

we will go to counterterrorism immediately following the votes to which we have just referred.

We have a lot of work yet to do tonight, and I urge Senators to stay close to the Chamber.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. Mr. President, with regard to the schedule, I support what Senator DASCHLE is trying to do. I think we have done the right thing by moving the aviation security bill. We will have an opportunity to work on it further in conference, for those who do have concerns, but we have to say to the American people—in fact, we have to be assured we can tell the American people we have addressed this aviation security question as soon as possible. Next week hopefully we will be able to get into conference and produce a bill.

It is very important that as soon as possible we move this counterterrorism legislation. Good work has been done in the Senate. We have pointed the way in this effort, and so I hope our colleagues will work to complete the bill as soon as possible. I hope all of the general debate time will not necessarily be used, although it is up to 4 hours. We also have as many as four amendments in order under the agreement that was reached. I hope we can get through that at a reasonable hour and complete the work tonight, but if it becomes evident it is going to take 4 or 5 hours to do this, then we will have to have the votes in the morning.

Even then, I presume the votes would begin at a relatively early hour, 9 or 9:30 a.m. Certainly Senator DASCHLE will announce that. Whether there are two or three votes, whatever it would be, we will be completed after that.

Having said that, at the end of this week, if we complete action on these two bills, I think we will have done a great deal to move toward restoring the confidence of the American people. I am proud of the progress I am seeing made.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. SARBAKES. I understand it is the intention, then, of the leadership to complete the counterterrorism bill this evening; is that correct?

Mr. DASCHLE. If the Senator will yield, I will phrase it by saying it is my hope to finish it. We know what the time parameters are. We have already agreed to that. If we are compelled to go through all of the votes and it gets to be too late, we may have to move it into tomorrow. So I am not going to say definitively tonight at this moment we will finish our work on the counterterrorism bill, but that would be my hope.

Mr. SARBAKES. As I understand it, if we can complete work on the counterterrorism bill this evening, then we will not be in tomorrow, or at least we will not be transacting business that requires votes tomorrow. Is that correct?

Mr. DASCHLE. That is correct. We would not have votes tomorrow. We would have completed our work. I assume we could be in for morning business to accommodate Senators who may wish to speak, but it is my intention not to have any rollcall votes tomorrow.

Mr. SARBAKES. I thank the leader.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. I express the hope our leadership on both sides of the aisle can help to press hard to get the remaining appropriations bills completed and sent to the President singly and not as an omnibus bill. The Appropriations Committee in the Senate today reported out the D.C. appropriations bill and the Labor-HHS appropriations bill. This makes 12 of the 13 appropriations bills that the Appropriations Committee in the Senate has reported out.

The House, I understand, is working on the Defense appropriations bill and will soon act on it and will shortly send over the conference report on the Department of the Interior.

We will have to have another CR. That will be coming along probably today. In any event, our committee and our chairmen and ranking members on all the subcommittees have worked diligently and hard, and I hope the leadership will help us to bring pressure on both sides of the Capitol to move these appropriations conferences. The staffs have done the preliminary work, a good bit of it in many instances.

It is absolutely necessary we show the American people that this Congress can do its work, is doing its work, but it is going to take some effort on the part of all of us, I say to the distinguished minority leader and the majority leader, to bring these remaining conference reports to the floor. We shouldn't have to have another continuing resolution after this next one. We ought to complete these appropriations bills in the remaining days of this month.

Let's go home, for Heavens' sake, and see our families and constituents and not delay further. I don't think it is intentional, but it amounts to delay.

I thank both leaders for the efforts they made. We have some work yet to be done. We can do it.

Mr. DASCHLE. Will the Senator yield?

Mr. BYRD. Yes.

Mr. DASCHLE. I say to the distinguished Chairman, I share his determination to complete our work on the appropriations bills. He and I have had many private conversations, and if I recall, even considerations on the floor.

I informed him and our colleagues on Monday there will be a vote on an appropriations bill, either the Interior conference report or on cloture on the motion to proceed to foreign operations. I share his determination to continue to plow through these bills and to accomplish as much as we can in the next 2 weeks.

As I understand it, the next continuing resolution will be for 1 week. If that is the case, we have 2 weeks within which to complete our work so as not to pass yet another continuing resolution. We have a lot to do. I appreciate very much his willingness to call attention again to that fact tonight.

Mr. BYRD. I thank the distinguished majority leader. We must show the American people that we can pass these bills. We owe it to ourselves, we owe it to the country, we owe it to the President of the United States to send him individual appropriations bills, no omnibus bill. Let him have his opportunity to sign or veto the bills as he sees fit.

Mr. LOTT. If I might say briefly—I don't want to drag this out—obviously we need to be able to move our appropriations bills.

I must say, of course, how quickly we do that depends on several things: One, how many controversial issues are in these bills when they come out of the committee. I don't know what happened, for instance, on the D.C. appropriations bill, but it had difficult and time-consuming issues in it. There may not be now.

The other thing is several of the bills, including Labor-HHS, often take a week or two; Defense quite often takes 3 or 4 days. Part of it depends on the willingness of Senators to withhold controversial amendments to move the process along. We have been doing that magnificently over the past month. Hopefully, we can do that even with appropriations bills—even though these are big bills, important bills, and Senators may want to be heard and offer amendments.

We also have to continue to work together on other issues that become problematic, such as getting judicial confirmations moving because there is a need for that, too.

Senator DASCHLE and I are working on this on all fronts. I talked to Senator STEVENS about it. I want to get the appropriations bills completed. It will take a lot of cooperation. We are prepared to give it that cooperation and time.

Mr. BYRD. I thank both leaders.

NATIONAL DAY OF REMEMBRANCE

The PRESIDING OFFICER. Under the previous order, the clerk will report Senate Joint Resolution 25.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 25) designating September 11, 2001, as a National Day of Remembrance.

Mr. DASCHLE. Mr. President, one month ago today, more than 6,000 innocent men and women had their lives stolen from them in an act of terrorism so hideous and cruel that it still almost defies belief.

In the days since, we have come together—not as Democrats or Republicans—as Americans, to honor the memory of all those who died at the World Trade Center, the Pentagon and

in that lonely field in western Pennsylvania.

We have come together to tell their families they are not alone. They are part of our American family and we are with them—now in their hour of grief, and in the days and years to come.

And we have also come together to say, in the strongest possible terms, that we stand with President Bush in his determination to find those who committed these hideous attacks and hold them accountable, and to destroy their global network of hate and terror.

I had the opportunity to join many of my Senate colleagues in the days after the attack to visit Ground Zero in New York City. There, in a mountain of rubble and wreckage that is beyond my ability to describe, I saw a sign scrawled on a wall. It read simply: "We will never forget."

That is true. Whether we live another hundred months, or another hundred years, we will never forget the thousands of innocent victims who lost their lives on September 11th.

We will never forget the heartbreak of those they left behind, or the stunning bravery of those who tried to save them.

And we will never forget our responsibility to find those who committed these evil acts and stop them.

That is our promise.

In the aftermath of the attacks, America has searched for words to describe the enormity of what happened.

Every description has fallen short—and so we simply refer to the day: September 11th.

This day has become hallowed in our memories, and in our history.

Today, Senator LOTT and I are introducing a resolution to honor it on our calendars, as well.

This resolution designates September 11 as our national day of mourning and remembrance.

We ask that each year on September 11, the President issue a proclamation, the flags be lowered to half-mast, and that America observe a moment of silence.

It is yet another guarantee that as years pass, and wounds heal, that we will never forget what happened on that day.

Mr. DASCHLE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second. The yeas and nays were ordered.

Is all time yielded back?

Mr. DASCHLE. I yield back the remainder of my time.

Mr. LOTT. Mr. President, I yield back the remainder of our time.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The resolution having been read the third time, the question is, Shall the resolution pass?

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 296 Leg.]

YEAS—100

Akaka	Durbin	McCain
Allard	Edwards	McConnell
Allen	Ensign	Mikulski
Baucus	Enzi	Miller
Bayh	Feingold	Murkowski
Bennett	Feinstein	Murray
Biden	Fitzgerald	Nelson (FL)
Bingaman	Frist	Nelson (NE)
Bond	Graham	Nickles
Boxer	Gramm	Reed
Breaux	Grassley	Reid
Brownback	Gregg	Roberts
Bunning	Hagel	Rockefeller
Burns	Harkin	Santorum
Byrd	Hatch	Sarbanes
Campbell	Helms	Schumer
Cantwell	Hollings	Sessions
Carnahan	Hutchinson	Shelby
Carper	Hutchison	Smith (NH)
Chafee	Inhofe	Smith (OR)
Cleland	Inouye	Snowe
Clinton	Jeffords	Specter
Cochran	Johnson	Stabenow
Collins	Kennedy	Stevens
Conrad	Kerry	Thomas
Corzine	Kohl	Thompson
Craig	Kyl	Thurmond
Crapo	Landrieu	Torricelli
Daschle	Leahy	Voinovich
Dayton	Levin	Warner
DeWine	Lieberman	Weilstone
Dodd	Lincoln	Wyden
Domenici	Lott	
Dorgan	Lugar	

The resolution (S.J. Res. 25) was agreed to, as follows:

S.J. RES. 25

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Day of Remembrance Act of 2001".

SEC. 2. NATIONAL DAY OF REMEMBRANCE.

(a) DESIGNATION.—September 11 is National Day of Remembrance.

(b) PROCLAMATION.—The President is requested to issue each year a proclamation—

(1) remembering those who tragically lost their lives as a result of the terrorist attacks on the United States on September 11, 2001, and honoring the police, firefighters, and emergency personnel who responded with such valor on September 11, 2001;

(2) calling on United States Government officials to display the flag of the United States at half mast on National Day of Remembrance in honor of those who lost their lives as a result of the terrorist attacks on the United States on September 11, 2001;

(3) inviting State and local governments and the people of the United States to observe National Day of Remembrance with appropriate ceremonies; and

(4) urging all people of the United States to observe a moment of silence on National Day of Remembrance in honor of those who lost their lives as a result of the terrorist attacks on the United States on September 11, 2001.

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

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

The motion to lay on the table was agreed to.

Mr. REID. Mr. President, all Senators should know that the next two votes are 10-minute votes. When we finish these two votes, we will go on to the antiterrorism legislation. The majority leader said we are going to finish

that night. We will stick to the 10-minute votes. If Members are not here at or near that time, we will close the vote.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

NOMINATION OF BARRINGTON D. PARKER, JR., OF CONNECTICUT, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SECOND CIRCUIT

NOMINATION OF MICHAEL P. MILLS, OF MISSISSIPPI, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF MISSISSIPPI

Mr. LEAHY. Mr. President, when the Senate confirms Barrington Parker to the Second Circuit, we will have confirmed more Court of Appeals judges since July of this year than were confirmed in the entire first year of the Clinton administration. When the committee completes its consideration of Edith Brown Clement and she is confirmed to the Fifth Circuit, we will match the total confirmed Court of Appeals judges for the entire first year of the first Bush administration.

When we confirmed Judge Roger Gregory to the Fourth Circuit on July 20, the Senate had confirmed more Court of Appeals judges than a Republican-controlled Senate was willing to confirm in all of the 1996 session—a year in which not a single nominee to the Courts of Appeals was confirmed, not one all session.

Until I became chairman and began holding hearings in July, no judicial nominations had hearings or were confirmed by the Senate this year. We are now ahead of the pace of confirmations for judicial nominees in the first year of the Clinton administration and the pace in the first year of the first Bush administration.

In the first year of the Clinton administration, 1993, without all the disruptions, distractions and shifts in Senate majority that we have experienced this year through July and without the terrorist attacks of September 11, the first Court of Appeals judge was not confirmed until September 30, the third was not confirmed until November and, as I have noted, the Senate never confirmed a fourth Court of Appeals nominee.

In the entire first year of the first Bush administration, 1989, without all the disruptions, distractions and shifts of Senate majority that we have experienced this year through July and without the terrorist attacks of September 11, the fourth Court of Appeals nominee was not confirmed until November 8. Today, on October 11, the Senate will confirm its fourth Court of Appeals nominee since July 20 of this