

world. In 1976 Bill ran an underdog campaign to challenge Congressman Robert N.C. Nix, a long-time congressional incumbent. Despite a close defeat in 1976, Bill launched another campaign in 1978 and successfully earned nomination and election to Congress.

The U.S. House of Representatives provided another pulpit from which Bill could pursue his "whole ministry," and he did not squander the opportunity. He said:

If you can pastor a black Baptist Church, maneuvering in Congress is easy. It's nothing compared to the choir, the usher board, the deacon board. You run a volunteer organization and you run it on persuasion.

Despite his lack of previous formal political experience, after winning the 1978 primary election Bill started working to persuade other Members of Congress from his party to support him in committee elections. Through dogged determination, thoughtful strategy, and a clear explanation of his goals, Bill earned himself the freshman seat on the policy and steering committee which sets committee assignments for the party and influences policy. This established him as a rising star and a friend to many other incoming Members of Congress whom he helped land desirable committee spots.

Bill obtained seats on the following committees: the District of Columbia Committee, the Budget Committee, the Foreign Affairs Committee, and later a seat on the Appropriations Committee, the Joint Committee on Deficit Reduction, and the House Administration Committee. Leaders of the Congressional Black Caucus elected Bill Gray as its secretary, and in his second term he served as the vice chairman of the caucus.

In Congress, he acquired a reputation as a thoughtful, honest, and effective leader in a diverse party, often building surprising alliances as he maintained his commitment to budgets that provided for the neediest Americans.

Bill rose quickly through the ranks of leadership during his 12 years in Congress. In 1985 he assumed the chairmanship of the Budget Committee just 6 years after the time he was elected. Just a few years later, in 1988, he was elected to chair his party's House caucus, and then in 1999 he became the House majority whip, the third ranking leadership in the House of Representatives.

While serving in Congress, Bill remained an active minister, tightly connected with his district in Philadelphia through his actions on the issues for which he fought. I just happened to be a constituent of Bill's in 1982 and 1983 when I was serving in the Jesuit Volunteer Corps in north Philadelphia, and I know at that time he returned to Bright Hope Baptist Church twice a month to preach, and in Congress he supported the programs upon which his constituents and his congregation relied.

In a time of concern about fiscal discipline, Bill believed that compas-

sionate spending was also critical and said:

A balanced budget is good for the country, poor and the affluent alike. I seek a budget that doesn't sacrifice programs for the poor and minorities, one that is fair and equitable.

He produced budgets in line with his priorities, challenging opponents to produce spending cuts that did not hit the most vulnerable. On the Foreign Affairs Committee, Bill championed aid for Africa and sponsored a bill to provide aid to African villages as well as appropriations to ensure minority-owned business participation in African aid programs. Bill took a strong and early stand against the Ethiopian Government and its role in making the famine worse. He was also a prominent critic of the South African apartheid regime.

In 1991 Bill Gray made a bold transition to minister in a new way on a topic of paramount importance to him, his family, and others. Of course, that topic was higher education.

He said at the time, and I am quoting:

Woodrow Wilson used to say, "My constituency is the next generation," and, you know, that's why I left Congress, because my constituency, really, is the next generation.

He accepted the position as president and CEO of the United Negro College Fund, the so-called UNCF, a philanthropic organization that helps more than 60,000 minority students each year to obtain a higher education. The United Negro College Fund not only manages 400 scholarship and internship programs which benefit 10,000 students but also provides operating funds for 38 historically Black colleges and universities. Tuition at these colleges averages 30 percent less than tuition at similar universities.

Bill Gray has said he wanted to support historically Black colleges and universities during a period when Black students were choosing to attend a wider range of colleges. During Bill's 12 years as president and CEO of the United Negro College Fund, his success in supporting these institutions was unprecedented—and that is an understatement. Bill sought innovative ways to attract new investment and increase existing funding. By the time he left the United Negro College Fund 12 years later, Bill and his team had raised more than \$1.54 billion. To put this in context, UNCF had raised a total of \$3.3 billion in its 67-year history.

He found new ways to solicit donations, increase the amount of in-kind contributions, and solicited from previously untapped foundations and individuals.

In 1999, Bill Gray secured a \$1 billion grant from the Bill and Melinda Gates Foundation to advance minority students' access to higher education in the science, math, engineering, and education fields. This grant created the Gates Millennium Scholarship Program and marked the largest philanthropic donation in the history of high-

er education in the United States of America. Bill's success at the United Negro College Fund put higher education within reach and ensured brighter futures for thousands of students across America.

We know, and those who know him know, that Bill Gray has never rested and he is never satisfied with one job at a time. While leading the United Negro College Fund, he was asked by President Clinton in 1994 to lead the efforts to restore democracy in Haiti. His work there earned him the Medal of Honor from the President of Haiti.

After leaving the Fund in the year 2004, Bill started Gray Global Strategies, Inc., and has served as director on multiple corporate boards including Dell, JPMorgan Chase, and Pfizer. He has also served as vice chairman for the Pew Commission on Children in Foster Care and has served on the United States Holocaust Memorial Council. He is currently the chairman of Gray Global Strategies, a worldwide business consulting and government affairs strategies firm.

Bill Gray has said that he has "always been taught by my folk, parents, grandparents, that service is a sort of the rent you pay for the space you occupy. And so, what I've tried to do is direct my life towards service based on faith and commitment and social justice."

Well said by a great leader, Bill Gray.

In the Senate today we express our gratitude for the excellent work of Rev. Bill Gray, Congressman Bill Gray, and you could add a few other titles as well. We express that gratitude for the excellent work of his "whole ministry," a commitment that has touched literally millions of men, women, and children across the world. His vision and achievements have reached far beyond the walls of his church and the Capitol where we stand today. We honor him on behalf of the people of the Bright Hope Baptist Church, the U.S. Congress, historically Black colleges and universities, and many more people around the world. We commend Bill Gray today. I congratulate him. We look forward to seeing him with us today.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

## EXECUTIVE SESSION

NOMINATION OF MARGO KITSY BRODIE TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK

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

The assistant editor of the Daily Digest read the nomination of Margo Kitsy Brodie, of New York, to be United States District Judge for the Eastern District of New York.

Mr. LEAHY. Mr. President, am I correct that the order is such that the vote will be at 5:30?

The PRESIDING OFFICER. The order is actually for 60 minutes of debate.

Mr. LEAHY. Mr. President, I ask unanimous consent that the vote be at 5:30.

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

Mr. LEAHY. Mr. President, certainly if the ranking member comes to the floor and wishes to change that, I would not object.

Earlier this month the Senate finally ended a four-month and two-day filibuster of the confirmation of Judge Adalberto Jordan and he is now the first Cuban-American to serve on the Eleventh Circuit. We also finally ended the five-month filibuster of the nomination of Jesse Furman, a former counselor to Attorney General Mukasey, and he is now a confirmed Federal trial judge in the Southern District of New York.

The Majority Leader should not have had to file cloture petitions for the Senate to vote on these outstanding judicial nominations. Senate Republicans have filibustered nine of President Obama's judicial nominations despite the fact that he has reached out to both Republican and Democratic home state Senators and nominated qualified, ideologically moderate men and women to fill vacancies on our Federal courts.

Before I turn to the nomination of Margo Brodie, another nomination that should have been confirmed last year after being reported by the Senate Judiciary Committee unanimously in October, I want to spend a moment reflecting on Senate Republicans' treatment of Jesse Furman. Judge Furman was a Federal prosecutor who also served as a top legal advisor to Attorney General Michael Mukasey during the George W. Bush administration. He was involved with the prosecutions of the Times Square bomber, the infamous Russian spies, and a Pakistani scientist with ties to Al Qaeda whose actions were responsible for the 1998 bombings of the U.S. embassies in Kenya and Tanzania. He has impeccable credentials including having clerked for Justice David Souter on the United States Supreme Court. Based on

his superior qualifications and bipartisan support, the Senate Judiciary Committee reported his nomination last September unanimously, without a single Republican Senator dissenting.

His nomination, like so many others, was then subjected to obstruction and delay. From the start of his term, Republican Senators have applied a double standard to President Obama's nominees. Senate Republicans have chosen to depart dramatically from the long tradition of deference to home state Senators on district court nominees. Instead, an unprecedented number of President Obama's highly-qualified district court nominees have been targeted for opposition and obstruction. That approach is a serious break from the Senate's practice of advice and consent. Since 1945, the Judiciary Committee has reported more than 2,100 district court nominees to the Senate. Of these 2,100 nominees, only six have been reported by party-line votes—only six total in the last 65 years. Five of those six party-line votes have been by Republican Senators against President Obama's highly-qualified district court nominees. In fact, only 22 of those 2,100 district court nominees were reported by any kind of split roll call vote at all, and eight of those, more than a third, have been by Republican Senators choosing to oppose President Obama's nominees. President Obama's nominees are being treated differently than those of any President, Democratic or Republican, before him.

Despite his qualifications and bipartisan supporters, Jesse Furman's nomination was stalled for more than five months by Senate Republicans. When the Majority Leader was able to break through and schedule debate and a vote, I saw something else I have not seen until recently. Republican Senators who had supported the nomination after studying it for months when it was before the Judiciary Committee for a hearing and vote, flipped and changed their votes.

In total, 34 Republican Senators voted against this highly-qualified nominee. I am at a loss as to why. It appears that Senators decided to ignore Jesse Furman's record and be swayed by mischaracterizations of a brief he had written in a religious freedom case or by something he wrote as an 18-year old freshman in college. I urge Senators, as I have for years, not to listen to the extreme special interests but to make their own judgments. I suspect that in this case it was the last-minute campaign by narrow special interests groups that accounted for the number of negative votes.

Today the Senate will vote on the confirmation of another highly-qualified, consensus nominee to the Federal bench. Margo Brodie has practiced law for 20 years including working as a Federal prosecutor in Brooklyn for the last 12. She has risen from the ranks of Assistant U.S. Attorney to Deputy Chief of General Crimes to Deputy

Chief of the Criminal Division. Ms. Brodie has successfully prosecuted numerous cases on matters ranging from violent crimes and drug offenses to white collar crimes. She has also led public corruption cases, successfully prosecuting criminals who embezzled funds and tried to bribe government agencies in her home state of New York.

Ms. Brodie has the support of both her home state Senators and was reported by the Senate Judiciary Committee on October 6, 2011, without a single dissent. She has demonstrated her commitment to the rule of law, her legal abilities and knowledge of the law. It is past time for the Senate to confirm this outstanding African-American woman to the Federal bench.

Margo Brodie is one of 20 judicial nominations approved by the Senate Judiciary Committee still awaiting a final vote. Fifteen of these nominations have been pending since last year and should have been confirmed before the end of last year. Eighteen of these nominees received strong bipartisan support from the Senate Judiciary Committee.

These nominees should be confirmed without further delay. Now in the fourth year of President Obama's first term, the number of judicial vacancies remains at 85. That is nearly double what they were at this point in President Bush's administration. One hundred and thirty million Americans live in circuits or districts with a judicial vacancy that could be filled if Senate Republicans would vote on judicial nominees that have already been voted on by the Senate Judiciary Committee and are stalled awaiting final Senate consideration.

The Senate is more than 40 confirmations behind the pace we set confirming President Bush's judicial nominees in 2001 through 2004. For the second year in a row, the Senate Republican leadership ignored long-established precedent and refused to allow votes before the December recess on the nearly 20 consensus judicial nominees who had been favorably reported by the Judiciary Committee.

Ultimately, it is the American people who pay the price for Senate Republican's unnecessary and harmful delay in confirming judges to our Federal courts. It is unacceptable for hard-working Americans who are seeking their day in court to find seats on one in 10 of those courts vacant. When an injured plaintiff sues to help cover the cost of medical expenses, that plaintiff should not have to wait for years before a judge hears his or her case. When two small business owners disagree over a contract, they should not have to wait years for a court to resolve their dispute.

I, again, urge Senate Republicans to stop the destructive delays that have plagued our nominations process. I urge them to stop the slow-walking of highly-qualified, consensus nominees. The American people deserve no less.