September 11 attacks, the Department of Justice compared the audit log of approved gun sales under Brady law's National Instant Criminal Background Check System to the Federal Government's terrorist watchlists.

The New York Times reported that on September 16, 5 days after the terrorist attacks, the Bureau of Alcohol, Tobacco, and Firearms requested the FBI center that operates the National Instant Criminal Background Check System to check a list of 186 names against the NICS audit log. The names were identified as aliens whose identities had been developed during the ongoing terrorist investigation. The FBI got two hits, meaning that two of the persons on the watchlist had been approved to buy guns.

The ATF's request and the resulting hits underscore the point that the NICS audit log has a clear investigative value for law enforcement and our counterterrorist efforts.

Yet the day after the FBI made its initial check, the Attorney General's lawyers prohibited further reviews of the audit log by the FBI for the purposes of the terrorist investigation.

The Congress passed and the President signed the Patriot Act earlier this year to give the Attorney General expanded powers to fight terrorism. The Attorney General has used these powers and others created by the administration, without congressional input, to permit, for example, eavesdropping on detainees' conversations with their attorneys, to implement new wiretapping authority, and to look into the backgrounds of truck drivers and crop duster pilots, and immigrants.

When President Bush addressed Congress on September 20, he said:

> We will direct every resource at our command—every means of diplomacy, every tool of intelligence, every instrument of law enforcement, every financial influence, and every necessary weapon of war—to the disruption and to the defeat of the global terror network.

Now we find the Attorney General is bending over backwards to protect the special interests of the gun lobby at the expense of the safety of the American people and the investigation into terrorism. Rather than seeking every opportunity to give law enforcement all the information at hand, the Attorney General has chosen, erroneously in my view, to interpret the Brady law and related Justice Department regulations as prohibiting the use of the audit log for investigative purposes beyond the performance of the system.

Even if the Attorney General believed he did not have the authority to review the audit log for investigative purposes, why then did he not ask Congress for that authority back in September when he was putting together his proposals for the Patriot Act? Why wouldn't he want Federal law enforcement officers to know if a suspect or potential informant had recently purchased a firearm when they go to question or detain that person? Finally, why would he continue to seek to reduce the retention time for the audit log from 90 days to 1 business day, forcing ATF to ask more than 70,000 federally licensed gun dealers to review their sales records every time law enforcement authorities conduct a review for names associated with gun crimes but particularly associated with terrorist activities?

We can only conclude that politics and the powerful influence of the gun lobby have trumped gun policy once again. I hope the Attorney General will reconsider his position. None of us really knows what the next terrorist attack will look like. We cannot assume that because the attacks on September 11 did not involve firearms, the next one will not also involve firearms. We should give law enforcement every tool at our disposal to prevent terrorists from gaining access to firearms, and to know about it when they do.

If the Attorney General insists upon the narrowest interpretation of allowable uses of the NICS audit log, we need legislation to make it absolutely clear that law enforcement authorities can review these records if they have reason to believe that a person under investigation, particularly under investigation for terrorist activity, may have purchased a firearm.

I am pleased to join Senator SCHUMER as a cosponsor of S. 1788, to clarify that NICS audit log records may be accessed by the Federal authorities for the purposes of responding to an inquiry from any federal, state or local law enforcement agency, and also to ensure that these records be maintained for at least 90 days to ensure a reliable auditing system is in place.

I also look forward to consideration at the earliest possible time next year of my legislation to close the gun show loophole, so that we can prevent convicted felons, fugitives from justice, and, yes, even terrorists, from buying guns from private dealers at gun shows without a background check.

There has been a lot of misinformation about the technical requirements of conducting Brady Law background checks at guns shows. It has been suggested that gun shows in rural areas are not equipped with the technology to make background checks feasible. The only technology needed to run a Brady background check is a telephone. At most gun shows, federally licensed firearms dealers use cell phones to conduct background checks. At others, telephone ''land lines'' are made available. Under my bill, these federally licensed dealers would run checks on behalf of unlicensed sellers at the gun show, ensuring that a background check is run every time a gun is sold at more than 4,000 gun shows held each year in America.

I should also add that 95 percent of these checks are completed within two hours, and no new technology would be required beyond access to a telephone, a device that has been with us for a long time. My constituents in Rhode Island and all Americans pay a universal service fee as part of their monthly phone bills to ensure that telephone service is available to every part of this country, no matter how rural or how remote.

Let's close the gun show loophole so that convicted felons, domestic abusers, terrorists, and other prohibited persons do not use gun shows to purchase firearms without a Brady background check.

When we confront terrorists, and when we hear the President say every tool available to law enforcement will be used, let us ensure every tool is used. Let us ensure there is no area that is off limits because of the powerful influence of the gun lobby. Let us give our law enforcement officials every opportunity to protect America from terrorist attacks.

I yield the floor.

NOMINATION OF EUGENE SCALIA

Mr. HATCH. I rise to join many of our colleagues to express my frustration with the leadership for failing to permit a floor vote on the nomination of Eugene Scalia to be the Solicitor General of the Labor Department. I was mystified as to what reasons there could possibly be to hold up the President's choice, his pick, for this vital position at a time when it is of national urgency for the Labor Department to have its team in place.

I have heard it said in the press it is because Scalia is the son of Justice Antonin Scalia and that this is some sort of payback for the Bush v. Gore decision. I personally find that hard to believe. Such a motive would be far below the dignity of the Senate. The notion that this Chamber would in effect punish a Supreme Court Justice or his family for a decision, any decision, would be abhorrent to anyone who loves this institution or the Constitution.

I also find it hard to believe because the Senate confirmed Ted Olsen, who litigated the Bush v. Gore case, although some did try to stop his confirmation despite his unquestionable qualifications. We also confirmed Janet Rehnquist, the daughter of the Chief Justice, to be inspector general of the Department of Human Services. But that is what is being said to the public. We wonder why the public is so cynical about the Congress.

I, personally, do not believe that is the reason Mr. Scalia is being held up. But I have also heard, and this reason is very troubling to me, that it is because Eugene Scalia is a devout, prolife Catholic. He is being targeted by radical fringe elements because his name has symbolic value. I only hope this is not true. If that is true, this is also troubling because it shows that an appearance has been created that there is an ulterior partisan motive.

I ask unanimous consent to have printed in the RECORD an op-ed by Marianne Means, who wrote, ''Two

Scalias In Our Government Are Too Many.''

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TWO SCALIAS IN OUR GOVERNMENT ARE TWO TOO MANY

(By Marianne Means, Hearst News Service)

WASHINGTON.—When President Bush nominated the son of conservative Supreme Court Justice Antonin Scalia to the third-highest post in the Labor Department, the terrorist attacks had not occurred and Bush was not yet in a political unity mode.

This week, however, Eugene Scalia's nomination to be the department's solicitor—its top lawyer—was before the Senate Judiciary Committee threatening to blow up the fragile aura of bipartisanship the president is currently trying to foster. During his hearing, Scalia was sternly grilled by Democratic members and lavishly praised by the Republicans.

Giving Scalia power to interpret the administration's policies toward organized labor, which worked hard to defeat Bush in the 2000 election, was a deliberately vengeful move. Looming over the selection is the dark shadow of his cranky father, the architect of the court's rightward drift on civil rights and the mastermind of the court's convoluted ruling that handed the presidency to Bush. Eugene Scalia's nomination inescapably looks like a gigantic political payback, meant to reaffirm Bush's authority by slapping the Democrats in the face.

In April when he picked Scalia, Bush had embarked on a crusade to drive the country to the right, rolling over the Democratic congressional minority and his own party's moderates. In those days, he had no interest in bipartisanship.

His first choice as Labor Secretary, the conservative anti-labor commentator Linda Chavez, proved to be too controversial and was forced to withdraw her name. She was replaced by Elaine Chao, whose attitude is less ideological than Chavez's and is therefore less objectionable to the major unions. Scalia, 37, seems to have been selected to give Chao the backbone to be tough on the labor movement whenever possible.

During his career as a labor lawyer, Scalia campaigned vigorously to repeal Clinton-era federal ergonomics rules designed to reduce repetitive-motion injuries and lower back problems. He said he doubted the ''very existence'' of the problem, which union officials take very seriously, and mocked ergonomics as ''junk science.'' The Clinton rule was killed by the Republican-controlled Congress earlier this year, and Chao is currently reviewing proposals for revised ergonomics rules.

Senate Health, Education, Labor and Pensions Committee Chairman Edward Kennedy, D-Mass., is unequivocal in his opposition to Scalia. The senator says his writings and his record ''clearly suggest that his views are outside the mainstream on many issues of vital importance to the nation's workers and their families.''

The committee is divided along party lines, with all 10 Democrats opposed to Scalia and all 10 Republicans supporting him. When the committee votes next week, the tie will be broken by former Republican-turned-independent James Jeffords of Vermont. Recently Jeffords said awkwardly, ''I think I'll probably support him . . . reluctantly.''

That means the nomination will go to the Senate floor, where Kennedy vowed ''there will be a battle.'' Business groups have lined up behind Scalia, and the AFL-CIO is campaigning against him, making the outcome uncertain.

The floor vote is likely to break down along party lines, marking the first serious tear in the bipartisan fabric Bush is trying to weave.

He visited the Labor Department Thursday and warned, ''This is not a time to worry about partisan politics.''

He should have thought of that before he picked such a partisan nominee. Scalia, a choice left over from the pre-unity era, is a flagrant example of the partisan excesses of that period before the terrorist attacks. It is impossible for the Democrats to embrace Scalia, and Bush knew it when he chose him. It would be disingenuous of the president to claim now to be shocked that the nomination has provoked a partisan confrontation.

If Bush is really serious about working in a bipartisan fashion, he should withdraw the nomination. There are other qualified Republican labor lawyers who would not raise so many hackles and cost the president so much in good will.

Mr. HATCH. Members can see why I am concerned. I have always tried to judge nominations without bias or self-interest. I am concerned, however, that the Senate is not demonstrating similar fairness to the President and this nominee. But these partisan remarks, extraneous to Mr. Scalia's qualifications, are bound to arise when the Democratic leadership refuses to allow Mr. Scalia and his qualifications to be openly debated in the light of day.

If you do not like Mr. Scalia for any reason at all, including the fact that he is a pro-life Catholic, or the fact that he is Justice Scalia's son, then vote against him and show your bigotry that way.

But the fact is, he ought to have a vote. The President ought to have a vote. Even if Members do not like Mr. Scalia, he is the President's choice. He ought to have a vote.

I have to say the allegation by some that it is because he is a pro-life Catholic bothers me. As a practicing member of the Church of Jesus Christ of Latter Day Saints, I have known much bigotry due to my faith, and especially because I am a pro-life member of my faith. As we all know, mine is the only denomination that had mobs go against it, with a pogrom ordered against it within the United States of America. I find bias against a person because of his or her religious beliefs particularly repugnant. I worry about that type of thing.

I know people in the Congress who will not vote for anybody who is pro-life. I believe there are some people who will not vote for anybody because they are pro-choice. I think that is abysmal. I think the President, whomever he or she may be, should be given tremendous support with regard to the nominees they send up here—unless there is some legitimate reason for rejecting the nominee. That is another matter.

I have also heard it is because Mr. Scalia may have a differing opinion on ergonomics. My gosh, ergonomics could not get through the Congress because a majority happened to be against the ergonomics proposal. It seems very bad to hold it against Mr. Scalia because he may differ with a minority in the Congress.

There is no apparent reason for some of these things, and in my years on the Judiciary Committee I have learned a thing or two about judging the qualifications of lawyers who serve in our Government. It is clear that Eugene Scalia is highly qualified to hold the position for which the President has nominated him. Mr. Scalia has a distinguished career in private practice and has been an influential writer and laborer in employment law.

He has been strongly supported by lawyers to whose views my Democratic colleagues and I normally give great weight—William Coleman, former Secretary of Transportation and a great civil rights leader, a dear friend to most all in this body; Professor Cass Sunstein, one of the two or three leading advisers to my Democratic colleagues on the Judiciary Committee, not known for conservative politics, but liberal politics, a very good guy; and Professor William Robinson, the chair of the College of Labor and Employment Lawyers who describes how Mr. Scalia taught on a volunteer basis at the UDC law school when that predominantly minority institution had financial difficulties and could not afford to pay a full faculty.

This person gives his time voluntarily in a primarily minority institution, a law school, and does not ask for a cent and does it out of the goodness of his heart. That ought to be given some consideration around here.

This is hard to believe, but Mr. Scalia was nominated more than 7 months ago. Seven months ago! He was reported favorably out of committee and has been waiting for a floor vote for 6 weeks.

Still a vote has not been scheduled. Why not? Well, it saddens me, but it is becoming ever more believable that Mr. Scalia is being treated this way for reasons beyond his qualifications, whatever they may be, and I hope they are not the two I have mentioned. Whether because of the Bush v. Gore Supreme Court decision or otherwise, they want to punish Eugene Scalia for his association with his father's opinions, and I surely hope it is not because he is pro-life and a devoted member of the Catholic faith.

The President of the United States is working hard for the American people. The least we can do in the Senate is to confirm his qualified nominees to serve in his administration unless there is something gravely wrong with their records. We owe this to the President. We owe it to the American people. We need to let President Bush staff up his administration so he has the people he needs to get the job done.

Every time we play partisan games with a Presidential nomination, we make the President's job that much harder and we fail to discharge our constitutional duty. We prevent the President and his top people at the White House from focusing on the war

effort, getting the economy moving, and a host of other things the American people care about.

The Labor Department has front line responsibilities for worker safety and economic security. It has been working hard to help employers deal with the anthrax threat, and it has been helping employees laid off by the economic downturn. We are not helping the Labor Department, we are hurting it, and we are hurting American workers if we do not allow a vote so the Department can have its top lawyer in place.

Some have said the reason he is not getting a vote in the Senate is that the unions do not want him. I have to say there are times when people on our side have not wanted what the unions want, and there are people on the other side who have not wanted what the unions want. The ergonomics rule was the perfect illustration. The resolution of that issue should not be held against anybody. People ought to have a right within the framework and the mainstream of the law to think what they want.

I have to admit, I am sure the AFL-CIO, as much as I respect it, as much as I respect its leadership—having been one of the few Senators who have actually held a union card—I went through an informal apprenticeship, became a journeyman in the AFL–CIO, I understand there are irritations with some of President Bush's nominations, but no less than there were with President Clinton's nominations. They were put through, or at least they were allowed a vote.

Mr. Scalia is one of the finest people I know yet he is not even given the consideration of a vote. Back in July, five former Solicitors of Labor urged us to move quickly on this nomination. Both of President Clinton's Labor Solicitors joined that letter. We not only have the ones I have mentioned, who are strong Democrats, but the two Clinton Solicitors of Labor who said Mr. Scalia deserves a vote and should be supported. The five Solicitors said it was harming the Department of Labor and the workers whom the Department serves the longer we delay this decision. So I say let us have a vote on this highly qualified nominee before we adjourn.

Last but not least, and changing the subject, I praise the distinguished Senator from Vermont, Mr. LEAHY, for the movement we have had in the last month on Federal district court judges. Admittedly, they are people who have Democrat support, or have both Democrat and Republican support. They are people who are slam dunks, unanimous consent type of people, but I think virtually everyone President Bush has nominated to the judiciary is a slam dunk, unanimous consent supported individual.

What is bothering me is we have an inordinate number of circuit court of appeals judge nominations that are not being brought up. At our last confirmation hearing for district court nominees, a point was made that those nominees had been pending for less than 60 days since receipt of their American Bar Association ratings. If this is the standard, then the committee is falling woefully behind, especially on circuit court of appeals nominations. There are 8 circuit court nominees who have been languishing for 157 days or more since receiving their ABA ratings. In fact, some of them have been pending for more than 180 days since being rated by the ABA and nearly 220 days since their nomination.

I agree with the suggestion that 2 months should be the standard limit to review nominees. We should apply this standard or better to the circuit court nominees President Bush sent to the Senate nearly 220 days ago. These are not just nominees, these are some of the finest lawyers ever nominated to the circuit courts of appeals, and I will mention two of them.

John Roberts, who was left hanging at the end of the first Bush administration, who is considered one of the two best appellate lawyers in the country, and who is not known as a partisan Republican, he was left hanging then, and now he has been left hanging for almost 220 days.

I have heard so many complaints during other Republican administrations of not enough women and minorities being nominated, but now we have one of the leading minority lawyers in the country, Miguel Estrada, and he cannot even get a hearing. He has argued 14 cases before the Supreme Court; Roberts, many more. Most lawyers never argue a case before the Supreme Court. Estrada is respected by the courts of this country. He is one of the brightest lawyers in this country today.

What really moves me, even more than that, is this is a young man who came from a country of abject poverty, graduated with honors from Columbia University, then was at the top of his class at Harvard Law School, became a law clerk and, of course, has had a distinguished legal career. There is not one thing any reasonable person would find against him. And he is Hispanic. We are trying to do what is right.

I do not understand it. If we do not get these judges on the Circuit Court of Appeals for the District of Columbia and in other circuits as well, we are going to be very directly harmed in this country. The people will suffer. We have to quit playing games with this.

I have to admit there were times when during the Clinton administration I wished that I, as chairman of the committee, could have done better. There were some people on our side who I think acted irresponsibly, as there are people on the other side today acting irresponsibly. People of good will, those of us who really believe a President's nominees ought to be given their votes, these people ought to prevail in this body, and we ought to start establishing a system that works with regard to judicial nominations.

Lest anybody think President Clinton was mistreated, the all-time confirmation champion was Ronald Reagan with 382 Federal court judges who were confirmed. By the way, President Reagan had 6 years of his own party in control of the Senate. President Clinton had 5 fewer than Reagan, 377, and would have had 3 more than Reagan had it not been for Democrat holds on the other side. Frankly, even President Clinton told me he thought we did a good job.

Were there some exceptions? Sure. There always are. There have been for my whole 25 years in the Senate. Somebody has a hold or somebody does not like somebody for some stupid reason or another. But the fact of the matter is that President Clinton was well treated. When we finished, there were 67 vacancies. President Clinton once said that 63 vacancies, when Senator BIDEN was the chairman on the Democrat side, was a full judiciary.

Today we have almost 100 vacancies, and we have to do something about it, but we are not doing it with regard to these circuit court of appeals judges and I sure want to get that going.

I hope our distinguished chairman and others on the committee will help this President get done the nominations he has so carefully, I think, selected.

I yield the floor.

Mr. HARKIN. I am constrained, after listening to my good friend from Utah talk about nominating judges and vacancies—I cannot let the moment pass without pointing out that on the Eighth Circuit Court of Appeals there is a vacancy today. That vacancy is there because my friends on the other side of the aisle would not let us vote last year on the former attorney general of Iowa, Bonnie Campbell, to take that position as circuit court judge on the Eighth Circuit Court.

She had a hearing, she came out of committee, but they would not let us bring her name up on the floor for a vote. She was perfectly qualified to be on the Eighth Circuit Court of Appeals. As I said, we had all the hearings. She was supported by everyone. Yet they would not permit her name to come up for a vote before we left last year.

Bonnie Campbell is not on the Eighth Circuit Court of Appeals today because of pure politics. Because the Republicans, those on that side, last year—I guess correctly—thought they were going to win the national election and therefore they didn't have to put through any judges on the circuit courts.

So Bonnie Campbell—there is a vacancy there today because of politics. Not that she wasn't qualified. I always said bring her up for a vote; if people want to vote against her, vote against her—just the same argument the Senator from Utah made right now. I made the same argument last year. Bonnie Campbell is qualified. No one says she is not. Let's bring her up for a vote. Yet the leadership on that side prevented us from ever having a vote on

Bonnie Campbell's nomination to be Eighth Circuit Court judge.

I hope my friend from Utah doesn't want to preach too much to me, to this Senator, about politics being involved in circuit court judges. I know full well what happened last year. It is on the record. This Senator stood at the desk right back there, day after day, asking that Bonnie Campbell's name come up for debate and vote. Every time it was objected to by the other side. So I don't really need any lectures about politics being involved in judicial nominations.

ELECTION REFORM AGREEMENT

Mr. DASCHLE. Mr. President, I am pleased that Senators DODD, MCCONNELL, SCHUMER, BOND, and TORRICELLI were able to reach agreement on a strong, bipartisan election reform bill.

Studies of the 2000 elections have made it clear that outdated and unreliable technology, confusing ballots, language barriers, lack of voter education, lack of poll-worker training, and inaccurate voting lists all added up to the disenfranchisement of six million voters.

These problems are unacceptable, and, as a Nation, we can't afford to repeat them. Our Federal system leaves it to individual States to conduct their own elections; but Congress has an obligation to see to it that election mechanisms and procedures in every county in every State guarantee every eligible citizen a voice in the democratic process

Under this agreement, States will be required to meet minimum standards, and a bipartisan committee will be created to set those standards.

This bill requires that election officials notify voters of overvotes and give them the opportunity to correct a flawed ballot before it is cast. It will establish statewide computerized voter registration lists.

This bill further guarantees that voting machines be made accessible to people with limited English proficiency and people with disabilities, and that provisional ballots be made available to people whose names do not appear on voting lists. Those ballots would be set aside until it can be determined whether the individual's name was mistakenly left off the registration list. If it was, the vote is then counted.

Finally, this bill provides the real resources these real reforms demand.

As we protect our democracy from its external enemies, we must also fix its internal flaws. That is what this compromise bill will do, and I look forward to working to get it passed early in the next session.

TRIBUTE TO MARIE MOORE

Mr. LOTT. Mr. President, I wish to pay tribute to one of my departing staff who has been working in my personal office for almost 4 years. Marie Moore has served as my Deputy Press Secretary since May 1998, and has distinguished herself in many ways. She has handled her duties with grace and professionalism, and quite frankly has set the standard for those who will follow her in this very demanding position.

Marie has served with me during some of our Nation's most historic and sometimes very difficult and dramatic events. On occasion these events have demanded very much of her, as they did all Senate staff members but particularly those who are required to deal one on one with a sometimes skeptical or hostile media. She certainly leaves Washington with some memories and experiences which will benefit her professional career and her personal life for many years to come.

Marie's tenacious work ethic and organizational skills have benefited our office's operation greatly. Both are exemplary. Maybe she learned these attributes at Ole Miss, where she graduated with a journalism degree just before coming to Washington. However, I suspect the best of Marie Moore is a product of her wonderful family and upbringing back in Holly Springs, MS. Only a few short days after joining my staff, Marie began reorganizing the press shop, adding new filing cabinets, rearranging furniture, finding more space for this or that, all for the better. She has demonstrated a tremendous capacity for leadership. She knows how to take charge and really get things done with presented with virtually any challenge. For instance, in addition to working on my staff, Marie has been an active member of the Mississippi Society of Washington, helping to organize events and recruit new members. She has also selflessly assisted me and my staff in a number of other duties, not necessarily in her job description, but tasks which must be done and require an exceptional degree of patience, understanding, and skill.

She is excellent with my constituents who come to Washington. Marie has always provided a friendly face and warm welcome for the many visitors I receive each day, and she is always quick to entertain them with refreshments or conversation if the have to wait. Additionally, she has done a wonderful job in handling the many photographs which are required of a U.S. Senator. Marie always makes sure those seeking a photo with me have that opportunity, and that these many photos get back to those with whom I have met.

Marie has proven to be press savvy, something we all value here in Washington. She has a keen mind for what may or may not be a news item, and in their regard shows experience well beyond her years. Marie knows how to meet deadlines, how to prioritize and most importantly how to get information to the public in an effective, comprehensive and timely manner.

We all know people who are somehow just prone to being successful in anything they undertake. Marie is one of those people. I have no doubt, that whatever career path is are in Marie Moore's future, she will succeed.

May I add, for those Americans who sometimes make negative generalization about America's younger people, Marie Moore is just the opposite in every way. She is an example of the best in America's future. She is an asset to our country and to this institution. I will miss her very much, and so will many other people in the U.S. Senate who work with Marie on a daily basis. Marie made it a point to know names, remember faces throughout the Capitol and Senate Office Buildings, just as she did with our visitors. I know the folks down in the Senate recording studio, the photo studio, the service department and a host of other Senate offices share my sentiments about Marie, and our loss. But, we wish Marie the very best in her new endeavor, and I certainly hope she will stop by and visit when back in Washington.

SECRET HOLDS ON THE 21ST CENTURY DEPARTMENT OF JUSTICE APPROPRIATIONS AUTHORIZATION ACT

Mr. LEAHY. Mr. President, I am disappointed that one or more Republican Senators are holding up final passage of the 21st Century Department of Justice Appropriations Authorization Act, H.R. 2215.

This bipartisan bill is supported by the Bush Administration and cosponsored by Senator HATCH, the ranking Republican Member of the Judiciary Committee. It was unanimously approved by the Senate Judiciary Committee back on October 30.

This bill, with a bipartisan amendment authored by Senator HATCH and myself, has cleared the Democratic cloakroom for final passage but someone on the other side of the aisle has placed a secret hold on it. I would urge my Republican friends to permit the Senate to take up and pass this critical legislation.

The 21st Century Department of Justice Appropriations Authorization Act, provides permanent enabling authorities which will allow the Department of Justice to efficiently carry out its mission.

At a time when the Department of Justice is conducting the most sweeping investigation into terrorist conspiracies in our Nation's history, the Senate should pass this legislation.

Indeed, Title II our bipartisan bill provides the Department of Justice with additional law enforcement tools in the war against terrorism. Section 201 permits the FBI to enter into cooperative projects with foreign countries to improve law enforcement or intelligence operations, and Section 210 provides special ''danger pay'' allowances for FBI agents in hazardous duty locations outside the United States.

In addition, the bill as passed by the Committee, contains language offered by Senator FEINSTEIN to authorize a number of new judgeships.