Gina Groh is absolutely qualified for this position and deserving of every Senator's support. She has more than 22 years of legal experience, of which 14 have been devoted to serving the people of West Virginia, first as a prosecutor and now as a trial judge. In these roles, Judge Groh has exhibited a superior intellect and an unwavering commitment to fairness and to justice. Lawyers describe her as meticulously prepared as a judge, and they describe her as somebody who administers justice in a timely and equitable manner. Because of her superior qualifications, she was reported out of the Judiciary Committee by an unopposed voice vote and has been waiting patiently for 5 months for an up-or-down vote.

Judge Groh will be ready for the job on the day she assumes the bench, provided, of course, that she passes through this body. She knows how to make tough decisions. She knows how to issue thoughtful opinions and to protect the rights and liberties that are guaranteed to all Americans under our laws and our Constitution.

I am very proud to urge all Senators to support Judge Groh's nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

FITZGERALD NOMINATION

Mrs. BOXER. Madam President, I rise today to support the nomination of Michael Fitzgerald as the Senate prepares to vote on his confirmation to become a district court judge. I had the great privilege of recommending Mr. Fitzgerald to President Obama for nomination. He is a respected member of the Los Angeles legal community. He will make an excellent addition to the Central District of California.

Mr. Fitzgerald served as a Federal prosecutor, where he handled cases involving international drug rings and money laundering, including what was at the time the second largest cocaine seizure in California history. Since he has left the U.S. Attorney's Office, Mr. Fitzgerald has been in private practice handling complex criminal and civil cases. He received a rating of ''unanimously well qualified'' by the American Bar Association.

He is a historic choice, and a vote on Mr. Fitzgerald's nomination is long overdue. He was voted out of the Senate Judiciary Committee unanimously 133 days ago on November 3, 2011. It really should not take this long to confirm such a highly qualified nominee as Mr. Fitzgerald, especially because this seat has been designated a judicial emergency. So we have a seat that has been designated a judicial emergency, and we have a highly qualified gentleman who is ready for this challenge and who was voted out of the committee unanimously last year, 133 days ago.

I want to close with great hope that we will confirm Mr. Fitzgerald. With that, I want to, in advance—and I hope I am proven right—congratulate him and his family on this momentous day. I urge my colleagues in the Senate to join with me in voting for this highly qualified nominee.

Thank you very much, Madam President.

I yield the floor, and I note the absence of a quorum.

The assistant bill clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

NOMINATION OF GINA MARIE GROH TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

NOMINATION OF MICHAEL WALTER FITZGERALD TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The assistant bill clerk read the nominations of Gina Marie Groh, of West Virginia, to be United States District Judge for the Northern District of West Virginia; and Michael Walter Fitzgerald, of California, to be United States District Judge for the Central District of California.

The PRESIDING OFFICER. Under the previous order, there will be 15 minutes for debate equally divided in the usual form.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, what is the order? I had understood I was to be recognized at 1:45. Am I incorrect?

The PRESIDING OFFICER. There will be 15 minutes for debate equally divided in the usual form.

Mr. LEAHY. I am pleased that the Majority Leader and the Republican leader came to an understanding yesterday and a path forward so that we can finally consider the two judicial nominations the Senate will vote on today. With a judicial vacancies crisis that has lasted years, and nearly one in 10 judgeships across the Nation vacant, the Senate needs to continue to work to have a positive impact and reduce judicial vacancies significantly before the end of the year.

In light of the agreement reached between the leaders, the Senate will finally be allowed to consider the nomination of Judge Gina Groh of West Virginia. Judge Gina Groh currently serves as a Circuit Judge in the 23rd Judicial Circuit for the State of West Virginia, the first female circuit judge in the eastern panhandle region of West Virginia. She is one of only three women serving as a circuit judge throughout the state. Judge Groh was nominated to the state court in 2006 on the recommendation of a bipartisan merit selection panel, and won a successful retention election in 2008. Prior to joining the bench, Judge Groh served for eight years as state prosecutor and nine years in private practice. Her nomination, which has the support of both of West Virginia's Senators, Senator ROCKEFELLER and Senator MANCHIN, and was reported with the support of every Democrat and every Republican on the Judiciary Committee last October. She has been waiting for this confirmation vote for more than five months while her nomination has been stalled along with so many others.

The Senate will also finally be able to consider the nomination of Michael Fitzgerald to fill a judicial emergency vacancy in the Central District of California. His nomination has the strong support of his home state Senators, Senators FEINSTEIN and BOXER. If confirmed, Mr. Fitzgerald will be the first openly gay man confirmed to the Federal bench in the state of California. Mr. Fitzgerald has worked in private practice for more than two decades, and before that, served as a Federal prosecutor. The ABA's Standing Committee on the Federal Judiciary unanimously rated him ''well qualified'' to serve on the U.S. District Court, its highest possible rating. His nomination was reported unanimously by the Judiciary Committee last November. He has been waiting four and one half months for this vote.

Unlike the 57 of President Bush's District Court nominations confirmed within a week of being reported by the Judiciary Committee during President Bush's first term, these qualified, consensus nominees have been needlessly stalled from final consideration. The application of the ''new standard'' the junior Senator from Utah conceded Republicans are applying to President Obama's nominees continues to hurt the people of West Virginia and California, who should not have to wait any longer for judges to fill these important Federal trial court vacancies.

The nominations of Judge Groh and Mr. Fitzgerald are two of the 22 circuit and district court nominations ready for Senate consideration and a final confirmation vote. They were all reported favorably by the Judiciary Committee after thorough review. All but a handful are by any measure consensus nominations. There was never any good reason for the Senate not to proceed to votes on these nominations. It should not have taken cloture petitions to get agreement to schedule votes on these qualified, consensus judicial nominations. In addition to the two nominations we consider today, another 10 of the nominations on which agreement has now been reached have been stalled for months and were reported last year.

Among the nominees included in the leaders' agreement are two outstanding

women nominated to fill vacancies on important circuit courts that have been delayed since last year—Stephanie Dawn Thacker of West Virginia, nominated to the Fourth Circuit, and Judge Jacqueline Nguyen of California, nominated to fill one of the many judicial emergency vacancies on the Ninth Circuit. Ms. Thacker, an experienced litigator and prosecutor, has the strong support of her home state Senators, Senators ROCKEFELLER and MANCHIN. Judge Nguyen, whose family fled to the United States in 1975 after the fall of South Vietnam, was confirmed unanimously to the district court in 2009 and would become the first Asian Pacific American woman to serve on a U.S. Court of Appeals. Both were reported unanimously by the Judiciary Committee last year and both should be confirmed by the Senate without additional damaging delays.

All 22 of the nominees awaiting a vote by the Senate are qualified judicial nominees. They are nominees whose judicial philosophy is well within the mainstream. These are all nominees supported by their home state Senators, both Republican and Democratic. The consequence of these months of delays is borne by the nearly 160 million Americans who live in districts and circuits with vacancies that could be filled as soon as Senate Republicans agree to up or down votes on the 22 judicial nominations currently before the Senate awaiting a confirmation vote.

We must continue with the pattern set by yesterday's agreement to make progress beyond the 14 nominations in that agreement and beyond the 22 nominations currently on the calendar. There are another eight judicial nominees working who have had hearings and are working their way through the Committee process. In addition, there are another 11 nominations on which the Committee should be holding additional hearings during the next several weeks. By working steadily and by continuing the resumption of the regular consideration of judicial nominations I hope the understanding between the leaders signals, we can do as we did in 2004 and 2008 to ensure that the Federal courts have the judges they need to provide justice for all Americans without needless delay. In those presidential election years, we worked together to reduce judicial vacancies to the lowest levels in decades.

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

We 100 Senators stand in the shoes of over 300 million Americans. It is good to see the Senate agreeing to end the partisan stalling and schedule votes on these long-delayed and much-needed judges.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, this week the judicial confirmation process was a bit off track. The 17 threatened cloture motion votes were unnecessary. I am pleased the majority leader determined to not move forward with that plan.

The Senate has now returned to its regular order of processing judicial nominations in a careful and deliberate manner—just exactly what we ought to do when we are talking about confirming people to lifetime appointments. This means nominees are called up, debated, and voted upon, just as we have been doing. In fact, we have done that 131 times for President Obama's judicial nominees. Of course, on rare occasions, as within the traditional rules and practices of the Senate, there will be difficulty in moving forward with consent to proceed on just a very few.

So I view what happened yesterday not as some deal but as a rejection of a political stunt in favor of returning to regular order, as we are doing today. I have worked with the chairman and members of the Judiciary Committee, as well as my colleagues throughout the Senate, to ensure nominees are treated fairly, and I will continue to do so.

In the meantime, I am pleased the Senate has turned to the JOBS bill. It is imperative that the Senate keep its focus on what the people back at the grassroots level think we ought to be working on—jobs, the economy, energy, and other critical issues facing our Nation.

Today we turn to two judicial nominations under regular order and the procedure of the Senate: Gina Groh, who is nominated to be a U.S. district judge for the Northern District of West Virginia, and Michael Fitzgerald, who is nominated to be a U.S. district judge for the Central District of California.

Earlier this week, I heard remarks blaming the judicial vacancy rate on Republican obstructions. What was failed to be discussed—not even mentioned—was that 44 of the judicial vacancies have no nominee. Of the 35 judicial vacancies designated as judicial emergencies, the President has failed to submit a nomination for 19 of those seats. So what about the other 16? What about the other 39 of the 83 I just mentioned? It is a fact of life; we can't proceed to process judicial nominations if the President doesn't send them to us. So the President needs to hurry if he wants to get some consideration.

That has been the pattern for most of this administration—failure or delay in submitting nominations to the Senate. For example, look at the nomination of Gina Groh, a nomination we are considering today. Yes, her nomination has been before the Senate for 5 months, but this seat became vacant in December 2006. President Bush submitted a nomination for this seat on May 24, 2007. That nominee never even had a hearing but languished in committee for 19 months before being returned to the President. This is just 1 of 53 nominees of President Bush's who were subjected to what some have characterized as a ''pocket filibuster'' or otherwise went unconfirmed.

Even after President Obama's election, it took until May 19, 2011, for him to nominate Ms. Groh. The President took 848 days to submit the nomination—nearly 2 years and 4 months. I have to ask, Where was the nomination? Where was the outrage of the other party during all of this time of dillydallying around at the White House?

Again, we are moving forward under regular order and procedures of the Senate. This year, we have been in session for about 28 days, including today. During that time, we have confirmed nine judges. That is an average of about one confirmation for every 3 days. With the confirmation today, the Senate will have confirmed 72 percent of President Obama's judicial nominations.

Gina Marie Groh is nominated to be United States District Judge for the Northern District of West Virginia. Judge Groh graduated summa cum laude with a B.A. from Shepherd University in 1986, and with a J.D. from West Virginia University College of Law in 1989. From 1989 to 1998, she worked as a litigation associate for three separate firms. From 1989 to 1991, she was with Steptoe & Johnson and then she moved to Mell, Brownwell & Baker, where she worked until 1995. Finally she worked at Semmes, Bowen, & Semmes until 1998. During this period, her practice primarily involved civil litigation, including workers compensation and personal injury defense.

From 1998 to 2006, she served as an Assistant Prosecuting Attorney. She served in this capacity with the Berkeley County Prosecuting Attorney's Office until 2002 and then with the Jefferson County Prosecuting Attorney's Office. As an assistant prosecutor, she primarily prosecuted felony cases on behalf of the State of West Virginia. While with the Jefferson County Attorney's Office, she also represented the county government in civil matters. While an assistant county prosecutor, she estimates she tried about 500 cases to verdict.

In December 2006, Governor MANCHIN appointed Judge Groh as a circuit judge in the 23rd Judicial Circuit of West Virginia. In November 2008 she was elected to the same position. As a judge serving on a court of general jurisdiction, she presides over a variety of civil and criminal cases and manages the grand jury in Morgan and Jefferson counties, which meets three

times per year in each county. She estimates that she has presided over 93 cases that have either gone to verdict or judgment. In addition, she has issued orders in over 3,400 cases.

Michael Fitzgerald is nominated to be United States District Judge for the Central District of California. He is a 1981 graduate of Harvard University and received his J.D. in 1985 from the University of California, Berkley—Boalt Hall—School of Law. After graduating from law school, Mr. Fitzgerald clerked for the Honorable Irving R. Kaufman on the United States Court of Appeals for the Second Circuit.

From 1986–1987, he was an associate at O'Donnell & Gordon where he represented individuals and small companies in civil litigation. In 1988, he became an Assistant United States Attorney where he served on the Organized Crime and Drug Enforcement Task Force/Major. With the task force he primarily prosecuted cocaine rings. He also worked with a money laundering task force comprised of IRS criminal agents and Los Angeles Police Department narcotics officers. From 1991–1995 he worked as an associate at Heller, Ehrman, White & McAuliffe LLP, on commercial litigation.

In 1995, Mr. Fitzgerald joined the Law Offices of Robert L. Corbin, P.C. as an associate attorney, and became a partner in 1998, when the firm was renamed Corbin, Fitzgerald & Athey LLP. Initially he represented small businesses and individuals in small to medium-sized civil cases, as well as a variety of criminal cases in Los Angeles Superior Court. He also was involved in federal civil and criminal cases. For the past six years, the focus of his firm has been representing clients who are under investigation by federal agencies. These investigations have concerned securities, defense contracting, environmental law, health care, antitrust, tax and financial crisis.

Mr. Fitzgerald reports that he has appeared in court regularly for most of his career. However, since 2004, he has only appeared in court occasionally. He has tried 26 cases to verdict.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, when I hear concerns that the Republican delays are all the fault of President Obama, it sort of makes me think of some of the dialogue from the movie ''Casablanca''. I should tell my colleagues that there are 83 vacancies, sure. Several of them are without a nomination because this President is trying to work with home State Senators, including 24 vacancies involving a Republican home State Senator who hasn't agreed to anybody. There are seven nominations on which the Senate Judiciary Committee cannot proceed because Republican Senators haven't returned blue slips indicating their support. We had somebody else who we were going to consider in Committee. Two Republican Senators had returned blue slips; they withdrew them and we had to take that name off the agenda.

So we try to protect Republicans' rights in the committee and, suddenly, we are at fault because they are blocking people who have gone through unanimously. Well, none of these complaints would give any excuse for failure to move on nominees that went through with every single Republican, every single Democrat voting for them.

Instead of being voted on in a week, as 57 did during President Bush's first term, these nominees sit here for month after month after month.

Mrs. FEINSTEIN. Mr. President, I rise to speak today on the nomination of Michael Walter Fitzgerald, a highly qualified nominee to the United States District Court for the Central District of California.

The vacancy Mr. Fitzgerald would fill has been declared a judicial emergency by the Judicial Conference of the United States. The Central District is the ninth-busiest court in the country in terms of filings per judgeship, and it has several vacancies that need to be filled.

I wish it had not taken four and a half months to see Mr. Fitzgerald confirmed, but I am very grateful that the Senate is able to make progress on his nomination today.

I urge my colleagues to support this nomination.

Mr. Fitzgerald was born in Los Angeles in 1959 and attended California's public schools. He received a scholarship to attend Harvard College, from which he graduated magna cum laude in 1981.

After graduating from Harvard, Mr. Fitzgerald taught at Anaheim High School. He then attended Boalt Hall Law School at the University of California, Berkeley, where he was managing editor of the Industrial Relations Law Journal and graduated Order of the Coif in 1985.

Following law school, he clerked for Judge Irving R. Kaufman on the U.S. Court of Appeals for the Second Circuit.

Mr. Fitzgerald has over 25 years of experience practicing law. After one year in private practice he became an Assistant United States Attorney in the Central District of California, where he served from 1988 through 1991.

During that time, he served on the Organized Crime and Drug Enforcement Task Force and with the Major Narcotics Section. He led an investigation that resulted in the seizure of 2,241 pounds of cocaine and the conviction of a major drug trafficking kingpin.

Since his service as a federal prosecutor, Mr. Fitzgerald has worked as an attorney in private practice, first at the law firm Heller Ehrman White & McAuliffe and now at Corbin, Fitzgerald, and Athey LLP.

He has represented plaintiffs and defendants in civil cases, as well as criminal defendants. He also has represented major corporations and corporate officials in investigations by the Securities and Exchange Commission and the Department of Justice. For example, he represented a senior Boeing manager in a Federal grand jury investigation, as well as Bank of America.

He also has been active in pro bono work. For example, Mr. Fitzgerald represented an FBI special agent, Frank Buttino, who had security clearance revoked after his sexual orientation was revealed to his FBI superiors. The case resulted in a settlement, in which the FBI revoked its policy of treating sexual orientation as a negative factor in security clearance determinations.

Mr. Fitzgerald also served as a deputy counsel on the Rampart Independent Review Panel, which was appointed by the Los Angeles Police Commission to investigate a major corruption scandal in the Rampart Division of the Los Angeles Police Department. He also served as a counsel to the Special Advisor to the Webster Commission, which investigated the L.A.P.D.'s response to the L.A. riots in 1992.

In short, Mr. Fitzgerald has an impressive record—strong academic credentials, an appellate clerkship, service as a Federal prosecutor, and over two decades in private practice.

Mr. Fitzgerald is also the first openly gay nominee to a California Federal Court—an important milestone on the road to equality.

I am confident he will be a superb addition to the district court, and I urge my colleagues to support his nomination.

Mr. LEAHY. Mr. President, I believe we have reached the time for the vote. Am I correct?

The PRESIDING OFFICER (Mr. SANDERS). The Senator is correct.

The question is, Will the Senate advise and consent to the nomination of Gina Marie Groh, of West Virginia, to be United States District Judge for the Northern District of West Virginia?

Mr. LEAHY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Utah (Mr. HATCH), and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''yea.''

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

The result was announced—yeas 95, nays 2, as follows:

[Rollcall Vote No. 49 Ex.]

YEAS—95

Akaka	Baucus	Bingaman
Ayotte	Begich	Blumenthal
Barrasso	Bennet	Blunt

Boozman
Boxer
Brown (MA)
Brown (OH)
Burr
Cantwell
Cardin
Carper
Casey
Chambliss
Coats
Coburn
Cochran
Collins
Conrad
Coons
Corker
Cornyn
Crapo
Durbin
Enzi
Feinstein
Franken
Gillibrand
Graham
Grassley
Hagan
Harkin
Heller
Hoeven
Hutchison
Inhofe
Inouye
Isakson
Johanns
Johnson (SD)
Johnson (WI)
Kerry
Klobuchar
Kohl
Kyl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lugar
Manchin
McCain
McCaskill
McConnell
Menendez
Merkley
Mikulski
Moran
Murkowski
Murray
Nelson (NE)
Nelson (FL)
Paul
Portman
Pryor
Reed
Reid
Risch
Roberts
Rockefeller
Rubio
Sanders
Schumer
Sessions
Shaheen
Shelby
Snowe
Stabenow
Tester
Thune
Toomey
Udall (CO)
Udall (NM)
Vitter
Warner
Webb
Whitehouse
Wicker
Wyden

NAYS—2

DeMint
Lee

NOT VOTING—3

Alexander
Hatch
Kirk

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, first of all, we had a good week. We have worked together on issues and gotten a lot done. We have one more vote. That will be the last vote this week. The next vote will be Tuesday before the caucus.

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Michael Walter Fitzgerald, of California, to be U.S. District Judge for the Central District of California.

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

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Utah (Mr. HATCH), and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''yea.''

The result was announced—yeas 91, nays 6, as follows:

[Rollcall Vote No. 50 Ex.]

YEAS—91

Akaka
Ayotte
Barrasso
Baucus
Begich
Bennet
Bingaman
Blumenthal
Boozman
Boxer
Brown (MA)
Brown (OH)
Burr
Cantwell
Cardin
Carper
Casey
Chambliss
Coats
Coburn
Cochran
Collins
Conrad
Coons
Corker
Cornyn
Crapo
Durbin
Enzi
Feinstein
Franken
Gillibrand
Graham
Grassley
Hagan
Harkin
Heller
Hoeven
Hutchison
Inouye
Isakson
Johanns
Johnson (SD)
Johnson (WI)
Kerry
Klobuchar
Kohl
Kyl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lugar
Manchin
McCain
McCaskill
McConnell
Menendez
Merkley
Mikulski
Moran
Murkowski
Murray
Nelson (NE)
Nelson (FL)
Portman
Pryor
Reed
Reid
Risch
Roberts
Rockefeller
Rubio
Sanders
Schumer
Sessions
Shaheen
Shelby
Snowe
Stabenow
Tester
Thune
Toomey
Udall (CO)
Udall (NM)
Warner
Webb
Whitehouse
Wicker
Wyden

NAYS—6

Blunt
DeMint
Inhofe
Lee
Paul
Vitter

NOT VOTING—3

Alexander
Hatch
Kirk

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table.

The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

JUMPSTART OUR BUSINESS STARTUPS ACT—Continued

The PRESIDING OFFICER. The junior Senator from West Virginia is recognized.

Mr. MANCHIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

GROH NOMINATION

Mr. MANCHIN. Mr. President, I rise to applaud the confirmation of Judge Gina Marie Groh to the U.S. District Court for the Northern District of West Virginia.

As then-Governor of West Virginia, I was honored to have the first female from the Eastern Panhandle, with the highest of credentials, Judge Groh, brought to my attention. I was so proud to appoint her to the 23rd Judicial District in 2006, and she has served with great distinction ever since.

I am also very pleased my colleague and friend Senator JAY ROCKEFELLER saw the same qualities in Judge Groh that I did and recommended her for this prestigious position on the Federal bench. I thank him for his steadfast support.

I wish to take this opportunity to reiterate some of Judge Gina Groh's fine qualities and the reasons I know she will be an exceptional judge on the U.S. District Court for the Northern District of West Virginia.

Judge Groh is a well-respected and recognized member of her community in the Eastern Panhandle of West Virginia, as I have known her for many years. In addition to being the first female circuit judge to serve in the Eastern Panhandle, Judge Groh is only the third female circuit judge to be selected in all of West Virginia.

Prior to her circuit court appointment, Judge Groh served as assistant prosecuting attorney at the prosecuting attorney's offices in Berkeley County and Jefferson County, WV. During her 8 years as prosecutor, she established a strong record of protecting her fellow West Virginians by tirelessly pursuing convictions for such crimes as murder, robbery, rape, child abuse, drunk driving, and drug-related offenses.

Judge Groh has not only excelled professionally but has also risen to become a true pillar of her community in the Eastern Panhandle of West Virginia. She dedicates her time to countless foundations and serves on a number of boards. For many years, she has worked for such programs as Robes to School and the Meals with Love Ministry and has been very involved with her alma mater, Shepherd University, serving both with the Wellness Center and as a member of the alumni board.

Judge Groh graduated summa cum laude from Shepherd University in 1986, with a bachelor of science degree. She earned the university's highest academic honor as a McMurran Scholar, in addition to serving as editor-in-chief of the newspaper and vice president of her graduating class. Judge Groh went on to earn her J.D. from West Virginia University's College of Law in Morgantown, WV.

I believe Judge Groh's experience, intellect, leadership, impartiality, and deep roots in the community make her a prudent choice for the vacancy in the Northern District of West Virginia. She exemplifies not only the qualities of a talented jurist but also the high moral character and sense of justice necessary to make a great judge.

I know it has been exasperating for Judge Groh and her family waiting for this confirmation, knowing that she came out of the Senate Judiciary Committee without any opposition. It has been very difficult that we as a body have gotten to the point of slowing down these nominations, and I believe very strongly our system needs to be changed so we can get quality judges such as Judge Gina Groh on the bench as quickly as possible so they can work to protect the people of the United States.

Again, I thank my colleagues for confirming an exemplary candidate for the U.S. District Court for the Northern District of West Virginia, Judge Gina Marie Groh.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, the House of Representatives has just passed H.R. 3606, which is styled as a capital formation bill, but it is fundamentally flawed. As more and more people have looked closely at the bill, they have found more and more problems with it—problems that could roll back key consumer protections and dramatically decrease the transparency of our capital markets.

One of the fundamental misconceptions in this bill is that we can have robust capital formation without good