

Jett Thomason, of Tennessee
 Michelle B. Thornburgh, of Virginia
 Ksharmika K. Tillery, of North Carolina
 Thao Ahn Nguyen Tran, of the District of Columbia
 Holly D. Turner, of the District of Columbia
 Melissa P. Tyborowski, of Connecticut
 Stephen E. Watson, of Virginia
 David Karl Wessel, of North Carolina
 James L. West, of Virginia
 Brad Michael Wilkinson, of Virginia
 Lisa Marie Wilkinson, of Virginia
 Anton Lee Wishik II, of Washington
 Angela Jean Wyse, of Michigan
 Duden Yegenoglu, of Georgia
 Matthew June Yi, of California
 Steven D. Zack, of Virginia
 David J. Zanni, of Virginia

Robert Stephen Beecroft, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Iraq.

NOMINATION OF GONZALO P. CUIEL TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA

NOMINATION OF ROBERT J. SHELBY TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF UTAH

Mr. REID. I now ask unanimous consent that the Senate consider the following nominations en bloc: Calendar Nos. 674, 675; that the Senate proceed to vote on the nominations in the order listed, without intervening action or debate; the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. The clerk will report the nominations.

The legislative clerk read the nominations of Gonzalo P. Curiel, of California, to be United States District Judge for the Southern District of California, and Robert J. Shelby, of Utah, to be United States District Judge for the District of Utah.

The PRESIDING OFFICER. Is there any further debate?

The question is, Will the Senate advise and consent to the nominations of Gonzalo P. Curiel, of California, to be United States District Judge for the Southern District of California; and Robert J. Shelby, of Utah, to be United States District Judge for the District of Utah?

The nominations were confirmed.

Mr. LEAHY. Mr. President, Senate Republicans' partisan obstructionism has reached a new low. There are 17 district court nominees pending before the Senate, and 12 of them would fill judicial emergency vacancies on our

Federal trial courts. In an unprecedented breaking from our tradition, Senate Republicans have decided that they will recess for the election and deny almost all of these consensus nominees confirmation. Worse, they have decided to extend the delays that Americans face in our overburdened Federal courts by denying new judges to those courts. We all know that justice delayed is justice denied. By denying confirmation votes to 15 of these 17 nominations, Senate Republicans are denying justice to the American people. By refusing to vote on these 15 nominations, Senate Republicans have declared that they are unconcerned about the millions of Americans who will continue to lack adequate access to our Federal courts and speedy justice.

Sadly this is just one more example of Senate Republicans putting partisanship ahead of the interests of the American people. The refusal to allow votes on consensus nominees has become standard operating procedure for Senate Republicans. They refused to vote on 10 judicial nominees at the end of 2009, left 19 judicial nominees pending at the end of 2010, and blocked votes on 19 judicial nominees pending at the end of 2011. It took through May of this year to clean up the backlog left from last year. Then in June Senate Republicans declared their shutdown of confirmations. I have served in the Senate for 37 years, and I have never seen so many judicial nominees, reported with bipartisan support, be denied a simple up-or-down vote for four months, five months, six months, even 11 months. I have never seen such twisted applications of their "Thurmond Rule" and never have I seen the Thurmond Rule used to block votes on consensus district court nominees. And if there was any doubt that Senate Republicans insist on being the party of "no", their current decision to deny votes on these highly-qualified, non-controversial district court nominees, supported by their home State Senators both Republican and Democratic, while our Federal courts still have almost 80 vacancies, shows that they care more about opposing this President's nominees than helping the American people.

Before the American people elected Barack Obama as our President, district court nominees were generally confirmed within a couple of weeks of being reported by the Judiciary Committee. This was true of those nominated by Republican Presidents and Democratic Presidents. Deference was traditionally afforded to home State Senators and district court nominees supported by home State Senators were almost always confirmed unanimously.

However, Senate Republicans have raised the level of partisanship so that district court nominees have now become wrapped around the axle of partisanship. And that is unfortunate. In just this year, the Majority Leader has

been forced to file cloture on 23 of President Obama's judicial nominees, including 19 district court nominees. Every single one of those 23 nominees had bipartisan support, and when the Senate was finally allowed to vote on them, all of the 22 who did receive an up-or-down vote were confirmed with votes from both Republican and Democratic Senators.

In spite of this unprecedented obstruction of President Obama's nominees, Senate Republicans are oblivious to their foot-dragging and the harm it is creating for Americans seeking justice from our Federal courts across the country.

There are currently 78 Federal judicial vacancies. Judicial vacancies during the last few years have been at historically high levels and have remained near or above 80 for nearly the entire first term of the President. Nearly one out of every 11 Federal judgeships is currently vacant. Vacancies on the Federal courts are more than two and one half times as many as they were on this date during the first term of President Bush. That is not what any objective observer would call "consistent progress."

The fact is that due to across-the-board obstruction by Senate Republicans, we remain well behind the pace we set during President Bush's first term. According to the Congressional Research Service, 95 percent of President Bush's district court nominees were confirmed in his first term. We would have had to confirm all 17 of the district court nominees the Majority Leader sought consent earlier this week, just to get close to parity with that level. Moreover, President Obama's district court nominees have been consistently stalled, being forced to wait nearly three times longer for a Senate vote once reported by the Judiciary Committee.

Nor has the Senate even been allowed to keep pace with the progress that Senate Democrats made on President Bush's district court nominees in 2008, the last year of his presidency. That year, the Committee reported 24 district court nominees and all 24 were confirmed. We continued holding hearings and the Committee reported and the Senate then confirmed nominees into September of that presidential election year. This year, the Senate has been allowed to confirm only 13 district court nominees reported this year. Because of Republican obstruction, the Senate has barely accomplished half of what we did in 2008.

Indeed, in September 2008, the Judiciary Committee held hearings on and then reported 10 district court nominees, all of whom were then confirmed by unanimous consent in that same month. Contrary to the assertion from the Republican leader, they were not backed up and long delayed. We did not do what Senate Republicans are now doing. We moved promptly on consensus trial court nominees. This year,