

commend the past success and continued contributions of those men and women of our Armed Services who comprise the United States European Command.

This Thursday, August 1, the U.S. European Command will celebrate its 50th anniversary. Over the last 50 years the European Command has played a critical part in the successful preservation of peace and stability in and around Europe, and they continue to do so today.

For more than 35 years during the cold war, the primary mission of the European Command Headquarters, established in Frankfurt, Germany in 1952, was to fulfill United States treaty obligations to NATO by providing combat ready forces to counter the Soviet threat and ensure peace in Europe, Africa and portions of the Middle East.

With the collapse of the Soviet empire, the responsibilities of the European Command changed dramatically. Since that time, it has engaged in a wide spectrum of security cooperation activities that have helped ensure stability and promote Democratic and market-oriented governments in countries emerging from Communism and other authoritarian regimes.

Simultaneously, it has conducted numerous operations to end regional wars, reduce ethnic conflict and limit the suffering caused by man-made and natural disasters.

Our European Command continues to make valuable contributions today. To conduct security cooperation activities and respond to regional threats to our national interests, The Command typically has approximately 117,000 service members, or about eight percent of the U.S. active duty military. This is a small investment by any measure for such a vast range of responsibilities across Europe, the Middle East and two-thirds of Africa.

As I speak, the European Command is involved in five on-going combat operations. Its forces are patrolling the skies over the northern no-fly zone to enforce United Nations Security Council Resolutions against Iraq as part of Operation Northern Watch.

In Bosnia and Kosovo, the European Command contributes with our NATO allies in Operations Joint Forge and Joint Guardian respectively, to ensure security, promote stability and allow those fragmented societies to rebuild their civil institutions and restore the rule of law.

In the former Yugoslav Republic of Macedonia, it is providing on-call support to the international community's monitors working there as part of Operation Amber Fox. And, U.S. European Command is making substantial contributions to Operation Enduring Freedom and to the global war on terrorism in general. Most recently, it deployed a small force to the Republic of Georgia to train and equip their forces to more effectively protect their own territorial integrity.

The invaluable contributions of our military men and women working at

the Headquarters—today located in Stuttgart, Germany—have continued without interruption.

The legacy of their service, dedication and accomplishments is to be highly commended, and the importance of their continued contributions to future regional peace and to the preservation of our national interests cannot be overstated.

On the 50th anniversary of the establishment of the U.S. European Command, it is fitting that we honor the millions of dedicated American men and women who have served, and continue to serve our Nation overseas.

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

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, has 5:30 p.m. arrived?

The PRESIDING OFFICER. It has.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

#### NOMINATION OF JULIA SMITH GIBBONS TO BE UNITED STATES CIRCUIT JUDGE—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will now go into executive session and proceed to vote on Executive Calendar No. 810, which the clerk will report.

The legislative clerk read the nomination of Julia Smith Gibbons, of Tennessee, to be United States Circuit Judge for the Sixth Circuit.

#### CONFIRMATION OF JUDGE JULIA SMITH GIBBONS

Mr. LEAHY. Mr. President, with today's vote, the Senate will confirm the 12th judge to our Federal courts of appeals and our 61st judicial nominee since the change in Senate majority last summer. In little more than 1 year, the Senate Judiciary Committee has already voted on 75 of this President's judicial nominees, including 15 nominees to the courts of appeals. This is more circuit and district court nominees than in any of the previous 6½ years of Republican control. In fact, we have given votes to more judicial nominees than in 1996 and 1997 combined, as well as in 1999 and 2000 combined.

Despite the partisan din about blockades and stalls and inaction as well as

absurd claims that judicial nominees are being held "hostage"—the fact is that since the change in majority last summer the Senate, and in particular the Judiciary Committee, has been working at a much faster rate than in the 6½ years of Republican control. With respect to courts of appeals nominees, we confirmed the first of President Bush's nominees last July 20 and today we confirm the 12th. That is a confirmation rate of approximately one circuit court nominee confirmed per month. By contrast, in the 76 months in which Republicans were in charge, only 46 courts of appeals judges were confirmed, at a rate closer to one every two months. Thus, despite the additional obstacles and roadblocks that the partisan practices of the new administration have created and the partisan rhetoric of our critics, we are actually achieving almost twice as much as our Republican counterparts did. With a little cooperation from the administration and the nomination of more moderate, mainstream candidates, we would be even further along.

During the 76 months under the Republican control before the Judiciary Committee was allowed to reorganize, vacancies on the Federal courts rose from 63 to 110. Vacancies on the Courts of Appeals more than doubled from 16 to 33. That is the situation created by Republican inaction and that is the situation we inherited. Since the change in majority, confirmations have gone up and vacancies have been going down.

Courts of Appeals vacancies are being decreased rather than continuing to increase, despite the high level of attrition since the shift in Senate majority last summer.

Indeed, in the last year the Judiciary Committee held the first hearing on a Fifth Circuit nominee in 7 years, the first hearing on a Tenth Circuit nominee in 6 years, the first hearing on a Sixth Circuit nominee in almost 5 years, the first hearing on a Fourth Circuit nominee in 3 years, the first hearing on a Ninth Circuit nominee in 2 years. This week we held hearings on a third nominee to the Fifth Circuit in less than a year. This contrasts with the lack of any confirmation hearing on any of President Clinton's nominees to the Fifth Circuit in the last 5½ years of Republican control of the confirmation process, despite three qualified nominees to vacancies there.

The nominee being considered today is the first nominee to the Sixth Circuit to be given a vote by the Senate since 1997.

After that, the Republican majority locked the gates and despite a number of well-qualified nominees sent to the Senate by President Clinton between 1995 and 2001, none were allowed to receive a hearing or a vote for all of 1998, 1999, 2000 and the first 3 months of 2001. Most of the vacancies that exist on the Sixth Circuit arose during the Clinton administration and before the change in majority last summer.

Yet not one of the Clinton nominees to those current vacancies on the Sixth Circuit received a hearing by the Judiciary Committee under Republican leadership.

The Sixth Circuit vacancies are a prime and unfortunate legacy of the past partisan obstructionist practices under Republican leadership and one of a number of examples of circuits in which the vacancies were preserved rather than filled by the former Republican majority in the Senate.

That is what created the problem that we are now trying to correct. Vacancies on the Sixth Circuit were perpetuated during the last several years of the Clinton administration when the Republican majority refused to hold hearings on the nominations of Judge Helene White, Kathleen McCree Lewis, and Professor Kent Markus to those vacancies in the Sixth Circuit.

One of those seats has been vacant since 1995, the first term of President Clinton. Judge Helene White of the Michigan Courts of appeals was nominated in January 1997 and did not receive a hearing on her nomination during the more than 1,500 days before her nomination was withdrawn by President Bush in March of last year.

Judge White's nomination may have set one or a number of unfortunate records for obstruction established during the years 1996–2001. Her nomination was pending without a hearing before this committee for over 4 years 51 months.

She was first nominated in January 1997 and renominated and renominated through March of last year when President Bush chose to withdraw her nomination.

This was at a time when the committee averaged hearings on only nine courts of appeals nominees a year and, in 2000, held only five hearings on courts of appeals nominees all year. In contrast, Judge Gibbons was the 11th courts of appeals nominees voted on by the committee during the first 10 months of a Democratic majority.

As of today, the Democratic-led Judiciary Committee has held hearings for 17 of President Bush's courts of appeals nominees in less than 13 months, and we will hold our 18th hearing for a courts of appeals nominee this week.

Kathleen McCree Lewis, a distinguished lawyer from a prestigious Michigan law firm, also did not receive a hearing on her 1999 nomination to the Sixth Circuit during the years it was pending before it was withdrawn by President Bush in March 2001. She is the daughter of Wade McCree, a former Solicitor General of the United States and former Sixth Circuit judge.

Professor Kent Markus, another outstanding nominee to a vacancy on the Sixth Circuit that arose in 1999, never received a hearing on his nomination before his nomination was returned to President Clinton without action in December 2000.

While Professor Markus' nomination was pending, his confirmation was sup-

ported by individuals of every political stripe, including: 14 past presidents of the Ohio State Bar Association; more than 80 Ohio law school deans and professors; prominent Ohio Republicans, including Ohio Supreme Court Chief Justice Thomas Moyer, Ohio Supreme Court Justice Evelyn Stratton, Congresswoman DEBORAH PRYCE, and Congressman DAVID HOBSON; the National District Attorneys Association; and virtually every major newspaper in the State.

Professor Markus summarized his experience as a Federal judicial nominee in testimony this May in a hearing before Senator SCHUMER. Here are some of things he said:

On February 9, 2000, I was the President's first judicial nominee in that calendar year. And then the waiting began. . . . At the time my nomination was pending, despite lower vacancy rates than the 6th Circuit, in calendar year 2000, the Senate confirmed circuit nominees to the 3rd, 9th and Federal Circuits. . . . No 6th circuit nominee had been afforded a hearing in the prior two years. Of the nominees awaiting a Judiciary Committee hearing, there was no circuit with more nominees than the 6th Circuit.

With high vacancies already impacting the 6th Circuit's performance, and more vacancies on the way, why, then, did my nomination expire without even a hearing? To their credit, Senator DEWINE and his staff and Senator HATCH's staff and others close to him were straight with me.

Over and over again they told me two things: No. (1) There will be no more confirmations to the 6th Circuit during the Clinton Administration, and No. (2) This has nothing to do with you; don't take it personally it doesn't matter who the nominee is, what credentials they may have or what support they may have—see item number 1. . . .

The fact was, a decision had been made to hold the vacancies and see who won the presidential election. With a Bush win, all those seats could go to Bush rather than Clinton nominees.

As Professor Markus identified, some on the other side of the aisle held these seats open for years for another President to fill, instead of proceeding fairly on the consensus nominees pending before the Senate. Republicans were unwilling to move forward, even knowing that retirements and attrition would create four additional seats that would arise naturally for the next President. That is why there are now eight vacancies on the Sixth circuit and why it is half empty.

Long before some of the recent voices of concern were raised about the vacancies on that court, Democratic Senators in 1997, 1998, 1999, and 2000 implored the Republican majority to give the Sixth Circuit nominees hearings. Those requests, made not just for the sake of the nominees but for the sake of the public's business before the court, were ignored. Numerous articles and editorials urged the Republican leadership to act on those nominations, to no avail.

Fourteen former presidents of the Michigan State Bar pleaded for hearings on those nominations.

The former chief judge of the Sixth Circuit, Judge Gilbert Merritt, wrote

to the Judiciary Committee chairman years ago to ask that the nominees get hearings and that the vacancies be filled.

The chief judge noted that, with four vacancies—the four vacancies that arose in the Clinton administration—the Sixth Circuit “is hurting badly and will not be able to keep up with its work load due to the fact that the Senate Judiciary Committee has acted on none of the nominations to our Court.”

He predicted: “By the time the next President is inaugurated, there will be 6 vacancies on the Courts of appeals. Almost half of the Court will be vacant and will remain so for most of 2001 due to the exigencies of the nomination process. Although the President has nominated candidates, the Senate has refused to take a vote on any of them.” Nonetheless, no Sixth Circuit hearings were held in the last 3 years of the Clinton administration, despite these pleas. Not one. Since the shift in majority last summer, the situation has been exacerbated further as two additional vacancies have arisen.

The committee's April 25th hearing on the nomination of Judge Gibbons to the Sixth Circuit was the first hearing on a Sixth Circuit nomination in almost 5 years, even though three outstanding, fair-minded individuals were nominated to the Sixth Circuit by President Clinton and were pending before the committee for anywhere from 1 year to over 4 years. We have not stopped there but have proceeded to hold a hearing on a second Sixth Circuit nominee, Professor John Rogers of Kentucky, and the Judiciary Committee has acted on that nomination, as well.

Large numbers of vacancies continue to exist on many courts of appeals, in large measure because the recent Republican majority was not willing to hold hearings or vote on more than half—56 percent—of President Clinton's courts of appeals nominees in 1999 and 2000 and was not willing to confirm a single judge to the courts of appeals during the entire 1996 session. As I have noted, from the time the Republicans took over majority control of the Senate in 1995 until the reorganization of the committee last July, circuit vacancies increased from 16 to 33, more than doubling.

Democrats have broken with the Republican majority's history of inaction. I certainly understand the frustration of Senator LEVIN and Senator STABENOW. I know first hand the efforts they have made to solve the problems in their circuit. I know that many of us have suggested ways to the White House to break through and resolve the impasse. As the chairman of the Judiciary Committee, despite my personal doubts and reservations about this nominee due to some of her decisions as a Federal district court judge, I will vote to confirm her, due to her overall record, her testimony before the committee and the strong support of Senator THOMPSON.

I respect the effort and views of Senator THOMPSON and want to send what help we can to the Sixth Circuit. Far from payback for Republican actions in the recent past, this action is being taken in spite of those wrongs and to begin solving the problems that they have created.

Mr. HATCH. Mr. President, I rise in support of the nominations of three excellent Federal court judges, Judge Julia Smith Gibbons, Joy Flowers Conti, and John E. Jones.

Judge Gibbons, nominated to the Sixth Circuit Court of Appeals last fall, is a jurist with a fine legal mind, a strong work ethic, and a widely admired judicial temperament. I have reviewed few records of public service and personal accomplishment more outstanding than hers. It seems to me that it was for good reason that in 2000 she received a recognition called Heroine for Women in the Law Award.

But that is just one of her accomplishments. Judge Gibbons graduated magna cum laude and Phi Beta Kappa from Vanderbilt University and then with honors from the University of Virginia School of Law, where she was an editor for the Law Review. She went on to clerk for the late Honorable William E. Miller on the Sixth Circuit Court of Appeals, where we now hope she will soon return after a distinguished career which has included service as deputy counsel for Governor Lamar Alexander and Tennessee State court judge. Since 1983 she has served as U.S. District Court Judge for the Western District of Tennessee, sitting with the Sixth Circuit Court of Appeals several times. Notably she was the first female Federal judge in Tennessee and one of the youngest Federal judges in history.

Judge Gibbons exemplifies the qualities of the nominees the President has sent us—superbly accomplished, fully devoted to public service, and well prepared for the Federal bench. Judge Gibbons enjoys the support of Democrats and Republicans and everyone who knows her work. She is backed by her home State legislators. Senator THOMPSON says she is “an outstanding person and jurist . . . [who will] serve the court with dignity and distinction.” Senator FRIST has described her a “trailblazer for women in the legal profession [who] exemplifies in both her professional and personal life the character that makes us a great Nation.” Democratic Congressman HAROLD FORD, JR., has noted that Judge Gibbons has “earned a solid reputation of applying the law in a manner consistent with our nation’s commitment to equal protection under the law.”

Judge Gilbert S. Merritt, whose seat on the Sixth Circuit Judge Gibbons will occupy, calls her a “very able and distinguished Federal judge” and adds that he would be “very happy to be replaced by her on our court.”

Members of the Memphis, TN, legal community have added their own high praise. For example, Pat Arnoult, president of the Memphis Bar Association, cites her “keen mind” and “good work ethic.” Charles Burson, former

chief of staff and legal counsel to former Vice President Gore and Tennessee attorney general, cites with first hand experience her intellect, knowledge, evenhandedness, and exceptional judicial temperament. Judge Gibbons has won the respect and bipartisan support of legislators, attorneys, Federal judges, and Tennessee citizens.

Judiciary Committee unanimously approved Judge Gibbons’s nomination on May 2 after a hearing that raised no issues of concern. We have waited too long to act on her nomination on the Senate floor. With a 50 percent vacancy rate in the Sixth Circuit, we cannot afford to delay any longer.

The two Pennsylvania district court nominees currently on the floor also deserve our full support. Joy Flowers Conti, nominated to the Western District of Pennsylvania, possesses years of civil litigation experience and years of meaningful service and leadership in her community. After graduation from Duquesne University School of Law, where she graduated summa cum laude and finished first in her class, Ms. Conti clerked for Justice Louis Manderino of the Supreme Court of Pennsylvania.

For the following two years, Ms. Conti worked with the Pittsburgh firm of Kirkpatrick & Lockhart, where she focused on business bankruptcy, commercial finance, and other corporate law matters. She then joined the faculty of Duquesne School of Law as a professor, teaching classes on civil procedure, corporate finance, corporate readjustments and reorganizations, corporations and creditors’ and debtors’ rights.

In 1982, Ms. Conti returned to her former firm, Kirkpatrick & Lockhart, and was named a partner in 1983. She again concentrated her practice in business bankruptcy. She remained with the firm until 1996, when she joined her current firm, Buchanan Ingersoll, to handle business bankruptcy cases, health care matters, and non-profit corporation issues.

While serving as cochair of the Pennsylvania Bar Association’s Task Force for the Poor, she has helped with efforts to improve access to legal services for indigent residents. She also initiated a program providing employment for disadvantaged high school students in local legal offices, donating approximately 200 ours to the cause.

John E. Jones, our nominee to the U.S. District Court for the Eastern District of Pennsylvania, is similarly distinguished jurist. Mr. Jones earned his undergraduate and law degrees from Dickinson College. After graduation, he joined the Pottsville law firm of Dolbin & Cori as an associated and worked part time as a clerk for Judge Guy A. Bowe of the Schuylkill County Court of Common Pleas. After 2 years, Mr. Jones became a partner at Dolbin & Cori.

In 1984, Mr. Jones began an 11-year association as a part-time assistant public defender with the Schuylkill County Public Defender’s Office. His caseload included defending capital

murder and criminal homicide cases. Mr. Jones now works for his own firm, concentrating on bankruptcy, personal injury, family, real estate, and corporate law.

In 1995, Mr. Jones was appointed and confirmed to the office of chairman of the Pennsylvania Liquor Control Board. The Control Board is responsible for the sale and regulation of all alcohol products in Pennsylvania. The Control Board also runs the State’s Alcohol Education Program. As chairman, Mr. Jones has utilized his skills and experience as a practicing attorney to change the State’s liquor licensing procedures. As head of the State’s Alcohol Education Program, he has been a tireless advocate against drunk driving and underage drinking. In November 2000, Mr. Jones received the Government Leadership Award from the National commission Against Drunk Driving in Washington, DC. In May 1999, he was renominated and confirmed for a second 4-year term as Control Board’s Chairman.

I am confident that these three Federal court nominees—Julia Smith Gibbons, Joy F. Conti, and John E. Jones—will each make fine additions to the Federal judiciary. They deserve our swift confirmation.

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Julia Smith Gibbons, of Tennessee, to be United States Circuit Judge for the Sixth Circuit? The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. REID. I announce that the Senator from Florida (Mr. NELSON), is necessarily absent.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS), the Senator from Ohio (Mr. DEWINE), the Senator from Arkansas (Mr. HUTCHINSON), and the Senator from Kentucky (Mr. MCCONNELL), are necessarily absent.

The PRESIDING OFFICER (Mr. CARPER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 194 Ex.]

YEAS—95

Akaka	Burns	Craig
Allard	Byrd	Crapo
Allen	Campbell	Daschle
Baucus	Cantwell	Dayton
Bayh	Carnahan	Dodd
Bennett	Carper	Domenici
Biden	Chafee	Dorgan
Bingaman	Cleland	Durbin
Bond	Clinton	Edwards
Boxer	Cochran	Ensign
Breaux	Collins	Enzi
Brownback	Conrad	Feingold
Bunning	Corzine	Feinstein

Fitzgerald	Landrieu	Sarbanes
Frist	Leahy	Schumer
Graham	Levin	Sessions
Gramm	Lieberman	Shelby
Grassley	Lincoln	Smith (NH)
Gregg	Lott	Smith (OR)
Hagel	Lugar	Snowe
Harkin	McCain	Specter
Hatch	Mikulski	Stabenow
Hollings	Miller	Stevens
Hutchison	Murkowski	Thomas
Inhofe	Murray	Thompson
Inouye	Nickles	Thurmond
Jeffords	Reed	Torricelli
Johnson	Reid	Voinovich
Kennedy	Roberts	Warner
Kerry	Rockefeller	Wellstone
Kohl	Santorum	Wyden

NOT VOTING—5

DeWine	Hutchinson	Nelson (FL)
Helms	McConnell	

Mr. FRIST. Mr. President, I rise today to thank my colleagues for the confirmation of Julia Smith Gibbons to the U.S. Court of Appeals for the Sixth Circuit. I am also grateful to President Bush for his nomination of this outstanding judge whose distinguished life is an example of the American dream.

Raised in Pulaski, TN, Judge Gibbons has been a trailblazer for women in the legal profession, and exemplifies in both her professional and personal life the character that makes us a great nation—active in her church and community, a supportive and loving wife to her husband, Bill, for 29 years, and a proud mother of two wonderful children, Carey and Will. A product of small town America and the solid values that her family instilled in her, as valedictorian of her senior class at Giles County High School, Julia was obviously poised to accomplish great things.

With an outstanding record of achievement at Vanderbilt University and the University of Virginia Law School, Judge Gibbons headed home to Tennessee to begin her legal career. She served then-Governor Lamar Alexander as his legal advisor, and in 1981, she became the first female trial judge of a court of record in Tennessee. President Reagan recognized her talent and skill, and just 2 years later, in 1983, she was confirmed by the Senate as a U.S. District Judge in the Western District of Tennessee. At that time, Julia became the first female Federal judge in Tennessee, and was the youngest person on the Federal bench in the country, and the second youngest in the Nation's history ever appointed to a district court judgeship. Despite her tender years, her legal acumen and human touch soon made her one of the brightest stars in our Federal judicial system.

Judge Gibbons is known for being bright, industrious, thorough, evenhanded and someone who truly loves the law. She is everything anyone could want in a judge, and will continue to serve our country with distinction on the Sixth Circuit.

NOMINATION OF JOY FLOWERS CONTI, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes for debate equally divided prior to the vote on Executive Calendar No. 827, which the clerk will report.

The legislative clerk read the nomination of Joy Flowers Conti, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

The PRESIDING OFFICER. Who yields time?

Mr. LEAHY. Mr. President, with today's votes on these judicial nominations to the Federal district courts in Pennsylvania, the Democratic-led Senate will have confirmed 63 judicial nominees since the change in Senate majority a little more than 1 year ago. I commend Majority Leader DASCHLE for having worked through the problems created by the White House's refusal to proceed in a bipartisan way with nominations to bipartisan boards and commissions and for having worked with Senator MCCAIN to get to this point.

I understand Senator MCCAIN's frustration with the White House and how it is treating nominations but thank him for allowing us to proceed with these judicial nominations at this time. In fact, this majority leader has worked hard to bring these nominations to the floor and his efforts have included having to proceed by way of cloture on three nominees in the last few weeks. He has gone the extra mile and that should be acknowledged.

Similarly, the Judiciary Committee continues to make efforts that were not made by the Republican leadership.

We have held hearings on a record number of nominees and reported a record number of nominees. Seventy-five judicial nominees have been voted on by the Judiciary Committee since the change in majority last summer. This week we will hold a hearing for the 82nd, 83rd, 84th and 85th judicial nominees, including our 18th circuit court nominee. We have proceeded with nominees to fill vacancies even though Republicans held up moderate nominees by President Clinton to those same vacancies. We have confirmed new judges for the Fourth, Fifth, and Sixth Circuit courts of appeals for the first time in three, six and five years, respectively. So much for the partisan critics who scream about a blockage of President Bush's nominees by Democrats in the Senate. The facts are that we have been fairer to President Bush's nominees than the Republicans were to President Clinton's.

Today is another example. The Senate has acted quickly on these nominations to the district courts in Pennsylvania. Joy Flowers Conti participated in a hearing in May, within weeks of her paperwork being complete. I know that Senator SPECTER strongly sup-

ports Ms. Conti's nomination, as well as Mr. JONES, and he specifically requested that she be accorded a hearing as soon as possible. Likewise John Jones received a hearing in May, shortly after his paperwork was completed.

With today's votes on two Pennsylvania nominees, the Judiciary Committee will have held hearings for 10 district court nominees from that State, including Judge Davis, Judge Baylson, and Judge Rufe, who were confirmed in April, and Judge Conner, who was just confirmed last Friday. Those confirmations illustrate the progress being made under Democratic leadership and the fair and expeditious way this President's nominees are being treated.

With today's confirmations, there is no State in the Union that has had more Federal judicial nominees confirmed by this Senate than Pennsylvania. I think that the Senate Judiciary Committee and the Senate as a whole have done well by Pennsylvania. Contrast this with the way vacancies in Pennsylvania were left unfilled during Republican control of the Senate, particularly regarding nominees in the western half of the State.

Despite the best efforts and diligence of my good friend from Pennsylvania, Senator SPECTER, to secure confirmation of all of the judicial nominees from every part of his home State, there were seven nominees by President Clinton to Pennsylvania vacancies that never got a hearing or a vote.

A good example of the contrast is the nomination of Judge Legrome Davis. He was first nominated to the position of U.S. District Court Judge for the Eastern District of Pennsylvania by President Clinton on July 30, 1998.

The Republican-controlled Senate took no action on his nomination and it was returned to the President at the end of 1998. On January 26, 1999, President Clinton renominated Judge Davis for the same vacancy. The Senate again failed to hold a hearing for Judge Davis and his nomination was returned after 2 more years.

Under Republican leadership, Judge Davis' nomination languished before the committee for 868 days without a hearing. Unfortunately, Judge Davis was subjected to the kind of inappropriate partisan rancor that befell so many other nominees to the district courts in Pennsylvania during the Republican control of the Senate.

The lack of Senate action on Judge Davis's initial nominations is in no way attributable to a lack of support from the senior Senator from Pennsylvania. Far from it. In fact, I give Senator SPECTER full credit for getting President Bush to renominate Judge Davis earlier this year and commended him publicly for all he has done to support this nomination from the outset.

This year we moved expeditiously to consider Judge Davis, and he was confirmed in just 84 days.

The saga of Judge Davis recalls for us so many nominees from the period of