demonize the Senate for having blocked all of this President's judicial nominations. The reality is that the Senate is proceeding at a record pace and achieving record numbers.

Also on the Senate calendar awaiting action is the nomination of Gary Sharpe of New York. That nomination was reported unanimously by the Judiciary Committee two weeks ago. He remains on the Senate Executive Calendar because the Senate Republican leadership has no interest in scheduling this noncontroversial judicial nominee for a vote.

Also on the Senate Executive Calendar awaiting scheduling of debate and a final vote are the nominations of Judge Dora Irizarry of New York and J. Leon Holmes of Arkansas. Mr. Holmes nomination has been awaiting debate since May, more than six months. Let us be clear. There is no Democratic hold preventing debate and votes on either of these nominees. They merit debate. There was debate in the Judiciary Committee. There should be debate on the Senate floor. And then the Senate will vote.

Indeed, following the debate on Judge Irizarry more than half of the Republican Members indicated that they opposed the President's nomination. I respect and understand their concern. I have had similar concerns about a number of this President's nominees. More than two dozen have received ratings or partial ratings of ''not qualified'' by the ABA. Some, like Timothy Hardiman of Pennsylvania and Dora Irizarry of New York, do not have the support of their local bar association either.

Unlike the way Republicans treated the nomination of Justice Ronnie White of Missouri when he was ambushed on the Senate floor and defeated in a party line vote. I do not expect that to happen with Judge Irizarry. Those with concerns have been forthright in coming forward. I do not expect Democratic Senators to do what Republicans did in 1999 to Ronnie White when they switch their votes and voted lockstep in a partisan effort to defeat his nomination on the floor.

With these four nominees for additional lifetime appointments to the federal bench, the Senate has the chance to reach a total of more than 170 judicial confirmations for the President in less than three years. Maybe that is why the Republican leadership has chosen not to go forward. Could it be that they do not want the American people to know that we have cooperating in filing 170 judicial vacancies in less than three years? That would not be consistent with the talking points the Administration is peddling to friendly media outlets all over town and around the country.

Over the last several days more than 200 people have been killed or wounded in Baghdad. The number of unemployed Americans has been at or near levels not seen in years, poverty is on the rise in our country, and the current Administration seems intent on saddling our children and grandchildren with trillions in deficits and debt. For the first time in a dozen years, charitable giving in this country is down.

While negative indicators are spiking, the Republican leadership of the Congress would rather demonize Democrats, engage in name calling and charge obstruction where the facts are historic levels of cooperation. The Senate wheel-spinning exercises involving the most controversial judicial nominees and the Republican leadership's insistence on unsuccessful cloture votes are unhelpful to the Senate or the courts. Despite the heated rhetoric on the other side of the aisle, we have made progress on judicial vacancies when and where the Administration has been willing to work with the Senate.

Only a handful of the President's most extreme and controversial nominations have been denied consent by the Senate. Up to today only four have failed. That record is in stark contrast to the more than 60 judicial nominees from President Clinton who were blocked by a Republican-led Senate. One-hundred sixty-seven to four, but as I have said, that total could be 170 to four if the Republican leadership would work with us and schedule voted and debate on the four nominees I have identified.

But despite this record of progress, made possible only through good faith effort by Democrats on behalf of a Republican President's nominees, and in the wake of the years of unfairness shown the nominees of a Democratic President, the Republican leadership has decided to use partisan plays out of its playbook as this year winds down.

Instead of putting partisanship aside and bridging our differences for the sake of accomplishing what we can for the American people, we are asked to participate in a transparently political exercise initiated by a President. With respect to his extreme judicial nominations, President George W. Bush is the most divisive President in modern times. Through his extreme judicial nominations, he is dividing the American people and he is dividing the Senate. Far from a uniter, on judicial nominations he has chosen to be a divider.

IN RECOGNITION OF TWO U.S. ARMY CIVILIANS RECEIVING AWARDS FOR OUTSTANDING SERVICE ON CAPITOL HILL

Mr. INOUYE. Mr. President, I would like to bring my colleagues' attention to two civil servants whose exemplary work in the U.S. Senate Army Congressional Liaison office has been formally recognized by the U.S. Army at a recent awards ceremony. For many years, my constituents have benefitted from their outstanding, timely, and compassionate service. It is my honor to also recognize their service, and to bring to your attention the nature of the awards given to Ms. Margaret Tyler and Mrs. Trulesta Pauling.

Ms. Tyler and Mrs. Pauling, both assigned to the Office of the Chief, Legislative Liaison, Headquarters, Department of the Army, were recognized in a ceremony held on October 23, 2003.

Ms. Tyler and Mrs. Pauling, Congressional Liaison Representatives for the U.S. Army's Senate Liaison Division on Capitol Hill, were each awarded the Army Staff Identification Badge and the Commander's Award for Civilian Service for exceptionally meritorious achievement. Both women were recognized for their work in support of Operations Enduring Freedom and Iraqi Freedom.

According to the award citations, Ms. Tyler and Mrs. Pauling managed their increased caseload with calm, grace, professionalism, and efficiency. Their commitment to excellence and devotion to duty has had a significant and long-lasting, positive impact on soldiers and their families.

The Commander's Award for Civilian Service is the fourth highest Department of the Army award for civilians. All Army civilian employees are eligible for consideration to receive this award for service, achievement and heroism. It is equivalent to the Army Commendation Medal awarded to soldiers.

The Army Staff Identification Badge was first proposed by General Douglas MacArthur while he was Chief of Staff of the U.S. Army, on December 28, 1931. The award of the lapel button for civilian personnel in the grade of GS–11 and higher was authorized in 1982 and is a symbol of exemplary service.

Once again, I extend my sincere congratulations to these two outstanding civil servants.

NOMINATION OF JOSEPH TIMOTHY KELLIHER

Mr. GRASSLEY. Mr. President, I rise today to state that I object to proceeding to the consideration of an executive nominee to the Federal Energy Regulatory Commission. The nominee is Joseph Timothy Kelliher, who is listed as a ''senior policy advisor'' to the Secretary of the Energy Department.

I have an outstanding document request at the Energy Department, and I must be certain that it will be answered in a timely and complete manner. I am also concerned that some Department of Energy officials are, among other things, misconstruing an amendment that I offered to H.R. 2754. My amendment is section 316 of the Energy and Water Appropriations Act, H.R. 2754, and it transfers claims processing responsibilities for ''Subtitle D'' of the Energy Employees Occupational Illness Compensation Program Act of 2000, EEOICPA, from the Department of Energy to the Department of Labor. I am trying to get some answers and straighten that out as well.