

We even had a past president of the Missouri Bar Association, who is a Democrat, say: "Steve Clark will make an excellent addition to the federal court bench."

The very idea that we characterize judges we are putting on the courts as enemies of any group of people is pretty offensive when you think about it. The law of the land is the law of the land. Judges are bound by precedent. Certainly, lawyers are bound by precedent. There is nothing to suggest anything other than the "well qualified" status of the bar association.

We need to fill this vacancy. We even have a temporary judgeship in the Eastern District. The workload is so great that the temporary judgeship should become permanent, but that is not the judgeship we are talking about here.

We are talking about somebody who is ready for this job, willing to give up his law practice with what should have been an absolute certainty he would be confirmed, but no absolute certainty he would be confirmed. I certainly wish the process hadn't taken so long, but I am glad we were able to adjust the rules of the Senate last month to start getting more people through that process. Without that, people in this case in my State—the people in the Eastern District of Missouri—would have to wait even longer. We may have never gotten this judgeship filled if we hadn't changed the rules.

Unfortunately, there are still a whole lot of people waiting to be confirmed to important jobs in the government. There is still too much obstruction for no real reason.

In fact, in past Congresses, judgeships like this would have been filled by unanimous consent. We would have filled five or six a day if we had vacancies of well-qualified candidates at the end of the day with no debate, but our friends on the other side have decided: No, we are going to take the maximum amount of debatable time available for, say, a Supreme Court Justice or the Attorney General of the United States, and we are going to apply that to every job—district judges, the assistant secretary of whatever, who is the lowest person appointed in whatever Cabinet office there is. We are going to apply the 30 hours to them. Of course, what you did to do that is use up all of this time because nothing else can happen on the floor during that 30 hours.

Was debate happening on the floor during that 30 hours? Of course not. The average debate time used during that 30 hours was 24 minutes. So for the other 29 hours and 36 minutes, nothing happened that related to that judgeship.

This morning, when I was driving to the Capitol, I actually heard somebody on one of the news programs say: Now they are forcing judges to be confirmed with only 2 hours of debate instead of the 30 hours that should have been used.

That would have been a valid criticism if the 30 hours were ever used, but

when the 30 hours is only 24 minutes, it is no criticism at all. It is a ridiculous position to take. You don't have to be a genius to see that it is designed to not allow the President to have the jobs confirmed in the government that the Congress has determined that the Senate would have to confirm. There are, I think, about 970 of them. By the way, if you took 30 hours for each of the 970, I think it would have been impossible—and we were proving it was impossible—for the President to ever get a government in place.

Then the judicial vacancies that occur—this is a vacancy we are filling today that was vacant months before President Trump was elected, maybe 3 months, maybe 4 months, but we haven't had anybody in this judgeship now for well over 2 years. In fact, as I said earlier, we have had, for 22 months, somebody who was told they were going to be the nominee and to prepare to serve.

In the 3 weeks we were in session before the rule change, we were able to confirm seven nominees in 3 weeks, and that was the principal work we were doing in that 3 weeks. These nominees fill jobs that are running the government or court positions that they are appointed to serve in for a long time. We filled seven of them in 3 weeks.

In the 3 weeks after we had the rule change, we cleared 24 nominees in that period of time.

By the way, the debate spent an average of 3 minutes—of the 2 hours that were available to those 24 nominees, the average time spent debating was 3 minutes. The minority is still suggesting that we are going to use the maximum time no matter how little time is used, no matter how little time is called for, because even if it is not 30 hours—it is now 2 hours—we can force 2 hours of no legislative opportunity and no legislative planning as the Senate tries to do part of the job that only the Senate can do. The House doesn't do this; only the Senate can do this. This is a job that is done by the President, who nominates, and the Senate, which confirms.

If you can keep the Senate confirming part to a maximum use of time, if you are in the minority, you can keep the legislating opportunities to a minimum.

Now, somebody might say: Well, gee, what would they bring to the floor? There are a lot of things we would bring to the floor if we had the time to get on them and stay on them.

Of course, we would really like to bring the appropriating bills to the floor soon and do those.

We cleared 24 nominees with an average of 3 minutes of talking about each one—maybe a few minutes. I think that even includes the time just making aspersions about these nominees in general, which don't relate to anybody. That would be included in that 3 minutes as well.

We continue to have a lack of cooperation to do the job of the Senate in the way that for 200 years it was done.

I hope my friends on the other side will begin to work with us and begin to understand that everybody has caught on. The people in this building and outside this building know what has been happening for almost 2.5 years now, and more responsibility is going to have to be taken than has been taken up until now.

I will say, again—almost 2 years after Steve Clark was nominated—I believe we will finish that job today, and if we do, it will be a good day for him, a good day for his family, and a good day for people waiting to get an opportunity on the Federal court docket in the Eastern District of Missouri to have a person not decided by me to be well qualified for the job but decided by the American Bar Association and twice approved by the Judiciary Committee of the U.S. Senate. While this work has taken a long time to get done, it will be good to see it done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

#### INFRASTRUCTURE

Mr. DURBIN. Mr. President, this morning we had a meeting in Speaker PELOSI's office of the Democratic congressional leaders. It was in preparation for a meeting with President Trump.

Three weeks ago, NANCY PELOSI and CHUCK SCHUMER, the Democratic leaders of the House and Senate, asked for a sit-down with the President in the Cabinet Room to discuss the infrastructure of the United States of America—the backbone of our economy, a part of America that, sadly, has been neglected for too many years.

President Trump promised in his campaign there would be an infrastructure program—put America to work to build the roads, the bridges, and the airports, and I might say broadband and so many other things that need to be done—so that the strength of this economy would be there to entertain new business opportunities, to attract new jobs.

We had this meeting 3 weeks ago, and it was amazing how well it went. I was sitting just a couple of seats removed from the President and heard an agreement in the room from the Democratic leaders and the President—\$2 trillion, the President said. He rejected our offer of \$1.5 trillion and said: No, make it \$2 trillion that we will spend on our infrastructure.

Everybody sat up straight in their chairs and said: Well, this President is serious.

We said: Mr. President, will it be 80 percent Federal spending and 20 percent local, the way it has always been?

Yes.

Can we include rural broadband in here so those of us who represent small towns—rural areas that don't have the benefit of broadband services—can get into the 21st century in terms of education and telemedicine and all of the things that brings?

Yes.

He signed up for all these things—\$2 trillion, 80 percent Federal—and the list was long of things that we were going to do together.

We went into detail in that meeting 3 weeks ago with the President about some of the aspects of it. For example, the President said—and I think he has been quoted before—that he does not approve of public-private partnership programs. He argues there is too much litigation. That is all right with me and for most of the people in the room. We didn't have to have that if the President didn't want to include it. So there was back and forth in this conversation.

There was one element missing, and I remember RICHARD NEAL—who is the chairman of the House Ways and Means Committee, the critically important committee, the counterpart of Senate Finance—said to the President: Now, Mr. President, we have to pay for it. Two trillion dollars—how are we going to do that?

And the President said: Wait. I am not going to say that at this meeting. I know you want me to blink first as to how we are going to pay for it. I am not going to get into that.

There had been some proposals from Democrats of tax increases for wealthy people and corporations and such, but the President said: I won't get into that today. Let's meet 3 weeks from now and talk about how we are going to do this, how we are going to pay for the \$2 trillion.

So many of us sat down, Democrats—I hope Republicans, as well—and started thinking in positive terms about what this would mean for the economy. We can create tens of thousands of good-paying jobs across the United States, rebuild our infrastructure, and be ready to compete with countries like China and others that believe they are building faster and better than we are.

The meeting was scheduled for today. We started this morning with a briefing. The Democrats sat together in Speaker PELOSI's office, about 20 of us, and went through it and talked about what our presentation would be to the President and some ideas that we had to move forward.

We accepted the President's invitation. We went to the White House, gathered in the waiting room there, and then we were invited into the Cabinet Room. We walked into the Cabinet Room, took our assigned seats, looked across the table, and there was the Secretary of the Treasury, people from the Office of Management and Budget. The President's daughter was there. There was quite a gathering of people getting ready for this high-powered meeting.

We waited, and we waited, and then the door opened, and the President walked in. Without greeting anyone or sitting down he said: We are not going to have this meeting. We are not going to have this meeting because Congress continues to investigate me. I think we have had enough investigations, and

until the investigations end, there will be no infrastructure bill.

His statement went quite a bit beyond that, but I think that was a fair summary of his conclusion. He turned around and walked out.

So the meeting that he had called, the meeting we responded to so that we could come up with an infrastructure program, ended right on the spot.

The President then went out into what is known as the Rose Garden next to the White House and held a press conference with posters and signs saying: As long as Congress is investigating me, we won't be discussing issues like infrastructure.

That is an unfortunate development—unfortunate for America, first, because this President and this Congress, regardless of party, have a responsibility to the American people to do the basics to make sure that we provide what Americans need, what cities need, what businesses need, what families need to grow the economy and create good-paying jobs.

The President walked away from that this morning. So here we are at a point in history. I am not sure which way to turn. You see, every President would like to make this claim: I am not going to do business with Congress if you investigate me. But the bottom line is, every President is investigated. Their administration is investigated. That is what we do. That is what the U.S. Congress does. That is what happens in a democracy. No President can say: I am pulling down the shades, and I am closing the doors. You can't look at me, and you can't look at what we are doing, either in activities as individuals or as agencies.

No. There is accountability in our government. This Congress, the Senate, the House—we appropriate the funds for the executive branch, and we investigate them as we appropriate the money. How are you spending the taxpayers' dollars? Are you wasting them? Is there corruption involved in it? We ask those questions not just of this President but of every President. That is the nature of democracy, of accountability, and this President can't get off the hook. He may be weary of investigations—and I can tell you that President Obama was weary of investigations, too, and President Bush before him—but that is the nature of accountability in a democracy. For this President to say: No more. It is out of bounds for us to be investigated, and I won't do anything necessary for the economy and future of this country as long as the investigation continues—that is a sad day in the history of this country. I hope cooler heads will prevail, but I am not sure they will.

We have so much we need to do. Look at this empty Chamber here. My speech in this Chamber each day is basically what you are going to hear if you are a visitor to Washington, DC. You are not going to hear a debate on legislation. Wouldn't you like for this Chamber to be filled with Republicans and Demo-

crats who are debating a bill right now on the high cost of prescription drugs? I would. And we certainly have the power and responsibility to manage that issue, but we don't do it. We have done virtually nothing in this Chamber for this entire year.

Senator MCCONNELL has one goal: fill up Federal judicial vacancies with lifetime appointees as fast and as often as possible. We have seen men and women come before us, clearly unqualified to be judges, who are being given lifetime appointments. Why? It is part of a plan—a political plan to fill the courts with judges friendly to the Republican point of view. And so we do nothing else. Nothing else.

I have been here a few years, in the Senate and the House. There is an issue called disaster aid. I have seen 100 different variations. There will be some horrendous weather event—a fire, a drought, a flood—and we have responded time and again wherever it occurred. Without concern as to whether it was a red State or a blue State, we have come together as an American family and said: We will give you a helping hand.

We have a disaster bill that has been pending here for weeks, if not months. We can't even reach an agreement on how to send disaster aid to areas that have been hit by flooding and tornados, and it is an indication of what the problem is right here. The Senate is not being the Senate. It is not legislating. And now the President announced this morning that he has gone fishing. He is not going to be around to discuss issues like the infrastructure of this country.

What can we do about it? Well, you can appeal to your Members of Congress and tell them you are fed up with it, and I hope you do. That is what a democracy is about. But you can also make sure that you participate and vote in the next election. Ultimately, in a democracy, the American people have the last word at the polling place on election day. If you are satisfied with an empty Chamber doing nothing, ignoring infrastructure, delaying disaster aid, if you think that is a good thing for this country, I suppose you know how you should vote. But if you are fed up with it and looking for change, I hope people across this country will see what happened today as a call to arms—maybe, importantly, a call to the polls.

IRAN

Mr. President, yesterday there was a briefing for Members of the Senate, Democrats and Republicans. It was a closed-door briefing in an area of the Capitol the public has no access to. In that briefing room, they close the doors; they take away your telephone; and they ask if you have any other electronic devices to make sure that when you walk in that room, you can hear things, classified information, sometimes top-secret information, which is not available to most Americans and should not be. It is sensitive.