

Mr. KOHL. Mr. President, I have worked a great deal with my friend from Ohio on international hunger issues and encourage my colleagues to support his amendment.

I also ask that I and Senator CHAMBLISS be added as cosponsors.

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

Mr. KOHL. In recent weeks, we have witnessed disaster and hunger and displacement on our own shores. Those images are compelling. They remind us that hunger and displacement and enormous human need are chronic conditions in many parts of the world. For the people living in these circumstances, U.S. food aid is as important as it has ever been.

I hope this amendment forces policy-makers to rethink and recommit themselves to international hunger relief.

I urge adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1741) was agreed to.

Mr. KOHL. 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.

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 President, I ask unanimous consent the order for the quorum call be rescinded.

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

AMENDMENT NO. 1812

Mr. BENNETT. Mr. President, I send an amendment to the desk for the senior Senator from Nevada, Mr. REID.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Utah [Mr. BENNETT], for Mr. REID, proposes an amendment numbered 1812.

Mr. BENNETT. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide that funds made available for the Plant Materials Center in Fallon, Nevada, shall remain available until expended)

At the appropriate place, insert the following:

SEC. _____. Amounts made available for the Plant Materials Center in Fallon, Nevada, under the heading "CONSERVATION OPERATIONS" under the heading "NATURAL RESOURCES CONSERVATION SERVICE" of title II of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2005 (Public Law 108-447; 118 Stat. 2823) shall remain available until expended.

Mr. BENNETT. Mr. President, I ask that this amendment be agreed to on a voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1812) was agreed to.

Mr. BENNETT. 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. BENNETT. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

RECESS

Mr. BENNETT. There is a briefing going on in the Capitol with Members of the Senate invited to attend. Accordingly, with the approval of leadership, I ask unanimous consent that the Senate stand in recess until 5 o'clock.

There being no objection, the Senate, at 4:01 p.m., recessed until 5 p.m. and reassembled when called to order by the Presiding Officer (Mr. COBURN).

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I say to Senator BENNETT that I know he is managing a bill, and I see no one else is here on that bill at this time and I would like to make a statement about Judge Roberts.

NOMINATION OF JOHN ROBERTS

Mrs. BOXER. Mr. President, when a seat on the Supreme Court opened in July, I made a promise to the people of California. I promised I would only support a nominee I believed would protect their rights and freedoms.

After much thought, I have concluded that I cannot in good conscience give my constituents that assurance with the nominee we have before the Senate, Judge John Roberts. In fact, I am very worried that with Judge Roberts on the Supreme Court, the rights and freedoms that have made America a light to the rest of the world could be in serious jeopardy.

The question before the Senate is not whether Judge Roberts is a brilliant lawyer and not whether he is well qualified or well spoken or affable or unflappable. He is certainly all of those. But examining his credentials is where our analysis must begin, not end. The American people understand this. In poll after poll after poll, the American people say that before we vote, it is important to know where Judge Roberts stands on key issues that define us as Americans and what kind of country we will leave behind for our children.

The next Chief Justice will have the opportunity to steer a deeply divided Court and influence our lives and the lives of our families for generations. In recent years, the Court has issued 5-to-4 decisions to protect our air, to safeguard women's reproductive health and

the rights of the disabled, to give HMO patients the right to a second opinion, to allow universities to use affirmative action, and to guarantee government neutrality toward religion.

With so many of our fundamental rights hanging in the balance, it is not good enough, in my view, to simply roll the dice, hoping a nominee will change his past views. It is not good enough to think this is the best we can expect from this President. I simply do not buy into that reasoning. And no, I don't buy into this reasoning either: Let's support this nominee because the next one might be worse. I will tell you why that rationale does not work for me and it will never work for me as long as the Constitution gives me and my colleagues in the Senate an equal role in this process.

It fails the bar that I set—the bar that says that I must be able to look into the eyes of my constituents and assure them that I feel confident in this choice. I said I could only vote for a nominee who would protect the rights and the freedoms of the people I represent.

I need to be able to look into the eyes of my constituents and to assure them I have made that judgment before I vote yes in their name. I can't do it here. We must demand far more in a nominee because the people we represent deserve no less.

I will vote no on this nomination because of what we know and what we do not know about Judge Roberts.

Long before President Bush made this nomination, we knew that his model judges were Justices Scalia and Thomas.

Now, President Bush isn't known for changing his mind, so that doesn't leave us in a good place if we're hoping for a moderate. Nor does a reading of Judge Robert's record while he served in the Reagan Administration 20 years ago.

In fact, some of Judge Roberts's writings raise serious concerns about whether he understands the ugly history of discrimination and injustice in our country, or the proper role of government in injustice and discrimination.

Of course, we were told over and over again by Judge Roberts and by this administration and some of his supporters: Do not pay attention to those memos; they were written long ago; he was just a young man; he was just a lowly staff attorney. Here is the point: Judge Roberts never backed away from those memos. When given the chance, he said over and over again they were written for someone else. Someone else is not up for the Supreme Court; Judge Roberts is up for the Supreme Court. So to simply say, Yes, I wrote that, but I wrote it for someone else, just does not pass the test.

Then we try to examine Judge Roberts' tenure years later as a top political appointee under the first President Bush. That is when he worked as Deputy Solicitor General for Ken Starr,