

matters and criminal misdemeanors. In 1987, she was elevated to the Los Angeles County Superior Court, where she currently serves.

Judge Baker has handled thousands of cases from filing to disposition, and is widely recognized as one of California's finest jurists. In 1994, she received the Alfred J. McCourtney Trial Judge of the Year Award from the Consumer Lawyers of Los Angeles. The American Bar Association has rated Judge Baker unanimously "Well Qualified."

Mr. SPECTER. Mr. President, I urge my colleagues to vote for these three distinguished nominees. I thank Senator LEAHY, the Chairman of the Judiciary Committee, for moving these nominations. It is very important. We have numerous judicial emergencies. We have other nominees awaiting action by the committee and by the full Senate.

Senator LEAHY is moving with dispatch, which is appreciated, and it is also appreciated that the majority leader has listed these three nominees for action this morning.

In the absence of any other Senator seeking recognition, 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. COBURN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

JUDGE GREGORY KENT FRIZZELL

Mr. COBURN. Mr. President, I come to the floor to follow up on the comments made by my senior Senator, Mr. INHOFE, from Oklahoma, on the qualifications of Judge Gregory Frizzell. He has enumerated many of those. This is a fine young man with impeccable character and integrity. He is a living example of a life of service, not just in what he does as a judge in Oklahoma, but what he does in his community in Oklahoma. It has been a real pleasure to get to know him, to also watch him as he went through the process of getting a unanimous vote out of the Judiciary Committee and having no significant questions raised about his judicial philosophy, integrity, character, background, or his qualifications. So it is with a great deal of pleasure that I look forward to his vote today.

I might comment for a moment that he was capable of being confirmed in the last Congress, and there was no reason, no good reason why he wasn't, other than the answer: We are not going to approve any more judges in this Congress. That is the reason I was told by the now majority leader that he would not be approved. There is no question as to his qualifications, but it should remind us again of the dangers of partisanship for party instead of partisanship for our country and for future generations.

I am very thankful to the Judiciary Committee chairman, PATRICK LEAHY from Vermont, for the speed and quickness with which he has brought this to the floor. I thank him for that, and I

look forward to working with him with the same speed on any other judges the President might bring up and that the committee would put out.

It is my hope we can get beyond partisanship on judiciary nominees and get to the business of filling the significant number of voids or vacancies that are out there today and that are limiting justice for people in this country. Justice delayed is justice denied. And a lack of available judges is denying justice to hundreds and thousands of Americans every day. So the chairman of the Judiciary Committee has my commitment as a member of the Judiciary Committee to help him in any way I can to move those.

It is a great honor that Greg Frizzell will sit as a Federal judge in the northern district of Oklahoma, and it is my hope we will see many like him fill the spots across this country.

With that, I yield the floor, Mr. President, and I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold?

Mr. COBURN. I will withhold.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

#### EXECUTIVE SESSION

NOMINATION OF LAWRENCE JOSEPH O'NEILL TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF CALIFORNIA

NOMINATION OF VALERIE L. BAKER TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA

NOMINATION OF GREGORY KENT FRIZZELL TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF OKLAHOMA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to consider en bloc the following nominations, which the clerk will report.

The legislative clerk read the nomination of Lawrence Joseph O'Neill, of California, to be a United States District Judge for the Eastern District of California;

Valerie L. Baker, of California, to be a United States District Judge for the Central District of California; and

Gregory Kent Frizzell, of Oklahoma, to be a United States District Judge for the Northern District of Oklahoma.

The PRESIDING OFFICER. Under the previous order, there will now be 10 minutes for debate on the nominations, equally divided between the Senator

from Vermont, Mr. LEAHY, and the Senator from Pennsylvania, Mr. SPECTER, or their designees.

The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, I thank the Chair. I spoke briefly a few moments ago about these nominees. They all have excellent academic records and professional records, and they have been examined by the investigative authorities and have been reviewed by the Judiciary Committee. They have been passed out unanimously by the Judiciary Committee for confirmation. All have been evaluated "well qualified" by the American Bar Association, and I urge my colleagues to support all of these nominees.

That pretty well summarizes, Mr. President. So in the absence of any Senator seeking recognition, 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. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

NOMINATION OF LAWRENCE JOSEPH O'NEILL

Mrs. FEINSTEIN. Mr. President, it is my pleasure to support Judge Lawrence O'Neill's nomination to the Eastern District of California.

His confirmation would help to alleviate a judicial emergency in the Eastern District of California.

The Fresno Division, to which Judge O'Neill is nominated, is suffering from a particularly acute overload of cases.

Judge Anthony Ishii and Senior Judge Oliver Wanger are currently the only judges on the Fresno Division of the Eastern District. Their average caseload is the highest in the Nation.

The people of Fresno and the Eastern District truly need the help that Judge O'Neill will provide.

Fortunately, Judge O'Neill is uniquely qualified to step in and offer immediate relief to the Eastern District because he has been a magistrate judge in the District since 1999.

In addition, for the last 17 years, Judge O'Neill has been a judge in California, spending 10 years as a superior court judge in Fresno before becoming a magistrate.

He is a homegrown Californian. He was born in Oakland, CA, and attended school in California. He received a bachelor's degree in criminology from the University of California, Berkeley, a master's degree in public education from Golden Gate University, and a law degree from Hastings College of Law.

Before attending law school, he was a police officer for the city of San Leandro. I believe this additional perspective will prove an asset on the bench.

I was pleased to learn that the American Bar Association unanimously declared Judge O'Neill to be "well qualified," the ABA's highest rating.

In California, we have developed a bipartisan process for selecting Federal district court nominees. Under this system, a committee of lawyers, including Democrats and Republicans, recommends qualified applicants to the President.

The fact that Judge O'Neill's nomination was a product of this commission gives me confidence that he comes to the bench without an ideological agenda and is prepared to serve all the people of California.

#### NOMINATION OF VALERIE L. BAKER

Mr. President, it is my pleasure to support Judge Valerie Baker, a distinguished nominee to the U.S. District Court for the Central District of California.

The Central District of California, based in Los Angeles, is the largest and busiest Federal judicial district in the Nation. Judge Baker would be a welcome addition to this important court.

Judge Baker has been a trial court judge on the Los Angeles County Superior Court for nearly 20 years and previously served on Los Angeles Municipal Court.

In 1994, she was awarded the Alfred J. McCourtney Trial Judge of the Year Award from the Consumer Lawyers of Los Angeles.

Judge Baker is also a seasoned litigator, with Federal experience in criminal and civil cases. With the law firm of Lillick, McHose & Charles she specialized in Federal business litigation and antitrust law. As an assistant U.S. attorney, Judge Baker prosecuted bank robberies, major drug violations, and fraudulent enterprises.

At the University of California at Santa Barbara, she earned a bachelor of arts degree and a master's degree in English, and she received a law degree from UCLA.

Off the bench, Judge Baker has devoted herself to charities helping the Los Angeles community.

As a board member of the UCLA Law School Alumni Association, she chaired a committee to recruit qualified minority students. She also served on the board of a non-profit shelter for homeless teenagers and sat on the board of directors of the Braille Institute of Los Angeles.

The American Bar Association has given Judge Baker a unanimous "well qualified" rating, the Association's highest mark.

I am proud of the bipartisan process for selecting Federal district court nominees that we have developed in California. Under this system, a committee of lawyers, including Democrats and Republicans, recommends qualified applicants to the President.

Judge Baker came through this committee, which gives me confidence that she comes to the bench without an ideological agenda and is prepared to serve all the people of California.

Mr. LEAHY. Mr. President, today the Senate continues to make significant progress in its consideration of judicial nominations. The Senate will consider

and, I believe, confirm the nominations of Lawrence Joseph O'Neill for the Eastern District of California, Valerie L. Baker for Central District of California, and Gregory Kent Frizzell for the Northern District of Oklahoma.

When they are confirmed, the Senate will have granted its consent to 263 of President Bush's nominations for lifetime appointments to our Federal courts. Moreover, with these three confirmations today, we will have confirmed more of President Bush's nominations in the 18 months I have served as Judiciary Committee chairman with a Democratic majority in the Senate than in the more than 2 years when Senator HATCH chaired the committee with a Republican Senate majority or during the last Congress with a Republican Senate majority. This is the 105th confirmation during my time as Judiciary chairman.

I know some on the other side of the aisle have tried to raise a scare since I, again, became chairman of the Judiciary Committee. They rant as if the sky is falling and we would not proceed on any judicial nominations. We have proceeded promptly and efficiently. Last Thursday, the Judiciary Committee held its first business meeting of the year. We might have met earlier but for the delay in organizing the Senate from January 4, when this session first began, until the Republican caucus finally agreed to the resolutions assigning Members to Senate committees on January 12.

The three nominations we consider today were among the five nominations for lifetime appointments Federal judges that I included on the agenda at our first meeting. Like the two judges confirmed on Tuesday, Judge O'Neill's nomination is for a vacancy that has been designated a judicial emergency by the Administrative Office of the U.S. Courts. All five were among those returned to the President without Senate action at the end of last year when Republican Senators objected to proceeding with certain nominees in September and December last year.

Before proceeding, I inquired of each member of the committee whether a hearing was requested on these nominations this year. I, again, thank all, members of the Judiciary Committee for working with me to expedite consideration of these nominations this year. In particular, I extend thanks to our new members, the Senators from Maryland and Rhode Island.

These nominations were not even sent to the Senate until January 9. They were considered by the committee in a little over 2 weeks and are being approved by the Senate in a little over 3 weeks from their nomination.

I have worked cooperatively with Members from both sides of the aisle on our committee and in the Senate to move quickly to consider and report judicial nominations so that we can fill vacancies and improve the administration of justice in our Nation's Federal courts. I appreciate the interests of

Senator CHAMBLISS and Senator ISAAKSON in the confirmation of Judge Wood, the first judge confirmed this year. Likewise, I was pleased to be able to respond to the needs of Senator INHOFE and Senator COBURN by expediting consideration of Judge Frizzell. I thank Senator FEINSTEIN and Senator BOXER of California for their efforts on some of these nominations and for working to fill the vacancies in California.

I have long urged the President to fill vacancies with consensus nominees. The Administrative Office of the U.S. Courts list 57 judicial vacancies, 28 of them have been deemed to be judicial emergencies. So far this Congress, the President has yet to send us nominees for 17 of those judicial emergency vacancies.

I have also scheduled a confirmation hearing for next week for additional judicial nominees and another business meeting at which the committee may consider still more judicial nominations. When a Republican chaired the committee in 1999 and there was a Democratic President, the first hearing on a judicial nominee was not held until June 16. We intend to hold a hearing on February 6.

I had initially thought that we would include the nomination of Norman Randy Smith of Idaho to the Ninth Circuit at that hearing next week. However, with the cooperation of the Senators from California and the members of the Judiciary Committee, I now hope to be able to avoid another hearing on the Smith nomination.

I was pleased when the White House changed course and nominated Randy Smith for the Idaho seat on the Ninth Circuit. I had urged President Bush to take this action last year when he insisted on resubmitting the Smith nomination for a California seat on the Ninth Circuit. I thank the President for finally doing the right thing. I will urge the Senate to confirm his nomination of Randy Smith to the vacant seat on the Ninth Circuit from Idaho. At long last Senator CRAIG and Senator CRAPO will then have a judge on that important court from their home State.

Each of the nominees we consider today has the support of home State Senators.

Lawrence Joseph O'Neill is nominated to the U.S. District Court for the Eastern District of California, another seat deemed to be a judicial emergency by the Administrative Office of the U.S. Courts. He is a well-qualified nominee who has over 15 years of experience on the bench, seven of them as a magistrate judge on the district court to which he is now nominated. Before becoming a magistrate judge, Judge O'Neill spent 9 years as a Fresno County superior court judge and, before that, a decade in private practice. Judge O'Neill will bring a valuable perspective to the Federal bench, having served as a police officer for 5 years in