

changed that last year. We resolved to do even more this year.

The committee has again gotten the appropriations process off to a strong start, and we would now like to pass as many of the funding bills as possible on the Senate floor. Getting this done will require cooperation from across the aisle.

Our Democratic friends recently wrote a letter pledging cooperation in the appropriations process. "This is a win-win opportunity," they said, and "we should seize it together."

With the appropriate cooperation, we will, and we are.

The Appropriations Committee has already conducted more than 40 hearings since January. Tomorrow they will mark up two more funding bills, which follows their action last week to pass two others on a bipartisan and unanimous basis.

We are about to consider one of those funding bills out here on the floor. The Energy and Water appropriations bill is thoughtful, bipartisan legislation that will ensure a fiscally responsible approach to a variety of issues—things such as national security, energy innovation, waterways, and economic development.

I look forward to talking more about it tomorrow, and I would like to thank Senator ALEXANDER and Senator FEINSTEIN for their many hours of hard work on that bill. I would also like to recognize Chairman COCHRAN for everything he has done with Ranking Member MIKULSKI to get the appropriations process moving forward.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

ENERGY AND FAA BILLS

Mr. REID. Mr. President, I am happy to be here and have the Republican leader talk about the things he has been able to accomplish, but I would note—just to make sure the record is clear—the reason these things are happening is because we have a minority that is willing to work with the majority.

The record should also be corrected to the effect that we have had over the last 7½ years lots of debates on energy—lots of them. The problem is that they have gone no place because of the obstruction of my Republican colleagues, with filibuster after filibuster on the bill that we are going to soon dispose of.

I am glad. It is a really important piece of legislation. It was worked on for 5 years, led by Senator SHAHEEN, but it is really difficult to determine how many different times it was stopped because of obstruction—seven or eight times, that I can come up with. So we are glad to be able to get it done. Why? Because we wanted to get it done for years, and finally we are able to get it done.

So we want to be here and work with the Republican leader and friends on the other side of the aisle to get things done. That is why we have been no obstacle to the FAA bill. It is too bad it is such a narrow version of what we wanted to do, but the Republican leader said we will finish the things that we wanted to do to deal with section 48(c) before the end of the year.

APPROPRIATIONS BILLS

Mr. REID. Also, Mr. President, as to the appropriations bills, I was a longtime member of the Appropriations Committee, and I am glad we are moving forward on the appropriations bills. Why didn't we do it before? Because we had objections from the Republicans, and we couldn't. But we are going to be as cooperative as we can and see if we can move some of these appropriations bills. I am happy to have the Republican leader talk about the accomplishments, but make sure there is a side note or a footnote that says this has been accomplished because of our cooperation.

NOMINATION OF MERRICK GARLAND

Mr. REID. Mr. President, my friend also talked about the accomplishments of the various committees. My caucus knows how much I believe in the committee system. I think it is very important that committees work well. We know one committee that is not working well, led by the senior Senator from Iowa.

The senior Senator from Iowa claims that he feels no pressure over blocking President Obama's Supreme Court nominee, Merrick Garland. If that is really true, Senator GRASSLEY must not read the papers from Iowa. To date, there have been two dozen Iowa editorials condemning Senator GRASSLEY's refusal to consider President Obama's Supreme Court nominee, and there are many more letters to the editor. This is only Iowa. Around the country there have been scores and scores of editorials talking about how wrong it is that the Judiciary Committee is taking a vacation.

In Iowa there was a column published in the Des Moines Register over the weekend that was especially discerning. It was authored by veteran Iowa political journalist Kathie Obradovich. This is what she wrote:

Senator Grassley keeps offering new reasons for refusing to give Judge Merrick Garland a hearing and a vote on his appointment to the U.S. Supreme Court. He may as well keep trying, as the explanations he's given so far for waiting until after the next presidential election are mostly nonsense.

I am only going to mention a few of the excuses that the senior Senator from Iowa has invented in an effort to avoid his job.

Senator GRASSLEY won't consider Merrick Garland because he says he wants the American people to have a

voice. The Senator either is ignoring or forgetting or doesn't know that the American people and fellow Iowans used their voice twice when they elected and re-elected—both times overwhelmingly—President Obama. They gave President Obama the right to nominate individuals to the Supreme Court as well as all the other obligations a President has.

Secondly, Senator GRASSLEY won't consider Merrick Garland because he said he wants a Justice who abides by the law. Try that one on. If the senior Senator from Iowa wants a Justice who abides by precedent and sticks to the law, he need look no further than Merrick Garland, who has developed a reputation on the bench for respecting precedent. People who served with him—so-called liberal, conservative, and moderate judges—all agree that Merrick Garland is good. In fact, maybe there is somebody who can't stand him, but we haven't heard a peep from anybody saying what a bad judge he is—not from anyone.

Senator GRASSLEY says he won't consider Merrick Garland for a third reason, because the Supreme Court only needs eight Supreme Court Justices. The Supreme Court needs all nine. Yesterday they deadlocked on another question, and it appears that the chairman of the Judiciary Committee is willing to gridlock our Nation's highest Court just to keep Merrick Garland from being confirmed.

That decision yesterday is a bad decision because what it does is to keep in place a lower court ruling that most all academics and people who follow the law believe is wrong. It allowed the State of California standing to sue another State—basically, the State of Nevada. Under their ruling, we are now going to have a free-for-all in the States suing each other. From the time we have been a country, that didn't take place. There was order in interstate commerce.

Well, the fourth reason Senator GRASSLEY gives is that it is all Chief Justice Roberts' fault. The very person who is blocking the Supreme Court nominee is accusing the Chief Justice of making the Court political.

Finally—there are others, but this is enough for this morning—the senior Senator from Iowa says he is just doing what Chairman Biden said 20 years ago. Well, I would suggest—and I am sure his staff has done this, if he hasn't—to look at what Vice President BIDEN did, not a partial part of a speech that he gave, because if you looked at that, he was exemplary. He brought judges to the Senate floor. He even brought nominees to the floor who had been turned down by the committee because, as he said yesterday and he has said before: I believe we have an obligation for advice and consent that is not completed until it is brought to the floor.

So Senator GRASSLEY should follow JOE BIDEN's example and process more than part of a speech he gave. None of

these examples makes sense, as the columnist from Iowa said, but yesterday the Judiciary Committee chair came up with another one. Listen to this one. This is classic. Senator GRASSLEY said he will not consider Merrick Garland's nomination because the hearing would be a waste of taxpayer dollars.

Well, we could have a hearing, we aren't going to have a hearing, but let's just suppose we did have a hearing. . . . So you have a hearing and you spend a lot of taxpayers' money gearing up for it, you spend a lot of time of members, a lot of research that has to be done by staff.

That is kind of a strange comment. Staff is not paid by the hour. They are paid each day. I would hope they could squeeze into their busy schedules enough time to look at a Supreme Court nominee. Offering our advice and consent on the Supreme Court nomination is what the taxpayers want us to do. Look at polls all over America. That is our job.

I find it ridiculous—there is probably a better description—but I find it ridiculous that the very Senator who continues to use the Judiciary Committee to wage a political war on former Secretary Hillary Clinton dares to claim he is trying to save taxpayer dollars. Where is he, where is his concern for misusing taxpayer funds while his committee continues to waste millions of dollars on partisan opposition research of a Presidential candidate? That is not their job.

Where was the penny-pinching when the Judiciary Committee used Senate funds and Senate staff to investigate former Clinton staffers; for example, asking for maternity leave records—maternity leave records—time sheets, anything they could to try to embarrass Secretary Clinton.

Where is Senator GRASSLEY's focus on government waste while the so-called Benghazi Select Committee continues to spend millions and millions of dollars on a political hit job with no end in sight? Every day the Judiciary Committee has a new excuse, a new justification for why it will not do its job. I think we all have news for the Senator from Iowa: No one is buying it.

They are not buying it in Iowa. They are not buying it in Nevada. They are not buying it in New York. They are not buying it in Kentucky. They are not buying it anywhere. The American people are not buying it. His own constituents are leading the pack of people who are not buying this. His behavior reminds me of a Henry Wadsworth Longfellow poem: "It takes less time to do the right thing than it does to explain why you did it wrong."

So the senior Senator from Iowa has spent months trying to explain away the obstruction of a Supreme Court nominee. Wouldn't it be easier to give him a hearing and a vote? Wouldn't it be easier for him to just do his job? Wouldn't it be the right thing to do to just do his job?

Mr. President, I ask the Chair to announce to everyone what the Senate is going to do the rest of the day.

RESERVATION OF LEADER TIME

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

ENERGY POLICY MODERNIZATION ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2012, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 2012) to provide for the modernization of the energy policy of the United States, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the time until 10 a.m. will be equally divided between the two leaders or their designees.

Who yields time?

If no one yields time, time will be discharged equally to both sides.

The Senator from Washington.

Ms. CANTWELL. Mr. President, we are about to vote on the Energy Modernization Act of 2016. I know my colleague, the chairwoman of the committee from Alaska, will probably like to close debate. So I would like to take a few minutes before that vote this morning to again thank all of our colleagues for their diligent consideration of this legislation.

We will be passing the first Energy bill since 2007. This Energy bill will be the first one in 9 years. It is a modernization of our energy system that is so desperately needed because it focuses on cleaner, more efficient, more renewable sources of energy that is more cost-effective for the consumer. It does this by modernizing the grid, making investments in advanced storage technology, smart buildings, composite materials, and vehicle batteries. It improves cyber security and helps plan for the workforce we need for tomorrow.

I urge my colleagues to make sure this legislation passes. I want to say that yesterday, we substantially improved this legislation—particularly with the inclusion of both the public lands package that includes the Yakima River Basin Bill from the State of Washington; as well as the bipartisan SAVE Act—which will help homeowners recognize the investments they make in energy efficiency so they can benefit from it when they are ready to sell their homes.

I think yesterday's efforts helped improve this legislation, but all of this would not be possible without the staff and the support of so many people. I thank Angela Becker-Dippman, Sam Fowler, David Brooks, Rebecca Bonner, Rosemarie Calabro Tully, John Davis, Benjamin Drake, David Gillers, Rich Glick, Spencer Gray, Sa'Rah Hamm, Aisha Johnson, Faye Matthews, Scott McKee, Casey Neal, Bryan Petit, David Poyer, Betsy Rosenblatt, Sam Siegler, Bradley Sinkaus, Carolyn Sloan, Rory Stanley, Melanie Stansbury, Al

Stayman, Nick Sutter, Stephanie Teich-McGoldrick, Brie Van Cleve, and of course I thank Colin Hayes and Karen Billups from the majority staff who have worked so hard on this legislation as well.

As I said, the improvements we are making in this bill help us reach the goals that have been outlined in the Quadrennial Energy Review. Department of Energy Secretary Ernest Moniz helped us on this legislation, clearly calling for the type of 21st century energy infrastructure investments that will help our country remain economically competitive in the future. It also will help us train the 1.5 million new workers we will need, over the next 15 years.

I should say, one of the provisions we were so happy to defeat amendments on yesterday was preserving the Land and Water Conservation Fund. The Land and Water Conservation Fund is one of the preeminent programs in our country for preserving open space at a time when our country continues to develop. It has been a program that has nurtured that very important need for all of us to be outdoors, and it has also helped to build an outdoor economy.

So we are saying to the American public this is a program we believe should be made permanent, particularly after last September's lapse and successfully renewing it for just a couple of years. It is time to say the Land and Water Conservation Fund, a program that has been around since the 1960s, should be made permanent.

I thank everyone again for their work on this legislation. I hope we get a resounding vote out of the Senate and a quick conference with the House of Representatives so we can plan for America's energy future in a more effective, streamlined way, and we can then realize the opportunity to help our businesses and consumers plan for the energy future.

I yield the floor.

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.

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

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

Ms. MURKOWSKI. Mr. President, in the very short time we have before the vote is called, I have just a few comments this morning. We have completed our work on a bill that includes more than 350 amendments that were filed to this broad, bipartisan bill. We have accepted a total now of 65 of those amendments.

This bill contains priorities from over 80 Members of this body. Not everything has been smooth. I think we recognize that. I think this bill has shown that the Senate does work, the Senate can work cooperatively, that they can work toward a bipartisan product that will produce long-lasting