

they see one, whether it is the radical redefinition of our society's most basic institution, marriage, or the expulsion of the Pledge of Allegiance and other expressions of faith from our public square, or the elimination of the "three strikes and you're out" law and other penalties against multiple-time convicted criminals, or the forced removal of military recruiters from college campuses. Justice Owen's decisions as a judge fall nowhere near this class or category of cases. There is a world of difference between struggling—as any good judge will do—to try to determine what legislative intent is by parsing the words of a statute, trying to figure out what did the legislature mean—there is a huge difference between that and refusing to obey a legislature's directives altogether and substituting one's own views for that of the elected representatives of the people.

The second question to reiterate is: Is this new idea of a supermajority requirement for confirmation of judges unprecedented and wrong? The answer is yes and yes. Indeed, our colleagues across the aisle have said so in the past time and time again. Unprecedented? Well, of course, it is. President after President after President have gotten their judicial nominees confirmed by a majority vote, as we just showed a moment ago, not by a supermajority vote of 60.

Indeed, by their own admission, Justice Owen's opponents in this body are using unprecedented tactics to block her nomination. A leading Democratic Senator has boosted of their unprecedented tactics in his fundraising e-mail to Democratic donors.

Is it wrong? Well, of course it is. Senators on both sides of the aisle have firmly stated in the past that judicial nominees should never be defeated by a filibuster, and legal scholars across the political spectrum have long concluded what we in this body know instinctively: that to change the rules of confirmation, as a partisan minority has done, badly politicizes the judiciary and hands over control of this confirmation process to a handful of special interest groups.

Finally, the third and last question: Is the use of the Byrd option appropriate in order to restore Senate tradition to the confirmation of judges to ensure the rules remain the same regardless of which party controls the White House or which party controls a majority in the Senate?

Again, of course it is. It is, as we have demonstrated in the past, perhaps most appropriately called the Byrd option. Others have called it the constitutional option, or merely just a point of order. But it is called the Byrd option precisely because the former Democratic majority leader has exercised this authority on behalf of numerous Senators on numerous occasions in our history.

It is precisely why the former majority leader boasted just 10 years ago on

the floor of the Senate of how "I have seen filibusters, I have helped to break them, and the filibuster was broken—back, neck, legs, and arms. It went away in 12 hours. So I know something about filibusters. I helped set a great many of the precedents that are on the books today."

The senior Senator from Massachusetts and the senior Senator from New York have similarly recognized the authority of the majority of Senators to establish precedents by way of a point of order or the Byrd option or the constitutional option.

Over the last 3 days a number of Senators on both sides of the aisle have taken to the floor of this body to offer their answers to these three central questions. There have been disagreements, but I hope they have been respectful disagreements.

It has been suggested by some that we are facing a constitutional crisis. I beg to differ. America is strong. Our constitutional system works. And it is perfectly normal and traditional for Senators to debate, to disagree, and vote. Indeed, it has been on the floor of the Senate over our Nation's history that we have debated the great constitutional and public policy issues of our day, and this is one of them. But it is not a crisis.

It is perfectly normal and traditional for a majority of Senators to vote on the rules and parliamentary precedents of this body. Senators have been doing that from the beginning of this great institution. There is nothing radical about Senators debating the need to confirm well-qualified judicial nominees. There is nothing radical about a majority of Senators voting to confirm judicial nominees, and there is nothing radical about a majority of Senators voting to establish Senate precedents and rules.

In short, what we have on the floor of the Senate right now is a controversy, a disagreement, not a crisis. This controversy can be resolved, and undoubtedly will be resolved, as it has always been resolved, by an up-or-down vote of the Senate. This controversy can be resolved, as it has always been resolved, by simply determining which side of the question enjoys the support of a greater number of Senators. And once the controversy is resolved, we can and we should get back to work on the rest of the people's business.

This is a controversy, a disagreement, not a crisis. And I hope that in the coming days, we will complete our debate and resolve this controversy in a respectful way, consistent with the greatest traditions of the Senate.

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

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

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

Mr. CORNYN. Mr. President, we have completed our third day of consideration of the nomination of Priscilla Owen and, therefore, I ask unanimous consent that there be an additional 10 hours of debate equally divided on the nomination, and that following that time, the Senate proceed to a vote on the confirmation of the nomination, with no intervening action or debate.

Mr. REID. I object.

The PRESIDENT pro tempore. Objection is heard.

Mr. CORNYN. Mr. President, I ask unanimous consent that there be an additional 15 hours of debate equally divided on the nomination, and that following that time, the Senate proceed to a vote on the confirmation of the nomination, with no intervening action or debate.

The PRESIDENT pro tempore. Is there objection?

Mr. REID. Reserving the right to object, Mr. President. The mere fact that I can object shows this is a debatable motion. I do object.

The PRESIDING OFFICER. Objection is heard.

Mr. CORNYN. Mr. President, I will refrain from making other offers of unanimous consent for additional debate time at this time.

CLOTURE MOTION

With that objection, on behalf of the majority leader, I send a cloture motion to the desk.

The PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant 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. 71, the nomination of Priscilla Richman Owen, of Texas, to be United States Circuit Judge for the Fifth Circuit.

Bill Frist, Arlen Specter, Trent Lott, Lamar Alexander, Jon Kyl, Jim Talent, Wayne Allard, Richard G. Lugar, John Ensign, C.S. Bond, Norm Coleman, Saxby Chambliss, James M. Inhofe, Mel Martinez, Jim DeMint, George Allen, Kay Bailey Hutchison, John Cornyn.

Mr. CORNYN. Mr. President, on behalf of the majority leader, this cloture vote will occur on Tuesday, and the leader will announce the precise timing of that vote next week.

MORNING BUSINESS

Mr. CORNYN. I now ask unanimous consent there be a period of morning business with Senators permitted to speak up to 10 minutes each.

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

NATIONAL POLICE WEEK

Mr. LEVIN. Mr. President, as we commemorate National Police Week, I would like to recognize the courageous

men and women who serve our families and communities as law enforcement officers. I would also like to honor the memory of those who gave their lives in the line of duty. These officers, and their families, have paid the ultimate sacrifice for the safety of others.

The first National Police Week was celebrated in 1962 when President John F. Kennedy signed an Executive Order designating May 15th as Peace Officers Memorial Day and the week in which that date falls as "Police Week." The weeklong tribute to our Nation's local, State and Federal police officers honors those who died in the line of duty and those who continue to serve and protect us every day at great personal risk.

According to the National Law Enforcement Memorial Fund, 1,649 law enforcement officers have been killed in the line of duty in the last 10 years. In 2004 alone, 153 officers lost their lives, including 7 from Michigan. As in past years, the names of these officers have been permanently engraved on the National Law Enforcement Officers Memorial along side more than 17,000 others.

We can further honor the sacrifices of these brave men and women by passing important legislation to support our law enforcement officers. That is why I have joined Senator BIDEN as a cosponsor of his COPS Reauthorization Act. The COPS program was created in 1994 and is designed to assist State and local law enforcement agencies in hiring additional police officers to reduce crime through the use of community policing. Nationwide, the COPS program has awarded more than \$11 billion in grants, resulting in the hiring of 118,000 additional police officers. Unfortunately, authorization for the COPS program was permitted to expire at the end of fiscal year 2000. Although the program has survived through continued annual appropriations, its funding has been significantly cut. The COPS Reauthorization Act would continue the COPS program for another 6 years at a funding level of \$1.15 billion per year, nearly double the amount appropriated for fiscal year 2005. Among other things, this funding would allow State and local governments to hire an additional 50,000 police officers and improve their ability to analyze crime data and DNA evidence. At a time when we are asking more of our police departments than ever before, I believe we should be devoting more resources to the COPS program, not less.

Supporting our law enforcement officers also requires that we take up and pass common sense legislation to help keep them safe while they carry out their duties. Shootings have been the leading cause of death for law enforcement officers over the last ten years and more can be done to keep powerful weapons out of the hands of violent criminals. We should listen to law enforcement groups like the International Association of Chiefs of Police, the International Brotherhood of

Police Officers, and the National Fraternal Order of Police which have called for reauthorization of the 1994 assault weapons ban. In addition we should be working to pass legislation to close loopholes that allow potential criminals to buy dangerous weapons like the Five-Seven armor-piercing handgun. Our law enforcement community deserves no less.

In honor of their memories, the names of law enforcement officers from Michigan who died in the line of duty during 2004 are:

Officer Matthew E. Bowens of Detroit, died February 16, 2004;

Officer Gary Cooper Davis of Bloomfield Township, died May 13, 2004;

Officer Jennifer T. Pettig of Detroit, died February 16, 2004;

Deputy Sheriff Perry Austin Fillmore of Clinton County, died March 27, 2004;

Deputy Sheriff John Kevin Gunsell of Otsego County, died September 12, 2004;

Officer Mark Anthony Sawyers of Sterling Heights, died June 5, 2004; and

Detective John Raymond Weir of Sault Ste. Marie, died November 7, 2004.

ADDITIONAL STATEMENTS

TRIBUTE TO ALABAMA'S WINNERS OF THE WE THE PEOPLE: THE CITIZEN AND THE CONSTITUTION COMPETITION

• Mr. SESSIONS. Mr. President, I would like to take this opportunity to recognize a group of students in my home State of Alabama. On April 30, 2005, students from Vestavia Hills High School in Birmingham, AL, traveled to Washington, D.C. to take part in the national finals of We the People: The Citizen and the Constitution national competition. This competition is an extensive educational program developed specifically to educate young people about the United States Constitution and Bill of Rights.

More than 1,200 students from across the country participated in a 3-day academic competition. They participated in a simulated congressional hearing in which they "testified" before a panel. Students got to demonstrate their knowledge and understanding of constitutional principles. Additionally, they had the opportunity to evaluate, take, and defend positions on relevant historical and present day issues.

Prior to their trip to Washington, these outstanding students from Vestavia Hills High School proved their knowledge of the United States Constitution, by winning their state-wide competition, thus earning them the chance to come to our Nation's capital to compete at the national level. I am proud these students represented the State of Alabama on a national level in this year's We the People competition.

I would like to pay special tribute to the teacher of the class, Amy Maddox.

The students of Vestavia Hills High School participating in the We the People: The Citizens and the Constitution competition are the following: Matthew Barley, Katie Barzler, Maria Begamaz, Michelle Blackburn, Brandon Demyan, Lorey Feagin, Anne Hackney, Ashley Holmes, Abby Jones, Staci Karpova, Thomas Lide, Kristin McDonald, Freman Meri-Glenn, Tucker Reeves, Luke Romano, Erin Snow, and Christopher Willoughby. I would like to applaud their efforts.

Mr. President, the achievements of these students are continued proof that the civic education initiative we approved in this chamber is paying dividends. We the People, which is part of the civic education initiative of the No Child Left Behind legislation, is giving students the lifelong skills they need to be effective, engaged, and informed citizens. I commend the Center for Civic Education and the National Conference of State Legislatures for their leadership in sponsoring this excellent service learning-type program. I also would like to commend Janice Cowin, the state coordinator from the Alabama Center for Law & Civic Education for her work in administering the program in my State.●

MESSAGE FROM THE HOUSE

At 2:22 p.m., a message from the House of Representatives, delivered by one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2361. An act making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2361. An act making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; to the Committee on Appropriations.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 1084. A bill to eliminate child poverty, and for other purposes.

S. 1085. A bill to provide for paid sick leave to ensure that Americans can address their own health needs and the health needs of their families.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated: