

those superqualified folks all the time and then, all too often, we send them back to their native countries and don't allow them to remain here to get on a pathway to citizenship and to contribute, as they would, to our economy.

A child tax credit law. This would amend the IRS Code to simply put in place significant identification requirements for the child tax credit to require taxpayers to provide that valid ID, to cut out what is admitted to be rampant fraud in the system. The IRS itself and its inspector general office have said there is at least \$1.3 billion of fraud a year in the child tax credit. These checks from the taxpayer, actual checks going out to illegal recipients who do not qualify under the law, in some cases, dozens, allegedly, at a single address, a single family, are clearly fraud. We must meet some basic requirements to cut out that fraud. The IRS itself, under this administration, has asked for those tools. We should give them those tools under this child tax credit legislation.

Sanctuary cities reform would prohibit appropriated funds from being used in contravention of the Illegal Immigration Reform and Immigrant Responsibility Act of 1986. I am joined by Senator GRASSLEY and Senator FISCHER in that legislation.

Too many jurisdictions in the United States are self-proclaimed sanctuary cities. By doing that, they are in contravention of Federal immigration law when they say they will not cooperate in the enforcement of that law in any way. That is unacceptable, and those cities should not get appropriated funds.

E-Verify I mentioned is an initiative and legislation by Senator GRASSLEY. I am proud to join him as a coauthor. I am an original cosponsor of that bill. It would take the present E-Verify system and make it mandatory and expand it so that is our workforce system of enforcement. E-Verify works. The problem is it is a pilot. It is not mandatory and it is not broad enough. We need to broaden and make mandatory that workable E-Verify system.

The Voter Integrity Protection Act would amend the INA to make voting in a Federal election by an alien who is unlawfully in the United States an aggravated felony, which makes it a deportable offense. If a person is illegally participating in our elections, that is a serious offense to any democracy. That should be a deportable offense.

The Birthright Citizenship Act would also amend the law to consider a person born in the United States "subject to the jurisdiction" of the United States for citizenship only if the person is born through at least one parent who is a U.S. citizen or national or a lawful permanent resident alien in the United States or an alien performing active service in the U.S. Armed Forces. Right now it is, in my opinion, an accident of history and a mistake that any child physically born here, even of two parents here illegally and improperly,

automatically becomes a U.S. citizen. Virtually no other country in the world has this rule. This reform would simply amend U.S. law to have the same basic rule as virtually every other country in the world I am aware of. A person doesn't automatically become a citizen just because they are physically born here; at least one parent has to have that legal status.

Finally, US-VISIT reform, finally, after decades of promises, after decades of broken promises, to require that the US-VISIT system—the biometric border check-in/check-out system first required in 1996 that is well past its implementation date of 2005—be finished, be done, be fully in place before any of these other triggered aspects of so-called comprehensive reform happen. On that reform, I am proud to be joined by Senator SESSIONS and Senator LEE as coauthors.

Again, I am introducing these six bills today. I am also an original cosponsor of Senator GRASSLEY's E-Verify bill, a seventh bill. I think this is a targeted, step-by-step approach which is the right alternative to so-called comprehensive reform, which historically means immediate amnesty married to promises of enforcement that never happen, that never fully materialize.

I urge my colleagues to look hard at these measures and hopefully support some or all of them. I urge them even more to go back home and listen to their constituents, to listen hard at the neighborhood coffee shop and the town-hall meetings, because I think these sorts of concerns, as Senator SESSIONS and I have expressed today, are the core concerns, the core questions of a great majority of the American people.

Thank you, Madam President. 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.

Ms. COLLINS. I ask unanimous consent that the order for the quorum call be rescinded.

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

#### EXECUTIVE SESSION

#### NOMINATION OF WILLIAM J. KAYATTA, JR., TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIRST CIRCUIT

The PRESIDING OFFICER (Mr. HEINRICH). Under the previous order, the Senate will proceed to executive session and consider the following nomination, which the clerk will report.

The bill clerk read the nomination of William J. Kayatta, Jr., of Maine, to be United States Circuit Judge for the First Circuit.

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

The Senator from Maine.

Ms. COLLINS. Mr. President, I am delighted to rise in strong support of the confirmation of William Kayatta of Maine to serve on the U.S. Court of Appeals for the First Circuit.

Mr. Kayatta was originally nominated to this position more than 1 year ago. He was approved by the Judiciary Committee on a bipartisan vote last April. Unfortunately, despite his exceptional qualifications, his nomination was stalled by election-year politics. That is finally behind us, and I am pleased the President renominated Mr. Kayatta in January.

I wish to thank the chairman of the Judiciary Committee, my colleague from Vermont Senator LEAHY; the ranking member Senator GRASSLEY; and, indeed, all the members of the Senate Judiciary Committee for acting promptly and positively in favor of Mr. Kayatta's renomination.

Let me also express my gratitude to the two leaders, Senator REID and Senator MCCONNELL, for moving his nomination so quickly to the Senate floor.

Mr. Kayatta is an attorney of exceptional intelligence, extensive experience, and demonstrated integrity. I cannot tell you how highly regarded he is in Maine's legal circles. In fact, if you ask virtually any attorney, judge, prosecutor, law professor or anyone involved in the legal profession in Maine, they will tell you the President could not have made a better choice than Bill Kayatta. He graduated magna cum laude from both Amherst College and Harvard University Law School, where he served as a member of the Law Review.

After graduating from law school, Mr. Kayatta clerked for the chief judge of the U.S. Court of Appeals for the First Circuit, Frank Coffin. It is a wonderful symmetry that he now, assuming the confirmation goes well this afternoon, will be joining the court for which he clerked many years ago.

In 1980, he joined the prestigious law firm of Pierce Atwood in Portland, ME, where over the subsequent 32 years Bill specialized in complex civil litigation at both the trial and appellate levels. Bill Kayatta has served as chairman of both the Maine Professional Ethics Commission, the Maine Board of Bar Examiners, and as president of the Maine Bar Association.

In 2002, Mr. Kayatta was inducted into the American College of Trial Lawyers, and in 2010 he was elected by his peers to the college's board of regents.

Mr. Kayatta has simultaneously maintained a very substantial pro bono practice. In the year 2010, he received the Maine Bar Foundation's Howard H. Dana Award for career-long pro bono service on behalf of low-income Mainers.

In 2011, the U.S. Supreme Court appointed him as a special master in *Kansas v. Nebraska* and *Colorado*, an original water rights case. That too is an indication of the Court's confidence in Mr. Kayatta's legal abilities.

Finally, Mr. Kayatta has earned the American Bar Association's highest rating: "unanimously well-qualified," reflecting the ABA's assessment of his credentials, experience, and temperament.

Mr. Kayatta's impressive background makes him eminently qualified for a seat on the First Circuit. His 30-plus years of real-world litigation experience would bring a valuable perspective to the court.

The First Circuit has only six authorized judgeships, the fewest of any circuit. It acutely feels any vacancy that arises. The First Circuit has not been at full strength since January 1, 2012, when Judge Kermit Lipez took active senior status. Now the circuit's caseload must be distributed among just five judges who continue to do their best to provide the timely and measured justice for which the First Circuit has long been known.

The State of Maine is very proud of its history of providing superb jurists to the Federal bench. I am confident William Kayatta will continue in that fine tradition, and I urge my colleagues to join me in voting for his confirmation, a vote that is long overdue but has finally arrived.

Again, I wish to thank the chairman of the Judiciary Committee, the ranking member, and the two leaders, Senator REID and Senator MCCONNELL, for moving this important nomination to the Senate floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the senior Senator from Maine for her kind words, and I would note both for William Kayatta and for the people of Maine she has fought long and hard for this nomination. She did last year and she has this year. I am glad we are going to be finally voting on it because every time I would meet her anywhere in the halls or anywhere else it would be: What about Kayatta? She knows he, of course, had my strong support, as did another New Englander, former Justice and now judge, David Souter. I am sorry it has taken so long.

I look at a nominee like this, where the senior Senator from Maine, Ms. COLLINS, her former colleague, Senator Snowe, and now her current colleague, Senator KING, have all supported this person from Maine. In the past, especially with somebody extraordinarily well qualified, as he is, a nomination like that would be out of the committee and off the floor within a week. We have to go back to those times.

If we have a contentious nominee, if we have somebody who needs to be debated, let's debate them. But when we have a person strongly supported by their home State Senators and who has the advantage of being highly qualified by anybody's standards—Republican, Democrat, or anybody else—then they ought to get a vote.

It makes no sense for Senate Republicans to have stalled nominations like that of William Kayatta, but this is

their track record and their pattern over the last 4 years. Senate Republicans used to insist that the filibustering of judicial nominations was unconstitutional. The Constitution has not changed, but as soon as President Obama was elected they reversed course and filibustered President Obama's very first judicial nomination. Judge David Hamilton of Indiana was a widely-respected 15-year veteran of the Federal bench nominated to the Seventh Circuit and was supported by Senator Dick Lugar, the longest-serving Republican in the Senate. They delayed his confirmation for 7 months. Senate Republicans then proceeded to obstruct and delay just about every circuit court nominee of this President, filibustering 10 of them. They delayed confirmation of Judge Albert Diaz of North Carolina to the Fourth Circuit for 11 months. They delayed confirmation of Judge Jane Stranch of Tennessee to the Sixth Circuit for 10 months. They delayed confirmation of Judge Ray Lohier of New York to the Second Circuit for 7 months. They delayed confirmation of Judge Scott Matheson of Utah to the Tenth Circuit and Judge James Wynn, Jr. of North Carolina to the Fourth Circuit for 6 months. They delayed confirmation of Judge Andre Davis of Maryland to the Fourth Circuit, Judge Henry Floyd of South Carolina to the Fourth Circuit, Judge Stephanie Thacker of West Virginia to the Fourth Circuit, and Judge Jacqueline Nguyen of California to the Ninth Circuit for 5 months. They delayed confirmation of Judge Adalberto Jordan of Florida to the Eleventh Circuit, Judge Beverly Martin of Georgia to the Eleventh Circuit, Judge Mary Murguia of Arizona to the Ninth Circuit, Judge Bernice Donald of Tennessee to the Sixth Circuit, Judge Barbara Keenan of Virginia to the Fourth Circuit, Judge Thomas Vanaskie of Pennsylvania to the Third Circuit, Judge Joseph Greenaway of New Jersey to the Third Circuit, Judge Denny Chin of New York to the Second Circuit, and Judge Chris Droney of Connecticut to the Second Circuit for 4 months. They delayed confirmation of Judge Paul Watford of California to the Ninth Circuit, Judge Andrew Hurwitz of Arizona to the Ninth Circuit, Judge Morgan Christen of Alaska to the Ninth Circuit, Judge Stephen Higginson of Louisiana to the Fifth Circuit, Judge Gerard Lynch of New York to the Second Circuit, Judge Susan Carney of Connecticut to the Second Circuit, and Judge Kathleen O'Malley of Ohio to the Federal Circuit for 3 months.

The nonpartisan Congressional Research Service has reported that the median time circuit nominees have had to wait before a Senate vote has skyrocketed from 18 days for President Bush's nominees to 132 days for President Obama's. This is the result of Republican obstruction.

This obstruction is also why a damagingly high level of judicial vacancies has persisted for over 4 years. While

such tactics are bad for the Senate, they are also bad for our Nation's overburdened courts. Persistent vacancies force fewer judges to take on growing caseloads, and make it harder for Americans to have access to justice. While they have delayed and obstructed, the number of judicial vacancies has remained historically high and it has become more difficult for our courts to provide speedy, quality justice for the American people. There are today 90 judicial vacancies across the country. By way of contrast, that is more than double the number of vacancies that existed at this point in the Bush administration. The 173 circuit and district judges that we have been able to confirm over the last 4 years fall more than 30 short of the total for President Bush's first term.

Over the last 4 years, Senate Republicans have chosen to depart dramatically from Senate traditions in their efforts to delay and obstruct President Obama's judicial nominations. Until 2009, Senators who filibustered circuit court nominees generally had reasons to do so, and were willing to explain those reasons. When Senate Democrats filibustered President Bush's controversial circuit court nominees, it was over substantive concerns about the nominees' records and Republicans' disregard for the rights of Democratic Senators. On the other hand, Senate Republicans have filibustered and delayed nearly all of President Obama's circuit court nominees even when those nominees have the support of their Republican home State Senators.

At the end of each calendar year, Senate Republicans now deliberately refuse to vote on several judicial nominees who could and should be confirmed in order to consume additional time the following year confirming these nominees. At the end of 2009, they left 10 nominations on the Executive Calendar without a vote. Two of those nominations were returned to the President, and it subsequently took 9 months for the Senate to take action on the other eight. This resulted in the lowest 1-year confirmation total in at least 35 years. For the next 2 years, Senate Republicans left 19 nominations on the Senate executive calendar at the end of each year. It then took nearly half the following year for the Senate to confirm these nominees. Last year they insisted on leaving 11 judicial nominees without action and another four have had hearings but they refused to expedite their consideration. William Kayatta is one of those judicial nominees who should have been confirmed last year.

Until 2009, when a judicial nominee had been reported by the Judiciary Committee with bipartisan support, they were generally confirmed quickly. Until 2009, we observed regular order, usually confirmed nominees promptly, and we cleared the Senate Executive Calendar before long recesses. Until 2009, if a nominee was filibustered, it was almost always because of a substantive issue with the nominee's

record. We know what has happened since 2009. The median district nomination is stalled 4.3 times as long as it took to confirm them during the Bush administration, and the median circuit court nomination is stalled 7.3 times as long as it took to confirm them during the Bush administration. Nor has any other President's judicial nominees had to wait an average of over 100 days for a Senate vote after being reported by the Judiciary Committee.

Senate Republicans have also forced the majority leader to file cloture on 30 nominees, which is already more than 50 percent more nominees than had cloture filed during President Bush's 8 years in office. Almost all of these 30 nominations were noncontroversial and were ultimately confirmed overwhelmingly. Barely 80 percent of President Obama's judicial nominees were confirmed during his first 4 years compared to almost 90 percent of President George W. Bush's first term nominees.

While this is not even close to a full account of the precedents broken in the last 4 years, the record is clear: Senate Republicans have engaged in an unprecedented effort to obstruct President Obama's judicial nominations. Pretending it has not taken place is an insult to the American people. The American people know better. Chief Justice Roberts, in his year-end Report on the Federal Judiciary in 2010 pointed to the "[P]ersistent problem [that] has developed in the process of filling judicial vacancies . . . This has created acute difficulties for some judicial districts. Sitting judges in those districts have been burdened with extraordinary caseloads . . . There remains, however, an urgent need for the political branches to find a long-term solution to this recurring problem." Despite bipartisan calls to address the judicial vacancy crisis, Senate Republicans have continued their obstruction of judicial confirmations.

Today, the Senate is finally being allowed to vote on one of the nominees held over from last year. Judicial vacancies right now stand at 90. And I mention that because during President Bush's entire second term—the 4 years from 2004 through 2008—the vacancies never exceeded 60. I worked very hard to keep the vacancies down, but since President Obama's first full month in office, as far as we can see, there have never been fewer than 60 vacancies, and for much of that time many, many more. This is a prescription for overburdened courts and a Federal justice system that does not serve the interests of the American people. It means people who come to our courts looking for impartial justice can't get it because there are no judges.

This is hurting the integrity of the judicial system. I hear this from judges nominated by Republican Presidents and those nominated by Democratic Presidents. They say these delays politicize the courts and destroy the impartiality the Federal courts have to have.

I commend President Obama for nominating such a diverse group of qualified judges. In his first 4 years, President Obama has appointed as many women judges as President Bush did during his entire 8 years in office. In just 4 years, President Obama has also nominated more African Americans, more Asian Americans, and more openly gay Americans than his predecessor did in 8 years. Americans can be proud of President Obama's efforts to increase diversity in the Federal judiciary and to ensure that it better reflects all Americans.

I hope that this year and over the coming 4 years, Senate Republicans will end their misguided and harmful obstruction and work with us in a bipartisan manner to do what is right for the country. President Obama has nominated qualified, mainstream lawyers, and the Senate should consider them in regular order, without unnecessary delays. That is what we had done for as long as I have served in the Senate, whether the nominations came from a Democratic or a Republican president. We should work together to restore and uphold the best traditions of the Senate.

Last Thursday, the Senate Judiciary Committee reported three judicial nominees, William Kayatta, Robert Bacharach, and Richard Taranto. They are all superbly qualified, consensus nominees. All have received the highest possible rating of unanimously well qualified from the ABA's Standing Committee on the Federal Judiciary, and with last Thursday's Judiciary Committee votes, all have twice now received overwhelming, bipartisan support from members of the Judiciary Committee from both sides of the aisle. All have something else in common too: Their nominations were stalled before the Senate for at least 7 months last year without a vote. That is why they each had to be re-nominated by the President this year.

This is sadly typical of how Senate Republicans have treated President Obama's consensus judicial nominees. Even nominees who are supported by Republican home state Senators and by all the Republican members of the Judiciary Committee are stalled for months for no good reason. They are delaying votes on all nominees, including nominees they support. This is unprecedented.

For example, Senator COBURN said that "[Judge Bacharach] has no opposition in the Senate. . . . There's no reason why he shouldn't be confirmed." That was before Senator COBURN joined a filibuster against voting on his nomination last year. Last year's filibuster of the Bacharach nomination was the first time in the history of the Senate that a circuit nominee reported with bipartisan support had been successfully filibustered. When I say unprecedented, I mean unprecedented.

I am glad that William Kayatta is finally getting a vote. The nominee spent the entirety of his 32-year legal

career in private practice in the Portland, ME, law firm Pierce Atwood LLP, where he is currently a partner. Over his career, he has personally argued over three dozen appeals, including two before the United States Supreme Court. He graduated magna cum laude from Harvard Law School, where he served on the Harvard Law Review. Upon graduation, he clerked for Chief Judge Frank Coffin on the U.S. Court of Appeals for the First Circuit, the court to which he is nominated.

William Kayatta has held a prominent leadership role in numerous professional organizations, including serving as the lead investigator for the American Bar Association Standing Committee of the Federal Judiciary during its review of Justice Kagan's nomination to the Supreme Court. He was also appointed by the U.S. Supreme Court to serve as Special Master in an interstate dispute, where he was charged with managing proceedings and submitting a report and recommendation to the Court. The ABA's Standing Committee on the Federal Judiciary unanimously rated Mr. Kayatta well qualified to serve on the First Circuit, its highest possible rating.

While it is good that William Kayatta will finally receive a vote today, it is also well past time for the Senate to vote on Robert Bacharach and Richard Taranto. Perpetuating these vacancies on the Tenth and Federal Circuits, and preventing Judge Bacharach and Mr. Taranto from getting to work on behalf of the American people, does not benefit anyone. The Judiciary Committee has again done its work to vet, consider, and vote on these nominations. It is time that the other two circuit nominees who were renominated and considered again by the Judiciary Committee and again reported to the Senate, be given an up-or-down vote.

The Senate could confirm all three nominees this week. In June 2005, the Senate confirmed four circuit court nominees of a Republican President in just 2 days, including highly controversial nominees such as Janice Rogers Brown to the D.C. Circuit and William Pryor to the Eleventh Circuit. In July 2006, the Senate confirmed Bobby Shepherd to the Eighth Circuit, Neil Gorsuch and Jerome Holmes of the Tenth Circuit within 1 week. There is ample recent precedent for confirming Judge Bacharach and Richard Taranto without further delay. Neither is controversial.

William Kayatta is strongly supported by both of Maine's Senators, Republican Senator SUSAN COLLINS and Independent Senator ANGUS KING. When George W. Bush was President, Senate Democrats worked quickly to hold votes on consensus circuit nominees. According to the nonpartisan Congressional Research Service, half of President Bush's circuit nominees received a confirmation vote within just 18 days of being reported by the Judiciary Committee. Not a single one of

President Obama's circuit nominees has received a vote so quickly. In fact, the median wait time for President Obama's circuit nominees is more than seven times that for President Bush's circuit nominees.

This continued obstruction is one of the reasons we remain so far behind the pace set during President Bush's time in office. By February of President Bush's fifth year, the Senate had confirmed 205 of his circuit and district nominees, and judicial vacancies stood at 40. In contrast, just 173 of President Obama's circuit and district nominees have been confirmed, and the vacancy rate has risen again to 90, or more than 10 percent of the Federal bench. Judicial vacancies are nearly back at historically high levels.

Perpetuating these vacancies on the Tenth and Federal Circuits, and preventing Judge Bacharach and Richard Taranto from getting to work on behalf of the American people, does not benefit anyone. The Judiciary Committee has again done its work to vet, consider, and vote on these nominations. It is time for the Senate to act to confirm them.

I will speak more on nominations as we go along, but I do want to congratulate not only the senior Senator from Maine but also Senator KING and the people of Maine, and the people of the First Circuit. The circuit needs to have its vacancies filled, and I am glad we have such a good person.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill 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.

Mr. LEAHY. Mr. President, I yield back all time on both sides.

The PRESIDING OFFICER. Hearing no objection, it is so ordered.

All time having been yielded back, the question is, Will the Senate advise and consent to the nomination of William J. Kayatta, Jr., of Maine, to be U.S. circuit judge for the First Circuit?

Mr. LEAHY. 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 bill clerk called the roll.

The result was announced—yeas 88, nays 12, as follows:

[Rollcall Vote No. 20 Ex.]

YEAS—88

Alexander	Burr	Corker
Ayotte	Cantwell	Cornyn
Baldwin	Cardin	Cowan
Barrasso	Carper	Crapo
Baucus	Casey	Cruz
Begich	Chambliss	Donnelly
Bennet	Coats	Durbin
Blumenthal	Cochran	Enzi
Boxer	Collins	Feinstein
Brown	Coons	Fischer

Flake	Klobuchar	Reid
Franken	Landrieu	Roberts
Gillibrand	Lautenberg	Rockefeller
Graham	Leahy	Sanders
Grassley	Lee	Schatz
Hagan	Levin	Schumer
Harkin	Manchin	Shaheen
Hatch	McCain	Stabenow
Heinrich	McCaskill	Tester
Heitkamp	Menendez	Thune
Heller	Merkley	Toomey
Hirono	Mikulski	Udall (CO)
Hoeven	Moran	Udall (NM)
Isakson	Murkowski	Warner
Johanns	Murphy	Warren
Johnson (SD)	Murray	Whitehouse
Johnson (WI)	Nelson	Wicker
Kaine	Portman	Wyden
King	Pryor	
Kirk	Reed	

NAYS—12

Blunt	McConnell	Scott
Boozman	Paul	Sessions
Coburn	Risch	Shelby
Inhofe	Rubio	Vitter

The nomination was confirmed.

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

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The Senator from Washington.

#### MORNING BUSINESS

Mrs. MURRAY. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### TRIBUTE TO GENERAL CHUCK YEAGER

Mr. MANCHIN. Mr. President, few Americans have helped this great country reach for the stars more than Gen. Chuck Yeager. Long before there were astronauts there was Chuck Yeager, a fearless test pilot, a true aviation pioneer paving the way for America's exploration of the galaxy. But Chuck Yeager's military career involved so much more than just testing cutting-edge aircraft and, as almost everyone knows, becoming the first man to fly faster than the speed of sound. Few Americans have been as unwavering or as relentless as Chuck Yeager in defense of this great country, in war and in peace, from World War II to Vietnam.

He was part of the "greatest generation" of Americans, the generation

that fought and won World War II and then came home and made America the world's greatest superpower. Among the greatest in that generation was Chuck Yeager.

Today is Chuck's 90th birthday, and I invite the entire Senate to join me in congratulating him. I am so proud of this man. Not only is he a native son of West Virginia but he is also a dear friend of mine. Chuck lives in California now, with his wife Victoria, but he still comes to West Virginia to hunt with me and roam the hills where he grew up.

He also visits the State from time to time to promote the foundation which bears his name, and which supports a scholarship program at Marshall University.

When I was Governor, Chuck and Victoria would sometimes visit Gayle and me at the Governor's Mansion. Some of you know I am a pilot, and during one of his visits to West Virginia I got him to join me on a flight. We were trying out a new airplane for the State. It was a real honor, but it was a little bit daunting, if you will, that I am flying left seat and Chuck is right behind me, evaluating the entire flight. Looking over my shoulder, having the greatest pilot who ever lived sitting there, was something I will never forget.

Some of the story of Chuck's life you probably know and some of it you may not. Chuck grew up in the small town of Hamlin. That is in Lincoln County, WV, so deep in an Appalachian holler that folks there used to say you had to pump in the sunshine. His father Albert Hal worked as a driller in the gas fields. His mother Susie Mae took care of Chuck, his two brothers, and two sisters.

Chuck and his father went hunting and fishing together. Chuck also worked with his father in the oilfields. He was fascinated by the drilling equipment. He liked cars—real fast cars. He especially liked his old man's Chevy truck. He not only drove it, he studied all of its mechanical details. He could basically take it apart and rebuild it.

Looking back, it is not surprising that in the middle of World War II, a patriotic kid from West Virginia who was good with rifles, mechanical equipment, and fast cars enlisted in the U.S. Air Force as an airplane mechanic—his first step toward becoming the single greatest pilot who has ever lived.

A new "flying sergeants" program eventually gave him his first chance to fly. Up until that time it was officers only. His first couple training flights didn't go so well. Some people might not know this, but he had to overcome airsickness. Can you believe that Chuck Yeager got airsick? Before long he found a new home in the sky in the cockpit of an airplane.

During World War II, Chuck flew numerous combat missions over Europe and shot down 13 enemy aircraft—5 in 1 mission. He was shot down over German-occupied France in 1944 but escaped capture to fly another day. But