

School, where he was Editor of the Harvard Law Review. He then served as a Supreme Court law clerk. In both private practice and public service since then he has developed a reputation as a brilliant, tough, fair, and truly world class litigator, and earned the respect of his peers and adversaries. Indeed, one New Jersey paper has even suggested he might be New Jersey's "Lawyer Laureate." While I should acknowledge that we might not agree on every issue, I consider Mr. Chertoff to be one of the finest lawyers my State has to offer.

From 1990 to 1994, Mr. Chertoff served New Jersey exceptionally well as our U.S. Attorney, where he tackled organized crime, public corruption, health care fraud and bank fraud. Unlike his predecessors, as U.S. Attorney he continued to try cases himself, and his long hours and unending commitment to the job and the citizens of New Jersey were legendary. He tackled the highest-profile cases in a serious and thoughtful manner, and, despite being one of the youngest U.S. Attorneys in the Nation, raised the profile and reputation for excellence of the U.S. Attorney's Office in Newark.

More recently, Mr. Chertoff has played a critical role in helping the New Jersey State legislature investigate racial profiling. As Special Counsel to the State Senate Judiciary Committee, he helped the committee probe how top state officials handled racial profiling by the State Police. His work was bipartisan and thoroughly professional, and helped expose the fact that for too long, state authorities were aware that statistics showed minority motorists were being treated unfairly by some law enforcement officials, and yet ignored the problem.

Mr. Chertoff is one of our Nation's most competent and respected lawyers, with a very distinguished record of public and private service. I urge my colleagues to join me in support of his nomination.

Mr. LEAHY. Mr. President, I am voting in favor of Mr. Chertoff's nomination to be the Assistant Attorney General for the Criminal Division at the Department of Justice.

I have been concerned that Mr. Chertoff, like several of the President's other nominees for top positions in the Department of Justice, has a history of partisan political activities. Mr. Chertoff was special counsel to the Republicans in the Senate Whitewater investigation of President Clinton, which hardly provided a model for the apolitical and unbiased search for justice that ought to characterize the operations of the United States Department of Justice.

Fortunately, however, Mr. Chertoff also has an established track record as a Federal prosecutor apart from his involvement with the Whitewater Committee. More importantly, he has answered the committee's questions about his political activities and has given appropriate assurances that he

will not allow partisanship to influence the exercise of his judgment on the legal merits of questions he will address as the Assistant Attorney General for the Criminal Division. I credit his assurances, and for that reason I am voting for his nomination.

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

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Vermont (Mr. JEFFORDS) and the Senator from Tennessee (Mr. FRIST) are necessarily absent.

Mr. REID. I announce that the Senator from Wisconsin (Mr. KOHL) and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

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

The result was announced—yeas 95, nays 1, as follows:

[Rollcall Vote No. 169 Ex.]

YEAS—95

Akaka	Dorgan	McCain
Allard	Durbin	McConnell
Allen	Edwards	Mikulski
Baucus	Ensign	Miller
Bayh	Enzi	Murkowski
Bennett	Feingold	Murray
Biden	Feinstein	Nelson (FL)
Bingaman	Fitzgerald	Nelson (NE)
Bond	Graham	Nickles
Boxer	Gramm	Reed
Breaux	Grassley	Reid
Brownback	Gregg	Roberts
Bunning	Hagel	Santorum
Burns	Harkin	Sarbanes
Byrd	Hatch	Schumer
Campbell	Helms	Sessions
Cantwell	Hollings	Shelby
Carnahan	Hutchinson	Smith (NH)
Carper	Hutchison	Smith (OR)
Chafee	Inhofe	Snowe
Cleland	Inouye	Specter
Cochran	Johnson	Stabenow
Collins	Kennedy	Stevens
Conrad	Kerry	Thomas
Corzine	Kyl	Thompson
Craig	Landrieu	Thurmond
Crapo	Leahy	Torricelli
Daschle	Levin	Voinovich
Dayton	Lieberman	Warner
DeWine	Lincoln	Wellstone
Dodd	Lott	Wyden
Domenici	Lugar	

NAYS—1

Clinton  
NOT VOTING—4

Frist	Kohl
Jeffords	Rockefeller

The nomination was confirmed.  
● Mr. ROCKEFELLER. Mr. President, I was absent from this afternoon's three confirmation votes on Justice Department officials because of a family funeral. I regret that I was absent for these unanticipated rollcall votes.●

The PRESIDING OFFICER. The President shall be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will return to legislative session.

MORNING BUSINESS

Mr. CRAIG. Mr. President, I ask unanimous consent that there now be a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

Mr. CRAIG. I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. I see a number of Members who may want to speak. I am going to use about 10 minutes. If my colleague has a short statement, or the Senator from Alaska does, I don't want to keep them.

Mr. SESSIONS. Mr. President, I have about a 5-minute statement, but I am pleased to allow the Senator from Connecticut to go first.

Mr. DODD. I thank the Senator.

Mr. SESSIONS. If the Senator will yield, I ask unanimous consent to be recognized after the Senator from Connecticut.

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

The Senator from Connecticut is recognized.

A CHANGE IN THE SENATE

Mr. DODD. Mr. President, I rise for a couple of minutes to briefly discuss the change that occurred today in the Senate and to share some thoughts, if I may.

First, I think I can safely speak for virtually all of us in this Chamber on both sides of the aisle in expressing our affection for our colleague from Vermont. He has been a friend to us for many years. He is known in this body as a good and decent man. I have no doubt that the high esteem in which he has been held will continue.

Secondly, I think it bears mentioning that despite the change in the caucus ratio that will soon occur, the Senate is going about its business today much as it did yesterday and much as I am confident it will in the days to come. That is how this institution functions, and whether ratios change by 1 or 2 in one direction or the other is certainly big political news for some, I guess. My guess is that the substantive work will continue much as it has, with us having to work out differences and compromise to benefit the public at large.

This conduct of business according to established and familiar routines is a good sign that the Senate will to a large degree continue to operate on a bipartisan basis to accomplish the work the American public sent us here to do.

This change will, without a doubt, have an impact on committee ratios, on the subject of hearings and witnesses, and on the substance of legislation we will consider, to some degree. However, just as important, it should—and I believe will—cement the need for bipartisanship in how we conduct our business and in how we govern together