

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

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	Coats	Heller
Ayotte	Coburn	Hoeven
Barrasso	Cochran	Hutchison
Baucus	Collins	Inouye
Begich	Conrad	Isakson
Bennet	Coons	Johanns
Bingaman	Corker	Johnson (SD)
Blumenthal	Cornyn	Johnson (WI)
Boozman	Crapo	Kerry
Boxer	Durbin	Klobuchar
Brown (MA)	Enzi	Kohl
Brown (OH)	Feinstein	Kyl
Burr	Franken	Landrieu
Cantwell	Gillibrand	Lautenberg
Cardin	Graham	Leahy
Carper	Grassley	Levin
Casey	Hagan	Lieberman
Chambliss	Harkin	Lugar

Pryor	Stabenow
Reed	Tester
Reid	Thune
Risch	Toomey
Roberts	Udall (CO)
Rockefeller	Udall (NM)
Rubio	Warner
Sanders	Webb
Schumer	Whitehouse
Sessions	Wicker
Shaheen	Wyden
Shelby	
Snowe	

NAYS—6

Blunt Inhofe Paul
DeMint Lee 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 McMurrin 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