

We have been through a difficult and counterproductive period on Capitol Hill. The recent shutdown and the threat of default undermined confidence in the U.S. and did \$24 billion in unnecessary damage to our economy.

According to a report from the White House Council of Economic Advisers, the shutdown cost 120,000 jobs in October alone.

I spent last week home in my State, as others were in their States. I was meeting with my bosses, the folks and citizens of Montana. They are not too happy with the antics going on in Washington, DC—and rightly so.

Fortunately, that battle is behind us and the government is back to work. It is time for us to come together to tackle the challenges facing our country.

Right now there are more than 11 million unemployed Americans looking for work. Our economy is expected to continue growing at a sluggish rate for the next year, less than 3 percent.

We have to ask: How do we create jobs? How can we spark faster growth in our economy? How can we boost our competitiveness and keep American companies at home in America?

Tax reform must be part of the solution. It is not the whole solution, but it is part of the solution.

That was the clear message I heard traveling around the country this summer with my friend DAVE CAMP. Dave is the chairman of the House Ways and Means Committee. Dave and I met with families and businesses, large and small, to hear about their experiences in dealing with the Tax Code.

We visited a family-owned bakery in Minneapolis, a small appliance store in New Jersey, a tech start-up in Silicon Valley, and a farm in Tennessee. We visited some large companies as well, companies such as 3M, Intel, FedEx, who employ thousands of people in the United States and around the world.

At every stop Dave and I heard the same message. U.S. companies and workers, companies large and small, workers employed at large and small companies, want a more simple, more fair Tax Code that closes loopholes and helps them compete and strengthens our economy.

This issue is not going away. It is too important. With so many people out of work, with economic growth still too slow, with a competitiveness gap costing us jobs and revenue, it is time for us to act. It is time for us to reform our Tax Code.

The chairman of the House and Senate Budget Committees brought their conferees together for the first time today. They have come together to try to find common ground on a budget and a plan to rebuild confidence in our economy. PATTY MURRAY and PAUL RYAN are incredibly smart and hard-working people. They care. And I am confident they can craft a compromise to help get America back on track.

I look forward to working with Chairman MURRAY and Chairman RYAN in the tax entitlement components of

their discussions, but at the same time I will continue to work on a parallel track with the Finance Committee advancing tax reform.

We are working hard—in Bernard Shaw's words—to adapt to the world and build a tax code that works. And DAVE CAMP is doing the same thing in the House. We are going down separate paths but coming together with a common goal—reducing the deficit, creating jobs, and promoting economic growth. We are coming together to put America back on track.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BAUCUS. Mr. President, I ask unanimous consent that all time on both sides be yielded back.

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

All time having been yielded, the question is, Will the Senate advise and consent to the nomination of Katherine Archuleta, of Colorado, to be Director of the Office of Personnel Management?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

Mr. DURBIN. I announce that the Senator from Virginia (Mr. KAINÉ) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE) and the Senator from Georgia (Mr. ISAKSON).

The result was announced—yeas 62, nays 35, as follows:

[Rollcall Vote No. 225 Ex.]

YEAS—62

Baldwin	Gillibrand	Murphy
Baucus	Hagan	Murray
Begich	Harkin	Nelson
Bennet	Heinrich	Pryor
Blumenthal	Heitkamp	Reed
Boxer	Hirono	Reid
Brown	Johanns	Rockefeller
Cantwell	Johnson (SD)	Sanders
Cardin	King	Schatz
Carper	Klobuchar	Schumer
Casey	Landrieu	Shaheen
Chambliss	Leahy	Stabenow
Chiesa	Levin	Tester
Collins	Manchin	Toomey
Coons	Markey	Udall (CO)
Donnelly	McCain	Udall (NM)
Durbin	McCaskill	Warner
Feinstein	Menendez	Warren
Fischer	Merkley	Whitehouse
Flake	Mikulski	Wyden
Franken	Murkowski	

NAYS—35

Alexander	Cruz	Paul
Ayotte	Enzi	Portman
Barrasso	Graham	Risch
Blunt	Grassley	Roberts
Boozman	Hatch	Rubio
Burr	Heller	Scott
Coats	Hoeben	Sessions
Coburn	Johnson (WI)	Shelby
Cochran	Kirk	Thune
Corker	Lee	Vitter
Cornyn	McConnell	Wicker
Crapo	Moran	

NOT VOTING—3

Inhofe	Isakson	Kaine
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The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I ask unanimous consent the motion to reconsider be considered made and laid upon the table, with no intervening action or debate, and that the President be immediately notified of the Senate's action.

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

NOMINATION OF JACOB J. LEW, OF NEW YORK, TO BE UNITED STATES GOVERNOR OF THE INTERNATIONAL MONETARY FUND; UNITED STATES GOVERNOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT; UNITED STATES GOVERNOR OF THE INTER-AMERICAN DEVELOPMENT BANK; UNITED STATES GOVERNOR OF THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

Mr. DURBIN. Mr. President, I ask unanimous consent that cloture on Calendar No. 63 be withdrawn and that the Senate proceed to vote on confirmation of the nomination; that the motion to reconsider be made and laid upon the table with no intervening action or debate; that no further motions be in order; and that the President be immediately notified of the Senate's action.

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

Under the previous order, the motion to invoke cloture on the Lew nomination is withdrawn.

Is there any further debate? If not, the question is on agreeing to the nomination of Jacob J. Lew, of New York, to be United States Governor of the International Monetary Fund; United States Governor of the International Bank for Reconstruction and Development; United States Governor of the Inter-American Development Bank; United States Governor of the European Bank for Reconstruction and Development.

The nomination was confirmed.

Mr. DURBIN. Mr. President, I ask unanimous consent the cloture vote on the Watt nomination occur immediately following the swearing in of Senator-elect Booker, of New Jersey, tomorrow, and the Senate proceed to legislative session and a period of

morning business for debate only, with Senators permitted to speak therein for up to 10 minutes each.

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

The PRESIDING OFFICER. The Republican leader.

TRIBUTE TO SENATOR CHIESA

Mr. MCCONNELL. Mr. President, as we all know, today is Senator CHIESA's last day in the Senate.

And while the Senator has only been here four months, it has been an interesting few months to say the least. He has found himself right in the middle of everything from the farm bill to the immigration bill, to the debate over Syria, to an October I am sure he will not soon forget.

He has had to work out of a temporary office, complete with vinyl siding and plastic chairs. He was here for less than an hour before having to take his first vote. He has had to deal with 99 Senators pronouncing his name 99 different ways. And one of our colleagues from Arizona threatened to quote "waterboard" the Senator if he didn't support a particular bill. I haven't asked how that situation ended up working out, but I see the Senator from New Jersey is still here.

Bottom line: Senator CHIESA is going to have quite a few stories for his family—for his wife Jenny and his kids, Al and Hannah. I know he is eager to get back home to see them—and catch up on some Notre Dame football—too. Even though he tells us his rank is "fourth" out of four in the family pecking order.

Well, that is at least better than 100th out of 100. But Senator CHIESA has not let his lack of Senate seniority stand in the way of pushing important issues.

Human trafficking was his focus as Attorney General, and it has been his focus here too. He has helped convene committee hearings about it, he has raised the issue with administration officials, he has embarked on a series of school visits to educate young folks on the issue, and he has worked with the Junior Senator from Ohio to advance awareness through the Caucus to End Human Trafficking. His determination is something we all admire. I know a lot of it comes from his strong Catholic faith. Much of it must come from his upbringing too: this is a Senator who lost his father and was forced to become the man of the house when he was just 8 years old.

Last year, Senator CHIESA said this:

If someone had ever said 20 years from now you'd be the attorney general of New Jersey, I would have laughed . . . I didn't think I'd even have met the attorney general by the age of 46.

Well, he has done more than that. He can add Senator to his résumé too—a Senator who has made the most of his time here, who has done good work, who we have all enjoyed getting to know. So, Senator CHIESA can be proud of his service. We thank him for it, and we look forward to welcoming our newest colleague from New Jersey.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, before I make these remarks, let me join in thanking the Senator from New Jersey. Although his tenure in the Senate was brief, he was here during a very exciting and interesting time in American political history. We thank him for his service on behalf of New Jersey and wish him the very best in his future endeavors.

Mr. DURBIN. Mr. President, the President has nominated three extraordinarily well-qualified Americans—appellate lawyer Patricia Millett, Georgetown Law professor Nina Pillard and DC District Judge Robert Wilkins—to serve on the DC Circuit, the second most important court in the Nation. The DC Circuit currently has 8 active judges out of 11 authorized judgeships.

These nominees should be given an up-or-down vote on the Senate floor.

Patricia Millett is the first nominee up for consideration. Ms. Millett, who is currently in private practice, is recognized as one of the leading appellate lawyers in the country.

She has argued 32 cases before the Supreme Court and dozens more in other appellate courts.

Ms. Millett served in the Solicitor General's office under both Democratic and Republican presidents. Seven former Solicitors General—including prominent Republicans Paul Clement, Ted Olson and Ken Starr—sent a letter in support of Ms. Millett saying she "has a brilliant mind, a gift for clear, persuasive writing, and a genuine zeal for the rule of law. Equally important, she is unfailingly fair-minded."

At her hearing before the Senate Judiciary Committee, no Senator questioned Ms. Millett's qualifications or fitness for the Federal bench. She is simply an outstanding nominee.

Let me tell you why I have a personal interest in her nomination.

Ms. Millett is also a proud daughter of Illinois. She grew up in Marine, a small town in the southern part of the State that I know well. Her mother was a nurse and her father was a history professor at Southern Illinois University—Edwardsville, one of my favorite campuses.

Ms. Millett graduated summa cum laude from the University of Illinois and magna cum laude from Harvard Law School. She clerked for two years for Judge Thomas Tang on the Ninth Circuit Court of Appeals.

She is part of a military family. Her husband, Robert King, served in the Navy and was deployed as part of Operation Iraqi Freedom.

Ms. Millett also comes highly recommended by distinguished members of the Illinois legal community.

I received a letter from Patrick Fitzgerald, the former U.S. Attorney for the Northern District of Illinois, expressing "strong support" for Ms. Millett's nomination and urging "prompt consideration of her candidacy on the merits."

I also received a letter from 28 prominent attorneys including former Illinois Governor James Thompson, a Republican, and current Illinois State Bar Association president Paula Holderman.

They expressed their strong support for Ms. Millett, saying that: she embodies the evenhandedness, impartiality, and objectivity required for the Federal judiciary, as evidenced by her more than 10 years of service in the Solicitor General's office in both the Clinton and Bush administrations.

The bottom line is that Ms. Millett is an outstanding nominee with broad support from across the ideological spectrum. There is no question that she is well-qualified to serve on the bench, and she will serve with distinction.

I urge my colleagues to give her a chance with an up-or-down vote. She does not deserve to have her nomination filibustered. If there is anyone who can step forward and question this nominee's qualifications, they should do so. They have not to date.

Some of my Republican colleagues have accused the President of trying to "pack" the DC Circuit by making nominations to fill the outstanding vacancies in that court. This argument is simply not credible. Filling vacancies for existing judgeships is not court packing. These judgeships are authorized by law, and it is incumbent upon the President to nominate qualified candidates to fill them.

Others across the aisle have argued that the DC Circuit does not have a high enough caseload—there are just not enough cases—to justify a full complement of 11 judges. I note that these same Republican Senators did not make that argument in 2005 when the Senate confirmed Janice Rogers Brown and Thomas Griffith to the 10th and 11th judgeships on the DC Circuit. When the Senate confirmed the 10th and 11th judgeships in the DC Circuit in 2005, they were the choices of the Republican side of the aisle, even though these confirmations, which we approved, reduced the Court's workload to fewer cases per active judge than what we would see if President Obama's nominees were confirmed.

On April 5, the Judicial Conference of the United States, which is led by Chief Justice John Roberts, made its Federal judgeship recommendations for the 113th Congress. The Judicial Conference is nonpartisan, and according to its letter, its recommendations "reflect the judgeship needs of the Federal judiciary." The Judicial Conference did not recommend stripping any judgeships from the DC Circuit. So this argument on the other side of the aisle finds no support in the non-partisan Judicial Conference's recommendations.

My Republican colleagues like to argue about workload statistics when it comes to the DC Circuit, but according to the Washington Post fact checker Glenn Kessler, who I have come to

know, “The voluminous and detailed statistics on the appeals courts allows each side to pick and choose the stats that support their position.”

Republicans may claim the DC Circuit’s workload is too light, but in the Washington Post Mr. Kessler points out that by some metrics, the DC Circuit “could be very well in first place” when it comes to workload.

I also note that one of my Republican colleagues came to the floor today and explained his opposition to Ms. Millett’s nomination. In doing so he cited a letter that the Senate Judiciary Committee Democrats sent in 2006 seeking a hearing postponement on Peter Keisler, who was nominated to fill the 11th seat on the DC Circuit. I would like to point out that this letter dealt with filling the 11th seat on the DC Circuit. Ms. Millett is seeking the 9th seat. I also wish to point out that the Senate had already voted to confirm a nominee to be the 11th judge on the DC Circuit, Thomas Griffith, just 1 year before this 2006 letter. I voted for Mr. GRIFFITH on the floor.

The bottom line is that these judicial vacancies currently exist, it is the President’s job to nominate qualified men and women to fill them, and there is no question that the President’s nominee for this position, Patricia Millett, is one of the most well-qualified persons he could have found to fill this important position. No one comes forward to criticize her background and her resume because, frankly, it is hard to find a nominee with any stronger credentials for the Federal bench.

Let’s not play political games with this important nomination, nor with people such as Patricia Millett, who have put their names forward, have gone through this process, and have waited for us politicians to work our will on the floor. She deserves an up-or-down vote.

I ask unanimous consent to have printed in the RECORD the letter from Illinois lawyers supporting Patricia Millett for the U.S. Circuit Court of Appeals for the DC Circuit as well as the letter, dated October 24, from former U.S. attorney for the Northern District Patrick Fitzgerald of Chicago.

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

PATRICK J. FITZGERALD,
Chicago, IL, October 24, 2013.

Re Patricia Millett.

Hon. DICK DURBIN,
U.S. Senate, Hart Office Building,
Washington, DC.

Hon. MARK KIRK,
U.S. Senate, Hart Office Building,
Washington, DC.

DEAR SENATORS DURBIN AND KIRK: I write in strong support of the President’s nomination of Patricia Millett to the United States Court of Appeals for the District of Columbia, and urge the Senate to promptly confirm her to this position.

I support the nomination of Patricia Millett because I believe our system of justice will be positively impacted with her as a member of our judiciary. Her career ac-

complishments as a lawyer are extraordinary. Over the past 20 years, Patricia has argued 32 cases before the United States Supreme Court and even more in the federal appeals courts, including the D.C. Circuit. Her cases have spanned the spectrum of legal issues that the D.C. Circuit confronts, including constitutional law, administrative law, civil and criminal procedure, commercial disputes, national security, and civil rights. Importantly, she has represented parties on both sides of those many issues, handling cases for the government at every level (federal, state, and local), private individuals, businesses, employers, employees, civil rights plaintiffs, prosecutors and criminal defendants. Patricia is a lawyer’s lawyer who is committed to the rule of law and stare decisis. She embodies the evenhandedness, impartiality and objectivity required for the federal judiciary, as evidenced by her more than 10 years of service in the Solicitor General’s office in both the Clinton and Bush Administrations.

Patricia grew up downstate in the small farm town of Marine. Her father was a history professor at Southern Illinois University—Edwardsville and her mother was a registered nurse and hospice practitioner. Patricia graduated summa cum laude from the University of Illinois with Highest Distinction in political science, before going on to the Harvard Law School. The country would be well served to have someone with her tremendous qualifications—and deep ties to our state—hold such an important judicial appointment.

I would urge a prompt consideration of her candidacy on the merits.

Sincerely,

PATRICK J. FITZGERALD.

ILLINOIS LAWYERS SUPPORTING PATRICIA
MILLETT FOR THE UNITED STATES COURT OF
APPEALS FOR THE D.C. CIRCUIT

SEPTEMBER 27, 2013.

Hon. DICK DURBIN,
U.S. Senate Hart Office Building,
Washington, DC.

Hon. MARK KIRK,
U.S. Senate Hart Office Building,
Washington, DC.

DEAR SENATORS DURBIN AND KIRK: We write in strong support of the President’s nomination of Patricia Millett to the United States Court of Appeals for the District of Columbia, and urge the Senate to promptly confirm her to this position. As lawyers here in Illinois, we care deeply about the rule of law and the quality of our system of justice. We strongly believe that stellar nominees with broad bipartisan support, like Patricia, should be quickly confirmed to ensure our justice system works effectively and efficiently. We feel even more strongly about that knowing that Patricia is an Illinois native.

We support the nomination of Patricia Millett because we believe our system of justice will be positively impacted with her as a member of our judiciary. Her career accomplishments as a lawyer are extraordinary. Over the past 20 years, Patricia has argued 32 cases before the United States Supreme Court and even more in the federal appeals courts, including the D.C. Circuit. Her cases have spanned the spectrum of legal issues that the D.C. Circuit confronts, including constitutional law, administrative law, civil and criminal procedure, commercial disputes, national security, and civil rights. Importantly, she has represented parties on both sides of those many issues, handling cases for the government at every level (federal, state, and local), private individuals, businesses, employers, employees, civil rights plaintiffs, prosecutors, and criminal

defendants. Patricia is a lawyer’s lawyer who is committed to the rule of law and stare decisis. She embodies the evenhandedness, impartiality, and objectivity required for the federal judiciary, as evidenced by her more than 10 years of service in the Solicitor General’s office in both the Clinton and Bush Administrations.

Patricia grew up downstate in the small farm town of Marine. Her father was a history professor at Southern Illinois University—Edwardsville and her mother was a registered nurse and hospice practitioner. Patricia graduated summa cum laude from the University of Illinois with Highest Distinction in political science, before going on to Harvard Law School. We would be extremely proud to have someone with tremendous qualifications—and deep ties to our state—hold such an important judicial appointment.

We believe it is critically important that the country rise above partisan politics when it comes to judicial appointments. Such unwarranted politicization can become a threat to the citizens’ trust in the integrity of our great judicial process. We, and the citizens of Illinois, are counting on you and the U.S. Senate to do the right thing by putting aside partisan politics and supporting Patricia’s nomination.

Sincerely,

Sergio Acosta, Hinshaw & Culbertson LLP; Sean M. Berkowitz, Latham & Watkins; Robert L. Byman, Jenner & Block; Vincent J. Connelly, Mayer Brown; Tyrone C. Fahner, Mayer Brown; John N. Gallo, Sidley Austin LLP; Paula H. Holderman, Winston & Strawn LLP; Donald G. Kempf, Jr., Donald G. Kempf, Jr., P.C.; Steven F. Molo, MoloLamken LLP; C. Barry Montgomery, Williams Montgomery & John; Manuel Sanchez, Sanchez Daniels & Hoffman LLP; Jeffrey Stone, McDermott Will & Emery LLP; James R. Thompson, Winston & Strawn LLP; Christopher B. Wilson, Perkins Coie.

Julie A. Bauer, Winston & Strawn LLP; Joel D. Bertocchi, Hinshaw & Culbertson LLP; Linda T. Coberly, Winston & Strawn LLP; J. Timothy Eaton, Shefsky & Froelich; James R. Figliulo, Figliulo & Silverman, P.C.; Rodger A. Heaton, Hinshaw & Culbertson LLP; James I. Kaplan, Quarles & Brady LLP; Michael H. King, Edwards Wildman; James S. Montana, Jr., Vedder Price; Lynn H. Murray, Grippo & Elden; Suzanne Saxman, Seyfarth Shaw LLP; Thomas P. Sullivan, Jenner & Block; Ann C. Tighe, Cotsirilos Tighe & Streicker; Alison Siegler, University of Chicago Law School.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I rise to join my colleague Senator DURBIN from Illinois in support of Patricia Millett’s nomination to the DC Circuit Court of Appeals. As he said so eloquently, Ms. Millett has broad bipartisan support, extensive public and private sector litigation experience, and she would make an outstanding addition to the DC Circuit Court of Appeals. After graduating with honors from the University of Illinois and Harvard Law School, Ms. Millett clerked at the Ninth Circuit Court of Appeals. She then spent 15 years at the Department of Justice, including 11 years as assistant to the Solicitor General in

both Republican and Democratic administrations. Again, I think it is important to point out she has support on both sides of the aisle.

Ms. Millett has argued 32 cases before the Supreme Court as well as dozens of others at the circuit court level, and she currently manages her law firm's Supreme Court and national appellate practice.

She was unanimously rated "well qualified" by the American Bar Association's Standing Committee on the Federal Judiciary, and that is their highest rating.

In addition to her professional work, Ms. Millett is very active in her community. She has been a literacy tutor for over 20 years, and through her church she volunteers at homeless shelters.

Ms. Millett has strong support across the political spectrum. Again, as Senator DURBIN pointed out, she has been endorsed by seven former Solicitors General of the United States, three former Republican attorneys general, law enforcement groups, and civil rights groups. She also has tremendous support from retired members of the military and groups representing military families.

In addition to being a highly qualified nominee, Ms. Millett will fill one of three current vacancies on the 11-member DC Circuit Court. Again, as Senator DURBIN pointed out, the DC Circuit is considered the second-most important court in our Nation. It is critical that it be fully staffed with qualified judges. The court handles important terrorism and detention cases, it hears a large volume of complex issues involving administrative actions of the Federal Government. The DC Circuit is also considered the most important civilian court for members of the Armed Services and veterans.

Former DC Circuit Chief Judge Patricia Wald noted "the DC Circuit hears the most complex, time-consuming, labyrinthine disputes over regulations with the greatest impact on ordinary Americans' lives: clean air and water regulations, nuclear plant safety, health care reform issues, insider trading and more."

The Senate should have the opportunity to vote up or down on all of President Obama's nominees to this important court. It is way past time we took action on this nomination.

I urge my colleagues to support the Millett nomination.

I yield the floor.

Mr. KING. Mr. President, I wish to discuss the nomination of Patricia Millett to be a judge on the D.C. Circuit Court of Appeals. Pattie, as she is known, is clearly well qualified. She has received support from Attorneys General appointed by Republican Presidents, and from conservative Solicitors General such as Ken Starr, Theodore Olson, and Paul Clement. Her resume is stellar, her qualifications unquestioned, and her support broad.

Although Senator DICK DURBIN claims she is an "Illinois native" in a

letter of support to President Obama—and Senator TIM Kaine, in his own letter of support to the President claims her as living in Virginia—she is actually a daughter of the State of Maine. Her mother grew up in the small town of Dexter, where Pattie went to school through high school. She also attended school in Bangor, and for a time, even worked at Eastern Maine General Hospital as it was then known. She truly comes from good Maine stock.

Millett also juggles an extremely full life while excelling at most everything she tries. The wife of a veteran, Pattie herself holds a black belt in taekwondo—a pastime that she took up in order to spend more time with her kids. She is also very engaged with her community and volunteers at local homeless shelters. And when her husband was deployed to Iraq, she single-handedly took care of their kids and managed to continue with her incredible career. She does all of these things while preparing for and arguing cases before the United States Supreme Court. In fact, she has argued more cases than any other woman—over 30 cases to date.

I am pleased to fully support the confirmation of Patricia Millett, a true daughter of Maine, to serve on the D.C. Circuit Court of Appeals.

MORNING BUSINESS

TRIBUTE TO CARMEN TARLETON

Mr. LEAHY. Mr. President, I would like to take a moment to pay tribute to a Vermont woman who personifies inspirational. Carmen Tarleton's journey as a survivor of domestic violence began nearly 6 years ago, when her estranged husband broke into her home, attacked her with a baseball bat and doused her with industrial-strength lye. She suffered severe burns over 80 percent of her body.

I have followed Carmen's recovery with great interest and even greater awe. Despite the scars that left her blinded and severely disfigured, Carmen made no effort to hide the effects of that attack. She never sought pity, nor did she dwell on the past. Instead, Carmen wrote a book and went on television, talking bravely and candidly about her long road back. She learned how to play the banjo and piano, and through the many surgeries and long hospital stays, Carmen's determination and spirit remained unbroken.

Last February, Carmen underwent a miraculous face transplant at Brigham and Women's Hospital in Boston, which was detailed in an October 26 front-page story in *The New York Times*. As that piece pointed out, "There is evidence that Ms. Tarleton's new face is more than just donated tissue, (it) is becoming part of who she is."

I ask unanimous consent to have *The New York Times* article inserted in the RECORD. I believe everyone will be as inspired by Carmen Tarleton as I have been.

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

[From the *New York Times*, Oct. 25, 2013]
FOR VICTIM OF GHASTLY CRIME, A NEW FACE,
A NEW BEGINNING
(By Abby Goodnough)

THETFORD, Vt.—At 1:30 a.m. on Valentine's Day this year, Carmen Tarleton left her rural home here and drove through the frigid dark to Brigham and Women's Hospital in Boston. Her doctor had called hours earlier with the news she had been waiting for: a suitable donor had been found. She would get a new face.

Almost six years had passed since her estranged husband broke into her house one spring night, beat her with a baseball bat and soaked her with industrial lye that he squirted from a dish-soap bottle. The attack nearly blinded Ms. Tarleton, a nurse and mother of two, and burned her beyond recognition. She lost her eyelids, upper lip and left ear. What remained of her face and much of her body was a knobby patchwork of scar tissue and skin grafts, painful to look at and far more painful to live with.

Now, after overcoming some initial fears, she was ready to receive someone else's features. After 15 hours of transplant surgery, Ms. Tarleton, 45, emerged from the operating room with what looked to her mother, Joan VanNorden, like a puffy, surreal mask. At first she wanted to faint as she stared at the new face, smooth and freckled, stitched to her daughter's pale scalp. But when Ms. Tarleton started talking in her old familiar voice—"Can't you just get in here?"—Mrs. VanNorden relaxed.

"I said, 'This is who Carmen is now,' and it really looked beautiful," she recalled. "Although it didn't look anything like her, it was her face."

Face transplants are still an experimental procedure, the first having taken place just eight years ago in France. Some two dozen full or partial transplants have been completed worldwide, including five at Brigham and Women's, which used nearly \$4 million in research grants from the Department of Defense to do four of the surgeries. Arteries, veins, nerves and muscles from the donor face must be painstakingly connected to the recipient's, in what Dr. Bohdan Pomahac, Ms. Tarleton's chief transplant surgeon, called "by far the most complicated operation that I do."

Yet the psychological impact of a face transplant is perhaps as far-reaching as the surgical one. Unlike a kidney or liver or heart, a donated face is visible to all, challenging recipients and their loved ones to incorporate an entirely new countenance into long-held perceptions of a person's identity.

Ms. Tarleton's appearance is still evolving: her scalp was so badly burned that hair will never return to parts of her head, but her donor's hair, the same shade of brown as her own, is growing around her forehead and temples. Her right eye remains closed, and her left droops. Her face is sometimes mask-like, betraying little emotion, because the muscles are still reconnecting and she cannot yet move them well. And that mask, oddly enough, looks like neither her nor the woman who donated it.

But eight months after the operation, there is evidence that Ms. Tarleton's new face is more than just donated tissue, and is becoming part of who she is.

When her family thinks, or even dreams, about her, they imagine her new visage. "When someone at work asks me, 'How's Carmen?' the picture that comes up in my mind more and more is that face," said Ms. Tarleton's sister, Kesstan Blandin.

Yet for Ms. Tarleton herself, the process of acceptance has been trickier. For one thing,