

After 3 months of delay, today we finally considered the nomination of William Conley. Mr. Conley is a partner in the Madison, WI, office of Foley and Lardner, where he is widely recognized as a top antitrust and appellate lawyer. He has represented clients before the U.S. Supreme Court, the Wisconsin Supreme Court, and the Seventh Circuit, among others. Mr. Conley attended the University of Wisconsin, where he earned his B.A. and J.D. with honors. Mr. Conley also served as a law clerk for Judge Thomas Fairchild on the Seventh Circuit. I congratulate Judge Conley on his confirmation today. I look forward to the time when the 17 additional judicial nominees being stalled are released from the holds and objections that are preventing votes on them and their confirmations.

I, again, urge Senate Republicans to reconsider their strategy and allow prompt consideration of all 18 judicial nominees awaiting Senate consideration, not just William Conley of Wisconsin but also the following nominees: Jane Stranch of Tennessee, nominated to the Sixth Circuit; Judge Thomas Vanaskie of Pennsylvania, nominated to the Third Circuit; Judge Denny Chin of New York, nominated to the Second Circuit; Justice Rogeriee Thompson of Rhode Island, nominated to the First Circuit; Judge James Wynn of North Carolina, nominated to the Fourth Circuit; Judge Albert Diaz of North Carolina, nominated to the Fourth Circuit; Judge Edward Chen, nominated to the Northern District of California; and Justice Louis Butler, nominated to the Western District of Wisconsin; Nancy Freudenthal, nominated to the District of Wyoming; Denzil Marshall, nominated to the Eastern District of Arkansas; Benita Pearson, nominated to the Northern District of Ohio; Timothy Black, nominated to the Southern District of Ohio; Gloria M. Navarro, nominated to the District of Nevada; Audrey G. Fleissig, nominated to the Eastern District of Missouri; Lucy H. Koh, nominated to the Northern District of California; Jon E. DeGulio, nominated to the Northern District of Indiana; and Tanya Walton Pratt, nominated to the Southern District of Indiana.

The PRESIDING OFFICER. A motion to reconsider is considered made and laid on the table. The President shall be notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate returns to legislative session.

The Senator from New Hampshire.

TAX EXTENDERS ACT OF 2009— Continued

Mr. GREGG. Madam President, I understand the Senator from Illinois is planning to speak. I wish to speak after he completes his remarks. I ask unanimous consent he be recognized and then I be recognized.

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

Mr. BURRIS. Madam President, after I speak I ask unanimous consent that the Senator from Delaware be able to speak for a period of time.

The PRESIDING OFFICER. Is there objection?

Mr. GREGG. The Senator is speaking after me?

Mr. BURRIS. Yes, after the Senator from New Hampshire.

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

AMENDMENT NO. 3388

Mr. BURRIS. Madam President, I rise to speak on H.R. 4213. One amendment has already been dropped. I do plan to submit a second amendment. This amendment is dealing with the Recovery Act funds.

During my three terms as State comptroller of Illinois, I worked very hard to maintain accountability for the money we spent from our State. I have been contacted by my State officials, the various auditors, comptrollers, and treasurers, to say the stimulus money that is coming into the States is coming in and they have no funds to do all this transparency and accountability. I put an amendment on this bill to say that we should. I filed amendment No. 3388 which addresses currently underfunding the costs of tracking and reporting the stimulus money.

This measure would set aside up to one half of 1 percent of all existing stimulus funds and allow States and local governments to use this administrative expense reserve to distribute and track this money as it is received and spent. It would allow the American people to hold their representatives accountable and it would help ensure that every dollar is targeted effectively and spent wisely, without waste, fraud, or abuse.

Agreeing to this amendment will restore oversight to this process and will keep Americans on the road to economic recovery without incurring a dime of new spending.

In addition to restoring accountability, I believe we need to take an active role—as my second amendment would do, which I have not dropped yet; it is coming, though. It would deal with small businesses. I believe we should take an active role in supporting small and minority businesses because Main Street will be the engine of the American economic recovery. That is where jobs will be created. That is where the rubber meets the road—where we can turn this crisis around. That is why I am proud to offer another amendment which will require the Transportation Security Administration, the TSA, to award contracts to small businesses and disadvantaged businesses wherever and whenever possible. This amendment would ensure compliance with existing standards of government contracts and subcontracts and would keep dollars flow-

ing into real communities rather than to the corporate treasuries.

By strengthening reporting standards and forcing participation goals for TSA projects, we can target Federal spending to the capable worker who has always been at the center of the American economic prosperity.

We are also saying we need these two amendments. They will strengthen and improve upon the key provisions of our jobs bill as well. I ask my friends in this Chamber to join me in renewing our commitment to transparency, honesty, and accountability. I ask them to stand for small businesses and minority subcontractors so we can make sure Main Street has a major share of our ongoing economic recovery.

The issue is the amendment to H.R. 4213 which would be the amendment No. 3388, and also the other amendment I am getting ready to drop which will deal with small and minority businesses.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Madam President, I rise to go over, for the sake of the record and also for those people who may be listening and may be reading this dialog, where we stand relative to the health care debate. I think it is important for people to understand what has happened. There has been a lot of talk about a lot of different things, with reconciliation, the term "reconciliation" taking a front row seat.

What is happening here essentially is this. The House of Representatives is going to have to make a decision whether they want to pass the bill that passed here in the Senate. Remember, the bill that passed here in the Senate was a bill that was produced and delivered to the Senate on a Saturday afternoon, for all intents and purposes—the core of the bill, the managers' amendment. No amendments were allowed after that Saturday afternoon and a final vote was taken 3 days later on Christmas Eve.

It was a bill that expanded the size of the government by \$2.5 trillion, when fully implemented. It was a bill that reduced Medicare by \$1 trillion when fully implemented and was scored at \$500 billion in the first 10-year tranche, by \$1 trillion when fully implemented, and took those savings from Medicare, from Medicare recipients, and used them to fund a brandnew entitlement which had nothing to do with Medicare, it didn't involve the people who receive Medicare, and to extend dramatically an already existing entitlement called Medicaid.

It was a bill that basically said to small employers we are going to make it so darned expensive for you to keep the insurance you presently give to your employees that a lot of you are going to decide to throw up your hands, stop insuring your employees and send your employees down the street to something called an exchange. It was a bill that basically set up a structure