

District judges and U.S. attorneys within the Sixth Circuit have publicly stated that the vacancy rate in the Sixth Circuit has slowed the administration of justice. Accordingly, nine members of Michigan's Congressional delegation have written to the Judiciary Committee, expressing their deep concern over the persistence of the Michigan vacancies and urging us to confirm President Bush's Michigan nominees. Under such circumstances, with the understanding that we will continue to work to resolve the Michigan Senators' concerns, we simply must move forward on these nominations and confirm Judge Saad, Judge Griffin, and Judge McKeague to the Sixth Circuit.

I yield the floor.

The PRESIDING OFFICER. By unanimous consent, the call for a quorum has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Richard A. Griffin, of Michigan to be United States Circuit Judge for the Sixth Circuit shall be brought to a close.

The yeas and nays are required under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

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

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

The yeas and nays resulted—yeas 54, nays 44, as follows:

[Rollcall Vote No. 161 Ex.]

YEAS—54

Alexander	Dole	McConnell
Allard	Domenici	Miller
Allen	Ensign	Murkowski
Bennett	Enzi	Nelson (NE)
Bond	Fitzgerald	Nickles
Brownback	Frist	Roberts
Bunning	Graham (SC)	Santorum
Burns	Grassley	Sessions
Campbell	Gregg	Shelby
Chafee	Hagel	Smith
Chambliss	Hatch	Snowe
Cochran	Hutchison	Specter
Coleman	Inhofe	Stevens
Collins	Kyl	Sununu
Cornyn	Lincoln	Talent
Craig	Lott	Thomas
Crapo	Lugar	Voinovich
DeWine	McCain	Warner

NAYS—44

Akaka	Dodd	Leahy
Baucus	Dorgan	Levin
Bayh	Durbin	Lieberman
Biden	Feingold	Mikulski
Bingaman	Feinstein	Murray
Boxer	Graham (FL)	Nelson (FL)
Breaux	Harkin	Pryor
Byrd	Hollings	Reed
Cantwell	Inouye	Reid
Carper	Jeffords	Rockefeller
Clinton	Johnson	Sarbanes
Conrad	Kennedy	Schumer
Corzine	Kohl	Stabenow
Daschle	Landrieu	Wyden
Dayton	Lautenberg	

NOT VOTING—2

Edwards	Kerry
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The PRESIDING OFFICER. On this vote, the yeas are 54, the nays are 44.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. REID. Mr. President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

NOMINATION OF DAVID W. MCKEAGUE TO BE UNITED STATES CIRCUIT JUDGE FOR THE SIXTH CIRCUIT

The PRESIDING OFFICER. Under the previous order and pursuant to rule XXII, the clerk will report the motion to invoke cloture.

The 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. 790, David W. McKeague, of Michigan, to be U.S. circuit judge for the Sixth Circuit.

Bill Frist, Orrin Hatch, Lamar Alexander, Charles Grassley, Mike Crapo, Pete Domenici, Lincoln Chafee, Mitch McConnell, Ted Stevens, George Allen, Lindsey Graham, John Warner, Jeff Sessions, John Ensign, Trent Lott, Jim Talent, Pat Roberts.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of David W. McKeague, of Michigan, to be United States Circuit Judge for the Sixth Circuit, shall be brought to a close.

The yeas and nays are required under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from New Hampshire (Mr. GREGG) is necessarily absent.

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

The PRESIDING OFFICER (Mr. GRAHAM of South Carolina). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 44, as follows:

[Rollcall Vote No. 162 Ex.]

YEAS—53

Alexander	Dole	Miller
Allard	Domenici	Murkowski
Allen	Ensign	Nelson (NE)
Bennett	Enzi	Nickles
Bond	Fitzgerald	Roberts
Brownback	Frist	Santorum
Bunning	Graham (SC)	Sessions
Burns	Grassley	Shelby
Campbell	Hagel	Smith
Chafee	Hatch	Snowe
Chambliss	Hutchison	Specter
Cochran	Inhofe	Stevens
Coleman	Kyl	Sununu
Collins	Lincoln	Talent
Cornyn	Lott	Thomas
Craig	Lugar	Thomas
Crapo	McCain	Voinovich
DeWine	McConnell	Warner

NAYS—44

Akaka	Dodd	Leahy
Baucus	Dorgan	Levin
Bayh	Durbin	Lieberman
Biden	Feingold	Mikulski
Bingaman	Feinstein	Murray
Boxer	Graham (FL)	Nelson (FL)
Breaux	Harkin	Pryor
Byrd	Hollings	Reed
Cantwell	Inouye	Reid
Carper	Jeffords	Rockefeller
Clinton	Johnson	Sarbanes
Conrad	Kennedy	Schumer
Corzine	Kohl	Stabenow
Daschle	Landrieu	Wyden
Dayton	Lautenberg	

NOT VOTING—3

Edwards	Gregg	Kerry
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The PRESIDING OFFICER. On this vote, the yeas are 53, the nays are 44. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. REID. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. I ask unanimous consent to speak as if in morning business.

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

GENOCIDE IN SUDAN

Mr. FEINGOLD. Mr. President, I rise to join my colleagues in expressing my continued grave concern about the situation in Darfur, Sudan. For months now, Members of Congress have come to the floor to express their outrage at the situation in Darfur. All credible evidence indicates that what is unfolding in Darfur is genocide. Already, an estimated 30,000 civilians have been killed. More than 130,000 refugees have fled to Chad, and more than 1 million people have been displaced.

Numerous credible reports document the widespread use of rape as a weapon against female civilians. Entire communities have been razed, mosques destroyed, and wells poisoned, guaranteeing that a grave humanitarian crisis will continue to unfold for many months or even years. And now reports indicate that terrified survivors are being forced to return to their homes, which have been utterly destroyed, in a context of serious insecurity by Government officials who apparently view their own suffering citizens as something like a source of embarrassment.

Those of us who have followed developments in Sudan for many years see a horrifying familiarity in this crisis. The Government of Sudan has deliberately provoked a humanitarian catastrophe before in an attempt to repress dissent, and so for months now Members have come to the floor to speak out about this crisis.

I have written and spoken to administration officials, to U.N. officials, and to European officials to call for action and a firm unified message to Khartoum. I have raised the issue, as have

many colleagues, in numerous Senate Foreign Relations Committee hearings. This April, my colleague, Senator BROWNBACK, and I introduced S. Con. Res. 99 condemning the actions of the Sudanese Government. I have joined many of my colleagues in supporting Senator DEWINE's effort to direct urgently needed funds to Darfur for humanitarian relief, and I am a cosponsor of S. Con. Res. 124 acknowledging the genocide that is unfolding in Darfur, and I commend the leadership of Senators CORZINE and BROWNBACK, the sponsors of this legislation.

This is a tremendously difficult and complex situation. I commend the Secretary of State for traveling to Darfur to raise the profile on this issue. I commend the efforts of the USAID to respond to the urgent humanitarian needs in CHAD and IDPs in Darfur.

The administration can and must do more. First, the President needs to put in charge a senior official who can speak authoritatively to Khartoum and to key regional players, someone who is focused on Sudan exclusively each and every day. It is almost inexplicable that this has not been done to date.

Since our former colleague, Senator Jack Danforth, left his post as the President's special envoy for Sudan to serve as U.S. Ambassador to the United Nations, it appears that no one has been in charge of this issue on a day-to-day basis while this genocide unfolds. What kind of signal does this send about our seriousness? We need someone senior, with knowledge of the African and Arab worlds, put in place today to coordinate U.S. policy and deliver authoritative U.S. messages on a daily basis, to seize on fleeting opportunities, eliminate any confusion, match available resources with urgent needs, and constantly hold the Sudan Government's feet to the fire.

We also need serious thinking today about how to improve the security situation in Darfur. To date, the Government of Sudan has utterly failed to honor its commitments to disarm the janjaweed and to stop their brutal campaign.

Our strategy cannot simply consist of waiting for them to act. This is the same regime that orchestrated this misery in the first place. We cannot leave them in the driver's seat. So even as we push diplomatically for meaningful action from Khartoum, even as we do the hard work of building a strong, unified multilateral coalition to send a clear message about the serious consequences that will result from continued intransigence, we must develop plans to help people in spite of the Government of Sudan's policies. That means finding a way to provide security for Darfur's vulnerable populations and for the humanitarian organizations working to assist them.

We need to be working now to collect testimony and evidence so that those responsible for atrocities in Darfur can be held accountable for their crimes. This must not be an afterthought. It is

a central part of our obligation. And in addition to appropriately and sensitively collecting testimony, we should be making plans today to develop strategies to reach the survivors of rape in Darfur with medical assistance, counseling, and community-based support strategies to help address issues of stigma.

Ultimately, we need to think about underlying issues of political disenfranchisement that stoked the initial conflict in Darfur. The North-South peace process made real progress, and I applaud the efforts of the many African, European, and American diplomats who worked so hard to help the parties come to agreement. But the process only created real political space for two entities, the Government of Sudan and the Sudanese People's Liberation Movement of the South. Neither the South nor the North are monolithic. We need to think today about political accommodations that can give the disenfranchised a voice in determining their own destiny.

I share the outrage of my colleagues. But I know that the people of Darfur—the malnourished children, the victims of rape, the broken families struggling to survive—this people need more than our outrage. They need our action.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded and I be permitted to speak as in morning business.

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

CAMPAIGN FINANCE REFORM

Mr. FEINGOLD. Mr. President, when major and hard-fought legislation nears enactment, the rhetoric on this floor can get a little overheated. Supporters of the measure sometimes overstate the importance of the legislation or exaggerate its benefits. Opponents make doomsday predictions of what will happen if the bill becomes law. Only the passage of time can answer those arguments, but by the time that answers are available, the Senate has often has moved on to other battles.

Today, I want to take a few minutes on the floor to call the attention of my colleagues and the American people to some promising indications that the doomsday predictions of opponents of the McCain-Feingold bill have not come to pass. As we told the Senate at the time, McCain-Feingold will not solve every problem in our campaign finance system, and it hasn't. Lately, there has been significant controversy over so-called "527 organizations," which the FEC has permitted to operate in violation, I believe, of the Federal Election Campaign Act of 1974.

Nonetheless, McCain-Feingold is working as it was intended to work. It

closed the political party soft money loophole, and it has restored some sanity to a system that had truly spun out of control over the last several elections. While it is still too early to reach a final conclusion, it appears that the cynics and the doubters were wrong. And that is good news for the American people.

When the Senate considered the McCain-Feingold bill in March 2001, we had just finished a hotly contested Presidential election in 2000. Nearly \$500 million of soft money was raised in that election by the two political parties, almost double what was raised in the 1996 election. Nearly two-thirds of that total was given by just 800 donors, who contributed over \$120,000 each to the parties. The biggest donors contributed far more than that. The most generous soft money donor, AFSCME, gave almost \$6 million, all to the Democratic party. SEIU gave a total of \$4.3 million, mostly to the Democrats. AT&T gave a total of \$3.7 million to the parties, the Carpenters and Joiners Union \$2.9 million, Freddie Mac and Philip Morris, \$2.4 million. Then we had the "double givers"—companies that gave money to both parties. In 2000, there were 146 donors that gave over \$100,000 in soft money to both of the political parties.

The appearance of corruption created by this avalanche of soft money was overwhelming. The public knew it; and we all knew it in our hearts. And the Supreme Court knew it when it upheld the McCain-Feingold bill against constitutional challenge in the case of *McConnell v. FEC*. The Court stated the following:

As the record demonstrates, it is the manner in which parties have sold access to federal candidates and officeholders that has given rise to the appearance of undue influence. Implicit (and, as the record shows, sometimes explicit) in the sale of access is the suggestion that money buys influence. It is no surprise then that purchasers of such access unabashedly admit that they are seeking to purchase just such influence. It was not unwarranted for Congress to conclude that the selling of access gives rise to the appearance of corruption.

In this election cycle, I am happy to report, political party soft money is no more. Not reduced, not held in check, not capped—it is just gone. I consider this one of the most significant developments in American politics in the last 50 years. In 2002, a colleague told me on this floor that he had just finished making an hour of calls asking for large soft money contributions. He said he felt like taking a shower. Now, many of my colleagues, including some who did not support our bill, tell me how happy they are to not have to make those calls any more. That's a huge change in how we spend our time, and how we relate to people who have a big stake in what we do on this floor.

But what about the political parties? When we were debating McCain-Feingold, we had a real difference of opinion on how the bill would affect the parties. On one side were Senators who