

we go to conference, the House Democrats—who are kept out of everything—have the right by rule of the House of Representatives to offer what they call motions to instruct, to say don't cut Medicare, don't continue to whack little kids who are trying to get an education with the Head Start Program, don't cut NIH programs. They can force the Republicans to vote on that matter. I think that is what it is all about.

It has been 58 days since the Senate passed its commonsense, progrowth budget, but my Republican colleagues have objected time and time again to a conference with the House. The only explanation Republicans have given for endless obstruction is this: They refuse to negotiate unless we agree in advance to let them win. I am not making that up. That is true. Republicans refuse to go to conference unless Democrats adopt policies that were soundly rejected by the American people last November. It is a very bizarre way to negotiate. Meanwhile, the country inches closer and closer to yet another crisis—defaulting on the Nation's legitimate bills. They put off compromise until the last moment so they can use the debt limit as a bargaining chip. They hope to exploit concessions such as more tax breaks for the wealthy, hurting middle-class families; more concessions in Draconian cuts to Medicare, which, of course, hurts the elderly; stark concessions with cuts to Head Start, hurting little kids or they hope to extort concessions on more cuts to the National Institutes of Health, which hurts us all.

In fact, House Republicans met last week to decide what ransom they would demand to avoid a catastrophic default on this Nation's debts. One House Republican called it a laundry list of conditions. On the list—repealing the landmark health care reform. On the list—restricting women's health choices. On the list—more Draconian cuts to programs that are keeping American families strong.

Despite the political pain they caused themselves last time they held hostage the full faith and credit of the United States, they are again headed down that same path. This time they are suggesting that government should skip payments to the troops, to veterans, to Medicare recipients, and more. Why? So we can pay China first. I am not making this up. That is what they want to do. Their plan would hurt our national security, our economic security, and it would not prevent default. The Republican approach—default on the bills—is irresponsible, extreme, and really senseless. By now they should know that it is compromise, not political hostage-taking, that will set our Nation on the road to fiscal responsibility.

#### RESERVATION OF LEADER TIME

Mr. REID. Will the Chair announce the business of the day.

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 3 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. I suggest the absence a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WYDEN. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### McSHANE NOMINATION

Mr. WYDEN. Mr. President, I am pleased that the Senate will be voting on the confirmation of Judge Michael McShane today to serve as U.S. district court judge for the District of Oregon.

Judge McShane is a product of the judicial selection committee that I have organized at home in Oregon. Senator MERKLEY has been in full support of this effort. Judge McShane is coming forward for consideration by the Senate as a result of the work of that special judicial selection committee made up of individuals with a variety of different philosophical views, and I am very pleased that the President has seen fit to send Judge McShane's name to the Senate.

In a sentence, Judge McShane has a heart for people, a head for the law, and a high-minded sense of justice. I start by way of saying he certainly has outstanding academic credentials. He was a magna cum laude graduate from Gonzaga University. He attended the Northwestern School of Law at Lewis and Clark College where he graduated in the top 10 percent of his class, and his accomplishments in the courtroom have earned him very high ratings by the American Bar Association.

From an academic standpoint, Judge McShane is clearly qualified for this position. What I feel particularly strongly about—and what was evidently very important to our judicial selection committee—is that he has been an extraordinary member of our community.

He always steps up when asked to help his community. For instance, he stepped up when he was called and asked to be an advocate for inner-city and HIV-positive youngsters. While in these various leadership and volunteer roles, he has always come forward, not just to help but also to come up with innovative approaches in terms of his work with kids. We especially see this in his advocacy for at-risk youngsters in the Job Corps Program.

Judge McShane brings these young people into his courtroom as interns to help with the day-to-day operations where they are given the opportunity to see the inner workings of our judicial system. In many instances Judge McShane literally guides them through the process and sets about to make it possible for them to be involved in ways we normally would not think of when we are looking at the role of a judge.

For example, in many cases Judge McShane buys sport coats and khakis for these youngsters who might otherwise feel uncomfortable in a courtroom setting. Judge McShane, in his own words, has been known to say: I want to make sure those young people have a chance to "blossom." Those are the words he uses. He makes it possible for them to get the sport coats and khakis with his own money so they can participate in this unique training.

This past year he was awarded the 2012 Oregon State Bar President's Public Service Award for his service to the community. He is involved in the Northwestern School of Law mentoring program, and in 2009 he was named the law school's Mentor of the Year.

Also, through the classroom law project Judge McShane presides over Summer Law Camp for inner-city kids. On top of that, Judge McShane plays an important role as a foster—and now adoptive—parent through the Oregon Department of Human Services.

We looked at that kind of community caring, and we said this is truly an exceptional individual. We juxtaposed that wonderful record of community service alongside of his legal track record.

Judge McShane began his legal career as an attorney with the Metropolitan Public Defender's Office in Portland. We all understand the importance of public defenders. In 1997, as a result of his good work, he was appointed by the Oregon Supreme Court as a full-time pro tem judge. For the last decade he has been an adjunct professor at his alma mater, the Northwestern School of Law at Lewis and Clark College, where he teaches trial advocacy and the criminal practice seminar.

Among the many reasons I believe he is academically and professionally very qualified to be a judge is because his litigation experience includes both complex criminal and civil cases. He is the senior member of the Multnomah County Circuit Court's Death Penalty Panel and presided over more capital cases than any other sitting judge in our State. He has been a proven advocate for evidence-based sentencing, and he has a proof-based sentencing model for driving under the influence of intoxicants offenders that has now become the standard in Multnomah County.

It is for all of those reasons—especially his track record in terms of community service as well as those outstanding professional experiences starting as a public defender and teaching in the classroom—that I am very