evolving conditions and make our coastal areas more resilient.

It is the Council's policy to accommodate a base rate of expected 3–5 foot rise in sea level by the year 2100 in the siting, design, and implementation of public and private coastal activities and to insure proactive stewardship of coastal ecosystems under these changing conditions. It should be noted that the 3–5 foot rate of sea-level rise assumption embedded in this policy is relatively narrow and low. The Council recognizes that the lower the sea level rise estimate used, the greater the risk that policies and efforts to adapt sea-level rise and climate change will prove to be inadequate.

This policy is already helping the State make smart decisions. For example, when a new pump station was needed at a sewage treatment plant, CRMC looked at sea-level rise models before determining where it should go, avoiding future relocation costs or malfunction in the face of flash flooding and sea level rise.

In 2010, our general assembly created the Rhode Island Climate Change Commission to study the projected impacts of climate change on the State, develop strategies to adapt to those impacts, and determine mechanisms to incorporate climate adaptation into existing state and municipal programs. A draft progress report from the Commission lists many ways the state is planning to adapt to climate change, including: Creating a ''Structural Concept and Contingency Plan to Inundation of the Ferry Terminals and Island Roadway Systems''; creating the ''Central Landfill Disaster Preparedness Plan''; national grid, our electricity and natural gas utility, undertaking a ''Statewide Substation Flooding Assessment''; the Army Corps of Engineers, FEMA, and the Rhode Island Emergency Management Agency conducting a ''Hurricane and Flooding Evacuation Study''; and the list goes on and on.

In the town of North Kingston, RI, they have taken the best elevation data available, and modeled 1, 3, and 5 feet of sea-level rise, as well as 1 foot of sea-level rise plus 3 feet of storm surge. By overlaying these inundation models on top of maps identifying critical infrastructure such as roads, emergency routes, railroads, water treatment plans, and estuaries, the town will be able to prioritize transportation, conservation, and relocation projects. They are also able to quantify the costs of sea-level rise. In one small area of the town, 1 foot of sea-level rise would put two buildings, valued at $1.3 million, underwater. Five feet of sea-level rise, however, jeopardizes 116 buildings valued at $91 million.

Similarly, by modeling how sea-level rise will impact estuaries, towns can preserve areas that will stay wetlands or undeveloped areas that will become wetlands in the future, as opposed to areas that will be lost. Estuaries act as nurseries for our hugely valuable fisheries, and protect our homes, buildings and communities from storm surge. There is already limited funding to protect these important ecosystems and this kind of planning promotes efficiency in spending.

Let me close by saying that it is now well past time for us as a country to start making policy that helps us adapt to the emerging scientific reality that our actions indeed do affect our environment. For those of us who are ocean States, the state of our oceans and coastlines is particularly significant, and I urge my colleagues to support our National Endowment for the Oceans, which got all the way into the conference committee on the highway bill before it was taken out in an unfortunate, unwise, and, frankly, unfair maneuver.

We are at a place now where nature could not be giving us clearer warnings. Whatever higher power there is—and we each have our own beliefs on that—that higher power that gave us our advanced human capacity for perception, for calculation, for analysis, for deduction, and for foresight has laid out before us more than enough information for us to make the right decisions. Only a wild and reckless greed or a fatal hubris could blind us to the distress signals coming from our oceans, our atmosphere, and our world. Fortunately, these human capacities still provide us everything we need to act responsibly but only if we will.

I thank the Presiding Officer, and I yield the floor.

EXECUTIVE SESSION

NOMINATION OF GERSHWIN A. DRAIN TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN

The PRESIDING OFFICER (Mrs. McCASKILL). Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant bill clerk read the nomination of Gershwin A. Drain, of Michigan, to be United States District Judge for the Eastern District of Michigan.

The PRESIDING OFFICER. There will be 1 hour of debate equally divided.

Mr. LEAHY. Mr. President, earlier this week, Senate Republicans followed through on their partisan opposition to the President by slamming the door on a highly qualified, consensus circuit court nominee with bipartisan support. It was the first time in history that a circuit court nominee reported with bipartisan support from the Judiciary Committee was successfully filibustered. Judge Robert Bacharach, who was nominated to the Tenth Circuit Court of Appeals, had had the strong support of his Republican home State Senators, Senator COBURN and Senator INHOFE. Unfortunately, they chose not to vote to end the unprecedented filibuster of his nomination and cloture fell just short. This deprived the people of Oklahoma and the Tenth Circuit of an outstanding judge who could today be serving the American people as an appellate judge. The Bacharach nomination is one of the many judicial nominees ready for final action by the Senate but being delayed by Republican opposition.

There was an article in the Washington Post this morning entitled ''A Bench with Plenty of Room'' about the judicial vacancies being perpetuated by partisanship all to the detriment of those seeking justice in our Federal courts. It notes that a lower percentage of President Obama's nominees have been confirmed than had been during the Bush administration and that at this point during the Bush Presidency there were only 28 judicial vacancies. It observes that ''Obama, with 78 vacancies, may be the first president in decades to end his first term with more judicial vacancies than when he began.'' We can change that if Senate Republicans will cooperate in the consideration of the 23 judicial nominees on the Senate Executive Calendar awaiting a final, up-or-down confirmation vote. I ask that a copy of that article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 1, 2012]

A BENCH WITH PLENTY OF ROOM

The Senate's rejection Monday of Oklahoma Magistrate Judge Robert Bacharach for a U.S. Court of Appeals seat sent a clear message to the three other appellate nominees hoping for a vote on the Senate floor:

Fuhgeddaboudit.

Ditto for 16 U.S. District Court nominees also pending in committee. The odds of judicial confirmations after this August recess are exceptionally slim—at best. The Cubs will win the pennant before you'll be putting on the black robes.

No nominees were confirmed after the August recess when President Bill Clinton was running for reelection in 1996 and only three when President George W. Bush was running for a second term in 2004—although five got in during the lame-duck session.

Still, a whopping 13 George H.W. Bush nominees, including two for appellate seats, were confirmed after the August recess in 1992, according to Senate Judiciary Committee statistics.

Four Clinton judicial picks were confirmed after the recess in 2000, when Bush II and Al Gore were running, and 10 Bush judges were confirmed during the race between Barack Obama and John McCain, the committee reports.

So with the numbers pretty much set, let's recap.

President Barack Obama, who started off slowly in getting nominations up to the Senate, never fully caught up. He's nominated fewer judges (200) than either Bush (228) or Clinton (245) on Aug. 1 of their fourth year in office, according to committee statistics.

At the same time, the Senate has confirmed a smaller percentage of Obama nominees than Clinton nominees—78 percent, compared with 80.8 percent—and a much smaller percentage than in the Bush administration (86.4).

As a result, Obama, with 78 vacancies, may be the first president in decades to end his first term with more judicial vacancies than when he started.

At this point in their first terms, Clinton had 58 judicial vacancies and Bush had 28. (The latter figure is pretty much full employment.)

Liberals have criticized Obama for not having pushed harder for his nominees, noting that Bush issued a lengthy statement at a 2002 news conference blasting ''a handful'' of Senate Democrats for holding up his judicial nominees because they ''fear the outcome of a fair vote in the full Senate.''

''The Senate has an obligation to provide fair hearings and prompt votes to all nominees,'' Bush said, ''no matter who controls the Senate or who controls the White House.'' Obama did, however, mention Senate delays in a State of the Union address and in a Saturday radio address, we were told. And Senate Judiciary Chairman Patrick Leahy (D-Vt.) intends to keep moving nominees this fall. Well, who knows? Deals are always possible.

But, after those recess appointments of the consumer finance watchdog and some labor folks in January, furious Republicans are not feeling particularly cooperative on appointments.

Mr. LEAHY. The Senate Republicans who took the floor earlier this week relied on their distorted application of the Thurmond rule in seeking to justify their unprecedented filibuster of Judge Bacharach's nomination. The truth is that Senate Republicans are trying to find an excuse for their partisan inaction that is stalling almost two dozen judicial nominees.

We now have a President who has worked with home State Senators to select moderate, superbly qualified judicial nominees. Yet Republicans who support these nominees will not vote to end filibusters against them and will not stand up to the partisan obstruction. I am proud of my record of working to lower vacancies and to move nominations whether there is a Republican or Democratic President and of my role ensuring that nominees are treated fairly and that the rights of every Senator are protected in the Judiciary Committee. But this is not about me. This is about the American people. This is about ensuring that they have functioning courts so they have access to justice.

With our Federal courts still severely overburdened, I hope that Senate Republicans will consider the needs of the American people. We need to do better, filling vacancies to ensure a functioning democracy, functioning courts, and do our job for the American people.

There are currently 19 district court nominees who have been reported favorably by the Judiciary Committee who can be voted on right now, almost all of them completely noncontroversial with significant bipartisan support. Of the 19 district court nominees currently pending on the floor, 16 were supported by nearly all Republicans on the committee. All have the support of their home State Senators, including eight with Republican home State Senators.

The reason for this extensive backlog of nominees is that Senate Republicans have allowed for votes on just one district court nominee per week for the last 7 weeks. We cannot allow this slow pace of confirmations to continue with the judicial vacancy crisis that we face. There are currently 78 vacancies. Judicial vacancies during the last few years have been at historically high levels and have remained near or above 80 for 3½ years. Nearly 1 out of every 11 Federal judgeships is currently vacant. Vacancies on the Federal courts are more than 2½ times as many as they were on this date during the first term of President Bush.

In contrast to the dramatic reduction in judicial vacancies during President Bush's first term, judicial vacancies are higher than they were when President Obama came into office—another sad first.

We have heard lots of excuses from Senate Republicans, who have tried to shift the blame for the judicial vacancy crisis to the President. They claim that the President has not made enough nominations. However, there are 19 outstanding district court nominees who can be confirmed right now who are being stalled. Let's act on them. Let's vote them up or down.

The Senate should proceed to confirm all 19 district court nominees who are ready for final confirmation votes. I know we can do this because we have done this before. On November 14, 2002, the Senate proceeded to confirm 18 judicial nominees on 1 day, and vacancies went down to 60 throughout the country. If we confirm the 19 district nominees ready for final Senate action today, we can reduce vacancies down to 60 as well. I hope that Senate Republicans will not extend their wrong-headed Thurmond rule shutdown to the confirmation of consensus, well-qualified district court nominees. Given our overburdened Federal courts and the need to provide all Americans with prompt justice, we should all be working in a bipartisan fashion to confirm these nominees.

Today, the Senate will vote on the nomination of Gershwin Drain to fill a judicial emergency vacancy in the U.S. District Court for the Eastern District of Michigan. Judge Drain has the strong support of his home State Senators, Senator LEVIN and Senator STABENOW. His nomination was reported favorably by the Judiciary Committee 4 months ago.

Judge Drain has been a State and local trial court judge in Michigan for over 25 years, with jurisdiction over both civil and criminal matters. In that time, he has presided over approximately 600 cases that have gone to verdict or judgment after trial. The ABA Standing Committee on the Federal Judiciary has unanimously rated Judge Drain as ''qualified'' to serve on the U.S. district court.

Currently a trial judge on the third Circuit Court of Michigan, where he has been presiding since 1997, Judge Drain has also served on the Recorder's Court for the City of Detroit for a decade. Prior to that, he served briefly as a judge for the 36th District Court of Michigan. Before becoming a judge, he was a trial attorney for the Federal Defenders Office for nearly a dozen years, where he tried over 140 cases to verdict or judgment. Judge Drain's vast experience as both a judge and a litigator makes him well prepared to take the Federal bench.

There are some Senators who have expressed concerns about Judge Drain's views based on a few isolated public statements that Judge Drain made more than a decade ago. However, Judge Drain's 25 years on the bench demonstrate that he is more than capable of being a fair and neutral judge who faithfully applies the law. His experience presiding over 600 civil and criminal matters provides further assurance that he makes his decision based on the law and nothing more.

Mr. GRASSLEY. Mr. President, I rise in opposition to the nomination of Gershwin A. Drain, to be U.S. district judge for the Eastern District of Michigan. Judge Drain, currently serving as a Michigan State court judge, was reported out of committee on a 10 to 8 vote. He could hardly be described as a consensus nominee.

Even as we turn to the 155th nominee of this President to be confirmed to the district and circuit courts, we continue to hear unsubstantiated charges of obstructionism. The fact is, we have confirmed over 80 percent of President Obama's District nominees. That exceeds the percentage for President Bush at this stage in his Presidency.

During the last Presidential election year, 2008, the Senate confirmed a total of 28 judges—24 district and 4 circuit. This Presidential election year we have already exceeded those numbers. We have confirmed 5 circuit nominees, and Judge Drain would be the 28th district judge confirmed. That is a total of 33 judges this year versus 28 in the last Presidential election year. Again, there is no credible basis to argue that this President is being treated differently.

With regard to Judge Drain, I will not take the time to mention every aspect of his record that I find troubling, but I do want to highlight some of my concerns.

In 1994, Judge Drain wrote an article that was published in the Michigan Chronicle concerning the second amendment and the right of American citizens to own and possess firearms. Judge Drain wrote that he ''envisions a day when the National Rifle Association with its lobby will not be feared, and that legislators and congressman will stand up strong against them instead of bowing down to them.'' He also wrote that he ''looks forward to the time when a person with a gun will be viewed as a coward or a chicken.''

I would note that it is not as if Judge Drain was a young and inexperienced lawyer when he took this view. On the contrary, he wrote this article after he had been serving as a judge for approximately 7 years. I recognize that Judge Drain told Senator LEE at his hearing that, if confirmed, he would follow the precedent in McDonald and Heller. But, I also know that when individual has such strong and well-established views on a particular subject, it can be very

difficult for them to set aside those strongly held views.

Judge Drain also has very strong views regarding his opposition to the death penalty. In an article he authored in the Detroit News, he referred to the death penalty as a ''primitive punishment that is brutal and barbaric.'' He also said that deterrence was ''the only reasonably legitimate argument for killing the convicted,'' but he said deterrence was actually a ''myth.'' Now, at his hearing, Judge Drain said that he wrote that article many years ago and he no longer holds to that position. But again, given how Judge Drain appears to have held very strong views on this issue, I am concerned that he would not be able to completely set those views aside.

His views on criminal sentencing concern me as well. Judge Drain has been strident in his opposition to mandatory sentences. He once wrote that, as a judge, ''one of my unpleasant tasks on occasion is to impose mandatory sentences.'' On another occasion, he expressed admiration for judges who refuse to hear drug cases where the law would require them to impose mandatory sentences. He called the judges who refuse such cases ''courageous.'' In my view, judges should accept the cases that are assigned to them, and it is their duty to do what the law requires of them. If they are unable to do that, then they should not be a judge.

At the State level, he urged his legislature to eliminate mandatory sentencing. At the Federal level, he criticized President Clinton's ''three strikes and you're out'' legislation.

At his hearing, I asked him about his views on sentencing. I appreciate that he acknowledged that his obligation is to follow the law. And then he added, ''The fact that I wrote some side comments about [sentencing], really shouldn't have anything to do with my decision-making, and is really kind of irrelevant or unimportant to me.''

However, Judge Drain's articles and comments are not irrelevant. As I evaluate the nominee, I have to be comfortable that he will be able to set aside his strongly held personal views and do what the law requires. Unfortunately, I am unable to reach that conclusion. I am sure Judge Drain is an admirable man, but I am unable to support him for the Federal bench.

Judge Drain received his B.S. from Western Michigan University in 1970 and his J.D. from the University of Michigan Law School in 1972. Upon graduation, he clerked for the Michigan Third Circuit Court judges. In 1973, Judge Drain worked as an attorney for a year in the department of transportation in Detroit. There, he handled property damage and minor personal injury cases. From 1974 to 1986, he worked as a Federal public defender in Detroit on felony cases. He handled cases where defendants were charged with a variety of crimes, including drug violations, bank robberies, counterfeiting, mail theft, interstate transportation of stolen property, and gun charges.

In 1986, Judge Drain was appointed to the 36th District Court for the city of Detroit. There, he had jurisdiction over traffic violations, landlord-tenant disputes, misdemeanors, and civil cases where the amount in controversy was less than $25,000. In 1987, he was appointed to the Recorder's Court for the city of Detroit, where he presided over felony prosecutions.

Judge Drain was elected to the Third Circuit Court of Michigan in 1997, where he presided over felony prosecutions in Wayne County until 2000. In 2000, he became a civil judge in the Third Circuit and presides over State civil cases where the amount in controversy exceeds $25,000.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Madam President, I don't intend to talk about the nomination, but I have talked to my friend from Michigan about this, and I would ask unanimous consent that my time come from the Republican time on the nomination discussion.

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

CYBER SECURITY

Mr. BLUNT. I rise today on two topics. One, I want to say that while I don't agree with everything my good friend from Rhode Island just said about the issue he was talking about, the two of us have worked all this year to try to bring people together on the issue we failed to deal with today on cyber security.

Senator WHITEHOUSE and I, along with Senators KYL and MIKULSKI, at the very first of the year began to create opportunities for Senators to sit down together and talk about the threat we face and talk about what we need to do to deal with it. I am convinced and I believe all the people I just mentioned are equally convinced that two things will happen: No. 1, we will eventually have a cyber attack on our country that will be successful in some way that many Americans will understand the danger we face from the cyber threat and, No. 2, that we will eventually pass a bill. My strong belief is that will be a better bill if we pass it before that event rather than after that event.

Mr. WHITEHOUSE. Madam President, may I simply interject, with the Senator's permission, to say how much of a pleasure it has been to work with him on this issue and to say that I think a great number of Senators on both sides of the aisle have worked in very good faith to get to a point where we can pass a bill. And I pledge to him, despite the unfortunate outcome of today's cloture vote, that I am committed to continuing to work with him, Senator KYL, Senator GRAHAM, Senator MCCAIN, and others—I guess Senator CHAMBLISS—on the other side of the aisle so we can indeed take the necessary steps to protect our Nation from this threat. But I say this with a strong consciousness of the very good will and the very hard work Senator BLUNT put into this effort and with great appreciation to him personally.

I yield the floor.

Mr. BLUNT. I thank my friend from Rhode Island, and I think we can move forward. I think there is good faith.

As I said, we started—the four of us—beginning to get people together. That group was quickly joined by Senators COLLINS and LIEBERMAN, so then six of us began to get people together. There were any number of meetings this week with about two dozen Senators, about equally divided between both parties, trying to find a way forward. I didn't think we found that in the cloture motion today. The motion said: Here is how we are going to proceed to finish the bill, and so we didn't move forward today. But I hope we can continue to work with Senator REID and others to create the sense that Senator WHITEHOUSE just expressed, that there is great bipartisan effort being made to find a solution that not only would pass a Senate bill but would wind up with a bill on the President's desk sometime this year.

You don't have to look very far to find people who will say that the greatest threat we face at this moment is the threat of some kind of cyber attack. At the highest levels of our military structure, of our intelligence structure, they quickly come to that conclusion. And leaving here for the work period in August that Congress has had since the beginning of Congresses without having this done on the Senate side is disappointing to me.

On the other hand, there wouldn't have been a bill even if we had passed a bill today because we have to work with the House to have a bill that winds up with a piece of paper on the President's desk—a relatively small stack of paper—that he can sign and that then becomes the law that allows us to either minimize or hopefully avoid the current certainty that someone will eventually begin to get to our critical infrastructure in a way that makes it hard for the country to get water, to get electricity, to communicate, or to address the financial network. You know, 3 or 4 days anywhere in the country where the electricity is out, suddenly you begin to see all of the things that are dependent on just the electrical grid alone.

Hopefully we can do this. I know work is being done. I will be involved in some of it later today. As I said, I am disappointed we didn't get this done, but it has to be done. We can't leave here this year with the House saying ''we passed a bill'' and the Senate saying either ''we didn't pass a bill because one side didn't want to work with the other'' or ''we passed a bill, but the House wouldn't agree to it.'' This is not a problem that we just need to have a political answer to; this is a problem we need to have a real answer to.

IRAN SANCTIONS

What I also came to the floor to talk about today is something we actually managed to get done just a few days ago when the Senate passed the House-passed Iran Threat Reduction and Syria Human Rights Act. This is one thing people who don't agree on much of anything else in the House and Senate can figure out how to agree on. This bill, while I think it could have been a little stronger, was still a strong effort to reach a conclusion that hopefully the President will sign as soon as possible and send the right message to Iran that even amid our vigorous disagreements on all these other issues, including something as important as cyber security, Congress stands united against Iran developing nuclear capacity.

Let me give some of the highlights of the bill. This would create strong new measures on any entity that invests in Iran's petroleum, petrochemical, or natural gas sector, strong measures against any entity that provides goods, services, and infrastructure or technology to Iran's oil and natural gas and any entity that provides refined petroleum products to Iran.

Iran is an economic basket case. They have all this oil, but they can't turn enough of it into gasoline for their own country because of the kind of government under which they are suffering.

Again, this bill would create new, strong measures against any company or entity that insures or reinsures investments in Iran's oil sector; that engages in joint ventures with the National Iranian Oil Company; that provides insurance or reinsurance to the National Iranian Oil Company or the National Iranian Tanker Company; that helps Iran evade oil sanctions through reflagging or some effort that tries to hide the real source of oil coming from Iran; that sells or leases or otherwise provides tankers to Iran; that transports crude oil from Iran concealing the origin of Iranian crude in any way. These are good measures that strengthen what we have been doing, and what we have been doing is having some impact. I believe we need to have more impact because the result would be so unacceptable if Iran successfully gets a nuclear weapon.

The bill prevents Iran from bringing money back when it sells oil in other countries. Now, 80 percent of their hard currency comes into the country that way. So we would say that can't happen. And 50 percent of all the money that runs the government comes in that way. When the President signs this bill, we are saying this shouldn't be allowed to happen. It also prevents the purchasing of Iranian sovereign debt.

I have been working on this issue for a long time. In 2006 I worked with my colleagues in the House and Senate and the administration to secure the first Iran Freedom Support Act, which updated the Iran sanctions law and put into law many of the things we have been doing. This bill, along with that bill, addresses problems we need to be concerned about as a country.

Late last year the Senate passed an amendment to the Defense bill, 100 to 0, to block Iran's access to global capital markets. Foreign banks that do business with Iran's banks won't be able to do business with the U.S. financial system.

Nobody disputes what a nuclear Iran would mean to the world. Iran is currently led by a man who has called for the destruction of our ally Israel. Iran's government funds and supports terrorist organizations and regimes all over the Middle East that threaten American allies and interests and American citizens. The Iranian regime is dangerous, it is undemocratic, it treats its own people brutally, and it associates itself with other countries that do the same thing. North Korea, Venezuela, and Syria are allies of Iran. What does that tell us? We can sometimes tell a lot about a country by the few friends it has left in the world. Iran bankrolls Hezbollah and has strong financial ties with Hamas. Remember, this is a country that can't even produce their own gasoline, even though they send oil out every day, because they are focusing on nuclear activities when they have so many other needs. So there is no reason to believe a nuclear Iran would not be a threat to the United States.

Some of our country partners in that region, such as Turkey, feel they have to develop nuclear programs if Iran does.

The Iranian people, many of whom advocate for freedom and demonstrated their bravery in the 2009 uprisings, are not our enemies. This government, however, is our enemy, and this government should not be allowed to have a nuclear weapon.

We are going to have to work together to more vigorously persuade countries such as Russia and China that their ties with Iran aren't in the best interest of the world. We have to work to encourage our European allies to accept some further risk as they also continue on the path they are on to make these sanctions work better.

I understand there is some risk here, but the Senate—which doesn't agree on a lot of things—agrees that an unacceptable conclusion to what is going on in Iran right now would be a nuclear Iran.

I urge the President to sign this bill to implement the provisions as quickly as possible and to work with other countries in the world to see that we all advance the interests of peace by insisting that Iran not continue on the course it is on.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, I am very pleased that the Senate is now taking up the nomination of Gershwin Drain to be a judge on the Eastern District Court of Michigan.

Judge Drain has an impressive legal career. He graduated from the University of Michigan Law School and then went on to earn a master's of judicial studies degree in 1991. He has served with distinction as a trial judge for over two decades in all three of our trial courts, from the lowest court, which is a so-called district court, to the recorder's court and the circuit court.

He has demonstrated a career-long dedication to helping the people understand how our legal system works. As a longtime columnist for the Michigan Chronicle newspaper, he has explained often-complex legal issues in language accessible to lay readers, broadening understanding of and appreciation for our courts. Beyond his writing, Judge Drain has been very active in the community, including membership on the education committee of the Southfield Christian School Board.

It is important to note that the confirmation of Judge Drain would help to remedy the judicial emergency in the Eastern District of Michigan. Vacancies and caseloads in the Eastern District meet the Federal judicial system's definition of an emergency. These judicial emergencies lead to delays and, even worse, to the risk of rushed judgments that could deprive Americans of the impartial justice that is so much a necessary component of our democratic system of government.

Judge Drain was asked about some of his past writings and statements during his confirmation hearing at the Judiciary Committee on such issues as capital punishment and mandatory minimum sentences. He indicated that some of those views—some of them decades ago—have evolved. He was candid in saying where they have changed. I don't agree with everything Judge Drain said 20 years ago, but nonetheless, without the slightest hesitancy, Senator STABENOW and I have recommended him to be a judge on the Eastern District Court for Michigan.

The test of his fairness has been shown by the fact that he has served with distinction for over two decades on trial courts. Another test of his fairness is how the legal community feels about Judge Drain.

Senator STABENOW and I have appointed a judicial advisory commission to make recommendations to us for the judicial positions we have on the Federal district courts. His nomination was the result of an examination by and consideration of a host of people interested in being Federal court judges in the Eastern District. His competition was great. There are literally dozens of qualified people whom we considered—more accurately, our judicial advisory commission considered—to recommend to the President for nomination. He was one of the persons they recommended. This is a commission we have appointed in order to remove the nominees whom we recommend to the President, as much as we can, from partisan politics and to

put them instead under consideration to be a judge with great objectivity. We have a broadly based commission. I think the best test of his fairness and objectivity and his ability to judge people not based on anything other than the merits of the case in front of him is testified more than anything to by the fact that the broadly based judicial advisory commission recommended his nomination to us as one of the people to be considered, and we recommended him to the President.

The American Bar Association has also spoken on this issue. He has been recommended unanimously as qualified for the Federal bench by the Standing Committee on the Federal Judiciary of the American Bar Association.

So we are in a position here where we have a judicial emergency on the Eastern District Court. We have a situation where the delays that result deprive Americans of what they are entitled to. We have a nominee who has been recommended by a broadly based commission that Senator STABENOW and I have appointed. He has been given a unanimous rating of ''qualified'' by the American Bar Association. And I think his commitment has been shown not just by his decades of service as a trial judge but by the way he answered the questions in his confirmation hearing. He said—and he has shown this in practice—that ''my personal beliefs, both past and present, have no bearing on the decisions I make in court.'' The notion that he would insert his own personal judgment in place of the law is contradicted by not just his testimony but by a record of decisions that indicate he abides by the concept of judge as impartial arbiter.

Senator STABENOW and I strongly urge our colleagues to confirm Judge Drain. We hope that can happen in the next hour.

Madam President, I yield the floor and ask that the time between now and the time for voting be equally divided between the majority and the minority.

The PRESIDING OFFICER. Without objection, it is so ordered. The quorum call will be equally divided.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from New Jersey.

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

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

POLITICIZING ISRAEL

Mr. LAUTENBERG. Madam President, I rise today out of disbelief with the rhetoric coming from Republicans and their Presidential candidate concerning the U.S. relationship with Israel. Frankly, it pains me to see that a political trip to Israel is carried with a message to scare the Israelis that President Obama and this administration are not as fast and as complete as they are.

I have had numerous trips to Israel. One was the 6-day war in 1967, when the Israelis had battled with the Egyptians, and I got there shortly after the guns stopped shooting. I went to the Sinai Desert and watched the Israelis on guard while the Egyptian soldiers were carrying necessary items, such as water and food, for their people. I was reminded then that the Israelis always have to be on guard. They are never free to go about their domestic interests and problems without having one eye open to make certain the rockets that are being aimed at them aren't going to tear their people apart again, as their people have experienced—the worst of human relations, a blight on mankind which can never be forgotten, and the Israelis remember it very clearly.

Unfortunately, Republicans want to use our relationship with Israel as a political game, which is terrible for America's national security and bad for Israel. The implication that we are weak in our support for Israel is foul play and encourages Israel's enemies to look and say: Well, maybe America is not as solid on its support of Israel, because Mr. Romney, when asked the question about what he would do differently with Israel, says he would do just the opposite of what President Obama has done.

We have built a relationship between our countries that is firm and unshakable since 1948. To try to clumsily interfere with that is shameful. Republicans are distorting the state of U.S.-Israel relations for political gain and sending the wrong signal to the rest of the world.

When you listen to the Republicans—especially their Presidential candidate, Mitt Romney discuss Israel, reality is often replaced with distortion and fantasy. Mitt Romney says President Obama has not been a friend of Israel. That couldn't be any further from the truth. When we examine the record, it is clear that President Obama shares my convictions about the enduring bond between Israel and the United States. It is clear that there is no greater friend to Israel than this President.

But you don't have to take my word for it. Here is a chart that carries a message from a distinguished leader in Israel, the Israeli Defense Minister, Ehud Barak. He says very clearly:

> [T]his administration under President Obama is doing in regard to our security more than anything that I can remember in the past.

He made certain that it is quite understood that the relationship with Israel and America is solid and well-balanced. This is coming from, as I said, a distinguished, decorated military leader. He helped plan the historic raid on Entebbe to rescue Israelis who were held in a grounded airplane. He understands Israel's security.

Israeli Prime Minister Benjamin Netanyahu has called the Obama administration's security policy for Israel ''unprecedented.'' But if you listen to Republicans over here in the United States, they say we have all but abandoned Israel's security. They are encouraging hostile neighbors with their misrepresentations. Shame on them.

Governor Romney in particular has demonstrated frightening ignorance about Israel and its security needs. The prime example of this behavior is the Republican Presidential nominee's complete inability to articulate what exactly he would do differently than President Obama. When asked about what his policy regarding Israel would be, and I have to quote him here, he said: ''I'd look at the things the President has done and do the opposite.''

What a threatening statement that is. He said he wants to do the opposite of President Obama. So let's look at what that would mean. Obama blocked Palestinian statehood when it was brought up in the U.N. He had a big fight on his hands to keep that from happening. So that means Romney, as President, would allow Palestinian statehood in the U.N. He said he is going to do the opposite.

Record high U.S. aid for Israel? Romney is going to do the opposite. That means he has to lower the U.S. aid for Israel.

Obama says all options on the table for dealing with Iran are there. That means that Mitt Romney, if President, would only use ''containment'' of a nuclear Iran as his yardstick for dealing with this incredible problem.

So, everybody, beware. Israelis, beware. Don't be taken in by this and don't let people in America be taken in by this. They know that Israel is America's best friend.

Last September, when the Palestinian Authority aggressively pursued a U.N. vote on statehood, that is when President Obama stood strong and blocked it. If we are to believe Mitt Romney, however, as indicated here, he would have allowed this unilateral action on Palestinian statehood to proceed.

Just a few days ago, President Obama signed into law a new bill that will strengthen U.S. security with Israel even further. But again, if we are to believe Mitt Romney, he would have lowered Israeli aid and weakened, thusly, Israel's defenses against the threats it constantly faces.

And last, President Obama has stood absolutely firm in his call to stop Iran from development of a nuclear weapon. The Obama administration has been clear that all options are on the table to prevent Iran from becoming a nuclear threat to its neighbors. President Obama has put in place the strongest sanctions ever against Iran, sanctions that have punished and isolated Iran more than ever before. If we are to believe Mitt Romney here as well, under President Romney America's policy toward Iran would be one of accepting a nuclear-armed Iran that threatens Israel's—and the world's—very existence.

The bottom line is this: These are not simple problems and they will require real leadership to tackle. We cannot play games with America's best friend. Israel continues to be threatened by rockets launched by Hamas from the Gaza Strip. Iran appears intent on developing a nuclear weapon and is the foremost state sponsor of terror. But instead of approaching these issues with the careful consideration they deserve, the Republicans seem intent on twisting reality for political gain.

We see it on the domestic front, too. The Republican leader said—he said it here—his party's top priority is to make President Obama a one-term President, and they are using any pretense they can to establish that. Their top priorities, then, clearly do not include helping everyday Americans by creating jobs, improving our schools, or strengthening our health care system. If we take Mitt Romney at his word, they are certainly not aimed at doing what is in Israel's best interest. And when they simply wish for our President's failure, they are hurting America's chance for success.

When they fail to put forth any ideas of their own, they show themselves to be unfit to govern, unable to lead. Their mission, their primary mission is to bring down the record that President Obama has established. We have recaptured a lot of jobs. Still, we have a long way to go to get our economy in better motion than it is, but everybody knows we are working on it. We have seen remarkable growth in jobs in the automobile industry, which looked as though it might have ended up being unable to function in this country of ours.

The whole world knows that America's leadership depends on its domestic strength and not on casual political rhetoric that challenges America's loyalty to its friends.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Michigan.

Ms. STABENOW. Madam President, I rise today to strongly urge my colleagues to support the nomination of an outstanding judge, Gershwin Drain, to the United States District Court for the Eastern District of Michigan. We will have an opportunity to vote in a few minutes. Senator LEVIN and I join together in the strongest possible recommendation to our colleagues on this nomination. I have known Judge Drain for many years. I can tell you he is a very impressive individual with a long record of excellent public service. He has served in the district court, the Detroit Recorder's Court and the Wayne County Circuit Court.

He is active in the community. When I am in the community and have the opportunity to be at events that are important for people, for families, for communities, for children, for economic development, Judge Drain is always there, supporting the efforts of Detroit and of Michigan.

He is of course dedicated to his incredible family, who I know is very proud of him, as we are. But don't take my word for it. The American Bar Association Standing Committee on the Federal Judiciary unanimously rated Judge Drain ''qualified'' to serve on the District Court. He was named a ''Man Of Excellence'' by the Michigan Chronicle newspaper, and the Detroit News named him ''Michiganian of the Year''—both very prestigious recognitions in Michigan.

This is a very important judgeship that has been vacant for more than 2 years. It is important for people in Michigan and throughout the eastern district to be able to have the full measure of justice they expect and deserve when coming before the court. It is very important that we fill this vacancy.

I am appreciative and proud that the President of the United States has nominated him. I appreciate the support of the Judiciary Committee in bringing this nomination forward and the agreement to allow us to vote on this nominee.

Judge Drain has the qualifications, the experience, and the temperament for this very important position. I strongly urge my colleagues to support his nomination and to vote yes when it comes before us in the next few minutes.

I 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. LEVIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The question is, Will the Senate advise and consent to the nomination of Gershwin A. Drain, of Michigan, to be United States District Judge for the Eastern District of Michigan?

Mr. LEVIN. Madam President, 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 bill clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK), the Senator from Kansas (Mr. MORAN), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

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

The result was announced—yeas 55, nays 41, as follows:

[Rollcall Vote No. 189 Ex.]

YEAS—55

Akaka	Gillibrand	Nelson (FL)
Baucus	Hagan	Pryor
Begich	Harkin	Reed
Bennet	Inouye	Reid
Bingaman	Johnson (SD)	Rockefeller
Blumenthal	Kerry	Sanders
Boxer	Klobuchar	Schumer
Brown (MA)	Kohl	Sessions
Brown (OH)	Landrieu	Shaheen
Cantwell	Lautenberg	Stabenow
Cardin	Leahy	Tester
Carper	Levin	Udall (CO)
Casey	Lieberman	Udall (NM)
Coats	Manchin	Warner
Conrad	McCaskill	Webb
Coons	Menendez	Whitehouse
Durbin	Merkley	Wyden
Feinstein	Mikulski	
Franken	Murray	

NAYS—41

Alexander	Enzi	McCain
Ayotte	Graham	McConnell
Barrasso	Grassley	Murkowski
Blunt	Hatch	Nelson (NE)
Boozman	Heller	Paul
Burr	Hoeven	Portman
Chambliss	Hutchison	Risch
Coburn	Inhofe	Roberts
Cochran	Isakson	Shelby
Collins	Johanns	Snowe
Corker	Johnson (WI)	Thune
Cornyn	Kyl	Toomey
Crapo	Lee	Wicker
DeMint	Lugar	

NOT VOTING—4

Kirk	Rubio
Moran	Vitter

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table, that the President be immediately notified of the Senate's action, and the Senate resume legislative session.

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

BURMESE FREEDOM AND DEMOCRACY ACT

Mrs. FEINSTEIN. Mr. President, I rise today to express my support for S. 3326, a trade package that includes legislation sponsored by myself and Senator MCCONNELL to renew the import ban on Burma for another year.

I have been involved in the struggle for freedom and democracy in Burma for 15 years.

In 1997, former Senator William Cohen and I authored legislation requiring the President to ban new U.S. investment in Burma if he determined that the Government of Burma had physically harmed, rearrested or exiled Aung San Suu Kyi or committed large-scale repression or violence against the democratic opposition.

President Clinton issued the ban in a 1997 Executive order.

In 2003, after the regime attempted to assassinate Aung San Suu Kyi, Senator MCCONNELL and I introduced the Burmese Freedom and Democracy Act of 2003, which placed a complete ban on imports from Burma. It allowed that ban to be renewed one year at a time.

It was signed into law and has been renewed annually since then.

It expired on July 26 which is why this legislation is before us today.

In past years, the debate on renewing the import ban on Burma has focused

on more than two decades of violence, oppression, and human rights abuses by the ruling Burmese military.

They annulled the last free parliamentary elections won by Aung San Suu Kyi and the National League for Democracy.

They kept Suu Kyi in prison or under house arrest, detained hundreds of political prisoners, and ignored democracy, human rights, and the rule of law.

They drafted a new constitution that maintained the military's grip on power and prevented Suu Kyi and her party from participating in the political process.

But, I am pleased to report that this year is different. We have seen some remarkable changes in Burma over the past year which appear to have put Burma on the path of reform and rejoining the international community.

Hundreds of political prisoners have been released.

New legislation broadening the rights of political and civic associations has been enacted; and negotiations with ethnic minority groups have begun and some cease-fires have taken effect.

In addition, Suu Kyi and her National League for Democracy, NLD, were allowed to compete in by-elections for 45 open seats in the new parliament in April 2012.

Suu Kyi and the NLD won 43 of the 44 seats they contested.

For those of us who have been inspired by her courage, her dedication to peace and her tireless efforts for freedom and democracy, it was a thrilling and deeply moving event. Years of sacrifice and hard work had shown results—the people of Burma had spoken with a clear voice in support of freedom and democracy.

The United States has responded to this reform process in a number of ways.

Secretary Clinton traveled to Burma last December and met with Suu Kyi and President Thein Sein.

The United States and Burma resumed full diplomatic relations, with Ambassador Derek Mitchell becoming the first U.S. ambassador to Burma in 22 years.

Earlier this month, the administration announced that it was suspending U.S. sanctions on providing financial services to Burma and investing in Burma.

I supported these actions. It is entirely appropriate to acknowledge the steps Burma has already taken and encourage additional reforms.

Some may ask then: why stop there? Given the reforms, why renew the import ban?

The fact of the matter is, the reforms are not irreversible and the Government of Burma still needs to do more to respond to the legitimate concerns of the people of Burma and the international community.

First, it must address the dominant role of the military in Burma under the new constitution.

The military is guaranteed 25 percent of the seats without elections and remains independent of any civilian oversight.

In addition, the commander in chief of the military has the authority to dismiss the government and rule the country under martial law.

It goes without saying that such powers are incompatible with a truly democratic government.

Second, Burma must stop all violence against ethnic minorities. I am particularly concerned about reports that the Burmese military is continuing attacks in Kachin State, displacing thousands of civilians and killing others.

Third, the government must release all political prisoners.

I applaud the decision of the Government of Burma to release hundreds of political prisoners, including a number of high-profile democracy and human rights activists.

Yet, according to the State Department, hundreds more remain in detention.

Unfortunately, the Government of Burma maintains there are no more political prisoners. We must keep the pressure on Burma until all democracy and human rights activists are free and able to resume their lives and careers.

I believe that renewing this ban will help keep Burma on the path to full democratization and national reconciliation and support the work of Suu Kyi, the democratic opposition, and the reformists in the ruling government.

It will give the administration additional leverage to convince Burma to stay on the right path.

And the administration will still have the authority to waive or suspend the import ban—as it has suspended sanctions on investment and financial services—if the Government of Burma took the appropriate actions.

If we do not renew the import ban, however, and Burma backslides on reform and democratization, we would have to pass a new law to reimpose the ban.

By passing this legislation, we ensure that the administration has the flexibility it needs to respond to events in Burma as it as done so with financial services and investment.

Suu Kyi herself has argued that ''sanctions have been effective in persuading the government to go for change.''

I think renewing the import ban will push it to go further.

I urge my colleagues to support this bill.

Mrs. HAGAN. Mr. President, I ask unanimous consent that the quorum call be dispensed with.

Mr. President, the bill we are considering this morning—the AGOA-CAFTA-Burma sanctions package—has several parts, but I want to focus on the very real impact that one provision will have on jobs in my home State of North Carolina.

This provision would make non-controversial technical fixes to the Dominican Republic-Central American Free Trade Agreement.

When the DR–CAFTA was first negotiated nearly a decade ago, the intention of all the parties was to preserve the benefits of tariff reductions on yarn for the countries at the negotiating table.

That is how the United States has traditionally negotiated the textile chapter of its free-trade agreements.

But when the DR–CAFTA was agreed to in 2005 an out-of-date definition for sewing thread was used that inadvertently allowed non-CAFTA nations to export a certain kind of yarn into the CAFTA region duty free.

Textile manufacturers in countries like China began exploiting this loophole to substitute their yarn for U.S.-produced yarn, and this action severely damaged textile manufacturers in North Carolina and the rest of the United States.

Let me give you one example.

Unifi is a textile manufacturing company headquartered in Greensboro, NC, with plants throughout the State. Half of their employees tied to the thread business have lost their jobs since 2006 when CAFTA took effect and the yarn loophole was exposed.

Unifi is not alone.

There are nearly 2,000 jobs in the United States that are directly affected by the exploitation of this loophole.

Creating jobs in North Carolina is my No. 1 priority.

Now I am proud of North Carolina's historic textile industry. It continues to innovate its way through advanced manufacturing and investments in research and development.

But times are tough enough as it is for the American textile industry.

We simply cannot afford to lose good-paying manufacturing jobs in North Carolina's textile industry because foreign countries are exploiting drafting errors and Congress delays fixing them.

We should be looking for ways to allow our textile companies to compete with their foreign counterparts on a level playing field. This bill is a step in that direction.

The corrections in this bill were brought to the attention of other CAFTA countries by the United States, were agreed to in February 2011 and have since been enacted by all the other CAFTA countries.

I am glad that we overcame this hurdle to ally ensure the integrity of the textile provisions of the Central American Free Trade Agreement.

This fix is long overdue.

I want to express my deep appreciation to Chairman BAUCUS for his leadership in moving this bill forward.

Mr. MCCONNELL. Mr. President, I rise today to applaud Senate passage of the Burmese Freedom and Democracy Act. The measure extends for another year the import ban with regard to Burma.

I would like to clarify two issues that have prompted some confusion regarding this legislation.

First, the measure we are passing renews import sanctions for 1 year and 1 year only. I emphasize this point because it has been misreported that this bill renews sanctions for 3 years. That is not accurate; the bill renews them only for 1.

Second, enactment of this bill does not overturn the easing of investment and financial sanctions that the administration unveiled earlier this year. In fact, this year's bill, as in years past, provides authority for the administration to waive the import sanctions should it determine that certain conditions have been met. Before deciding whether to waive import sanctions, I would strongly urge the administration not only to consider the changes occurring within Burma but also to consult closely with Nobel Peace Prize laureate Daw Aung San Suu Kyi and the National League for Democracy.

This year's legislation comes at a time of historic changes on the ground in Burma. Daw Aung San Suu Kyi, long a political prisoner in the country, is now a member of Parliament. The National League for Democracy, once a banned organization, now actively participates in the political life of Burma.

For these reasons, the administration has taken a number of actions to acknowledge the impressive reforms that President Thein Sein and his government have instituted. The United States has responded by sending an ambassador to Burma for the first time in two decades. The administration also largely waived the investment ban and financial restrictions, permitting U.S. businesses to begin investing again in Burma.

For my part, I want to see investment in the ''new'' Burma. I want to see Burmese reformers empowered accordingly, and I want to see greater economic development come to this underdeveloped country. And, frankly, during challenging economic times here at home, I want American businesses to be able to compete in Burma now that sanctions have been removed by other Western governments.

That said, high standards for accountability in American business operations in Burma are important going forward. This seems particularly acute with regard to transactions involving Myanmar Oil and Gas Enterprise. I would urge U.S. businesses to show the Burmese people and the world the positive effects that American investment prompts. I am confident that, as they do elsewhere around the world, U.S. enterprises in Burma will set the standard for ethical and transparent business practices and lead the way for others to follow.

I would be remiss if I did not note the significant challenges in Burma that lie ahead. Ongoing violence in Kachin State and sectarian tensions in Arakan State reflect the long-term challenge of national reconciliation. Hundreds of political prisoners remain behind bars. The constitution still has a number of undemocratic elements. And the regime's relationship with North Korea, especially when it comes to arms sales with Pyongyang, remains an issue of grave concern.

Even with these challenges, however, I am greatly encouraged by the progress that has been made over the past year and a half in Burma. My colleagues and I in the Senate will continue to monitor developments in the country with great interest and with hope for the future.

AFRICAN GROWTH AND OPPORTUNITY AMENDMENT ACT

The PRESIDING OFFICER. Under the previous order, H.R. 5986 having been received from the House of Representatives, and its text being identical to the text of S. 3326, the Senate will proceed to the immediate consideration of the measure, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 5986) to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2008, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the clerk will read the bill for the third time.

The bill was read the third time.

The PRESIDING OFFICER. Under the previous order, the bill (H.R. 5986) is passed.

VETERANS JOBS CORPS ACT OF 2012—MOTION TO PROCEED—Continued

Ms. STABENOW. Mr. President, I would suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. WHITEHOUSE). Without objection, it is so ordered.

SYRIA

Mr. MCCAIN. Mr. President, at this late hour of our session, until September, I think it is important we continue to pay attention to and be concerned about the situation in Syria. Today, Kofi Annan, the former Secretary General of the United Nations, announced the failure of his mission. If there is anything about the conflict in Syria that did not surprise most of us, it is the fact that Kofi Annan's mission was a failure. It was doomed to failure from the beginning. It was based on the premise that somehow Bashar Assad would be motivated to stop the massacre of his people. It was motivated on the premise that somehow U.N. observers could come in and stand between the two fighting forces but totally ignore the fundamentals of this conflict.

The fundamentals of this conflict are simple: It is the Syrian people attempting to assert their God-given rights and throw off the yoke of a brutal and unconscionable dictator, and on the other side of the equation Bashar Assad's commitment to doing whatever is necessary, including massacring now as many as 20,000 of his own people in his desperate quest to remain in power in Syria.

Let's not forget that one of the reasons we have seen heavy Russian involvement in the form of supplies of arms and equipment and continued Russian veto of resolutions in the U.N. Security Council that would have imposed even the mildest sanctions on Bashar Assad is what seems to be some kind of nostalgia on President Putin's part for the old Russian empire and the maintenance of their one base on the Mediterranean port in Syria.

The Russians' behavior in this throughout, as they continue to block one resolution after another, of course, is revealing of the true nature of the Putin regime, the autocracy and kleptocracy that has now asserted its full power and weight in Russia. In addition to that, of course, we have the Chinese joining Russia in their sustaining of vetoes in the U.N. Security Council.

It is hard to overstate the damage these actions by Russia and China have done to them, but it is also hard to overstate the damage that has been done to the Syrian people, with Russian equipment being supplied constantly, Iranian boots on the ground helping to set up torture centers, and continued encouragement of Bashar Assad to remain in power.

I am not here to again critique this administration's abysmal record, but isn't it ludicrous—isn't it ludicrous—to base your entire policy toward Syria on the belief that somehow the Russians would convince Bashar Assad that he should leave Syria? Isn't it foolish to somehow base your policy and nonintervention on the belief that somehow the mission of a former Secretary General of the United Nations would succeed when it was clear the Syrian people were not going to be satisfied with the continuous barbarous regime of Bashar Assad, and certainly Bashar Assad was not going to give up?

It is clear through Iran's actions that its rulers are playing for keeps in Syria, and they will stop at nothing to prevent the fall of Bashar Assad. Why are the Iranians so committed and involved? The words of General Mattis, the Commander of U.S. Central Command, described it before the Senate Armed Services Committee when he said that the fall of Bashar Assad would be ''the greatest blow to Iran in 25 years.''

So the United States does have more than a humanitarian interest in what