

Judge George H. Wu to be U.S. district judge for the Central District of California. Judge Wu currently serves as a judge on the Los Angeles Superior Court, where he has presided since 1996, and before that was a judge on the Los Angeles municipal court from 1993 to 1996.

He came to those judicial positions with an excellent academic background—a bachelor's degree from Pomona College in 1972 and a law degree from the University of Chicago in 1975. He has an outstanding record in the practice of law. He was assistant professor of law at the University of Tennessee College of Law from 1979 to 1982. He was an Assistant U.S. Attorney in the civil division of the Central District of California office in Los Angeles from 1982 to 1989. He later served as Assistant Division Chief in the U.S. Attorney's Office from 1991 to 1993. Judge Wu is very well qualified, rated so by the American Bar Association. They unanimously rated Judge Wu as "well qualified."

His nomination to the Federal bench is recognition of the contributions of lawyers from the Southern California Chinese Lawyers Association, where he was a member from 1984 until the present time.

I recently spoke at the convention of lawyers from the Asian-Pacific American Bar Association, who made the point to me that there ought to be more representation, more diversity for judges with a background from Asia and specifically from China. There are not very many judges representing that particular group. I think it is a good idea to have diversity on the Federal bench among people from all walks of life, all backgrounds, all national origins, all ethnic representations, and applaud his nomination from that point of view, in addition to the excellent credentials which I have cited.

I ask unanimous consent that the full text of his resume and background on two pages be printed in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

GEORGE H. WU

UNITED STATES DISTRICT JUDGE FOR THE
CENTRAL DISTRICT OF CALIFORNIA

Birth: November 3, 1950, New York, NY.

Legal Residence: California.

Education: B.A., Pomona College, 1972; J.D., University of Chicago Law School, 1975.

Employment: Associate, Latham & Watkins, Los Angeles, CA, 1975-1976, 1977-1978; Law Clerk, Hon. Stanley N. Barnes, U.S. Court of Appeals for the Ninth Circuit, 1976-1977 (and again for brief periods in 1979 and 1980); Associate, Latham & Watkins, Los Angeles, CA, 1977-1978; Assistant Professor of Law, University of Tennessee College of Law, 1979-1982; Assistant U.S. Attorney, U.S. Attorney's Office, Civil Division, Central District of California, 1982-1989; Associate, LaBoeuf, Lamb, Leiby & MacRae, Los Angeles, CA, 1989-1991; Assistant Division Chief, U.S. Attorney's Office, Civil Division, Central District of California, 1991-1993; Judge, Los Angeles Municipal Court, 1993-1996;

Judge, Los Angeles Superior Court, 1996-Present.

Selected Activities: Member, Committee on Standard Jury Instructions (Criminal and Civil) of the Superior Court of Los Angeles County, California, 2000-2004; Member, Southern California Chinese Lawyers Association, 1984-Present; Member, Federal Bar Association, 1983-1986 (Member, Judicial Evaluation Committee, 1984-1985); Member, Los Angeles County Bar Association, 1983-1992 (Member, Committee on Federal Courts and Practice, 1984, 1985); Member, Barristers—Los Angeles County Bar Association, 1983-1986 (Co-Chairman, Government Attorneys Committee, 1985-1986).

Judge George Wu was nominated in the last Congress, but his nomination was not acted upon prior to its adjournment.

President Bush re-nominated Judge Wu on January 9, 2007. A hearing was held on his nomination on February 6 and the Judiciary Committee favorably reported him on March 1.

Judge Wu is a highly qualified nominee with a distinguished record.

In 1972, he earned his B.A. degree from Pomona College. In 1975, he earned his J.D. from the University of Chicago Law School.

After law school, Judge Wu became an associate at the firm of Latham & Watkins in Los Angeles from 1975 to 1976.

Judge Wu subsequently served as a judicial clerk for the Honorable Stanley N. Barnes on the U.S. Court of Appeals for the Ninth Circuit.

From 1979 to 1982 Judge Wu was an Assistant Professor of Law at the University of Tennessee College of Law in Knoxville, Tennessee, where his courses included civil procedure, torts, and labor law.

Judge Wu served as an Assistant U.S. Attorney in the Civil Division of the Central District of California office in Los Angeles from 1982 to 1989 and later served as Assistant Division Chief from 1991 to 1993.

From 1989 to 1991, Judge Wu returned to private practice, this time as an associate at LeBoeuf, Lamb, Leiby & MacRae in Los Angeles.

In 1993, Governor Pete Wilson appointed Judge Wu to the Los Angeles Municipal Court, which handles misdemeanor cases, preliminary felony hearings, and small civil actions. In 1996, Governor Wilson elevated Judge Wu to the Los Angeles Superior Court, which handles felony cases and larger civil suits.

The American Bar Association unanimously rated Judge Wu "Well Qualified."

ATTORNEY GENERAL GONZALES

Mr. SPECTER. I note we are scheduled to vote on Judge Wu at 12:10. As ranking member, I have the balance of the time until that period. I choose to use it to comment briefly on a letter which I received yesterday from John M. Dowd, who is an attorney for Ms. Monica Goodling, who was counsel to Attorney General Gonzales and White House liaison. In this letter, Mr. Dowd asserts the basis for having Ms. Goodling claim her constitutional rights under the fifth amendment, and privilege against self-incrimination, not to testify before the Judiciary Committee on our inquiry into the eight U.S. attorneys who were asked to resign. Mr. Dowd makes the point emphatically that in asserting this privilege against self-incrimination, Ms. Goodling is not saying she has done anything wrong and explicitly denies any wrongdoing but cites Supreme Court authority for

the right of an individual to claim the privilege against self-incrimination, even those who are innocent, as well as those who might have something to hide. There is a firm assertion of her innocence by her attorney and her own affidavit.

I can understand the reasons for this claim of privilege and the reasons Ms. Goodling does not want to testify before the Judiciary Committee. In Mr. Dowd's letter, he references some of my prior statements and then says:

Senator Schumer has no less than five times characterized the Department's testimony to date as "false" or "a falsehood," and concluded that there have been misleading statement after misleading statement, deliberate misstatements.

If a false statement has been made to a congressional committee, that constitutes a crime under title 18 of the United States Code, section 1001. That was the basis on which the No. 2 man in the Interior Department entered a guilty plea during the course of the past week. Where there have already been characterizations, as cited by Mr. Dowd of Senator SCHUMER's statement that there are misleading statements which have been made, which I state is a crime, I can understand the sense of a potential witness in not wanting to be ensnared in that kind of proceeding where conclusions have already been reached by Senator SCHUMER who is in charge of the investigation.

Mr. Dowd's letter further goes on, citing comments which I had made earlier, "that Senator SCHUMER is using the hearings"—this is Mr. Dowd's statement—"hearings to promote his political party. That is not a legitimate reason for the Judiciary Committee to conduct hearings."

I have said in the Judiciary Committee hearings, in the presence of Senator SCHUMER, eyeball to eyeball, so to speak, that I thought there was a conflict of interest. In concluding there was a conflict of interest, I did not ask Senator SCHUMER to step aside. I said that was up to him.

But following the testimony of U.S. Attorney Iglesias, from New Mexico, the very next day the Web site of the Democratic Senatorial Campaign had Senator DOMENICI's picture on it, urging his defeat in the 2008 election. Then, shortly thereafter, there was a fundraising letter from the Democratic Senatorial Campaign Committee to raise money, saying the Democrats were elected to clean up Washington and this is an example of what needs to be cleaned up.

Any of us may be subject to comment in a political situation. Senator SCHUMER has a right to make political hay out of whatever he chooses. But I think it is inconsistent with leading an inquiry, and I can understand Ms. Goodling's decision not to testify in this context. I think it is very unfortunate,

because it is very important for the Judiciary Committee to get to the bottom of what has happened with the request for eight U.S. attorneys to resign. There is a cloud over U.S. attorneys, and I think it has had a distinctly chilling effect on all 93 U.S. attorneys, not knowing what will come next.

It is generally agreed that the President of the United States has the authority, standing, right to discharge U.S. attorneys for no reason at all. When President Clinton took office, in one fell swoop he replaced 93 U.S. attorneys and no one raised any question. But I think not if U.S. attorneys have been asked to resign and have been replaced for an improper reason, for a bad reason. Suggestion has been made that the U.S. attorney in San Diego, Ms. Lam, was replaced because she was hot on the trail of political operatives who may have been connected to former Congressman Duke Cunningham, who is now serving an 8-year sentence; or the allegation has been made—it has not been substantiated but it has been made—that New Mexican U.S. Attorney Iglesias was replaced for failure to prosecute a vote fraud case. An extended article in the New York Times a week ago Sunday gave extensive analysis, which might lead to the conclusion that there was justification for Mr. Iglesias's resignation, or perhaps there was not. But that is up to the Judiciary Committee to make a determination.

So it is unfortunate that you have a situation where witnesses are not coming forward. It is my hope we would not rush to judgment on this matter, that we would avoid conclusory statements, and that instead we would wait until we find out what the facts are. If these U.S. attorneys were asked to resign for improper reasons, I will be among the first to say so.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, it is true Ms. Goodling's attorney has said that she will take the fifth amendment. Now, as both a former defense attorney and a former prosecutor, I respect the right under our Constitution for anybody to take the fifth so they won't say something that might incriminate them and bring about criminal charges against them from their own statements. But it is a little bit odd that in a letter from Ms. Goodling's attorney, he speaks that she does not want to face the fate of Mr. Libby, or words to that effect. Scooter Libby was convicted of perjury. He was convicted of obstruction of justice. While I realize many believe he is going to be pardoned, those are the reasons he was convicted.

I would have assumed that Ms. Goodling—who has been a very high-ranking member of the Department of Justice, would come in and tell the truth. If she takes the fifth amendment, that's a more difficult thing. We won't hear

from her. If she feels that what she has to tell us would subject her to criminal prosecution, well, that raises some serious questions. We hope that others will testify and that they will testify honestly. We'll continue to ask people. But it is very, very difficult to get the facts when you have key members of the Bush-Cheney administration taking the fifth.

Mr. President, have the yeas and nays been ordered on this?

The PRESIDING OFFICER. They have not.

Mr. LEAHY. If I have any further time, I yield it back and I request 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 George H. Wu, of California, to be a U.S. District Judge for the Central District of California. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Kansas (Mr. BROWNBACK), the Senator from Wyoming (Mr. ENZI), and the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 115 Ex.]

YEAS—95

Akaka	Dorgan	Mikulski
Alexander	Durbin	Murkowski
Allard	Ensign	Murray
Baucus	Feingold	Nelson (FL)
Bayh	Feinstein	Nelson (NE)
Bennett	Graham	Obama
Bingaman	Grassley	Pryor
Bond	Gregg	Reed
Boxer	Hagel	Reid
Brown	Harkin	Roberts
Bunning	Hatch	Rockefeller
Burr	Hutchison	Salazar
Byrd	Inhofe	Sanders
Cantwell	Inouye	Schumer
Cardin	Isakson	Sessions
Carper	Kennedy	Shelby
Casey	Kerry	Smith
Chambliss	Klobuchar	Snowe
Clinton	Kohl	Specter
Coburn	Kyl	Stabenow
Cochran	Landrieu	Stevens
Coleman	Lautenberg	Sununu
Collins	Leahy	Tester
Conrad	Levin	Thomas
Corker	Lieberman	Thune
Cornyn	Lincoln	Vitter
Craig	Lott	Voinovich
Crapo	Lugar	Warner
DeMint	Martinez	Webb
Dodd	McCaskill	Whitehouse
Dole	McConnell	Wyden
Domenici	Menendez	

NOT VOTING—5

Biden	Enzi	McCain
Brownback	Johnson	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be

immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The majority leader.

UNANIMOUS-CONSENT AGREEMENT—H.R. 1591

Mr. REID. Mr. President, I ask unanimous consent that the vote with respect to the Cochran amendment No. 643 occur at 5 p.m. today; the time from 3:45 to 5 p.m. be for debate with respect to that amendment, with the time equally divided and controlled between the two leaders or their designees; that no amendments be in order to the amendment or the language proposed to be stricken; that the last 10 minutes prior to the vote be equally divided and controlled between the two leaders, with the majority leader controlling the last 5 minutes.

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

TONY SNOW

Mr. REID. Mr. President, on a matter of concern and seriousness, in my office this morning I had a newspaper clipping regarding Tony Snow. He had a tumor removed and the cancer had not returned, and I wrote a letter and signed it. A few minutes later, my secretary brought in a news clipping that Tony Snow's cancer has returned. I have known Tony Snow long before he became the spokesperson for the White House. My relations with him have always been superb. To me he has always been very fair. I have great respect for him and his family.

I want the record to reflect that I speak for everyone on this side of the aisle of our real concern. He has been a tremendously good representative for the President. He does an outstanding job dealing with some of the most serious issues any person could face. He has done a wonderful job. I hope and pray that Tony Snow will again be able to whip the cancer he has already whipped once. With the good thoughts and prayers from everyone in this body and the many friends he has in Washington and around the world, it will go a long way toward healing this man who certainly deserves it.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, let me join the majority leader in expressing our best wishes, hopes, and prayers for Tony Snow's speedy recovery. He has been a spectacular press secretary to the President. He enjoys widespread respect and admiration. We wish him well for a speedy recovery.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.