

this war is to demonstrate our resolve not only to the enemy but also to our friends and allies, and most importantly to the people in harm's way, our men and women in the military and others who we have put on the front lines of the battle, to demonstrate to them that as a nation, while we may have some disagreements about the specifics of how we proceed with this conflict, we are united as a people in believing one main thing, and that is that the battle is worth it. So that whatever casualties do exist no one ever need be in doubt, be it the families, the friends, the colleagues in arms, or the service men and women, that their sacrifice was worth the price, whatever that price is.

If we ever begin to create the idea that this is not a war worth winning, that it is not a war worth sacrifice by Americans, then we will have done a great disservice not only to our overall war effort, because the enemy will surely pick up those signals, but also to the families and to the people in the military who are laying their lives on the line. They must continue to know that all of us believe this is a sacrifice worth making and that their sacrifice will not have been in vain.

I hope as time goes on, in debating the nuances of how we proceed with this conflict, all of my colleagues, Republicans and Democrats and everyone else in this great Nation, will understand the importance of reaffirming to those we have put in harm's way that whatever sacrifice they make, it is worth the sacrifice for the security of the people back home, for the opportunities they are creating for others and for the defeat of this insidious foe. That is something we will be talking about, especially as we move into the final phase of this legislative session and fund our homeland security effort, reform our intelligence community and our congressional oversight of that community, and do whatever we can do right now to help win this war, that we ensure that all Americans understand how they can contribute to the victory. Right now their biggest contribution can be to support the effort so the people who we have sent in harm's way will appreciate that their sacrifices, whatever they may be, are not in vain.

The PRESIDING OFFICER. The Senator from Virginia.

#### RAVAGES OF TROPICAL STORM GASTON ON VIRGINIA

Mr. ALLEN. Mr. President, before I begin my comments, I rise to commend the words of Senator KYL of Arizona and Senator LIEBERMAN. Senator LIEBERMAN was commending ESPN's 25 years as a wonderful station, great entertainment, and something that means a lot to our family.

I bring to my colleagues' attention something that is very important to Virginia, and Florida as well. These hurricanes and disasters that have been hitting our country, particularly

in Florida, which has naturally gotten the most attention, but also Tropical Storm Gaston that had such a terrible impact in the Richmond area.

We will be voting shortly on H.R. 5005, which is an emergency supplemental disaster relief appropriations measure. On behalf of the people of Virginia, and also Floridians, I thank my colleagues and also President Bush for acting to assist in this disaster relief, which is so necessary.

I was down in Richmond yesterday inspecting businesses that have been flooded out by this unique flash flood that hit the Shockoe Bottom, which is a historic area of Richmond. There are a lot of small shops there, small stores, restaurants. There are people who have lived there since the renovation of Shockoe Bottom. There are a lot of manufacturers up into the Shockoe valley that were also devastated. In Chesterfield County, an overflowing creek came through and they actually had to demolish two big apartment areas and residences. Just in Chesterfield County alone, 47 people's lives were saved by the firefighters and police. There were eight people who lost their lives from Tropical Storm Gaston in the Commonwealth of Virginia.

In addition to lives lost, which of course is the worst thing to happen, people lost all of their possessions, photographs of loved ones, their important documents and files. People lost all of their clothing from the mud slides that came in and the water that rose so quickly.

There was one fellow at the disaster relief center that opened up yesterday afternoon. He had pants that were covered with paint and a T-shirt covered with paint. Those were the only clothes he had. All the rest of his clothes had been ruined. He was a painter. That is why he had so much paint on him. We saw others who were wondering where they were going to live and where they could get assistance. We saw small businesses—there were 35 businesses, 25 restaurants, hundreds of residences that were made uninhabitable.

One of the best things I saw of the evidence of how this flood came in, particularly in the Shockoe Bottom area, was a person who had a laptop and on it was a videotape of the flood waters coming in. Within 15 minutes, it had gone from nothing on the floor in the restaurant—this was at Bottoms Up Pizza—and it went up to well over 5 feet just in 15 minutes. People did not have time to do much of anything other than get up on different places to get out of the water.

The cleanup is going to be painstaking. A lot of work has been done. A lot of efforts have been made. It is a lot to clean out that mud, to disinfect, to dry it out and get back in business. In some of the places all the elevators, of course, were wrecked. In one facility, they had to take mud out of the basement by buckets and take it up steps. They did a phenomenally good job doing it but that gives us the sense of what has to be done.

In another small restaurant they were taking all the screws apart of a coffee roaster to make sure they could be dried off and oiled. Of course, all the furniture is wrecked. As far as the restaurants are concerned, they also have to make sure all the walls are sanitary and cleaned out for health reasons.

We saw trucks and vehicles all wrecked. There is one Virginia Guardsman who is actually over in Kosovo, his truck was swamped and of course made useless as well.

The point is, FEMA needs money. They need a lot of money because of these disasters. The President has acted. This country is going to provide billions of dollars to make sure FEMA has the money. In addition, when you talk about small businesses, they get assistance from SBA for very low interest loans. Those low-interest loans can help a lot of those businesses get back on their feet.

There is a lot of work, a lot of despair. Yesterday I was with Melanie Sabelhaus, who is the Deputy Administrator for the SBA. You see people's eyes light up for the opportunities they will receive.

I know the time has expired. May I speak in that time for 3 minutes?

Mr. REID. Mr. President, I have no objection to the distinguished Senator from Virginia speaking as long as the time for the vote does not change.

The PRESIDING OFFICER. Morning business has expired.

Mr. ALLEN. I ask unanimous consent to speak for an additional 3 minutes and have that time allocated to the Republican side for the debate on judges so the vote continues at 5:30.

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

Mr. ALLEN. Mr. President, again, this is important in that this bill we will be voting on after the judge votes, H.R. 5005, provides \$2 billion to replenish FEMA's disaster relief account. Included in there, which is very important, as Melanie Sabelhaus said, we are making promises of loans to folks, and we have run out of funds. So it is important we all work as quickly as possible to make sure these funds are there because there is an allocation in here of up to \$30 million which may be transferred to the Small Business Administration's efforts to carry out disaster loans authorized by section 7(b) of the Small Business Act.

The point is, we have a lot of people hurting in this country, in Florida, and obviously I am talking about Virginia. It is important we all come together quickly, efficiently, and as expeditiously as possible to assist these individuals who have a lot of pain, a lot of work to do, but also a great deal of spirit. In the Shockoe Bottom, what encouraged me the most was folks cleaning and going through all that work—which is very tedious work. The smells and the mold and all that is almost overwhelming at times. But there is a great deal of history in the Shockoe Bottom of Richmond. It is one

of the oldest neighborhoods in one of the oldest cities in the country. It has a lot of history. This is going to be adding to the lore. I think, as they clean up and get back in business, it will be stronger than ever.

I am very pleased that all of us, the executive branch and legislative branch, are making sure the funds are there to help those small business owners, men and women, get back on their feet, get their customers in those doors again, keep those people working.

I thank you all for this effort. I hope this will pass unanimously after we dispose of the action on judges shortly.

I look forward to making sure we work together to get America—whether in Florida or Virginia or elsewhere—moving forward.

I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

NOMINATION OF VIRGINIA MARIA HERNANDEZ COVINGTON TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA

NOMINATION OF MICHAEL H. SCHNEIDER, SR., TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TEXAS

The PRESIDING OFFICER. The clerk will report the nominations.

The assistant legislative clerk read the nominations of Virginia Maria Hernandez Covington, of Florida, to be United States District Judge for the Middle District of Florida, and Michael H. Schneider, Sr., of Texas, to be United States District Judge for the Eastern District of Texas.

The PRESIDING OFFICER. Who yields time?

Mr. HATCH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. HATCH. Mr. President, I ask unanimous consent the last 5 minutes of debate be granted to the two Senators from Texas.

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

Mr. REID. Mr. President, this will be counted against the time for the majority; is that right?

Mr. HATCH. Yes.

Mr. President, I am pleased that the Senate is turning its attention to the

confirmation of judges this evening. The record will note that the Senate Judiciary Committee has worked hard to ensure President Bush's judicial nominees have been given the appropriate scrutiny. I have also made every effort to ensure fair treatment of the nominees. While there has been a bit of obstructionism in the advice and consent process, including unprecedented filibusters, we have made significant progress.

During the 107th Congress, during which the Democrats held the majority for most of the Congress, the Senate confirmed 100 of President Bush's nominees. Thus far, in the 108th we have confirmed 98, and with the expected confirmation of these judges, we will match the record established by Senator LEAHY. I recognize him for the good work he has done on many of the nominees and thank him for his cooperation as ranking member. There is still some work to be done, and I am hopeful that additional nominees will be confirmed by this Senate. Our Senators certainly deserve that kind of consideration.

Today I rise in support of the nomination of Virginia Maria Hernandez Covington to the United States District Court for the Middle District of Florida. Judge Covington is the first Cuban-American woman ever appointed to Florida's appellate courts and is currently the highest-ranking Hispanic woman serving in Florida's judiciary.

After graduating from Georgetown University Law Center, where she was the editor of the Tax Lawyer law review, Judge Covington began her career in public service as a trial attorney for the Federal Trade Commission. She then moved to Florida to work as an assistant state attorney for Hillsborough County, FL. In 1983, she was appointed Assistant U.S. Attorney for the Middle District of Florida, and eventually was promoted to Chief of that District's asset forfeiture section. In 2001, Governor Jeb Bush appointed her to Florida's Second District Court of Appeal, where she has served with great distinction.

While serving as an Assistant U.S. Attorney, Judge Covington lectured extensively on asset forfeiture, money laundering, and complex prosecutions to prosecutors and law enforcement personnel throughout the United States. She also lectured, taught and participated in seminars on trial advocacy practice and procedure with prosecutors, law enforcement personnel, and judges in Chile, Argentina, Mexico, Venezuela, Colombia, Costa Rica, and Honduras. As a U.S. Department of Justice liaison, she also helped the Bolivian government establish its narcotics-related asset forfeiture program.

Judge Covington's professional and civic work has won her respect and recognition throughout central Florida. Most recently, she was honored as the 2003 Hispanic Woman of the Year by Tampa Hispanic Heritage Incorporated.

Judge Covington was reported from our Committee without opposition, and I am confident that she will serve with distinction as a Federal judge. The ABA Committee agrees, unanimously rating her "Well Qualified" for the Federal bench. There is absolutely no reason to delay her confirmation to the Middle District of Florida, and I urge my colleagues to join me in voting to confirm her.

I am also pleased to speak in support of Michael H. Schneider, Sr., who has been nominated to the United States District Court for the Eastern District of Texas.

Judge Schneider has had a distinguished legal career. He began his career more than 30 years ago as an assistant district attorney in the Harris County District Attorney's Office, with a particular emphasis on economic crimes. After 4 years there, he entered the private sector, working for various industries—including the Union Pacific Railroad Company where he served as its General Solicitor. In 1989, he joined the law firm of McFall & Sartwelle, LLP, as a trial attorney. He litigated cases involving products liability defense, commercial torts and commercial fraud cases. To date, he has tried approximately 150 cases to a verdict. That is more than most attorneys even dream of trying.

In 1990, Judge Schneider became the presiding judge of the 157th District Court in Harris County, TX. From 1996 until 2002, he served as the chief justice of the Texas First Court of Appeals in Houston. In 2002, Governor Rick Perry appointed him to the Supreme Court of Texas. Justice Schneider was subsequently elected to a term that expires in 2008.

Judge Schneider brings a wealth of experience to the federal bench. Aside from a law degree from the University of Houston, he also earned his LL.M. from the University of Virginia School of Law. The ABA has rated him unanimously "Well Qualified," and I am confident that he will be an excellent addition to the federal bench in the Eastern District of Texas.

Following the two scheduled rollcall votes this evening, we will turn to the confirmation of Michael Watson, who has been nominated to the United States District Court for the Southern District of Ohio. I am hopeful that we can quickly conclude debate on this nomination and move promptly to a vote of approval for Judge Watson.

Judge Michael Watson began his legal career as a law clerk and bailiff to the Honorable Tommy L. Thompson of the Franklin County Court of Common Pleas in Ohio. He litigated a broad range of civil and criminal cases before joining the Ohio Department of Commerce as its chief legal counsel, where he served until 1992. He then joined the staff of the Office of the Governor as deputy chief legal counsel, and was promoted to chief legal counsel in 1994.

On January 1, 1996, then-Governor George Voinovich appointed Judge