

Democrats were in the majority in the last 2 years of the George W. Bush administration. I served as chairman of the Judiciary Committee then, and I can tell you that Senate Democrats confirmed 22 of President Bush's judicial nominees in the second half of 2008.

The American people deserve to have judicial vacancies in their communities filled. Hard-working Americans across this country are counting on us to do our jobs as Senators. Our constituents call our offices and meet with us to let us know how they feel about the legislative issues before us. They should not also have to ask us to fulfill the bare minimum of our constitutional duties, such as the duty to consider nominees in a timely manner to keep the third branch of government fully functioning.

I sincerely hope the new year will bring a new approach from Senate Republicans and that we can move forward to confirm all of the pending judicial nominees without further delay.

REJECTING HATEFUL RHETORIC

Mr. LEAHY. Mr. President, for more than 235 years, the United States has served as a beacon of hope and opportunity for millions coming to our shores seeking a better life. Ours is a nation founded upon the ideal of freedom, and throughout our history, there have been moments when this most fundamental ideal has been challenged. The complicated history of our Nation is not without its dark moments, but at every turn, we have sought to recommit ourselves to our basic ideals and principles, always moving to be a more inclusive society.

Today, as some continue to espouse hate-filled views that demonize those of a certain faith, we need thoughtful voices to speak out and remind us all of what we stand for as Americans. In his column this weekend in the *Rutland Herald*, veteran journalist Barrie Dunsmore did just that. He reminded us that in the wake of the attacks on Pearl Harbor, our own government rushed to judge Japanese Americans and imprisoned them in internment camps out of fear they sought to do us harm. This was a deplorable response to a national tragedy that remains a stain on our history. Mr. Dunsmore reflected on how this fear was perpetuated by news media professionals who enabled these scare tactics through their reporting and the response by some elected leaders who also promulgated this fear through their own actions.

Fear is what drove the racist and unconstitutional response to Japanese Americans in the wake of the attacks on Pearl Harbor in 1941. And fear is what is encouraging some to recklessly hurl suspicion on Muslim Americans today in the wake of a terrorist attack in San Bernardino, CA, and unrest around the world. As Americans, we must categorically reject the divisive and corrosive rhetoric of fear that only serves to undermine us as a nation.

Americans cannot let themselves be coerced by the politics of fear today. If we do, then the terrorists and extremists will have won. Terrorists want us to be afraid, and they want us to be a nation divided. Groups like ISIS actively promote the narrative that Muslims are not welcome in the United States, and the xenophobic, hateful rhetoric espoused by some today plays into our enemies' hands. It also demeans us as a democratic nation founded on the principles of freedom, equality, and liberty. We should not let our country be defined by irresponsible fear-mongering. We are better than that.

Columns like the one written this weekend by Barrie Dunsmore are important reminders of just how far we have come as a nation. We cannot turn back now, and we cannot turn against our fellow Americans now.

Mr. President, I ask unanimous consent that a copy of Barrie Dunsmore's column from Sunday, December 13, 2015, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the *Rutland Herald*, Dec. 13, 2015]

FEAR IN THE DRIVER'S SEAT

(By Barrie Dunsmore)

"Nothing in modern politics equates with the rhetoric from candidate Trump." So wrote Dan Balz this past week in *The Washington Post*.

Balz is the *Post's* veteran and scrupulously nonpartisan senior political correspondent. He also wrote: "Trump's call for a ban on Muslims entering the United States marked a sudden and sizable escalation—and in this case one that sent shock waves around the world—in the inflammatory and sometimes demagogic rhetoric of the candidate who continues to lead virtually every national and state poll testing whom Republicans favor for their presidential candidate." Evidence of Trump's support can be seen in polls since the Muslim ban idea was proposed, in which a substantial majority evidently agrees with him.

In offering a defense for his latest scheme, Trump cited President Franklin Roosevelt's decision to intern thousands of Japanese-Americans shortly after the Japanese attack on Pearl Harbor in 1941. News reports this past week have mentioned this comparison—which was probably news to many Americans. When I was teaching a semester at Middlebury College, a senior who was an A student, told me he had never heard of the Japanese internment. That inspired me to give the subject extra attention in class, and to recall that period of history in this newspaper nearly a decade ago. What follows are elements of that column.

On Dec. 7, 1941, Japanese forces attacked Pearl Harbor, killing more than 2,000 people and destroying much of the U.S. Pacific fleet. On Feb. 19, 1942, President Roosevelt signed executive order No. 9066.

Over the next eight months, 120,000 individuals of Japanese descent were ordered to leave their homes in California, Washington, Oregon and Arizona. Two-thirds were American citizens representing almost 90 percent of all Japanese-Americans. No charges were brought against these individuals; there were no judicial hearings.

After being temporarily held in detention camps set up in converted race tracks and fairgrounds, the internees were transported

to concentration camps in the deserts and swamplands of the Southwest. There, they were kept in overcrowded rooms with no furniture other than cots, surrounded by barbed wire and military police. There they remained for three years.

Why did this happen? In a word: fear. But it was a fear that was incited, encouraged and exploited by political players of many stripes. In the weeks that followed the attack on Pearl Harbor, California was teeming with rumors of sabotage and espionage. The mayor of Los Angeles, Fletcher Bowron, spread the story that Japanese fishermen and farmers had been seen mysteriously waving lights along the state's shoreline. The top American military commander for the region, General John DeWitt, reported as true rumors that enemy planes had passed over California—and claimed that 20,000 Japanese were about to stage an uprising in San Francisco. All of these stories were false.

The news media also did its share of rumor-mongering. The Hearst columnist Damon Runyon erroneously reported that a radio transmitter had been discovered in a rooming house that catered to Japanese residents. Even the respected national columnist Walter Lippmann warned of a likely major act of sabotage by ethnic Japanese.

It would not be long before virtually all West Coast newspapers, the *American Legion*, the L.A. Chamber of Commerce, a host of other business and fraternal organizations—not to mention the area's top political and military leaders—were demanding that all persons of Japanese ancestry be removed from the West Coast. Many of these demands were overtly racist, such as that of the attorney general of Idaho, who proclaimed all Japanese should "be put into concentration camps for the remainder of the war . . . We want to keep this a white man's country."

Professor Geoffrey Stone points out in his book, *"Perilous Times: Free Speech in Wartime,"* "There was not a single documented act of espionage, sabotage or treasonable activity committed by an American citizen of Japanese descent or by a Japanese national residing on the West Coast."

President Roosevelt was not being pushed by his own advisers to sign the order for the internment. Attorney General Francis Biddle opposed it. So did FBI Director J. Edgar Hoover who described the demands for mass evacuations as "public hysteria." Secretary of War Henry Stimson thought internment was a "tragedy" and almost certainly unconstitutional.

Professor Stone concludes, "Although Roosevelt explained the order in terms of military necessity, there is little doubt that domestic politics played a role in his thinking, particularly since 1942 was an election year." And, of course, the U.S. had been attacked and was now involved in another world war.

Those civil libertarians who opposed internment and thought that the Supreme Court would ultimately reverse Roosevelt's order would be disappointed. Two related cases eventually reached the court, and in both, the convictions were upheld.

Years later some of those directly involved would publicly express regret for their decisions in these cases. The famously liberal Justice William O. Douglas later confessed, "I have always regretted that I bowed to my elders." The also noted liberal Chief Justice Earl Warren, who as attorney general of California played a pivotal role in the process, wrote in his memoirs in 1974 that internment "was not in keeping with our American concept of freedom and the rights of citizens."

On Feb. 19, 1976, as part of the national bicentennial, President Gerald Ford issued a proclamation noting that the anniversary of

Roosevelt's internment order was "a sad day in American history" because it was "wrong." Ford concluded by calling upon the American people "to affirm with me this promise: that we have learned from the tragedy of that long ago experience" and "resolve that this kind of action shall never again be repeated."

But fast forward four decades: another war, another election. And many Americans seem perfectly willing to repeat what was resolved never again to be repeated. Once again, fear—dare I say—threatens to trump this country's better instincts.

RECOGNIZING DANFORTH PEWTER.

Mr. LEAHY. Mr. President, I want to take a moment to celebrate the success of another Vermont business, Danforth Pewter, which this year celebrates 40 years of producing quality, hand-crafted pewter products. Danforth Pewter—owned and operated by Fred and Judi Danforth—opened for business in 1975 in Woodstock, VT. What started as a family business operating in a milk house in an old dairy barn has expanded to a workshop and flagship store in Middlebury and a network of retail stores in Burlington, Waterbury, and Woodstock, VT, and in Colonial Williamsburg, VA.

This rich history of Danforth Pewter, however, dates back more than two-and-a-half centuries, when Thomas Danforth II opened his pewter shop in Middletown, CT in 1755. Generations of Danforths followed in the patriarch's footsteps until 1873. A century later, Fred Danforth and his wife, Judi, also an artist, rekindled the family tradition and, following in the footsteps of his great-great-great-great-great-grandfather, reopened what is today a thriving business with a reputation for quality that extends far beyond the Green Mountains of Vermont. Fast forward to today, and the Danforth pewterer legacy lives on. Using the same techniques to cast pewter today as were originally used by Thomas Danforth II is an even greater testament to the longevity of fine craftsmanship and the quality of the goods produced at Danforth Pewter.

Every time Marcelle and I visit Danforth Pewter, we are impressed by the time and effort that goes into each piece. We shared the quality of this craftsmanship in 2008 when we shared palm stones crafted at Danforth Pewter with other delegates at the 2008 National Convention. Whenever we are in Middlebury, Marcelle and I try to stop in the store and see what new pieces are available. Our home in Vermont is dotted with Danforth Pewter pieces, and many hold special memories for us. These pieces are part of what makes our house in Vermont truly our home.

The Burlington Free Press recently ran an article highlighting the long history of Danforth Pewter, punctuated with images of some of the company's most historic pieces. I ask unanimous consent that this December 11, 2015, article entitled "Inside the world of Danforth Pewter" be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Burlington Free Press, Dec. 11, 2015]

INSIDE THE WORLD OF DANFORTH PEWTER (By Fred Danforth)

In his wonderful book "The Connecticut," Walter Hard tells of the development of trade along the Connecticut River by the American colonists. In one chapter he describes itinerant peddlers with horse-drawn carts who were the first to distribute the wares of the 18th-century artisans of the Connecticut Valley.

Some of the wares on those carts were most likely pewter mugs and plates made by Thomas Danforth and his six sons in the late 1700s and early 1800s.

Thomas Danforth opened his pewter workshop in Middletown, Connecticut, on the banks of the Connecticut River, in 1755 and his sons, grandsons and great-grandsons continued crafting pewter in their respective workshops until 1873, when the last of the early American Danforth pewterers died. Some of the pewter pieces made by these Colonial and early American Danforths have made their way into the Smithsonian, the Museum of Fine Arts in Boston, the Winterthur Museum in Delaware, the DeWitt-Wallace Museum in Colonial Williamsburg, and many other American museums.

FRED AND JUDI CONNECT

In the middle of the 20th century, Judi Danforth, who was then Judi Whipple, also grew up on the shores of the Connecticut River, in Claremont, New Hampshire. Fred Danforth, whose father was the family genealogist, came to Vermont from Ohio to attend Middlebury College. When Fred and Judi met in Middlebury, they discovered that they not only liked each other a lot, but they had a common interest in pewter. Judi had studied silversmithing and pewtering at the school for American Craftsmen in Rochester, New York, and was determined to become a pewterer.

Fred aspired to fine woodworking and knew that the four pewter pieces on his family's mantle were made by his great-great-great-great-grandfather Thomas Danforth and his family. With a little cajoling Fred shifted his creative interest from wood to pewter. After a short apprenticeship in the basic skills of pewtering and a brief stint working for an entrepreneur in Nova Scotia, the two returned to Vermont and found the perfect spot to follow their new passion in Woodstock, and 102 years after the last of the early American Danforths stopped working in pewter, the Danforth family pewter trade came to life again, once more in the Connecticut River Valley.

Using the rampant lion from Thomas Danforth's touchmark on their first sign, Fred and Judi Danforth opened their pewter shop in Woodstock, Vermont in 1975.

Fred says "We were inspired by the burgeoning revival of the American Crafts movement in Vermont in the 1970s. We were brimming with design ideas and our goal was to make well-designed appealing functional pieces that people could use every day and enjoy for generations." The shop in Woodstock was in the milk house of an old dairy barn. The makeshift showroom was in their living room in a tired 1789 farm house.

"INTO THE WOODS"

After two years of successfully attracting both locals and visiting tourists to their fledgling business, they decided to move closer to friends in Addison County to begin raising their family and to pursue a new approach to their business.

"We moved into the woods," Fred continues, "some might say back to the land, in Lincoln. This presented new challenges for our business and we had to work hard to make it succeed. In order to reach customers we began attending more craft fairs and selectively selling our growing product line to stores around Vermont including Frog Hollow. We created our first touchmark based on the same rampant lion of Thomas Danforth II."

"And this was when Judi became a sculptor. She began carving wax into a whimsical range of buttons in the shapes of animals and flowers. They were immediately popular on the craft fair circuit, not to mention on the sweaters of our two beautiful young daughters." The business grew in new directions as the couple went to trade shows and sold their buttons and pins and then ornaments to stores all over the country.

EXPAND TO MIDDLEBURY

By 1988, they had 12 employees and had outgrown the workshop in the Danforths' barn in Lincoln. They built a new facility next to Woody Jackson's Holy Cow in Middlebury. Soon thereafter Judi's carving skill won them the license to make Winnie the Pooh pewter for Walt Disney, which led to another period of growth in a new direction.

In the late 1990s, the company returned to its roots and refocused its energies on Fred and Judi's original designs. In 1997 Danforth Pewter was honored by the SBA when Fred and Judi were the co-winners of the Vermont Small Business Person of the Year Award.

In 2006, the company took another big step, putting their flagship retail store in Middlebury into the same building as the workshop. One set of observation windows lets guests see 100-year-old lathes being used by skilled artisans to make oil lamps, candlesticks, baby cups and other holloware. Another set of windows gives a look into the casting shop where visitors can see molten pewter being carefully poured into some of the hundreds of vulcanized rubber molds the company uses to make jewelry, holiday ornaments and figurines.

NETWORK OF PEWTER STORES

Today, the company employs around 60 people, and the network of Danforth Pewter stores has grown to include a boutique on Middlebury's Main St; stores in Burlington, Waterbury, Woodstock, and Williamsburg, Virginia; a holiday kiosk in the University Mall in South Burlington in November and December; and several retail events around New England. The company also has a thriving online business at www.danforthpewter.com, as well as a national wholesale business. In addition, Danforth makes custom designs, such as the bottle stoppers for one of Whistlepig Whiskey's high-end offerings, and holiday ornaments for Life is Good.

A lot has changed since Thomas Danforth II opened his pewter workshop in 1755, but there are a lot of things that he'd recognize if he walked into Danforth's Middlebury workshop today. The process of casting pewter by pouring molten pewter into a mold is a technique he used that's still in use today.

Hopefully, he'd also recognize a passion for good design and for quality craftsmanship. And he'd certainly recognize some of the pieces of Colonial-era and early American Danforth pewter that are on display in each Danforth store, including one or two that he made himself all the way back in the 1700s.

OMNIBUS LEGISLATION

Mrs. BOXER. Mr. President, I support this bipartisan budget package