

So my Democratic colleagues have had unlimited opportunities to make their case on Mr. Estrada. Some of them oppose him; others support him. But one thing has remained clear through this debate: There is no good reason to deny Mr. Estrada an up or down vote on his nomination.

The time has come to end the debate on Mr. Estrada's nomination and give him and up or down vote, as the Senate will now do on Judge Prado. It is the fair thing to do.

I urge all of my colleagues to join me in voting for Judge Prado's nomination at this time.

I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. I am glad my friends on the Republican side now allow Judge Prado's nomination to go forward. I intend to vote for him.

I yield the remainder of my time.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Edward C. Prado, of Texas, to be United States Circuit Judge for the Fifth Circuit?

Mr. HATCH. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Oklahoma (Mr. INHOFE) is necessarily absent.

Mr. REID. I announce that the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Maryland (Mr. SARBANES) are necessarily absent.

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

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 138 Ex.]

YEAS—97

Akaka	Dodd	Lott
Alexander	Dole	Lugar
Allard	Domenici	McCain
Allen	Dorgan	McConnell
Baucus	Durbin	Mikulski
Bayh	Edwards	Miller
Bennett	Ensign	Murkowski
Biden	Enzi	Murray
Bingaman	Feingold	Nelson (FL)
Bond	Feinstein	Nelson (NE)
Boxer	Fitzgerald	Nickles
Breaux	Frist	Pryor
Brownback	Graham (FL)	Reed
Bunning	Graham (SC)	Reid
Burns	Grassley	Roberts
Byrd	Gregg	Rockefeller
Campbell	Hagel	Santorum
Cantwell	Harkin	Schumer
Carper	Hatch	Sessions
Chafee	Hollings	Shelby
Chambliss	Hutchison	Smith
Clinton	Inouye	Snowe
Cochran	Jeffords	Specter
Coleman	Johnson	Stabenow
Collins	Kennedy	Stevens
Conrad	Kerry	Sununu
Cornyn	Kohl	Talent
Corzine	Kyl	Thomas
Craig	Landrieu	Voinovich
Crapo	Lautenberg	Warner
Daschle	Leahy	Wyden
Dayton	Levin	
DeWine	Lincoln	

NOT VOTING—3

Inhofe Lieberman Sarbanes

The nomination was confirmed. The PRESIDING OFFICER. The President will be notified of this action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

The Senator from Illinois.

MORNING BUSINESS

Mr. FITZGERALD. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

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

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

HONORING THE UNITED STATES CAPITOL POLICE ON THE DEPARTMENT'S 175TH ANNIVERSARY

Mr. DASCHLE. Mr. President, tomorrow marks a special milestone in the history of the Capitol: The 175th anniversary of the U.S. Capitol Police Department.

Those of us who are privileged to work in the Capitol know, perhaps better than anyone, what a difficult and demanding job it is to protect the Capitol, and how extraordinarily well the men and women of the Capitol Police perform that job.

We also know how dedicated they are to their duty.

After September 11 and the anthrax attack on the Capitol itself, no one showed more courage, no one was showed more determination, and no one was more critical to ensuring that the "People's House" remained open to the people, than the members of the Capitol Police force.

We, and all Americans, owe them an enormous debt of gratitude.

Today, on the eve of the 175th anniversary of the department, we say "thank you" to Chief Gainer and all of the men and women of the Capitol Police.

When we look at the highly trained, highly skilled professionals who protect the Capitol today, it is hard to imagine sometimes that the department is descended from such humble beginnings.

The Capitol Police department traces its origins to 1801, when Congress

moved from Philadelphia to Washington. At the time, the department had exactly one member, a watchman named John Goldin, who was not armed, had no power of arrest, and was paid an annual salary of \$371.75.

In 1827, the force was expanded for the first time, to four watchmen; two to work the day shift, one to work the night shift, and one to fill in as needed.

One-hundred and seventy-five years ago tomorrow, on May 2, 1828, Congress passed a milestone piece of legislation titled, appropriately, "the Act of May 2, 1828," bringing responsibility for policing the Capitol, for the first time, under the direction of the presiding officers of the House and Senate.

This same law also empowered the Capitol watchmen with full law enforcement authority. It transformed a corps of watchmen into a police department.

In 1854, the Capitol Police were armed for the first time with heavy hickory canes.

In 1867, responsibility of the Capitol Police was transferred to the Sergeant of Arms in the House and Senate, where it remains today.

In 1873, the U.S. Capitol Police Board was formed to oversee the department.

At the beginning of the 20th century, the department had grown to 67 members.

In 1909, the department expanded to just over 100 members; a move necessitated by the construction of the Russell Senate Office Building and the Cannon House Office building. This also marked the first time the authority of the Capitol Police stretched outside the Capitol building itself.

In 1935, the Capitol Police Board, for the first time, set qualification standards for Capitol Police officers.

In 1974, the first women officers joined the force.

In 1981, the Capitol Police were authorized to protect Members and officers of Congress, and their families, anywhere in the United States.

Since September 11, all Members of the House and Senate leadership have been required to have Capitol police protection whenever we travel, and throughout the day as we go outside the Capitol building. One happy result of that, for me, is that I have been able to show off my home State to a number of officers.

And I am proud to say that a few of them now consider themselves almost honorary South Dakotans.

From the beginning, protecting the Capitol has always carried the risk of personal injury, or worse.

On 1814, during the War of 1812, the British set fire to the Capitol building.

During the Civil War, the Capitol Police kept the "People's House" open to the public from sunrise to sunset, despite the fact that military troops were stationed around, and at times even in this building.

Three times in the last century—in 1915, 1917, and 1983—bombs were exploded in the Capitol by groups seeking to advance political agendas.