

Mr. KOHL. Mr. President, I move to reconsider the vote.

Mr. BROWNBACk. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BROWNBACk. Mr. President, I ask my colleagues, if people have amendments, that they come down to the floor now and start working on these. It would be my hope we can move through this bill as fast as possible so that we can get to the debate on Judge Sotomayor and have as much time as possible to deal with that. I urge colleagues to start working with us on these issues. By unanimous consent, the cloture vote has been scheduled for 5:30 today. There are things we need to get resolved; they should be taken care of now.

AMENDMENT NO. 2229, AS MODIFIED

Mr. BROWN. I send a modification to my amendment No. 2229 to the desk and ask unanimous consent that it be accepted as modified.

The ACTING PRESIDENT pro tempore. Without objection, the amendment is so modified.

The amendment, as modified, is as follows:

On page 85, between lines 16 and 17, insert the following:

SEC. 7. (a) The Commissioner of Food and Drugs may establish within the Food and Drug Administration a review group which shall recommend to the Commissioner of Food and Drugs appropriate preclinical, trial design, and regulatory paradigms and optimal solutions for the prevention, diagnosis, and treatment of rare diseases: *Provided*, That the Commissioner of Food and Drugs shall appoint 8 individuals employed by the Food and Drug Administration to serve on the review group: *Provided further*, That members of the review group shall have specific expertise relating to the development of articles for use in the prevention, diagnosis, or treatment of rare diseases, including specific expertise in developing or carrying out clinical trials.

(b) The Commissioner of Food and Drugs may establish within the Food and Drug Administration a review group which shall recommend to the Commissioner of Food and Drugs appropriate preclinical, trial design, and regulatory paradigms and optimal solutions for the prevention, diagnosis, and treatment of neglected diseases of the developing world: *Provided*, That the Commissioner of Food and Drugs shall appoint 8 individuals employed by the Food and Drug Administration to serve on the review group: *Provided further*, That members of the review group shall have specific expertise relating to the development of articles for use in the prevention, diagnosis, or treatment of neglected diseases of the developing world, including specific expertise in developing or carrying out clinical trials: *Provided further*, That for the purposes of this section the term "neglected disease of the developing world" means a tropical disease, as defined in section 524(a)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360m(a)(3)).

(c) The Commissioner of Food and Drugs shall—

(1) submit, not later than 1 year after the date of the establishment of review groups under subsections (a) and (b), a report to Congress that describes both the findings and recommendations made by the review groups under subsections (a) and (b);

(2) issue, not later than 180 days after submission of the report to Congress under paragraph (1), guidance based on such recommendations for articles for use in the prevention, diagnosis, and treatment of rare diseases and for such uses in neglected diseases of the developing world; and

(3) develop, not later than 180 days after submission of the report to Congress under paragraph (1), internal review standards based on such recommendations for articles for use in the prevention, diagnosis, and treatment of rare diseases and for such uses in neglected diseases of the developing world.

Mr. BROWNBACk. This is an amendment that has been cleared by both sides. It is on neglected and rare diseases. Senator BROWN has asked to be a cosponsor. I ask unanimous consent that the pending amendment be set aside and that this be considered the pending amendment and that it be passed.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. If there is no further debate on the amendment, the question is on agreeing to amendment No. 2229, as modified.

The amendment (No. 2229), as modified, was agreed to.

Mr. BROWNBACk. What we are trying to do is to work through the amendments to the degree we can. We certainly want to. I ask our colleagues to bring those to the floor as soon as they possibly can.

I suggest the absence of a quorum. The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. HAGAN. Mr. President, I ask unanimous consent to speak for 10 minutes as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SOTOMAYOR NOMINATION

Mrs. HAGAN. Mr. President, today I am pleased to rise in support of Judge Sonia Sotomayor's nomination to be an Associate Justice of the Supreme Court of the United States. Judge Sotomayor's background demonstrates that she is an extremely well-qualified, mainstream judge who has the utmost respect for precedent and believes in fidelity to the law.

I have always said I do not believe in a litmus test for judicial nominees, and I will look at the nominee's record as a whole. Judge Sotomayor's record, in its entirety, is nothing short of impressive. With 17 years on the Federal bench, she has more Federal judicial experience than any Supreme Court nominee in 100 years.

Judge Sotomayor has a compelling, "pull yourself up by your bootstraps" personal story. She was raised by a single mom who emphasized education as

she struggled to support her family while working as a nurse. With her mother's strong work ethic and focus on education deeply ingrained in her, Judge Sotomayor went on to graduate summa cum laude from Princeton University, and she received her law degree from Yale Law School, where she was editor of the Yale Law Journal.

She then became a prosecutor in the Manhattan District Attorney's office, where she was tough on criminals and gained valuable perspective for her later career as a judge. She also became active in many areas of her community, showing her desire to serve others and promote justice in society. Having served as a volunteer for many efforts in my hometown of Greensboro, North Carolina, I know how serving others can enhance one's understanding and appreciation of the world.

After her time as a prosecutor, Judge Sotomayor went into practice as a commercial litigator, where she dealt with business and finance law—an area of importance to my State of North Carolina. In 1991, upon the recommendation of then-Senator Daniel Patrick Moynihan of New York, she was nominated by President George H.W. Bush to serve as a Federal judge for the Southern District Court of New York, and in 1992 she was unanimously confirmed for that position by the Senate.

While serving as a district court judge, she was known for her toughness, fairness, and dedication to the law—characteristics of a strong judge. Because of her outstanding record on the district court level, Judge Sotomayor was nominated, in 1997, by President William Jefferson Clinton, to serve as a judge on the U.S. Court of Appeals for the Second Circuit. In 1998, the Senate confirmed her by a wide margin.

Among the Senators voting for her confirmation was former North Carolina Senator Jesse Helms. I would like to think that Senator Helms saw in Judge Sotomayor the same qualities President Obama saw: fairness of mind, supreme intellect, and an unsurpassed devotion to the law and to our system of government.

Some opponents have repeatedly brought up a few select comments made by Judge Sotomayor to suggest that she will not be impartial. However, Judge Sotomayor has made it clear she does not let her background influence her interpretation of the law. Her statements to the Judiciary Committee and her 17-year record on the bench confirm this.

As Judge Sotomayor has said:

My record shows that at no point or time have I ever permitted my personal views or sympathies to influence an outcome of a case. In every case where I have identified a sympathy, I have articulated it and explained to the litigant why the law requires a different result.

Judge Sotomayor has also said that as much as her experiences influence her perspective, they have also taught