

faith that he will complete his mission and come home.

There are thousands of similar stories stemming from this mission, so ably carried out by our men and women in uniform. It is uniquely American and typical of our warriors of freedom. It distinguishes and sets the American military apart from any other nation in the history of man's constant struggle for freedom and human dignity.

We see the pictures every day, not of the ugliness of war but of the men and women who carry out the humanitarian acts as war is carried on. We will succeed in our mission. And we look forward to the day when they all come home.

Also, I take great pride to stand here today on the Senate floor to recognize and say thank you to the men and women from Montana and all who serve across this land.

We have support organizations popping up in just about every State, organizations formed to give comfort to families and provide various programs such as the one I just mentioned. It is happening everywhere, and there are far too many to mention today.

I commend the efforts of one program especially because I met with this group in Livingston, MT. They call themselves MOST—the Military Overseas Support Team—made up of people who have family members serving in that area, and they act as a support system for each person.

Then there is another one called Operation Clean Socks. It has been set up to collect and send socks to our military men and women in the Middle East. That sounds strange, but to those of us who have worn the uniform of this great country, socks become a big item, especially to us old marines who traveled on our feet.

Folks all over this country are rallying their communities to get support for our troops. I am pleased to see so many of them supportive in Montana.

Here in Washington we see the images on television. We are thinking about the troops every day. We know how hard it is fighting for the freedoms of those who are oppressed, and we thank you. We thank you for what you are doing and want you to know that our thoughts and prayers are not only with you but also with your families.

You are the best and the greatest ambassadors of the American dream. You will succeed in the efforts to disarm Saddam Hussein and free the Iraqi people. I am confident in our military. I know this effort will be accomplished as soon as possible so they all can come home to the welcoming arms of their families, so that every Charles Donovan, Jr., can see his first child enter the world with the same freedoms with which he was born. We think about them every day.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GREGG. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ALEXANDER). Without objection, it is so ordered.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

#### EXECUTIVE SESSION

#### NOMINATION OF THERESA LAZAR SPRINGMANN, OF INDIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF INDIANA

The PRESIDING OFFICER. Under the previous order, the Senate will now go into executive session and proceed to consideration of Executive Calendar No. 77, which the clerk will report.

The legislative clerk read the nomination of Theresa Lazar Springmann, of Indiana, to be United States District Judge for the Northern District of Indiana.

Mr. HATCH. Mr. President, I am pleased today to rise in support of Judge Theresa Lazar Springmann, who has been nominated to the United States District Court for the Northern District of Indiana.

Judge Springmann has served on both sides of the bench with distinction. Upon graduation from the University of Notre Dame Law School, Judge Springmann clerked for the Honorable James T. Moody of the United States District Court for the Northern District of Indiana—the very court she will join upon her confirmation. She then entered private practice as an associate with Spangler, Jennings & Dougherty, P.C., and later became the first woman partner there. During her tenure in private practice, she specialized in insurance defense litigation, automobile liability, contract disputes, unfair competition and trade infringement. She also participated in her firm's pro bono program, accepting at least three cases a year from Legal Services of Northwest Indiana, Inc., in Gary IN.

Judge Springmann has made a broad range of contributions to the bar. She was a founding member of the Lake County Bar Association and has served in various leadership roles with this organization. Judge Springmann is also a member of the Federal Bar Association and the Women Lawyers Association.

Since 1995, Judge Springmann has served as a United States Magistrate Judge for the Northern District of Indiana. From 2000 to 2002, she served as the Federal Magistrate Judges Association Seventh Circuit Director, where she represented all magistrate judges in the Seventh Circuit in forming poli-

cy positions and recommendations to the Administrative Office and Federal Judicial Council on issues concerning magistrate judges.

I am confident that Judge Springmann will serve on the bench with integrity, intelligence and fairness.

Mr. LEAHY. Mr. President, today we again demonstrate how cooperative the Senate and, in particular, Democratic Senators are being to an administration that continues to refuse to work with us to select consensus court judges who could be confirmed relatively quickly by the Senate and fill the remaining Federal court vacancies.

In the prior 17 months I chaired the Judiciary Committee, we were able to confirm 100 judges and vastly reduce the judicial vacancies that Republicans had stored up by refusing to allow nominees of President Clinton to be considered. We were able to do so despite the hostility of the White House. The judicial nominees of this President are conservatives, many of them quite to the right of the mainstream. Many of these nominees have been active in conservative political causes or groups. Democrats moved fairly and expeditiously on as many as we could consistent with our obligations to evaluate carefully and thoroughly these nominees to lifetime seats in the federal courts.

Last year alone, in an election year, the Democratic-led Senate confirmed 72 judicial nominees, more than in any of the prior six years of Republican control. Not once did the Republican-controlled Committee consider that many of President Clinton's district and circuit court nominees.

While Republicans point to the 377 judges confirmed under President Clinton, but they fail to mention that only 245 of them were confirmed during the 6½ years Republicans controlled the Senate. That amounts to only 38 confirmations per year when the Republicans last held a majority and there was a Democrat in the White House. In 1999, the Republican majority did not hold a hearing on any judicial nominee until June. Tomorrow, the Republican majority will hold its seventh hearing including a 32nd judicial nominee in the last 2 months. The Senate Judiciary Committee is acting like a runaway train, operating at breakneck speed and breaking longstanding rules and practices of the committee.

This year we have had a rocky beginning with a hearing for three controversial circuit court nominees that has caused a great many problems we might have avoided. The chairman's insistence on terminating debate on the Cook and Roberts nominations is another serious problem. Of course, the administration's unwillingness to work with the Senate so that we may be provided the documents and information needed to proceed with a final vote on the Estrada nomination has already proved to be a significant problem. The opposition to the Sutton nomination is

also extensive. The concerns about the Tymkovich nomination are significant. The unprecedented nature of a President renominating someone for the same judicial position after a defeat in committee has led to the Owen nomination is pending on the floor with the assent of only the Republicans on the committee.

Nonetheless, the Senate has proceeded to confirm 114 of President Bush's judicial nominees, including 14 this year alone. The Senate confirmed the controversial nomination of Jay Bybee to the Ninth Circuit, another pro-life judicial nominee. With this one circuit court confirmation, the Senate has confirmed more circuit court judges than Republicans allowed to be confirmed in the entire 1996 session. In addition, I note that it was not until September 1999, 9 months into the year, that 14 of President Clinton's judicial nominees were confirmed in the first session of the last Congress in which Republicans controlled the Senate majority. At the pace set by Republicans now, we are a full six months ahead of that schedule.

The Indiana nominee, Theresa Lazar Springmann, is currently a U.S. Magistrate Judge for the U.S. District Court for the Northern District of Indiana. She has the bipartisan support of her home State Senators. The fact that she is being confirmed to the district court months in advance of the vacancy arising demonstrates how cooperative the Senate is being. Only rarely has a nominee been confirmed in advance of a vacancy arising. The nominee is well regarded and supported by her home State Senators. I congratulate Judge Springmann and her family on her confirmation.

Mr. LUGAR. Mr. President, I rise today in support of Theresa Springmann who is being considered for a position on the United States District Court of Northern Indiana.

Early last year, Judge William Lee and Judge James Moody informed me of their decisions to assume senior status after distinguished careers of public service. Both of these individuals are remarkable leaders on the Federal bench, and I applaud their leadership to Indiana and to the legal profession.

Immediately upon hearing of these decisions, I notified the White House and was asked by the President to help find the most qualified candidates to fill these two important positions in Hammond and Fort Wayne. I took this role very seriously and selected the candidates who would best serve the Northern District of Indiana.

After sharing my selections with my friend and colleague Senator EVAN BAYH, I submitted the names and applications of three outstanding candidates to the White House for their consideration. The President recently selected Assistant United States Attorney Philip Simon and United States Magistrate Theresa Springmann.

Judge Theresa Springmann was the first woman to be made partner at

Spangler, Jennings & Dougherty, the largest law firm in Northwest Indiana. She followed up this distinction by becoming the first woman judicial officer in the Northern District of Indiana. Judge Springmann has served as a United States magistrate judge since March of 1995, where she has presided over 30 civil jury trials, 10 civil and criminal bench trials, and conducted over 300 settlement conferences for the district court.

She has received a number of high performance ratings throughout her tenure as a magistrate judge, including the A.V. rating from Martindale-Hubbell and the highest judicial rating from the Lake County Bar Association.

I believe that Theresa Springmann will demonstrate remarkable leadership to Northern Indiana and will appropriately uphold and defend our laws under the Constitution. I encourage my colleagues to support her nomination.

Mr. BINGAMAN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Theresa Lazar Springmann, of Indiana, to be United States District Judge for the Northern District of Indiana? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Missouri (Mr. BOND), the Senator from Ohio (Mr. DEWINE), and the Senator from Alaska (Mr. STEVENS) are necessarily absent.

Mr. REID. I announce that the Senator from North Carolina (Mr. EDWARDS), the Senator from Hawaii (Mr. INOUE), the Senator from Massachusetts (Mr. KERRY), and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

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

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

The result was announced—yeas 93, nays 0, as follows:

[Rollcall Vote No. 112 Ex.]

YEAS—93

Akaka	Chambliss	Feingold
Alexander	Clinton	Feinstein
Allard	Cochran	Fitzgerald
Allen	Coleman	Frist
Baucus	Collins	Graham (FL)
Bayh	Conrad	Graham (SC)
Bennett	Cornyn	Grassley
Biden	Corzine	Gregg
Bingaman	Craig	Hagel
Boxer	Crapo	Harkin
Breaux	Daschle	Hatch
Brownback	Dayton	Hollings
Bunning	Dodd	Hutchison
Burns	Dole	Inhofe
Byrd	Domenici	Jeffords
Campbell	Dorgan	Johnson
Cantwell	Durbin	Kennedy
Carper	Ensign	Kohl
Chafee	Enzi	Kyl

Landrieu	Murray	Sessions
Lautenberg	Nelson (FL)	Shelby
Leahy	Nelson (NE)	Smith
Levin	Nickles	Snowe
Lincoln	Pryor	Specter
Lott	Reed	Stabenow
Lugar	Reid	Sununu
McCain	Roberts	Talent
McConnell	Rockefeller	Thomas
Mikulski	Santorum	Voivovich
Miller	Sarbanes	Warner
Murkowski	Schumer	Wyden

NOT VOTING—7

Bond	Inouye	Stevens
DeWine	Kerry	
Edwards	Lieberman	

The nomination was confirmed.

The PRESIDING OFFICER. The President will be notified of the Senate's action.

The Senator from Utah.

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

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senate now resume 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.

CLOTURE MOTION

Mr. BENNETT. 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 assistant legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Executive Calendar No. 21, the nomination of Miguel A. Estrada to be United States Circuit Judge for the District of Columbia Circuit.

Bill Frist, Orrin G. Hatch, John Ensign, Sam Brownback, Jim Inhofe, Michael B. Enzi, Wayne Allard, Michael Crapo, Susan M. Collins, Robert F. Bennett, Pete V. Domenici, Conrad R. Burns, Kay Bailey Hutchison, John E. Sununu, Norm Coleman, Charles E. Grassley.

Mr. BENNETT. Mr. President, I ask unanimous consent that the mandatory quorum under rule XXII be waived and the Senate resume legislative session.

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

Mr. BENNETT. For the information of all Senators, this cloture vote will occur on Wednesday. This will be the fourth cloture vote with respect to the Estrada nomination. Unfortunately, in my view, this will set a record for cloture votes relative to a nomination.