even if I win this case now, my business has failed because of the delay. How is this justice?” And the simple answer, which I cannot give them, is this: It is not justice. We know it.

The judge is right. What is happening with our judiciary is damaging our

country and the litigants depending on a way to get to court to go to trial.

The Republican leader has the power to alter the destructive path Senate Republicans have charted. Before we leave for the holidays, the Senate should act to schedule votes on the dozens of judges who have been denied a vote. Where we have the judicial emergencies, the criminal cases are allowed to go forward but not the civil cases, involving people's businesses. They can't have their day in court. There are too few judges who have to take care of all of the criminal cases first. The civil cases wait—damaging to our economy and certainly damaging to people's lives. Thousands of Americans waiting for years deserve their day in court without further delay by Republicans, which is outrageous.

Mr. President, I see no one on the floor. Will the Presiding Officer announce to the Senate the work of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

STUDENT SUCCESS ACT—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the conference report to accompany S. 1177, which the clerk will report.

The senior assistant legislative clerk read as follows:

Conference report to accompany S. 1177, a bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Mr. REID. Is the time divided equally on quorums?

The PRESIDING OFFICER. There is no order for division of time.

Mr. REID. I ask unanimous consent that during all quorum calls this morning, the time be equally divided between the two sides.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

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

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

RELIGIOUS FREEDOM

Mr. DURBIN. Mr. President, the Founding Fathers took great care when it came to the issue of religion in our Constitution. Many of the people

who had come to the United States and became its earliest White settlers came for religious freedom. They had witnessed discrimination. They had witnessed government religion. They had witnessed the type of conduct which not only offended their conscience but motivated them to come to this great Nation. So when the Founding Fathers sat down to craft our Constitution, they made three hard-and-fast rules when it came to religion in this United States of America. The first was our freedom to believe as we choose or not to believe, a personal freedom when it came to religion embodied in the civil rights. The second was prohibition against any Government of the United States establishing a state or government religion. Third, the prohibition of any litmus test before anyone could run for public office when it came to religion.

For over 200 years now, those fundamental principles have guided the United States and have kept us away from some of the terrible conflicts which have occurred in other nations across history when it came to the clash of religious belief. It is hard to imagine that in this 21st century, more than 200 years after the Constitution was written, that in the midst of this Presidential campaign, we would once again be reflecting on religion in America, but we are.

Statements that were made over the last several months, and especially a statement made yesterday by a Republican candidate for President, have called into question again the policy and values of the United States when it comes to the practice of religion. Mr. Donald Trump, Republican candidate for President, has proposed excluding people of the Muslim religion from the United States. He said we need to do that until our government figures out what to do with terrorism. Mr. Trump's statements have been condemned, roundly condemned by most of the other Republican Presidential nominees, as well as former Vice President Richard Cheney. It is an indication that he has gone too far. I hope it is an indication that we in America will reaffirm fundamental values, when it comes to religious beliefs, that have guided this Nation for more than two centuries. I might add, this is just the latest chapter in this story.

REFUGEES

Mr. President, it was only a few weeks ago when there was a conscious effort promoted by the Republican Presidential candidates to exclude Syrian refugees from the United States. They called it a pause. They said we needed to assess whether or not we ought to change our system for refugees coming to this country, and, in so doing, they required the certification by the heads of our national security agencies of each individual refugee before they could come to the United States.

Each year, the United States allows about 70,000 refugees to come to our

shores from all across the world. They come from far-flung nations. The largest contributor last year was Burma—those who were escaping persecution in Burma. The second largest group was those coming from Iraq. They included, incidentally, those Iraqis who had served and helped the United States and its military during our period of occupation. Many of them risked their lives for our soldiers, and now they are worried about retribution and have asked for asylum refuge in the United States.

The proposal was made by the Republican side that we should limit—in fact, should delay and then limit—Syrian and Iraqi refugees. One has to wonder whether or not it has anything to do with the fact that the vast majority of people living in those two countries are of the Muslim faith.

I have met some of these refugees in the city of Chicago. Some of them waited up to 2 years after they were being investigated and interviewed and fingerprinted—up to 2 years—before they could come to the United States. Their stories of what they and their families have been through are tragic. They come here simply to start a new life in a safe place and to raise their children. It truly is what has motivated people across the span of history to come to this great Nation, and these refugees are no different.

The fact that the Republicans would start by excluding refugees—and now, Mr. Trump takes it to the extreme of excluding people of a religious faith, the Muslim religion—is an indication of a conversation in American politics that needs to stop. We need to reflect once again on the fundamental principles of this country and the fundamental values of this country as well. I hope this is the beginning of a reevaluation.

It wasn't but 2 weeks ago that the House of Representatives passed the measure, the so-called pause in accepting refugees. It is interesting what has happened since. More than half of Democrats who voted for this—47 of them—have said they don't want to include this measure in any final appropriations bill considered by Congress. They are obviously having second thoughts about their votes. At least one Republican Congressman from the State of Oklahoma said he made a mistake; he never should have voted for this policy when it came to Syrian refugees. So perhaps, as tempers cool and as we reflect on who we are as a Nation and what we want to be, we will have second thoughts about this question of refugees.

GUN VIOLENCE

Mr. President, there was another vote last week which I noted on the floor yesterday and which I still find hard to believe. A measure was offered by Senator FEINSTEIN of California. What it basically said is: If you are on a no-fly list—if you have been identified by our government as a suspected