

Of course, the Senate is only the most recent chapter in DAN INOUE's lifetime of service to our country, which includes his Medal of Honor service in the Army during World War II, and his service in the Hawaii Territorial Legislature and the U.S. House of Representatives.

Hawaii may be the youngest State in this great country, but as Senator INOUE's milestone demonstrates, our contributions continue to shape the United States of America.

From President Barack Obama, who grew up not far from Senator INOUE's childhood home on the island of Oahu, to each teacher, soldier, construction worker, and farmer, we are proud of the many accomplishments of Hawaii's people. We are proud to be the 50th State, and we are proud of Senator INOUE's long career serving our Nation.

Aloha and congratulations, DAN.
(Applause, Senators rising.)

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Brian Anthony Jackson, of Louisiana, to be U.S. District Judge for the Middle District of Louisiana?

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) and the Senator from Missouri (Mrs. MCCASKILL) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Florida (Mr. LEMIEUX) and the Senator from Kansas (Mr. ROBERTS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 186 Ex.]

YEAS—96

Akaka	DeMint	Leahy
Alexander	Dodd	Levin
Barrasso	Dorgan	Lieberman
Baucus	Durbin	Lincoln
Bayh	Ensign	Lugar
Begich	Enzi	McCain
Bennet	Feingold	McConnell
Bennett	Feinstein	Menendez
Bingaman	Franken	Merkley
Bond	Gillibrand	Mikulski
Boxer	Graham	Murkowski
Brown (MA)	Grassley	Murray
Brown (OH)	Gregg	Nelson (NE)
Brownback	Hagan	Nelson (FL)
Bunning	Harkin	Pryor
Burr	Hatch	Reed
Burr	Hutchison	Reid
Cantwell	Inhofe	Risch
Cardin	Inouye	Rockefeller
Carper	Isakson	Sanders
Casey	Johanns	Schumer
Chambliss	Johnson	Sessions
Coburn	Kaufman	Shaheen
Cochran	Kerry	Shelby
Collins	Klobuchar	Snowe
Conrad	Kohl	Specter
Corker	Kyl	Stabenow
Cornyn	Landrieu	Tester
Crapo	Lautenberg	Thune

Udall (CO)	Voinovich	Whitehouse
Udall (NM)	Warner	Wicker
Vitter	Webb	Wyden

NOT VOTING—4

Byrd	McCaskill
LeMieux	Roberts

The nomination was confirmed.

VOTE EXPLANATION

Mrs. BOXER. Mr. President, unfortunately I was unable to make this morning's vote on the nomination of Tanya Walton Pratt to be United States District Judge for the Southern District of Indiana. Had I been present for the vote, I would have voted aye on the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Elizabeth Erny Foote, of Louisiana, to be United States District Judge for the Western District of Louisiana?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from Vermont is recognized.

TAX BREAK REPEAL

Mr. SANDERS. Mr. President, I have a pending amendment to the tax extenders bill and want to say a few words on that.

At a time when we have a record-breaking \$13 trillion national debt and an unsustainable Federal deficit, at a time when two out of every three corporations in America paid no Federal income taxes between 1998 and 2005, at a time when ExxonMobil, the most profitable corporation in the history of the world, not only paid no Federal income taxes in 2009 but actually got a \$156 million refund from the IRS, at a time when we desperately need to end our dependence on fossil fuel and transform our energy system, the amendment I am offering, along with Senator WYDEN, Senator WHITEHOUSE, Senator MENENDEZ, and Senator LAUTENBERG, is simple and straightforward.

This amendment simply repeals over \$35 billion in tax breaks to the oil and gas industry, all of which were recommended for elimination in President Obama's fiscal year 2011 budget, which the Joint Committee on Taxation has estimated would raise over \$35 billion in a 10-year period.

To put this in perspective, the taxpayer dollars saved by repealing these tax breaks represents about 1 percent of the total projected revenue of the oil and gas industry over this same time period. In other words, the cost of repealing these tax breaks for the oil and gas industry is negligible.

More than \$25 billion of the money saved under this amendment would be used to reduce the deficit. I hear my friends coming down every day, appropriately, talking about our record-breaking deficit and our huge national debt. Mr. President, \$25 billion in this amendment is used for deficit reduction.

Mr. President, \$10 billion would be invested in the highly successful Energy Efficiency and Conservation Block Grant Program over a 5-year period, which would go to 50 States in this country to help them move forward in terms of energy efficiency and sustainable energy.

This amendment has widespread support throughout this country from organizations representing millions of Americans, including the League of Conservation Voters, the Sierra Club, the American Council for an Energy Efficient Economy, Friends of the Earth, the Union of Concerned Scientists, Physicians for Social Responsibility, the American Public Health Association, moveon.org, Environment America, Oceana, 1 Sky, Greenpeace, Public Citizen, the Center for Biological Diversity, the Conservation Law Foundation, and 350.org.

In addition, the Energy Efficiency and Conservation Block Grant funding this amendment would provide is strongly supported by the U.S. Conference of Mayors, the National League of Cities, the National Association of State Energy Officials, and the National Association of Development Organizations, and I am pleased to report that Taxpayers for Common Sense and the National Wildlife Federation strongly support repealing the oil and gas tax breaks this amendment would eliminate.

Let me briefly explain why this amendment needs to be included in this overall legislation. First, there is no debate; everybody here understands we have to address the deficit crisis and the \$13 trillion national debt we face. Well, I say to my friends: If you are serious about doing this and doing it in a way that doesn't decimate the middle class or working families, this amendment is a good step forward: \$25 billion in deficit reduction over a 10-year period is significant and it would help us address a major crisis.

Secondly, we all understand—or I hope we all understand—we have to reform the Tax Code, which is grossly unfair today. We must make the Tax Code fairer and more equitable for ordinary Americans and, in my view, that means ending the absurdity of seeing large corporations, enormously profitable corporations, not pay their fair share of taxes and, in some cases, not paying any taxes at all. Each and every year, large and profitable corporations all over this country are able to avoid paying billions of dollars in Federal income taxes through loopholes in the Tax Code and generous tax breaks. This is simply unacceptable, it is unfair especially with a record-breaking