

asset to the Federal bench. I urge my colleagues to join me in supporting his nomination.

The PRESIDING OFFICER. Is all time yielded back?

Mr. LEAHY. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of R. David Proctor, of Alabama, to be United States District Judge for the Northern District of Alabama? The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. McCONNELL. I announce that the Senator from Utah (Mr. HATCH) is necessarily absent.

I further announce that the Senator from Oregon (Mr. SMITH) is absent because of a death in the family.

I further announce that if present and voting, the Senator from Utah (Mr. HATCH) would vote "yea".

Mr. REID. I announce that the Senator from North Carolina (Mr. EDWARDS), the Senator from Florida (Mr. GRAHAM), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Massachusetts (Mr. KERRY), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from Georgia (Mr. MILLER) are necessarily absent.

I further announce that if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote "yea".

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

The result was announced—yeas 92, nays 0, as follows:

[Rollcall Vote No. 352 Ex.]

YEAS—92

Akaka	Dayton	Lott
Alexander	DeWine	Lugar
Allard	Dodd	McCain
Allen	Dole	McConnell
Baucus	Domenici	Mikulski
Bayh	Dorgan	Murkowski
Bennett	Durbin	Murray
Biden	Ensign	Nelson (FL)
Bingaman	Enzi	Nelson (NE)
Bond	Feingold	Nickles
Boxer	Feinstein	Pryor
Breaux	Fitzgerald	Reed
Brownback	Frist	Reid
Bunning	Graham (SC)	Roberts
Burns	Grassley	Rockefeller
Byrd	Gregg	Santorum
Campbell	Hagel	Sarbanes
Cantwell	Harkin	Schumer
Carper	Hutchinson	Sessions
Chafee	Inhofe	Shelby
Chambliss	Inouye	Snowe
Clinton	Jeffords	Specter
Cochran	Johnson	Stabenow
Coleman	Kennedy	Stevens
Collins	Kohl	Sununu
Conrad	Kyl	Talent
Cornyn	Landrieu	Thomas
Corzine	Lautenberg	Voinovich
Craig	Leahy	Warner
Crapo	Levin	Wyden
Daschle	Lincoln	

NOT VOTING—8

Edwards	Hollings	Miller
Graham (FL)	Kerry	Smith
Hatch	Lieberman	

The nomination was confirmed.

NOMINATION OF SANDRA J. FEUERSTEIN TO BE U.S. DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK

The PRESIDING OFFICER. The clerk will report the nomination of Sandra J. Feuerstein.

The legislative clerk read the nomination of Sandra J. Feuerstein, of New York, to be U.S. district judge for the Eastern District of New York.

The PRESIDING OFFICER. There are two minutes of debate equally divided on the nomination. Who yields time?

The Senator from Vermont.

Mr. LEAHY. Madam President, I yield to the senior Senator from New York. These next four nominees come here with bipartisan support. As a result, they went through very quickly.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, this is the first of four nominees from New York. They are all very qualified, fine people.

The only point I wish to make is that the administration and the Governor worked closely with the Senate and with me and Senator CLINTON on these nominations. I think it shows, when there is cooperation, when there is true advice as part of the advise and consent process, we can come up with excellent nominees.

Each one of the nominees meets the criteria I believe we should have in every Federal judge—legal excellence, moderation, not too far left, not too far right, and diversity.

I will speak once because there are four of them, but I am proud to be here to vote for every one of the four nominees.

Again, if we get cooperation, we can do this without acrimony, without partisanship. That is what has happened in New York.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SANTORUM. Madam President, I yield back the remainder of my time and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. HATCH. Madam President, I rise today to express my unqualified support for the nomination of Sandra Feuerstein to the U.S. District Court for the Eastern District of New York, and to urge my colleagues to confirm this fine nominee.

Justice Feuerstein has excellent academic and professional qualifications for the Federal bench. After her graduation from Cardozo Law School, she joined the clerk pool of the New York Supreme Court Law Department. In 1985, she was chosen to clerk for Justice Leo H. McGinley, an administrative judge in the New York State Supreme Court. In 1987, she joined the bench of the Nassau County District Court. In 1994, Justice Feuerstein be-

came a Justice of the New York State Superior Court, where she would remain for the next five years. Since 1999, she has been a Justice on the New York State Appellate Division—New York's highest State court.

In addition to her proven bench experience, Justice Feuerstein is a highly recognized public figure. She has lent her extensive talents to the Nassau County Bar, various pro bono programs that she has founded or chaired, and many charitable organizations like the American Cancer Society. In the last decade, Justice Feuerstein has been the recipient of such awards as: Judge of the Year twice, Woman of the Year, Pro Bono Recognition Award, and Outstanding Committee Chairperson of the Year Award, to name a few. Earlier in her career, Justice Feuerstein was both an associated editor and editor of the Nassau Lawyer. In addition to her professional, charitable and publishing duties, she has been an adjunct professor at Hofstra University Law School since 1998.

Justice Feuerstein possesses the qualifications, the capacity, and the temperament a judge needs to serve on the federal bench. I am pleased to support this stellar nominee.

Mr. DASCHLE. Madam President, prior to the start of the vote, I know there are a number of Senators concerned about the schedule, given the conditions. I ask the distinguished Senator from Vermont, the ranking member of the Judiciary Committee, what his intentions would be with regard to additional rollcall votes. We anticipated taking up five nominations this afternoon. I have been consulting with him, and I really appreciate, as always, his cooperation on this matter.

I ask if he has any intention of seeking rollcall votes on the other nominees who are currently pending?

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, if I may respond to my friend from South Dakota, I assured the distinguished Senators from New York and the distinguished Senators from Alabama that we would have support on the Alabama judge, which we just voted on, and the next one is from New York, and we would get them confirmed.

I have been asked by a number of Senators, both Republicans and Democrats, because of the weather, if there is a possibility to just have this next rollcall vote and do the remaining three by voice vote. I would have no objection. Would that be the last vote of the day?

Mr. SANTORUM. Madam President, I do not think the leader is prepared to say that yet.

Mr. LEAHY. If we are going to have more votes, we might as well go ahead.

Mr. SANTORUM. I don't know. We will discuss it with the leader.

Mr. LEAHY. Why don't we go forward with this vote. If the decision is made that there will be no further rollcall votes while we are voting on this next

nomination, then I will not ask for rollcall votes on the remaining three nominations.

Mr. REID. Will the Senator yield?

Mr. LEAHY. The Senator from South Dakota has the floor.

Mr. DASCHLE. Madam President, I will consult with the majority leader with regard to his intention for additional rollcall votes, and we can continue our discussion following this vote. I think we ought to proceed with the vote.

Mr. LEAHY. Madam President, if the distinguished Democratic leader and the distinguished Republican leader do not intend to have any more rollcall votes, I certainly am not going to ask for any more rollcall votes on the remaining judges.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Sandra J. Feuerstein, of New York, to be United States District Judge for the Eastern District of New York? The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Utah (Mr. HATCH) is necessarily absent.

I further announce that the Senator from Oregon (Mr. SMITH) is absent because of a death in the family.

I further announce that if present and voting the Senator from Utah (Mr. HATCH) would vote "yea".

Mr. REID. I announce that the Senator from North Carolina (Mr. EDWARDS), the Senator from Florida (Mr. GRAHAM), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Massachusetts (Mr. KERRY), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from Georgia (Mr. MILLER) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote "yea".

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

The result was announced—yeas 92, nays 0, as follows:

[Rollcall Vote No. 353 Ex.]

YEAS—92

Akaka	Coleman	Gregg
Alexander	Collins	Hagel
Allard	Conrad	Harkin
Allen	Cornyn	Hutchison
Baucus	Corzine	Inhofe
Bayh	Craig	Inouye
Bennett	Crapo	Jeffords
Biden	Daschle	Johnson
Bingaman	Dayton	Kennedy
Bond	DeWine	Kohl
Boxer	Dodd	Kyl
Breaux	Dole	Landrieu
Brownback	Domenici	Lautenberg
Bunning	Dorgan	Leahy
Burns	Durbin	Levin
Byrd	Ensign	Lincoln
Campbell	Enzi	Lott
Cantwell	Feingold	Lugar
Carper	Feinstein	McCain
Chafee	Fitzgerald	McConnell
Chambliss	Frist	Mikulski
Clinton	Graham (SC)	Murkowski
Cochran	Grassley	Murray

Nelson (FL)	Santorum	Stevens
Nelson (NE)	Sarbanes	Sununu
Nickles	Schumer	Talent
Pryor	Sessions	Thomas
Reed	Shelby	Voinovich
Reid	Snowe	Warner
Roberts	Specter	Wyden
Rockefeller	Stabenow	

NOT VOTING—8

Edwards	Hollings	Miller
Graham (FL)	Kerry	Smith
Hatch	Lieberman	

The nomination was confirmed.

Mr. FRIST. Madam President, first of all, congratulations to the managers of this bill. We are making real progress. We still have a number of amendments to look at, and discussions are ongoing. Even over the last several hours, while we have addressed the judges issue and completed debate and voting on the partial-birth abortion issue, work on Interior has continued. Overall, we are very pleased.

This is really for the benefit of our colleagues to give them some idea of what will be happening here on the floor today, tonight, tomorrow, and over the next several days.

First, we will have no more rollcall votes tonight or tomorrow or Friday. I start with that because I know that is what my colleagues are waiting to hear.

Work will continue tonight on the Interior bill. In talking to the managers, a number of amendments are being considered. Debate will continue this afternoon and into this evening and tomorrow morning.

We are in constant touch through the Sergeant at Arms and talking to FEMA about the weather conditions. Any decisions as to how long we will actually be in session will absolutely be focused on safety first and foremost. In saying that, we will be in session this afternoon and tonight, on Interior. We will come in tomorrow morning, and we will make the announcement when, but probably at 9:30 in the morning. I doubt that we will be on the floor all day. Again, the weather in part, the debate on the Interior bill in part, will determine that.

We will not be in session on Friday.

We will have votes on Monday, and likely multiple votes on Monday, since we are losing the opportunity for rollcall votes on Friday and Thursday and in part tonight. Business will continue, but it will mean that we will need to have multiple votes on Monday.

We intend to make progress on Interior, but also would like to set as, really, the final—final passage on that Tuesday, at some point Tuesday. That means we have the amendments before us to consider, and if there are any other amendments, we absolutely must know about those.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. Madam President, I appreciate the announcement of the schedule by the majority leader. I will say to my colleagues, I have every expectation that we can complete our work on this bill on Tuesday. I intend

to work with the majority leader to complete our work on the Interior bill by Tuesday. That will require Senators who have amendments to come to the floor for the remaining hours of today and tomorrow morning. I know I have one or two amendments, and I intend to offer them either today or tomorrow morning in order to allow those votes to be cast and stacked on Monday night. So there is no reason we cannot finish our work on this bill on Tuesday, assuming—and the majority leader has assured me—that we will go to another appropriations bill once we complete our work on this one.

I would also want to say to my distinguished colleague who was here just a moment ago, the Senator from Vermont, I am, once again, grateful for his cooperation. He is a man of his word. He, again, had indicated to me, on the understanding there would be no more rollcall votes, that he would be willing to allow the three remaining votes on these judges today to be taken by voice. So I want to express for the record and publicly, once again, my gratitude to Senator Leahy for his cooperation and his understanding of the need for some Senators to catch planes this afternoon.

I appreciate, again, the majority leader's comments and will work with him to complete the schedule.

Ms. LANDRIEU. Will the leader yield for a question?

Mr. FRIST. Let me make one further statement and I will be happy to yield.

Committee hearing decisions are being made today by chairmen. Again, we are going to be conducting business on the Senate floor. A number of chairmen called and said: Should we go ahead and cancel our hearings and committee meetings? That is being left to their discretion. Individual offices—I know a number are calling the Sergeant at Arms and calling our offices. We will stay in touch and we will come straight to the floor if there is any information in terms of safety that we know about as we go forward.

These five judges are very important. I would add we have six judges who are also waiting, right now, whose nominations are ready to come to the floor and to be voted upon. I hope we can do that soon. I would like to be able, possibly, to do some of those on Monday. We have six more judges who are ready to go.

I would be happy to yield for a question.

Mr. DASCHLE. Madam President, I would only say for the record, the votes today will take us to 151 judges that the Senate has cast votes on since this administration has come to office—151 district and circuit court judges. So, obviously, we are making great progress on those numbers.

For the record, I want to be sure our colleagues are aware of where we are, where we stand with regard to the number of confirmations.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Madam President, I understand the schedule has the potential of finishing up on the Interior bill on Tuesday. Does the leadership have options after Tuesday in terms of what appropriations bills we might go to after Tuesday?

Mr. FRIST. I will be happy to talk. We have been talking several days in advance each time. As the Democratic leader said, our intention is to go to appropriations and stay on appropriations. There is other business as we worked out to address partial-birth abortion and the judges. But the intention is to go to an appropriations bill. The specific one we don't know now. This is Wednesday. We are talking about a week from now. But we will stay in constant touch.

Ms. LANDRIEU. I thank the Chair.

**NOMINATION OF RICHARD J. HOLWELL, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK**

The PRESIDING OFFICER. The clerk will report the next nomination.

The legislative clerk read the nomination of Richard J. Holwell, of New York, to be United States District Judge for the Southern District of New York.

The PRESIDING OFFICER. All time is yielded back. The question is, Will the Senate advise and consent to the nomination of Richard J. Holwell of New York to be United States District Judge for the Southern District of New York?

Without objection, the nomination is confirmed.

Mr. HATCH. Madam President, I am pleased today to speak in support of Richard J. Holwell, who has been nominated to the United States District Court for the Southern District of New York.

Mr. Holwell is a 1970 cum laude graduate of Columbia Law School. The following year he earned his diploma in criminology from the Cambridge University Institute of Criminology. He then entered private practice with the New York law firm White & Case, first as an associate, then as a partner. Currently, he heads the firm's global litigation practice.

Mr. Holwell has spent most of his professional career litigating complex securities, antitrust, bankruptcy, and other financial market cases before both trial and appellate courts. He has extensive experience in both civil and criminal investigations conducted by the Department of Justice, the Securities and Exchange Commission, and other Federal agencies.

Mr. Holwell has also been a zealous advocate for the underserved. In 1987, the NAACP Legal Defense and Educational Fund awarded him its Pro Bono Award for his successful litigation of *Capers v. Long Island Rail Road*, a 10-year protracted title VII case in which he fought to protect the

rights of black employees. In addition to title VII suits, he has represented indigent clients in landlord-tenant and custody disputes.

Mr. Holwell is an extremely well-qualified nominee. He brings compassion as well as more than 30 years of legal experience to the Federal bench. I am confident that he will be a fine addition to the bench and urge my colleagues to join me in supporting his confirmation.

**NOMINATION OF STEPHEN C. ROBINSON, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK**

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Stephen C. Robinson, of New York, to be United States District Judge for the Southern District of New York.

Mr. HATCH. Madam President, I rise today in support of the confirmation of Stephen Robinson to the U.S. District Court for the Southern District of New York.

Mr. Robinson has had a diverse and distinguished legal career. After graduating from the prestigious Cornell Law School, he worked for two corporate law firms, concentrating almost exclusively on civil matters. In 1987, he shifted gears and joined the U.S. Attorney's Office for the Southern District of New York, where he represented the United States primarily in criminal trials.

In 1991, Mr. Robinson joined Kroll Associates, an international risk consulting company, serving as an advisor to the company on legal matters and conducting investigations for governments, corporations and law firms.

From 1993 to 1995, Mr. Robinson worked with the Federal Bureau of Investigation, providing advice and counsel to the FBI regarding various policy issues in both civil and criminal matters. Then in 1995, Mr. Robinson became counsel for Aetna U.S. Healthcare, where he provided advice to the internal audit, compliance and investigative services departments and was ultimately promoted to chief compliance officer.

In 1998, Mr. Robinson returned to public service as the U.S. Attorney for the District of Connecticut. He supervised over 50 lawyers in three offices and set policy and prosecution guidelines for all civil and criminal matters. Additionally, he coordinated the investigative strategy for Federal law enforcement agencies, while managing all aspects of the office's operations, including budget, personnel and press issues. For the past 2 years, he has worked with Empower New Haven, Inc., a nonprofit corporation.

Mr. Robinson's extensive experience in both the public and private sectors makes him amply qualified for judicial service. He possesses the qualifica-

tions, the capacity, and the temperament a judge needs to serve on the Federal bench.

The PRESIDING OFFICER. If all time is yielded, the question is, Will the Senate advise and consent to the nomination of Stephen C. Robinson, of New York, to be United States District Judge for the Southern District of New York?

Without objection, the nomination is confirmed.

**NOMINATION OF P. KEVIN CASTEL, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK**

The PRESIDING OFFICER. The clerk will report the next nomination.

The legislative clerk read the nomination of P. Kevin Castel, of New York, to be United States District Judge for the Southern District of New York.

Mr. HATCH. Madam President, I am pleased today to speak in support of P. Kevin Castel, who has been nominated to the United States District Court for the Southern District of New York.

Mr. Castel is a highly regarded litigator. Upon graduating from St. John's University School of Law in 1975, he clerked for Judge Kevin Duffy on the United States District Court for the Southern District of New York. Following his clerkship, he worked as an associate for Cahill Gordon & Reindel until 1983, when he was elevated to partner and where he remains today.

Mr. Castel has focused much of his professional career on complex commercial litigation, including securities, antitrust, intellectual property, employment and products liability cases. Furthermore, as president of the Federal Bar Council, he has written extensively on corporate litigation issues.

In addition to the Federal Bar Council, Mr. Castel holds leadership positions in other notable organizations, including the New York State Bar Association and the Legal Aid Society.

Mr. Castel will bring 20 years of legal experience and sharp acumen to the Federal bench. I urge my colleagues to join me in supporting his nomination.

The PRESIDING OFFICER. If all time is yielded, the question is, Will the Senate advise and consent to the nomination of P. Kevin Castel, of New York, to be United States District Judge for the Southern District of New York?

Without objection, the nomination is confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider these votes are laid on the table.

Under the previous order, the President will be immediately notified of the confirmation of these nominations.

**LEGISLATIVE SESSION**

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.