

To my colleagues I would say that one of the things I pray for every day is that we will find our way to a two-state solution in the Middle East that provides a homeland for the Palestinians, a capital for the Palestinians, and security for the people of Israel and peace for the people of Israel.

There is a great partnership in our State between Rabbi Beals' synagogue and my church and a number of other churches of different faiths. I just want to mention that here today and thank you for your commitment not just to the least of those in our society and those who need our help but also across the world to a really big trouble spot that needs our attention and our thoughts and our prayers. I thank you very much for being here today. Thank you for your prayer.

I thank the leader for letting me say a few words.

#### SCHEDULE

Mr. REID. Following leader remarks, the Senate will be in a period morning business until 10:30 a.m. The time until then will be equally divided and controlled between the two leaders or their designees.

Mr. President, if Republicans want to use extra time because of my two Democrats here, there will be no problem with that. The Chair will know how much time was taken by Senator COONS and Senator CARPER.

At 10:30 there will be two rollcall votes—first a cloture vote on the Srinivasan nomination for the D.C. Circuit and a second vote on the Sanders amendment to the farm bill.

The managers will continue to work through amendments to the farm bill today. Senators will be notified when additional votes are scheduled. I would note we are going to see if we can get a finite list of amendments today on the farm bill. Senators STABENOW and COCHRAN are working on that. It would be nice if we can do that.

Also, we hope we can work something out so we can finish our work today. If we do not, we will have to be here tomorrow in the afternoon to finish this circuit court business.

#### MAKING THE SENATE WORK

Mr. REID. Mr. President, as a boy, as I grew up, what I wanted to be was a baseball player. It didn't take long until I learned I was not big enough, fast enough, or good enough to be the baseball player of my dreams, but that has not taken away my love of the game. I have followed it so closely for many years. I follow it really, really closely.

I was a cheerleader for any team Greg Maddux was on. He came from Valley High School, from Las Vegas. Almost immediately he was a star baseball player in the Major Leagues. Whatever team he was on was the team I cheered for.

I have been here in Washington now for a number of years. They have had

in recent years a professional baseball team. I am reminded that when I was going to law school, working in this building, I went to Griffith Stadium and watched baseball games. I only watched two, but I watched the Washington Senators play the New York Yankees twice—Mickey Mantle, Yogi Berra, all that crowd. I remember that.

In recent years—in fact, the last 2 years—I have focused on the Nationals a lot because of another phenomenon from Las Vegas by the name of Bryce Harper. He has meant so much to that team, as we learned last night. He is recovering from running into the wall at full speed, hurting himself. But last night he was the reason they won—hit a home run and a double in the 10th inning and made a sensational catch. He is really very good.

The reason I mention that is that Davey Johnson is the manager of the Washington Nationals. He has managed five different Major League Baseball teams. He is one of the greatest managers in the history of baseball. He won pennants, won national championships. But what would the Washington Nationals be like today if he did not have the ability to have the players he wanted? Someone would say: OK, you can have your third baseman Ryan Zimmerman, but you are going to have to wait—not at the beginning of the season, you are going to have to wait until August. We are willing to have him come in August. Or their first baseman, Adam LaRoche—he is a good first baseman, Golden Glove. But you can't have him for a while. Wait for a few months and then bring him on.

That is an example of what is going on in the Senate. The President of the United States does not have the team he wants, the team he deserves.

Yesterday my friend—and he is my friend—the minority leader offered a full-throated defense of the dysfunctional status quo here on Capitol Hill. Here is what he said: "I think we have demonstrated there is no real problem here," talking about the Senate. This he said yesterday on this floor.

Congress has an approval rating I don't even like to talk about. It is very low. Senator MCCONNELL stood on the Senate floor and said things here in Congress are going just fine. I think it is safe to say Americans disagree, and I am on their side. Senator MCCONNELL is free to defend this Republican-created logjam that exists in the Senate today, but I will not join him in this defense. The problem of gridlock in Washington is real, and it must be fixed. I am committed to making the Senate work again.

These remarks I am giving today are only in an effort to get this body to work well. There is nothing sinister in what I am saying. I just want the Senate to work well. I have been here a long time, and it did not work this way before.

Despite the agreement we reached in January of this year, Republican obstruction on nominees continues

unabated—no different than it was the last Congress.

The minority leader used strong words yesterday accusing me of going back on my word. I take that accusation very seriously. It is true that in January Democrats and Republicans entered into an agreement. Republicans agreed to cease the endless obstruction of Presidential nominees. They agreed they would work with us "to schedule votes on nominees in a timely manner except in extraordinary circumstances." This is what he said, what the minority leader said. I just quoted that. He said it this year. I repeat, "Republicans agreed they would no longer block the President's nominees without extraordinary circumstances."

Look at the dictionary about "extraordinary circumstances." Here is how it is defined: "going beyond what is usual, regular, or customary." That is not some definition I came up with, that is the definition in the dictionary. "Extraordinary" is defined as "going beyond what is usual, regular, or customary."

In return for their saying that is what they would do, we agreed that we would not consider any changes to the Senate rules outside of regular order. Democrats have kept our word. We intend to keep our word. We have not altered the rules. But since we entered into that agreement, Republicans have failed to hold up their end of the bargain. What they have done these past 5 months has not been usual, regular, or customary as defined in the dictionary. Not only have they failed to work with us to schedule votes on nominees in a timely manner, they are doing everything in their power to deny the President his team and thus undermine Obama's Presidency.

Instead of throwing about accusations, let's look at the facts. Let's stick with the facts. Republican obstruction has slowed down nearly every nominee President Obama has submitted. Even Cabinet Secretaries have faced unparalleled procedural hurdles, and Republicans are threatening to block many more of them. For example, in the some 230-plus years we have been a country, for the first time in the history of this country, while a war is going on and one is winding down, for the first time in the history of this country, Senate Republicans filibustered the nomination of Secretary of Defense Chuck Hagel—who, by the way, is a Republican and, by the way, is a Vietnam hero for his combat activities there and was a Republican Senator from Nebraska.

The minority leader himself is threatening to block President Obama's nominee for Secretary of Labor, and he said so. The Secretary of Labor is a good person. He put himself through school working as a garbage man. His parents are immigrants.

What we have done here for generations of the Senate is we have had hearings on these nominees. That is the way it should be.

In recent years, after the hearings have taken place, a Senator will say: I have a few more questions. We will send them. Usually there would be two or three or four or five questions. Secretary Geithner, who recently resigned as Secretary of the Treasury, got 28 questions.

Mr. McCONNELL. Would the majority leader yield for a question?

Mr. REID. No, I am going to finish my statement.

What happens in these committees is they ask all the questions they want, but 28 questions is not enough for them. For example, on Gina McCarthy—the President asked her to be the Director of the EPA—more than 1,100 questions were submitted to her after the hearing.

Jack Lew—who has basically had many jobs in government—had a full hearing. They gave him more than 700 questions to answer. This has gotten way out of hand. Anything they can do to slow things down, that is what they do.

Executive and judicial nominees who are ready to be confirmed by the Senate have been pending an average of 200 days—more than 6 months. Let me repeat that: Executive and judicial nominees who are ready to be confirmed by the Senate have been pending an average of 200 days. That is more than 6 months. The confirmation process has moved at a glacial pace because of extraordinary Republican obstruction.

Cloture has been filed on 58 of President Obama's nominees—58. By this point in President Bush's term, cloture had been filed on a handful of nominees. Republicans are not blocking these nominations because they object to the qualifications of the nominees.

This body passed something called Dodd-Frank. It was an answer to what was going on on Wall Street—the collapse of Wall Street. Richard Cordray, the nominee to lead the Consumer Finance Bureau—which is part of that bill that is now law—is a perfect example. He was nominated by the President of the United States almost 2 years ago—23 months ago. Republicans are not concerned about his ability to do the job. They are afraid, I guess, he would do his job too well. He is extremely well-qualified. If anything, they are concerned he might, as I said, actually do the job, protecting consumers from the kind of corporate greed that collapsed the financial markets in the first place. If he received an up-or-down vote here today, he would be approved in a minisecond, however long it takes to call the roll.

I have a couple of other examples. Yesterday we talked about the D.C. Circuit. By statute, the D.C. Circuit—some say the most important court in America, more important than the Supreme Court—has 11 spots. Justice Roberts went to the Supreme Court in 2005. His spot has not yet been filled. We have tried, but there have been two filibusters stopping that. There are four vacancies there.

President Obama is the first President in more than 50 years who has not had an appointment confirmed in the D.C. Circuit, but it is not because we have not tried. For example, we tried to get Caitlyn Halligan for 4 years, but her nomination has been filibustered twice. The seat she was nominated for—I repeat—was the seat vacated by Justice Roberts in 2005. Today it is 2013. Do the math.

Now Republicans have forced cloture on this nomination even though Sri Srinivasan was nominated for the D.C. Circuit a year ago. Even though it was reported out of the committee unanimously, they have decided to stall and not have a vote on it.

The nominee has wide bipartisan support, it appears, from both sides of the aisle. If it was reported out of the committee unanimously, I would assume that is the case. Neither stellar qualifications nor bipartisan support are enough to prevent Republican obstruction.

According to a report released this month by the nonpartisan Congressional Research Service, first-term judicial nominees who were reported out of committee unanimously have waited nine times longer to be confirmed than under President Bush. President Obama's first-term district court nominees have waited five times longer than those previously. The first-term circuit court nominees have waited more than seven times longer.

Yesterday the Republican leader raised the example of a Wyoming judge as proof they are willing to support some of our nominees. Wyoming—as I indicated yesterday, there may be a more Republican State in the Union, but I don't know where it is. I said, well, let's schedule a vote yesterday—Wednesday. The Republican leader said no.

It doesn't take a mathematician to figure why we have a judicial vacancy crisis in this country. We can talk about how we cleared most of the calendar. I take the Senate's charge to advise and consent very seriously, but Republicans have corrupted the Founders' intent by blocking qualified nominees for the slightest reason, if no reason.

President Obama deserves to choose his team, just as Davey Johnson deserves to choose his team. I believe any President deserves his or her team.

The Republicans have again and again delayed or obstructed the President's nominees. This Republican obstruction has created an unreasonable and unworkable standard where minor issues are raised as excuses to block major nominees or require a 60-vote supermajority for confirmation.

Before the Republican leader accuses me of going back on my word, he should take a long look in the mirror, and he should spend some time in honest reflection of Republican contributions to the gridlock threatening this storied institution before he claims "there is no real problem here."

## RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

## NOMINATIONS

Mr. McCONNELL. Mr. President, according to the Congressional Research Service, President Obama has had his Cabinet nominees confirmed quicker than his predecessors during the same period in the second term—quicker.

I don't know what the majority leader thinks advise and consent means. Listening to him it means: Sit down, shut up, don't ask any questions, and confirm immediately. I don't think that is what the Founding Fathers had in mind.

Talk about manufacturing a problem—the Secretary of Energy, 97 to 0; the Secretary of Interior, 87 to 11; Secretary of the Treasury, 71 to 26; Office of Management and Budget, 96 to 0; Secretary of State, 94 to 3—in 7 days.

What we have just heard, I am afraid for my good friend the majority leader, in spite of the baseball analogy—and I read in the papers this morning he has been meeting with his members and trying to get 51 votes to blow the Senate up.

We have important issues coming down the pike. We want to finish the farm bill. We have been working hard to develop a broad bipartisan support for an immigration bill. We know what is going on here. What I fear is that the majority leader is working his way toward breaking his word to the Senate and to the American people, blowing up this institution, and making it extremely difficult for us to operate on the collegial basis we have operated on for over 200 years.

He wants to have no debate. Do what I say and do it now. This is the culture of intimidation we have seen at the IRS, HHS, FCC, SEC, and now here at the Senate: Do what I say when I say it. Sit down and shut up or we will change the rules. We will break the rules to change the rules.

We need to think over how we conduct ourselves in this body. The majority leader has a very important position. It is not only to lead the party of the majority, it is also to protect the institution. What I hear lacking in that speech is any interest whatsoever in protecting the traditions of this institution. What I hear is: We are going to get our way as rapidly as possible. You guys and gals, sit down and shut up. Don't ask too many questions; don't make it take a week longer. Do what we say, and if you don't, we will break the rules to change the rules. That is what this is about.

I want to make sure everybody understands where the majority leader is taking us. Make no mistake about it, the American people have given us divided government, but that doesn't mean they expect us not to accomplish things. We are on the cusp of beginning