

living in temporary housing. A church group gutted her home, but she still needs building materials in order to be able to rebuild her home. She does not have the resources to do that. She needs Federal assistance in order to get her life back in order.

They are just two stories, and I could give you numerous others in the State of Maryland. In the western part of our State, in Garrett County—Garrett County is a community of 30,000—15,000 homes were without power. That is just about every home. Trees fell everywhere. This is a remote Appalachian community, where people were isolated because of the storm. They need help. They need partners.

I wish to congratulate Governor O'Malley and our State leaders and our county leaders. FEMA did a great job. I want to thank the Red Cross and other private sector groups.

But now it is time for the Federal Government to act as a true partner.

I thank President Obama for the disaster declaration for our State, including individual relief for the County of Somerset. This legislation strengthens the Federal partnership. It provides the resources so we can help people such as Mary and Diane who have been devastated by the storm. It will provide the resources necessary so they can put their lives back together. I particularly note the \$17 billion in CDBG funds. Those are flexible funds that will help people such as Mary and Diane so they can get their lives back together.

I also wish to point out how important the mitigation funds are that are in the supplemental appropriations bill. That will allow us to build to prevent this type of damage in the future. For those who may question the feasibility of this type of investment, let me point to one in Maryland: Assateague Island. We widened and put more beach down on Assateague Island. It was kind of pricey, many people thought, but it acted as a buffer for Sandy coming in and causing more damage in Ocean City. Literally millions of dollars were saved because of Assateague Island acting as a bumper to the storm. Mitigation is important, and we should invest in mitigation.

The next step should be the passage of the supplemental appropriations bill. I have heard many of my colleagues come to the floor who represent States that are directly affected. I have listened as my colleagues around the Nation have talked about disasters in their communities, and we have always come together as a nation. I know we are in the last days of this legislative session. I just urge my colleagues to let us move this bill forward now. Let's get it done so the Federal Government can be there to help the communities that have been affected by this storm. It is the right thing to do, and I hope my colleagues will support that effort.

I yield the floor.

EXECUTIVE SESSION

NOMINATIONS OF FERNANDO M. OLGUIN TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA AND THOMAS M. DURKIN TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The assistant legislative clerk read the nominations of Fernando M. Olguin, of California, to be United States District Judge for the Central District of California and Thomas M. Durkin, of Illinois, to be United States District Judge for the Northern District of Illinois.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate, equally divided in the usual form.

The Senator from Vermont.

Mr. LEAHY. Mr. President, originally we were planning to vote at 5:30 p.m. The distinguished ranking member has no objection. I ask unanimous consent that the time be divided between now and 5:30 p.m. in the normal fashion and the votes be at 5:30 p.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LEAHY. Mr. President, so Senators will know, it is my understanding that the first vote, on the confirmation of Fernando Olguin, of California, will be a voice vote, and the second one for Mr. Durkin will be a rollcall vote, which is what I understand from the Senator from Iowa, which, of course, is perfectly acceptable to the Democratic side.

Mr. LEAHY. Mr. President, today the Senate is finally being allowed to vote to confirm two consensus judicial nominees who should have been voted on months ago. Both Judge Fernando Olguin and Thomas Durkin were voted out of the Judiciary Committee before the August recess. Both will finally fill judicial emergency vacancies in the Central District of California and the Northern District of Illinois that were needlessly held vacant since this summer by partisan delay tactics. Their service to the American people has been unnecessarily delayed by over four months.

In the Central District of California, there are over 12,000 cases pending before its judges, and in the Northern District of Illinois there are close to 11,000 cases pending before its judges. Every single judge in each district has approximately 450 or more cases pending on their dockets. This enormous backlog of cases exists in many of our Federal courts in this country and it means that the American people are not able to receive speedy justice.

More than twice the number of judicial vacancies exists compared to the

vacancies left at the end of President Bush's first term. The Senate should be voting on all 16 of the judicial nominees reported to the Senate by the Judiciary Committee. I have also been urging Republicans to expedite consideration of the four judicial nominees who participated in hearings last Wednesday. That would lead to 20 more confirmations before the Senate adjourns later this month.

Historically, the Senate has confirmed hundreds of judicial nominees within 14 days of their Judiciary Committee hearings, including more than 600 confirmed since World War II within just one week of their hearings. In contrast, obstruction by Senate Republicans has caused President Obama's district court nominees to wait an average of 103 days for a Senate vote after being reported by the Judiciary Committee, which Committee consideration has itself often been delayed 30 days or more after their hearings. This destructive practice of delaying for no good reason should be abandoned.

Republican filibusters and pocket filibusters are also preventing votes on circuit court nominees who should be confirmed by consensus before the Senate adjourns for the year. For example, one of the nominations Senate Republicans are holding up is that of Judge Robert Bacharach of Oklahoma to the Tenth Circuit, who they filibustered earlier this year. Senator COBURN, one of his home state Senators, said: "He has no opposition in the Senate. . . . There's no reason why he shouldn't be confirmed." That also applies to Richard Taranto, who was reported more than eight months ago to a vacancy on the Federal Circuit. That applies to William Kayatta of Maine, who was reported nearly eight months ago and has the support of his two home state Republican Senators.

After today's votes, there will still be nine judicial nominees stalled on the Senate Executive Calendar who were reported before the August recess, and who should have been confirmed months ago. Most are consensus nominees. All have the support of both their home state Senators, including their home state Republican Senators. The Senate should be voting to confirm all these nominees before the Senate adjourns for the year.

When George W. Bush was President, Senate Democrats cooperated in moving judicial nominees quickly through the Committee and to a confirmation vote at the end of the year. I did so whether I was Chairman or the ranking member. By way of example, in 2008 we confirmed five of President Bush's nominees just three days after their hearing. We have often been able to do this at the end of a Congress, and this year should be no exception especially given the high level of judicial vacancies plaguing our Federal courts.

Judge Fernando Olguin is nominated to fill a judicial emergency vacancy on the U.S. District Court for the Central District of California, where he has

been serving as a Magistrate Judge for over a decade. He was the first Latino-American to serve as a Magistrate Judge in that District. Prior to that, Judge Olguin was in private practice for several years and also served as a Trial Attorney at the Civil Rights Division of the U.S. Department of Justice. He earned his law degree from the University of California at Berkeley. After law school, he clerked for the Honorable C.A. Muecke of the U.S. District Court for the District of Arizona. His nomination has the support of both his home state Senators. Judge Olguin was approved by the Judiciary Committee nearly five months ago by voice vote.

Thomas Durkin is nominated to fill a judicial emergency vacancy on the U.S. District Court for the Northern District of Illinois. Currently a partner at the Chicago office of Mayer Brown LLP, he also served as a Federal prosecutor in the Northern District of Illinois for 13 years. During his time as a Federal prosecutor, he rose to become the Chief of the Criminal Receiving and Appellate Division as well as the Chief of the Special Prosecutions Division. From 1991 to 1993, he served as the First Assistant United States Attorney of that District. Upon graduation from law school, he served as a law clerk for the Honorable Stanley J. Roszkowski of the U.S. District Court for the Northern District of Illinois. The ABA Standing Committee on the Federal Judiciary unanimously gave him its highest possible rating of "Well Qualified." His nomination has the bipartisan support of his home state Senators. He was approved by the Judiciary Committee more than four months ago by voice vote.

The Senate should finally confirm these two nominees today and proceed to vote on all the other judicial nominees stalled on the Senate Executive Calendar. We can fill 10 more judicial emergency vacancies before adjourning this year. We can help our Federal courts uphold their constitutional responsibility to provide speedy justice.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, would it be appropriate if I ask for a rollcall vote on Judge Durkin?

THE PRESIDING OFFICER. The Senator is correct.

Mr. GRASSLEY. I ask for the yeas and nays.

THE PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. GRASSLEY. Mr. President, I will not use my entire time. If anybody else wants to speak, there will be time between now and 5:30 to speak. I think both these nominees will be approved overwhelmingly; obviously, the one with the voice vote probably will be, and I think the other one will be as well.

Today, the Senate turns to the confirmation of these two U.S. district judges.

NEWTOWN, CONNECTICUT TRAGEDY

Before I address that issue, I express my condolences to the victims and families in Newtown, CT. As a nation, we join to express our grief and to offer support and comfort to this community. Our thoughts and prayers are with the families who have suffered from this senseless act.

From time to time I have given my colleagues an update regarding the facts of judicial confirmations. Despite our steady progress on confirmations, we continue to hear complaints from bar associations, interest groups, editorial boards, and even some fellow Senators. Of course, these are the same groups that remained silent or at the time cheered on the efforts to block judicial nominees of the previous President. Multiple filibusters, failure to hold hearings, pocket filibusters of one sort or another, and other tactics of delay and obstruction were routinely used against President Bush's nominees. By the end of his Presidency, President Bush had 53 nominees who were not confirmed. That is nearly one out of every seven who were blocked. Somehow that history seems to have faded.

Today we continue to confirm this President's nominees, even in a lame-duck Presidential election year. As I have stated before, the Senate rarely confirms judicial nominees during lame-duck sessions in a Presidential election year. It did so in a very limited fashion in 1944, 1980, and the year 2004.

The last time a President was re-elected—President Bush in 2004—only three judicial nominees were confirmed following the election.

That year, following President Bush's reelection, 23 judicial nominations that were pending either on the Senate executive calendar or in the Judiciary Committee were returned to the President when the Congress adjourned in December. Today President Obama will have 10 confirmations in this lame-duck session, and obviously a lame-duck session in a Presidential election year.

This is a new record. No other President can claim that success. So for those who say this President is being treated differently, I must agree. President Obama will have the most post-election judicial confirmations of any President.

This year has been a productive year for judicial confirmations. We have already confirmed 39 district judges and 5 circuit judges. Today's vote meets or exceeds the confirmations for Presidential election years in recent memory. During the last Presidential election year, 2008, the Senate confirmed a total of 28 judges, 24 district and 4 circuit. This Presidential election year we have exceeded those numbers. We have confirmed 5 circuit nominees, and these confirmations will bring the dis-

trict confirmations to 41. That is a total of 46 judges this year versus 28 in the last Presidential election year. In fact, going back to 1984, there has been only one Presidential election year in which more district judges were confirmed.

Let me emphasize that point. In only one of the past Presidential elections have more district nominees been confirmed. During this Congress, the 112th, we have confirmed 106 judges. That is the third highest total for any Congress going back to 1989 or, in other words, the past 12 Congresses. In total, the Senate has confirmed 168 district and circuit nominees during this President's first term. So I think by any objective measure one would have to conclude we are treating this President and his nominees quite fairly.

I stated at the beginning of my remarks, I expect these nominees to be fairly noncontroversial or totally noncontroversial. I intend to support them.

Today we vote on the nomination of Fernando M. Olguin, to be United States District Judge for the Central District of California and Thomas M. Durkin, to be United States District Judge for the Northern District of Illinois.

After graduating from University of California Berkeley School of Law in 1989, Judge Olguin clerked for the Honorable C.A. Muecke, U.S. District Court Judge for the District of Arizona. In 1991, Judge Olguin began working as a trial attorney in the Civil Rights Division of the United States Department of Justice. There he prosecuted violations of the Fair Housing Act and the Public Accommodations Act.

From 1995 to 2001, Judge Olguin was a partner at Traber, Voorhees & Olguin, where he litigated housing and employment cases on behalf of underprivileged clients. Since 2001 he has served as a United States Magistrate Judge for the Central District of California.

The American Bar Association's Standing Committee on the Federal Judiciary gave him a rating of Substantial Majority Qualified, Minority Not Qualified.

Mr. Durkin received his B.S. with honors from University of Illinois at Champaign-Urbana in 1975 and his J.D. with honors from DePaul University College of Law in 1978. Upon graduation, he clerked for Stanley J. Roszkowski, United States District Court Judge for the Northern District of Illinois. After his clerkship, Mr. Durkin joined the U.S. Attorney's Office for the Northern District of Illinois. There, he handled a variety of cases, including bank robbery, postal theft, narcotics, immigration cases, firearms cases, commodities, securities and tax fraud, and political corruption. Mr. Durkin also held a number of supervisory roles in the office, including Deputy Chief of Special Prosecutions, Chief of the Criminal Receiving and Appellate Division, Chief of the Special

Prosecutions Division, and First Assistant United States Attorney.

In 1993, Mr. Durkin joined Mayer Brown and focused on white collar criminal defense, internal investigations, patent litigation, securities litigation, civil rights litigation, consumer class action litigation, and product liability litigation. According to his questionnaire, Mr. Durkin has exclusively been a litigator and has frequently been in court his entire career. He estimates that he has tried approximately 95 cases to verdict.

The American Bar Association's Standing Committee on the Federal Judiciary gave him a Unanimous Well Qualified rating.

I support these nominees and congratulate them on their votes for confirmation.

Mr. DURBIN. Mr. President, pending on the Senate calendar today for consideration is the nomination of Tom Durkin to serve on the U.S. District Court for the Northern District Court of Illinois.

Tom Durkin is a consensus bipartisan nominee. Senator KIRK and I strongly support his nomination. We believe he has all of the necessary attributes to be an effective Federal judge. Our view was shared by bipartisan screening committees in Illinois. Senator KIRK's committee, and my own committee, recommended Tom Durkin.

It is no secret that he has the qualifications, independence, and integrity to serve in a distinguished manner on the bench. The nonpartisan American Bar Association has awarded Mr. Durkin its highest rating of unanimously well-qualified.

Throughout his career Tom Durkin has demonstrated strong leadership in his community and a solid commitment to public service.

A native of Chicago, Tom received his bachelor's degree with honors from the University of Illinois at Urbana-Champaign, and received his J.D. with honors from DePaul University College of Law. After graduating from law school, he served for 2 years as law clerk to the Honorable Stanley J. Roszkowski, a personal friend of mine, and an excellent judge for the District Court for the Northern District of Illinois.

Following his clerkship, Mr. Durkin joined the U.S. Attorney's Office for the Northern District of Illinois where he worked for 13 years and served in numerous leadership positions, including first assistant U.S. attorney. He joined the law firm of Mayer Brown as a partner in 1993 where he works to this day. His practice concentrates on complex commercial litigation and criminal defense. He has received numerous awards, including listings in "The Best Lawyers in America" and "Illinois Super Lawyers."

Mr. Durkin also has an impressive record of community service. He served for 9 years on the board of Legal Assistance Foundation in Chicago, and for nearly a decade he was the chair of

Mayer Brown's pro bono committee. He has also taught as an adjunct professor of law at DePaul and at the John Marshall Law School.

Tom Durkin was reported out of the Judiciary Committee by a unanimous vote on August 2, 4½ months ago. I am relieved we are finally moving ahead with his confirmation. This vacancy, incidentally, has been declared a judicial emergency, and I am glad it is now going to be filled.

In closing, I wish to note that he comes from an extraordinary family, well known throughout Chicago, and especially in legal circles. There is only one black sheep in the family; it is Tom's brother, Jim, a Republican State representative who ran against me for the Senate in 2002 the famous Durkin-Durbin race in Illinois. But we ended that race friends. I have great respect for Jim and Tom Durkin and for their whole family.

I wish Tom Durkin the very best and commend his nomination to my colleagues. I believe he will be an excellent Federal court judge and I am glad he and several other Federal district court nominees are going to be confirmed this week.

• Mr. KIRK. Mr. President, I offer my strong support for Thomas Durkin to fill one of the four vacancies on the U.S. District Court in the Northern District of Illinois.

Because of his outstanding experience and record of public service, I submitted Thomas Durkin's candidacy to the White House in July 2011, following the recommendation of my nonpartisan Judicial Review Commission. Senator DURBIN had previously forwarded Mr. Durkin's name to President Obama in 2009, based on the recommendation of his screening committee.

The judgeship for which Mr. Durkin has been nominated is considered a "judicial emergency" by the Judicial Conference of the United States. Confirmation of this qualified nominee will ease the backlog of cases and allow the dispensation of justice in a fair and timely manner.

I thank Senator DURBIN for his leadership, and I urge my colleagues to support this bipartisan nomination and confirm Mr. Durkin to the Federal bench. •

Mrs. FEINSTEIN. Mr. President, I wish to express my strong support for the nomination of Fernando Olguin, whom I recommended to President Obama to be a U.S. District Judge for the Central District of California after he earned a strong recommendation from my bipartisan judicial selection committee.

Born and raised in the greater Los Angeles community of Azusa, Judge Olguin lives in the Los Angeles area today.

He is a graduate of Harvard University and the University of California, Berkeley School of Law.

After serving for 2 years as a law clerk to a Federal district court judge in Arizona, Judge Olguin joined the

U.S. Department of Justice through the Attorney General's Honors Program.

From 1991 through 1994, Judge Olguin served as a trial attorney in the Civil Rights Division in Washington, DC, enforcing numerous Federal statutes, including the Fair Housing Act and the Public Accommodations Act.

He then joined the Mexican-American Legal Defense and Education Fund, or MALDEF, serving as its national education program director from 1994 to 1995 in Washington, DC.

Judge Olguin then came back to California, becoming a partner at the law firm Traber, Voorhees, and Olguin, where he practiced civil litigation from 1995 to 2001.

He was appointed to serve as a magistrate judge in 2001, where he has built a stellar record. In his 11 years on the bench, he has managed a docket of hundreds of cases at a time and issued hundreds of published opinions, as well as nearly 2,000 decisions and orders.

In 2011, he had the best record of any magistrate judge on the court at working with litigants to settle their disputes. This is very important in a busy district like the Central District, whose judges carry the seventh-highest civil caseload in the Nation.

Judge Olguin is well respected in the L.A. community, and he is supported by the law enforcement community including L.A.P.D. Chief Charlie Beck, L.A. County Sheriff Lee Baca, and the Los Angeles Police Protective League.

Chief Beck says Judge Olguin's record "has been characterized by fairness, thoroughness, sound judgment, and evenness of temperament."

In short, Judge Olguin is well-qualified, seasoned, and fair. I am very proud to support him, and I urge my colleagues to support him as well.

I also want to urge the confirmations of other judicial nominees from my home State, many of which have been pending on the executive calendar for months.

Including Judge Olguin, four of the 13 District Court nominees on the executive calendar are from California. The other nominees are: Superior Court Judge Jon Tigar and Bill Orrick, nominees to the Northern District recommended by Senator BOXER; and Superior Court Judge Troy Nunley, a nominee to the Eastern District whom I recommended to the President.

All three were approved by bipartisan votes in the Judiciary Committee, two of them by voice vote.

Each of these districts is in a judicial emergency according to the Judicial Conference of the United States.

The Northern District's caseload is over 20 percent above the national average. It now takes over 50 percent longer for a case to go to trial than it did a year ago in the Northern District, which hears some of our country's most complex technology cases.

The Eastern District is the most overworked district in the Nation by far. With over 1,100 weighted filings per

judgeship, its caseload is over twice the national average.

With this extreme crisis, I especially urge my colleagues on the other side of the aisle to allow Judge Troy Nunley to be confirmed this year.

Judge Nunley essentially was a career prosecutor and State Department of Justice lawyer before joining the State bench over 10 years ago. He is highly qualified and experienced. He also earned unanimous support in the Judiciary Committee, so he is uncontroversial.

I am very pleased we recently confirmed Jesus Bernal to the Central District, and I urge my colleagues to support Judge Olguin as well.

My State—more than any other—urgently needs us to take prompt action on judicial nominees. I am pleased with the progress we have made in the lame-duck, and I very much hope the three other California nominees who remain on the calendar will be confirmed.

Mrs. BOXER. Mr. President, I am proud to offer my support for the confirmation of Magistrate Judge Fernando M. Olguin to the U.S. district court for the Central District of California.

Judge Olguin was recommended to the President by my colleague, Senator FEINSTEIN, and will be a great addition to California's Central District.

Judge Olguin will bring to the bench his broad experience as a skilled lawyer and a Federal magistrate. A graduate of Harvard University and the University of California, Berkeley School of Law, Judge Olguin worked from 1995 to 2001 as a partner for the law firm of Traber, Voorhees, and Olguin. In 2001, he received an appointment to become a magistrate judge in the Central District of California, where he has served with great distinction.

I urge my colleagues to support the Olguin nomination.

Mr. GRASSLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MANCHIN.) The clerk will call the roll. The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

PASSING OF SENATOR INOUE

Mr. REID. Mr. President, I rise with a real heavy heart. Our friend, DAN INOUE, just died.

I have never known anyone like DAN INOUE. No one else has. The kindness he has shown me during my time here in the Senate is something I will cherish always. He was a man who has lived and breathed the Senate. If there were ever a patriot, DAN INOUE was that patriot.

A week ago last Friday he and I spent some time together in his office, just the two of us alone. We spent an hour together, and we ended the meeting with both of us saying: You know,

we need to do this again. Well, I won't be able to do that again. He won't be able to do that again.

He was a wonderful Senator, brave soldier, a recipient of the Medal of Honor, the Distinguished Service Cross, the Bronze Star, and Purple Heart. He left an arm in Italy. He said to me at that last meeting together, when I asked him: DAN, did anything else happen to you, other than your arm? He said: Yeah, I got shot in the gut—that is what he said—and the leg a couple of times.

We will all miss him, and that is a gross understatement. I wish I were capable of saying more, but that is all I can say. I have talked to his wife Irene. She is there, with his son. We have known for a few hours this wasn't working out well for Senator INOUE. But he was certainly one of the giants of the Senate.

I remember what he said when his son asked why he fought the way he did after having been declared an enemy alien. He said he did it for the children. That was Senator INOUE. His commitment to our Nation will never be surpassed. His service in the Senate will be with the greats of this body.

Now I should ask my friend if he wishes to speak upon this issue. It would be my hope the two votes that are scheduled could both be done—these judges—by voice vote. I don't think it is appropriate to record a vote at this time.

Mr. President, I ask unanimous consent that the two judges be approved by voice vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, I think we all, at a subsequent time—I just talked to his wife and walked out here—will have some more formal remarks.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, I too am going to address the remarkable life of Senator INOUE at a later time, but I did want to make some observations here for a few moments at the time of his passing.

Senator INOUE was a man who, as we all know, rarely called attention to himself but who lived a remarkable American life filled with the dignity and grace of the true hero he was.

He was only 17 when he heard the sirens over Honolulu and saw the great planes flying overhead. At the time he dreamed of being a surgeon. A few years later a medic would be taking care of him after his heroic action in the Italian mountains, for which he would one day receive our Nation's most prestigious award for military valor.

DAN INOUE's dream of being a surgeon was not realized but there were other things in store. Instead, he became a member of one of the most decorated U.S. military units in American history and one of our Nation's longest serving and finest Senators.

An iconic political figure of his beloved Hawaii, and the only original member of the congressional delegation still serving in Congress, he was a man who had every reason to call attention to himself but who never did.

He was the kind of man, in short, that America has always been grateful to have, especially in our darkest hours—men who lead by example and who expect nothing in return.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I didn't mention, and I should have, but I really have been waiting the last hour or so to make sure it was okay with his wife that I come and say something, so I haven't had time to do much other than feel bad about Senator INOUE.

As I indicated, I talked to Irene. I wasn't able to talk to Ken, but I did talk to Irene. I want to make sure everyone understands the depth of my feelings—and I know I am speaking for the entire Senate. DAN INOUE believed in me, even more than I believed in myself. Many, many years ago—a couple of decades ago—he said: You know, you're going to do great things in the Senate, and he always talked about my leading the Senate. And he always came and said: You did the right thing. He would always tell you that you would do the right thing.

The chapter of DAN INOUE in the Senate is something that is remarkable, not only his military record but what he did with the defense aspects of our country, the security aspects of our country. And there was no one more bipartisan than Senator INOUE.

He has a brother who lives in Las Vegas, and a wonderful person he is, but he was as close to Ted Stevens as he was to any person could be to a brother. They were brothers. They called themselves brothers. So he set an example always about bipartisanship, about working with others. And as far as being a good member of our caucus, no one was better than he was.

No one has been a better American than Senator INOUE. And when we talk about people in Hawaii and who they revere, it is Senator INOUE. The State of Hawaii is going through a great deal at this time. Senator AKAKA has announced his retirement, and now the death of Senator INOUE.

On behalf of all Senators, I express my appreciation for his service and his friendship.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

The PRESIDING OFFICER (Mrs. HAGAN). The majority leader.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

VOTE ON NOMINATION OF THOMAS M. DURKIN

The PRESIDING OFFICER. Under the previous order, the question is, Will

the Senate advise and consent to the nomination of Thomas M. Durkin, of Illinois, to be United States District Judge for the Northern District of Illinois?

The nomination was confirmed.

VOTE ON NOMINATION OF FERNANDO M. OLGUIN

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Fernando M. Olguin, of California, to be United States District Judge for the Central District of California?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are made and laid upon the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous, the Senate will resume legislative session.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that we now proceed to a period of morning business, with Senators allowed to speak for up to 10 minutes each.

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

INTERNATIONAL HUMAN RIGHTS DAY

Mr. CARDIN. Madam President, I rise today in recognition of International Human Rights Day. Sixty-four years ago this past Monday, on December 10, 1948, the United Nations General Assembly adopted the Universal Declaration of Human Rights. This declaration enunciates a doctrine that serves as a foundation for human rights initiatives internationally and as an enduring guide for human rights advocates around the globe.

On this annual celebration of International Human Rights Day, human rights defenders, champions of democracy, promoters of civil rights, and advocates of free speech across the globe can also be encouraged by Congress's recent passage of landmark human rights legislation. Last week, the Senate passed the Sergei Magnitsky Rule of Law Accountability Act, which the House passed in September in conjunction with approving permanent normal trade relations for Russia.

The Magnitsky Act was inspired by the tragic case of Sergei Magnitsky, a 37-year-old Russian lawyer who uncovered massive corruption in Russia and then was arrested for his whistleblowing. Magnitsky died in 2009 after suffering torturous conditions in pre-trial detention. Those implicated in the corruption Magnitsky exposed and those responsible for his torture and death have not been brought to justice, and some have even been decorated and

promoted. The Magnitsky Act goes beyond the specific violators in this case to prohibit all gross violators of human rights in Russia from traveling to the United States and from using our financial system.

President Obama is now poised to reaffirm our Nation's commitment to universal human rights by signing the Magnitsky Act into law. With the stroke of a pen, the President will set a new global standard that other nations are sure to follow. The act sets a precedent that can be applied to human rights abusers around the world, and I am committed to working with my colleagues in the next Congress to apply the Magnitsky sanctions globally. Human rights violators from Kinshasa to Beijing are now on notice that the United States stands in solidarity with those whose rights are trampled and will deny the legitimizing privileges of travelling to our country and accessing our financial system to those who violate fundamental freedoms.

The United States remains the global leader in promoting and protecting human rights, but we need to do more. We need to ensure that women across the world have the liberty to determine the course and scope of their own lives and futures and that they have the tools to achieve their full potential. The horrific and cowardly attempt by assassins to silence the brave leadership of 15-year-old Malala Yousufzai must not be left unchallenged. We must take up her cause—the education of girls and women—and support both that goal and its advocates, and we must redouble our efforts to protect the rights of ethnic, linguistic, and religious minorities, from the Christians in Egypt to the Roma population in Europe.

As the legendary Nobel laureate Elie Wiesel has said, “Wherever men and women are persecuted because of their race, religion, or political views, that place must—at that moment—become the center of the universe.” This International Human Rights Day, the U.S. Congress sends a strong message to human rights defenders around the world that we stand in solidarity with them as they dare to stand up to injustice and oppression.

RECOGNIZING CHOBANI YOGURT

Mr. RISCH. Madam President, my colleague, Senator MIKE CRAPO, joins me in recognizing the opening this month of the Chobani Yogurt production facility in Twin Falls, ID.

This facility, Chobani's first in Idaho, will be capable of producing 4.2 million cases of yogurt per week at full capacity. All of the milk used to produce the yogurt will come from Idaho dairy farms and at the peak of production will use millions of pounds of milk a day.

The 950,000-square-foot production facility was constructed by more than 1,000 workers and will employ between 400 and 500 people next year. More than

300 new jobs have already been created in Twin Falls. It was built at a cost of \$450 million and is now the largest yogurt plant in the world.

From its founding in 2005, the Chobani company started with 5 employees and now has more than 1,800 employees worldwide, with more than 1,600 in the United States. Their founder and CEO, Hamdi Ulukaya, is an American success story, having immigrated to the United States from Turkey in 1994.

Like many businesses in Idaho, Chobani will be involved in local charitable work. Chobani's biggest impact, however, will be in providing well-paying jobs and economic growth through manufacturing a delicious and healthy product available throughout the country.

Chobani recognized the many benefits to locating in Idaho—among them the quality milk produced by our Idaho dairy families, a commonsense regulatory environment and hard-working Idahoans who will make the facility a great success.

Senator CRAPO and I also recognize the many entities that worked with Chobani to make their opening a reality. Elected officials from Twin Falls County and the City of Twin Falls worked tirelessly on the project, as did the Southern Idaho Economic Development Organization. The Twin Falls Chamber of Commerce and the Twin Falls Urban Renewal District also played a major role in the effort. The State of Idaho and its Department of Commerce helped in the process, and the end result is not only the direct jobs at Chobani, but also a multiplier effect of more than 3,000 additional jobs in the State.

Today, we congratulate Chobani on the opening of their new plant and salute all of the partners and community leaders on a job well done. We welcome Chobani to the great State of Idaho.

ADDITIONAL STATEMENTS

REMEMBERING CARMEN WARSCHAW

• Mrs. BOXER. Madam President, today I ask my colleagues to join me in honoring Carmen Harvey Warschaw, the great California philanthropist and political leader who died at age 95 on election day, a week after she had made sure to vote by mail. Carmen was a trusted mentor, adviser, and dear friend to me, and I will miss her.

Carmen Harvey was born in Los Angeles in 1917. Her parents had immigrated to America from Lithuania, and her father founded the Harvey Aluminum Company. Carmen grew up in La Cañada, graduated from the University of Southern California, and married Louis Warschaw, her high school sweetheart.

From an early age, both Carmen and Lou were active in the California Democratic Party. Throughout the