

Department of Justice. Ms. Fisher, a native from Louisville, KY, is without question very well qualified to fill this position. As a fellow Kentuckian, it is an honor to address her nomination today, and I give her my full support.

I firmly believe that Ms. Fisher possesses the qualifications needed for this position. Her dedication and personal drive stand as an example to us all.

Ms. Fisher has served as Assistant Attorney General for over a year now. In this time she has coordinated with law enforcement agencies on a variety of issues, including antiterrorism prosecutions, public corruption cases, and child pornography cases.

Prior to this appointment, Ms. Fisher served within the Department of Justice managing both the Counterterrorism and Fraud Sections of the Department. In this time, she was responsible for coordinating the Department's national counterterrorism activities, including matters related to terrorist financing and the USA PATRIOT Act.

Throughout her tenure at the Department of Justice, Ms. Fisher has shown time and time again that she is a true leader and leads by example. Many of her colleagues testified before Congress this past year about her unwavering work habits and her true commitment to justice.

This is the type of leader that we need in our Government. I urge my colleagues across the aisle who have held up her nomination in the past to not let partisan politics get in the way this time. We need to move forward with her nomination. Not only does she have a proven record, but it was approved overwhelmingly by the Judiciary Committee, and now she deserves a fair up-or-down vote on the Senate floor.

I am confident that when she receives this vote that she will be confirmed, and I wish her continued success in her position.

Mr. SPECTER. Mr. President, I will yield back my time.

Mr. LEVIN. I yield back my time, also. I am willing to do that as Senator SPECTER has yielded his back. What time remains?

The PRESIDING OFFICER. The Senator from Vermont has 13 minutes. The minority leader has 59 minutes. The majority leader has 27 minutes.

Mr. LEVIN. I wonder if the Senator from Pennsylvania would agree that we can put in a quorum call and the time be deducted proportionally from all of the remaining speakers.

Mr. SPECTER. That is acceptable. Having set the vote at 5:45, we have given our colleagues ample notice. If somebody wants to speak in the next 14 minutes, they certainly would be at liberty to do that. My hunch is that we will have a quorum call for 14 minutes. The important thing is that we have finished the discussion on a reasonably harmonious note.

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

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

Mr. GREGG. Mr. President, I ask unanimous consent that we proceed to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. GREGG. Mr. President, I ask for the yeas and nays on the nomination.

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

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Alice S. Fisher, of Virginia, to be an Assistant Attorney General? On this question, the yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: The Senator from Minnesota (Mr. COLEMAN).

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

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. AKAKA), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Louisiana (Ms. LANDRIEU) are necessarily absent.

I further announce that if present and voting, the Senator from Massachusetts (Mr. KENNEDY) would vote "nay."

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

The result was announced—yeas 61, nays 35, as follows:

[Rollcall Vote No. 251 Ex.]

YEAS—61

Alexander	Domenici	Murkowski
Allard	Dorgan	Nelson (NE)
Allen	Ensign	Pryor
Bayh	Enzi	Roberts
Bennett	Feingold	Salazar
Bond	Frist	Santorum
Brownback	Graham	Sessions
Bunning	Grassley	Shelby
Burns	Gregg	Smith
Burr	Hagel	Snowe
Chafee	Hatch	Specter
Chambliss	Hutchison	Stevens
Coburn	Inhofe	Sununu
Cochran	Isakson	Talent
Collins	Kyl	Thomas
Cornyn	Lincoln	Thune
Craig	Lott	Vitter
Crapo	Lugar	Voinovich
DeMint	Martinez	Warner
DeWine	McCain	
Dole	McConnell	

NAYS—35

Baucus	Feinstein	Mikulski
Biden	Harkin	Murray
Bingaman	Inouye	Nelson (FL)
Boxer	Jeffords	Obama
Byrd	Johnson	Reed
Cantwell	Kerry	Reid
Carper	Kohl	Rockefeller
Clinton	Lautenberg	Sarbanes
Conrad	Leahy	Schumer
Dayton	Levin	Stabenow
Dodd	Lieberman	Wyden
Durbin	Menendez	

NOT VOTING—4

Akaka	Kennedy
Coleman	Landrieu

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Virginia.

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

I now request the opportunity to address the Senate under that provision.

The PRESIDING OFFICER. If the Senator will withhold just a minute, please.

Mr. WARNER. Yes, Mr. President, without losing my right to the floor.

The PRESIDING OFFICER. The President is notified of the Senate's action with respect to this nomination.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate now returns to legislative session.

The Senator's request is agreed to. The Senator from Virginia is recognized.

PRAYER IN THE ARMED FORCES

Mr. WARNER. Mr. President, at the present time, the members of the Armed Services Committee of the Senate and the members of the Armed Services Committee of the House are in a conference. A great deal of confidentiality is attached to that procedure. I do not in any way intend to violate that confidentiality.

But before the conference—and this is not a matter of confidentiality—is a provision in the bill of the House of Representatives which is related to military chaplains. I will read from the House bill.

Each Chaplain shall have the prerogative to pray according to the dictates of the Chaplain's own conscience, except as must be limited by military necessity, with any such limitation being imposed in the least restrictive manner feasible.

That is the end of the proposed bill language. That is what I would like to address at this time.

I first want to say that the Senate has no such provision, and therefore we have to resolve the difference between the two bodies. The House of Representatives put this provision in during markup, which is the time they go over their bill. Another amendment was offered in that markup and rejected. It is referred to as follows: "Amendment to H.R. 5122, offered by Mr. Israel," Member of Congress, and it provides in section 590, which I just read, relating to military chaplains: at the end of the quoted matter inserted by each of the subsections (a), (b), (c), (d), and (e), insert the following: " , except that chaplains shall demonstrate sensitivity, respect, and tolerance for all faiths present on each occasion at which prayers are offered".

I personally have not decided on what version I personally feel should