

GRASSLEY and many other cosponsors builds on the sentiments the chairman expressed yesterday.

It seems very simple to me that what the Republicans are asking is that our substitute, which has many cosponsors—we believe it improves on the underlying bill. And one amendment by Senator CORNYN adds much to the bill, helping to get the backlog of these rape kits put forward so that we can stop people who are perpetrating these crimes from being out loose doing it again, when we have the proof that has not yet been tested because of the backlog.

There are some things that can be done to improve this bill. Senator MIKULSKI and I worked together on funding the Justice Department. In our bill, we do add to the capability for the Justice department to give the grants that would make that backlog smaller. Senator CORNYN's amendment even improves upon that. So what is not to like about two other approaches that would add to this bill so that we can get this bill passed—or one version of it—go to conference with the House, and really address the issues?

No one is arguing that we should not pass a Violence Against Women Act. The question is, Can we make it even better? And if so, why not? Why not have the kind of debate that we have on this floor that does that? So I think it is important that we produce the best possible product.

Yesterday the chairman spoke repeatedly about a victim is a victim is a victim. He spoke about how the police never ask if the victim is a Republican or a Democrat, is the victim gay or straight, but that a victim is a victim. And I have—

The PRESIDING OFFICER. The Senator will suspend. We have a previous order we need to read.

EXECUTIVE SESSION

NOMINATION OF GREGG JEFFREY COSTA TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS

NOMINATION OF DAVID CAMPOS GUADERRAMA TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TEXAS

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 Gregg Jeffrey Costa, of Texas, to be United States District Judge for the Southern District of Texas; David Campos Guaderrama, of Texas, to be United States District Judge for the Western District of Texas.

The PRESIDING OFFICER. Under the previous order, there will be 30

minutes of debate equally divided in the usual form.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I believe under the regular order I would be recognized now, and then Senator GRASSLEY would be recognized. But I understand the Senator from Texas needs more time; is that right?

Mrs. HUTCHISON. Yes.

Mr. LEAHY. We are not on VAWA now; we are on the nominations. Under the regular order, I am to speak for 15 minutes and then Senator GRASSLEY for 15 minutes. How much more time does the Senator from Texas need?

Mrs. HUTCHISON. Mr. President, I believe perhaps the—

The PRESIDING OFFICER. The Senator from Vermont is correct on the order.

Mrs. HUTCHISON. Mr. President, did the other side go over the allotted time on VAWA?

The PRESIDING OFFICER. They did not. The Senator from Texas was actually speaking on their time.

The Senator from Vermont is recognized under the order.

Mr. LEAHY. How much time does the Senator need?

Mrs. HUTCHISON. I would like to have up to 5 minutes to finish the debate on the VAWA bill, and then I do have remarks in support of the two judgeships that will be voted on at noon.

Mr. LEAHY. Mr. President, I ask unanimous consent that the Senator from Texas be given 5 minutes out of the Republicans' time now to finish the VAWA statement, and that we then go back to my time on the judges. I assume that the Republican side would be glad to have the rest of the time on the judges.

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

Violence Against Women Reauthorization Act

Mrs. HUTCHISON. Mr. President, I want to make sure everyone knows that the Republicans have an addition to the Violence Against Women Act that we think will strengthen it.

For instance, there are a couple of additions from what we talked about yesterday. We got a letter today from the National Center for Missing and Exploited Children. I ask unanimous consent that it be printed in the RECORD.

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

NATIONAL CENTER FOR MISSING & EXPLOITED CHILDREN,
Alexandria, VA, April 26, 2012.

Hon. KAY BAILEY HUTCHISON,
Senate,
Washington, DC.

DEAR SENATOR HUTCHISON: As you know, the National Center for Missing & Exploited Children (NCMEC) addressed the issue of sentencing for federal child pornography crimes in our testimony before the Senate Judiciary Committee in March 2011. The 1.4 million reports to NCMEC's CyberTipline, the Congress-

sionally-authorized reporting mechanism for online crimes against children, indicate the scope of the problem. These child sex abuse images are crime scene photos that memorialize the sexual abuse of a child. Those who possess them create a demand for new images, which drives their production and, hence, the sexual abuse of more child victims to create the images.

Despite the heinous nature of this crime, the federal statute criminalizing the possession of child pornography has no mandatory minimum sentence. This, combined with the advisory nature of the federal sentencing guidelines, allows judges to impose light sentences for possession. Congress passed mandatory minimum sentences for the crimes of receipt, distribution, and production of child pornography. We don't believe that Congress intended to imply that possession of child pornography is less serious than these other offenses. NCMEC feels strongly that possession of child pornography is a serious crime that deserves a serious sentence. Therefore, we support a reasonable mandatory minimum sentence for this offense.

As we have previously testified, child protection measures must also include the ability to locate non-compliant registered sex offenders—offenders who have been convicted of crimes against children yet fail to comply with their registration duties. The U.S. Marshals Service is the lead federal law enforcement agency for tracking these fugitives. Their efforts would be greatly enhanced if they had the authority to serve administrative subpoenas in order to obtain Internet subscriber information to help determine the fugitives' physical location and apprehend them.

Thank you for your efforts to protect our nation's children.

Sincerely,

ERNIE ALLEN,
President and CEO.

Mrs. HUTCHISON. Mr. President, this letter says that they strongly support two provisions in our substitute bill. It says we have a mandatory minimum for protection of child pornography, and they feel strongly that possession of child pornography is a serious crime that deserves a serious sentence. Therefore, a reasonable mandatory minimum for this offense would be in order.

I stated yesterday, about a situation where a judge gave a 1-day sentence to an individual who was in possession of hundreds of images and videos of 8- to 10-year-old girls being raped. Really, 1 day? Mr. President, this is America. I can't even imagine that would be the case.

Our amendment strengthens the underlying bill by saying we would have a mandatory minimum of 1 year. My goodness, I think that is a minimum this body would want to adopt.

We also want to make sure we can locate registered sex offenders who abscond. The letter we have put into the RECORD says law enforcement's efforts would be greatly enhanced if they had the authority to determine the fugitives' physical location and apprehend them. Here are two stories, and our bill would strengthen the ability to help these situations.

Johnny Burgos was convicted in New York for rape and assault of a minor. Following his release from prison, he registered as a sex offender in New

York, but he left. Although he seemed to be constantly on the move, the U.S. Marshals in the New York/New Jersey Regional Fugitive Task Force believed he was living in Pennsylvania. They attempted to obtain the records from cell phone companies, insurance companies, and the New York and Pennsylvania Departments of Motor Vehicles. But because it was necessary to get grand jury subpoenas for these records, the process took too long and the investigation suffered. In the interim, he is believed to have committed another sexual assault in Maryland. Our bill would strengthen the capabilities for the U.S. Marshals Service to get that information on a timely basis.

This story is even worse, Mr. President. Joseph Duncan, shortly after his release from custody in 2005, absconded from Minnesota and traveled across country to Idaho, where he kidnapped Dylan and Shasta Groene from their home in the middle of the night. In the course of the kidnapping, he murdered the children's mother, brother, and the mother's boyfriend by beating them to death with a hammer. He then took the children to remote campgrounds across State lines into Montana, where he brutally abused them and later killed Dylan—a child. He was essentially lost by three States, and no one even knew where he was to look for him.

Our bill strengthens the U.S. Marshals Service's capabilities to attach to wherever these thugs might be who are doing these heinous crimes. I also add that our bill has a strengthening of the rape kit issue that Senator CORNYN is trying to get to be able to offer as an amendment to Senator LEAHY's bill, the majority's bill. Senator CORNYN has been trying for a long time to strengthen the ability to stop this backlog and get the rape kit issue addressed so we can have the evidence to get the perpetrators so they will not commit these crimes against other innocent people such as Dylan and Shasta Groene.

I hope we will be able to have a modest one amendment, and my substitute, so we will be able to go to conference with a strong strengthening of the underlying bill, which I intend to support. I am going to support the Violence Against Women Act, even if it falls short in these areas. But why not strengthen it in these areas so that all of us know we have done the best we can to send a bill to the House for its consideration, and then a conference committee where we can pass this bill without further delay.

When the regular order comes back, I want to speak in favor of the two Texas judges on whom we are going to vote.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I will speak further about the Violence Against Women Act because I believe the Leahy-Crapo, et al, bill has the best balance possible to protect the most people possible.

Mrs. HUTCHISON. I thank the Senator.

Mr. LEAHY. Mr. President, today we are finally going to vote on the nominations of Gregg Costa and David Guaderrama to fill judicial emergency vacancies on the U.S. District Courts for the Southern and Western Districts of Texas. Both of these nominees to fill judicial emergency vacancies have the support of their home state Republican Senators. Their nominations were reported unanimously by the Judiciary Committee over four and a half months ago. Senator CORNYN, who is on the Senate Judiciary Committee, strongly supports both of these nominees. The senior Senator from Texas, Senator HUTCHISON, supports these nominees. There was a unanimous vote in the Judiciary Committee. Still it has taken another four and one-half months to get them before the Senate for final consideration.

These are judicial emergency vacancies. I mention that because these are more examples of what I have been concerned about for the last few years. Senate Republicans have refused to move promptly to confirm consensus nominees. These are not ideologically driven nominees. These are nominees, like so many of President Obama's nominees, who are highly qualified. They enjoy bipartisan support, but they are made to wait and wait before finally being able to be confirmed.

This is a destructive development. It is a new practice in the Senate. I can say this as one who has served here during the Presidencies of Presidents Ford, Carter, Reagan, George H.W. Bush, Clinton, George W. Bush, and now President Obama. This new practice has kept the Senate behind the curve. It has kept Federal judicial vacancies unfilled. It has overburdened the Federal courts and has kept Americans from getting prompt justice.

It should not have taken this long for these two nominees to receive a vote. They could and should have been confirmed last year. It is nearly May, and the Senate is still only considering judicial nominations that should have been confirmed last year. There are 24 judicial nominees ready for final Senate consideration. Several are still pending from last year. That means 150 million Americans affected by more than 80 judicial vacancies would see a vacancy in their district or circuit court filled if the Senate would only be allowed to vote on those 24 nominees.

The lack of real progress during the last three and one-third years is in stark contrast to the way in which we moved to reduce judicial vacancies during the last Republican presidency. During President Bush's first term we reduced the number of judicial vacancies by almost 75 percent. When I became Chairman in the summer of 2001, there were 110 vacancies. As Chairman, I worked with Senate Republicans to confirm 100 judicial nominees of a conservative Republican President in 17 months. We expedited consideration of consensus nominees and ended the vacancies crisis. In contrast, despite his

selecting qualified nominees and working with Senators from both sides of the aisle, President Obama has seen judicial vacancies remain above 80 for nearly three years.

At this same point in the Bush administration, we had reduced judicial vacancies around the country to 45. Today they stand at 81. And by August 2004, we reduced judicial vacancies to just 28 vacancies. Despite 2004 being an election year, we were able to reduce vacancies to the lowest level in the last 20 years. At a time of great turmoil and political confrontation, despite the attack on 9/11, the anthrax letters shutting down Senate offices, and the ideologically driven judicial selections of President Bush, we worked together to promptly confirm consensus nominees and significantly reduce judicial vacancies.

In October 2008, another presidential election year, we again worked to reduce judicial vacancies and were able to get back down to 34 vacancies. I accommodated Senate Republicans and continued holding expedited hearings and votes on judicial nominations into September 2008.

We lowered vacancy rates more than twice as quickly as Senate Republicans have allowed during President Obama's first term. The vacancy rate remains nearly twice what it was at this point in the first term of President Bush.

The Senate is 32 behind the number of circuit and district court confirmations at this point in President Bush's fourth year in office. We are 65 confirmations from the total of 205 that we reached by the end of President Bush's fourth year.

I wish to share with the Senate and the American people a chart. This compares vacancies during the terms of President Bush and President Obama. I mention this because, look at where the vacancies were when President Bush came in. For a short time, I was chairman of the Senate Judiciary Committee when President Bush was President. Even though 60 nominees had been pocket-filibustered of President Clinton's, I said we were going to change this routine. Look how quickly I brought the vacancies way down under President Bush. I then worked with Republicans to bring them down further, even though they didn't move as fast on President Bush's nominees as I had. When I was chairman, I continued to bring it down.

Then what happened when President Obama came in? All of a sudden they said: This was great that you brought down the vacancies under President Bush. We are glad to have the vacancies under President Bush come down, but now the vacancies are going to come back with President Obama.

This is another way to demonstrate what I have been saying. See how sharply the line slopes as we reduced vacancies in 2001 and 2002, when I was Chairman of the Judiciary Committee. See where we were in April 2004 having reduced judicial vacancies to 45 on the

way to 28 in August. By comparison, see how long vacancies have remained above 80 and how little comparative progress we have made. Again, if we would just be allowed to vote on the 24 judicial nominees ready for final action we could reduce vacancies to under 60 and make instant progress.

The American people deserve better. Our courts need qualified Federal judges, not vacancies, if they are to reduce the excessive wait times that burden litigants seeking their day in court. It is unacceptable for hard-working Americans who turn to their courts for justice to suffer unnecessary delays. When an injured plaintiff sues to help cover the cost of his or her medical expenses, that plaintiff should not have to wait three years before a judge hears the case. When two small business owners disagree over a contract, they should not have to wait years for a court to resolve their dispute.

Some Senate Republicans seek to divert attention by suggesting that these longstanding vacancies are the President's fault for not sending us nominees. Let me remind my colleagues that of the 81 current vacancies that exist, several of them are without a nomination because this President is trying to work with home state Senators, including 27 vacancies involving a Republican home state Senator who has refused to either recommend a candidate or agree to a judicial nominee. There are seven nominations on which the Senate Judiciary Committee cannot proceed because Republican Senators have not returned blue slips.

More importantly, there are 24 outstanding judicial nominees that can be confirmed right now who are being stalled. Let us act on them. Let us vote them up or down. When my grandchildren say they want more food before they finish what is on their plate, my answer is to urge them to finish the food already on their plate before asking for seconds or dessert. To those Republicans that contend it is the White House's fault for not sending us more nominees, I say let us complete Senate action on these 24 judicial nominees ready for final action. If we could vote on the 24 judicial nominees ready for final action there are more nominees working their way through Committee, and the Senate can act responsibly to help fill more of the vacancies plaguing some of our busiest courts.

Today, we can finally fill two emergency vacancies with superbly qualified nominees. Gregg Costa is nominated to fill a judicial emergency vacancy on the U.S. District Court for the Southern District of Texas, where he is already well-known and well-respected for his service as a Federal prosecutor. Prior to becoming a Federal prosecutor in 2005, Mr. Costa worked in private practice in Houston, Texas, was a Bristow Fellow in the Office of the Solicitor General, and clerked for Chief Justice William Rehnquist on the United States Su-

preme Court. The ABA Standing Committee on the Federal Judiciary unanimously rated Mr. Costa "well qualified" to serve, its highest possible rating.

Judge David Guaderrama is nominated to fill a judicial emergency vacancy on the U.S. District Court for the Western District of Texas, where he has served as a Magistrate Judge since 2010. He previously served four terms as a state court judge in El Paso, Texas, and for seven years as the Chief Public Defender in El Paso County. While on the state bench, Judge Guaderrama implemented the first adult criminal Drug Court and the first Access to Recovery program in El Paso County. Judge Guaderrama began his legal career in 1979 as a solo practitioner and from 1980 to 1986 was a partner with the firm of Guaderrama and Guaderrama.

These are two qualified nominees from Texas. They were passed out of our committee last year. They should have been confirmed before we recessed last year. Even typical consensus, non-controversial nominees like these two have been delayed for no good reason. In fact, we have 24 judicial nominations currently before the Senate.

I have heard them say the President has to send up more nominees. Why don't we confirm the 24 who are on the calendar? Then we have others working through the committee process. In fact, 10 of those nominations that have been pending the longest are all to fill judicial emergency vacancies. Every single Democrat in this body has signed off on them.

Again, I show this chart to show how quickly Democrats moved, while Republicans did not move as quickly as they did for President Bush's nominees. We did that with President Ford. We did that with President Carter. We did that with President Reagan. We did that with the first President Bush and also with President Clinton—except for the 60 who were pocket-filibustered by the Republicans. And we did that, as I have shown here, with President Bush. Why does it have to be a different situation for President Obama? Why can't we treat President Obama the way we did all these other Presidents I have mentioned, since I have been here—the way we did President Ford's nominations and all the others?

I cannot understand what it is or why President Obama has to be treated differently. It is not fair to him. More important, Mr. President, it is not fair to the Federal judiciary. These vacancies mean there are millions of Americans—150 million Americans who are in districts or States with judicial vacancies. That means justice delayed. If justice is delayed, justice is denied.

We can and should do better. Maybe some believe there is an advantage to taking partisan shots at President Obama. I disagree. They should do as we have done in the past and help the Federal judiciary. That should be kept out of partisan politics. It is to all of our advantage. When people go before a

court in this country, they are not asked whether they are a Republican or Democrat. They are coming to seek justice. They should be allowed to have that. Let's speed up.

I will vote for these two judges. The Senator from Texas will vote for these two judges. But they were ready to be voted on way last year. It is time to get moving.

Mr. President, I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I rise to speak in favor of Gregg Costa and David Guaderrama for their nominations to the Federal district bench.

I want to say that Mr. COSTA—and I will mention this again—asked not to be confirmed until after the case that he was working on was finished. His case was the prosecution of Robert Allen Stanford, who swindled so many Texans and other Americans out of money they had invested. Frankly, he was all over the country in his representation.

Mr. Costa asked not to be confirmed until he could finish that case because it was complicated and he was the lead on it.

So there has been no delay on our part at all on his nomination. As I understand it, we have confirmed the same—roughly the same—number of district judges as President George Bush and President Clinton did in their first terms. To my knowledge, we are not holding up nominations at all.

In fact, of course, Senator CORNYN and I both highly recommended Mr. Costa and Mr. Guaderrama to the President for his nomination because we have a process that assures we nominate to the President the most qualified people to fill these spots. We have a bipartisan legal committee that vets them comprised of people who know the legal community in Texas, and so, therefore, they know the reputations of these lawyers, and our committee system has worked very well. I have served on it with Senator Gramm, as I have with Senator CORNYN, and we agree on the quality of these nominees. So I don't think there is a delay, and I am very pleased to be able to have nominated these two fine lawyers to the President.

I would like to talk first about Mr. Costa, who did ask to wait for his confirmation, but now he is ready because the case he was working on was decided. Mr. Costa will be serving in the Southern District in Galveston, TX, where I was born. Mr. Costa was born in Baltimore, MD, and grew up in Richardson, TX. He attended Dartmouth College, where he graduated with a bachelor of arts degree in government and then continued his studies at the University of Texas School of Law where he served as editor-in-chief of the Texas Law Review and received his juris doctorate with highest honors in 1996.

Mr. Costa's professional career includes being a law clerk for Supreme

Court Chief Justice William Rehnquist in 2001, as well as his current position serving as an assistant U.S. attorney in Houston. As the co-lead counsel for the United States in the prosecution of Robert Allen Stanford, Mr. Costa secured a conviction of 13 charges of conspiracy, wire, and mail fraud. Mr. Costa has been credited by his colleagues as the glue that held the case together. His dedication to this case and these victims shows the core of his character. The fact he asked for a delay in his confirmation because he wanted to finish this case and assure that convictions would be obtained makes me proud and pleased to support his nomination to the Federal bench.

I am also pleased to support the nomination of Judge David Campos Guaderrama to the Western District of Texas in El Paso. Judge Guaderrama is originally from New Mexico and moved to El Paso, TX, at a young age. He attained two bachelor degrees from New Mexico State University in political science and psychology, then earned his juris doctorate degree from the University of Notre Dame Law School in 1979.

In 1987, Judge Guaderrama was appointed as the first chief public defender of El Paso County and continued in that service until he was elected to the 243rd Judicial District Court in 1995. As a testament to his service to the El Paso community, Judge Guaderrama has served as a U.S. magistrate judge for the U.S. District Court for the Western District for the last 2 years.

During his three decades serving in the Texas legal system, Judge Guaderrama has earned many accolades for his help and leadership in initiating and enacting several successful judicial programs in west Texas. He has demonstrated a strong commitment to the El Paso community, and I am confident he will serve on the Federal bench well and I support his nomination.

I would also say Senator CORNYN also supports these two judges. Of course, Senator CORNYN sits on the Judiciary Committee. Our judicial evaluation committee, which is bipartisan, has served so well to give us the highest quality nominees on the bench, and our committee did select both these nominees as their first choices after their interviews and input from the legal community in both El Paso and Houston, which includes the Galveston part of the district.

These nominations have been well vetted. They have been supported by both sides of the aisle, and we are very pleased to put forward these two quality nominees. Senator CORNYN as well is very strongly in support of them.

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

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

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2011

Mr. LEAHY. Mr. President, I know we are about to vote on these judges, but I wish to make a few remarks about the VAWA reauthorization before we do so.

There are few tools more important in the fight to end domestic and sexual violence than the Violence Against Women Act. This landmark legislation has fundamentally changed the way society views these horrible crimes, and it has resulted in a more than 60 percent decrease in domestic violence offenses. We have been successful because we have learned from experience and adapted our efforts to better meet the needs of victims.

Each reauthorization of VAWA has played a critical role in this process. As we learn more about the needs of victims, VAWA has been carefully modified to meet those needs. The bipartisan bill that Senator CRAPO and I introduced last year continues that important process. The Republican substitute amendment does not.

The Leahy-Crapo bill is based on months of work with survivors, advocates, and law enforcement officers from all across the country. We listened when they told us what was working and what could be improved. We took their input seriously, and we carefully drafted our legislation to respond to those needs. We made additional modifications and reached carefully crafted compromises through what was an open process. We also shared our draft with Senators from both sides of the aisle and proceeded openly to introduce the bill so that it could be reviewed and improved as the Judiciary Committee considered and voted on it.

Senator CRAPO and I purposely avoided proposals that were extreme or divisive and selected only those proposals that law enforcement and survivors and the professionals who work with crime victims every day told us were essential. Our reauthorization bill is supported by more than 1,000 Federal, State, and local organizations. They include service providers, law enforcement, religious organizations, and many, many more. There is one purpose and one purpose only for the bill that Senator CRAPO and I introduced, and that is to help and protect victims of domestic and sexual violence. Our legislation represents the voices of millions of survivors and their advocates all over the country.

The same cannot be said for the Republican proposal brought forward in these last couple of days. That is why the Republican proposal is opposed by so many and such a wide spectrum of people and organizations.

The National Task Force to End Sexual and Domestic Violence Against

Women, which represents dozens of organizations from across the country says:

The Grassley-Hutchison substitute was drafted without input or consultation from the thousands of professionals engaged in this work every day. The substitute includes damaging and unworkable provisions that will harm victims, increase costs, and create unnecessary inefficiencies.

Although well-intentioned by its lead sponsors, the Republican proposal is no substitute for the months of work we have done in a bipartisan way with victims and advocates from all over the country.

I regret to say the Republican proposal undermines core principles of the Violence Against Women Act. It would result in abandoning some of the most vulnerable victims and strips out key provisions that are critically necessary to protect all victims—including battered immigrants, Native women, and victims in same sex relationships. The improvements in the bipartisan Leahy-Crapo Violence Against Women Reauthorization Act are gone from the Republican proposal. It is no substitute and does nothing to meet the unmet needs of victims.

Mr. GRASSLEY. Mr. President, this afternoon we are considering two nominations for U.S. district judge positions in Texas. Gregg Jeffrey Costa is nominated to serve in the Southern District of Texas, while David Campos Guaderrama is nominated to serve in the Western District of Texas. Again, we are moving forward under the regular order and procedures of the Senate. With today's nomination, we will have confirmed 80 judicial nominees during this Congress. With the confirmations today, the Senate will have confirmed more than 75 percent of President Obama's judicial nominations.

While we are making progress in the Senate, we continue to hear complaints about the vacancy rate. I will again remind my colleagues that of the 81 vacancies, more than 58 percent of these vacancies have no nominee.

These nominations came to the committee with the support of home State Senators. They were reported out of committee by voice vote. These nominees have exceptional records and demonstrate the type of consensus nominations that can be confirmed, even in a Presidential election year.

Mr. Costa received his B.A. degree in 1994 from Dartmouth College. He graduated from the University of Texas School of Law in 1999. After law school, Mr. Costa clerked for the Honorable A. Raymond Randolph on the DC Court of Appeals from August 1999 to July of 2000 and then for Chief Justice Rehnquist from July 2001 to July 2002. Between his two clerkships, he worked as a Bristol Fellow in the United States Department of Justice, Office of the Solicitor General.

In 2002, Mr. Costa joined the law firm Weil Gotshal & Manges as an associate. During his time at the firm, Mr. Costa