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Senate

The Senate met at 10 a.m. and was called to order by the Honorable MICHAEL ENZI, a Senator from the State of Wyoming.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Awesome God of the universe, Creator of the changes of day and night, giver of rest to the weary, Your works are great and Your ways are just and true. Thank You for Your mercies and for Your blessings on our work. Thank You for the riches of Your grace that make salvation possible. Forgive our doubts, anger, and pride. As we look to You, may we learn to esteem others as more important than ourselves. Give Your wisdom to our Senators that they may be instruments of Your providence. Keep them from sin, evil, and fear, for You are our light and salvation and strength. Give us that peace which the world can neither give nor take away. Fix our minds on the doing of Your will. To You be the glory for endless ages. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MICHAEL ENZI led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 20, 2004.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable MICHAEL B. ENZI, a Senator from the State of Wyoming, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. ENZI thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business for statements only for up to 60 minutes, with the first half of the time under the control of the majority leader or his designee, and the second half of the time under the control of the Democratic leader or his designee.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Idaho.

SCHEDULE

Mr. CRAIG. Mr. President, today, following 1 hour of morning business, the Senate will resume consideration of the nomination of William Myers III to be U.S. circuit court judge for the Ninth Circuit. A cloture vote is scheduled on the Myers nomination at 2:15 today, and that will be the first vote of the day. As a reminder, the Senate will recess from 12:30 to 2:15 to allow the weekly party luncheons to meet. Additional votes are possible today following the scheduled cloture vote. The Morocco Free Trade Agreement may be available, and we may begin consideration of the bill under the statutory limit.

As always, Members will be notified as additional votes are scheduled.

VOTE ON WILLIAM MYERS

Mr. CRAIG. Mr. President, I see the minority leader in the Chamber. I will make a few brief comments prior to him taking the floor.

This morning, we will be in morning business, and I want to make a couple of comments about my frustration at this moment. William Myers is a Ninth Circuit court nominee from the President to fill the Idaho position. He is a phenomenal and highly qualified young man who has served as Solicitor at the Department of Interior. He was nominated well over a year ago and brought before the committee. He handled himself extremely well and professionally. He has been a man who has had experience in both the public and the private sector. He served on the Judiciary Committee under the former Senator from the State of Wyoming. He is a top-flight man.

Yesterday, as we debated the nomination of Bill Myers, no one from the other side came. The reason they did not is that we were served notice some months ago that Bill Myers would not receive a vote this year. We could try to cloture him, but they were going to block a vote against him. Was he qualified? Yes. Should he serve? Yes. Is he the selection of the President? Yes. Should he have an up-or-down vote? Absolutely. But that is not going to happen.

He is now the eighth judge the other side has just flat told us does not serve their political purpose, and therefore they will not allow us a vote. That is constitutional obstructionism in the first order of the advise and consent of our Constitution.

So here is a young man who came to Washington out of college to serve his U.S. Senator, served with honor with the Judiciary Committee, worked for a

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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