needs to be done so that the American people have a government that works to make their lives better. The American people do not want to hear about tit-for-tat politics or their representatives playing the blame game. They are tired of Congress wasting time and resources when there is so much to be done. They want their representatives to work, vote, and fulfill their constitutional obligations. They want their representatives to fulfill their duty of advice and consent so that our courts have the necessary judges to provide speedy, quality justice.

The reality, unfortunately, falls short of the American peoples' expectation. During 2013, the same obstruction that has plagued the Senate during the first term of the Obama administration continued to delay the rate of confirmations to appointments on the Federal bench. The 113th Congress began with a high level of vacancies on the Federal Judiciary. As of January 2013, there were 77 vacancies in the Federal judiciary, and, of these, the Administrative Office of the U.S. Courts determined 27 of them to be ''judicial emergencies.'' Over the course of 2013, the number of vacancies has hovered around 90. Right now, at the end of the fifth year of the Obama administration, there are a total of 88 judicial vacancies, 36 of which are judicial emergency vacancies. In stark contrast, at the end of the fifth year of the Bush administration, there were less than 50 judicial vacancies, and only 16 of those were judicial emergency vacancies.

As the year closes, judicial vacancies remain at crisis levels. However, despite these high levels, Republican obstructionism continues to impose severe delays on the confirmations process, particularly in those States that faced significant obstruction from Republican home State Senators, such as Arizona and Texas.

A year after the American people voted to reelect President Obama, Senate Republicans decided to escalate their obstruction to an unimaginable level this year, preventing the President from filling any of the three vacancies on what is often considered the second most important court in the Nation—the U.S. Court of Appeals for the DC Circuit. Senate Republicans chose to filibuster all three nominees to that court without even considering their qualifications. This type of wholesale obstruction was simply unacceptable.

Republicans attempted to justify their opposition to filling any of the three vacancies on the DC Circuit by arguing that the court's caseload did not warrant the appointments. We all knew that this was a transparent attempt to prevent a Democratic President from appointing judges to this court. In 2003, the Senate unanimously confirmed John Roberts by voice vote to be the ninth judge on the DC Circuit—at a time when its caseload was lower than it is today. In fact, his confirmation marked the lowest caseload level per judge on the DC Circuit in 20 years. Not a single Senate Republican raised any concerns about whether the caseload warranted his confirmation, and during the Bush administration, they voted to confirm four judges to the DC Circuit, providing the court with 11 active judges. In light of this double standard, I finally agreed that past precedent had to be revisited because a faction of the minority party should not be permitted to nullify an election by blocking the President's nominees without regard to their qualifications.

I am pleased to say that in the last few weeks, after taking action, we were finally able to confirm Patricia Millett and Nina Pillard—two highly qualified attorneys—to the 9th and 10th seats on the DC Circuit. With the confirmation of these two women, there will now be five women and five men actively serving as judges on the DC Circuit—this is a historic first for any Federal appellate court. I am, however, disappointed that Senate Republicans refused to allow us to take a vote on Judge Robert Wilkins, another well qualified nominee whose confirmation would enable the DC Circuit to function at full strength, with 11 judges. I am hopeful that we will have a vote on his nomination early next year.

Other historic firsts for women serving on our Federal judiciary also occurred this year. In April, Jane Kelly became the first woman from Iowa to sit on the U.S. Court of Appeals for the Eight Circuit, and, in May, Shelly Dick was confirmed as the first woman to serve on the U.S. District Court for the Middle District of Louisiana. Late last week, after the majority leader was forced to file cloture over Republican opposition to moving forward on district court nominees, three more nominees were confirmed to serve as the first women on their respective courts: Elizabeth Wolford, to be U.S. district judge for the Western District of New York; Landya McCafferty, to be U.S. district judge for the District of New Hampshire; and Susan Watters to be U.S. district judge for the District of Montana.

After an extraordinarily long delay of nearly 22 months since his nomination, we were also finally able to confirm Brian Davis to fill a judicial emergency vacancy on the U.S. District Court for the Middle District of Florida. I am disappointed that it required overcoming a Republican filibuster on his nomination. He is a superb nominee. The ABA Standing Committee on the Federal Judiciary has unanimously rated him to be ''well qualified'' to serve on the Federal bench. For the past 20 years he has served as a State court judge, where he has presided over 600 cases in both civil and criminal matters that have gone to verdict or judgment. Prior to becoming a State court judge, he served for a total of 9 years as a state prosecutor, including 3 years as chief assistant State attorney. Judge Davis also has experience in private practice, where he was a partner at the law firm of Terrell Hogan. He will make a fine Federal judge.

I am pleased that despite continued Republican attempts to block or delay confirmation of judicial nominees, we were able to continue to move forward on these and other nominees this year. I have heard, however, some suggestion that Republicans will now seek to delay judicial nominations by exploiting a Senate tradition known as the ''blue slip.'' The Constitution requires that judicial appointments be made ''with the Advice and Consent of the Senate.'' For nearly 100 years, chairmen of the Senate Judiciary Committee have sought to give meaning to this constitutional edict by a blue slip policy to ensure that Senators are given an opportunity to advise the President about potential judicial nominees before they are nominated to fill lifetime positions in their home State. A blue slip is a piece of paper sent by the chairman to home State Senators asking that it be signed and returned with an indication of whether they approve of or oppose the judicial nomination made by the President.

Over the years, other chairmen have taken a more flexible view of the blue slips, but during my chairmanship of the Senate Judiciary Committee, I have protected the rights of Senators—whether Republican or Democrat—to be meaningfully consulted. Honoring the blue slip policy allows judicial nominations to move forward in committee only after receiving positive blue slips from home State Senators. Another improvement I made when I first became chairman of the Senate Judiciary Committee in 2001 was to make home State Senators more accountable for their blue slip decisions by making the process transparent for the first time. I will continue to honor the blue slip policy as it currently stands, but I hope that Republicans will not abuse this tradition and force me to reconsider.

As we approach the new year, I hope that reasonable Republicans will join us in restoring the Senate's ability to fulfill its constitutional duties and do its work for the American people.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. NELSON. Madam President, the Fiscal Year 2014 National Defense Authorization Act makes essential improvements for the well-being of the men and women serving in our armed services. It also seeks to ease the transition from active duty to veteran status for servicemembers by calling on the Department of Defense and the Department of Veterans' Affairs to fix the lack of communication between their electronic health records. This provision and countless others are why I was pleased to see this legislation pass last night with overwhelming bipartisan support. Unfortunately I was unable to record my vote but had I been in the

Chamber I would have voted in favor of this important piece of legislation. I supported this legislation when it was reported out of the Armed Services Committee. I would also like to thank Senator LEVIN and Senator INHOFE for their tireless efforts to complete this bill and fulfill our commitments to the men and women serving our country.

Mr. WARNER. Madam President, I would like to call attention to a provision within the National Defense Authorization Act for Fiscal Year 2014.

I would like to thank Chairman LEVIN, Ranking Member INHOFE, Chairman MCKEON, and Ranking Member SMITH, for including in this year's National Defense Authorization Act my amendment, with Senators COLLINS, KAINE, and GRASSLEY, to expand whistleblower and enhance protections for servicemembers who alert authorities to misconduct that includes sexual assaults and other sexual misconduct. I would like to thank my colleagues, Senators COLLINS, KAINE and GRASSLEY, for their partnership in winning this breakthrough in newly-strengthened free speech rights for our troops when they defend accountability in the military services. It is important to be clear about a cornerstone of our amendment, which is the guaranteed right to an administrative due process hearing in all whistleblower retaliation cases. New subsection f(3)(B) provides that if the Secretary does not make a finding of illegal retaliation and order corrective action, the case shall be forwarded to the appropriate Board for Corrections of Military Records to receive a mandatory administrative due process hearing, ''when appropriate.'' There should not be any confusion. It is always appropriate to forward the case for hearing if jurisdiction exists for whistleblower retaliation alleged in the servicemember's complaint. It is only inappropriate if another provision of law provides the relevant rights, procedures and remedies to resolve the complaint, such as when the alleged misconduct is sexual harassment per se as opposed to whistleblower retaliation for disclosing sexual harassment.

Mr. UDALL of Colorado. Madam President, I rise today to welcome the final passage of the 2014 National Defense Authorization Act—frequently referred to as the NDAA. I would like to thank Armed Services Committee Chairman LEVIN and Ranking Member INHOFE, as well as Chairman MCKEON and Ranking Member SMITH in the House of Representatives, for their tireless and collaborative efforts in securing this critical piece of legislation. Although the NDAA did not go through the optimal amendment process, its passage today extends the necessary authorities to implement our national security strategy and support and protect Colorado's military community. As we head into the second session of the 113th Congress, I hope that we will remain mindful of the importance of a full and robust debate and ensure that the 2015 NDAA is open to amendments on the floor of the Senate.

As the chairman of the Strategic Forces Subcommittee, I also want to thank my friend and colleague on the committee, Ranking Member SESSIONS. Senator SESSIONS has a long tenure on the subcommittee, and I have benefited from his experience. I am grateful for the collegiality he has shown over the past year, and I look forward to starting our work together again in the next session.

I would also like to recognize the staff of the subcommittee for their tremendous support and dedication. For Senator SESSIONS and his subcommittee staff, I want to thank Dr. Robert Soofer, who advises on nuclear and missile defense matters, and Daniel Lerner, who advises on space, intelligence and cyber security. I also want to thank both Pete Landrum, Senator SESSIONS' senior defense policy adviser and Casey Howard, my military legislative assistant. On my subcommittee staff, Jonathan Epstein, deserves great credit for his work on nuclear weapons, space, and a host of other issues. Richard Fieldhouse, who advises on missile defense, and Kirk McConnell, who assists me on cyber and intelligence, also have my thanks and respect. Finally, special thanks to Lauren Gillis, the subcommittee's staff assistant, for her countless hours of preparation for our hearings, working with witnesses, and organizing our subcommittee markup.

In closing, I would like to highlight one provision of the 2014 NDAA, section 3112, which establishes an Office of Cost Analysis and Program Evaluation in the National Nuclear Security Administration, NNSA. I want to be clear that the establishment of this new office was not meant to in any way alter the responsibilities and oversight of the Naval Reactors Program—a division of the NNSA that has a long track record of producing high quality projects on time and within budget. The Naval Reactors Program has traditionally been semi-independent within the NNSA, being dual hatted with fleet activities of the Navy, whose overall responsibilities are found and carried out under Executive Order No. 12344. While section 3112 speaks to the NNSA as a whole, it was not our intent to include the Naval Reactors Program under the purview of the new Office of Cost Analysis and Program Evaluation. During the next session, I will work with my colleagues in both the House and the Senate to correct this provision and reflect that intent.

Mr. GRASSLEY. Madam President, it is a great pleasure to thank my colleagues, Senators WARNER, COLLINS, and KAINE, for their partnership in winning this breakthrough in newly-strengthened whistleblower protections for our troops. It is important to be clear about a cornerstone of our amendment, which is the guaranteed right to an administrative due process hearing in all whistleblower retaliation cases. New subsection f(3)(B) provides that if the Secretary does not make a finding of illegal retaliation and order corrective action, the case shall be forwarded to the appropriate Board for Corrections of Military Records to receive a mandatory administrative due process hearing, ''when appropriate.'' There should not be any confusion. It is always appropriate to forward the case for hearing if jurisdiction exists for whistleblower retaliation alleged in the servicemember's complaint. It is only inappropriate if another provision of law provides the relevant rights, procedures and remedies to resolve the complaint, such as when the alleged misconduct is sexual harassment per se as opposed to whistleblower retaliation for disclosing sexual harassment.

BANGLADESH ELECTIONS

Mr. DURBIN. Madam President, last week Senators ENZI, MURPHY and I introduced a resolution on the political tensions in Bangladesh as that country prepares for a national election on January 5.

Since then, Senators BOXER, BOOZMAN, SHAHEEN, KAINE, BLUNT, and MENENDEZ have also cosponsored and yesterday the Senate Foreign Relations Committee voted unanimously in support of the measure.

The resolution calls for peaceful political dialogue between the country's various political factions in the hopes that the election will go forward in a credible and peaceful manner.

With so much else going on in the world from Ukraine to Iran, one might wonder why focus on elections in Bangladesh?

My interest is in part due to the role of Nobel Prize, Presidential Medal of Freedom, and Congressional Gold Medal winner Professor Mohammad Yunus, whom many may know from his pioneering work to help the world's poor through microfinance programs.

Professor Yunus has done so much to help the poor of Bangladesh and the world, particularly poor women, that former Senator Bob Bennett and I, as well as Congressman RUSH HOLT, led an effort several years ago to award him the Congressional Gold Medal. That bill passed both chambers of Congress in 2010, and earlier this year we gave him this award in the Capitol Rotunda.

It was a deeply moving event.

Sadly—and almost inexplicably—during the same period that Bangladesh was in such an international spotlight, its government pursued a mean-spirited and bewildering effort to undermine the Grameen Bank's independence and remove Professor Yunus from his leadership role.

I and others wrote repeatedly to Bangladeshi Prime Minister Sheikh Hasina urging her to not take such destructive and counterproductive measures.

Last year, Senator BOXER led a letter with all 17 women of the Senate to Hasina that called on the Bangladeshi government to stop interfering in the management of Grameen Bank.

Those Senators pointed out that its 8.3 million borrowers are mostly