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## Senate

The Senate met at 9:45 a.m. and was called to order by the Honorable LISA MURKOWSKI, a Senator from the State of Alaska.

### PRAYER

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

Let us pray.

Eternal spirit, You have said that the truth will set us free. We thank You that Your freedom leads to harmony and not discord, to consensus and not conflict. Liberate us from deceptions and distortions that caricature reality and misrepresent facts.

Empower our Senators to find freedom in being as true to duty as the needle to the pole. Continue to teach them the fine art of conciliation and motivate them to continue to choose rational roads instead of emotional dead ends. Lift them above partisan rancor, and give them power to walk in Your light, to act in Your strength, to think in Your wisdom, to speak in Your truth, and to live in Your love. Inspire each of us to stand for right, even though the heavens fall.

We pray in the Name of Him who is the truth. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable LISA MURKOWSKI 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.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, May 24, 2005.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable LISA MURKOWSKI, a Senator from the State of Alaska, to perform the duties of the Chair.

TED STEVENS,  
President pro tempore.

Ms. MURKOWSKI thereupon assumed the Chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

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

### SCHEDULE

Mr. FRIST. Madam President, this morning we will continue debate in executive session on the nomination of Priscilla Owen to be a U.S. Circuit judge for the Fifth Circuit, and today at noon we will have a cloture vote with respect to the Owen nomination. In light of the events of yesterday, I expect cloture will be invoked this afternoon. If that cloture vote is successful, it is my desire to proceed expeditiously to vote on that confirmation. Members have had the opportunity to speak for over 40 hours, and hopefully we will not need much time following cloture.

I am happy to yield to the Democratic leader. I have a brief statement commenting on the events of last night.

### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

### CLOTURE VOTE

Mr. REID. Madam President, I think it would be better—I haven't had a chance to discuss this with the majority leader—to vitiate the vote on cloture and then set a time to complete the debate on Priscilla Owen. We would be willing to do that. It would move things along. I wanted the leader to know that. We would be happy to talk about schedule, how much time people need, and what we are going to do the rest of the week. We haven't had time to talk this morning.

Mr. FRIST. Madam President, we will talk over the course of the morning because over the next 5 days, with the memorandum of understanding, we would like to move ahead and address many of the judges. At the same time, we have the nomination of John Bolton, whom the Democratic leader and I have briefly discussed. I do want to be able to continue with the cloture vote that is now on the schedule for noon today. It is important to do so in part because of the events of yesterday, and I want to follow regular order. With that memorandum of understanding, which is important—it is not what the Democratic leader or I asked for—it is important that we see how it is going to be implemented, and the first step will be that vote today.

We do have a lot to do this week. I want to keep things organized efficiently and well and use time wisely.

Mr. REID. Madam President, if I could direct another question to the distinguished leader, it was my understanding of our conversation late last night that we were not going to move forward on more judges this period but move forward to other matters. Do you now feel differently?

Mr. FRIST. Well, I think we need to think how much we can do realistically this week. With that understanding and the backlog we have on judges, if we can move those expeditiously—and we put in a plan or process to do so—we should do just that. We have had

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



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