

And because we have such an extensive judicial record before us, I believe that these hearings will matter less than for the several previous nominees, or at the least that these hearings will bear out what is obvious about her, that she is modest and humble in her approach to judging.

As we become even more familiar with her incisive mind and balanced views, I am certain that this hearing will prove to all what is already clear to many. This is a moment in which all Americans can take great pride, not just New Yorkers, not just Puerto Ricans, not just Hispanics, not just women, but all Americans who believe in opportunity and who want for themselves and their children a fair reading of the laws by a judge who understands that while we are a Nation of individuals, we are all governed by one law.

Mr. Chairman, people felt at the founding of America that we were "God's noble experiment." Judge Sotomayor's personal story shows that today, more than 200 years later, we are still God's noble experiment.

Thank you.

Chairman LEAHY. Thank you, Senator Schumer.

Now, Senator Gillibrand, the other Senator from New York. Please go ahead, Senator Gillibrand.

**STATEMENT OF HON. KIRSTEN E. GILLIBRAND, A U.S. SENATOR FROM THE STATE OF NEW YORK, PRESENTING SONIA SOTOMAYOR, NOMINEE TO BE AN ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES**

Senator GILLIBRAND. Thank you, Chairman Leahy, Ranking Member Sessions, and the other distinguished members of the Judiciary Committee, for the privilege to speak on behalf of Judge Sonia Sotomayor.

President Obama has chosen one of the country's outstanding legal minds with his nomination of Sonia Sotomayor to the United States Supreme Court. As a New Yorker, I take great pride in Judge Sotomayor's nomination, along with the rest of my State and our delegation, including Senator Schumer and my colleagues from the House, Congresswoman Nydia Velázquez, who was the first person to introduce me to Judge Sotomayor and her record, and Congressman José Serrano.

As a woman, I take great pride in this historic nomination. In the words of Justice Sandra Day O'Connor, "It took a very long time, about 171 years, to get the first woman on the Supreme Court," and I thought that we'd very likely always have two, and eventually more. I'm very thankful for President Obama in his recognition of the importance of women's voices on the Nation's highest court.

Sonia Sotomayor's life and career are a study in excellence, commitment to learning, a dedication to the law, and the constant pursuit of the highest ideals of our country and Constitution. Her story is also the quintessential American and New York story: born to a Puerto Rican family, growing up in public housing in the South Bronx, and raised with a love of country and a deep appreciation for hard work.

Judge Sotomayor demonstrated a devotion to learning, graduating summa cum laude from Princeton, and serving as an editor

on the Yale Law Journal before pursuing her career in the law. The breadth and depth of Judge Sotomayor's experience make her uniquely qualified for the Supreme Court.

Judge Sotomayor's keen understanding of case law and the importance of precedent is derived from working in nearly every aspect of our legal system: as a prosecutor, as a corporate litigator, as a trial judge, and as an appellate judge.

As prosecutor, Judge Sotomayor fought the worst of society's ills, prosecuting a litany of crimes from murder, to child pornography, to drug trafficking. The Manhattan D.A., Bob Morgenthau, described her as "fearless" and "an effective prosecutor" and "an able champion of the law".

Judge Sotomayor's years as a corporate litigator exposed her to all facets of commercial law, including real estate, employment, banking, contracts, and agency law. Judge Sotomayor was appointed to the U.S. District Court for the Southern District of New York by President George Herbert Walker Bush, presiding over roughly 450 cases and earning a reputation as a tough, fair-minded, and thoughtful jurist. She would replace Justice Souter as the only member on the Supreme Court with trial experience.

At the appellate level, Judge Sotomayor has participated in over 3,000 panel decisions, offering roughly 400 published opinions, with only 7 being brought up to the Supreme Court, which reversed only 3 of those decisions, two of which were closely divided. With confirmation, Judge Sotomayor brings more Federal judicial experience to the Supreme Court than any Justice in 100 years, and more judicial experience than any Justice confirmed in the court in 70 years.

As a testament to Judge Sotomayor, many independent national, legal, and law enforcement groups have already endorsed her nomination, including among them the ABA, voting unanimously and giving her the highest rating of "Well Qualified", complimenting not only her formidable intellect, but her mature legal mind and her record of deciding cases based on the precise facts and legal issues before her, also faithful in following the law as it exists, and that she has a healthy respect for the limited role of judges and the balance of powers for the executive and legislative branches. The President of the Fraternal Order of Police also stated, "She's a model jurist: tough, fair-minded, and mindful of the constitutional protections afforded to all U.S. citizens."

A nominee's experience as a legal advocate for civil rights certainly must not be seen as a disqualifying criteria for confirmation, but instead as the hallmark of an individual's commitment to our founding principles of equality, justice, and freedom. Like Ruth Bader Ginsburg's participation in the ACLU Women's Rights Project or Thurgood Marshall's participation on behalf of the NAACP Legal Defense and Education Fund, Judge Sotomayor's leadership role in the Puerto Rican Legal Defense Fund demonstrates her commitment to the Constitution, constitutional rights and core values of equality as being an inalienable right, an inalienable American right, and should not be ascribed based on gender or color.

Judge Sotomayor's entire breadth of experience uniquely informs her ability to discern facts as she applies the law and follows prece-

dent. Judge Sotomayor's commitment to the Constitution is unyielding. As she described her judicial philosophy, saying, "I don't believe we should bend the Constitution under any circumstance. It says what it says; we should do honor to it." Judge Sotomayor's record on the Second Circuit demonstrates the paramount importance of this conviction.

The importance of Sonia Sotomayor's professional and personal story cannot be understated. Many of our most esteemed justices have noted the importance of their own diverse backgrounds and life experiences in being an effective Justice. Like Judge Sotomayor, they also understand that their gender or ethnicity is not a determining factor in their judicial rulings, but another asset which they bring to the court, much like education, training, and previous legal work.

Justice Anthony Scalia said, "I am the product of the melting pot in New York, grew up with people of all religious and ethnic backgrounds. I have absolutely no racial prejudices, and I think I am probably at least as antagonistic as the average American, and probably much more so, towards racial discrimination."

Justice Clarence Thomas said, "My journey has been one that required me to at some point touch on virtually every aspect, every level of our country, from people who couldn't read and write to people who were extremely literate and—"

Chairman LEAHY. Senator? Senator, we're going to have to put your full statement in the record so that Judge Sotomayor can be heard.

Senator GILLIBRAND. May I conclude my remarks?

Chairman LEAHY. If it can be done in the next few seconds, Senator.

Senator GILLIBRAND. One minute?

Chairman LEAHY. Well, how about—

Senator GILLIBRAND. Twenty seconds.

I strongly support Judge Sotomayor's nomination and firmly believe her to be one of the finest jurists in American history.

Chairman LEAHY. Thank you.

Judge, now we will administer the oath. I'll let the two Senators step back if they'd like. Please raise your right hand.

Do you swear that the testimony you are about to give before the Committee will be the truth, the whole truth, and nothing but the truth so help you God?

Judge Sotomayor. I do.

Chairman LEAHY. Thank you. Please be seated.

And I thank my two colleagues from New York for the introduction. I appreciate it because I know both have known you for some time. Judge, you've also introduced a number of members of your family. Now the floor is yours.

**STATEMENT OF HON. SONIA SOTOMAYOR, NOMINATED TO BE  
AN ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE  
UNITED STATES**

Judge Sotomayor. Thank you, Mr. Chairman.

I also want to thank Senators Schumer and Gillibrand for their kind introductions.