

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

astronauts use the bathroom in space? When Dottie went on line to research the answer for her student, she discovered on NASA's Web site a recruitment call for teachers to join the space program. She jumped at the chance, though it was a long shot. Over 8,000 teachers applied. Dottie was one of three who made it and is currently NASA's youngest active astronaut.

She joined NASA in 2004 and began the rigorous, 2-year Astronaut Candidate Training. Dottie learned how to fly jets and operate complex space shuttle and International Space Station systems. She undertook scientific and technical briefings, engaged in physiological training, and practiced water and wilderness survival skills. As an educator astronaut, Dottie works with NASA's education program, helping to develop new ways to bring space and STEM subjects into the classroom and inspiring girls and boys alike to follow in her footsteps by studying science.

When she is not training to be a mission specialist on the shuttle, running a marathon, or singing lead vocals for an astronaut band, Dottie is also inspiring her own daughter. She and her husband Jason, who is a history teacher, have taught their 3-year-old daughter, Cambria, how to sing "Twinkle, Twinkle, Little Star" and other songs about the Sun and the Moon.

On April 5, Dottie and the rest of the crew of Discovery's STS-131 mission lifted off from Cape Canaveral for a 2-week trip to the International Space Station. Dottie's primary tasks were overseeing the transition of the station's computers to a new Ethernet network and orchestrating the space walks conducted by two of her colleagues. She also recorded a video to help promote robotics, science, and engineering.

Dottie sees her role as a teacher for all, helping to make science exciting for adults and children alike. She and her husband even built a telescope that they brought on summer vacation, and wherever they stopped they would encourage people to look through it at objects like Jupiter or the Moon.

She said, "Wherever we go out in our solar system, from a teaching standpoint, I really hope that students are engaged in learning math and science. We should always try to be a leader in this."

America's astronauts—like Dottie—carry out important work with far-reaching impact.

Once again we find ourselves as a nation in difficult times, just as we were when President Kennedy challenged us to look skyward.

Just last week, President Obama laid out his vision for the future of American space exploration. No matter what their next mission, it will be carried out by NASA employees.

The outstanding public servants at NASA give flight to our dreams and remind us that, in America, when we will it, there is no impediment to grand achievement.

"Ad Astra Per Aspera." Let us look once more, in these rough times, to the stars—to the limits of space and those who would take us there.

Let us recommit ourselves to inspiring students, just as astronauts like Dottie do each day, to study science, math, engineering, and technology in pursuit of innovation in space and here on Earth.

I hope my colleagues will join me in thanking Dorothy Metcalf-Lindenburger and her crewmates from STS-131 for their hard work and contribution. We welcome them home.

They are all truly great Federal employees.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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 that the time during the quorum call be divided equally between the two sides.

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

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

The PRESIDING OFFICER (Mr. KAUFMAN). Without objection, it is so ordered.

Mr. AKAKA. Mr. President, I rise to speak in support of Marisa Demeo to be an associate judge in the District of Columbia Superior Court. I chaired her nomination hearing before the Committee on Homeland Security and Governmental Affairs and believe she is a very well-qualified candidate.

Since 2007, she has served as a magistrate judge of the DC Superior Court. Prior to that, she was an assistant U.S. attorney for the District of Columbia, prosecuting criminals on behalf of the Federal Government.

Judge Demeo also worked as an attorney for the Mexican-American Legal Defense and Education Fund, an organization that provides legal services to individuals of Hispanic descent. She received her bachelor's degree from Princeton University and her J.D. from the New York University Law School.

Candidates from the DC Superior Court are identified by the nonpartisan Judicial Nomination Commission, which sends three names of qualified candidates to the President for his final selection. This process has consistently produced excellent nominees for DC's local courts. Similar to others chosen through this process, I believe

Judge Demeo has much to offer the DC Superior Court.

Judge Demeo has a strong record as magistrate judge and has presided over many cases of the busy criminal calendar. My staff spoke with DC Superior Court Chief Judge Satterfield today, and he emphasized how pleased he has been with her performance. Judge Satterfield said he could not understand the concerns raised about Judge Demeo's impartiality—she has an open record as a magistrate judge, and no one is criticizing her work on the court.

The committee also interviewed many of her colleagues during the nomination process who described her as fair, having a good temperament and knowledge of the law. Judge Demeo herself emphasized the importance of fairness, impartiality, integrity, and respect for all parties appearing before her during her nomination hearing.

In May 2009, the Committee on Homeland Security and Governmental Affairs favorably reported her nomination. The committee of jurisdiction clearly considered her to be well qualified because no objections to her nomination were voiced.

I was pleased that the Senate confirmed Stuart Nash to be an associate judge of the DC Superior Court earlier today. However, there remains a critical need to fill vacancies at the court. DC Superior Court is a trial court that hears over 100,000 cases a year. With many judges nearing retirement, it is important to fill empty seats quickly.

This need is so great that Chief Judge Satterfield wrote two letters to Majority Leader REID asking us to fill these vacancies. Judge Satterfield described the situation as dire and stated that unfilled vacancies hinder the court's ability to administer justice for the people of DC.

Mr. President, I ask unanimous consent to have printed in the RECORD both of Judge Satterfield's letters.

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

SUPERIOR COURT OF THE
DISTRICT OF COLUMBIA,
Washington, DC, Oct. 14, 2009.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR MR. MAJORITY LEADER: As Chief Judge of the Superior Court of the District of Columbia, I wanted to take a moment to bring to your attention two nominations for associate judges positions on the Superior Court that have been pending for several months. The nominees are Marisa Demeo and Stuart Nash. I understand the press of business before the Senate, given the economy, the push for health care reform, and the myriad of nominees in a relatively new administration. However, I wanted to draw your attention to the dire situation the Superior Court will face by the end of the year due to the announced retirements of three other Superior Court judges, if these nominees are not confirmed in the next few months.

If these two vacancies are not filled before the Senate adjourns, we will be five judges below our full complement of 62 associate

judges by the end of January 2010. These vacancies would have serious consequences for the administration of justice in the District of Columbia and for the people we serve. We have been working without a full complement of judges most of the year since one of my colleagues, Judge Robert Rigsby, was sent to Iraq with the National Guard. Fortunately, another colleague, Judge Rafael Diaz, who retired in March 2009 at the end of his term, graciously agreed to stay and handle a full caseload while we await his replacement. I am not sure how long Judge Diaz will be able to continue full time. If the two pending nominations are not confirmed before the Senate adjourns for the year, and Judge Diaz can no longer handle cases full time, by the end of January 2010, we will have only 57 associate judges. Such a scenario would certainly test our ability to administer justice for the people of the District of Columbia in a timely fashion, particularly in our Criminal Division and Family Court.

The Superior Court is a busy, urban court with a caseload of over 100,000 cases per 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. I would appreciate any help you can provide in moving the two nominations forward.

Thank you for your consideration.

Sincerely,

LEE F. SATTERFIELD,
Chief Judge.

SUPERIOR COURT OF THE
DISTRICT OF COLUMBIA,
Washington, DC, Mar. 12, 2010.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR MR. MAJORITY LEADER: I wanted to provide you with an update on the circumstances in the D.C. Superior Court with the five vacancies we are currently experiencing. Judge Diaz, who has been continuing to hear cases on one of the unassigned calendars after announcing his retirement, will be stepping down within the next month. This will leave us with five full vacancies, which clearly hinders our ability to administer justice for the people of the District of Columbia in a timely fashion, especially worrisome in the Criminal Division and the Family Court. We are beginning to experience delays in meeting the performance measures and standards for how quickly cases should get to trial.

As I mentioned in my October letter, 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. 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. These cases need to be handled effectively but also efficiently.

I understand the great press of business before the U.S. Senate, and the multitude of bills affecting the lives of people across the country. However, the people of the District of Columbia deserve a court with a full com-

plement of judges making the crucial decisions affecting the lives of D.C. residents.

Thank you for your consideration.

Sincerely,

LEE F. SATTERFIELD,
Chief Judge.

Mr. AKAKA. Mr. President, the Committee on Homeland Security and Governmental Affairs works quickly to hold its nomination hearings because we understand what an important role the court plays in the District's legal system. It saddens me that the District's courts and its residents continue to suffer while a highly qualified candidate's nomination is slowed.

I am confident that once confirmed, Judge Demeo will exercise sound and unbiased judgment when ruling on cases before her. She has the education and experience to make valuable contributions to the DC Superior Court bench. I plan to vote in support of Judge Demeo's nomination, and I urge my colleagues to do the same.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that any remaining time for debate with respect to the Demeo nomination be yielded back, and the Senate now proceed to vote on confirmation of the nomination; further, that upon confirmation, the motion to reconsider be considered made and laid upon the table, the President be immediately notified of the Senate's action, and the cloture motion with respect to the nomination be withdrawn.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Marisa J. Demeo, of the District of Columbia, to be an associate judge of the Superior Court of the District of Columbia?

The clerk will call the roll.

The legislative clerk called the roll.

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

Mr. KYL. The following Senator is necessarily absent: the Senator from Utah (Mr. BENNETT).

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

The result was announced—yeas 66, nays 32, as follows:

[Rollcall Vote No. 120 Ex.]

YEAS—66

Akaka	Burr	Feingold
Baucus	Cantwell	Feinstein
Bayh	Cardin	Franken
Begich	Carper	Gillibrand
Bennet	Casey	Gregg
Bingaman	Collins	Hagan
Bond	Conrad	Harkin
Boxer	Dodd	Inouye
Brown (MA)	Dorgan	Johnson
Brown (OH)	Durbin	Kaufman

Kerry	Merkley	Shaheen
Klobuchar	Mikulski	Snowe
Kohl	Murkowski	Specter
Landrieu	Murray	Stabenow
Lautenberg	Nelson (NE)	Tester
Leahy	Nelson (FL)	Udall (CO)
Levin	Pryor	Udall (NM)
Lieberman	Reed	Voinovich
Lincoln	Reid	Warner
Lugar	Rockefeller	Webb
McCaskill	Sanders	Whitehouse
Menendez	Schumer	Wyden

NAYS—32

Alexander	DeMint	LeMieux
Barrasso	Ensign	McCain
Brownback	Enzi	McConnell
Bunning	Graham	Risch
Burr	Grassley	Roberts
Chambliss	Hatch	Sessions
Coburn	Hutchison	Shelby
Cochran	Inhofe	Thune
Corker	Isakson	Vitter
Cornyn	Johanns	Wicker
Crapo	Kyl	

NOT VOTING—2

Bennett Byrd

The nomination was confirmed.

Mr. LEAHY. Mr. President, today the Senate finally confirmed the nomination of Marisa Demeo for a 15-year term as a judge for the District of Columbia Superior Court. Her nomination was the longest pending judicial nomination on the Executive Calendar, having been stalled since it was reported by the Homeland Security and Governmental Affairs Committee last May—nearly a year ago—by voice vote.

There was no reason for this nomination to have been delayed so long. Indeed, once the majority leader pressed the matter by filing for cloture, Republicans agreed to 6 hours of debate and then used only a small portion of that. The bipartisan vote in favor of Judge Demeo is hardly unexpected, just delayed a year.

Judge Demeo has served for 3 years as a magistrate judge on the court to which she has been confirmed. She is only the second Hispanic woman to hold that position. Judge Demeo is an experienced former prosecutor and Justice Department veteran with a sterling professional record. The Chief Judge of the Superior Court, Lee Satterfield, has written several times to the majority and minority leaders about the "dire situation" created by vacancies on that court for administration of justice in Washington, DC, and in support of Judge Demeo's nomination.

Judge Demeo should have been confirmed long ago. This sort of obstruction of a DC Superior Court nomination is unprecedented. These nominations for 15-year terms on the District's trial court are not usually controversial.

Those Senators who opposed this nomination and voted against it will have to explain their vote. Some tried. I do not think references to "lifestyle" have a place in this debate. I was also struck by those who selectively cited her advocacy for various causes when she was previously employed as an advocate as somehow rendering her unfit for judicial service. These same Senators were willing to give President Bush's nominees the benefit of the

doubt, but apparently not those of President Obama. Their mantra when there was a Republican President nominating Republican activists was that they would be able to put aside those views or that they were merely doing their job or representing a client. Apparently that leeway only applies to Republican nominees.

I commend those Republican Senators who bucked their party to vote in favor of this fine young woman and well-qualified nominee.

I strongly supported the confirmation of Judge Demeo and regret that it has taken nearly a year for her nomination to receive an up-or-down vote in the Senate. I congratulate her on her confirmation to the Superior Court and have every confidence she will be a fair and thoughtful judge.

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

The Senator from North Dakota.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. DORGAN. Mr. President, I indicated yesterday, when I asked unanimous consent on a nomination, that I would be back on the floor today at 4:30. So following this vote I wanted to come to the floor to once again ask unanimous consent. I told my colleague from Louisiana, Senator VITTER, that I was going to do this. I told him last week when I came to speak about this. I said I don't, under any conditions, come to the floor of the Senate wanting to be critical of another Senator. That is not something I enjoy doing. In this case, I explained to Senator VITTER that I was going to be critical of something he has done and I felt it appropriate and as a matter of courtesy I should tell my colleague from Louisiana what I was going to do.

Let me describe the circumstance. It bothers me a lot. I am pretty unhappy about it and so should all of my colleagues be unhappy. There is a man named GEN Michael Walsh, a soldier who served this country for 30 years. He served in wartime. I know him, know him fairly well. I am not related to him. I don't have anything other than a professional relationship because I have seen his work in the U.S. Army Corps of Engineers. He is an extraordinary guy.

He was recommended unanimously by the Armed Services Committee, Senator LEVIN and Senator MCCAIN and the unanimous vote of the Armed Services Committee, to be promoted from a one-star general to a two-star major general. That was last year.

It has dragged on now for nearly 6 months and this soldier has not been promoted because the nomination to promote him, which came from the Armed Services Committee unanimously, has been held up by one Senator. That is Senator VITTER from Louisiana.

I understand that Senator VITTER is holding this nomination up all of these months because he is demanding certain things from the Corps of Engineers for his home State.

Regrettably, it represents a list of things, for the most part, that the Corps of Engineers cannot do—they don't have the legal authority to do, they don't have the funding, they don't have the authorization to do. In any event, the general we are talking about, General Walsh, doesn't make policy for the corps on whether to do these things, even if they have the authority. He does policy. That is what the job of this general is. He is the commander of the Mississippi Valley Division of the Corps of Engineers. He spent a tour in Iraq for this country. He has done a lot of work not only in a war zone but all around the country, has a distinguished 30-year career. Yet despite the fact that last October, he was to have been promoted to major general, this soldier's professional life is on hold because of the actions of one Senator.

I say to my colleague from Louisiana, this is fundamentally unfair to General Walsh. It is fundamentally unfair. It is not the way we should treat soldiers. The demands that are being made of the Corps of Engineers are demands the corps cannot meet. I put the exchange of letters in the CONGRESSIONAL RECORD. There are two letters from my colleague, Senator VITTER, and two responses from the Corps of Engineers. They make it clear that the Senator from Louisiana is asking something the corps cannot possibly do. He has made six or eight requests. I believe the corps has indicated they will proceed on two of them because they do have the authority. The others they cannot because they are not authorized. They don't have money, and they don't have the legal capability.

This is 1 out of 100 nominations that is being held up, 1 out of 100 on the Executive Calendar. This person is someone I know, a one-star general who deserves to be a two-star general. That is what Senator MCCAIN and Senator LEVIN believe. Unanimously, the Armed Services Committee reported this out last September. This soldier's career is on hold because one Senator is demanding of the corps something the corps cannot and will not be able to do. It does not have the legal authority and does not have the funding and does not have the authorization to do it.

I am here to make a unanimous consent request again. I ask of my colleague from Louisiana if at long last he might allow this nomination to proceed. This general should not be a one-star general. He should have, last September, been a two-star general because unanimously the Armed Services Committee believed he was owed that and deserved that promotion in rank. Months and months and months and months later, this general has had his career stalled by the actions of one Senator.

My hope is that today perhaps that Senator will tell us he will lift that hold and that we will be able to give the second star to General Walsh, a patriot, a soldier, someone who served this country in wartime and does not deserve what has happened to him in the Senate.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Michigan.

Mr. LEVIN. Madam President, let me join my colleague from North Dakota in making a plea to the Senator from Louisiana. As the Senator from Louisiana knows, I am chairman of the Armed Services Committee. Our committee operates on a bipartisan basis. I see one other member of the committee sitting on the floor; in fact, two other committee members are on the floor, including the Presiding Officer. I know they would confirm what I am saying. We should keep our uniformed military officers out of any kind of political crossfire. They don't make these decisions. They put on the uniform of the United States. They give their lives. Their families support them. The least we can do is give them bipartisan support. We do that on this committee.

This nomination was approved and put on the calendar on October 27. This is a document we call the Executive Calendar of the Senate. It is printed every day. This general has been sitting here now, MG Michael J. Walsh, since October 27. The Senator from Louisiana has expressed himself to the Corps of Engineers. He has made his arguments. This general cannot do what the Senator from Louisiana is asking for. No. 1, he can't do it because the corps has told the Senator they don't have the authority to do what he wants them to do in terms of these three projects. In any event, this general does not have the authority within the corps to make these kinds of decisions, even if the corps had the authority to approve these projects.

As chairman of the committee, I know I am speaking not only for myself, I am speaking for every member of the committee who has voted for this general's nomination. I know I am speaking for Senator MCCAIN, who has told me specifically that I can invoke his name in support of a plea to the Senator from Louisiana to no longer hold this nomination. It cannot achieve what the Senator from Louisiana wants to achieve. It is a terrible message to the men and women in uniform that a nomination such as this is obstructed because there is a request from one Senator for some projects for his State which the corps cannot approve, according to the letter which the corps has sent to the Senator from Louisiana.

I join my friend from North Dakota. On behalf of the Armed Services Committee, I make this plea. I spoke to the Senator from Louisiana a number of months ago. He indicated to me that he just needed a few more weeks. He thought he could straighten this out in a few more weeks. A couple months