

CRS Report for Congress

Judicial Nominations by President Clinton During the 103rd and 104th Congresses

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SUMMARY

Under the Constitution of the United States, the President nominates, and subject to confirmation by the Senate, appoints Justices to the Supreme Court as well as judges to nine other courts or court systems.

Altogether during the 103rd and 104th Congresses, President William Jefferson Clinton transmitted to the Senate:

- two Supreme Court nominations, both of which were confirmed during the 103rd Congress;
- 42 nominations to the U.S. Courts of Appeals, 30 of which were confirmed;
- 204 nominations to the U.S. District Courts, 170 of which were confirmed;
- two nominations to the U.S. Court of International Trade, both of which were confirmed during the 104th Congress;
- one nomination to the U.S. Court of Federal Claims, which, after referral to committee, advanced no further in the Senate and was returned to the President at the end of the 104th Congress;
- the names of four nominees to the U.S. Tax Court, two of whom were nominated twice (first in the 103rd Congress, and again in the 104th Congress) and all of whom eventually were confirmed;
- eleven nominations to the Superior Court of the District of Columbia, nine of which were confirmed;
- two nominations to the District of Columbia Court of Appeals, both of which were confirmed; and
- one nomination to the U.S. Court of Appeals for the Armed Forces, which received Senate confirmation during the 104th Congress.

During President Clinton's first term in office, the first and only judicial vacancy on the U.S. Court of Veterans Appeals occurred during the second session of the 104th Congress; the President, however, failed to make a nomination to fill the vacancy before the Congress' final adjournment.

All but two of President Clinton's judicial appointees continue to hold their judicial office.

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Judicial Nominations by President Clinton During the 103rd and 104th Congresses

Introduction

Under the Constitution of the United States,¹ the President nominates and, subject to confirmation by the Senate, appoints Justices to the Supreme Court as well as judges to nine other courts or court systems. Specifically, the Chief Executive makes judicial appointments to the:

- Supreme Court of the United States;
- United States Courts of Appeals;
- United States District Courts (including the Territorial courts);
- United States Court of International Trade;
- United States Court of Federal Claims;
- United States Tax Court;
- United States Court of Veterans Appeals;
- Superior Court of the District of Columbia;
- District of Columbia Court of Appeals; and
- United States Court of Appeals for the Armed Forces.²

Judicial terms of office vary, depending on the court. Justices on the Supreme Court and judges on other courts established by Congress under Article III of the Constitution "hold their Offices during good Behaviour"—i.e., they receive lifetime appointments. In addition to the Supreme Court, the "Article III courts" consist of the U.S. Courts of Appeals, the U.S. Court of International Trade, and the U.S. District Courts in the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

Appointment to other courts in the above list entail fixed terms of various lengths. These are the so-called "legislative courts," which are created by

¹ Article II, Section 2, Clause 2 provides that the President "shall nominate, and by and with the Advice and Consent of the Senate, shall appoint . . . Judges of the supreme Court and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law. . . ."

² The President, it should be noted, does not nominate federal bankruptcy judges (who are appointed by the United States Courts of Appeals), administrative law judges (appointed by Federal agencies), U.S. magistrates (appointed by the United States District Courts), or trial and intermediate court judges in the Armed Forces (appointed by the Judge Advocate General in each service), nor are these judges subject to Senate confirmation.

Congress under diverse constitutional authority not requiring lifetime ("good Behaviour") tenure.³

During the first four years of his Presidency, William Jefferson Clinton nominated persons to judgeships on all of the above-listed courts, except the Court of Veterans Appeals.

In the following pages, ten separate sections provide background and statistics concerning President Clinton's judicial nominations to each of the court categories listed above.⁴ Each section begins by briefly discussing the composition and jurisdiction of the court or court system in question. Then various statistics are provided, including: the number of nominations to the court which were received, confirmed, or not confirmed by the Senate during Mr. Clinton's Presidency; a breakdown of these numbers for the 103rd Congress and 104th Congress; and the number of Clinton appointees who currently serve on the court. Also noted is the committee to which nominations to the particular court were referred after being received by the Senate.

The most common ways in which a judicial nomination fails to receive Senate confirmation are these:

- (1) The President withdraws the nomination (doing so, for example, if the Senate committee to which the nomination has been referred either has voted against reporting the nomination to the Senate or has made clear its intention not to act on the nomination,

³ Two courts of local jurisdiction for the District of Columbia, as well as the Territorial courts in the U.S. Virgin Islands, the Northern Mariana Islands, and Guam, have been created pursuant to Congress's power "to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States" (Article IV, Section 3, Clause 2). Under this power, Congress has enacted laws providing for 15-year judicial appointments to the District of Columbia courts and for 10-year judicial terms on the Territorial courts.

Besides the local courts of the District of Columbia, four courts of specialized subject matter jurisdiction—the U.S. Court of Federal Claims, the U.S. Tax Court, the U.S. Court of Veterans Appeals, and the U.S. Court of Appeals for the Armed Forces—have been created pursuant to constitutional authority other than Article III. Congress has enacted laws providing for 15-year judicial appointments to these courts.

⁴ The focus of this report is appointments through the process of presidential nomination and Senate confirmation. Historically, on rare occasions, appointments to these courts also have been made without submitting a nomination to the Senate. This may occur when a President exercises his constitutional power to make "recess appointments." Specifically, Article II, Section 2, Clause 3 of the U.S. Constitution empowers the President "to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session." So far during his Presidency, Mr. Clinton has made no judicial "recess appointments." The last President to make a judicial "recess appointment" was Ronald Reagan, who did so once during his tenure in office. See: U.S. Library of Congress. Congressional Research Service. *President Reagan's Judicial Nominations During the 100th Congress*. Report No. 89-50 GOV, by Denis Steven Rutkus. Washington, 1988 p. 3.

or if the nomination, even if reported, is likely to face substantial opposition on the Senate floor);

(2) The full Senate votes against confirmation;

(3) Without confirming or rejecting the nomination, the Senate adjourns or recesses for more than 30 days, at which time it returns the nomination to the President pursuant to Rule XXXI, paragraph 6, *Standing Rules of the Senate*.⁵

During his tenure in office, President Clinton has withdrawn four judicial nominations.⁶ All other judicial nominations failing to be confirmed were returned upon a Senate adjournment or recess of more than 30 days. No Clinton judicial nomination has been rejected by Senate vote.

In a number of instances, when the Senate returned a judicial nomination pursuant to Rule XXXI, President Clinton renominated the individual involved, after which the Senate then confirmed the individual. Each court section of this report notes, where applicable, the respective number of nominations that were returned by the Senate, were resubmitted by the President, and ultimately were confirmed or failed to be confirmed.⁷

At the end of each section is a table which lists President Clinton's nominations to the court during the 103rd and 104th Congresses, respectively. Separate columns indicate for each nomination the dates of nomination, committee hearing, committee action, and confirmation or other final Senate action. Nominations are listed in chronological order according to their nomination date. In the confirmation column, a date by itself indicates that the Senate, on the date given, confirmed the nominee by voice vote or unanimous consent. A confirmation date, with a vote total underneath, indicates that Senate confirmation was by a roll call vote or that a specifically identified

⁵ Paragraph 6 of Senate Rule XXXI provides in part that "if the Senate shall adjourn or take a recess for more than thirty days, all nominations pending and not finally acted upon at the time of taking such adjournment or recess shall be returned by the Secretary to the President and shall not again be considered unless they shall again be made to the Senate by the President."

⁶ President Clinton withdrew one U.S. Court of Appeals nomination and three U.S. District Court nominations during the 104th Congress. See Tables 2 and 3 in the following pages.

⁷ Thus, the statistics in this report distinguish between the overall number of *nominations* once failing to receive Senate confirmation and the smaller number of *nominees* who failed ever to be confirmed. The former number covers all instances of nominations failing confirmation when returned pursuant to Rule XXXI, regardless of whether the nominees involved were later renominated and confirmed. The latter number accounts only for individuals who failed ever to be confirmed either because of unfavorable committee action, Senate rejection, the withdrawal of the nomination, or the President's disinclination to renominate upon receiving from the Senate a returned nomination.

procedural matter involving the nomination was decided by a roll call vote.⁸ This column also indicates the final disposition of nominations failing to receive Senate confirmation. An entry of "Returned, 11/14/94," for example, indicates that the nomination was returned to the President pursuant to Senate Rule XXXI, paragraph 6, due to the Senate's taking a recess of more than 30 days.

⁸ So far during the Clinton Presidency, there have been six such roll call votes, two involving nominations to the Supreme Court of the United States and four involving U.S. Court of Appeals nominations. See Tables 1 and 2 in the following pages.

Nominations to the Supreme Court of the United States

The Supreme Court of the United States consists of a Chief Justice and eight Associate Justices. As the highest appellate court in the federal judiciary, the Supreme Court reviews decisions of lower federal courts as well as rulings of State courts where a federal question is involved. The Court also has original jurisdiction (that is, it can act as a court of first resort) over cases affecting public ministers of foreign states and in certain cases in which a State is a party.

Of the Court's present members, two Associate Justices were nominated by President Clinton, both during the 103rd Congress. Ruth Bader Ginsburg became a member of the Court in 1993 and Stephen G. Breyer in 1994.

On June 22, 1993, President Clinton nominated Judge Ginsburg, then a judge on the U.S. Circuit Court of Appeals for the District of Columbia, to fill a Supreme Court vacancy created by the retirement of Associate Justice Byron R. White. As a Supreme Court nominee, Judge Ginsburg testified before the Senate Judiciary Committee on July 20, 21 and 22, 1993, followed by one more day of hearings, on July 23, for witnesses testifying in support of or against the nomination.⁹ The Judiciary Committee on July 29 voted unanimously to report the Ginsburg nomination favorably to the full Senate. The Senate proceeded to consideration of the Ginsburg nomination on August 2 and confirmed the nominee on August 3 by a roll call vote of 96-3.

The second occasion for President Clinton to make a Supreme Court appointment arose on April 6, 1994, when Associate Justice Harry A. Blackmun announced his retirement effective at the close of the Court's term then in progress. To fill the prospective Court vacancy, President Clinton on May 17 nominated Judge Stephen G. Breyer of the U.S. Circuit Court of Appeals for the First Circuit. The nominee testified before the Senate Judiciary Committee on July 12, 13 and 14, followed by one more day of hearings, on July 15, for witnesses testifying in support of or against the nomination.¹⁰ The Judiciary Committee on July 19 voted unanimously to report the Breyer nomination favorably to the full Senate. The Senate proceeded to consider the nomination on July 29 and the same day confirmed the nominee by a roll call vote of 87-9.

⁹ Also on July 23 the nominee appeared in a routine closed-door session conducted by the committee to consider any questions arising out of its confidential investigation into the nominee's background.

¹⁰ On July 14, the nominee also appeared in a routine closed-door session conducted by the committee to consider any questions arising out of its confidential investigation into the nominee's background.

**TABLE 1. Presidential Nominations to the Supreme Court
of the United States During the 103rd and 104th Congresses**

Nominee	To Replace	Nominated	Hearings	Reported	Confirmed
Ruth Bader Ginsburg of New York	Byron R. White	06/22/93	07/20-23/93	07/29/93	08/03/93 96-3 vote
Stephen G. Breyer of Massachusetts	Harry A. Blackmun	05/17/94	07/12-15/94	07/19/94	07/29/94 87-9 vote

Nominations to the U.S. Courts of Appeals

The U.S. Courts of Appeals review appeals from decisions of the federal trial courts and are empowered to review the orders of many administrative agencies. Cases are generally presented to the courts sitting in panels consisting of three judges.

Often called circuit courts, the U.S. Courts of Appeals are divided geographically into 12 circuits (including one for the District of Columbia), each having from six to 28 judges. There also exists a Court of Appeals for the Federal Circuit (consisting of 12 judges), which has nationwide jurisdiction and which reviews, among other things, lower court rulings in patent, trademark, and copyright cases.¹¹

Altogether, 179 permanent circuit judgeships are authorized by law. During his first term in office, 30 of President Clinton's 42 nominations to the circuit courts received Senate confirmation, and all but one of the 30 appointees continue to serve as active circuit judges.¹²

Upon being transmitted by the President to the Senate, circuit court nominations are referred to the Committee on the Judiciary.

During the 103rd Congress, 19 of President Clinton's 22 nominees to the Courts of Appeals received Senate confirmation. Three other nominations failed to be confirmed and were returned to the President at the *sine die* adjournment of the second session of the Congress pursuant to Rule XXXI of the *Standing Rules of the Senate*. Subsequently, during the 104th Congress, the names of these three nominees were resubmitted by President Clinton and received Senate confirmation.¹³

During the 104th Congress, the Senate received 20 appeals court nominations from the President. Eleven of these nominations were confirmed,

¹¹ Besides lower court rulings in patent, trademark, and copyright cases, this court reviews certain appeals from U.S. district and territorial courts in contract, internal revenue, and other cases, as well as decisions of the U.S. Court of Federal Claims and the U.S. Court of International Trade, as well as administrative rulings by the Patent and Trademark Office, the U.S. International Trade Commission, the Secretary of Commerce, agency boards of contract appeals, and the Merit System Protection Board.

¹² One Clinton appointee nominated and confirmed in 1994, Judge H. Lee Sarokin of the U.S. Court of Appeals for the Third Circuit, has retired. See MacFarquhar, Neil. Federal Judge to Resign, Citing Political Attacks on Judiciary. *New York Times*, June 5, 1996. pp. B1, B4.

¹³ While two of the three nominations were confirmed routinely during the 104th Congress, the third was confirmed only after narrowly surviving a Senate floor vote on a motion to recommit to the Judiciary Committee. See January 31, 1995 nomination of James L. Dennis of Louisiana, in Table 2.

one was withdrawn by the President (at the nominee's request),¹⁴ and eight were returned to the President at the *sine die* adjournment of the Congress pursuant to Senate Rule XXXI. Of the eight returned nominations, four had been reported out favorably by the Senate Judiciary Committee but failed to be considered by the full Senate, one had received a committee hearing but was not reported, and three had failed to receive committee hearings.

Most of the nominations listed below were made to fill judicial vacancies created by the death, retirement or resignation of the previous officeholder. Some of the nominations, however, were to judgeships which had been vacant since their creation by the Judicial Improvements Act of 1990 (104 Stat. 5089, 28 U.S.C. 44.). As of the *sine die* adjournment of Congress on October 4, 1996, there were 18 vacant U.S. circuit judgeships. By January 1, 1997, this vacancy total had increased to 21.

TABLE 2. Presidential Nominations to the U.S. Courts of Appeals During the 103rd and 104th Congresses, 1993-96

Nominee	Circuit	Nominated	Hearings	Reported	Confirmed
<i>103rd Congress</i>					
Pierre N. Leval of New York	Second	08/06/93	10/07/93	10/14/93	10/18/93
M. Blane Michael of West Virginia	Fourth	08/06/93	09/23/93	09/30/93	09/30/93
Martha Craig Daughtrey of Tennessee	Sixth (New position)	08/06/93	10/20/93	11/18/93	11/20/93
Rosemary Barkett of Florida	Eleventh	09/24/93	02/03/94	03/17/94	04/14/94 61-37 vote
Judith W. Rogers of the District of Columbia	D.C.	11/17/93	01/27/94	03/09/94	03/10/94
Fortunato P. Benavides of Texas	Fifth	01/27/94	03/25/94	05/05/94	05/06/94
Robert M. Parker of Texas	Fifth	01/27/94	05/25/94	06/14/94	06/15/94
Carl E. Stewart of Louisiana	Fifth (New position)	01/27/94	04/21/94	05/05/94	05/06/94
Diana Gribbon Motz of Maryland	Fourth (New position)	01/27/94	05/25/94	06/14/94	06/15/94
Guido Calabresi of Connecticut	Second	02/09/94	06/29/94	07/14/94	07/18/94

¹⁴ See in Table 2 the October 27, 1995 nomination of Charles R. Stack of Florida. For background on circumstances surrounding the withdrawal of this nomination, see Biskupic, Joan. Appeals Court Nominee Says No Thanks. *Washington Post*, May 10, 1996. p. A17.

**TABLE 2. Presidential Nominations to the U.S. Courts
of Appeals During the 103rd and 104th Congresses, 1993-96--Continued**

Nominee	Circuit	Nominated	Hearings	Reported	Confirmed
<i>103rd Congress</i>					
Robert Harlan Henry of Oklahoma	Tenth	02/09/94	04/29/94	05/05/94	05/06/94
Theodore Alexander McKee of Pennsylvania	Third	03/22/94	05/12/94	05/25/94	06/08/94
H. Lee Sarokin of New Jersey	Third (New position)	05/05/94	08/03/94	08/11/94	10/04/94 83-12 vote for cloture; 63-35 vote to confirm 08/09/94
Jose A. Cabranes of Connecticut	Second	05/24/94	07/21/94	08/04/94	08/09/94
James L. Dennis of Louisiana	Fifth	06/08/94	09/14/94		Returned 11/14/94
David S. Tatel of Maryland	D.C.	06/20/94	09/21/94	09/28/94	10/07/94
William C. Bryson of Maryland	Federal	06/22/94	08/17/94	09/22/94	09/28/94
Michael D. Hawkins of Arizona	Ninth	07/13/94	08/11/94	08/25/94	09/14/94
Diana E. Murphy of Minnesota	Eighth	07/28/94	10/04/94	10/05/94	10/07/94
Fred L. Parker of Vermont	Second	08/25/94	09/28/94	10/05/94	10/07/94
Karen Nelson Moore of Ohio	Sixth	09/14/94			Returned 11/14/94
Sandra L. Lynch of Massachusetts	First	09/14/94			Returned 11/14/94
<i>104th Congress</i>					
Sandra L. Lynch of Massachusetts*	First	01/11/95	02/08/95	02/23/95	03/17/95
Karen Nelson Moore of Ohio*	Sixth	01/24/95	02/27/95	03/16/95	03/24/95
James L. Dennis of Louisiana*	Fifth	01/31/95	**	07/20/95	09/28/95 46-54 vote on motion to recommit; voice vote to confirm
Mary Beck Briscoe of Kansas	Tenth	03/14/95	05/04/95	05/18/95	05/25/95

* Resubmission; see earlier nomination in 103rd Congress.

** Hearing held 09/14/94, on earlier nomination in 103rd Congress.

**TABLE 2. Presidential Nominations to the U.S. Courts
of Appeals During the 103rd and 104th Congresses, 1993-96--Continued**

Nominee	Circuit	Nominated	Hearings	Reported	Confirmed
<i>104th Congress</i>					
Carlos F. Lucero of Colorado	Tenth (New position)	03/23/95	06/06/95	06/22/95	06/30/95
Diane P. Wood of Illinois	Seventh	03/31/95	06/27/95	06/29/95	06/30/95
A. Wallace Tashima of California	Ninth	04/06/95	07/18/95	07/27/95	01/02/96
Terence T. Evans of Wisconsin	Seventh	04/25/95	08/03/95	08/04/95	08/11/95
William A. Fletcher of California	Ninth	04/25/95	12/19/95	05/16/96	Returned 10/04/96
R. Guy Cole, Jr. of Ohio	Sixth	06/29/95	09/28/95	10/26/95	12/22/95
Sidney R. Thomas of Montana	Ninth	07/19/95	10/24/95	11/09/95	01/02/96
Michael R. Murphy of Utah	Tenth	07/25/95	08/03/95	08/04/95	08/11/95
Merrick B. Garland of Maryland	D.C.	09/05/95	11/30/95	12/14/95	Returned 10/04/96
Charles R. Stack of Florida	Eleventh	10/27/95			Withdrawn 05/13/96
James A. Beaty, Jr. of North Carolina	Fourth	12/22/95			Returned 10/04/96
J. Rich Leonard of North Carolina	Fourth (New position)	12/22/95			Returned 10/04/96
Richard A. Paez of California	Ninth	01/25/96	07/31/96		Returned 10/04/96
Eric L. Clay of Michigan	Sixth	03/06/96	03/27/96	04/25/96	Returned 10/04/96
M. Margaret McKeown of Washington	Ninth	03/29/96			Returned 10/04/96
Arthur Gajarsa of Maryland	Federal	04/18/96	06/25/96	06/27/96	Returned 10/04/96

Nominations to the U.S. District Courts

The U.S. District Courts are the trial courts of general federal jurisdiction. Each State has at least one district court, while some have as many as four. There are 636 permanent district judgeships authorized by law, including those for the District of Columbia, the Commonwealth of Puerto Rico, and the Territories of Guam, the Northern Marianas and the Virgin Islands.¹⁵

During his first presidential term, 170 of Mr. Clinton's 204 nominations to the district courts have received Senate confirmation. All but one of the individuals confirmed continue to hold their judicial office.

During the 103rd Congress, 108 of President Clinton's 119 nominations to the district courts were confirmed. Eleven of his nominations to the district courts, having failed to receive Senate confirmation by the end of the 103rd Congress, were returned to the President pursuant to Rule XXXI of the *Standing Rules of the Senate*. Of the 11 nominees not confirmed during the 103rd Congress, four eventually were confirmed after being renominated by the President in the 104th Congress. (Of the seven other nominees not confirmed during the 103rd Congress, one was renominated during the 104th Congress, but the resubmitted nomination was later withdrawn by President Clinton. The President declined to renominate the six other individuals.)

During the 104th Congress, President Clinton submitted to the Senate 85 district court nominations. Of the 85 nominations, 62 were confirmed, three were withdrawn by the President, and 20 were returned to the President at the *sine die* adjournment of the second session of the Congress pursuant to Senate Rule XXXI. Of the 20 returned nominations, three had been favorably reported out of the Senate Judiciary Committee, five others had received committee hearings, and 12 failed to receive hearings.

In the table below, the phrase "New position" occasionally appears in the "District" column. The phrase refers to a vacant judgeship created by the Judicial Improvements Act of 1990 (104 Stat. 5089, 28 U.S.C. 133). A "New position" vacancy is to be distinguished from a vacancy created when a district judge died, retired, or resigned from office. Unless designated "New position," the nominations listed below are to judgeships which a predecessor held until he or she vacated the office.

As of the *sine die* adjournment of Congress on October 4, 1996, there were 44 vacant U.S. district judgeships. By January 1, 1997, this vacancy total had increased to 62.

¹⁵ All of the 636 judgeships, except for the four district judgeships in the Territorial district courts, entail lifetime appointments. See discussion on pages 1 and 2 concerning lifetime appointments of judges on "Article III courts" and the fixed-term appointments of judges on "legislative courts."

TABLE 3. Presidential Nominations to the U.S. District Courts During the 103rd and 104th Congresses, 1993-96

Nominee	District	Nominated	Hearings	Reported	Confirmed
<i>103rd Congress</i>					
William Roy Wilson, Jr.	East. AR	08/06/93	09/23/93	09/30/93	09/30/93
Jennifer B. Coffman	East. & West. KY	08/06/93	09/23/93	09/30/93	09/30/93
Deborah K. Chasanow	MD	08/06/93	10/07/93	10/14/93	10/18/93
Peter J. Messitte	MD	08/06/93	10/07/93	10/14/93	10/18/93
Alexander Williams, Jr.	MD	08/06/93	06/30/94	08/11/94	08/17/94
Thomas M. Shanahan	NE	08/06/93	10/20/93	11/18/93	11/20/93
	(New position)				
Martha A. Vasquez	NM	08/06/93	09/23/93	09/30/93	09/30/93
David G. Trager	East. NY	08/06/93	11/09/93	11/18/93	11/20/93
	(New position)				
Lawrence L. Piersol	SD	08/06/93	10/20/93	11/18/93	11/20/93
Leonie M. Brinkema	East. VA	08/06/93	10/07/93	10/14/93	10/18/93
Raymond A. Jackson	East. VA	09/24/93	11/09/93	11/18/93	11/20/93
Joanna Seybert	East. NY	09/24/93	11/09/93	11/18/93	11/20/93
	(New position)				
David W. Hagen	NV	10/07/93	11/09/93	11/18/93	11/20/93
Claudia Wilken	North. CA	10/07/93	11/09/93	11/18/93	11/20/93
	(New position)				
Gary L. Lancaster	West. PA	10/25/93	11/16/93	11/18/93	11/20/93
Donetta W. Ambrose	West. PA	10/25/93	11/16/93	11/18/93	11/20/93
Wilkie D. Ferguson, Jr.	South. FL	10/25/93	11/16/93	11/18/93	11/20/93
Charles A. Shaw	East. MO	10/25/93	11/18/93	11/18/93	11/20/93
	(New position)				
Harry F. Barnes	West. AR	10/27/93	11/18/93	11/18/93	11/20/93
Nancy Gertner	MA	10/27/93	11/18/93	11/18/93	02/10/94
Reginald C. Lindsay	MA	10/27/93	11/18/93	11/18/93	11/20/93
Patti B. Saris	MA	10/27/93	11/18/93	11/18/93	11/20/93
Allen G. Schwartz	South. NY	10/27/93	11/18/93	11/18/93	11/20/93
Richard G. Stearns	MA	10/27/93	11/18/93	11/18/93	11/20/93
Henry Lee Adams, Jr.	Mid. FL	10/29/93	11/16/93	11/18/93	11/20/93
Susan C. Bucklew	Mid. FL	10/29/93	11/16/93	11/18/93	11/20/93
Theodore Klein	South. FL	10/29/93	11/16/93		Returned 11/14/94
Daniel T.K. Hurley	South. FL	11/10/93	03/03/94	03/09/94	03/10/94
Thomas I. Vanaskie	Mid. PA	11/17/93	01/27/94	02/09/94	02/10/94
	(New position)				
Helen G. Berrigan	East. LA	11/18/93	01/27/94	03/09/94	03/10/94
Tucker L. Melancon	West. LA	11/18/93	01/17/94	02/09/94	02/10/94
Michael A. Ponsor	MA	11/19/93	01/27/94	02/09/94	02/10/94
Michael J. Davis	MN	11/19/93	03/03/94	03/23/94	03/25/94
Lesley Brooks Wells	North. OH	11/19/93	01/27/94	02/09/94	02/10/94
Ancer L. Haggerty	OR	11/19/93	03/03/94	03/23/94	03/25/94
Marjorie O. Randell	East. PA	11/19/93	01/27/94	02/09/94	02/10/94
Samuel Frederick	West. TX	11/19/93	02/24/94	03/09/94	03/10/94
	(New position)				
W. Royal Furgeson, Jr.	West. TX	11/19/93	02/24/94	03/09/94	03/10/94
	(New position)				

TABLE 3. Presidential Nominations to the U.S. District Courts During the 103rd and 104th Congresses, 1993-96--Continued

Nominee	District	Nominated	Hearings	Reported	Confirmed
Orlando L. Garcia	West. TX	11/19/93	02/24/94	03/09/94	03/10/94
John H. Hannah, Jr.	East. TX	11/19/93	02/24/94	03/09/94	03/10/94
	(New position)				
Janis Graham Jack	South. TX	11/19/93	02/24/94	03/09/94	03/10/94
	(New position)				
Franklin D. Burgess	West. WA	11/19/93	03/03/94	03/23/94	03/25/94
Deborah A. Batts	South. NY	01/27/94	04/29/94	05/05/94	05/06/94
James G. Carr	North OH	01/27/94	04/21/94	05/05/94	05/06/94
Ruben Castillo	North. IL	01/27/94	03/25/94	05/05/94	05/06/94
Audrey B. Collins	Cent. CA	01/27/94	03/25/94	05/05/94	05/06/94
Cameron M. Currie	SC	01/27/94	03/03/94	03/09/94	03/10/94
Mary M. Lisi	RI	01/27/94	04/21/94	05/05/94	05/06/94
Frank M. Hull	North. GA	02/09/94	04/21/94	05/05/94	05/06/94
W. Louis Sands	Mid. GA	02/09/94	04/21/94	05/05/94	05/06/94
	(New position)				
Billy Michael Burrage	North., East. & West. OK	03/09/94	05/12/94	05/25/94	06/08/94
Clarence Cooper	North. GA	03/09/94	04/21/94	05/05/94	05/06/94
Denise Page Hood	East. MI	03/09/94	05/25/94	06/14/94	06/15/94
Terry C. Kern	North. OK	03/09/94	05/12/94	05/25/94	06/08/94
	(New position)				
Solomon Oliver, Jr.	North OH	03/09/94	04/29/94	05/05/94	05/06/94
Richard A. Paez	Cent. CA	03/09/94	05/25/94	06/14/94	06/15/94
	(New position)				
Raymond L. Finch	VI	03/22/94	04/29/94	05/05/94	05/06/94
Paul L. Friedman	DC	03/22/94	05/25/94	06/14/94	06/15/94
Vanessa D. Gilmore	South. TX	03/22/94	05/12/94	05/25/94	06/08/94
Gladys Kessler	DC	03/22/94	05/12/94	06/14/94	06/15/94
Emmet G. Sullivan	DC	03/22/94	05/12/94	06/14/94	06/15/94
Ricardo M. Urbina	DC	03/22/94	05/25/94	06/14/94	06/15/94
Paul D. Borman	East. MI	03/24/94	06/21/94	08/04/94	08/09/94
Denny Chin	South. NY	03/24/94	07/21/94	08/04/94	08/09/94
	(New position)				
R. Samuel Paz	Cent. CA	03/24/94	08/25/94		Returned 11/14/94
	(New position)				
Harold Baer, Jr.	South. NY	04/26/94	07/21/94	08/04/94	08/09/94
Denise Cote	South. NY	04/26/94	06/21/94	08/04/94	08/09/94
John G. Koeltl	South. NY	04/26/94	06/21/94	08/04/94	08/09/94
John Corbett O'Meara	East. MI	04/26/94	08/11/94	08/25/94	09/14/94
Barrington D. Parker, Jr.	South. NY	04/26/94	08/11/94	08/25/94	09/14/94
Rosemary S. Pooler	North. NY	04/26/94	06/21/94	08/04/94	08/09/94
Robert J. Timlin	Cent. CA	04/26/94	08/11/94	08/25/94	09/14/94
	(New position)				
William F. Downes	WY	05/05/94	05/25/94	06/14/94	06/15/94
	(New position)				
Lewis A. Kaplan	South. NY	05/05/94	06/21/94	08/04/94	08/09/94
Blanche M. Manning	North. IL	05/05/94	07/21/94	08/04/94	08/09/94
David F. Hamilton	South. IN	06/08/94	09/21/94	09/28/94	10/07/94
Napoleon A. Jones	South. CA	06/08/94	08/11/94	08/25/94	09/14/94

TABLE 3. Presidential Nominations to the U.S. District Courts During the 103rd and 104th Congresses, 1993-96--Continued

Nominee	District	Nominated	Hearings	Reported	Confirmed
Sarah S. Vance	East. LA	06/08/94	08/17/94	09/22/94	09/28/94
Mark W. Bennett	North. IA	06/21/94	07/21/94	08/04/94	08/09/94
Salvador E. Casellas	PR	06/21/94	08/17/94	09/22/94	09/28/94
Daniel R. Dominguez	PR	06/21/94	08/17/94	09/22/94	09/28/94
William T. Moore, Jr.	South. GA	07/13/94	09/28/94	10/05/94	10/07/94
Stanwood R. Duvall, Jr.	East. LA	07/15/94	08/25/94	09/22/94	09/28/94
Catherine D. Perry	East. MO	07/15/94	09/21/94	09/28/94	10/07/94
Frederic Block	East. NY	07/22/94	09/14/94	09/22/94	09/28/94
John Gleeson	East. NY	07/22/94	08/25/94	09/22/94	09/28/94
Allyne R. Ross	East. NY	07/22/94	09/14/94	09/22/94	09/28/94
Shira A. Scheindlin	South. NY	07/28/94	09/14/94	09/22/94	09/28/94
Dominic J. Squatrito	CT (New position)	07/28/94	09/14/94	09/22/94	10/07/94
Robert N. Chatigny	CT	08/05/94	09/14/94	09/22/94	09/28/94
Judith D. McConnell	South. CA (New position)	08/05/94			Returned 11/14/94
Robert J. Cindrich	West. PA	08/12/94	09/21/94	09/28/94	10/07/94
David A. Katz	North. OH	08/12/94	09/28/94	10/05/94	10/07/94
Sean J. McLaughlin	West. PA	08/12/94	09/28/94	10/05/94	10/07/94
Elaine F. Bucklo	North. IL	08/16/94	10/04/94	10/05/94	10/07/94
David H. Coar	North. IL	08/16/94	09/21/94	09/28/94	10/07/94
Robert W. Gettleman	North. IL	08/16/94	10/04/94	10/05/94	10/07/94
Paul E. Riley	South. IL (New position)	08/16/94	09/21/94	09/28/94	10/07/94
James A. Beaty, Jr.	Mid. NC	08/25/94	10/06/94	10/06/94	10/07/94
David Briones	West. TX	08/25/94	10/06/94	10/06/94	10/07/94
Helen W. Gillmor	HI (New position)	08/25/94	09/28/94	10/05/94	10/07/94
Okla Jones, II	East. LA	08/25/94	10/06/94	10/06/94	10/07/94
G. Thomas Porteous, Jr.	East. LA	08/25/94	10/06/94	10/06/94	10/07/94
John R. Tait	ID	08/25/94			Returned 11/14/94
Maxine M. Chesney	North. CA	09/14/94			Returned 11/14/94
Roslyn Moore-Silver	AZ	09/14/94	09/28/94	10/05/94	10/07/94
James Robertson	MD	09/14/94	10/06/04	10/06/94	10/07/94
Thomas B. Russell	West. KY	09/14/94	10/06/94	10/06/94	10/07/94
Sidney H. Stein	South. NY	09/14/94			Returned 11/14/94
Alvin W. Thompson	CT	09/14/94	09/28/94	10/05/94	10/07/94
William H. Walls	NJ	09/14/94	10/04/94	10/05/94	10/07/94
Kathleen M. O'Malley	North. OH	09/20/94	10/06/94	10/06/94	10/07/94
Sven E. Holmes	North. OK	09/22/94	10/04/94	10/05/94	10/07/94
Vicki Miles-LaGrange	West. OK	09/22/94	10/04/94	10/05/94	10/07/94
John D. Snodgrass	North. AL	09/22/94			Returned 11/14/94
Patrick J. Toole, Jr.	Mid. PA	09/23/94			Returned 11/14/94
David Folsom	East. TX	10/05/94			Returned 11/14/94

TABLE 3. Presidential Nominations to the U.S. District Courts During the 103rd and 104th Congresses, 1993-96--Continued

Nominee	District	Nominated	Hearings	Reported	Confirmed
Thad Heartfield	East. TX	10/05/94			Returned 11/14/94
Lacy H. Thornburg	West. NC	10/05/94			Returned 11/14/94
<i>104th Congress</i>					
Lacy H. Thornburg*	West. NC	01/11/95	02/08/95	02/23/95	03/17/95
John D. Snodgrass*	North. AL	01/11/95			Withdrawn 09/05/95
Sidney H. Stein*	South. NY	01/11/95	02/08/95	02/23/95	03/17/95
Thadd Heartfield*	East. TX	01/11/95	02/08/95	02/23/95	03/17/95
David Folsom*	East. TX	01/11/95	02/08/95	02/23/95	03/17/95
Janet Bond Arterton	CT	01/23/95	02/27/95	03/16/95	03/24/95
Willis B. Hunt, Jr.	North. GA	01/23/95	02/27/95	03/16/95	03/24/95
Susan Y. Illston	North. CA	01/23/95	03/28/95	05/18/95	05/25/95
Charles B. Kornmann	SD	01/23/95	02/27/95	03/16/95	03/24/95
Maxine M. Chesney*	North. CA	01/24/95	03/28/95	04/05/95	05/08/95
Eldon E. Fallon	East. LA	02/03/95	03/28/95	04/05/95	05/08/95
Curtis L. Collier	East. TN (New position)	02/13/95	03/28/95	04/05/95	05/08/95
Peter C. Economus	North. OH	02/28/95	05/04/95	06/22/95	06/30/95
Joseph Robert Goodwin	South. WV	02/28/95	03/28/95	04/05/95	05/08/95
Wenona Y. Whitfield	South. IL	03/23/95	07/31/96		Returned 10/04/96
Wiley Y. Daniel	CO	03/31/95	06/06/95	06/22/95	06/30/95
Nancy Friedman Atlas	South. TX	04/04/95	06/06/95	06/22/95	06/30/95
John Garvan Murtha	VT	04/04/95	05/04/95	05/18/95	05/25/95
George A. O'Toole, Jr.	MA	04/04/95	05/04/95	05/18/95	05/25/95
Leland M. Shurin	West. MO	04/04/95			Withdrawn 09/05/95
George H. King	Cent. CA (New position)	04/27/95	06/27/95	06/29/95	06/30/95
Donald C. Nugent	North. OH	04/27/95	06/06/95	06/22/95	06/30/95
Andre M. Davis	MD	05/04/95	07/18/95	07/27/95	08/11/95
Catherine C. Blake	MD	05/04/95	07/18/95	07/27/95	08/11/95
Joseph H. McKinley	West. KY	05/24/95	07/18/95	08/03/95	08/11/95
Robert H. Whaley	East. WA	05/24/95	06/27/95	06/29/95	06/30/95
B. Lynn Winmill	ID	05/24/95	07/18/95	07/27/95	08/11/95
Tena Campbell	UT	06/22/95	06/27/95	06/29/95	06/30/95
Todd J. Campbell	Mid. TN	06/27/95	10/24/95	11/09/95	12/22/95
James M. Moody	AK	06/27/95	08/03/95	08/04/95	08/11/95
Barry Ted Moskowitz	South. CA (New position)	06/30/95	09/28/95	10/26/95	12/22/95
Stephen M. Orlofsky	NJ	06/30/95	09/28/95	10/26/95	12/22/95
William K. Sessions, III	VT	06/30/95	08/03/95	08/04/95	08/11/95
Ortrie D. Smith	West. MO	06/30/95	08/03/95	08/04/95	08/11/95
John R. Tunheim	MN	07/10/95	09/28/95	10/26/95	12/22/95
John H. Binger, Jr.	West. PA	07/21/95			Returned 10/04/96

* Resubmission; see earlier nomination in 103rd Congress.

**TABLE 3. Presidential Nominations to the U.S. District
Courts During the 103rd and 104th Congresses, 1993-96--Continued**

Nominee	District	Nominated	Hearings	Reported	Confirmed
Bruce W. Greer	South. FL	08/01/95			Withdrawn 05/13/96
Bruce D. Black	NM	08/10/95	11/30/95	12/07/95	12/22/95
Susan J. Dlott	South. OH	08/10/95	09/28/95	10/26/95	12/22/95
Hugh Lawson	Mid. GA	08/10/95	11/30/95	12/07/95	12/22/95
Hilda G. Tagle	South. TX (New position)	08/10/95			Returned 10/04/96
Kim McLane Wardlaw	Cent. CA	08/10/95	10/24/95	11/09/95	12/22/95
E. Richard Webber	East. MO	08/10/95	10/24/95	11/09/95	12/22/95
Patricia A. Gaughan	North. OH	09/29/95	11/30/95	12/07/95	12/22/95
Joan A. Lenard	South. FL	09/29/95	12/19/95	12/21/95	12/22/95
Clarence J. Sundram	North. NY	09/29/95	07/31/96		Returned 10/04/96
P. Michael Duffy	SC	10/11/95	10/24/95	11/09/95	12/22/95
Sue E. Myerscough	Cent. IL	10/11/95			Returned 10/04/96
Jed S. Rakoff	South. NY	10/11/95	12/19/95	12/21/95	12/29/95
Nina Gershon	East. NY	10/18/95	05/02/96	05/09/96	07/30/96
Barbara S. Jones	South. NY	10/18/95	12/19/95	12/21/95	12/22/95
John Thomas Marten	KS	10/18/95	11/30/95	12/07/95	01/02/96
Nanette K. Laughrey	East.. & West. MO	10/20/95	03/27/96	04/25/96	07/24/96
Ann L. Aiken	OR	11/27/95	09/24/96		Returned 10/04/96
Joseph A. Greenaway	NJ	11/27/95	02/28/96	03/13/96	07/16/96
Faith S. Hochberg	NJ	11/27/95			Returned 10/04/96
Ann D. Montgomery	MN	11/27/95	02/28/96	03/13/96	08/02/96
Charles N. Clevert, Jr.	East. WI	12/07/95	03/27/96	04/25/96	07/17/96
Bernice B. Donald	West. TN	12/07/95	12/19/95	12/21/95	12/22/95
C. Lynwood Smith	AL	12/08/95	12/19/95	12/21/95	12/22/95
James P. Jones	West. VA	12/12/95	02/28/96	03/13/96	07/18/96
Cheryl B. Wattley	North. TX (New position)	12/12/95			Returned 10/04/96
Gary A. Fenner	West. MO	12/13/95	02/28/96	03/13/96	07/10/96
Mary Ann Vial Lemmon	East. LA	12/19/95	05/02/96	05/09/96	07/10/96
Michael D. Schattman	North. TX	12/19/95			Returned 10/04/96
Donald W. Molloy	MT	12/21/95	03/27/96	04/25/96	07/18/96
Susan Oki Mollway	HI	12/21/95	03/27/96	04/25/96	Returned 10/04/96
Edmund A. Sargus, Jr.	South. OH	12/22/95	05/02/96	05/09/96	07/22/96
Anabelle Rodriguez- Rodriguez	PR	01/26/96			Returned 10/04/96
Dean D. Pregerson	Cent. CA	01/26/96	05/02/96	05/09/96	07/24/96
W. Craig Broadwater	WV	01/26/96	05/02/96	05/09/96	07/12/96
Joseph F. Bataillon	NE	03/06/96	07/31/96		Returned 10/04/96
Colleen Kollar-Kotelly	DC	03/29/96	07/31/96	09/19/96	Returned 10/04/96
Joan B. Gottschall	North. IL	03/29/96	06/25/96	06/27/96	07/25/96
Frank R. Zapata	AZ	03/29/96	06/25/96	06/27/96	07/31/96
Lawrence E. Kahn	North. NY	04/18/96	06/25/96	06/27/96	07/16/96

**TABLE 3. Presidential Nominations to the U.S. District
Courts During the 103rd and 104th Congresses, 1993-96--Continued**

Nominee	District	Nominated	Hearings	Reported	Confirmed
Walker D. Miller	CO	04/18/96	05/02/96	05/09/96	07/11/96
Richard A. Lazzara	Mid. FL	05/09/96			Returned 10/04/96
Margaret M. Morrow	Cent. CA	05/09/96	06/25/96	06/27/96	Returned 10/04/96
Christina A. Snyder	Cent. CA	05/15/96			Returned 10/04/96
Thomas W. Thrash, Jr.	North. GA	05/16/96	07/31/96		Returned 10/04/96
Robert L. Hinkle	North. FL	06/06/96	06/25/96	06/27/96	07/25/96
Jeffrey T. Miller	South. CA	07/19/96			Returned 10/04/96
Robert W. Pratt	South. IA	08/02/96			Returned 10/04/96
Donald M. Middlebrooks	South. FL	09/05/96			Returned 10/04/96

Nominations to the U.S. Court of International Trade

The U.S. Court of International Trade has original and exclusive jurisdiction over civil actions against the United States, its agencies and officers, and certain civil actions brought by the United States arising out of import transactions and federal statutes affecting international trade. The court is composed of nine judges, no more than five of whom may belong to any one political party. There currently is one vacancy on the court.¹⁶

During his Presidency, Mr. Clinton nominated only two persons to the Court of International Trade—in 1995, in the first session of the 104th Congress. Both nominees received Senate confirmation and presently sit on the court.

Upon being transmitted by the President to the Senate, nominations to this court have been referred to the Committee on the Judiciary.

**TABLE 4. Presidential Nominations to the U.S. Court of International Trade
During the 103rd and 104th Congresses, 1993-96**

Nominee	Residence	Nominated	Hearings	Reported	Confirmed
<i>103rd Congress</i>					
(There were no nominations to this court during the 103rd Congress.)					
<i>104th Congress</i>					
Evan J. Wallach	NV	06/27/95	07/18/95	08/03/95	08/11/95
Donald C. Pogue	CT	06/30/95	08/03/95	08/04/95	08/11/95

¹⁶ The vacancy was created when Judge Nicholas Tsoucalas assumed senior status on September 30, 1996.

Nominations to the U.S. Court of Federal Claims

The U.S. Court of Federal Claims has jurisdiction to render money judgments upon any claim against the United States founded either upon the Constitution or any act of Congress. It also renders money judgments founded upon any regulation of an executive department or any express or implied contract with the United States. The court is composed of 16 judges appointed to 15-year terms.¹⁷

Only one vacancy was created in this court during President Clinton's first term in office. In March 1996, the nomination to fill that vacancy was transmitted to the Senate and referred to the Committee on the Judiciary. However, no formal committee action was taken on the nomination before Congress adjourned *sine die* on October 4, 1996.

**TABLE 5. Presidential Nominations to the U.S. Claims Court
During the 103rd and 104th Congresses, 1993-96**

Nominee	Residence	Nominated	Hearings	Reported	Confirmed
<i>103rd Congress</i>					
(There were no nominations to this court during the 103rd Congress.)					
<i>104th Congress</i>					
Lawrence Baskir	MD	03/29/96			Returned 10/04/96

¹⁷ Until shortly before President Clinton entered office, the court was called the U.S. Claims Court. The change to the court's present name was put in effect in October 1992 when Congress passed, and President George Bush signed, the Federal Courts Administration Act of 1992, 106 Stat. 4506 (1992).

Nominations to the U.S. Tax Court

The Tax Court tries controversies involving the existence of deficiencies or overpayments in income, estate, and gift taxes, and personal holding company surtaxes where deficiencies have been determined by the Commissioner of Internal Revenue. The court is composed of 19 judges who are appointed by the President for 15-year terms, by and with the Senate's consent. A chief judge is elected biennially by the court's members. There currently are two vacant judgeships on the court.

During his Presidency, Mr. Clinton has nominated four persons to be judges on the U.S. Tax Court. All four received Senate confirmation, one during the 103rd and three during the 104th Congress. Two of the individuals confirmed during the 104th Congress had been nominated once before, during the 103rd Congress. When the earlier nominations failed to receive Senate action by the end of that Congress, they were returned to the President, pursuant to Rule XXXI, paragraph 6, *Standing Rules of the Senate*. (Hence, during the Clinton Presidency, the Senate has received six nominations to this court, four of which have been confirmed.)

Upon being transmitted by the President to the Senate, nominations to this court have been referred to the Committee on Finance.

**TABLE 6. Presidential Nominations to the U.S. Tax Court
During the 103rd and 104th Congresses, 1993-96**

Nominee	Residence	Nominated	Hearings	Reported	Confirmed
<i>103rd Congress</i>					
Herbert L. Chabot (Reappointment)	MD	09/07/93	09/29/93	09/30/93	10/07/93
Maurice B. Foley	CA	09/15/94			Returned 11/14/94
Juan F. Vasquez	TX	09/15/94			Returned 11/14/94
<i>104th Congress</i>					
Maurice B. Foley*	CA	01/05/95	02/16/95	03/08/95	03/17/95
Juan F. Vasquez*	TX	01/05/95	02/16/95	03/08/95	03/17/95
Joseph H. Gale	VA	10/10/95	11/30/95	11/30/95	12/22/95

* Resubmission; see earlier nomination in 103rd Congress.

Nominations to the U.S. Court of Veterans Appeals

The Court of Veterans Appeals has exclusive jurisdiction to review decisions of the Board of Veterans Appeals. Decisions of the court may be appealed to the United States Court of Appeals for the Federal Circuit.

This court consists of a chief judge and at least two, but not more than six, associate judges who are appointed for 15-year terms.¹⁸

Upon being transmitted by the President to the Senate, nominations to this court have been referred to the Committee on Veterans' Affairs.

During President Clinton's first term in office, only one judicial vacancy occurred on this court, in May 1996. The President, however, failed to make a nomination to fill that vacancy before Congress adjourned *sine die* on October 4, 1996.

TABLE 7. Presidential Nominations to the U.S. Court of Veterans Appeals During the 103rd and 104th Congresses, 1993-96

Nominee	Residence	Nominated	Hearings	Reported	Confirmed
(There were no nominations to this court during the 103rd or 104th Congresses.)					

¹⁸ The court was statutorily established on November 18, 1988, upon President Ronald Reagan's signing of S. 11, the Veterans' Administration Adjudication Procedure and Judicial Review Act (102 Stat. 4105, 38 U.S.C. 4051). During the 101st Congress (1989-90), President George Bush nominated seven persons to the court, all of whom received Senate confirmation. The court continues to be filled entirely by appointees of President Bush.

The Act, at 102 Stat. 4114, provides that "Not more than the number equal to the next whole number greater than one-half of the number of judges of the court may be members of the same political party." Hence, on a seven or six-member court, no more than four judges may be of the same political party; on a five or four-member court, no more than three judges may be of the same political party; etc.

Nominations to the Superior Court of the District of Columbia

The Superior Court of the District of Columbia is the trial court of local civil and criminal jurisdiction in the District of Columbia. The court consists of a chief judge and 58 associate judges. The President selects nominees to the court from a list compiled by the District of Columbia Judicial Nomination Commission. Each judge is appointed to a term of 15 years, subject to mandatory retirement at age 74. (The chief judge is designated by the Judicial Nomination Commission.)

During his first four years in office, President Clinton transmitted to the Senate eleven Superior Court nominations. Nine of these nominations were confirmed (five during the 103rd Congress, and four during the 104th Congress), while the two others were returned to the President at the end of the 104th Congress.

Beside those nominated by the President, five Superior Court associate judges, whose terms had expired during Mr. Clinton's Presidency, were subsequently reappointed by the District of Columbia Commission on Judicial Disabilities and Tenure.¹⁹

There currently are two Superior Court vacancies.

Upon being transmitted by the President to the Senate, nominations to this court have been referred to the Committee on Governmental Affairs.

¹⁹ Those reappointments occurred pursuant to a federal statute, which provides that a judge on the Superior Court of the District of Columbia or on the District of Columbia Court of Appeals who, not less than three months prior to the expiration of his term of office, files a "declaration of candidacy for reappointment," will automatically be reappointed for another term if the Commission determines that the judge is either "exceptionally well qualified or well qualified" for reappointment. 87 Stat. 796 (1973), 11 App. D.C. Code Section 433 (Supp. 1995).

**TABLE 8. Presidential Nominations to the Superior Court
of the District of Columbia During the 103rd
and 104th Congresses, 1993-96**

Nominee	Nominated	Hearings	Reported	Confirmed
<i>103rd Congress</i>				
Russell F. Canan	03/04/93	08/03/93	08/05/89	08/06/93
Rafael Diaz	10/18/93	02/23/94	03/23/94	03/25/94
Judith Bartnoff	01/28/94	06/29/94	07/14/94	07/15/94
Zoe Bush	04/11/94	06/29/94	07/14/94	07/15/94
Rhonda Reid Winston	04/11/94	06/29/94	07/14/94	07/15/94
<i>104th Congress</i>				
Ronna Lee Beck	01/04/95	05/22/95	05/25/95	05/25/95
Linda Kay Davis	01/04/95	05/22/95	05/25/95	05/25/95
Eric T. Washington	01/04/95	05/22/95	05/25/95	05/25/95
Robert E. Morin	12/18/95	03/25/96	04/18/96	07/26/96
Mary Ann Gooden Terrell	06/06/96	10/03/96		Returned 10/04/96
Patricia A. Broderick	09/30/96			Returned 10/04/96

Nominations to the District of Columbia Court of Appeals

The District of Columbia Court of Appeals reviews cases filed on appeal of decisions of the Superior Court of the District of Columbia. It consists of a chief judge and eight associate judges. The President selects nominees to the court from a list compiled by the District of Columbia Judicial Nomination Commission. Each judge is appointed to a term of 15 years, subject to mandatory retirement at age 74.

During his first four years in office, President Clinton submitted two Court of Appeals nominations to the Senate, one each during the 103rd and 104th Congresses respectively. Both nominees received Senate confirmation and presently sit on the court.

There currently are no vacancies on the court.

Upon being transmitted by the President to the Senate, nominations to this court have been referred to the Committee on Governmental Affairs.

**TABLE 9. Presidential Nominations to the District
of Columbia Court of Appeals During the 103rd
and 104th Congresses, 1993-96**

Nominee	Nominated	Hearings	Reported	Confirmed
<i>103rd Congress</i>				
Vanessa Ruiz	07/12/94	10/04/94	10/05/94	10/07/94
<i>104th Congress</i>				
Inez Smith Reid	02/22/95	05/22/95	05/25/95	05/25/95

Nominations to the U.S. Court of Appeals for the Armed Forces

Subject only to certiorari review by the Supreme Court of the United States, the U.S. Court of Appeals for the Armed Forces serves as the final appellate tribunal to review court martial convictions of all the armed services.²⁰ It is exclusively an appellate criminal court, consisting of five civilian judges, appointed to 15-year terms. No more than three of the judges of the court may be affiliated with the same political party.

Only one vacancy has been created on this court during President Clinton's tenure in office.²¹ A nomination to fill that vacancy was sent to and confirmed by the Senate during the second session of the 104th Congress. Before being confirmed, the nomination had been referred to and then reported favorably by the Committee on Armed Services.

**TABLE 10. Presidential Nominations to the U.S. Court
of Appeals for the Armed Forces
During the 103rd and 104th Congresses, 1993-96**

Nominee	Residence	Nominated	Hearings	Reported	Confirmed
<i>103rd Congress</i>					
(There were no nominations to this court during the 103rd Congress.)					
<i>104th Congress</i>					
Andrew S. Effron	VA	06/21/96	07/09/96	07/10/96	07/12/96

²⁰ Until almost the end of the 103rd Congress, the court had been called the U.S. Court of Military Appeals. The change to the court's present name was put into effect in October 1994 by Section 924(a)(1) of Public Law 103-337 (National Defense Authorization Act for Fiscal Year 1995).

²¹ The court vacancy was created by the death of Judge Robert E. Wiss on October 23, 1995.