

The result was announced—yeas 75, nays 24, as follows:

(Rollcall Vote No. 6 Ex.)

YEAS—75

Akaka	Domenici	Lott
Allard	Ensign	Lugar
Allen	Enzi	McCain
Baucus	Feingold	McConnell
Bennett	Feinstein	Miller
Bingaman	Fitzgerald	Murkowski
Bond	Frist	Murray
Breaux	Graham	Nelson (FL)
Brownback	Gramm	Nelson (NE)
Bunning	Grassley	Nickles
Burns	Gregg	Reid
Byrd	Hagel	Roberts
Campbell	Hatch	Santorum
Cantwell	Helms	Sessions
Carnahan	Hollings	Shelby
Carper	Hutchinson	Smith (NH)
Chafee	Hutchison	Smith (OR)
Cochran	Inhofe	Snowe
Collins	Inouye	Specter
Conrad	Jeffords	Stevens
Craig	Johnson	Thomas
Crapo	Kohl	Thompson
Daschle	Kyl	Thurmond
DeWine	Landrieu	Voivovich
Dodd	Lincoln	Warner

NAYS—24

Bayh	Harkin	Sarbanes
Biden	Kennedy	Schumer
Boxer	Kerry	Stabenow
Cleland	Leahy	Torricelli
Clinton	Levin	Wellstone
Corzine	Lieberman	Wyden
Dayton	Mikulski	
Durbin	Reed	
Edwards	Rockefeller	

NOT VOTING—1

Dorgan

The nomination was confirmed.

Mr. LOTT. Mr. President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Let me make sure I understand. The vote was completed. The vote was announced, and has been dispensed with; is that correct?

The PRESIDING OFFICER. The Senator is correct and the nomination was confirmed.

Mr. LOTT. Have the yeas and nays been asked on the next vote?

Mr. BYRD. Mr. President, may we have order.

The PRESIDING OFFICER. The Senator is correct. The Senate will come to order. Those having conversations will take their seats or remove themselves from the floor.

Mr. LOTT. Mr. President, have the yeas and nays been ordered on the second vote on nominations?

The PRESIDING OFFICER. They have not.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

ORDER OF PROCEDURE

Mr. LOTT. Mr. President, before we proceed, I ask unanimous consent that following the time allocated immediately following the back-to-back votes, the Senate proceed to a period of morning business in order to debate

the nomination of Senator Ashcroft to be U.S. Attorney General and the time between then and 9 o'clock tonight be equally divided between the two leaders or their designees. Further, I ask unanimous consent the next vote be limited to 10 minutes in length.

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

Mr. LEAHY. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. There was so much noise, I do thank the distinguished senior Senator from West Virginia for asking for order.

I did not hear the first part of the statement of my friend from Mississippi. We begin the debate on the Ashcroft nomination prior to even voting it out? Or was it in morning business?

Mr. LOTT. It was in morning business.

Mr. LEAHY. I have no objection.

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

NOMINATION OF CHRISTINE TODD WHITMAN TO BE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY—Continued

The legislative clerk read the nomination of Christine Todd Whitman, of New Jersey, to be Administrator of the Environmental Protection Agency.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Christine Todd Whitman, of New Jersey, to be Administrator of the Environmental Protection Agency? On this question, the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from North Dakota (Mr. DORGAN) is necessarily absent.

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

The result was announced—yeas 99, nays 0, as follows:

(Rollcall Vote No. 7 Ex.)

YEAS—99

Akaka	Conrad	Helms
Allard	Corzine	Hollings
Allen	Craig	Hutchinson
Baucus	Crapo	Hutchison
Bayh	Daschle	Inhofe
Bennett	Dayton	Inouye
Biden	DeWine	Jeffords
Bingaman	Dodd	Johnson
Bond	Domenici	Kennedy
Boxer	Durbin	Kerry
Breaux	Edwards	Kohl
Brownback	Ensign	Kyl
Bunning	Enzi	Landrieu
Burns	Feingold	Leahy
Byrd	Feinstein	Levin
Campbell	Fitzgerald	Lieberman
Cantwell	Frist	Lincoln
Carnahan	Graham	Lott
Carper	Gramm	Lugar
Chafee	Grassley	McCain
Cleland	Gregg	McConnell
Clinton	Hagel	Mikulski
Cochran	Harkin	Miller
Collins	Hatch	Murkowski

Murray	Sarbanes	Stevens
Nelson (FL)	Schumer	Thomas
Nelson (NE)	Sessions	Thompson
Nickles	Shelby	Thurmond
Reed	Smith (NH)	Torricelli
Reid	Smith (OR)	Voivovich
Roberts	Snowe	Warner
Rockefeller	Specter	Wellstone
Santorum	Stabenow	Wyden

NOT VOTING—1

Dorgan

The nomination was confirmed.

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

LEGISLATIVE SESSION

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

The Democratic leader.

Mr. DASCHLE. Mr. President, I will use my leader time under the agreement and under the rule of the day. It is my understanding the time now will be designated primarily for statements related to the Ashcroft nomination. There may be other comments and other remarks to be made about other issues, but it is my intention to make some remarks with regard to the Ashcroft nomination.

NOMINATION OF JOHN ASHCROFT

Mr. DASCHLE. Mr. President, in 14 years in the Senate, I have voted on 36 Cabinet nominations: 24 by Republican Presidents and 12 by a Democratic President. Of all of them, this one is by far the most difficult. I have struggled with this decision, as have most of us.

I have spent many hours thinking about what I have heard and read. I have reviewed the words of our founders, and I have searched my memory and my conscience.

In his inaugural address, President Bush pledged to "work to build a single nation of justice and opportunity" for all Americans. I think most Americans share that desire.

That is why this vote is so important.

John Ashcroft is a man of considerable accomplishment. He is a graduate of Yale and the University of Chicago Law School, a former State auditor, State attorney general, and a former Governor.

Beyond that, he is a former Member of this Senate. Many of us have worked with him for a number of years.

The question facing us, however, is not: Does John Ashcroft have an impressive resume? Clearly, he does.

The question facing us is: Is John Ashcroft the right person to lead the United States Department of Justice?

The Attorney General is more than "the President's lawyer." He is the guardian of the constitutional rights of all Americans—the protector of our fundamental freedoms.

The Attorney General of the United States has enormous power. He advises the President and every other Cabinet member—on whether their actions are