

reasonable and accommodate Democratic Senators' request for information traditionally shared with the Senate by past administrations. That this is the fifth cloture vote on this matter is an indictment of Republican intransigence on this matter, nothing more. What is unprecedented is that there has been no effort on the Republican side to work this matter out as these matters have always been worked out in the past. What is unprecedented is the Republican insistence to schedule cloture vote after cloture vote without first resolving the underlying problem caused by the administration's inflexibility.

I urge the White House and Senate Republicans to end the political warfare and join with us in good faith to make sure the information that is needed to review this nomination is provided so that the Senate may conclude its consideration of this nomination. I urge the White House, as I have for more than 2 years, to work with us and, quoting from today's New York Times editorial:

The answer is not to try to twist the rules or demonize Democrats. It is for the White House to consult with the Senate and agree on nominees that senators from both parties can in good conscience confirm.

The President promised to be a uniter not a divider, but he has continued to send us judicial nominees that divide our nation and, in this case, he has even managed to divide Hispanics across the country. The nomination and confirmation process begins with the President, and I urge him to work with us to find a way forward to unite, instead of divide, the Nation as well as the Senate on these issues.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. HATCH. Mr. President, the Senator from Vermont made a point that the White House has seen these privileged documents in the Solicitor General's Office. If they have any evidence of that, I would like to see it because I know they haven't looked at those records. Those are the most highly privileged records in the Justice Department. I am not sure that a Solicitor General wouldn't resign before giving up those records.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. HATCH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, if I have any remaining time, I yield it.

Mr. HATCH. Likewise.

#### CLOTURE MOTION

The PRESIDING OFFICER. All time has been yielded. Under the previous order, the clerk will report the motion to invoke cloture.

The 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 Hatch, Judd Gregg, Norm Coleman, John E. Sununu, John Cornyn, Larry E. Craig, Saxby Chambliss, Lisa Murkowski, Jim Talent, Olympia Snowe, Mike DeWine, Michael B. Enzi, Peter G. Fitzgerald, Lindsey Graham, Jeff Sessions.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on the nomination of Miguel A. Estrada to be United States Circuit Judge for the District of Columbia Circuit shall be brought to a close?

The yeas and nays are mandatory under the rule. The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Pennsylvania (Mr. SPECTER) are necessarily absent.

Mr. REID. I announce that the Senator from Washington (Ms. CANTWELL), the Senator from Florida (Mr. GRAHAM), the Senator from Massachusetts (Mr. KERRY), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Maryland (Ms. MIKULSKI), the Senator from Georgia (Mr. MILLER), and the Senator from Washington (Mrs. MURRAY) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote "no."

The PRESIDING OFFICER (Mr. GRAHAM of South Carolina). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 52, nays 39, as follows:

[Rollcall Vote No. 140 Ex.]

YEAS—52

Alexander	Craig	Kyl
Allard	Crapo	Lott
Allen	DeWine	Lugar
Bennett	Dole	McCain
Bond	Domenici	McConnell
Breaux	Ensign	Nelson (FL)
Brownback	Enzi	Nelson (NE)
Bunning	Fitzgerald	Nickles
Burns	Frist	Roberts
Campbell	Graham (SC)	Santorum
Chafee	Grassley	Sessions
Chambliss	Gregg	Shelby
Cochran	Hagel	Smith
Coleman	Hatch	Snowe
Collins	Hutchinson	
Cornyn	Inhofe	

Stevens	Talent	Voinovich
Sununu	Thomas	Warner

NAYS—39

Akaka	Dodd	Landrieu
Baucus	Dorgan	Lautenberg
Bayh	Durbin	Leahy
Biden	Edwards	Levin
Bingaman	Feingold	Lincoln
Boxer	Feinstein	Pryor
Byrd	Harkin	Reed
Carper	Hollings	Reid
Clinton	Inouye	Rockefeller
Conrad	Jeffords	Sarbanes
Corzine	Johnson	Schumer
Daschle	Kennedy	Stabenow
Dayton	Kohl	Wyden

NOT VOTING—9

Cantwell	Lieberman	Murkowski
Graham (FL)	Mikulski	Murray
Kerry	Miller	Specter

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 39. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

#### VOTE EXPLANATION

(At the request of Mr. DASCHLE, the following statement was ordered to be printed in the RECORD.)

● Ms. CANTWELL. Mr. President, I have the great honor of being in Washington State today in order to welcome home the USS *Lincoln* and USS *Camden*. After a 10-month deployment, including valuable service in the recent war against Iraq, the men and women of the USS *Lincoln* and her carrier strike group will finally reach Everett and Bremerton, WA in the next few hours. Unfortunately, in order to be present for this important homecoming in my State—it was necessary to miss two votes today.●

Mr. HATCH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### MORNING BUSINESS

Mr. MCCONNELL. I ask unanimous consent that the Senate proceed to a period for morning business.

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

#### TRIBUTE TO DR. PAUL DIXON

Mr. DEWINE. Mr. President, I rise today to pay tribute to a fellow Ohioan, a leader in higher education, a dear friend, and a good neighbor: Dr. Paul Dixon. Dr. Dixon is the current president of Cedarville University, a Baptist liberal arts university located very near my home, my wife Fran's home in Greene County, OH. Dr. Dixon is planning to retire from that position in June of this year after a quarter of a century of great successful leadership. As the longest-serving president of any college or university in Ohio, Paul led the university through an unprecedented period of growth and has

served as an example and friend to many in our community.

I would like to take a few minutes to tell my colleagues in the Senate about Paul's great support and dedication to higher education. He is an exemplary educator and a well respected and committed member of our local community.

Though Paul is retiring from his current position as university president, we are pleased that he will remain at the university as chancellor and will continue to be a role model in our community.

Paul Dixon was born in Cincinnati, OH, and graduated from Tennessee Temple University in 1961, and Temple Baptist Theological Seminary in 1964. After graduation, Paul spent 14 years as an evangelist where he traveled the country preaching and ministering to communities and churches and spoke for professional sports chapel programs, including the Cincinnati Reds and the Bengals, the former Houston Oilers, and most of the National League of baseball. He moved from Chattanooga, TN, to Cedarville, OH, in 1971 with his wife Pat, took a position with the faculty of the Language and Literature Department of then Cedarville College.

In 1978, Cedarville University trustee member Donald Tyler recommended Paul to the board of trustees as a replacement for the retiring university president, Dr. James T. Jeremiah. At the time, Donald was sure the idea of an evangelist serving as president would shock his fellow trustees. But, as Dr. Murray Murdoch's book, "Cedarville College: A Century of Commitment," tells the story, Donald Tyler felt compelled to suggest the successful young evangelist to the board as a candidate for the college's next leader.

Donald Tyler already knew Paul well as an influential evangelist. But he also observed Paul's interest in and involvement with college students as a Cedarville resident and husband of a faculty member. Even though he was not a CEO or business leader, Paul demonstrated leadership skills and began to establish himself as a visionary within the community. Ultimately, these observations convinced Donald that Paul was the right person to serve as the new president, and the entire board of trustees agreed. A glance at the past 25 years of Paul's tenure reveals Donald Tyler's instincts served the university well.

Paul's success as president of Cedarville University may be due in part to his God-given ability to balance stability and change.

With a strong vision and foresight, Paul led the university into a period of tremendous growth. Throughout his 25 years of leadership, \$100 million in facilities have been built on a campus that has expanded from 180 to 400 acres. The school attained university status in the year 2000 and now offers more than 100 programs of study, including a

graduate degree. Enrollment grew from 1,185 students in 1978 to more than 3,000 students today. Dr. Dixon also championed the university's focus on technology, positioning the institution as an award-winning leader and pioneer in the digital age.

I must say, Mr. President, and Members of the Senate, that the quality students that Cedarville University produces is really a testament to Dr. Paul Dixon as a role model and to the high standards he sets for the faculty and for the students. Without question, Paul Dixon sets the bar high. But the young people—the young people—who graduate from Cedarville University not only leave the school with a diploma, but they also leave the school with a strong set of values to guide them in their future lives. That is due, in no small part, to Dr. Paul Dixon's dedication to each and every student and to his commitment to leading by example.

Apart from Paul's contributions to the growth and success of Cedarville University and its students, he is an admired leader throughout the surrounding community. KeyBank President William Hann said this of Paul:

Paul is value-driven. He is admired by the entire business community because of his character, compassion, and leadership.

Also, Mike Stephens, president of Greene Memorial Hospital in nearby Xenia, OH, and former Cedarville University student, said this:

I have worked with Dr. Dixon on several community leadership activities. He is a well respected and sought after community leader, both for his ideas and vision.

Over the years, Paul Dixon has served the area through his leadership on several local business and community boards.

He served on the regional board of directors for KeyBank in Dayton, was a member of the Springfield/Clark County Chamber of Commerce Board of Directors, and was a part of the Greene County Development Task Force, as well as the Greene County Blue Ribbon Committee.

In addition to serving on these boards and committees, Paul Dixon has hosted several events at the university aimed at community outreach and development. Every year, Dr. Dixon has hosted Farmer's Night, with about 250 to 300 local farmers attending, and Community Night, with about 400 community leaders in attendance. These events have brought people together to share problems, success stories, and ideas to better improve our community.

Jackie Pyles, a resident of Cedarville, had this to say about Dr. Dixon:

Through "Farmer's Night," "Community Night," and consulting area businessmen in their areas of expertise, Dr. Dixon has brought the University and community into a relationship where they are more supportive of each other. With Dr. Dixon's genuineness, love for people, and his sincere sensitivity, he has helped people not look at the University as a separate entity, but rather as an intricate part of this community.

I couldn't agree more.

Paul Dixon has positively influenced the individual lives of so many, but particularly his students. Students, university staff members, and people in the surrounding community all speak of Paul's love for people and his impeccable personal integrity. Reflecting upon this legacy, current trustee member Dr. Eugene Apple said this:

The accomplishments during Dr. Dixon's tenure as president are well known and very impressive: new programs, campus expansion, enrollment growth, and on and on. Having served on the Board of Trustees for more than 20 years, I noted one characteristic that seemed to rise above all else—his integrity, not only with the Cedarville family, but in a very quiet way with others in need of support, advice, consultation, and help.

The mantle of his presidency has been passed on to Dr. William E. Brown, former president of Bryan College of Dayton, TN. And I congratulate Dr. Brown and welcome him to our community. As I said, Dr. Dixon will not be far away. He will continue to preach, continue to represent the university among a variety of constituencies, and tell the Cedarville University story wherever he goes. Paul will end his presidency the way he began it, and that is by serving people and by serving the community.

Paul has a famous motto: "Everything we do ought to have quality stamped all over it." It is well known by Cedarville University students, staff, faculty, and the surrounding community. It truly captures the essence of who Dr. Paul Dixon is as a person and his mission in life. As the longest-serving college president in Ohio and the 12th longest-serving president in our Nation, Paul's example of stability, commitment, leadership, faithfulness, and quality is unparalleled.

My wife, Fran, and I extend our deepest appreciation to Dr. Paul Dixon for his dedication to college students, his leadership in higher education in Ohio, and his service to the village of Cedarville and the surrounding area. We both cherish Paul and his wife Pat's friendship and wish them our warmest congratulations and an enjoyable retirement.

#### HONORING OUR ARMED FORCES

Mr. ENSIGN. Mr. President, I rise to share with the Members of this esteemed body the story of Lance Corporal Donald John Cline. John's wife Tina wants to make sure that their young sons know that their dad was "a proud father, a proud husband, and a proud Marine." Dakota, two and a half, and Dillon, 7 months, won't be able to know him as they grow up because their father gave his life in Iraq to protect this nation and defend our freedom. As part of the legacy he left to his boys, I honor him today.

John and Tina met and became friends in 1997 when their families lived in the same apartment complex and both attended Reed High School in