

I have the honor of chairing the Water and Wildlife Subcommittee of the Environment and Public Works Committee. We are holding hearings, thanks to Senator BOXER, next month to start the accounting process, to make sure there is an independent, objective accounting as to the full damages that BP has caused and its related organization—economic damages and environmental damages. Then, going forward with drilling, we all understand mineral management is a critical part of our energy strategy. We cannot drill unless we have an independent agency issuing the permits. We have to make sure the public's interest is protected as new permits are granted.

Yes, there are areas where we don't drill today because they are environmentally too sensitive and there is not enough oil to make it worth the risk. I include in that the area I represent in the Mid-Atlantic, where there was a site they were going to move forward with drilling just 50 miles from Assateague Island, just 60 miles from the mouth of the Chesapeake. If we would have had a spill a fraction of the amount that occurred in the gulf, with the prevailing winds and currents, it would have a devastating impact on the Chesapeake Bay and the beaches of Maryland and also Delaware and Virginia. It is not worth the risk. The oil is not significant enough there for that.

Lastly, I hope we use this opportunity, as President Obama suggested, to move forward with a new energy policy for our country. We need to rely less on oil and more on alternative and renewable energy sources. I agree we need to do more with nuclear power. We need to consume less energy and improve the way we operate our buildings and the way we manage our transportation systems. We need to become energy independent, and we can do that. But we cannot do it through drilling. We can do it through a comprehensive energy policy so we can protect our national security and create jobs in America rather than exporting those jobs overseas and, yes, so that we can protect our environment from the type of disaster that has occurred in the Gulf of Mexico. I hope that is how we respond.

My trip to the gulf reinforced my efforts, and I hope the efforts of all my colleagues, to say that we can do things better. Let's clean up this mess, let's hold BP responsible, and let's develop an energy policy that will protect America's security, help our economy, and protect our environment.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF TANYA WALTON PRATT TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF INDIANA

NOMINATION OF BRIAN ANTHONY JACKSON TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF LOUISIANA

NOMINATION OF ELIZABETH ERNY FOOTE TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF LOUISIANA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The assistant legislative clerk read the nominations of Tanya Walton Pratt, of Indiana, to be United States District Judge for the Southern District of Indiana; Brian Anthony Jackson, of Louisiana, to be United States District Judge for the Middle District of Louisiana; Elizabeth Erny Foote, of Louisiana, to be United States District Judge for the Western District of Louisiana.

The PRESIDING OFFICER. Under the previous order, there will be 20 minutes for debate concurrently on the nominations, which will be equally divided and controlled between the Senator from Vermont, Mr. LEAHY, and the Senator from Alabama, Mr. SESSIONS, or their designees.

The Senator from Vermont is recognized.

Mr. LEAHY. I thank the distinguished Presiding Officer. Today, the Senate is being allowed to confirm only a few more of the 28 judicial nominations that have been reported by the Senate Judiciary Committee over the past several months, but which have been stalled by the Republican leadership. We have yet to be allowed to consider nominations reported last November. In addition to the three nominations being considered today, there are another 17 judicial nominations available that were all reported unanimously by the Judiciary Committee. There is no excuse and no reason for these months of delay. The Senate Republican leadership refuses to enter into time agreements on these nominations. This stalling and obstruction is unprecedented.

The Senate is well behind the pace I set for President Bush's judicial nominees in 2001 and 2002. By this date in President Bush's Presidency, the Senate had confirmed 57 of his judicial

nominees. Despite the fact that President Obama began sending us judicial nominations 2 months earlier than did President Bush, the Senate has to date only confirmed 28 of his Federal circuit and district court nominees. After today's 3 confirmations, the comparison will stand at 31 to 57, which is barely half of what we were able to achieve by this date in 2002. Another useful comparison is that in 2002, the second year of the Bush administration, we confirmed 72 Federal circuit and district judges. In this second year of the Obama administration, we confirmed 16 so far. In fact, our Senate Republicans have allowed so few nominees to be considered that in 1 hour today, the Senate is going to have three confirmations. That will increase our judicial confirmations for the year by almost 20 percent. Meanwhile, Federal judicial vacancies around the country hover around 100.

This is the second year of the Obama administration. Although vacancies have been at historic highs, Senate Republicans last year refused to move forward on judicial nominees. The Senate confirmed the fewest in 50 years. The Senate Republican leadership allowed only 12 Federal circuit and district court nominees to be considered and confirmed despite the availability of many more for final action. They have continued their obstruction throughout this year. Only 16 Federal circuit and district court nominees have been confirmed so far this year, although another 28 have been reported favorably by the Judiciary Committee.

About a week or so ago, three distinguished women were confirmed by virtually unanimous votes. These nominees were reported unanimously by the Senate Judiciary Committee back in March; all Democrats and Republicans voted for them. These three distinguished women put their lives on hold and were still held up for months before they were allowed to be confirmed.

To put these delays into historical perspective, consider this: In 1982, the second year of the Reagan administration, the Senate confirmed 47 judges. In 1990, the second year of the George H.W. Bush administration, the Senate confirmed 55 judges. In 1994, the second year of the Clinton administration, the Senate confirmed 99 judges. In 2002, the second year of the George W. Bush administration, the Senate confirmed 72 judges. The only year comparable to this year's record-setting low total of 16 was 1996, when the Republican Senate majority refused to consider President Clinton's judicial nominees and only 17 were confirmed all session.

Senate Democrats moved forward with judicial nominees whether the President was Democratic, as in 1994, or Republican, as in 1982, 1990, and 2002, and whether we were in the Senate majority, as we were in 1990, 1994, and 2002, or in the Senate minority as in 1982. Senate Republicans by contrast have shown an unwillingness to consider judicial nominees of Democratic Presidents. They did in 1996, 2009, and 2010.