

tenure at the Equal Employment Opportunity Commission in 1978. Ms. Duncan held several positions at the EEOC, starting as an appellate attorney, serving as the assistant to the Chairman, and ultimately becoming acting legal counsel.

Ms. Duncan left the EEOC for a teaching post at North Carolina Central University School of Law, another historically black college, where she taught property, employment discrimination, labor law, and appellate advocacy.

Our outstanding nominee is also a pioneer. After leaving her teaching post in 1990, she became the first black woman to be appointed to the North Carolina Court of Appeals as an associate judge. She served in that capacity for one year, after which she hit another milestone.

Ms. Duncan was then appointed commissioner of the North Carolina Utilities Commission—another first for a black woman. As commissioner, she was responsible for telecommunications, natural gas and water regulations. She served as commissioner until she entered private practice with the law firm of Kilpatrick Stockton, where she is currently a partner. Her area of concentration is energy-related issues, but she also handles regulatory matters involving rate making, and mergers and acquisitions.

I am proud to add that if confirmed, Ms. Duncan will hit a third milestone: that of being the first black woman to sit on the Fourth Circuit Court Appeals. A circuit, I would like to note, that has a 24 percent black population—the highest black population for all of the circuit courts.

Allyson Duncan has a fine background, which will serve her well as a circuit court judge. She will be a terrific addition to the Court, and I urge my colleagues to join me in supporting her nomination.

Mr. LEAHY. Mr. President, today the Senate will confirm the first new judge to the Fourth Circuit from North Carolina in 23 years as well as a nominee to the District Court for the Eastern District of North Carolina. I want to thank Senator EDWARDS for his efforts to resolve the impasse that has stalled so many nominees from North Carolina. Part of his reward will be the service that Judge Allyson Duncan will soon be providing to the people of North Carolina as a member of the United States Court of Appeals for the Fourth Circuit. When Senator EDWARDS obtained a hearing for Judge Duncan last month, her nomination had already progressed further than the Republican majority had allowed the nominations of Judge James Beaty, Judge James Wynn, and Judge Rich Leonard to proceed when they were nominated to the Fourth Circuit by President Clinton from 1995 through 2001. This confirmation means that North Carolina once again is represented on the Fourth Circuit.

In addition, Judge Duncan will be the first African-American woman to serve

on the Fourth Circuit, a circuit that did not have an African-American judge until President Clinton appointed Roger Gregory 2½ years ago.

A good way to see how much faster we are proceeding on judicial nominations for a Republican President is to compare where we are in July of this year to July of any year during the last Democratic administration when the Republicans controlled the Senate. Over the last 6½ years of Republican control under President Clinton, the Republicans allowed only 19 judicial confirmations, on average, by July 16, and included only 4 circuit court nominees, on average, by this time. We have now doubled the number of judicial confirmations and more than doubled the number of circuit court confirmations.

On this day, in 1995, only 27 judicial nominations had been confirmed; in 1996, only 10; in 1997, only 6; in 1998 the confirmations totaled 33; in 1999, only 9; and in 2000 the confirmation total by this point of the year was 29. Today, we confirm the 37th and 38th judges so far this year. We have already confirmed more judges in only the seventh month of this year than the Republican majority was willing to confirm in all of 1999, in all of 1997, and more than twice as many as the Republican majority was willing to consider during the entire 1996 session. Vacancies in the courts stand at less than half of what they were during the Clinton years and we have more Federal judges serving than ever before.

Today, we confirm the 10th judge to the Courts of Appeals. This is more than were confirmed in all of 4 of the past 6 years when the Republicans were in the majority—in 1996, 1997, 1999, and 2000. And in the 2 other years, the Tenth Circuit nominee was not confirmed until much later in the year.

As I have noted throughout the last 3 years, the Senate is able to move expeditiously when we have consensus nominees. I am delighted that these North Carolina nominees have the support of Senator EDWARDS and Senator DOLE and that we have been able to move forward so expeditiously to confirm them. Unfortunately, far too many of this President's nominees have records that raise serious concerns about whether they will be fair judges to all parties on all issues.

The PRESIDING OFFICER. All time has been yielded. The question is, Will the Senate advise and consent to the nomination of Allyson K. Duncan, of North Carolina, to be United States Circuit Judge for the Fourth Circuit?

The yeas and nays have been ordered. The clerk will call the roll.

Mr. MCCONNELL. I announce that the Senator from Texas (Mrs. HUTCHISON) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

Mr. REID. I announce that the Senator from Louisiana (Mr. BREAUX), the Senator from Florida (Mr. GRAHAM), the Senator from Massachusetts (Mr.

KERRY), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from Georgia (Mr. MILLER) are necessarily absent.

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

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. 289 Ex.]
YEAS—93

Akaka	DeWine	Lincoln
Alexander	Dodd	Lott
Allard	Dole	Lugar
Allen	Domenici	McCain
Baucus	Dorgan	McConnell
Bayh	Durbin	Mikulski
Bennett	Edwards	Murkowski
Biden	Ensign	Murray
Bingaman	Enzi	Nelson (FL)
Bond	Feingold	Nelson (NE)
Boxer	Feinstein	Nickles
Brownback	Fitzgerald	Pryor
Bunning	Frist	Reed
Burns	Graham (SC)	Reid
Byrd	Grassley	Roberts
Campbell	Gregg	Rockefeller
Cantwell	Hagel	Santorum
Carper	Harkin	Sarbanes
Chafee	Hatch	Schumer
Chambliss	Hollings	Sessions
Clinton	Inhofe	Shelby
Cochran	Inouye	Smith
Coleman	Jeffords	Snowe
Collins	Johnson	Specter
Conrad	Kennedy	Stabenow
Cornyn	Kohl	Stevens
Corzine	Kyl	Sununu
Craig	Landrieu	Talent
Crapo	Lautenberg	Thomas
Daschle	Leahy	Voinovich
Dayton	Levin	Wyden

NOT VOTING—7

Breaux	Kerry	Warner
Graham (FL)	Lieberman	
Hutchison	Miller	

The nomination was confirmed.

NOMINATION OF LOUISE W. FLANAGAN, OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NORTH CAROLINA

The PRESIDING OFFICER. Under the previous order, the Senate will now consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Louise W. Flanagan, of North Carolina, to be United States District Judge for the Eastern District of North Carolina.

NOMINATION OF LOUISE W. FLANAGAN

Mrs. DOLE. Mr. President, Louise Flanagan is the first woman to serve as a district court judge for North Carolina's Eastern District. Serving as a magistrate judge for the Eastern District since 1995, Louise Flanagan is consistently praised by her colleagues on the Eastern District Court for her integrity and her fairness in the courtroom. Whether in previous positions with the law firms of Ward and Smith in Greenville, NC, or Sonnenschein Nath and Rosenthal in Washington, DC, or at the Center for National Security Law, Ms. Flanagan's accomplishments are numerous on behalf of the

public and the institutions she has served. I am certain she will bring judicial temperance, integrity, and character to the Federal bench.

For these individuals and for so many other qualified men and women, being nominated to serve on the Federal bench by the President of the United States marks the pinnacle of a long and remarkable legal career. For those who are confirmed, it represents an opportunity to use their wisdom and legal training to uphold our Constitution and protect the rights and freedoms upon which our Nation was founded.

As I campaigned for the Senate, I told the people of North Carolina that I believe each and every judicial nominee deserves a hearing and a vote by the full Senate. I believe in the capability, independence, and prudence of the Members of this institution. If a person has concerns about an issue or a nominee, then I believe he or she should make a persuasive case to the other members of this body in a forthright, open, and honest debate. This process is established in our Constitution, and it is what our representative democracy is all about.

We are here today because the process is working for these two North Carolina nominees. I am confident that both of these highly qualified women will meet their duties with professionalism, impartiality, and competence, and I hope that other well-qualified candidates who have been sent forth, such as Judge Terrence Boyle, might soon join them.

I yield the floor.

Mr. HATCH. Mr. President, I rise today in support of the nomination of Judge Louise Wood Flanagan to be a U.S. District Court Judge for the Eastern District of North Carolina. Judge Flanagan currently serves as a Federal magistrate judge.

After earning her law degree from the University of Virginia School of Law in 1988, she served as law clerk for Judge Malcolm Howard on the very court to which she has been nominated. In 1990, she joined the North Carolina law firm of Ward and Smith, where she handled complex commercial litigation and litigated approximately 300 cases in state, federal, and bankruptcy court. Throughout her career, Judge Flanagan, has consistently demonstrated the strong legal intellect, integrity, and judicial temperament required of a U.S. District Court Judge.

In 1995, Judge Flanagan was appointed to be a Magistrate Judge for the U.S. District Court for the Eastern District of North Carolina. In this position she handles both criminal and civil matters and has earned a reputation of fairness, honesty, and keen intellect. She will make an excellent addition to the Federal bench.

I commend President Bush for nominating her and urge my colleagues to join me in supporting this nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and

consent to the nomination of Louise W. Flanagan, of North Carolina, to be United States District Judge for the Eastern District of North Carolina?

The nomination was confirmed.

Mr. STEVENS. I move to reconsider the votes and to lay those motions on the table.

The motions to lay on the table were agreed to.

The PRESIDING OFFICER. Under the previous order, the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

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

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2004—Continued

The PRESIDING OFFICER. Under the previous order, the Senator from New York, Mr. SCHUMER, will be recognized for up to 10 minutes.

The Senator from New York.

AMENDMENT NO. 1315

Mr. SCHUMER. Mr. President, I believe the amendment is already part of the managers' package, so it does not have to be read.

In the interest of time, Mr. President, of the 10 minutes allotted to me, I will yield back 4, take 3 for myself, and yield 3 to the senior Senator from Washington.

Mr. President, I ask unanimous consent that Senator MURRAY be added as a cosponsor of the amendment.

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

Mr. SCHUMER. Mr. President, this amendment is very simple. We have all heard the reports, which bother us, tear at our hearts, that our soldiers are going to have to stay a longer period of time because of the fighting, the chaos, the problems in Iraq.

One of the quickest ways to get them home is that we set up an indigenous police force. After all, our Army, the greatest Army in the world, that has done such a great job in Iraq, has not really been trained to be a police force to stop looting and to create civil order, et cetera.

We are in the process of training Iraqis to take over this job, and I am sure most Americans wish it could be done as quickly as possible. This amendment is a reminder of that and an importuning of the administration to do just that, by requiring that every 180 days there be a report from the administration to Congress and the American people that talks about the progress of setting up such a police force, the cost of such a police force, and how it might affect the timetable and speed up the timetable, more particularly, of our soldiers coming home.

We know we have to restore rule of law in Iraq. We know it should best be

done by an indigenous Iraqi police force. This amendment simply says, let's get that done quickly, and let the administration report to us on how that progress is going. It is important to the soldiers. It is important to law and order in Iraq, and it is important to the American people.

Nothing would make us all happier than to bring so many of our brave soldiers home, and home quickly. This amendment is both a reminder and an importuning addressed to that fact.

With that, I yield back the rest of my 3 minutes, and yield the remaining time to the Senator from Washington, the cosponsor of this amendment.

The PRESIDING OFFICER. The Senator from Washington is recognized for 3 minutes.

Mrs. MURRAY. Mr. President, I come to the floor to support the Schumer amendment to the Defense bill regarding the development of an Iraqi police force. This is an urgent amendment—one of the most important Iraq-related amendments we have considered on the defense bill.

The Schumer amendment will focus the administration's attention on the domestic security issue in Iraq that threatens American servicemen and women, other Americans and foreigners now in Iraq, and the Iraqi people.

One of the reasons we went to war in Iraq was to liberate the Iraqi people. The military campaign was named, "Operation Iraqi Freedom." Again and again, from the President on down, we have been told that we acted on behalf of the Iraqi people.

We all witnessed the scenes of jubilation at the fall of Saddam Hussein's regime. Time and again, the administration has told us that we have restored freedom to the Iraqi people.

We all hope this is ultimately true. But the truth today is very different for women in Iraq and particularly in Baghdad.

Yesterday, Human Rights Watch released a report detailing reports of rape, assault, and kidnapping of women and girls in Baghdad. The report cites 25 credible allegations of rape and abduction since the fall of Saddam Hussein. It is believed that the number of rapes and sexual assaults in Baghdad is far higher. Women are discouraged from reporting the crime and face social isolation and even "honor killings" by other family members for being violently victimized.

Yesterday's New York Times contains a disturbing article about the dangers confronting women in Baghdad. I ask unanimous consent to have the article, "Rape (And the Silence About It) Haunts Baghdad," printed in the RECORD.

[From the New York Times, July 16, 2003]

RAPE (AND SILENCE ABOUT IT) HAUNTS BAGHDAD

(By Neela Banerjee)

BAGHDAD, IRAQ, July 15.—In her loose black dress, gold hairband and purple flip-flops, Sanariya hops from seat to seat in her living