

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Colorado (Mr. CAMPBELL), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Texas (Mr. CORNYN), the Senator from Idaho (Mr. CRAIG), the Senator from South Carolina (Mr. GRAHAM), the Senator from Pennsylvania (Mr. SPECTER), and the Senator from New Hampshire (Mr. SUNUNU), are necessarily absent.

I further announce that, if present and voting, the Senator from Texas (Mr. CORNYN), would vote "yea".

Mr. REID. I announce that the Senator from Indiana (Mr. BAYH), the Senator from California (Mrs. BOXER), the Senator from Louisiana (Mr. BREAU), the Senator from North Carolina (Mr. EDWARDS), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Massachusetts (Mr. KERRY), the Senator from Georgia (Mr. MILLER), and the Senator from Maryland (Mr. SARBANES) are necessarily absent.

I further announce that, if present and voting, the Senator from California (Mrs. BOXER) would vote "yea".

The result was announced—yeas 79, nays 6, as follows:

[Rollcall Vote No. 208 Leg.]

YEAS—79

Akaka	Dorgan	Lugar
Alexander	Durbin	McConnell
Allard	Ensign	Mikulski
Allen	Feingold	Murkowski
Baucus	Feinstein	Murray
Bennett	Fitzgerald	Nelson (FL)
Biden	Frist	Nelson (NE)
Bingaman	Graham (FL)	Nickles
Bond	Grassley	Pryor
Brownback	Gregg	Reed
Bunning	Hagel	Reid
Burns	Harkin	Roberts
Byrd	Hatch	Rockefeller
Cantwell	Hutchison	Santorum
Carper	Inhofe	Schumer
Chafee	Inouye	Sessions
Clinton	Jeffords	Shelby
Cochran	Johnson	Smith
Conrad	Kennedy	Snowe
Corzine	Kohl	Stabenow
Crapo	Kyl	Stevens
Daschle	Landrieu	Talent
Dayton	Lautenberg	Thomas
DeWine	Leahy	Warner
Dodd	Levin	Wyden
Dole	Lincoln	
Domenici	Lott	

NAYS—6

Coleman	Enzi	McCain
Collins	Lieberman	Voinovich

NOT VOTING—15

Bayh	Cornyn	Kerry
Boxer	Craig	Miller
Breaux	Edwards	Sarbanes
Campbell	Graham (SC)	Specter
Chambliss	Hollings	Sununu

The resolution (S. Res. 445), as amended, was agreed to, as follows:

(The resolution will be printed in a future edition of the RECORD.)

(At the request of Mr. DASCHLE, the following statement was ordered to be printed in the RECORD.)

● Mrs. BOXER. Mr. President, because of previous long-standing commitments in the State of California and an unexpected family illness, I was not able to be present to vote on the Senate Intelligence Reform Resolution.

Had I been present, I would have voted "yes."

Earlier this week, the Senate overwhelmingly passed legislation to implement recommendations of the 9/11 Commission in terms of reforming the intelligence structure of the executive branch and strengthening our efforts at homeland security. That was an important bill, and I hope we can quickly resolve differences with the House so that it can be sent to the President for his signature.

Equally important, however, is to implement intelligence reforms here in the Senate, as was also recommended by the 9/11 Commission.

This resolution strengthens the Senate Intelligence Committee, and it creates a new Intelligence Appropriations Subcommittee. In addition, the Government Affairs Committee will become the Homeland Security and Governmental Affairs Committee, and the Committee will have greater jurisdiction over the Department of Homeland Security.

All three of these steps will streamline operations in the Senate and make it easier for the Senate to conduct meaningful oversight of intelligence and homeland security.●

The PRESIDING OFFICER (Mr. HAGEL). The distinguished minority leader.

Mr. DASCHLE. Mr. President, I ask the Senator from West Virginia have 5 minutes prior to the next vote.

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

The Senator from West Virginia.

THE SABBATH

Mr. BYRD. Mr. President, I am not going to show any disrespect for the distinguished leader, majority leader, who is talking right now, so I will wait until he is finished.

I was saying, I thank the distinguished majority leader for listening to what I am saying. I will be brief. I am not sure I will use 5 minutes.

Mr. President, in my office hangs the Ten Commandments. We have heard a lot about the Ten Commandments in recent years. I believe in the Ten Commandments. I believe we ought to respect those commandments, one of which says:

Remember the Sabbath Day, to keep it holy.

I am not saying I am a good man. My Bible says that no man is good. No man is good. But I think we ought to show some respect to those Christians in the body, and in our country, and many people who are not Christians, our Jewish friends, who believe in the Ten Commandments. As a matter of fact, the Ten Commandments originate, as we know, at the time when Moses went up on Mount Sinai and was given the tablets by God himself, by the Almighty himself. So we believe that.

I am a Christian. I may not be the best one around. I don't claim to be. But I do claim to be a Christian. I be-

lieve that way, and I believe that we ought to observe the Ten Commandments. I think that this body, as the greatest legislative body in the world, together with the other body, in particular should set an example of respecting the various religions that make up our Nation. That is why I take the floor today.

I think we are setting a bad example. I don't think we are showing proper respect to Christians in our country, and all over the world, for that matter, by publicly failing to observe that Commandment, that we keep the Sabbath Day holy and remember it.

I want to say I am protesting the fact that we are going to have a vote on tomorrow. I told my leadership I had hoped we wouldn't have votes on tomorrow. I also offered to say, Well, it is fine to have votes after sundown. The old Sabbath ran until sundown. Let's have any votes after sundown. If we have to have votes, let's have them after sundown. I asked my leaders to consider that. They did, and for various reasons they decided not to—that we had to have the vote.

I have to say as majority leader, when I was majority leader, I could have easily put this vote over to Monday simply by adjourning and not coming in tomorrow—which I would do, in this case. If this were an emergency, if something suddenly came up and it was a dire emergency, of course. You know the Bible says the ox may be in the ditch and we have to get it out of the ditch. But the ox is not in the ditch here. We have wasted a lot of time this year, and recently. We waste a lot of time. We are not in session when we could be in session. Then all of a sudden, here we are going to have this vote on Sunday. There are practicing Christians who like to go to church and want to observe this commandment.

So I say of course I will be in to vote. I have cast more rollcall votes than any other Senator in the history of the country. I guess I will not miss this one. But I am protesting. It could have been otherwise. It didn't have to be. It didn't have to happen tomorrow. We could have had it earlier. We jam these. We have a way around here in the Senate lately of jamming. The leadership on the other side—I have to say the Republicans are in control of the body—they have a way of jamming us. Maybe we are all at fault a little bit. But there is no reason why we should have to come in on a Sunday, on the Sabbath, and have rollcall votes. I protest it today. I hope it won't be done again after this year. I hope I will still be living and still be serving in the body.

I hope leadership will take this into consideration in the future and get our work done before the Sabbath comes and avoid having meetings on the Sabbath Day. It just isn't necessary. It is not a dire emergency. If it were, as I said, and the ox were in the ditch, I would say let us get it out and let us go in and vote. If it is important to the safety of the Nation, to the safety of