

they were in the Senate majority, 1990, 1994, 2002, or in the Senate minority, 1982. Senate Republicans, by contrast, have shown an unwillingness to consider judicial nominees of Democratic Presidents, 1996, 2009, 2010.

Over the last recess, I sent a letter to Senator MCCONNELL and to the majority leader concerning these matters. In that letter, I urged, as I have since last December, the Senate to schedule votes on these nominations without further obstruction or delay. I called on the Republican leadership to work with the majority leader to schedule immediate votes on consensus nominations—many, like that finally being considered today, I expect will be confirmed unanimously—and consent to time agreements on those on which debate is requested. As I said in the letter, if there are judicial nominations that Republicans truly wish to filibuster—after arguing during the Bush administration that such action would be unconstitutional and wrong—then they should so indicate to allow the majority leader to seek cloture to end the filibuster. It is outrageous that the majority leader will be forced to file cloture petitions to get votes on the North Carolina, Tennessee and other nominees.

After this confirmation, there will still be 22 judicial nominees favorably reported by the Judiciary Committee being stalled from Senate consideration by the Republican leadership.

The PRESIDING OFFICER (Mr. KAUFMAN). Under the previous order, the question is, Will the Senate advise and consent to the nomination of Gary Scott Feinerman, of Illinois, to be U.S. District Judge for the Northern District of Illinois?

Mr. LEAHY. Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not.

Mr. LEAHY. 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 assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Washington (Ms. CANTWELL), the Senator from New York (Mrs. GILLIBRAND), the Senator from South Dakota (Mr. JOHNSON), the Senator from Oregon (Mr. MERKLEY), the Senator from Maryland (Ms. MIKULSKI), the Senator from Washington (Mrs. MURRAY), the Senator from Vermont (Mr. SANDERS), the Senator from Michigan (Ms. STABENOW), and the Senator from Oregon (Mr. WYDEN), are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. BENNETT), the Senator from Missouri (Mr. BOND), the Senator from Kansas (Mr. BROWNBACK), the Senator from North Carolina (Mr. BURR), the Senator from New Hampshire (Mr.

GREGG), the Senator from Florida (Mr. LEMIEUX), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Alabama (Mr. SHELBY), the Senator from Louisiana (Mr. VITTER), and the Senator from Ohio (Mr. VOINOVICH).

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

The result was announced—yeas 80, nays 0, as follows:

[Rollcall Vote No. 201 Ex.]

YEAS—80

Akaka	Durbin	Lugar
Alexander	Ensign	McCain
Barrasso	Enzi	McCaskill
Baucus	Feingold	McConnell
Bayh	Feinstein	Menendez
Begich	Franken	Nelson (NE)
Bennet	Graham	Nelson (FL)
Bingaman	Grassley	Pryor
Boxer	Hagan	Reed
Brown (MA)	Harkin	Reid
Brown (OH)	Hatch	Risch
Bunning	Hutchison	Roberts
Burr	Inhofe	Rockefeller
Cardin	Inouye	Schumer
Carper	Isakson	Sessions
Casey	Johanns	Shaheen
Chambliss	Kaufman	Snowe
Coburn	Kerry	Specter
Cochran	Klobuchar	Tester
Collins	Kohl	Thune
Conrad	Kyl	Udall (CO)
Corker	Landrieu	Udall (NM)
Cornyn	Lautenberg	Warner
Crapo	Leahy	Webb
DeMint	Levin	Whitehouse
Dodd	Lieberman	Wicker
Dorgan	Lincoln	

NOT VOTING—19

Bennett	Johnson	Shelby
Bond	LeMieux	Stabenow
Brownback	Merkley	Vitter
Burr	Mikulski	Voinovich
Cantwell	Murkowski	Wyden
Gillibrand	Murray	
Gregg	Sanders	

The nomination was confirmed.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The Senator from Hawaii.

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

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

REMEMBERING SENATOR ROBERT C. BYRD

Mr. AKAKA. Madam President, I rise to pay tribute to Senator ROBERT C. BYRD, my mentor, supporter, and good friend.

Senator BYRD was the dean of the Senate, our foremost constitutional scholar. No one in the history of our country served longer in Congress.

For more than a half century, ROBERT C. BYRD kept the Senate in line. He always kept a copy of the Constitution in his jacket pocket, close to his heart. He was meticulous, a master of the rules of this historic institution.

Through hard work and dedication, Senator BYRD became an institution himself.

When I joined the Senate 20 years ago, to my great fortune, Senator BYRD took me under his wing. He guided me through procedural rules and taught me how to preside over the floor. I still have the notes he gave me when I was a freshman Senator. He was adamant that the Presiding Officer should always be respectful of the speakers, while maintaining strict adherence to the rules of the Senate.

Senator ROBERT C. BYRD was a patriot who cared for and loved this country, the United States of America. He worked hard for the people of West Virginia, who showed their support for him election after election.

Senator ROBERT C. BYRD was a spiritual man. Each week a number of Senators got together for a morning prayer breakfast. Senator BYRD was a regular participant when he was well. His favorite hymn was "Old Rugged Cross." I enjoyed singing it with him many times.

We shared a love for music and the arts. His fiddle playing was legendary.

He loved his family. He loved his children and grandchildren. He loved his dogs. Closest always was his wife Erma who was always by his side until her death in 2006. They spent many wonderful years together, and now they are together again.

My thoughts and prayers are with the Byrd family.

Senator BYRD, we love you and we miss you.

Thank you very much, Madam President.

The PRESIDING OFFICER. The Senator from Pennsylvania.

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

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

USE OF IEDS IN AFGHANISTAN

Mr. CASEY. Madam President, I rise tonight to speak about the war in Afghanistan, but on a particular subject. In particular, I wish to speak about the terribly destructive force of improvised explosive devices. These improvised explosive devices, known by the acronym IEDs, represent the single greatest threat to the United States and coalition forces in Afghanistan. The impact of this deadly tool of war has been felt in my home State of Pennsylvania, and I know so many of our colleagues have had not only loved ones in some cases but constituents who have lost their lives because of IEDs. In Pennsylvania, we have lost marines, soldiers, and National Guard troops to this insidious threat.

In the first 4 months of 2010, incidents of IEDs in Afghanistan increased 94 percent over a comparable period in the previous year according to the United Nations.

In 2009, more than 6,000 IEDs were discovered, the vast majority of which