

appreciation to Rebecca Davies, chief clerk of the subcommittee, and to the other staff members who assisted her in the hard work that was done in furtherance of our efforts to get a bill, including Les Spivey, Rachelle Schroeder, Carol Cribbs, James Hayes, and Josh Manley. They all deserve our thanks and congratulations for a job well done.

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UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. CAMPBELL. Madam President, speaking for the leader, as in executive session, I ask unanimous consent that at 5:30 p.m. today, the Senate proceed to executive session to consider the following nomination on today's Executive Calendar: Calendar No. 358, the nomination of Larry Burns to be a U.S. District Judge for the Southern District of California. I further ask unanimous consent that the Senate proceed to a vote on the confirmation of the nomination; that following the vote, the President be immediately notified of the Senate's action; and that the Senate then return to legislative session.

The PRESIDING OFFICER. Is there objection? The Democratic whip.

Mr. REID. Reserving the right to object, and I will not object, this is the 154th judge we have approved. As I recall, there are three we have not approved. It is 154 to 3. That is a pretty good record.

I also ask that the unanimous consent request be modified to allow Senator BOXER 2 minutes to speak prior to the vote on the nomination of Larry Burns.

The PRESIDING OFFICER. Does the Senator so modify his unanimous consent request?

Mr. CAMPBELL. I so modify the request.

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

Mr. CAMPBELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

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UNANIMOUS CONSENT AGREEMENT—H.R. 2657

Mr. CAMPBELL. Madam President, I ask unanimous consent that when the Senate proceeds to the consideration of the conference report to accompany H.R. 2657, it be considered under the following time limitation: myself, 10 minutes, Senator DURBIN, 10 minutes, and Senator STEVENS, 10 minutes.

I further ask unanimous consent that following the use or yielding back of time, the conference report be agreed to and the motion to reconsider be laid on the table, with no intervening action or debate.

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

Mr. CAMPBELL. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. BOXER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

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EXECUTIVE SESSION

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NOMINATION OF LARRY ALAN BURNS, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of Executive Calendar No. 572, which the clerk will report.

The legislative clerk read the nomination of Larry Alan Burns, of California, to be United States District Judge for the Southern District of California.

Mrs. BOXER. Madam President, we are about to have a vote on a judge. I wanted to take this time, 2 minutes, to offer my support for this nominee. I want to say this particular nominee for the Southern District Court of California, Larry Burns, is very qualified for this position. He is a native Californian. He is a graduate of Point Loma College and the University of San Diego Law School.

I want to emphasize the wide support Judge Burns has from law enforcement and civil rights organizations. His firm commitment to the law was well regarded while he was both a Federal and a State prosecutor. He has developed an equally respected reputation as a judge, due to his character and his legal expertise.

So I believe the Southern District will benefit greatly from the exemplary services of Judge Burns. I fully support confirmation of this nominee.

At a time when we have a lot of partisan discord, I think it is important to know that in California, Senator FEINSTEIN and I, working with the administration, have a wonderful process in place by which the two Democrat Senators get three people on a committee to pass judgment on these nominees and the administration appoints three people. Each nominee for the district court goes through our process and they are then recommended to the President on a majority vote.

What has happened is we have taken the politics, truly, out of this judicial selection process. We have come up with mainstream candidates. That is very important because I believed the President when he came forward and said he was going to govern from the center. When he puts forward judicial nominees who are from the center, who are not radical, who are not far to the right, I am the first one to support them, and I have supported well over 90 percent of them.

When it comes to voting for nominees who are off the scales and not representative of the values of America, I am the first one to say it is not right. We have a process in place for the district courts that I only wish we had for the higher courts—the circuit courts—because it isn't working that well. But it is working very well in the district courts.

Again, I urge my colleagues to vote yes on Larry Burns's nomination, and I hope it will be a unanimous vote.

Mr. LEAHY. Madam President, I am pleased that we are now turning to the nomination of Magistrate Judge Larry Alan Burns for the Southern District of California. This well qualified nominee is the product of the exemplary bipartisan commission that Senators FEINSTEIN and BOXER have worked so hard to maintain. It is a testament to their diligence that we have such stellar nominees heading to California's federal courts.

Judge Burns has been a United States Magistrate for the past six years in San Diego. Prior to becoming a Magistrate, Mr. Burns gained significant trial experience as a State and federal criminal prosecutor. Judge Burns has also served as a mentor to disadvantaged students, assisting them in achieving their educational and career goals. He was honored for his work in this area with a Faculty Mentoring Award from San Diego State University in 1996. In addition, he has taught legal courses at both the undergraduate and graduate school levels at several San Diego universities. In light of his remarkable record of public service and trial experience, it is not surprising that the American Bar Association was unanimous in its determination that Judge Burns is "Well-Qualified" to be a federal district court judge.

The Southern District of California the busiest federal district in the nation. Last Congress, in enacting the DOJ Reauthorization legislation, we created the seat that Judge Burns is nominated to in an effort to alleviate their staffing shortage. In light of their demanding caseload and corresponding staffing needs, the Judiciary Committee expedited nominations to the Southern District. Judge Burns was nominated on May 1, 2003 and was voted out of committee on September 4, 2003. It is unfortunate that Judge Burns and another nominee for this court have been pending on the floor all month but I am pleased that we are voting on Judge Burns today. The path of his nomination demonstrates that the fact that the Senate can act expeditiously when we receive well-qualified, consensus nominations on courts that need additional judges.

Another consensus nominee for another vacancy in that district remains on the Senate executive calendar awaiting action. I implore the Senate Republican leadership to allow a prompt vote on the nomination of Dana Makoto Sabraw. I expect that