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**Subject:** : Brooks Smith Hearing/Biden Filibuster Threat

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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SUBJECT:: Brooks Smith Hearing/Biden Filibuster Threat

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The Brooks Smith confirmation hearing is over and went well. The most excitement came from a threatened filibuster by Biden. Here is the AP's account of what Biden said:

"Sen. Joseph Biden, D-Del., threatened to filibuster Smith's nomination if he refuses to answer committee questions by claiming he might have to make a ruling on certain issue. Biden pointed out that in 1993 Smith talked about the Violence Against Women Act, which was going to be challenged in court, in front of the conservative Federalist Society.

"'You were a sitting federal judge,' Biden said. 'If you suggest to me that you cannot respond in the same way you responded as a sitting federal judge on the Violence Against Women Act, then I will do everything in my power to defeat you including moving to the Senate floor to take an action I've never taken in my life as a United States senator, a filibuster.'"



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