

also extensive. The concerns about the Tymkovich nomination are significant. The unprecedented nature of a President renominating someone for the same judicial position after a defeat in committee has led to the Owen nomination is pending on the floor with the assent of only the Republicans on the committee.

Nonetheless, the Senate has proceeded to confirm 114 of President Bush's judicial nominees, including 14 this year alone. The Senate confirmed the controversial nomination of Jay Bybee to the Ninth Circuit, another pro-life judicial nominee. With this one circuit court confirmation, the Senate has confirmed more circuit court judges than Republicans allowed to be confirmed in the entire 1996 session. In addition, I note that it was not until September 1999, 9 months into the year, that 14 of President Clinton's judicial nominees were confirmed in the first session of the last Congress in which Republicans controlled the Senate majority. At the pace set by Republicans now, we are a full six months ahead of that schedule.

The Indiana nominee, Theresa Lazar Springmann, is currently a U.S. Magistrate Judge for the U.S. District Court for the Northern District of Indiana. She has the bipartisan support of her home State Senators. The fact that she is being confirmed to the district court months in advance of the vacancy arising demonstrates how cooperative the Senate is being. Only rarely has a nominee been confirmed in advance of a vacancy arising. The nominee is well regarded and supported by her home State Senators. I congratulate Judge Springmann and her family on her confirmation.

Mr. LUGAR. Mr. President, I rise today in support of Theresa Springmann who is being considered for a position on the United States District Court of Northern Indiana.

Early last year, Judge William Lee and Judge James Moody informed me of their decisions to assume senior status after distinguished careers of public service. Both of these individuals are remarkable leaders on the Federal bench, and I applaud their leadership to Indiana and to the legal profession.

Immediately upon hearing of these decisions, I notified the White House and was asked by the President to help find the most qualified candidates to fill these two important positions in Hammond and Fort Wayne. I took this role very seriously and selected the candidates who would best serve the Northern District of Indiana.

After sharing my selections with my friend and colleague Senator EVAN BAYH, I submitted the names and applications of three outstanding candidates to the White House for their consideration. The President recently selected Assistant United States Attorney Philip Simon and United States Magistrate Theresa Springmann.

Judge Theresa Springmann was the first woman to be made partner at

Spangler, Jennings & Dougherty, the largest law firm in Northwest Indiana. She followed up this distinction by becoming the first woman judicial officer in the Northern District of Indiana. Judge Springmann has served as a United States magistrate judge since March of 1995, where she has presided over 30 civil jury trials, 10 civil and criminal bench trials, and conducted over 300 settlement conferences for the district court.

She has received a number of high performance ratings throughout her tenure as a magistrate judge, including the A.V. rating from Martindale-Hubbell and the highest judicial rating from the Lake County Bar Association.

I believe that Theresa Springmann will demonstrate remarkable leadership to Northern Indiana and will appropriately uphold and defend our laws under the Constitution. I encourage my colleagues to support her nomination.

Mr. BINGAMAN. I ask for 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 Theresa Lazar Springmann, of Indiana, to be United States District Judge for the Northern District of Indiana? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Missouri (Mr. BOND), the Senator from Ohio (Mr. DEWINE), and the Senator from Alaska (Mr. STEVENS) are necessarily absent.

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

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote "aye."

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

The result was announced—yeas 93, nays 0, as follows:

[Rollcall Vote No. 112 Ex.]

YEAS—93

Akaka	Chambliss	Feingold
Alexander	Clinton	Feinstein
Allard	Cochran	Fitzgerald
Allen	Coleman	Frist
Baucus	Collins	Graham (FL)
Bayh	Conrad	Graham (SC)
Bennett	Cornyn	Grassley
Biden	Corzine	Gregg
Bingaman	Craig	Hagel
Boxer	Crapo	Harkin
Breaux	Daschle	Hatch
Brownback	Dayton	Hollings
Bunning	Dodd	Hutchison
Burns	Dole	Inhofe
Byrd	Domenici	Jeffords
Campbell	Dorgan	Johnson
Cantwell	Durbin	Kennedy
Carper	Ensign	Kohl
Chafee	Enzi	Kyl

Landrieu	Murray	Sessions
Lautenberg	Nelson (FL)	Shelby
Leahy	Nelson (NE)	Smith
Levin	Nickles	Snowe
Lincoln	Pryor	Specter
Lott	Reed	Stabenow
Lugar	Reid	Sununu
McCain	Roberts	Talent
McConnell	Rockefeller	Thomas
Mikulski	Santorum	Voinovich
Miller	Sarbanes	Warner
Murkowski	Schumer	Wyden

NOT VOTING—7

Bond	Inouye	Stevens
DeWine	Kerry	
Edwards	Lieberman	

The nomination was confirmed.

The PRESIDING OFFICER. The President will be notified of the Senate's action.

The Senator from Utah.

NOMINATION OF MIGUEL A. ESTRADA, OF VIRGINIA, TO BE A UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senate now resume consideration of the Estrada nomination.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read the nomination of Miguel A. Estrada, of Virginia, to be United States Circuit Judge for the District of Columbia.

CLOTURE MOTION

Mr. BENNETT. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 Executive Calendar No. 21, the nomination of Miguel A. Estrada to be United States Circuit Judge for the District of Columbia Circuit.

Bill Frist, Orrin G. Hatch, John Ensign, Sam Brownback, Jim Inhofe, Michael B. Enzi, Wayne Allard, Michael Crapo, Susan M. Collins, Robert F. Bennett, Pete V. Domenici, Conrad R. Burns, Kay Bailey Hutchison, John E. Sununu, Norm Coleman, Charles E. Grassley.

Mr. BENNETT. Mr. President, I ask unanimous consent that the mandatory quorum under rule XXII be waived and the Senate resume legislative session.

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

Mr. BENNETT. For the information of all Senators, this cloture vote will occur on Wednesday. This will be the fourth cloture vote with respect to the Estrada nomination. Unfortunately, in my view, this will set a record for cloture votes relative to a nomination.