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Senate

The Senate met at 9:45 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

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

Let us pray:

Eternal Spirit, You see our thoughts from a distance. You look not merely on our exteriors but also at our interiors. You see our desire to please You and to honor You with our lives. You know our remorse for neglected duties, missed opportunities, and selfish pursuits.

You are aware that we need strength for today and hope for tomorrow.

Today, meet the needs of our lawmakers as they confront the challenges of our time. Give them faith to trust that Your sovereign providence will prevail in the unfolding events of our world. Remind them that they are never alone, for You will never forsake them.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore 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.

RESERVATION OF LEADER TIME

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

RECOGNITION OF THE ACTING MAJORITY LEADER

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

SCHEDULE

Mr. McCONNELL. Mr. President, this morning we have set aside some debate

time in executive session for the consideration of Renee Bumb to be U.S. district judge for New Jersey. Following those statements, we will vote at around 10:20 a.m. on the confirmation of that nomination.

Immediately after the vote, we will resume debate on the motion to proceed to the Marriage Protection Amendment. We reserved blocks of time throughout the session for Members to come to the Senate to give their remarks on the marriage amendment.

The Senate will recess, as usual on Tuesdays, from 12:30 to 2:15 for our weekly policy luncheons.

I remind our colleagues, I filed a cloture motion on the motion to proceed to the Marriage Protection Amendment. That vote will occur on Wednesday. Later today, we will alert all Members as to the precise timing of that cloture vote on the marriage amendment which, as I indicated, will occur Wednesday.

EXECUTIVE SESSION

NOMINATION OF RENEE MARIE BUMB TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY

The PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session for consideration of Executive Calendar No. 626, which the clerk will report.

The bill clerk read the nomination of Renee Marie Bumb, of New Jersey, to be U.S. District Judge for the District of New Jersey.

The PRESIDENT pro tempore. Under the previous order, the time until 10:20 a.m. shall be equally divided between the two managers or their designees.

Mr. McCONNELL. Mr. President, before I suggest the absence of a quorum, will the time run during the quorum call?

The PRESIDENT pro tempore. It will be equally divided.

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

The PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, I rise to express my pleasure and support for the confirmation of Ms. Renee Bumb to the U.S. District Court of New Jersey.

Ms. Bumb is one of four accomplished individuals from New Jersey who have been nominated to vacancies on the district court.

Just before we left for the Memorial Day recess, the Senate unanimously confirmed Judge Susan Wigenton for the district court. Judge Wigenton has been a Federal magistrate judge since 1997. She also worked at a law firm, served as a public defender in Asbury Park, NJ. She has been a first-rate magistrate judge. She will be an excellent district court judge. She served the public well. We are pleased to have her join the bench in New Jersey.

Now we discuss today's nominee, Renee Bumb. She is exceptionally well qualified and will be an excellent addition to the court. She is currently attorney in charge of the Camden—our southernmost city—U.S. Attorney's Office. She is a gifted prosecutor and has handled cases ranging from drug trafficking to white-collar crime.

For 6 years, Miss Bumb has supervised all of the attorneys in the Camden U.S. Attorney's Office. At the same time, she has tried cases herself, especially those dealing with public corruption.

Ms. Bumb is from south Jersey. We are pleased she will be sitting as a Federal judge in Camden. There have been

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



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openings there for some time. The people of south Jersey deserve judges who understand that area of the State and the unique communities therein. Ms. Bumb fits that bill.

When people look at tiny New Jersey on the map, they envision a small State but they are wrong. While we are relatively small geographically, we have the 10th largest population in the country. New Jersey is the most densely populated State in the country. While physical distance between north and south Jersey is not significant, there are differences between the two areas politically, economically, and culturally. The Federal Government needs to respect these distinctions.

Thus, we have Renee Bumb, who is a judge from South Jersey. She will dispense justice with the unique character her community brings—not having the large cities, and with the population density much less than the north. They also lack some of the services immediately available in the northern part of our State. Ms. Bumb will represent the Federal Government and represent the Judiciary extremely well.

At the same time, we have two other excellent nominees for vacancies on the U.S. District Court for New Jersey. One is Noel Hillman, another is Peter Sheridan. These nominees have been approved by the Judiciary Committee. They are ready to go. We should not delay the confirmation of these nominations past this week.

I offer thanks to Chairman SPECTER and Ranking Member LEAHY for moving these nominees so efficiently through the process. I am confident these four individuals will serve the people of New Jersey extremely well on the Federal bench. They will bring distinction to the court. We urge their quick confirmation in the Senate.

I yield the floor.

The PRESIDENT pro tempore. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise today in support of the nomination of Renee Bumb to be a U.S. district judge for the District of New Jersey. I appreciate the opportunity to speak about this outstanding individual that the White House has selected to serve on the Federal bench.

I take a moment to share with our colleagues a few of her accomplishments. Ms. Bumb is a graduate of Ohio State University and the University of Chicago Graduate School of International Relations. She attended my own alma mater, Rutgers University School of Law in Newark, where she served as editor in chief of the law review and has been a loyal New Jersey ever since.

Ms. Bumb's reputation in the southern New Jersey legal community is both well known and exceptional. As assistant U.S. attorney, Ms. Bumb has been known for many efforts and is a staunch anticorruption prosecutor. She is best known for her prosecution of the former Camden City mayor. She has twice received the Director's

Award, the highest award given to an assistant U.S. attorney presented by the U.S. Attorney General. Ms. Bumb is currently the attorney in charge of the U.S. Attorney's Office in Camden, NJ.

The American Bar Association has rated Ms. Bumb as well qualified for the position to which she has been nominated. It is a view I share as well.

I would also like to talk about the package of four nominees for district judge of New Jersey that Ms. Bumb is a part of. It is a package that is balanced in every sense of the word, from geographic to gender perspectives, as well as to quality. I should note that Ms. Bumb is not the first nominee of that package to be confirmed by the Senate. The day before the Memorial Day district work period began, the Senate confirmed Susan Wigenton to be a district court judge. Judge Wigenton graduated from Norfolk State University and the Marshall-Wythe School of Law from the College of William and Mary. She has spent the last 8 years doing an exceptional job as a U.S. magistrate judge for the district of New Jersey, and she will do an exceptional job in the district court.

I look forward to working with Senator LAUTENBERG, the chair and ranking member of the Judiciary Committee, and the leadership in bringing the nominations of the other two nominees, Noel Hillman and Peter Sheridan, to the Senate floor for confirmation votes. This entire four-nominee package is one that every New Jersey can and should be proud of.

There truly is no higher calling than the calling of public service. That is why I am pleased to see people of this quality who are willing to serve our Nation in the administration of justice. The confirmation of a judge to a lifetime appointment is a vital responsibility given to this body by the Constitution and one I take very seriously. I join my colleague, Senator LAUTENBERG, in support of Ms. Bumb and her confirmation. I look forward to her continued service to our State and Nation. I am confident she will put our shared Rutgers education to good use.

I urge my colleagues to support the nomination of Renee M. Bumb to serve on the U.S. District Court for the District of New Jersey.

Mr. LEAHY. Mr. President, as we resume consideration of judicial nominations today, it is worth taking stock of the mileposts we have passed and those we are working toward. Chairman SPECTER has now chaired the Judiciary Committee for 17 months. I congratulate him on that. The committee has been extremely active, and we have achieved a good deal working together.

We reported a bill to provide compensation to asbestos victims and began its consideration in the Senate. Just recently, we joined together to introduce a new version of our legislation, to note the passing of our friend Judge Becker and to recommit ourselves to finishing this bipartisan task

to provide fair compensation to asbestos victims and reduce the litigation burden that asbestos cases have imposed on our civil justice system.

We worked together to report a comprehensive immigration reform bill and continued to work with Senators KENNEDY, MCCAIN, HAGEL, MARTINEZ, and others in a bipartisan coalition that culminated in Senate passage of S. 2611 late last month. We look forward to help from the President to enact that measure later this year.

We worked together to revive and reauthorize the expiring provisions of the USA PATRIOT Act. I supported the Judiciary Committee and Senate bill. When our bill was hijacked, I appreciated Chairman SPECTER's efforts to restore some balance and his efforts to work with those of us seeking improvements. Sadly, the final product insisted upon by the Bush-Cheney administration and House Republicans was not one I could support.

We are working together now in a bipartisan, bicameral partnership to reauthorize the expiring provisions of the Voting Rights Act. We need to complete hearings on our bill without further delay, and I hope that we can report our bipartisan bill by mid-June so that these important provisions, including those in section 203 providing voting access for language minorities, can be reauthorized this year.

We worked together to report privacy legislation to the Senate last November. Senate action on our bill is overdue. The recent theft of millions of veterans' personal information and the growing problem of identification theft remind us how important these issues are for so many Americans.

We have also worked together on competitiveness issues including the NOPEC legislation to clarify that our antitrust laws should be applied to the OPEC cartel, our broader bill on windfall oil company profits, and our bill to end the antitrust exemption for the insurance industry.

We have made progress on several issues, but our work is far from over. There are only 13 weeks left in this legislative session of the Senate and we still have much that needs to get done. The Republican-controlled House and Senate have yet to enact a Federal budget and are in violation of the statutory deadline of April 15. We have yet to pass a single appropriations bill, and we are required by law to pass 13. We have yet to reconcile and enact the emergency supplemental appropriations bill that has been pending for months and that includes funding for Iraq and Katrina victims and other matters. We have yet to reconcile and enact lobbying reform and ethics legislation. We have yet to deal with the skyrocketing cost of gasoline. We have yet to reconcile and enact a bipartisan and comprehensive immigration reform bill. We need to enact stronger privacy protection legislation, especially in the wake of the theft of information on more than 26 million veterans. We have yet to enact stem cell

research legislation. We need to reauthorize the Voting Rights Act. We have yet to enact patent reform legislation. And I hope that we will take up, pass and enact our asbestos compensation legislation and my measure to speed lifesaving medicine to those in desperate need.

I have urged that we exercise effective oversight of the executive branch, and I have supported Chairman SPENCER's efforts to get to the bottom of the NSA's unprecedented program of domestic spying on Americans without warrants. We need to make more progress on this important front and to restore accountability and check and balances in our Government.

One of the most important checks and balances to unprecedented overreaching by the Bush-Cheney executive branch is an independent judiciary. With respect to judicial nominations, we worked together in connection with the nominations of Chief Justice Roberts, whom I came to support, and Justice Alito, whom I did not. I have sought to expedite consideration of qualified, consensus nominees and urged the President to work with us to make selections that unite all Americans.

Today we will proceed to confirm another lifetime appointment to the Federal courts in New Jersey. With the support of the New Jersey Senators, we were able to confirm Judge Susan Davis Wigenton just before the last recess. Her nomination, as well as the nomination of Renee Marie Bumb that we are considering today, were reported favorably by the Judiciary Committee to the Senate more than a month ago.

Rather than proceed to those nominations promptly, the Republican leadership of the Senate delayed their consideration while proceeding over time with circuit court nominations. I was cooperative in proceeding to the confirmation of Judge Milan Smith to the Ninth Circuit. His confirmation demonstrated, again, that we can work together. I was pleased for his brother, the Senator from Oregon, and believe that he will be a fine judge.

Regrettably, the Senate Republican leadership chose not to move to any of the four district court nominations from New Jersey, or the two nominations to district courts in Michigan that their home State Democratic Senators have reached out to support. Instead, they forced debate on another controversial nomination, that of a White House insider selected for a lifetime position on the DC Circuit as a reward for his loyalty to President Bush. I did not support confirmation of Brett Kavanaugh. That was the fight that the Republican leader had promised the narrow special interest groups of the rightwing of his party.

The President and Senate Republican leadership continue to pick fights over judicial nominations rather than focus on filling vacancies. Judicial vacancies have now grown to more than 50 from

the lowest vacancy rate in decades. More than half these vacancies are without a nominee. The Congressional Research Service has recently released a study showing that this President has been the slowest in decades to nominate and the Republican Senate among the slowest to act. If they would concentrate on the needs of the courts, our Federal justice system and the needs of the American people, we would be much further along.

Still, we have passed a milestone. When the Senate votes today to confirm Renee Bumb as a district court judge, the Republican-controlled Senate will have this year confirmed 17 judicial nominations. That was the total number of judges confirmed in the 1996 congressional session, when Republicans controlled the Senate and stalled the nominations of President Clinton. In the 1996 session, however, Republicans would not confirm a single appellate court judge. All 17 confirmations were district court nominees. That is the only session I can remember in which the Senate has simply refused to consider a single appellate court nomination. That was part of their pocket filibuster strategy to stall and maintain vacancies so that a Republican President could pack the courts and tilt them decidedly to the right. In the important DC Circuit, the confirmation of Brett Kavanaugh was the culmination the Republicans' decade-long attempt to pack the DC Circuit that began with the stalling of Merrick Garland's nomination in 1996 and continued with the blocking of President Clinton's other well-qualified nominees, Elena Kagan and Allen Snyder.

Of course, with the confirmation today, we will tie that record of 17 confirmations for the year. It is June, and we have a few more weeks in which to make progress. There remain four more district court nominees on the calendar whose consideration could be scheduled for debate and vote but are being delayed—not by Democratic opposition—but by Republican control. There is also another circuit court nominee on the calendar who was reported with Democratic support from the Judiciary Committee and whose confirmation could be scheduled for debate and vote. Successful consideration of those five additional nominees will bring the Senate's total judicial confirmations to 22, thereby matching the total achieved all last year.

But the road ahead is likely to be rocky. In the runup to the Kavanaugh nomination debate, we saw that the Senate Republican leadership is apparently heeding the advice of *The Wall Street Journal* editorial page, which wrote, "[a] filibuster fight would be exactly the sort of political battle Republicans need to energize conservative voters after their recent months of despond." Rich Lowery, editor of the conservative *National Review*, listed a fight over judges as one of the ways President Bush could revive his polit-

ical fortunes, writing that he should, "[p]ush for the confirmation of his circuit judges that are pending. Talk about them by name. The G.O.P. wins judiciary fights."

Republican Senators are relishing picking fights over controversial judicial nominees. Senator THUNE has said, "A good fight on judges does nothing but energize our base . . . Right now our folks are feeling a little flat." Senator CORNYN has said, "I think this is excellent timing. From a political standpoint, when we talk about judges, we win." On May 8, 2006, *The New York Times* reported: "Republicans are itching for a good election-year fight. Now they are about to get one: a reprise of last year's Senate showdown over judges." *The Washington Post* reported on May 10: "Republicans had revived debate on Kavanaugh and another Bush appellate nominee, Terrence Boyle, in hopes of changing the pre-election subject from Iraq, high gasoline prices and bribery scandals."

We should not stand idly by as Republicans choose to use lifetime federal judgeships for partisan political advantage. In a May 11, 2006, editorial *The Tennessean* wrote:

"[T]he nation should look with complete dismay at the blatantly political angle on nominations being advocated by Senate Republicans now. . . . Republicans are girding for a fight on judicial nominees for no reason other than to be girding for a fight. They have admitted as much in public comments. . . . In other words, picking a public fight over judicial nominees is, in their minds, the right thing to do because it's the politically right thing to do. . . . Now, Republicans are advocating a brawl for openly political purposes. The appointment of judges deserves far more respect than to be an admitted election-year ploy. . . . It should be beneath the Senate to have such a serious matter subjected to nothing but a tool for political gain."

On May 3, 2006, *The New York Times* wrote in an editorial: "The Republicans have long used judicial nominations as a way of placating the far right of their party, and it appears that with President Bush sinking in the polls, they now want to offer up some new appeals court judges to their conservative base."

Consider the President's nomination of Judge Terrence Boyle to the Fourth Circuit. We have learned from recent news reports that, as a sitting U.S. district judge and while a circuit court nominee, Judge Boyle ruled on multiple cases involving corporations in which he held investments. In at least one instance, he is alleged to have bought General Electric stock while presiding over a lawsuit in which General Electric was accused of illegally denying disability benefits to a long-time employee. Two months later, he ruled in favor of GE and denied the employee's claim for long term and pension disability benefits. Whether it turns out that Judge Boyle broke Federal law or canons of judicial ethics, these types of conflicts of interest have no place on the Federal bench. Certainly, they should not be rewarded

with a promotion to the Fourth Circuit. Certainly, they should be investigated.

The President should heed the call of North Carolina Police Benevolent Association, the North Carolina Troopers' Association, the Police Benevolent Associations from South Carolina and Virginia, the National Association of Police Organizations, the Professional Fire Fighters and Paramedics of North Carolina, as well as the advice of Senator John Edwards, and withdraw his ill-advised nomination of Judge Terrence Boyle. Law enforcement from North Carolina and law enforcement from across the country oppose the nomination. Civil rights groups oppose the nomination. Those knowledgeable and respectful of judicial ethics oppose this nomination. This nomination has been pending on the calendar in the Republican-controlled Senate since June of last year when it was forced out of the Committee on a party-line vote. It should be withdrawn.

Also on the calendar is the nomination of William Myers to the Ninth Circuit. This is another administration insider and lobbyist whose record has made him extremely controversial. I opposed this nomination when it was considered by the Judiciary Committee in March 2005. He was a nominee who the so-called Gang of 14 expressly listed as someone for whom they made no commitment to vote for cloture, and with good reason. His anti-environmental record is reason enough to oppose his confirmation. His lack of independence is another. If anyone sought to proceed to this nomination, there would be a need to explore his connections with the lobbying scandals associated with the Interior Department and Jack Abramoff. This nomination should also be withdrawn.

A few months ago, the President withdrew the nomination of Judge James Payne to the Court of Appeals for the 10th Circuit after information became public about that nominee's rulings in a number of cases in which he appears, like Judge Boyle, to have had conflicts of interest. Those conflicts were pointed out not by the administration's screening process or by the ABA but by journalists.

Judge Payne joins a long list of nominations by this President that have been withdrawn. Among the more well known are Bernard Kerik to head the Department of Homeland Security and Harriet Miers to the Supreme Court. It was, as I recall, reporting in a national magazine that doomed the Kerik nomination. It was opposition within the President's own party that doomed the Miers nomination.

During the last few months, President Bush also withdrew the nominations of Judge Henry Saad to the Court of Appeals for the Sixth Circuit and Judge Daniel P. Ryan to the Eastern District of Michigan after his ABA rating was downgraded.

It is not as if we have not been victimized before by the White House's

poor vetting of important nominations. If the White House had its way, we would already have confirmed Claude Allen to the Fourth Circuit. He is the Bush administration insider who recently resigned his position as a top domestic policy adviser to the President. Ultimately, we learned why he resigned when he was arrested for fraudulent conduct over an extended period of time. Had we Democrats not objected to the White House attempt to shift a circuit judgeship from Maryland to Virginia, someone now the subject of a criminal prosecution for the equivalent of stealing from retail stores would be a sitting judge on the Fourth Circuit confirmed with a Republican rubberstamp.

Yet another controversial pending nomination is that of Norman Randy Smith to the Ninth Circuit. This nomination is another occasion on which this President is seeking to steal a circuit court seat from one State and reassign it to another one, one with Republican Senators. That is wrong. I support Senators FEINSTEIN and BOXER in their opposition to this tactic. I have suggested a way to resolve two difficult situations if the President were to renominate Mr. SMITH to fill the Idaho vacancy on the Ninth Circuit, instead of a vacancy for a California seat. Regrettably, the White House has not followed up on my suggestion.

A complicit Republican-controlled Senate remains all too eager to act as a rubberstamp for the Bush-Cheney administration. The nomination of Kavanaugh was one of the few to be downgraded by the ABA upon further review. Until the Republican-controlled Senate proceeded to confirm this White House insider, I cannot recall anyone being confirmed after such a development. Another first, and another problematic confirmation that ill serves the American people.

Another troubling nomination is that of William James Haynes to the Fourth Circuit, which has been pending in the Republican-controlled Senate without action for 3 years. Mr. Haynes is the general counsel at the Defense Department and was deeply involved developing the torture policies, detention and interrogation policies, military tribunals, and other controversial aspects of the manner in which this administration has proceeded unilaterally to make mistakes and exceed its legal authority. Concerns about the Haynes nomination may not be confined to Democratic Senators, according to recent press reports.

I trust that the Senate will not repeat the mistake it made before. It was only after Jay Bybee was confirmed to a lifetime appointment to the Ninth Circuit that we learned of his involvement with the infamous Bybee memo seeking to justify torture and degrading treatment. I had asked him what he had worked on while head of the Department of Justice's Office of Legal Counsel, but he had refused to respond.

This former Defense Department and Justice Department insider now sits on the Ninth Circuit for life.

Finally, there is the more recent nomination of Michael Wallace to a vacancy on the Fifth Circuit. Mr. Wallace received the first ABA rating of unanimously "not qualified" that I have seen for a circuit court nominee since President Reagan. Yet that is one of the controversial nominations we can expect the Republican Senate to target for action given their track record.

Working together we could do better. I made the point when in the 17 months I chaired the Judiciary Committee we proceeded to confirm 100 judicial nominees of President Bush. I urge the White House to work with us. I hope that the Republican-controlled Senate will stop rubberstamping this President's nominees and stop using controversial judicial nominations to score partisan political points. Our courts are too important. The rights and liberties of the American people are too important. The courts are the only check and balance left to protect the American people and provide some oversight of the actions of this President.

I suggest the absence of a quorum. The PRESIDING OFFICER (Mr. DEMINT). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SANTORUM. 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 hour of 10:20 having arrived, the vote is to occur on the nomination.

Mr. SANTORUM. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

Mr. SANTORUM. I thank the Chair.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Renee Marie Bumb, of New Jersey, to be a United States District Judge for the District of New Jersey?

On this question, the yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. McCONNELL. The following Senators were necessarily absent: the Senator from Tennessee (Mr. FRIST), the Senator from Montana (Mr. BURNS), the Senator from Idaho (Mr. CRAPO), the Senator from New Mexico (Mr. DOMENICI), the Senator from Nebraska (Mr. HAGEL), the Senator from Utah (Mr. HATCH), and the Senator from Missouri (Mr. TALENT).

Further, if present and voting, the Senator from Tennessee (Mr. FRIST) would have voted "yea."

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. BINGAMAN), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Maryland (Mr. SARBANES), and the Senator from New York (Mr. SCHUMER) are necessarily absent.

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

The yeas and nays resulted—yeas 89, nays 0, as follows:

[Rollcall Vote No. 162 Ex.]

YEAS—89

Akaka	Dole	McCain
Alexander	Dorgan	McConnell
Allard	Durbin	Menendez
Allen	Ensign	Mikulski
Baucus	Enzi	Murkowski
Bayh	Feingold	Murray
Bennett	Feinstein	Nelson (FL)
Biden	Graham	Nelson (NE)
Bond	Grassley	Obama
Boxer	Gregg	Pryor
Brownback	Harkin	Reed
Bunning	Hutchison	Reid
Burr	Inhofe	Roberts
Byrd	Inouye	Salazar
Cantwell	Isakson	Santorum
Carper	Jeffords	Sessions
Chafee	Johnson	Shelby
Chambliss	Kennedy	Smith
Clinton	Kerry	Snowe
Coburn	Kohl	Specter
Cochran	Kyl	Stabenow
Coleman	Landrieu	Stevens
Collins	Lautenberg	Sununu
Conrad	Leahy	Thomas
Cornyn	Levin	Thune
Craig	Lieberman	Vitter
Dayton	Lincoln	Voinovich
DeMint	Lott	Warner
DeWine	Lugar	Wyden
Dodd	Martinez	

NOT VOTING—11

Bingaman	Frist	Sarbanes
Burns	Hagel	Schumer
Crapo	Hatch	Talent
Domenici	Rockefeller	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now resume legislative session.

The Senator from Georgia.

Mr. ISAKSON. Mr. President, I ask unanimous consent to address the Senate as in morning business.

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

EXPERIENCING MEMORIAL DAY CELEBRATIONS ON FOREIGN SOILS

Mr. ISAKSON. Mr. President, I would like to call everybody's attention to the special day that today is. Today is the 6th day of June. Sixty-two years ago today on the shores of France and Normandy, Omaha Beach, Sword Beach, American troops and allied forces invaded France, pushed back the German Army, pushed through the Battle of the Bulge, and ultimately into Germany, and today, you and I enjoy freedom and liberty in this country, as Europe enjoys its freedom, and as, in fact, the world enjoys its freedom because of what those brave men and women did.

This past week, I had a unique occasion to travel with the chairman of the Veterans' Affairs Committee, Senator CRAIG from Idaho, and with GEN Jack Nicholson, who is the chairman of the

American Battle Monuments Commission. We traveled through Europe and northern Africa paying Memorial Day tributes to the men and women buried on those foreign shores.

I have to tell my colleagues, it was a life-altering experience for me. I am a patriotic American. I love this country more than anything on the face of this Earth. I have teared up more than once at the funeral of a friend who died in the service of this country. But I have never seen the outpouring of love and respect for our country or for our servicemen than I saw in the Netherlands or in Belgium or outside of Paris or at Bellewood outside of Paris or in Tunisia at the American cemetery in northern Africa.

I think it is appropriate for us to memorialize today what those of us who traveled on this trip saw to hopefully inspire other Members of the Senate, and hopefully every American at one point in time in their life, to travel to these marvelous memorials. I have been in elected office for most of the last 30 years. I have done more Memorial Day ceremonies than one would want to count. They have all been beautiful, they have all been meaningful, but, quite frankly, they usually aren't very well attended because Americans more often than not take Memorial Day as a 3-day vacation or a 3-day weekend. But I would like to tell you what the people of Margraten in the Netherlands take Memorial Day as.

When we went to the American cemetery in the Netherlands and saw the over 6,000 graves of the American men and women who died in liberating the Netherlands, we were moved. We were more moved by the fact that every one of those graves is adopted by a citizen of the Netherlands who cares for that grave, leaves flowers at that grave, and attends the ceremonies on Memorial Day, the American Memorial Day, which we conduct. On that day in the Netherlands there were over 7,000 citizens—7,000 Dutch—who came to pay tribute to the men and women of the United States of America who died on their soil so they could be free. The royal Dutch Air Force did a missing man fly-over formation, and the senior men's choir of Holland sang "God Bless America." It was a moving scene unlike anything I have personally seen. It renewed, for me, the faith and pride I have in all that is good about the United States of America.

Following that visit, we went to Normandy. We saw the monument the French had erected to the Rangers who stormed the Normandy cliffs and moved in and rooted out the Germans. We went to Omaha Beach and saw firsthand where the American troops came across, where the Canadian troops came across, where the British troops came across. We saw where in one day 2,500 men of America died on the beaches of Normandy so that all of us today can live in freedom and in hope and in peace.

I commend Chairman CRAIG for making this delegation. We found out we

were the first delegation that anyone could remember to ever do what we did. Not only do I hope we are not the last, I hope it is an annual occasion where Members of the Senate go and pay their respects to the brave Americans who died in the great wars of Europe, World War I and World War II; for without them, we would not enjoy what we do today, nor would the world enjoy the peace and the freedom and the liberty that it treasures and it enjoys.

So on this day of June 6, 2006, 62 years after 2,500 Americans died and tens of thousands of Americans pursued the German Army in France, I know what I will do tonight when I say my prayers. I will say a special prayer for those folks I never knew but without whom I never could have lived the life that I have, and I will say thanks. I will repeat the pledge I made to myself on the cemetery of Normandy. I said: Before I die, I am going to see to it that my children and my grandchildren get to visit this scene and have this experience because only through the preservation of the memory of what those men fought and died for will we as Americans ever be able to continue to make the commitments we have around the world to preserve liberty, preserve democracy, and protect the people of the world's right to determine their own future and their own peace and their own liberty.

So, Mr. President, on this day, June 6, 2006, I thank God for the men and women of the U.S. military, for the leadership of the 20th century, and pray that all of us will have the courage they had to continue to preserve the liberty we all treasure and enjoy.

I yield the floor.

MARRIAGE PROTECTION AMENDMENT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S.J. Res. 1, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to the consideration of S.J. Res. 1, proposing an amendment to the Constitution of the United States relating to marriage.

The PRESIDING OFFICER (Mr. SUNUNU). The Senator from Colorado.

Mr. ALLARD. Mr. President, I ask unanimous consent that the time today from 6 to 6:30 be under the control of the majority and from 6:30 to 7 o'clock be under the control of the minority.

The PRESIDING OFFICER. Is there objection?

Mr. LEAHY. We have no objection.

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

Mr. ALLARD. Mr. President, I ask that LARRY CRAIG be added as a cosponsor to S.J. Res. 1.

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

Mr. ALLARD. Mr. President, we are now talking about S.J. Res. 1, the Protection of Marriage Amendment. We