

ahead. The President has selected a man who is well qualified.

I remain concerned about how we handle the upcoming debates about the budget, taxes and healthcare. We need to get to work. But we need to work together, in a bipartisan fashion, to address these important issues. I am committed to working with the administration to try to find common ground. The new Secretary shares this commitment. I look forward to working with him.

Mr. ALLEN. Mr. President, I rise today in support of John Snow, a proven leader with a reputation of a winner, and President Bush's nominee for U.S. Treasury Secretary.

John Snow is someone I know well and a proud resident of the Commonwealth of Virginia. In nominating John Snow, President Bush has brilliantly chosen the best person in America for the vital position of Secretary of the Treasury. There are few Americans with the knowledge of diverse U.S. and international economies—manufacturing, mining, automobile, electric, agriculture—trade, transportation modes—rail, ports, barges—and hands-on track record of creating jobs that John has developed over the last three decades. John Snow is a man of positive action and the right person to help President Bush create greater job opportunities for all Americans. He will be a respected and articulate leader for the principles of trusting people and free enterprise to do what they do best—create new and better jobs.

His prior service in Federal Government helps him as well. John Snow understands how government operates and how government can help or hinder job growth.

I have known John and Carolyn Snow for many years, and have relied on John's insight, experience and wisdom often over those years. While I served as Governor of Virginia, John gave extensively of his time to help us shape a plan that successfully revived Virginia's economy and resulted in the creation of a record number of new jobs. He continues to be a trusted adviser on economic and transportation issues.

When John came to Richmond in the early 1980s, the city was still suffering the lingering consequences of the past, and a very contentious period in the 1970s. Richmond had just elected its first African-American mayor. During this time, John stepped forward to help bridge the gap between the past and the future. He was a founding member of Richmond Renaissance, an organization dedicated to promoting racial equality in downtown Richmond. He was appointed by the new mayor to the city of Richmond school board. He became a member of the board of Virginia Union, a historically black college in Richmond.

He is a Renaissance man—educated in law and economics at the University of Virginia, government and business, and a professor. A Renaissance man

who can convincingly and reasonably articulate the need for positive action.

John Snow has been successful in business because he knows that a growing economy is one that enables every working man and woman to have an opportunity to benefit from their hard work, their creativity and their ingenuity.

With his confirmation, all of America will soon come to trust and rely on John Snow's considerable knowledge and experience as I and so many grateful Virginians have over the years.

#### UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I further ask unanimous consent that at 10 a.m. on Tuesday, February 4, the Senate proceed to executive session for the consideration of Calendar No. 21, the nomination of Miguel Estrada to the U.S. Circuit Court for the DC Circuit.

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

#### LEGISLATIVE SESSION

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate return to legislative session.

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

#### AUTHORIZING SALARY ADJUSTMENTS FOR JUSTICES AND JUDGES

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 2, H.R. 16.

The PRESIDING OFFICER. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (H.R. 16) to authorize salary adjustments for Justices and judges of the United States for fiscal year 2003.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

#### SALARY ADJUSTMENTS FOR JUSTICES AND JUDGES

Mr. FRIST. Mr. President, I ask unanimous consent that the Governmental Affairs Committee be discharged from further consideration of S. 101, and that the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 101) to authorize salary adjustments for Justices and judges of the United States for fiscal year 2003.

There being no objection, the Senate proceeded to consider the bill.

Mr. HATCH. Mr. President, I rise to address the serious matter of pay inequity in the Federal judiciary.

As things stand now, nearly every Federal employee will receive a cost of living adjustment during 2003—every employee, that is, except Federal judges. This is because of a legislative prescription that requires Congress to authorize raises in the salaries of Federal judges. Although this COLA of roughly 3 percent may seem small and inconsequential, it makes a significant difference in light of the fact that Federal judges earn far less than many, if not most, of their counterparts in the private sector.

In his 2002 year-end report, Supreme Court Chief Justice William Rehnquist highlighted his concern that salaries of Federal judges have not kept pace with those of lawyers in private firms and in business. He observed, "Inadequate compensation seriously compromises the judicial independence fostered by life tenure. That low salaries might force judges to return to the private sector rather than stay on the bench risks affecting judicial performance—instead of serving for life, those judges would serve the terms their finances would allow, and they would worry about what awaits them when they return to the private sector." The Chief Justice lamented, "Unless the 108th Congress acts, judges will not even receive the cost-of-living adjustment that nearly every other Federal employee will receive during 2003." He concluded by urging Congress and the President to "take up this issue early in the new year."

Today, Mr. President, the Senate is passing a bill that will allow Federal judges to receive the COLA that other Federal employees are already slated to receive this year. Although the larger issue of minimizing the gap between Federal judicial salaries and private sector salaries still remains, this small step will resolve the salary inequity between Federal judges and other Federal employees. I thank my colleagues for joining Senator LEAHY and me in supporting this bipartisan measure.

Mr. LEAHY. Mr. President, I am pleased that the Senate is taking up and passing both the Senate and House versions of legislation to authorize salary adjustments for Justices and judges of the United States for fiscal year 2003.

Here in the Senate, Senator HATCH and I were joined by Senator DEWINE and Senator SPECTER to cosponsor legislation to authorize an increase in the salaries of Justices and judges of the United States for the present fiscal year. House Judiciary Chairman SENBRENNER was joined by that committee's ranking Democratic member, Congressman CONYERS, and others to introduce identical legislation.

As a member of both the Senate Judiciary Committee and the Appropriations Subcommittee on Commerce,

Justice, State and the Judiciary, I have worked hard to help preserve a fair and independent judiciary. I am disappointed that the Continuing Resolutions approved by Congress failed to give the Federal judiciary a cost-of-living adjustment COLA for fiscal year 2003.

In 1975, Congress enacted the Executive Salary Cost-of-Living Adjustment Act, intended to give judges, Members of Congress and other high-ranking Executive Branch officials automatic COLAs as accorded other Federal employees unless rejected by Congress. In 1981, Congress enacted Section 140 of Public Law 97-92, mandating specific congressional action to give COLAs to judges. During the 21 years of Section 140's existence, Congress has always accorded to the Federal judiciary co-equal respect by suspending Section 140 whenever Congress has granted to itself and other Federal employees a COLA. With the end of the last Congress, however, the continuing resolutions providing funding failed to suspend Section 140, thus ensuring that no COLA would be provided for Federal judges during the current fiscal year, unless other action is taken.

The bipartisan and bicameral legislation before us provides for a COLA for Federal judges consistent with the law and with fairness.

Over the past year and one half as Judiciary Committee Chairman, I have been honored to lead the Committee in holding hearings on 103 of President Bush's judicial nominees, some of whom proved to be quite controversial and divisive. Last year the Committee voted on 102 nominees and reported 100 out of Committee favorably. The full Democratic-led Senate took the final step of confirming 100 judges in just 17 months. This remarkable record compares most favorably to the 38 judicial confirmations averaged per year during the 6½ years when the Republicans previously controlled the Senate. In addition, the 21st Century Department of Justice Appropriations Authorization Act we passed last Congress created or extended 20 Federal judgeships, more than were created during the 6½ years that the Republican party controlled the Senate. In his end of the year report, the Chief Justice of the United States noted these accomplishments and thanked the Senate for its actions. I appreciate his kind words.

I look forward to Senate passage of the House and Senate bills to authorize salary adjustments for Justices and judges of the United States for fiscal year 2003. I hope the President will promptly sign our legislation into law.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (S. 101) was read the third time and passed, as follows:

S. 101

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. AUTHORIZATION OF SALARY ADJUSTMENTS FOR FEDERAL JUSTICES AND JUDGES.**

Pursuant to section 140 of Public Law 97-92, Justices and judges of the United States are authorized during fiscal year 2003 to receive a salary adjustment in accordance with section 461 of title 28, United States Code.

**APPOINTMENTS**

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 94-304, as amended by Public Law 99-7, appoints the Senator from Colorado (Mr. CAMPBELL) as Co-Chairman of the Commission on Security and Cooperation in Europe (Helsinki) during the 108th Congress.

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 94-304, as amended by Public Law 99-7, appoints the following Senators to the Commission on Security and Cooperation in Europe during the 108th Congress:

The Senator from Connecticut (Mr. DODD); the Senator from Florida, Mr. GRAHAM; the Senator from Wisconsin, Mr. FEINGOLD; and the Senator from New York, Mrs. CLINTON.

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to provisions of Public Law 107-202, announces the appointment of the following individuals as members of the Benjamin Franklin Tercentenary Commission: the Senator from Pennsylvania, Mr. SPECTER, and Dr. Dennis Wint of Pennsylvania.

The PRESIDING OFFICER. The Chair on behalf of the President of the Senate, and after consultation with the Democratic Leader, pursuant to Public Law 106-286, appoints the following Members to serve on the Congressional-Executive Commission on the People's Republic of China:

The Senator from Montana, Mr. BAUCUS; the Senator from Michigan, Mr. LEVIN; the Senator from California, Mrs. FEINSTEIN; and the Senator from North Dakota, Mr. DORGAN.

**READING OF WASHINGTON'S  
FAREWELL ADDRESS**

Mr. FRIST. Mr. President, I ask unanimous consent, notwithstanding the resolution of the Senate of January 24, 1901, that on Monday, February 24, 2003, immediately following the prayer, the Pledge of Allegiance to the Flag, and the disposition of the Journal, the traditional reading of the Washington's Farewell Address take place.

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

**ORDERS FOR MONDAY, FEBRUARY  
3 AND TUESDAY, FEBRUARY 4, 2003**

Mr. FRIST. Mr. President, I ask unanimous consent that when the Sen-

ate completes its business today, it stand in adjournment until 10 a.m. Monday, February 3, for a pro forma session only. I further ask that immediately following the convening on Monday, the Senate then stand in adjournment until 9:30 a.m. on Tuesday, February 4. I further ask consent that on Tuesday, following the prayer and the pledge, the morning hour be deemed to have expired, the Journal of the proceedings be approved to date, that the time for the two leaders be reserved for their use later in the day, and that there then be a period of morning business until 10 a.m., with the time equally divided between the two leaders or their designees.

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

**PROGRAM**

Mr. FRIST. Mr. President, for the information of Senators, the Senate will reconvene for a pro forma session on Monday. No business will be conducted during Monday's session. The Senate will then resume business on Tuesday and begin consideration of the Estrada nomination. I understand that some debate will be necessary on that judicial nomination.

It is my hope that Members will be prepared to come to the floor and make their presentations. I expect a full debate and it is my hope, and the chairman's hope, to reach a reasonable time agreement on that nomination so that we can schedule the vote accordingly. Having said that, rollcall votes are possible during Tuesday's session.

**ADJOURNMENT UNTIL MONDAY,  
FEBRUARY 3, 2003, AT 10 A.M.**

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:47 p.m., adjourned until Monday, February 3, 2003, at 10 a.m.

**CONFIRMATIONS**

Executive nominations confirmed by the Senate January 30, 2003:

**DEPARTMENT OF THE TREASURY**

JOHN W. SNOW, OF VIRGINIA, TO BE SECRETARY OF THE TREASURY.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

**DEPARTMENT OF HOMELAND SECURITY**

GORDON ENGLAND, OF TEXAS, TO BE DEPUTY SECRETARY OF HOMELAND SECURITY.

**IN THE AIR FORCE**

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be major general*

BRIG. GEN. WILLIAM J. LUTZ

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be brigadier general*

COL. JARISSE J. SANBORN