

for whom I have great regard. But we have an affirmative duty to place on the bench judges who adhere to the ethical standards of the legal profession. I am not satisfied that Mr. Griffith meets that test, and I will vote no.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Thomas B. Griffith, of Utah, to be United States Circuit Judge for the District of Columbia? The yeas and nays have been ordered. The clerk will call the roll.

The assistant journal clerk called the roll.

Mr. MCCONNELL. The following Senators were necessarily absent: the Senator from Pennsylvania (Mr. SANTORUM), and the Senator from Pennsylvania, (Mr. SPECTER).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. JEFFORDS) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 73, nays 24, as follows:

[Rollcall Vote No. 136 Ex.]

YEAS—73

Alexander	Dodd	Martinez
Allard	Dole	McCain
Allen	Domenici	McConnell
Baucus	Dorgan	Murkowski
Bennett	Durbin	Nelson (FL)
Biden	Ensign	Nelson (NE)
Bingaman	Enzi	Obama
Bond	Feinstein	Pryor
Brownback	Frist	Reid
Bunning	Graham	Roberts
Burns	Grassley	Schumer
Burr	Gregg	Sessions
Carper	Hagel	Shelby
Chafee	Hatch	Smith
Chambliss	Hutchison	Snowe
Coburn	Inhofe	Stevens
Cochran	Inouye	Sununu
Coleman	Isakson	Talent
Collins	Kohl	Thomas
Conrad	Kyl	Thune
Cornyn	Levin	Vitter
Craig	Lieberman	Voivovich
Crapo	Lincoln	Warner
DeMint	Lott	
DeWine	Lugar	

NAYS—24

Akaka	Feingold	Mikulski
Bayh	Harkin	Murray
Boxer	Johnson	Reed
Byrd	Kennedy	Rockefeller
Cantwell	Kerry	Salazar
Clinton	Landrieu	Sarbanes
Corzine	Lautenberg	Stabenow
Dayton	Leahy	Wyden

NOT VOTING—3

Jeffords	Santorum	Specter
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The nomination was confirmed.  
The PRESIDING OFFICER. The President will be notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.  
The Democratic leader is recognized.

ORDER OF PROCEDURE

Mr. REID. Mr. President, what is the issue before the Senate?

The PRESIDING OFFICER. The Chair was about to lay down the Energy bill.

Mr. REID. It is my understanding the Senator from Nebraska wishes to speak for 3 minutes as in morning business prior to turning to the Energy bill. I ask consent that be the case.

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

230TH BIRTHDAY OF THE ARMY

Mr. HAGEL. Mr. President, I rise this morning to wish the U.S. Army happy birthday. It was 230 years ago today, June 14, 1775, that the Continental Army of the United States was born. Over the past 230 years, millions of men and women have served in the oldest branch of our Armed Forces. Their honor, courage, sacrifice, and service are woven into the culture of this great country.

The principles of duty, honor, and country have been the foundation of our Army and of our country. Their honor, their courage, their sacrifice, and service are woven into the culture of this great Nation. It is America. Every generation of Americans who have served in the U.S. Army, from the Continental Army to our fighting men and women serving today in Iraq and Afghanistan, have been shaped by these principles, have molded lives in ways that are hard to explain.

Just as the U.S. Army has touched our national life and history, it has touched the lives of citizens of the world.

The U.S. Army has protected American values of liberty, freedom, and democracy and made the world a more secure, prosperous, and better place for all mankind.

It is only appropriate we recognize the monumental contributions of this great institution, contributions to America and the world.

On this 230th birthday of the U.S. Army, we also recognize and thank those who have sacrificed and served. We thank their families. Their examples are an inspiration to those who have had the privilege to serve in the U.S. Army. They will continue to inspire future generations.

On this, the 230th birthday of the Army, I say happy birthday to the Army. In the great, rich tradition of the U.S. Army, and as a proud U.S. Army veteran, I proclaim my annual Senate floor "hoo-haw."

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. 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.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

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

The Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, as the senior Senator from Nebraska said,

today, June 14, is the 230th birthday of the U.S. Army.

Although we commend the service of the men and women of all branches, Active Duty and Reserve components, on this day the Senate Army Caucus, which I cochair with my colleague, Senator AKAKA, particularly celebrates the soldiers of the U.S. Army as they answer the Nation's call to duty.

These brave men and women are giving something back to their country every day through the sacrifices they and their families make. Mr. President, 230 years ago, the Army was established to defend our Nation. Today, its mission remains the same as throughout the Army's history. America's soldiers have always answered the call to end tyranny, free the oppressed, and light the path to democracy.

As citizens and lawmakers, we appreciate our freedoms and our inalienable rights of life, liberty, and the pursuit of happiness. But we know our freedoms are not free and should not be taken for granted. The men and women of the Army and the other branches of the Armed Forces shoulder the load of being on freedom's frontier, defending our very way of life.

On this day, it would be easy for us as citizens of this great Nation to take for granted our God-given rights. In our daily routines, we all too often overlook the selfless commitment the American soldier is making to protect our national interests and freedoms around the globe in over 120 countries. Each mission is contributing to our safety and well-being here at home. For this reason, we should remember that June 14 is the day the U.S. Army was established and celebrates its birthday.

The men and women serving in the U.S. Army embody the ideals set forth in the Soldier's Creed and Warrior Ethos. They have the unwavering belief that they will be victorious in whatever they do. This belief stems from knowing that the American people support them, and from the confidence they have in their leaders at every level. They are well equipped and well led, and they will perform their sacred duty. Just listen to these words our soldiers live by every day:

I will always place the mission first.

I will never accept defeat.

I will never quit.

I will never leave a fallen comrade.

It is kind of interesting. Many years ago, I served in the U.S. Army. It is the same thing we said at that time. We have been living those words not just since the time I was in the Army but for 230 years. Both Senator AKAKA and I, the cochairmen of the Senate Army Caucus, were soldiers in the U.S. Army. The principles we learned then—the timeless principles of discipline, pride, integrity, honor, and sacrifice—have helped guide us throughout our lives. They still characterize the Army today.

So on behalf of Senator AKAKA and the rest of the Senate Army Caucus, I

wish the U.S. Army a happy 230th birthday.

I yield the floor.

Mr. AKAKA. Mr. President, I rise today to commemorate the birthday of the United States Army. The Army celebrates 230 years of service to our great Nation on June 14. On this momentous occasion, I ask that we all pause to pay tribute to the fine men and women of the Army who have served both around the world and at home during the U.S. Army's distinguished history. During the history of the U.S. Army, the battlefield location has changed and the warfighting technology has changed, but the spirit of the men and women of the U.S. Army has remained as consistent as the cause that they fight for—to protect, defend, and promote freedom at home and abroad. The selfless service given by each and every member of the U.S. Army is an inspiration to us all.

Mr. SESSIONS. Mr. President, 230 years ago on, June 14, 1775, our Founding Fathers formed the United States Army. The Continental Army emerged in the midst of a war for liberty and freedom.

Today, America's Army, serving worldwide in a global war on terror, is once again deeply engaged in fighting tyranny and ensuring the light of liberty shines around the world. It too is transforming just as it did in 1775.

The Nation stands united on the 230th birthday of the U.S. Army supporting our soldiers deployed around the globe. Each and every one a volunteer, who left behind the comforts of home to serve their fellow citizens and the Nation. Their courage, compassion, and selfless devotion to duty stand as clear examples to all of us and to nations the world over.

The American soldier has always been the centerpiece of the Nation's defense. Today, the focus remains as it always has: every soldier is a link to those past heroes. Moreover, our modern warfighters remain the preeminent land combat force in the world.

From Bunker Hill to New Orleans, from Gettysburg to the Marne, from North Africa and the beaches of Normandy to Inchon and the Ia Drang, from Desert Storm to Operations Enduring Freedom and Iraqi Freedom, the American soldier: brave, professional and determined has taken the field of battle in defense of those who hunger for freedom.

In light of the new threats of this century, the U.S. Army is transforming itself once again to remain on the leading edge of warfighting technology and combat skill. The change from musket to rifle, from horse to motorized vehicle, from aircraft to missiles has in the past 230 years demonstrated the resolve of our Army and its leaders to adapt in the face of change. New units of action, enhanced global mobility, infusion of precision weapons, and the responsiveness found in Army UAVs along with real-time sharing of intelligence and information are the hallmarks of the

U.S. Army today. What will never change is the courage, determination, and professionalism of the ultimate weapon in the Nation's arsenal: the American soldier.

No tribute to our men and women in uniform, whether they are from Alabama or elsewhere, would be complete without mentioning their families. America salutes our military families and the silent burden they bear when their loved ones: husbands and wives, fathers and mothers or sons and daughters are called away to distant shores to defend this great Nation and our way of life. The love and support our soldier's families provide gives each soldier the comfort and respite from the danger and long hours spent away.

As Americans, completing life's daily tasks, we should be ever mindful that the peace and freedom we enjoy in this great Nation were secured time and time again by the valor of countless soldiers serving around the globe over the past 230 years.

From forward positions in Korea to the streets of Baghdad to the mountains of Afghanistan soldiers stand ready at their posts. They continue to guarantee the peace that has been handed down from generation to generation of Americans. We should be proud and humbled by the standards set and the sacrifices borne by these Americans.

Happy 230th Birthday United States Army. May your successes be many and your burdens light. General Patton once said, "Wars may be fought with weapons, but they are won by men. It is the spirit of men who follow and of the man who leads that gains the victory." So it was in Patton's time, so it is today. Ours is the greatest Army ever fielded because of the men and women who wear its uniform make it so.

The PRESIDING OFFICER. The minority leader is recognized.

#### UNANIMOUS CONSENT REQUEST— H.R. 6

Mr. REID. Mr. President, the ranking member is in the Finance Committee at a very important meeting dealing with CAFTA. He is going to return as soon as the distinguished chairman of the committee makes his opening statement. I ask unanimous consent that the first two amendments in order be the one I would define as the ethanol amendment—I do not know who is going to offer that. Who on your side will offer that, I ask Senator DOMENICI?

Mr. DOMENICI. We think it will be Senator INHOFE, but leave it up to the manager to decide.

Mr. REID. I ask that the next amendment in order be that of Senator CANTWELL of Washington.

The PRESIDING OFFICER. Is there objection?

Mr. NELSON of Florida. Reserving the right to object, respectfully, I would request of the Democratic leader, would there be an opportunity

under his unanimous consent request that I be allowed to make an opening statement after the two managers of the bill have made their opening statements?

Mr. REID. Mr. President, I think that would be totally appropriate. I would ask—the amendments we are talking about would be first-degree amendments.

Mr. DOMENICI. Mr. President, I do not want the Senator to misunderstand, but I am going to object to the request, not because I do not want that to be the order. I would like very much to understand that is probably going to be the order, but I do not want to lock it in that way right now.

What we are going to do, if the distinguished minority leader agrees, is I will make an opening statement. If, in fact, Senator BINGAMAN is ready, somebody will get him here to make his, and then, if the Senator from Florida desires, we will let him proceed. Then we will work with you to get the other two amendments lined up.

The reason I say that, I say to the Senator, is there is going to be a long debate and many amendments with reference to ethanol, and I would like to get it out here and see how it is going. It will be ready pretty soon. Then you will be right after that in order, as we have been discussing. I hope that is satisfactory.

The PRESIDING OFFICER. Objection is heard.

The Democratic leader is recognized.

Mr. REID. Mr. President, has the bill been laid down yet?

The PRESIDING OFFICER. It has not.

#### ENERGY POLICY ACT OF 2005

The PRESIDING OFFICER. Under the previous order, the hour of 10 a.m. having arrived, the Senate will proceed to the consideration of H.R. 6, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 6) to ensure jobs for our future with secure, affordable, and reliable energy.

Mr. DOMENICI. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SUNUNU). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, so the Senate will have an idea what we are trying to do, the first amendment we are trying to offer up is in the process of being completed in a bipartisan manner, the ethanol amendment. We don't know exactly when that will be ready. It looks as though they are working on the last clearances or clarification of words. I was told a while