

On the Boundary Fire, the singular focus on safety is evident throughout the camp. It is clear that the lessons of the South Canyon Fire have not been lost to history.

Today there are 73 wildland fires burning in the State of Alaska and some 1,544 wildland firefighters from 26 states and one province of Canada are on the ground tirelessly addressing these fires. Since the beginning of this year's fire season, approximately 2 million acres have burned in Alaska. Most of these acres have burned in seven large fires and "fire complexes" which occurred in the last few weeks.

As of the last report that I received, the Boundary Fire is 27 percent contained. Two other incidents are five percent contained and the remaining four are zero percent contained. New fires can start on a moment's notice from a strike of lightning and, depending on the fuel; wind shifts can move existing fires at rates of over 2 miles per hour.

In fact, a new fire was just reported yesterday, near the villages of Bettles and Evansville. At 5:00 PM, when the fire was reported, it had burned one acre, one hour later it was reported at 500 acres and at 10:00 PM it was reported at 1500 acres.

Last week was an exceptionally difficult one for the people of Interior Alaska. In Fairbanks, a dark, smoky haze hung over the community. The Boundary Fire was burning about 30 miles to the north of Fairbanks between the Steese and Elliott Highways, while the Wolf Creek Fire was burning to the east, near Chena Hot Springs Road.

These fires caused the evacuation of more than 280 households and countless animals, including household pets, sled dogs, cows, pigs and llamas. While volunteers from the Tanana Valley Chapter of the American Red Cross were offering shelter, food and respite from the smoke to the people of Fairbanks, officers from the Fairbanks North Star Borough's Division of Animal Control and numerous volunteers were making sure that the displaced animals were being well cared for.

Miraculously, only seven structures, to date, have been lost in the spate of these wildfires with no loss of life. Thanks to the hard work of firefighters through the Independence Day weekend, the people uprooted by the Boundary Fire are returning home today.

Although the Boundary and Wolf Creek fires were the subject of attention in the national media because of their proximity to urban areas, we must not forget that the fires are also threatening bush villages in rural Alaska. The Pingo Fire has burned to within one and one half miles of the town of Venetie and wildfires continue to threaten habitat that is important to the subsistence lifestyle practiced in the village.

The people of Eagle on the Canadian border have been challenged by two fires, one burning west from Dawson

City in the Yukon Territory. The safety of these communities, as well as Bettles, Chicken, Evansville, Fort Yukon, Stevens Village and Tok are on our minds today.

The proximity of wildfires to the outskirts of our urban areas reminds us all to be firewise. Building defensible space around structures not only increases the likelihood that a building will survive a fire; it also increases resident and firefighter safety. Alaskans are also being encouraged this week to store their firewood away from structures and to use metal or fire resistant roofing materials in construction. I support these important safety initiatives.

I also continue to support the important fuels reduction provisions of the President's Healthy Forest Initiative, and will continue to work to ensure that adequate resources are made available by Congress to our Nation's fire fighting crews.

Fairbanks is known as the "Golden Heart City," so let me say that our golden hearts go out to the thirty seven Alaska Native firefighting crews that are protecting Fairbanks as well as our villages, the Alaska firefighters on mutual aid assignments to fight the wildfires, and members of the national wildland fire community who have been dispatched to Alaska to help us get through this difficult fire season. I am deeply grateful to all in the wildland firefighter community for their tremendous sacrifices and commitment to making all of our communities safe.

#### JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, today President Bush is holding a private fundraiser in North Carolina and complaining about the few judicial nominees who have not been given hearings by the Republican-led Senate, when he should be commending the Senate for confirming nearly 200 of his judicial nominees. One-hundred-ninety-eight of his judicial nominees have been confirmed. This number of confirmations is higher than the number of judicial nominees confirmed during President Reagan's first term, during the President's father's Presidency, and during the final term of President Clinton.

With these confirmations, there are only 26 vacant seats in the entire Federal judiciary, which is the lowest level since the Reagan administration. Senate Republicans more than doubled circuit court vacancies and raised overall federal court vacancies to more than 100 from 1995 through early 2001. Vacancies have been greatly reduced with Democratic cooperation during the last 4 years. Vacancies have been cut by more than 75 percent and judicial emergency vacancies have been cut by more than 60 percent from what they were.

During the 1996 session, when President Clinton was seeking a second term, Republicans allowed only 17 of

his judicial nominees to be confirmed all year and blocked all of his circuit court nominees from being confirmed. This year, the Senate has confirmed 29 of President Bush's judicial nominees, including five circuit court nominees.

Democrats have acted with bipartisanship toward the judicial nomination process and supported the confirmation of this historic number of judicial nominees of this Republican president. During the 17 months of Democratic control of the Senate, 100 of President Bush's judicial nominees were confirmed. Republicans had blocked the confirmation of more than 60 of President Clinton's judicial nominees, including nearly two dozen to the circuit courts.

The situation in North Carolina illustrates this history of Republican obstruction and the Bush administration's determination to try to pack the courts. During the Clinton administration, four nominees from North Carolina to the Fourth Circuit were blocked by Republican Senators, and they never got a hearing or a vote. U.S. District Court Judge James Beaty would have become the Fourth Circuit's first African-American jurist. According to *The Charlotte Observer* of March 8, 1996:

He is an excellent judge, partly because of admirable qualities that make him an ideal candidate for judging others. He rose from humble circumstances and eventually graduate from the UNC-Chapel Hill School of Law. Admirers say he is an ideal judge and citizen: even-tempered, hard-working, fair, serious, intelligent and unfailingly polite.

Judge Beaty never got a hearing or a vote from Republicans in 1995, 1996, 1997, or 1998. U.S. Bankruptcy Judge J. Richard Leonard also never got a hearing or a vote in 1995 or 1996 on his nomination to the Fourth Circuit, nor did Republicans give him a vote in 1999 or 2000 in his nomination to the District Court in North Carolina. North Carolina Court of Appeals Judge James Wynn never got a hearing or a vote on his nomination in 1999, 2000, or 2001. Had Judge Wynn been confirmed he would have been the first African American to sit on the Fourth Circuit. Law Professor Elizabeth Gibson also did not get a hearing or a vote.

During Republican control of the Senate, no nominee from North Carolina to the Fourth Circuit was allowed to be confirmed during the entire Clinton administration. It is ironic that Republicans now claim that Judge Boyle must be confirmed because the seat is considered a judicial emergency by the Administrative Office of the U.S. Courts, when the North Carolina vacancies on the Fourth Circuit were considered judicial emergencies years ago when Republicans blocked Clinton nominee after Clinton nominee. During the Clinton administration, Republicans argued that these vacancies did not need to be filled because the Fourth Circuit had the fastest docket time to disposition in the country, a distinction it still holds. After three

confirmations for Bush nominees to that court, including Judge Duncan, the Fourth Circuit has fewer vacancies today—three—than it did when Republicans claimed no more judges were needed—5 vacancies.

Republicans used every argument they could muster to stop Democratic nominees from being confirmed to the Fourth Circuit, particularly in North Carolina, and now they flip flop to claim that Republican nominees must be confirmed.

When Senator JOHN EDWARDS was elected, he sought out the middle ground on judicial nominations, after years of North Carolina nominees being blocked by Republicans. For example, he should be commended for working with the President on the nomination of Judge Allyson Duncan, an African-American woman who had served as the President of the North Carolina Bar Association, for a seat on the Fourth Circuit. Senator EDWARDS fully supported her confirmation. She was a Republican who had testified in favor of Clarence Thomas' confirmation, but she had a reputation of fairness. With Senator EDWARDS' support, Judge Duncan was confirmed. He broke through the Republican logjam in this circuit. Senator EDWARDS also acted with bipartisanship in supporting the confirmation of two Bush nominees to the district court, Judge Brent McKnight and Judge Louise Flanagan.

Senator EDWARDS has sought out compromise with his fellow North Carolina Senators on judicial nominations, but they have, by and large, refused to help find a middle ground. He has supported the proposal of the North Carolina Bar Association that the State establish a bipartisan merit selection commission to propose nominees to the President, Republican or Democratic, to create a long-term solution to impasses that are created by any Senator's insistence on his choice alone, with no compromise, for these lifetime seats of trust on the Federal bench. Unlike President Bush, Senator EDWARDS understands what it means in reality to be a uniter and not a divider. He comes from a part of the country that understands deeply how important it is that leaders seek to unite people across racial, economic and political lines rather than to divide them.

Senator EDWARDS has stood up to efforts by this President to pack the courts with people whose records do not demonstrate that they will be fair judges to all who come before them, rich or poor, Democrats or Republicans, or any race or background. He has expressed concerns about Bush nominees Judge Boyle as well as James Dever, a 40-year-old Federalist Society member and Republican Party activist. President Bush has repeatedly claimed that he is opposed to judicial activism while he has simultaneously nominated activists for judicial positions.

He would not support the confirmation or recess appointment of a judicial nominee who violated judicial ethics to

reduce the sentence of a convicted cross burner, as President Bush did over the holiday celebrating the birth of Dr. Martin Luther King. Senator EDWARDS opposed other Bush judicial nominees whose record demonstrate insensitivity or hostility toward the civil rights and the blessings of liberty guaranteed to all Americans. Just yesterday, President Bush nominated Keith Starrett to the vacancy created by Judge Pickering's recess appointment and by his resignation from the district court. This nomination shows again the President's insensitivity to the wishes of so many in the South District of Mississippi by passing over qualified African-American candidates for that powerful district court seat. In act, this President has chosen narrow ideological purity over diversity by nominating more people involved with the Federalist Society than African Americans, Hispanics and Asian Americans combined.

The biggest problem in the judicial nominations process is not with the Senate but with the White House. The judicial nominations process begins with the President, and President Bush has chosen to divide the Senate and the American people with his judicial nominations, instead of to unite us. The administration is intent on undermining the independence of the Federal judiciary and on making it a clone of the Republican Party. The President and his aides have shown the same unilateralism and arrogance to the Senate in their handling of judicial nominations that they have shown in so many other important policy areas.

I commend Senator EDWARDS for breaking through the Republican logjam on appointments from North Carolina to the Court of Appeals for the Fourth Circuit. He has sought out the middle ground while also standing firm in his efforts to protect the right of the people to fair judges in our Federal courts. The American people deserve an independent judiciary with fair judges who will enforce their rights and uphold the law.

#### DRUG PRICING DISCOUNTS

Mr. CORZINE. Mr. President, I rise today to commend Pfizer, Inc., for its new initiative to provide discounts of between 15 and 50 percent off retail prices of its drug inventory to any uninsured American, regardless of age or income. We have been grappling with the issue of quality, affordable healthcare and accessibility to prescription drugs for some time. I think all of us in Congress believe this is one of our most critical challenges. A lot of thoughtful work has gone in to trying to address this, but from my perspective, we have had only limited success to date. As an industry leader, Pfizer has really stepped up to the plate to fill in some of the gaps that we all acknowledge still exist.

The recently passed Medicare reform bill gives limited assistance to seniors

and the disabled but leaves 44 million other uninsured Americans without coverage for their medications. The new program Pfizer is undertaking will offer assistance to those Americans who are not eligible for help under the Medicare plan. Pfizer's effort is truly a model of corporate responsibility, and I applaud the company for its example. I am particularly proud that Pfizer has a strong commitment to my State of New Jersey, with over 3,700 employees there.

We can especially appreciate that this new program covers a range of circumstances. It is widely acknowledged that expanded access to prescription drugs is integral to improving the health and quality of life for millions of Americans. By offering substantial discounts on its entire drug inventory, including the widely used Lipitor, Celebrex and Zoloft, Pfizer is taking an innovative and proactive approach to providing relief to the many Americans who would have gone without these vital medicines because they could not afford them.

In addition, there are 27 advocacy groups that have joined in support of the Pfizer initiative. This kind of collaboration between industry and community-based organizations represents public-private partnerships of the best kind. I am pleased to join with so many others in commending Pfizer's groundbreaking announcement, and look forward to working with all my colleagues in Congress on efforts to provide quality, affordable prescription drug coverage to all Americans.

#### USS "RONALD REAGAN"

Mrs. BOXER. Mr. President, last month California bid farewell to President Ronald Reagan. This month, on a happier note, we are greeting a great new ship named in his honor. On July 23, 2004, the people of California will welcome the USS *Ronald Reagan*, CVN 76, to her new homeport in San Diego.

As the Navy's newest and most technologically sophisticated aircraft carrier, the *Reagan* will project tactical airpower over the sea and inland while providing critical sea-based air defense and antisubmarine warfare capabilities.

It is proper and fitting that the new carrier be based in our State: Ronald Reagan was one of California's own. Though he traveled the world and served two terms in the White House, he always called California his home.

The *Reagan* crew will find a warm welcome in San Diego, a beautiful and vibrant city that is proud to be a navy town. San Diego is a cornerstone of America's national defense, and the Navy is a cornerstone of San Diego.

On behalf of the people of California, I want to welcome the USS *Ronald Reagan* and her crew to your new homeport. We are pleased and proud to have you with us, and we will do all we can to make you feel at home.