

The President last night also failed to mention that these costs will be borne as much by grandma and grandpa as they will by any corporate executives or Members of Congress. He did not mention that nuclear power is a fuel that burns nothing, thereby helping us achieve cleaner air and a better environment. He failed to mention that the costs of his global warming treaty will be even higher for every American if we continue to shut down nuclear power plants in favor of coal-burning technologies. And most regrettably, he failed to offer any kind of explanation into why his administration supports the Department of Energy as they unlawfully stick it to the American taxpayers.

While the DOE waits, and hides behind courtroom appeals, and shirks its responsibilities that it is legally bound to accept, Americans across our country can expect yet more rate increases and yet higher taxes from a government that is either too afraid or too incompetent to act.

How can we face ourselves come Sunday morning—just 4 days from today—if we simply step back and quietly allow this to happen? We could not, we should not, and we will not.

So finally, Mr. President, I urge my colleagues to reassure their constituents that come midnight on Saturday, the people will not be forgotten, that they will return to Washington next week and fulfill their oath to protect the taxpayers and ensure that their Government fulfills its obligation to them, and that we will never allow such a failure to happen again.

Thank you very much, Mr. President. And I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

There being no objection, at 12:51 p.m., the Senate recessed until 2:15; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. ROBERTS).

EXECUTIVE SESSION

THE JUDICIARY

VOTE ON NOMINATION OF ANN L. AIKEN

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Ann L. Aiken, of Oregon, to be United States District Judge for the District of Oregon? On this question, the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from North Carolina [Mr. FAIRCLOTH] is necessarily absent.

I further announce that, if present and voting, the Senator from North Carolina [Mr. FAIRCLOTH] would vote "no."

Mr. FORD. I announce that the Senator from Illinois [Mrs. DURBIN] and the Senator from Illinois [Ms. MOSELEY-BRAUN] are necessarily absent.

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

The result was announced— yeas 67, nays 30, as follows:

[Rollcall Vote No. 1 Ex.]

YEAS—67

Akaka	Feinstein	Mikulski
Baucus	Ford	Moynihan
Bennett	Glenn	Murray
Biden	Gorton	Reed
Bingaman	Graham	Reid
Boxer	Harkin	Robb
Breaux	Hatch	Rockefeller
Bryan	Hollings	Roth
Bumpers	Inouye	Santorum
Byrd	Jeffords	Sarbanes
Campbell	Johnson	Sessions
Chafee	Kempthorne	Shelby
Cleland	Kennedy	Smith (OR)
Coats	Kerrey	Specter
Cochran	Kerry	Stevens
Collins	Kohl	Thomas
Conrad	Landrieu	Thompson
Daschle	Lautenberg	Thurmond
DeWine	Leahy	Torricelli
Dodd	Levin	Wellstone
Domenici	Lieberman	Wyden
Dorgan	Lugar	
Feingold	Mack	

NAYS—30

Abraham	Frist	Kyl
Allard	Gramm	Lott
Ashcroft	Grams	McCain
Bond	Grassley	McConnell
Brownback	Gregg	Murkowski
Burns	Hagel	Nickles
Coverdell	Helms	Roberts
Craig	Hutchinson	Smith (NH)
D'Amato	Hutchison	Snowe
Enzi	Inhofe	Warner

NOT VOTING—3

Durbin	Faircloth	Moseley-Braun
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The nomination was confirmed.

Mr. WYDEN. Mr. President, I move to reconsider the vote.

Mr. SMITH. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

VOTE ON NOMINATIONS OF BARRY G. SILVERMAN AND RICHARD W. STORY

The PRESIDING OFFICER. The question is on the confirmations, en bloc, of Barry G. Silverman, of Arizona, to be a circuit judge of the ninth circuit, and Richard W. Story, of Georgia, to be a district judge for the Northern District of Georgia.

The nominations were confirmed.

Mr. LEAHY. Mr. President, I am delighted that we have finally broken the logjam on Ninth Circuit vacancies. Judge Silverman is the first judge to be confirmed to this Court in two years. In the meantime, the Court has been suffering from vacancies amounting to more than one-third of the authorized judgeships for the court and had to cancel over 600 arguments last year.

I congratulate Judge Silverman and his family and thank Senator KYL for his cooperation in this effort. I hope that we will move forward promptly to consider the nominations of Judge Richard Paez, Professor William Fletcher, Margaret McKeown and the others needed to staff this important court.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

MORNING BUSINESS

The PRESIDING OFFICER. There will now be a period for the transaction of morning business.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

JUDICIAL NOMINATIONS

Mr. KENNEDY. Mr. President, I was unable to make my comments earlier involving the consideration and approval of the various judges. I would like to address the Senate for a few moments on this particular issue and, most importantly, to express the strong support for the three nominations that have just been confirmed by the Senate.

Judge Silverman has served with distinction for the past three years on the federal district court in Arizona and will be an impressive member of the 9th Circuit Court of Appeals. Judge Richard Story, has served as a state court judge for many years, and will do an excellent job on the United States District Court in Northern Georgia.

I am particularly pleased that at long last the Senate is allowed to consider the nomination of Judge Ann Aiken. She is an outstanding choice for the federal district court in Oregon. For the past decade, she has served with distinction as a state court judge—first on the district court and, for the past five years on the circuit court. She is widely respected in Oregon for her service to her community. She received the Woman of Achievement award in 1993 from the Oregon Commission for Women. The U.S. Department of Justice honored her in 1994 for her leadership in helping victims of crime.

But despite her impressive qualifications, her nomination has been stonewalled by Republicans in the Senate for more than two years.

On the average, it is taking twice as long for Senate Republicans to confirm President Clinton's nominees as it took for Democrats to act on President Bush's nominations to the federal courts.

For women, the problem is especially serious. Women nominated to federal judgeships are being subjected to greater delays by Senate Republicans than men.

So far in this Republican Congress, women nominated to our federal courts are four times—four times—more likely than men to be held up by the Republican Senate for more than a year.

Last year, the Senate confirmed 30 men, but only 6 women. So only 17 percent of the nominees that the Republican leadership brought before the Senate were women—half as many as President Clinton nominated.