

unfold before our eyes. Had we listened to Senator JEFFORDS, and the other few voices who were calling out years ago, perhaps some of that loss of life and billions of dollars of loss of property could have been averted.

Senator JEFFORDS came down to Louisiana on several occasions. One I will never forget is standing with him in this very southern part of the State in Lafourche Parish, literally almost into the gulf waters, we were so far down south. I was explaining to him—and this is far out from New Orleans. You have to try a little hard to get there. You fly into the big airport, and then you have to go by either bus or helicopter, and it is difficult. And, of course, Senator JEFFORDS' health has not been great lately. But he was a real trooper, and he said: No, Mary. I want to go, and I want to see it.

So we flew him way down to the wetlands, and he and I were standing there, and I was explaining to him how his work in the Senate was affecting the lives of my constituents down in the bayou and was saying: Senator, almost once a week or so some fishing vessel or shrimp trawler runs into this bridge. And when the bridge shuts down, we literally not only keep schoolchildren from getting to school and parents from getting to their children, but we literally shut down the whole offshore oil and gas industry or a big part of it, because when a bridge shuts down, none of the trucks can move, no supplies can get out to the rigs. Don't you think this country, which spends trillions of dollars every year, can spend a few million dollars to fix this bridge?

The words had not gotten out of my mouth when a shrimp trawler hit the bridge, and the bridge moved slightly. The big wings of the shrimp trawler collapsed, and Senator JEFFORDS looked at me and said: Now, Mary, you have gotten way too dramatic on this point. You did not have to set that stage for that boat to hit that bridge. He said: I get the message. So we, of course, had a laugh about that.

But his sense of humor, his commitment, and his passion for the environment and the people who live on the land, the people who live in this natural environment, is what has always made me a real fan of his. I want him to know I am going to miss him and his staff who have also been extremely kind to me and my staff in the Senate.

MIKE DEWINE

Mr. President, I wish to speak about Senator DEWINE, my distinguished colleague from Ohio, and a good friend, and a man whom I have worked very closely with in our capacity as appropriators. Also, we share a passion for the child welfare system in this Nation, trying to improve it—of course, promoting adoption, the notion that there is no such thing as unwanted children, just unbound families.

I could not but come to the floor and say that MIKE DEWINE is literally one of the most compassionate men I have

ever known. That compassion is obvious to anyone who works closely with him day in and day out. It is not fake. It is very real. And the spiritual depths of which he and his wife Fran and their children live their faith—not just talk about it, not just use it as a shield to protect them, but as a way to serve others—is quite extraordinary.

This Senator has seen that in him and his work, side by side with him. I want my other colleagues to know that if it were not for Senator MIKE DEWINE, the District of Columbia would not have their family court, the country would not have the stable families legislation he and Senator ROCKEFELLER pushed through this Chamber at a time when not that many people understood the consequence of a foster care system in disrepair and what happens to children when they get stuck in a system that does not appreciate their dignity or respect their right to a family.

Senator DEWINE, a family man himself, most certainly understands that and pushed that legislation through, and dozens of other pieces of legislation that I had the privilege to help him with, and to assist him with, and to watch him lead on. So I am certainly going to miss his leadership. But I will commit to him my focus on Haiti. I will never be able to fill the shoes he has laid out with the work he has done, but several of us intend to continue his work with Haiti, the poorest nation on the Earth, and continue his great passion, as much as we can, in our time here in the Senate.

LINCOLN CHAFEE

Mr. President, Senator LINCOLN CHAFEE of Rhode Island has been an independent voice for his State and the issues he believes in, regardless of partisan consideration. He will be missed by all of us.

CONRAD BURNS

Mr. President, Senator CONRAD BURNS has represented his State of Montana for three terms. He has been a stalwart on behalf of his constituents and his philosophy of government. We thank him for his public service.

GEORGE ALLEN

Mr. President, finally, I want to recognize the Senator from Virginia, GEORGE ALLEN, for his service as Senator and as Governor of his State. We have worked together on a range of issues on the Energy and Small Business Committees as well as on the historic antilynching bill.

To all of our retiring Members, I say thank you. Thank you for your efforts on behalf of my State when you were needed and thank you for your service to America.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

#### NOMINATION OF KENT A. JORDAN

Mr. SPECTER. Mr. President, we are due to vote in 2 minutes on the cloture

motion to cut off debate so we can proceed to a vote on the nomination of Kent A. Jordan to serve on the U.S. Court of Appeals for the Third Circuit. Kent Jordan now is Judge Jordan on the U.S. District Court for the District of Delaware. He has an outstanding academic and professional record. He graduated cum laude from the Georgetown Law Center.

Judge Jordan was nominated to serve on the U.S. Court of Appeals for the Third Circuit on June 28, 2006. A hearing was held for his nomination on September 6, 2006. His nomination reported out of the Judiciary Committee with a favorable recommendation on September 26, 2006.

In 1981, Judge Jordan received his BA from Brigham Young University, where he graduated with high honors. In 1984, he received his JD from the Georgetown Law Center, where he graduated cum laude.

Following law school Judge Jordan served as a law clerk to the Honorable James L. Latchum, U.S. District Judge for the District of Delaware. After his clerkship, he entered private practice as an associate at Potter Anderson & Corroon. From 1987 to 1992, he served as an Assistant U.S. Attorney in the U.S. Attorney's Office for the District of Delaware, where he became the office's lead attorney on civil matters and served as lead and cocounsel on a variety of criminal matters.

He then joined Morris James Hitchens & Williams as an associate in 1992, becoming a partner in 1994. While at the firm he handled intellectual property, corporate, and commercial litigation.

From 1998 to 2002, he served as vice-president and general counsel for the Corporation Service Company in Wilmington, DE.

In 2002, he was nominated and confirmed as a district judge for the District of Delaware, where he still sits.

Judge Jordan is also a scholar who teaches as an adjunct professor at three law schools: the University of Pennsylvania, Vanderbilt, and Widener. Judge Jordan has spoken and published articles on intellectual property, civil procedure, advocacy, and professional responsibility. He has also contributed chapters to several legal titles, including two manuals used in the Third Circuit: "Federal Appellate Procedure" and "Federal Civil Procedure Before Trial."

Judge Jordan has received a unanimous "well qualified" rating from the American Bar Association.

Mr. President, I ask unanimous consent that his resume and a full statement of his accomplishments be printed in the RECORD.

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

KENT A. JORDAN, U.S. COURT OF APPEALS FOR THE THIRD CIRCUIT

Birth:

Oct. 24, 1957, West Point, New York

Legal Residence:

Delaware

Education:

B.A., Brigham Young University, with high honors, 1981

J.D., Georgetown Law Center, cum laude, 1984

Employment:

Law Clerk, James L. Latchum, U.S. District Court for the District of Delaware, 1984–1985

Associate, Potter Anderson & Corroon, 1985–1987

Assistant United States Attorney, U.S. Attorney's Office for the District of Delaware, 1987–1992

Associate, Morris James Hitchens & Williams, 1992–1993; Partner, 1994–1997

Vice-President and General Counsel, Corporation Service Company, 1998–2002

United States District Judge, District of Delaware, 2002–present

Selected Activities:

Member of the Board of Directors, Community Legal Aid Society, Inc., 1994–1997

Member, Delaware State Bar Association, 1984–present

Member, District of Columbia Bar Association, 1996–present

Member, American Bar Association, 1984 to early 1990s

Member, Federalist Society, 1995–1997

Adjunct professor at: Widener University School of Law, 1995–1996; 2006–present; Vanderbilt University School of Law, 2003–present; University of Pennsylvania Law School, 2005–present.

Judge Kent Jordan, of the United States District Court for the District of Delaware, was nominated to serve on the United States Court of Appeals for the Third Circuit on June 28, 2006. A hearing was held for his nomination on September 6, 2006. His nomination reported out of the Judiciary Committee with a favorable recommendation on September 26, 2006.

In 1981, Judge Jordan received his B.A. from Brigham Young University, where he graduated with high honors. In 1984, he received his J.D. from the Georgetown Law Center, where he graduated cum laude. Following law school Judge Jordan served as a law clerk to the Honorable James L. Latchum, U.S. District Judge for the District of Delaware. After his clerkship, he entered private practice as an associate at Potter Anderson & Corroon. From 1987 to 1992, he served as an Assistant United States Attorney in the U.S. Attorney's Office for the District of Delaware, where he became the office's lead attorney on civil matters and served as lead and co-counsel on a variety of criminal matters.

He then joined Morris James Hitchens & Williams as an associate in 1992, becoming a partner in 1994. While at the firm he handled intellectual property, corporate, and commercial litigation. From 1998 to 2002, he served as vice-president and general counsel for the Corporation Service Company in Wilmington, DE. In 2002, he was nominated and confirmed as a District Judge for the District of Delaware.

Judge Jordan is also a scholar who teaches as an adjunct professor at three law schools: the University of Pennsylvania, Vanderbilt University, and Widener University. Judge Jordan has spoken and published articles on intellectual property, civil procedure, advocacy, and professional responsibility. He has also contributed chapters to several legal titles, including two manuals used in the Third Circuit: Federal Appellate Procedure and Federal Civil Procedure Before Trial.

Judge Jordan has received a unanimous "Well Qualified" rating from the American Bar Association. He enjoys the strong support of both Delaware Senators.

Mr. SPECTER. Mr. President, in the 30 seconds remaining, I urge my colleagues to proceed to vote on the nomination of Judge Jordan and also on the pending nominations of some 13 district court judges, all of whom have been reported out favorably by the Judiciary Committee. Regrettably, the Senate does not focus as much attention on these judgeships as I think it should. The distinguished Presiding Officer has a judge on the docket from the State of Georgia. And with the enormous business pressures we have—on Iraq and on taxes and on appropriations—there is too little attention on judges. When a judge is not present on the Third Circuit, and currently there are four vacancies on that circuit, they have a judicial emergency situation. Their docket is clogged and people have to wait a long time to have their cases heard.

Similarly, if there is not a judge sitting in Georgia or in Ohio, where Senator DEWINE and Senator VOINOVICH want a nominee confirmed, people are prejudiced and disadvantaged. And from the Western District of Michigan, a Congressman was over yesterday, urging Senators to move ahead on the three pending nominations in that district. I ask that every step be taken at every level of the Senate to confirm these judges.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF KENT A. JORDAN TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT

The PRESIDING OFFICER. Under the previous order, the hour of 10:30 a.m. having arrived, the Senate will proceed to executive session for a vote on the motion to invoke cloture on the nomination of Kent Jordan, which the clerk will report.

The assistant legislative clerk read the nomination of Kent A. Jordan, of Delaware, to be United States Circuit Judge for the Third Circuit.

CLOTURE MOTION

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

The assistant 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 the nomination of Kent A. Jordan, of Delaware, to be United States Circuit Judge for the Third Circuit.

Bill Frist, Robert Bennett, Arlen Specter, Tom Coburn, Kit Bond, George Allen, Lindsey Graham, Trent Lott,

Mel Martinez, Gordon Smith, Sam Brownback, Rick Santorum, Richard Burr, Hillary Clinton, Johnny Isakson, Jim DeMint.

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 Executive Calendar No. 924, the nomination of Kent A. Jordan, of Delaware, to be United States Circuit Judge for the Third Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. The following Senators were necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Utah (Mr. HATCH), the Senator from Arizona (Mr. MCCAIN), the Senator from Missouri (Mr. TALENT), and the Senator from Virginia (Mr. WARNER).

Further, if present and voting, the Senator from Utah (Mr. HATCH) and the Senator from Virginia (Mr. WARNER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN) and the Senator from Connecticut (Mr. DODD) are necessarily absent.

The yeas and nays resulted—yeas 93, nays 0, as follows:

[Rollcall Vote No. 275 Ex.]

YEAS—93

Akaka	Dole	Martinez
Alexander	Domenici	McConnell
Allard	Dorgan	Menendez
Allen	Durbin	Mikulski
Baucus	Ensign	Murkowski
Bayh	Enzi	Murray
Bennett	Feingold	Nelson (FL)
Bingaman	Feinstein	Nelson (NE)
Bond	Frist	Obama
Boxer	Grassley	Pryor
Brownback	Gregg	Reed
Bunning	Hagel	Reid
Burns	Harkin	Roberts
Burr	Hutchison	Rockefeller
Byrd	Inhofe	Salazar
Cantwell	Inouye	Santorum
Carper	Isakson	Sarbanes
Chafee	Jeffords	Schumer
Chambliss	Johnson	Sessions
Clinton	Kennedy	Shelby
Coburn	Kerry	Smith
Cochran	Kohl	Snowe
Coleman	Kyl	Specter
Collins	Landrieu	Stabenow
Conrad	Lautenberg	Stevens
Cornyn	Leahy	Sununu
Craig	Levin	Thomas
Crapo	Lieberman	Thune
Dayton	Lincoln	Vitter
DeMint	Lott	Voinovich
DeWine	Lugar	Wyden

NOT VOTING—7

Biden	Hatch	Warner
Dodd	McCain	
Graham	Talent	

The PRESIDING OFFICER. On this vote, the yeas are 93, nays are 0. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

There are 2 hours of debate equally divided.

The Senator from Vermont.

Mr. GREGG. Mr. President, parliamentary inquiry: Will the Senator yield for a question?

Mr. LEAHY. Without losing my right to the floor, yes.