

Senate confirms Alito for Supreme Court, 58-42

By Alex Kaplun

The Senate confirmed Judge Samuel Alito as the 110th Supreme Court Justice today, in a 58-42 vote that fell largely along party lines, handing President Bush a major victory just hours before the State of the Union address.

There was little doubt the Senate would confirm Alito, as all but a few lawmakers had announced how they would vote. Only four Democrats -- Sens. Robert Byrd (W.Va.), Kent Conrad (N.D.), Tim Johnson (S.D.) and Ben Nelson (Neb.) -- voted with the Republicans to confirm the nominee.

The four Democratic votes mark the lowest number of votes ever received by a nominee from senators who were not in the party of the president. And just one nominee -- Justice Clarence Thomas -- has been confirmed by a slimmer margin.

Sen. Lincoln Chafee of Rhode Island was the lone Republican to vote against Alito, citing his concern about the judge's positions on environmental regulations and several other areas. Alito will be formally sworn in this afternoon and is expected to be in the House chamber later this evening for the State of the Union.

Although there was little suspense as to how the vote would play out, Democrats used the final few hours of debate today to criticize the nominee whose views sparked a heated partisan battle.

"He could have nominated so many people that would have united this country and would have gotten 90 to 100 votes," said Senate Judiciary ranking member Pat Leahy (D-Vt.). He added, "We could be here in the Senate unanimously approving the nominee instead of this divisive battle."

After the vote, environmental groups again criticized Alito and pointed out that his effect on environmental law could be felt almost immediately since the court is slated to hear two key Clean Water Act cases this year on protections for wetlands. **"We knew going in that this was an uphill battle," said Earthjustice executive director Buck Parker in a statement. "But the stakes were too high for us to stay out of the fight. The American public needed to know about Judge Alito's record of siding with polluters over communities."**

Republicans, meanwhile, used the final debate to again praise the nominee and to urge a change from the partisan tone that had surrounded Alito's nomination. "I hope the Senate builds off today's bipartisan momentum and continues to temper partisan rhetoric, summon civility and its members commit themselves to genuinely addressing the issues that matter to the American people," said Senate Majority Leader Bill Frist of Tennessee.