

[W]hile I was the only person of color clerking on the court at the time, I truly felt comfortable and accepted from the moment I interviewed with Judge Steele. He has never given me a reason to question the sincerity of his support of me and my endeavors both professionally and personally.

Merceria Ludgood, Assistant County Attorney for Mobile County, former Director of Program Services for Legal Services Corporation in Washington, D.C., and former Executive Director of Legal Services Corporation of Alabama:

Magistrate Judge Steele is one of the finest men I have ever known. Never once have I believed his actions to be motivated by politics or ambition. He simply wants to do the right thing for the right reasons.

Robert D. Segall, attorney for the American Civil Liberties Union in the case opposing the display of the Ten Commandments in an Alabama courtroom:

Judge Steele is an outstanding selection, is very highly qualified, and I respectfully urge his prompt confirmation.

Carlos A. William, Southern District of Alabama Federal Defenders Organization:

During the years I have practiced in [Judge Steele's] court, I have come to know a jurist of integrity, professionalism and compassion, and I have grown to respect his judgment. . . . [I] note that every lawyer in my office, Kristen Gartman Rogers, K. Lyn Hillman Campbell and Christopher Knight, in unsolicited comments, have expressed their support for Magistrate Steele's nomination. It is therefore without hesitation that I send this letter in support of Magistrate William Steele's nomination.

Larry C. Moorer, long time practitioner in Mobile, Alabama and an African American:

Over the years, I have handled several legal matters before Magistrate Judge Steele . . . He has shown over the years that he is fair and impartial, and will rule according to the law regardless of public opinion or possibly his own personal feelings. . . . Magistrate Judge Steele provides a level playing field . . . [and] he possesses the attributes for being an outstanding appellate judge.

Larry Sims, President of the Mobile Bar Association and 16 former presidents.

Numerous officers and members of the Women of the Mobile Bar Association.

Hodge Alves, President of the Mobile Chapter of the Federal Bar Association.

Several former presidents of the Montgomery Bar Association.

Bruce Rogers, incoming president of the Birmingham Bar Association, and a number of former presidents.

Warren Lightfoot, former president of the Alabama Bar Association, and managing partner of one of the most respected litigation firms in Birmingham, AL.

Jim North, a prominent Democrat in Birmingham, former clerk for Justice Hugo Black, and former President of the Alabama Bar Association.

Rosemary Chambers, Circuit Judge of Mobile County.

Chris Galanos, a Democrat and former District Attorney of Mobile

County who employed Steele as a prosecutor for several years.

Alex Bunin, Federal Public Defender, Districts of Northern New York and Vermont.

Greg Breedlove, on behalf of the unanimous firm of Cunningham, Bounds, Yance, Crowder and Brown, L.L.C. in Mobile, Alabama—prominent Democratic, plaintiffs' firm.

John Morrow, former president of the Birmingham Bar Association and long-time practicing attorney with one of the largest firm's in Birmingham, AL.

Ed Allen, 38-year practitioner with one of the largest firms in Birmingham, Alabama, and former member of the Executive Committee of the Birmingham Bar Association, and the Labor and Employment sections of the American Bar Association and the Alabama Bar Association.

Henry Brewster, Mobile, AL, Democrat plaintiff's lawyer whose practice focuses on employment discrimination cases.

Jerry McDowell, long-time practitioner from Mobile, AL.

This support, in my view, confirms that President Bush made the right decision in nominating Judge Steele.

Judge Steele has the professional qualifications, integrity, professional competence and judicial temperament to serve on the federal bench in the Southern District of Alabama. The ABA has acknowledged such, rating him unanimously qualified. As a magistrate judge in the Southern District of Alabama, he is practically already doing the job. Judge Steele will make an excellent addition to the federal bench, and deserves to be confirmed by this Senate. I look forward to supporting Judge Steele and to casting my vote in favor of his confirmation. I urge my colleagues to support Judge Steele.

I yield the floor.

I want to say I don't know that I have met a finer individual, a more dedicated patriot than Judge Bill Steele. He is someone I admire and someone who is admired by people I admire. People who have good judgment of character think he is first rate.

The Bar Association in the Southern District of Alabama has unanimously told me time and again how much they appreciate him and how well they think he will do as a Federal judge. And I am very pleased for him.

He has received support from a large number of different sources. Of course, the established bar in the Southern District of Alabama speaks very highly of him.

You ask what about others? What do they say about him? The President of the Alabama Bar Association for the State is Mr. Fred Gray. He was former counsel for the late Rev. Dr. Martin Luther King, Jr., and has tried some of the most historic cases in the history of the United States.

He was involved in *New York Times v. Sullivan* and *Chameleon v. Light Foot* and was the attorney on the Rosa

Parks bus boycott case. He worked directly with Dr. Martin Luther King, Jr., at that time. He has written an excellent book describing the bus ride to justice.

He writes to me his strong support for Judge Steele. He realizes he said it is important that all judges who serve on the courts possess the necessary personal character, experience, knowledge, legal skills, and professional background so they will administer justice in a fair and impartial way.

He went on to explain his meeting with Judge Steele—his knowledge of him, and his support for him. Group after group has written on Judge Steele's behalf.

I believe this Senate will make a wise decision if Judge Steele is confirmed. I have absolutely no doubt that this fine nominee will serve with distinction. He will serve and treat every party before the court with courtesy. He will control his court with firmness but fairness. He will demonstrate integrity. And, most of all, every day that he goes to work, Bill Steele will sit there and try to do what he can to produce justice.

I am delighted he has been able to move through the process. I thank my colleagues in the Senate for their help. I saw Senator LEAHY earlier. I congratulated him and thanked him for allowing this nomination to move forward.

I thank Senator HATCH for his determination to move nominees, who are qualified, forward to confirmation.

As I said, I am confident in Judge Bill Steele. The courts of the United States will have a superstar who will do a super job.

#### NOMINATION OF J. DANIEL BREEN, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TENNESSEE

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of J. Daniel Breen, of Tennessee, to be United States District Judge for the Western District of Tennessee?

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. FRIST. I announce that the Senator from Colorado (Mr. CAMPBELL), the Senator from Texas (Ms. HUTCHISON), the Senator from Arizona (Mr. KYL), and the Senator from Kentucky (Mr. MCCONNELL) are necessarily absent.

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from North Carolina (Mr. EDWARDS), the Senator from Massachusetts (Mr. KERRY), and the Senator from Georgia (Mr. MILLER) are necessarily absent.

I further announced that, if present and voting, the Senator from North Carolina (Mr. EDWARDS) and the Senator from Massachusetts (Mr. KERRY) would each vote "aye".

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. 55 Ex.]

YEAS—92

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

NOT VOTING—8

Biden	Hutchison	McConnell
Campbell	Kerry	Miller
Edwards	Kyl	

The nomination was confirmed.

#### THE CONFIRMATION OF DANIEL BREEN TO BE A UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TENNESSEE

Mr. FRIST. Mr. President, I am in strong support of Judge Daniel Breen to be United States District Judge for the Western District of Tennessee.

For more than a decade Judge Breen has admirably served the state of Tennessee's Western District as a United States Magistrate Judge. Before assuming this position in the Jackson and Memphis area, he practiced law in most of the surrounding West Tennessee counties for sixteen years.

Judge Breen graduated first in his class from Spring Hill College and later graduated from the University of Tennessee College of Law. His list of bar-related and civic activities is long and distinguished: President of the Tennessee Bar Association, Subcommittee Chair in the American Bar Association, Executive Committee member of the West Tennessee Council Boy Scouts of America, and a Lifetime Board Member of the West Tennessee Cerebral Palsy Center. As you can tell, his roots are deep with the people he serves.

In addition to an active civil trial docket, Judge Breen is also recognized as an effective mediator, and an instructor and author on alternative dispute resolution. He has made a broad range of contributions to the bar, as well as the State and Federal courts. This work has earned him the respect of the local legal community. I have

heard from many in the Tennessee bar praising Judge Breen's thoughtfulness and judicial temperament. Judge Breen is a dedicated, hard working and even-handed jurist.

Judge Breen's record has prepared him to be ready for this job beginning on day one. I am honored to support his confirmation, and I know he will serve the Western District of Tennessee as a U.S. District Judge with distinction. I thank my colleagues for voting for his confirmation.

Mr. HATCH. Mr. President, I am pleased today to support Judge John Breen, who has been nominated to the U.S. District Court for the Western District of Tennessee.

Judge Breen has served on both sides of the bench with distinction. Upon graduating from the University of Tennessee Law School in 1975, he entered private practice by joining the Jackson firm of Waldrop & Hall. He is one of the few lawyers these days who spent his entire litigating career with a single firm. His area of expertise was general civil litigation. In addition to representing insurance companies and self-insured businesses, he also represented individual clients in real estate, commercial, corporate and estate planning matters.

Judge Breen has made a broad range of contributions to the bar. He served as the President of the Tennessee Bar Association, which reflects the high esteem in which his colleagues hold him. He also served on the Board of Directors for the Tennessee Bar Foundation. In the course of his career, he has accepted many appointments to represent indigent criminal defendants in State and Federal court. Judge Breen also provided many hours of pro bono service for West Tennessee Legal Services.

Since 1991, Judge Breen has served as a Federal magistrate judge, where he has handled a broad array of evidentiary hearings and issued many reports and recommendations. In addition, Judge Breen is also recognized as an effective mediator, as well as an instructor and author on alternative dispute resolution.

The American Bar Association rated Judge Breen unanimously well qualified, its highest rating. I am confident that he will serve on the bench with integrity, intelligence and fairness.

Mr. ALEXANDER. Mr. President, I support the nomination of John Daniel Breen to be a United States District Judge for the Western District of Tennessee. I am pleased that the Senate has moved so expeditiously to confirm this exceptional nominee.

Mr. Breen is currently a United States Judge in the Western District of Tennessee. Judge Breen was recommended last year by the current Senate Majority Leader, my colleague, Senator FRIST, and former Senator Thompson. I am pleased to add my voice in support of his nomination. As someone who, as Governor of Tennessee appointed some 50 judges, I am

confident that Judge Breen will continue to be an able Federal judge when he is confirmed as a United States District Judge for the Western District of Tennessee.

Judge Breen was born and raised in Jackson, TN. He was a summa cum laude graduate of Spring Hill College in Mobile, AL in 1972, and was valedictorian of his class. He received his Juris Doctorate from the University of Tennessee College of Law in 1975, where he served as a member of the law review.

After receiving his law degree, Judge Breen worked for sixteen years with the law firm of Waldrop and Hall, P.A. in Jackson, TN. Judge Breen has been a United States Judge for the Western District of Tennessee since 1991 and has an excellent reputation in this position.

Judge Breen has vast litigation experience. As a practicing attorney, he practiced general civil litigation primarily in the areas of tort law and workers' compensation. Judge Breen was involved in litigating one of the premier lawsuits in Tennessee in the 1990's, which resulted in the adoption of comparative negligence.

Judge Breen has been actively involved and held leadership positions in local, State and national bar associations throughout his legal career. He has also been extremely active in his community by, among other things, providing pro bono legal services to disadvantaged persons and serving as a member on a variety of community organizations.

I am confident that Judge Breen will be a fine United States District Judge for the Western District of Tennessee, and I thank all my colleagues who supported this nomination.

#### NOMINATION OF MIGUEL A. ESTRADA, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now continue in executive session with the consideration of the Estrada nomination.

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

The clerk will report.

The assistant legislative clerk read the nomination of Miguel A. Estrada, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

CLOTURE MOTION

Mr. FRIST. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of Rule XXII of the