

of them has even had hearings. That is a problem with the committee, not a problem on the floor. It is a problem with moving forward. As we move into this matter of internal terrorism, and so on, the U.S. attorneys are going to be very important, as are U.S. marshals. Do we have them? No. There is no reason we don't have to do one or the other. We can do both of them.

Frankly, the constant talk that we hear that we didn't do as many when you were in the majority is immaterial, whether that is right or wrong. The fact is, here is where we are, and we have 50-some judges waiting to be approved, with very few in. In the Tenth Circuit, we have 4 vacancies out of 12. There is no movement to do anything about that.

So I guess what I am saying is I feel badly about it as well. I would like to be moving forward, but they are not happening. We don't get any assurance from the chairman of the committee that he is going to do anything any differently. All they do is talk about what they did in the past. That is immaterial. What we ought to talk about is what we are faced with now and the fact that we need to do something about that.

Energy is something that is very important, of course. We have asked for a commitment to do something on energy. We have been working at it. I am on the Energy Committee. We have worked at it for a couple of years, getting things together, trying to get something on the floor. It is very important in terms of the United States and its economy. It has been very important in terms of us getting an energy policy out there. I know the Senator from Nevada agrees with that.

Now it is even more important when we get to where we have nearly 60 percent of our oil imported, much of it from the Middle East. We find ourselves with real difficulties in the Middle East, and it is even more important that we get it in there and have an energy policy. All we have asked for is a commitment to do that, to move forward. That is the reason things are not moving. We get no commitment as to changing the things that are not being done. I think that is where we are. It is too bad we are in a kind of controversy about it. I think getting a commitment from the leadership that we are going to be able to accomplish some of these pending things is very important.

Saying the priority is doing something for Pakistan instead of a judge, that is really not a choice. We can do both of those things. We can do both of those things, and we can move forward. I wonder how many hearings there have been this week on judges. More important, what has been brought to the floor?

I believe we can find a remedy, and I know there are meetings going on to secure that remedy. I certainly hope we can continue to find that remedy and get ourselves into a position to move forward not only with the pend-

ing legislation, but also do these things that are very important to the operation of Government.

Of course, now we find ourselves with more and more difficulties in terms of internal terrorism and the anthrax issue that is coming up. But I can tell you it is the belief among the Members of Congress that we are going to take every method of making sure we are safe and that our staffs are safe. On the other hand, we can do those things that are necessary and we can go forward with the job we have to do. I suspect we are here to complete our task.

I have suggested in the past that maybe we can set some priorities and have our priorities established, move forward with them and deal with those things that are not being done and say, yes, we are going to do it at a certain time. That is really the request. It is not going to take long to do some of these things. We need commitments and priorities and to be prepared to move forward. But as long as the issues that some of the Members are very anxious about are not dealt with, obviously there are going to be some efforts to make sure they are. That is not a unique situation, by the way. That has happened throughout the years, and it is part of the process here, unfortunately. But it is part of the process.

I mentioned yesterday the very process we are going through now was gone through last year, and all the evidence is in the CONGRESSIONAL RECORD. The very issues we objected to now were done then.

So I think we can find a solution. I look forward to seeing that solution so that we can commit ourselves to do the things that need to be done, to move forward with the other bills. We can do more than one thing at a time.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2002—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of the motion to proceed to H.R. 2506, which the clerk will report.

The legislative clerk read as follows:

A motion to proceed to the bill (H.R. 2506) making appropriations for foreign operations, export financing, and related pro-

grams for the fiscal year ending September 30, 2002, and for other purposes.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Madam President, I am not going to speak at great length about why we are in the position we are. I have already spoken. As I have said, Senator LEAHY has a hearing scheduled this week. He is going to have some hearings next week. The report I received recently is that we have not done any U.S. marshals because we do not have them. They have not been sent to the committee. We cannot do it.

We approved 14 U.S. attorneys last Thursday. We are moving these nominations along just as quickly as we can.

The Senator from Wyoming is absolutely right we need to do; an energy bill, but we cannot do an energy bill. We have had 2 weeks where we have done nothing. We still have five appropriations bills to handle, plus all the conferences, and they are not letting us move to them.

Sure, we can do two things on the floor at once; we agree. But they are not letting us do one thing on the floor. The leader has said that we will get to energy as soon as we can, and that means we have to get rid of all these other items first.

We are approaching Thanksgiving. We have already had two continuing resolutions. This is not the time to dillydally. We have very important things we need to do for this country, and we are in quicksand on judges. We are going to go forward the best we can and jump through all the procedural hoops they are making us jump through. I would think sometime in the near future the administration might get involved. The administration has more to lose than anyone else. This is the minority's side.

No one can criticize the Democratic majority in working with the President. We have worked hand in hand with him. He and the majority leader speak three times a day on issues relating to this country and the world. The minority is making a real mistake holding up this legislation. That is a decision they have made, and they are going to have to live with it. We are going to do the best we can, I repeat, jumping through all these hurdles.

In the process, we are going to use up 3 or 4 weeks of time that we could be doing other bills. We have a bioterrorism bill on which Senators KENNEDY and FRIST have worked. I do not know if they will let us go to it when the committee reports it out. We hope the committee can report it out as early as Thursday. In the meantime, all the other legislation is being held up.

People think we can waltz through the rest of these appropriations bills in a matter of a day or two. It has never happened, and it never will happen. These bills take a lot of time even though we agree on the numbers.

We need to do a bioterrorism bill. We have a bipartisan bill we should bring