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## House of Representatives

The House was not in session today. Its next meeting will be held on Thursday, October 6, 2005, at 10 a.m.

## Senate

TUESDAY, OCTOBER 4, 2005

The Senate met at 9:45 a.m. and was called to order by the Honorable RICHARD BURR, a Senator from the State of North Carolina.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Great Shepherd of the universe, You are in our coming in and going forth. You are present with us in our mountaintop experiences but also in the valley of the shadow of death.

Lead our Senators today in the green pastures of Your wisdom and beside the still waters of Your righteousness. Let Your love motivate them to be instruments of Your providence in our world.

Inspire each of us to strive not merely for success but for faithfulness. Help us to live not looking for human approval but with our eyes steadfastly fixed on You. Grant us wisdom to clearly know and power to faithfully fulfill Your commands.

We pray in Your wonderful Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable RICHARD BURR led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication

to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, October 4, 2005.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICHARD BURR, a Senator from the State of North Carolina, to perform the duties of the Chair.

TED STEVENS,  
President pro tempore.

Mr. BURR thereupon assumed the chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. FRIST. Mr. President, this morning, following the 1-hour period of morning business, we will resume debate on the Defense appropriations bill. Yesterday afternoon, we locked in an agreement which requires all first-degree amendments to be filed at the desk no later than 10:30 this morning. Senators STEVENS and INOUE will be here and be able to determine which

amendments can be agreed to on both sides.

Senators are expected to come to the Senate today and offer their amendments to the Defense bill. I hope Members will take advantage of today's session and not postpone and delay until later in the week. Although we will not be voting today, the Senate can debate those amendments, and stacked votes begin tomorrow evening. I expect we will have multiple votes tomorrow evening in relation to the amendments on the Defense bill.

We will finish this bill prior to adjourning for next week's recess. We will be voting on Friday of this week. Again, we have not voted on very many Fridays over the last 8 months, but we will be voting on Friday this week.

We are also trying to reach consent agreements for consideration of the pensions bill which the Democrat leader and I were just talking about, a very important bill, and we are in the final stages of preparation of that bill. Once that is available, we will do our best as leadership to bring that to the Senate in a timely fashion. We hope to have that agreement and are also working on potential agreement on the Defense authorization bill as well. Once agreements are in place, we will be ready to bring those to our colleagues.

### BALI BOMBINGS

Mr. FRIST. Mr. President, Saturday night, on the Indonesian island of Bali, suicide bombers attacked 3 crowded cafés, killing 25 people and wounding many more. People from 22 nations

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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perished in those deadly blasts. Indonesian officials are on the hunt for the masterminds of this and the October 12, 2002, attacks.

America stands ready to assist in whatever way we possibly can. Our hearts go out to the families of the people of Indonesia who, once again, have suffered at the hands of deranged killers. We know all too well the pain and anguish caused by the terrorist enemies.

Today, the Senate intends to pass a resolution expressing our deep sympathies and condolences. I will come back to the Chamber later today to pass that resolution with unanimous consent. We stand shoulder to shoulder with the Indonesian people as they bring justice to the killers.

We are at war with a barbarous and implacable foe. The killers strike in the name of Islam, but their religion is not to be found in the pages of the Koran. Their religion is found in their corrupted and blackened hearts and in their twisted and hateful minds.

Indonesia, a Muslim country, has been the target of multiple attacks. The killers seek power, squalid and absolute. Their war is on the civilized world.

Istanbul, Turkey, 2003: 56 people killed, more than 450 people injured.

Madrid, Spain, 2004: 190 people killed, 1,500 injured.

Beslan, Russia, September that year: 344 people killed, 186 of them school-children.

London, UK, July 7, this summer: 52 people killed, 700 injured.

The attacks continue on the Iraqi people and the people of Afghanistan. The United States calls on the international community to renew and strengthen our efforts to defeat the killers by dismantling their network and exposing the nihilism and perversion of their aims. We urge the international community to increase the global effort to advance freedom, liberty, and prosperity, and to root out the social injustice that feeds the violence.

These are daunting challenges, to be sure. But just as surely, we have no other choice. The gauntlet was thrown for America on September 11. The enemy offers death. We must offer hope. We must shine the light of freedom wherever they live, wherever they hide, a light so dazzling that not even their shadow remains.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. THUNE). Without objection, it is so ordered.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will be a pe-

riod for the transaction of morning business for up to 60 minutes, with the last 30 minutes now under the control of the majority leader or his designee.

The Senator from Texas.

#### HARRIET MIERS

Mr. CORNYN. Mr. President, I rise to commend the President on his selection of Harriet Miers to be associate justice of the Supreme Court. I have had the pleasure of knowing both Ms. Miers and the President for a number of years, from our days in Texas in State Government in particular. In Texas, President Bush had the reputation of being a uniter. Literally, we had divided government, with Democrats controlling the House and the Senate. He worked on a daily basis with Lt. Gov. Bob Bullock and Speaker Pete Laney, who were of the other party. When he came to Washington, he hoped he would find a Bob Bullock or a Pete Laney on the other side of the aisle so he could continue in that tradition, doing what he believed was best for the people who had sent him here—all the people. Unfortunately, we know that Washington's political environment is way too partisan and even poisonous.

The President has chosen wisely with this nominee. He has chosen a nominee who should, and I believe will, unite us.

I am proud to say that Harriet Miers is a fellow Texan. She was born and raised in Dallas and attended Southern Methodist University, where she received her bachelor's degree in mathematics and her law degree. That is kind of an unusual combination for lawyers. Most lawyers eschew mathematics, but she nevertheless has a bachelor's degree in mathematics. Following law school, she clerked for a Federal judge and then joined one of the finest law firms in our State, where she practiced for a number of years before she came to the attention of a Governor who would then become our current President.

As proud as I am to say that Harriet is a fellow Texan, I am even more proud to say she is a friend. I have known her for about 15 years. I have come to know her as a fine and decent human being, someone who has dedicated her life to serving others, from the clients in her law firm to the people of Texas, and now to offering herself to serve all of us in this great country.

It is especially fitting that Harriet Miers be nominated to the seat being vacated by another trailblazer, Justice Sandra Day O'Connor. Justice O'Connor was the first woman to serve on the Supreme Court of the United States. But Harriet has blazed a few trails of her own. She was the first woman hired by her law firm. She was the first woman to serve as the president or co-managing partner of that firm. She was the first woman to serve as the president of the Dallas Bar Association, and then she was later selected to be the

first woman to serve as president of the State Bar of Texas, which is the association encompassing all members of the legal profession in Texas.

As these accomplishments make clear, she has had a long and distinguished professional career. Her dedication to her clients, to her community, and to the rule of law has made her a leader in my State.

Her accomplishments do not end at the border of Texas. Over the last 25 years, she has worked at the highest levels of our national Government in the White House, including serving as the President's closest legal adviser. Moreover, before she came to Washington, she was known and respected nationally for her legal skills and her advocacy for legal services being provided and available to all Americans. She was very active in the American Bar Association, and she is well known by lawyers throughout the country. We will hear increasingly more and more of them come forward to speak, without regard to partisan affiliation or other considerations.

This long and distinguished career has made Harriet well qualified to serve as an associate justice on the U.S. Supreme Court. I am not alone. She has received praise from Senators on both sides of the aisle, including the Democratic leader, the senior Senator from Nevada. She has also received praise from this side of the aisle, from our majority leader, as well as the senior Senator from Kentucky, our deputy majority leader. She is without question a consensus nominee.

I know that makes some people nervous in a body where we have become so accustomed to locking horns and fighting over so many things, some of which are important. There are contests on principle, but sometimes there are those who would pick a fight to keep that partisanship and bitterness going. The President has chosen well by choosing a consensus nominee. It is not surprising because this President has engaged in an unprecedented act of consultation on the two nominations to the Supreme Court: First, now-Chief Justice John Roberts and now soon-to-be Associate Justice Harriet Miers.

One thing you will not find in Harriet's long and distinguished career is service as a judge. I want to talk about that because some have said that that is actually a weakness. I suggest that it is not a bad thing, nor is it unprecedented. Forty-one of the one hundred and nine Justices who have served on the U.S. Supreme Court had no previous judicial experience. These 41 included some of our Nation's most influential and best-known justices—William Rehnquist, Lewis Powell, Byron White, Robert Jackson, Felix Frankfurter, Lewis Brandeis, Joseph Story, and John Marshall. Indeed, a little bit of diversity of background and experience is important to have on the Supreme Court. The Supreme Court is full of Justices who have served either as