

[Rollcall Vote No. 1 Leg.]

YEAS—48

Alexander	Dole	Miller
Allard	Domenici	Murkowski
Allen	Enzi	Murray
Bennett	Fitzgerald	Nickles
Bond	Graham (SC)	Roberts
Brownback	Grassley	Santorum
Bunning	Gregg	Sessions
Burns	Hagel	Shelby
Chafee	Hatch	Smith
Cochran	Hollings	Specter
Coleman	Hutchison	Stevens
Collins	Inhofe	Sununu
Cornyn	Kyl	Talent
Craig	Lott	Thomas
Crapo	Lugar	Voivovich
DeWine	McConnell	Warner

NAYS—45

Akaka	Dorgan	Levin
Bayh	Durbin	Lincoln
Biden	Ensign	McCain
Bingaman	Feingold	Mikulski
Boxer	Feinstein	Nelson (FL)
Breaux	Frist	Nelson (NE)
Byrd	Graham (FL)	Pryor
Campbell	Harkin	Reed
Cantwell	Jeffords	Reid
Carper	Johnson	Rockefeller
Clinton	Kennedy	Sarbanes
Conrad	Kohl	Schumer
Corzine	Landrieu	Snowe
Daschle	Lautenberg	Stabenow
Dodd	Leahy	Wyden

NOT VOTING—7

Baucus	Edwards	Lieberman
Chambliss	Inouye	
Dayton	Kerry	

The PRESIDING OFFICER. On this vote the yeas are 48, the nays are 45. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. FRIST. Mr. President, I enter a motion to reconsider the vote by which cloture was not invoked.

The PRESIDING OFFICER. The motion is entered.

MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that there be a period for morning business until the hour of 4:30 today, with the time equally divided between both sides, and that Senators be limited to 5 minutes each.

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

SCHEDULE

Mr. FRIST. Mr. President, for the information of Senators, it is my intent to close the Senate at about 4:30 today to allow for us to prepare for the events surrounding tonight's State of the Union Address. I will be talking to the Democratic leader about tomorrow's schedule. I will return in about 40 minutes to announce tomorrow's agenda.

PROVIDING FOR A JOINT SESSION OF CONGRESS TO RECEIVE THE PRESIDENT'S STATE OF THE UNION ADDRESS

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 349, which is at the desk.

The PRESIDING OFFICER. The clerk will state the concurrent resolution by title.

The legislative clerk read as follows: A concurrent resolution (H. Con. Res. 349) providing for a joint session of Congress to receive the message from the President on the state of the Union.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the concurrent resolution be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 349) was agreed to.

The PRESIDING OFFICER. The Senator from Delaware.

COMMEMORATING THE LIFE OF FORMER SENATOR WILLIAM V. ROTH, JR.

Mr. BIDEN. Mr. President, TOM CARPER and I have a resolution at the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 284) commemorating the life of William V. Roth, Jr., former Member of the United States Senate from the State of Delaware:

S. RES. 284

Whereas William V. Roth, Jr. was born on July 22, 1921 in Great Falls, Montana, was raised in Helena, Montana, graduated from the University of Oregon, and earned law and business degrees from Harvard University;

Whereas William V. Roth, Jr. was decorated with a Bronze Star for meritorious service with Army military intelligence in the South Pacific during World War II;

Whereas William V. Roth, Jr. moved to Delaware in 1955 and resided in Delaware until his death;

Whereas William V. Roth, Jr. was elected to the House of Representatives in 1966, and served the State of Delaware with distinction until his election to the United States Senate in 1970;

Whereas William V. Roth, Jr. continued to serve the State of Delaware and the United States in the Senate from 1971 to 2001, where he personified the title "Honorable";

Whereas William V. Roth, Jr. championed tax and savings reforms and deficit reduction as Chairman and a member of the Senate Committee on Finance;

Whereas William V. Roth, Jr. worked tirelessly to control government spending as Chairman and a member of the Senate Committee on Governmental Affairs and to shape foreign policy as president of the North Atlantic Treaty Organization (NATO) Parliament Assembly and chairman of the Senate NATO Observer Group;

Whereas William V. Roth, Jr. was a man of integrity, decency, and character who was committed to his family and to the people of Delaware; and

Whereas William V. Roth, Jr. was a trusted friend and colleague and a dedicated public servant: Now, therefore, be it

Resolved, That—

(1) the Senate has learned with profound sorrow and deep regret of the death of the Honorable William V. Roth, Jr., formerly a Senator from the State of Delaware;

(2) the Secretary of the Senate shall communicate this resolution to the House of Representatives and transmit an enrolled copy of this resolution to the family of William V. Roth, Jr.; and

(3) upon adjournment today, the Senate shall stand adjourned as a further mark of respect to the memory of William V. Roth, Jr.

There being no objection, the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. I thank the Chair. I thank the clerk for reading the resolution in its entirety.

Mr. President, my friend, our colleague, Bill Roth, died while the Senate was out of session. Otherwise, I am certain there would have been a profuse outpouring of sentiment on the floor, as when any person of consequence dies.

Bill Roth was a man of the Senate and a man of consequence. He was also, even though we were on opposite sides of the aisle, one of my closest friends in the Senate. We had the honor, as my friend and colleague, Senator CARPER, and I do, of riding Amtrak together. In Bill's case and my case, we rode the train together almost every day for 28 years. Literally, for the first 24 years probably every day the Senate was in session.

You can't have that kind of proximity with a man or a woman without getting to know them pretty darn well. I got to know Bill very well. I got to know his family. I got to know his hopes, his dreams, his fears, and his concerns, as he did mine, my family, my hopes, dreams, and concerns.

An unusual thing developed: a bond of trust. I can and will say for the record that there is no person in public life I came to trust more than Bill Roth. I trusted him with my concerns. I trusted him with family issues. I trusted him with personal issues. And I trusted his judgment on political issues, even when he and I disagreed.

We would ask each other questions: What do you think would happen if I do the following? What do you think the consequence would be? Even though we were in opposing parties, neither hesitated to give our friend the best advice we could.

I once said that running against Bill Roth was like running against a wheat thrasher: big, gobbles up everything in his way, and he was very silent. Before it was all over, everything was harvested.

Bill Roth, I think, was the most underestimated man with whom I have served going into my sixth term as a Senator.

I might note for the record that Bill Roth's family is incredibly talented. His wife, Jane Roth, is one step away from the Supreme Court as a Third Circuit Court of Appeals judge. None of us