

Americans on the sanctity of marriage between one man and one woman.

As a DC Superior Court Judge, Demeo would be in a key position to undermine our national security and destroy traditional marriage through her edicts. The DC Superior Court is known to be a steppingstone to the Supreme Court.

Demeo's radical lesbianism, anti-marriage, anti-national security views are dangerous to our nation. She should not be confirmed to the DC Superior Court.

Sincerely,

ANDREA LAFFERTY,
TVC Executive Director.

Mr. SESSIONS. I thank the Chair, and I yield the floor.

FINANCIAL REFORM

The PRESIDING OFFICER (Mrs. GILLIBRAND). The Senator from Connecticut.

Mr. DODD. Madam President, I want to spend a few minutes, if I may this afternoon, to talk about an issue that has been the subject of much debate over the last number of days, and that is the financial reform bill that will be coming to the floor of this body in a matter of days—an issue that is going to confront us, as the circumstances presently exist, with Members having to make a choice. My hope is that before that occurs, we can reach some understanding that will allow us to have a strong bill that ends too big to fail, that protects consumers, and that builds the kind of architecture for financial services that will allow us to avoid the pitfalls that caused our economy to reach almost near collapse over the last several years.

The choice is going to come down to this: There are people who can vote to open this debate on financial reform legislation that will hold Wall Street firms—large financial institutions—accountable and prevent future economic crises such as the one from which we are just beginning to emerge or basically defeat this; to somehow walk out of this Chamber and leave us basically where we have been, and that is highly vulnerable—individuals, families, businesses, and the overall economy of our country once again exposed to the kind of vulnerabilities that brought so much hardship to our country.

They can, of course, block—as they are apt to do in some cases—any consideration of this bill and leave us in a place—a broken place—where the status quo would again create the kind of problems I have described.

So one has to ask themselves a question: Who benefits if this bill to rein in Wall Street and large financial institutions is strangled by a filibuster, where it ends up that we can't even get to debate the bill? Who benefits from that? Well, certainly no one can make a case the American family would benefit. These families have seen millions of jobs lost and trillions in savings wiped out because a greedy few on Wall Street gambled with money that didn't even belong to them, causing the hardship we have seen in our Nation.

Certainly, America's small businesses do not benefit. These are the

ones that have seen the flow of credit and capital literally dry up. How many of us in this Chamber, back in our respective States, have talked to owners of small businesses who cannot get a dime's worth of credit over the past several years in order to hire new people and survive during this economic crisis? I hear anecdote after anecdote after anecdote of businesses desperately trying to find credit in order to stay alive and survive. Yet because of the unchecked risk taking by financial firms that caused this economic crisis, credit is virtually gone. So American businesses—small businesses particularly—certainly are not benefited if we are confronted again with the status quo and a perpetuation of the present set of rules.

Certainly, Madam President, the American community banks do not benefit at all. These are the ones who have found it difficult or even impossible to compete on a playing field tilted so heavily toward the largest firms and, frankly, financial firms that are unregulated.

One of the things our community banks and others—and I am not suggesting they love every dotted i and crossed t in the bill—are seeking is some consolidation of regulation. They want to see their competitors, who are not subjected to any regulation, be subjected too so they will also have to face the same set of rules.

The bill I have written, along with my Banking Committee colleagues, does just that. We consolidate the regulation so there is not the overlapping jurisdictions that exist, and their major competitors—the nonbank financial institutions—are going to be subjected to the same rules they are. That creates that level playing field our smaller banks need in order for them to compete effectively.

Certainly the American taxpayers are not going to benefit with the status quo. These are the people who were forced to bail out Wall Street in 2008. If this bill is blocked, they might be asked to do it again.

Now, I am not in the prediction business, but if some future Congress goes back to the American public, as we did in the fall of 2008, and asks them to write a check again for \$700 billion because we failed to get this legislation through that would end too big to fail—the implicit guarantee that the Federal Government will bail you out if you are so large or so interconnected that you can't possibly fail—the American people, in my view, would reject overwhelmingly a request to ask them to write another check for that purpose.

Our bill, for the first time, writes into legislation an absolute prohibition that the American taxpayer would ever or should ever again be asked to do what they did in the fall of 2008.

But here is who would benefit if this bill is blocked: the same large financial firms that got us into the mess in the first place. They believe—and I pre-

sume they are right—that they can bolster their bottom lines if the status quo prevails; that they can continue to take outrageous risks, using other people's money, knowing that any profit is theirs to keep and any loss will be made up by the American taxpayer.

That is why we are faced with this prediction that 41 of our fellow colleagues will vote against us going to this bill on what they call the motion to proceed to the bill. The letter from the minority leader says: We have 41 votes to stop you from even debating this bill. Well, you explain to the American taxpayer—to small business, to the American family, and to others out there who are paying an awful price because of the mess of these very institutions that are today leading the charge against us getting to a bill—why the status quo is in their interest and their benefit.

Madam President, those who vote to block this bill are sending a clear message to American families, businesses, community bankers, and taxpayers, and that message will be: I am sorry, but we are not on your side. We are choosing another side of this equation.

Last month, my good friend, the minority leader, and the Republican Senator responsible for campaign fundraising participated in a meeting in New York with Wall Street executives. That happens all the time. Certainly, there is the right to sit down and talk with people, to represent labor and business, and we should do that. But nobody knows what was talked about at that meeting. Yet when our friend and colleague who chairs the campaign committee came back, right afterwards, all of a sudden we get this rhetoric about too big to fail; that we can't possibly go to this bill.

Now, I was born at night, Madam President, but not last night. I was born at night, but not last night. And don't tell me that miraculously these things happened and all of a sudden we find ourselves with 41 colleagues, many of whom I suspect are not overly enthusiastic about this game plan that says: Don't ask why; don't tell us what is in the bill. Just tell us we are going to line up and say no matter what anyone says or does or what they have tried to do, we are going to object to even going to this bill.

I firmly believe there is more than a small minority of my Republican colleagues who, frankly, find that argument objectionable. That is not to suggest they like this bill or agree with every position in it, but I know them well enough to know they are sick and tired of being told how they are going to have to vote on a procedural motion on a matter that I think deserves at least the support of our colleagues to begin that important debate.

What we do know, of course, about the opposition to going forward is that the Republican leadership returned armed with some very false talking points, talking points written by a political strategist with close ties to

large financial institutions, talking points that have been debunked by the independent media analysis and even Republicans such as FDIC Chairman Sheila Bair.

Let me point out the memo that suggested this game plan was written by a political strategist was written long before even one word was written on the bill. They were told how to fight a bill that didn't even exist out here by accusing the bill of leaving open the too big to fail, even though they knew—at least those who had read the bill—those provisions had been written so tight that no one could possibly argue too big to fail would be allowed again.

The Republican leadership returned promising that every member of their caucus would vote to kill this bill before the debate even began. I know for a fact that Members of this body, on both sides of the aisle, want to pass a good bill. My colleagues know me well, and they know my reputation over the years. I have never, ever passed a major piece of legislation in this body, in over three decades, when I have not had the cooperation and backing of a Member or Members on the other side of the aisle—never once on every major piece of legislation with which I have been involved. Here we are, at the brink of going forward with the single largest proposal to reform the financial services sector of our country, and we are divided here like a couple of petulant teenagers, instead of sitting around and coming together as I have offered for months, getting behind a bill and allowing us to go forward. It is long overdue that we grow up and recognize this is not some athletic contest, this is about whether our economy can get back on its feet, whether we can grow and prosper and create jobs, have credit flow and capital form so that businesses and wealth can be created. Nothing less than that is at stake in this debate and discussion, and all the more reason why we need to go forward, and go forward like adults, like Members of the greatest deliberative body—as we are told over and over—in the history of mankind, the Senate, to resolve these matters.

I have worked for hours with my colleague from Alabama, as he well knows, Senator SHELBY, to the point that he has said—and I appreciate it very much and I compliment him for it—we are 80 percent of the way to a bipartisan consensus. In fact, I suspect if RICHARD SHELBY were asked today whether that number were 80 percent, he would have even a higher number. Imagine being 80 to 90 percent in agreement, yet being told by the minority we cannot go forward. Do I have to write the whole bill? Is that when we can go forward? You have 80 or 90 percent of what you think is a good bill, but, no, no, we are going to stop any further debate. In all my years I have never heard of such an argument, whether I have been in the minority or majority, that I agree with 80 or 90 per-

cent of what you have written, Senator, but I am sorry, we are going to stop even considering any further debate on the floor of the Senate.

I worked for many hours with the Senator from Tennessee, BOB CORKER, to try to get to 100 percent, as he well knows. No matter what was said in the meetings between the Republican leadership and Wall Street executives, the fact is that the bill I will be bringing to the floor reflects not only bipartisan input but good common sense as well. If you look at what the bill actually does, it is clear that there is no ideology here, just one principle: Hold Wall Street and large financial institutions accountable so that American families and businesses can grow and thrive without fear of another economic catastrophe.

The bill creates an early warning system so that for the very first time in our Nation's history, someone will be in charge of monitoring our entire financial system, to look out for emerging products and practices and problems, not just here at home but even globally.

Again, I don't think you have to have a Ph.D. in economics to know what we have seen in the headlines and heard on our news shows a few weeks ago, that there were major economic problems in the small nation of Greece, and that all of a sudden the financial system of every other nation around the world was at risk. Or when that small exchange in Shanghai, China, began to decline by 12 percent a few years ago, every other exchange around the globe within hours was adversely affected.

That market, that exchange, represented less than 5 percent of the volume of the New York Stock Exchange. Yet because it declined by 12 percent one morning, every other exchange around the world reacted. What more do I need to say about whether our issues here are global in scope, not just domestic? Again, it is even further reason why we need to be able to pull together and create this bill that is essential so we have a warning system in place that looks out for and monitors products, practices, and even problems that can emerge in other parts of the world if they can pose the kind of risk that could bring our financial system to near collapse.

Under the status quo, of course, no regulator can see beyond the narrow silo of their own radar screen. We changed that. This now involves all of these prudential risk regulators sitting at a systemic risk council headed up by the Federal Reserve and Treasury here, so they can actually look over the horizon and act as a financial radar system. What is going on out there? Are there problems emerging in products or companies or nations that could bring our country to near disaster financially?

If we had had that in place back a few years ago, I would argue we might not find ourselves where we are today. So this is one of our provisions in the

bill. What a pity it would be to lose the opportunity to create that kind of an early warning system. That is how the subprime lending sector was able to grow so large despite the dangers it posed to the economy and why no one was able to stop it before it precipitated a crisis. I do not believe members of the minority caucus want regulators to be unaware of emerging threats to our financial system.

The bill brings new transparency and accountability as well to financial dealings by ensuring that even the most complicated or obscure transactions are concluded in an open marketplace.

The Presiding Officer, of course, is well versed and talented, coming from the Empire State, and understands these issues. I believe that derivatives, for instance, are a very important instrument, critically important to economic growth and prosperity. They have become a pejorative, unfortunately, but my view has been let the markets work.

How do the markets work best? Markets work best when there is transparency, when buyers and sellers, investors, have an opportunity to see with clarity what these instruments are, what they are designed to do. Right now we have a shadow economy where some of these instruments operate in darkness, and that is one of the problems that created the financial mess we are in. Our bill opens up, sheds light, brings sunshine to these instruments so that taxpayers but, more importantly, investors and others can honestly understand what they are, what they are intended to do and how they work.

For the first time here we would force risky financial companies such as Bear Stearns and Lehman Brothers that have operated the shadow banking system to be subject to proper supervision, again, so we have the ability to understand what they are doing.

Of course, under the status quo these dangerous giants that have been free to take enormous gambles in a single-minded quest for maximum profit and when they go down like the Hindenberg, taxpayers are left to clean up the rubble. I do not believe that members of the minority caucus want to leave the Lehman Brothers unsupervised until its collapse shakes the very foundations of our economy.

This bill I have before us beefs up the SEC oversight, it strengthens protections for investors, and gives shareholders a greater voice on how executives are compensated and how big their bonuses can get. Under the status quo, of course, the same executives whose mismanagement caused the collapse of financial giants get to collect ridiculous bonuses again. Kill the bill and there is nothing in here that would preclude the same kind of abuses, the outrageous gouging, if you will, at taxpayer expense by a handful of these executives who fail to understand—or if they understand, more outrageously

were willing to reward themselves for their own failures because the American taxpayers shored up their financial institution.

The Allen Stanfords and Bernie Madoffs of the world are able to rip off investors for millions while the understaffed and underfunded SEC, the Securities and Exchange Commission, fails to stop them.

I do not believe members of the Republican caucus want to leave these executives free to line their pockets with unearned billions or leave investors vulnerable to Wall Street predators and con artists. That is what happened. That is what went on. Our bill stops it. We need to be able to go forward with this bill.

Our bill requires full disclosures in plain English so that Americans can easily understand the risks and returns of any financial product, whether it is a mortgage or a student loan. Our bill creates an independent consumer protection agency, a watchdog with bark and bite, to protect consumers from the abusive practices that have become almost standard operating procedures—skyrocketing credit card interest rates, the explosion in checking account fees, predatory lending by mortgage firms, and so much more.

You do not have to educate the American people. You will hear it over and over from your own constituents. Listen to what they have been through with these increased interest rates, increased fees—every gimmick you can think of to pick the pocket of the American taxpayer who, today, necessarily needs to depend on credit cards in order to make ends meet in their families.

Of course, under the status quo, consumers trying to make smart decisions about their family finances are confronted with a sea of fine print and technical jargon and they are vulnerable to the predatory lenders, the greedy predators who have taken advantage of them. Our bill stops that. Our bill puts an end to that. If we do not get a chance to debate this and go forward, that would be the end of it. What a disgrace it would be to be confronted, as we were at the outset of this Congress, with the problems the American taxpayers have been through—8½ million jobs lost, 7 million homes in foreclosure, retirement accounts evaporated, small businesses failing, and we did nothing to stop it, despite the fact that 80 or 90 percent of what I have written in this bill is agreed to by many in the minority. But you will not even allow the bill to go forward to be debated. For the life of me I do not understand that logic.

In short, this bill protects the American consumers, American businesses, community banks, as I mentioned, and taxpayers from the very exact situation that occurred in 2008, an economic crisis brought about by Wall Street highjinks, large financial institutions and regulatory failures. Our bill creates a stronger foundation, I might

add, on which we can rebuild the prosperity we have lost in our Nation over the last number of years.

I do not believe members of the Republican minority, our friends and colleagues here, want to kill this bill. I do not want to believe that. Unlike other matters we have debated over this Congress, this matter ought to be one where we can come together as I have tried to do, day in and day out, week in and week out, month in and month out, to craft a piece of legislation that reflected the myriad views embraced by the Members of this Senate.

We are on the brink of going forward and I will go forward with this bill. We can do it one of several different ways. We can go forward. I will bring this bill up. The leader, I am told, will offer a motion to proceed. My hope is we will not have to have a vote on that, that there will be enough common sense here that would say this is a good product even for those who do not like various provisions of it, and then do what we are supposed to do in this body—debate, offer amendments, try to improve the bill based on your own view of what constitutes an improvement. But let's act like the Senate on a major bill of this import here, instead of putting on the brakes, don't show up, don't say anything, just vote no, we are not going to debate this until you do exactly as I want you to do.

That is not the Senate that I think the American people expect to see work. My hope is, of course, that I will be right in that. My colleagues, many of whom I have worked closely with on many issues, do not want to be part of a blind, pointless effort here, just to walk away from this process. I believe they, our friends on the other side, are caught between the same commonsense principles that led many of them to spend so many hours helping us create this legislation, and the political deals that have led their leadership to demand they help to kill it.

As I said a moment ago, I have been in this body for some 30 years. I have served with many Republican colleagues for a long time. I have great friends, as my colleagues know, on the other side of this aisle, people who I believe care as much about this country as any other Member, and they want to be part of answers, solutions. They did not come here, they did not fight hard to get here, to say no. They came here because they wanted to be part of the answers to how we can get our country moving again.

Again, I am charged as the chairman of a committee to try to pull together a bill that reflects the disparate points of view, that listens to our colleagues here in crafting a piece of legislation that can work. I have tried to do that now for many months. I have come to the point where, frankly, we need to go forward in this body. I am confident, again, if our colleagues would give us a chance we can achieve the results they seek and I am hopeful they will when the motion to proceed occurs, and then

engage in the kind of thoughtful, intelligent debate this Senate has a reputation of achieving and accomplishing.

I thank my colleagues for the work they have contributed to it so far. Let's not take all of that work and dash it on the rocks of procedural filibustering. We can do better than that. I am confident we will. I urge my colleagues to be supportive of these efforts.

I yield the floor and 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. DEMINT. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DEMINT. Madam President, I rise in opposition to the nomination of Marisa Demeo to be a Superior Court judge in the District of Columbia. I do not believe she has enough judicial experience to sit on the DC Superior Court. She is currently serving as a magistrate judge, a position she has held for the past 2½ years. Although being a magistrate judge is good training for a Superior Court judge, 2 years is not enough of that training. Of the 25 magistrate judges in the District of Columbia, she is one of the least experienced. Nineteen of the current DC magistrate judges have served for 5 years or more compared to her 2½. Some have served for decades. In fact, only 3 of her 24 colleagues have served less than Ms. Demeo.

Looking at her record, I see she has much more experience working as a lobbyist for a special interest group than a magistrate judge. She was chief lobbyist for the Mexican American Legal Defense and Education Fund, a national Latino civil rights organization, from 1997 to 2004. In this position, she became more well known for divisive comments she made against Hispanic Republicans than for her legal expertise. She took on a high-profile role opposing President Bush's nomination of Miguel Estrada, criticizing him in numerous newspaper stories because he did not appear to support her political agenda. During this time, she made personal attacks against him, suggesting he was a traitor to other Hispanics.

Let me read from a 2003 article from National Review entitled, "Dems to Miguel Estrada, You're Not Hispanic Enough." Ms. Demeo said:

If the Senate confirms Mr. Estrada, his own personal American dream will come true, but the American dreams of the majority of Hispanics living in this country will come to an end through his future legal decisions.

In another press statement she said:

The most difficult situation for an organization like mine is when a president nominates a Latino who does not reflect, resonate or associate with the Latino community.

Instead of debating these issues, Ms. Demeo tried to convince the media

that an entire community should only think one way—her way—and that Miguel Estrada was wrong for thinking anything otherwise. To me, this sounds like ethnic bullying. It is dangerous and insulting to believe a particular community should think uniformly, and Ms. Demeo was wrong to do this.

I was not in the Senate at the time; however, I have come to work closely with Miguel Estrada since that time, especially during my work on the Honduras crisis. He is a patriotic American and one who gave his own time and energy to help us understand the legal issues facing Honduras. I do not doubt for a minute his qualifications to serve on the Federal bench. Comments by Ms. Demeo and others questioning Mr. Estrada's credentials, encouraging the filibuster of his nomination, and accusing him of not being "authentically Hispanic" made the confirmation process very painful for him and his family.

This was not the only time Ms. Demeo advanced this terrible argument. She used this same line of attack against Linda Chavez, President Bush's nominee to be Secretary of Labor.

Ms. Demeo was quoted by the Washington Post in January of 2001 saying:

We generally support the nomination of Latinos to important positions, but Linda Chavez could really turn things backwards for the Latino community. We just really question what kinds of efforts she is going to put into enforcing the affirmative action laws.

Ms. Demeo has also attacked those of us in Congress who opposed the amnesty legislation of a couple years ago, saying we were "anti-immigrant and not interested in seeing immigrants become full participants in this country."

She strongly opposes English as the official language and says the government must accommodate non-English speakers. She was quoted by the Associated Press in 2003 saying "governments have a legal obligation to help those who don't speak English well."

She demanded that the Census Department use "sampling" to puff up the number of voters in Hispanic districts. She told National Public Radio in 2001 that raw census data should not be used because it "does not fully represent those minority communities who were missed by the census." Instead, she advocated that less accurate sampling data be used to redraw political districts.

Ms. Demeo has shown similar disregard for verified information by arguing that photo requirements for voting "violates the rights of minority voters."

She is also an active proponent of affirmative action, again suggesting to the public that all Latinos are in lock-step agreement on this issue.

After the Supreme Court's decision in *Grutter*, Demeo said:

All segments of the Latino community supported the continuance of affirmative action. . . . The nation must now also turn and concentrate on ensuring equality of opportunity in our elementary, middle and high

schools. Colleges and universities that use race-conscious admissions have made those universities a better place for everyone to learn.

Ms. Demeo has also attacked the definition of traditional marriage. These views have led groups such as Eagle Forum, Numbers USA, the Federation of American Immigration Reform, English First, Concerned Women for America, and the Traditional Values Coalition to oppose Judge Demeo's nomination.

I assume Ms. Demeo will be confirmed. If she is, I will wish her well in this new position. But I, regrettably, will vote no on this nomination.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is considering the nomination of Marisa J. Demeo.

Mr. LEAHY. Madam President, I am going to actually speak on a different matter. I ask unanimous consent that my statement be moved to morning business.

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

(The remarks of Mr. LEAHY are printed in today's RECORD under "Morning Business.")

Mr. BURRIS. Madam President, here, in our Nation's Capital, we stand for justice, for fairness and opportunity and for the rule of law.

On the floor of this Senate and in the Oval Office, we shape national policy, and guide the course of a Nation.

In the chambers of the Supreme Court, the principles of justice laid down in our Constitution are translated into the real world.

Our system of government, embodied in this city, stands as an example for all others around the world.

And yet today we are met with a certain irony.

As I address this chamber, the DC Superior Court has been paralyzed, and our justice system has ground to a halt, thanks to my Republican colleagues.

My good friend, the junior Senator from South Carolina, has chosen to obstruct an eminently qualified judicial nominee and current DC magistrate judge, named Marisa Demeo.

When the President of the United States appoints a judge to the Superior Court here in Washington, these nominations are generally approved by the Senate without delay or controversy.

But this time, my Republican friends have decided to play politics with our judicial system.

They have stalled Judge Demeo's nomination for 8 months, and have turned a routine vote into the longest confirmation battle of the Obama Presidency.

As a result, DC government officials have warned that their ability to administer justice is being tested.

As a former attorney general of Illinois, I understand how dire this situa-

tion is. I understand how this obstructionism is crippling the Superior Court system.

And for what reason? My colleagues and I have asked our Republican friends to name their objections, but no one can get a straight answer.

No Republican has cast any doubt on Judge Demeo's qualifications, which are superb.

She has served as a magistrate judge since 2007. Before that, she worked at the Department of Justice, in the Civil Rights Division and as an assistant U.S. attorney.

She has degrees from Princeton and New York University. Her legal training and experience are more than adequate for the post of Superior Court Judge, and yet, for unspecified political reasons, the junior Senator from South Carolina continues to hold up this important nomination.

He said he has concerns that Judge Demeo may not be fair and balanced in her approach. But there is nothing in her record to suggest anything of the sort.

In fact, not a single Republican even took the time to ask a question at Judge Demeo's confirmation hearings.

So I cannot imagine what they find objectionable.

The court system in our Nation's Capital is strained to the breaking point, and my friend from South Carolina doesn't seem to mind.

I believe this is simply unacceptable.

This is why the American people are frustrated with their government: because petty political battles and Republican obstructionism are impeding our ability to govern.

My friends on the other side are certainly entitled to play political games if they like, but I would urge them to save politics for the campaign trail, and stop holding up the course of justice and the important business of the American people.

We simply do not have time for this. This is not about politics, this is about people's lives.

This is about the functioning of the American justice system, right here in the Capital of the United States.

This is about the constitutional right to a fair and speedy trial, a right which has been denied to DC residents by Republican political games.

The American people have had enough.

So I urge my friends on the other side to abandon this kind of obstructionism and take their political games elsewhere.

Let us stand up for the ideals of fairness and justice that are embodied here, in this system of government.

And let us make sure that every American, including the residents of our Nation's Capital, can avail themselves of this system.

I ask my colleague from South Carolina to drop his hold on this eminently qualified nominee, so this Senate can hold a vote, and then we can move forward in a bipartisan manner to address the challenges we face.

Mr. DURBIN. Madam President, this week in the Senate we are calling attention to the unfortunate obstructionism coming from the other side of the aisle when it comes to President Obama's nominations. There are now 101 nominees who have been voted out of committee—most of them with unanimous support but who are languishing on the Senate floor because the Republican minority won't allow them to have a vote. In many cases, they won't even give a reason—they are using anonymous holds. That is fundamentally unfair.

Let me speak briefly about a nominee we will vote on today: Marisa Demeo. She was nominated to be an associate judge on the District of Columbia Superior Court. This is a local court here in Washington that primarily hears misdemeanor and felony cases. It is not a Federal court and its judges do not serve lifetime appointments.

Marisa Demeo is currently a magistrate judge on this court, and she has an excellent reputation. She is a former Federal prosecutor and was hired by the John Ashcroft Justice Department as an assistant U.S. attorney here in Washington.

Before she was a prosecutor, she was a civil rights lawyer in the Justice Department's Civil Rights Division and at the Mexican American Legal Defense Fund, one of the most respected civil rights organizations in America.

Judge Demeo has received numerous awards throughout her legal career, including the "Rising Legal Star" award from the Hispanic Bar Association of Washington, DC, and a Special Achievement Award from the U.S. Attorney's Office for the District of Columbia.

Judge Demeo was unanimously approved by the Senate committee that oversees DC Superior Court nominations, so you would think she would be confirmed by the full Senate in short order. Well you would be wrong. After being voted out of the Homeland Security and Governmental Affairs on May 20, 2009, Judge Demeo has been held up on the Senate floor ever since. For 11 months now, the Republican minority obstructed her nomination and objected to an up-or-down vote. No other nominee of President Obama's has been pending on the Senate floor longer than Judge Demeo.

As a result of this delay, the DC Superior Court has struggled to handle its crushing caseload. Last month, the Senate received a letter from the chief judge of that court, Lee Satterfield, who said the following:

The Superior Court is a busy, urban court with a caseload of over 100,000 cases per year. Each day we make life and death decisions about neglected and abused children, juveniles alleged to have committed crimes, criminals charged with everything from minor misdemeanors to first degree murder and sex abuse. . . . [T]he people of the District of Columbia deserve a court with a full complement of judges making the crucial decisions affecting the lives of D.C. residents.

I am pleased the Republicans have finally relented and agreed to a vote on Judge Demeo. We owe it to her, and we owe it to the people of the District of Columbia.

I know there has been some criticism of some positions Judge Demeo took when she worked at MALDEF. A few of my Republican colleagues have discussed these criticisms on the Senate floor today. I would like to make two points in response.

First, the positions Judge Demeo took when she was an advocate at MALDEF are mainstream positions. She advocated for comprehensive immigration reform. She opposed the nomination of Miguel Estrada, one of President Bush's most controversial nominees. She supported affirmative action, and she opposed a photo ID requirement in the voting context because of its adverse impact on minorities. And she opposed a constitutional amendment to ban same-sex marriage. These are positions I share, and many members of the Senate share. They are positions that are hardly out of step with the political mainstream in America.

In any event, Judge Demeo has been a magistrate judge for the past three years, and she has demonstrated her ability to be fair and impartial. She has skillfully made the transition from advocate to judge, and she deserves this promotion from magistrate judge to associate judge on the DC Superior Court. I urge my colleagues to support her confirmation.

Mr. MENENDEZ. Madam President, I rise today to urge my colleagues to vote to confirm the nomination of Marisa Judith Demeo as associate judge on the Superior Court of the District of Columbia.

She has waited long enough and the Superior Court of the District has waited long enough. Judge Demeo epitomizes what it means to serve. A consummate community leader, she has always believed in the importance of public service.

She is currently serving as magistrate judge in the Criminal Division of Superior Court of the District of Columbia.

As an assistant U.S. attorney in the U.S. Attorney's Office for the District of Columbia, she has ample experience prosecuting misdemeanor and felony cases.

Having said that, she also has deep roots in the community, a woman who cares about justice—about doing what's fair and what's right. She believes in the rule of law.

From her work at the AIDS Service Center of Lower Manhattan, her service for the Lambda Legal Defense and Education Fund, her time as a Texas rural legal aid and a paralegal in the Civil Rights Division of the Department of Justice, she has taken pride in acting on a spirit of community that is part of who she is—each of us working together for the betterment of all of us.

I know the good work she has done at the Mexican American Legal Defense

and Education Fund and what that work has meant to her and to those she has served.

The professional awards and honors she has received as well as her academic awards are far too numerous to mention here. Suffice it to say that, in my view, she is one of the most accomplished nominees we have had before us.

A graduate of Princeton University and New York University School of Law, Judge Demeo's credentials are impeccable.

I know her dedication and her keen mind, her judicial temperament, her belief in the rule of law and those powerful words that mean so much to her and to all of us in this Chamber—equal justice under law.

Judge Demeo is ready to serve on a busy urban court with a caseload of over 100,000 cases per year. As an associate judge on the Superior Court of the District of Columbia she will bring her knowledge, skills, and expertise to every decision in a busy courtroom dealing with hundreds of neglected and abused children who will come before her—juveniles alleged to have committed crimes, and those who have been accused and charged with crimes ranging from misdemeanors to first degree murder and sexual abuse.

Judge Demeo will be there to serve as she always has, ready to make timely and fair decisions on domestic violence cases, housing issues, child custody and support.

The caseload will not deter her. It will invigorate her, and I am proud to cast my vote to confirm Judge Demeo as an associate judge on the Superior Court of the District of Columbia and urge my colleagues to do the same.

The time has come to confirm this nominee.

Mr. LIEBERMAN. Madam President, I rise to support the long-delayed nomination of Judge Marisa Demeo for a seat on the DC Superior Court and urge my colleagues to approve her as quickly as possible so she can take her place on this court that is both busy and shorthanded.

Judge Demeo is well qualified for this position and brings a range of legal experience to her new job that would make her an asset to the court. She has been a judge, a prosecutor, a plaintiff's attorney advocating for civil rights and a law professor.

Specifically, for the past 2 years, Judge Demeo has served as a magistrate judge in the Criminal Division of the Superior Court of the District of Columbia.

Prior to that, from 2004 to 2007 she served as an assistant U.S. attorney in the Office of the U.S. Attorney for the District of Columbia; from 1997 to 2004 she served as the Regional Counsel for the Mexican American Legal Defense and Educational Fund, from 1993 to 1996 she was an honors program trial attorney with the Justice Department Civil Rights division, and she was an adjunct professor of law at Howard University in 2003, 2005 and 2008.

Judge Demeo is a graduate of Princeton University with a bachelor's degree in political science and earned her law degree at New York University. And besides her legal work, she is also in demand as a speaker on legal issues and is the author of many articles on civil rights law.

Judge Demeo also has a compelling personal story that reminds us that the American dream is alive and well. Her father—the son of Italian immigrants—and her mother—a Puerto Rican immigrant—taught her that if you work hard, anything is possible and Judge Demeo has channeled her talent and drive into a successful career in public service.

These facts taken together led the Homeland Security and Governmental Affairs Committee to endorse Judge Demeo's nomination by voice vote in May.

Let me say that again, the committee reported Judge Demeo's nomination to the full Senate in May—11 months ago—and it has been stalled ever since.

There is also speculation that some object to her because of legal advocacy work she has done on behalf of the Mexican American Legal Defense and Educational Fund, also known as MALDEF.

But there is no reason that this sort of work should be held against any nominee. Under our system of justice, when an individual or group believes something is not just, they are allowed to have their day in court and have an attorney zealously argue their cause.

In her confirmation hearing, Judge Demeo was specifically asked if her advocacy work would affect her decision-making as a judge. Let me give you Judge Demeo's response in her own words:

When you think about the parties that appear in the courtroom, oftentimes it's plaintiffs versus defendants and one party against another, and I've . . . worked in both positions in my career. Being in the judge position has allowed me to take a step back already, in the magistrate position, and listen to the parties and be open to both sides.

To that end, at her confirmation hearing, representatives of the Justice Department and the Public Defenders' office came to lend their support to her nomination.

And we should remember, that nominations for the DC courts are made through a process different than other judicial nominees.

Under the District of Columbia Self-Government and Governmental Reorganization Act, the Judicial Nominations Committee recommends three individuals for each position to the President, and the President then selects one of those individuals and sends the nomination to the Senate for confirmation.

The Judicial Nominations Committee is a diverse, Federal-district entity, comprised of two individuals appointed by the Mayor of the District of Columbia—one being a nonlawyer—two

appointed by the Board of Governors of the District of Columbia Bar, one non-lawyer appointed by the city council of the District of Columbia, one individual appointed by the President of the United States, and one judicial member appointed by the Chief Judge of the U.S. District Court for the District of Columbia.

This is a process aimed at getting the best qualified nominees, without regard to party or politics.

Finally, Chief Judge of the Superior Court, Lee F. Satterfield, wrote to both the majority and minority leaders in October pleading for the swift approval of Judge Demeo because the court is already five members short.

In his letter, Judge Satterfield wrote:

The Superior Court is a busy, urban court with a caseload of over 100,000 cases a year. Each day we make important decisions about neglected and abused children, juveniles alleged to have committed crimes, and accused charged with everything from minor misdemeanors to first degree murder and sexual abuse. Vulnerable families in the District rely on Superior Court judges to make timely and fair decisions regarding domestic violence, housing, child custody and support, and numerous issues that affect them every day. Our goal is to serve the community well by handling the important decisions we are entrusted with fairly, justly and efficiently.

And last month, Judge Satterfield sent another letter to the majority and minority leader with this dire warning, "We are beginning to experience delays in meeting performance measures and standards for how quickly cases should go to trial."

But, a shorthanded court cannot achieve these goals, which means justice is delayed for many. It's long past time that we approve this highly qualified nominee and I urge my colleagues to vote yes on this nomination and allow her to get to work administering justice for the citizens of our Nation's Capital.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Delaware.

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

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

Mr. KAUFMAN. Madam President, I ask unanimous consent to speak as in morning business for up to 6 minutes.

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

IN PRAISE OF DOROTHY METCALF-LINDENBURGER

Mr. KAUFMAN. Madam President, I rise today to speak once more about our Nation's great Federal employees.

Forty-nine years ago, President Kennedy stood before Congress and offered a bold profession of his faith in American innovation. Convening a special joint session to share with the American people his plans for economic re-

covery and global leadership, President Kennedy challenged us to reach the Moon in 9 years. He reminded us that leading the way in exploring space was central to leading a vibrant innovation economy, and that the causes of economic recovery and national security would benefit from investing in a Moon shot, and that the newly free around the world, caught between East and West, would draw inspiration from such a difficult mission undertaken by a free people. He challenged us to reach the Moon in 9 years. We made it there in 8 years.

Kennedy's call echoed a timeless adage: "Ad Astra Per Aspera"—to the stars through rough times.

When we are faced with difficult challenges, we look for inspiration beyond the bounds of our farthest frontier. We can choose, despite uncertainty, to be forward looking and set lofty goals. That, more than anything, is the mission of those great Federal employees who work at the National Aeronautic and Space Administration, NASA.

I was among those called to the study of engineering in the late 1950s during the years of Sputnik and the start of the space station. We benefited not only from the amount of investment the government was making in STEM fields, but also by the strong sense of purpose the space program inspired in all of us.

America's reach into space is intricately linked with our need to train the next generation of scientists, engineers, technologists, and mathematicians who will drive our 21st century innovation economy, and I know there is no one in the Senate any more committed to STEM education than the Presiding Officer.

That is why I have chosen this week to honor a great Federal employee from NASA who spent the last 2 weeks orbiting the Earth on STS-131 and has dedicated her career to promoting STEM education.

Dorothy Metcalf-Lindenburger is one of NASA's new educator astronauts. A native of Fort Collins, CO, Dottie, as she is called, took an unusual path to space. As a child, Dottie was always fascinated with astronomy and space exploration. When she narrowly lost a contest to win a free trip to space camp, her parents saved up enough money for her to go. It turned out to be an excellent investment not only in their daughter's future, but also in the many students Dottie has inspired.

Dottie pursued her love of science at Whitman College, where she majored in geology. She began teaching Earth science and astronomy at Hudson's Bay High School in Vancouver, WA, in 1999. In her 5 years there as a science teacher, she won awards for achievement. An avid marathon runner, Dottie also coached the school's cross-country team.

In 2003, one of her students asked a question that would change her life. The student curiously asked: How do