

SENATE—Friday, July 20, 2001

The Senate met at 9:15 a.m. and was called to order by the Presiding Officer, the Honorable JON S. CORZINE, a Senator from the State of New Jersey.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Loving Father, we want to know You so well, trust You so completely, seek Your wisdom so urgently, and receive Your inspiration so intentionally that we will be people attentive to the guidance of Your Spirit. May we be totally available for the influence of Your Spirit. Help us to be as receptive to Your direction. Alarm us with disquiet in our souls if what we plan is less than Your best. With equal force confirm any convictions that will move forward what You think is best for us. Place Your hand on the Senators' shoulders today. Remind them that You are with them and will guide them. You are Jehovah Shamah: You will be there! Amen.

PLEDGE OF ALLEGIANCE

The Honorable JON S. CORZINE 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. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 20, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JON S. CORZINE, a Senator from the State of New Jersey, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. CORZINE thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

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

EXECUTIVE SESSION

NOMINATION OF ROGER L. GREGORY TO BE UNITED STATES CIRCUIT JUDGE

NOMINATION OF SAM E. HADDON TO BE UNITED STATES DISTRICT JUDGE

NOMINATION OF RICHARD F. CEBULL TO BE UNITED STATES DISTRICT JUDGE

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now go into executive session to consider en bloc Executive Calendar Nos. 250, 245, and 246, which the clerk will report.

The legislative clerk read the nominations of Roger L. Gregory, to be United States Circuit Judge for the Fourth Circuit; Sam E. Haddon, to be United States District Judge for the District of Montana; and Richard F. Cebull, to be United States District Judge for the District of Montana.

The ACTING PRESIDENT pro tempore. The Senator from Nevada is recognized.

Mr. REID. Mr. President, I ask unanimous consent that whatever time I consume not be charged against the two managers of these nominations.

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

Mr. REID. Mr. President, there will be 30 minutes of debate in relation to the three judicial nominations, followed by three rollcall votes beginning at approximately 9:50 a.m.

Mr. President, the first vote will be under the regular order. The next votes will be 10 minutes each. These are the only rollcall votes today. The next rollcall votes will occur Monday at approximately 5:45 p.m.

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be 30 minutes for debate, to be equally divided between the Senators from Vermont and Utah or their designees.

The Senator from Vermont is recognized.

Mr. LEAHY. I thank the Chair. I see my good friend from Utah is here, as well as the Senators from Montana and Virginia.

Mr. President, it took the Senate the entire month of June to pass S. Res. 120, a very simple resolution in which we organized our committees. As one Senator, I am sorry we lost the month

of June to the process of reorganizing the Senate, but I am proud of the very quick start of the Judiciary Committee on holding hearings and reporting nominees.

I sent out official notice of the committee's first hearing on judicial nominations within 10 minutes after the majority leader announced an agreement had been reached on reorganization. The hearing on judicial nominations was held the very first day after committee membership assignments were completed earlier this month.

We expedited committee consideration of the nominees by urging all Senators to propound such followup written questions as they thought necessary as soon as possible after the hearing. I included them on the committee agenda for our business meeting this week.

At that meeting yesterday, the Judiciary Committee voted unanimously to report each of the judicial nominations. Each vote was 19-0, and the other nominations on the calendar were voice voted.

These are the first judicial nominations heard before the committee, the first judicial nominations considered by the committee, and they will now be the first judicial nominations considered by the Senate this year.

I have only served as chairman of the Judiciary Committee since June 5, the Senate did not adopt its reorganizing resolution until June 29, and committee assignments were not made until July 10. So we have been moving pretty rapidly since the Senate allowed us to go forward.

There were no hearings on judicial nominations and no judges confirmed by the Senate during the months in which I was privileged to serve as the ranking Democrat. I chaired the first hearing on July 11. That was the first hearing on judicial nominations all year.

The first judge we confirm today will be the first judge confirmed in the 107th Congress. I heard the rumors that those on our side of the aisle would not hold hearings and would not consider any of President Bush's judicial nominations. We even heard some words that the Democrats might block all judges. Of course, we demonstrated very clearly that is not the case.

We set a pace, one of the fastest paces I have seen in my 25 years on the committee under both Democratic and Republican Chairs. We held a hearing noticed minutes after the Senate's reorganization. We proceeded with nominees of both the court of appeals and district court the day after committee