

aisle on the issue of energy because it was the other side of the aisle that led a filibuster against the national energy policy we had before us last November. Maybe there is some guilt on their part about defeating a national energy policy, as it was through a Democratic filibuster.

I thought since that vote, when we had 58 votes and only needed 2 more to get cloture, to get to finality on a bill that was passed overwhelmingly by this body, that bill would have been the national energy policy. It would have been the first national energy policy that passed this body for probably a dozen or more years, and it is now needed more than ever before, but we needed two more votes. It is so puzzling to me that 46 out of 49 Democrats can stick together when they want to defeat very well-qualified judges the President sends up here, so well qualified they have the highest rating of the American Bar Association, and yet when we had a national energy policy, we adopted that national energy policy 3 or 4 months after the Northeast blackout last August and just before we knew energy prices were going to go up because OPEC announced they were going to shut off the spigot, why couldn't we get more than 13 out of 49 Democrats, considering the unanimity of holding the caucus together to defeat judges, and the Democratic leader was very much in favor of the Energy bill but he voted to stop debate? Why couldn't more than 13 Democrats help bring about a national energy policy?

Now we are hearing so much from the other side that one wonders if they don't have a somewhat guilty conscience about that vote.

We only needed two more Democrats. There are at least four Democrats from corn-producing States who should have been voting for cloture because this bill was so good for the ethanol industry, as an example, producing ethanol, a renewable fuel to mix with gasoline, to stretch gasoline, but we had four Democrats on the other side from corn-producing States who did not vote. We only needed two of them.

Also, this was a very comprehensive energy policy, so comprehensive it was well balanced with tax incentives for fossil fuels, tax incentives for renewables and alternative energy, and tax incentives for conservation. In fact, the speech we just heard was a lot about conservation, tax incentives for conservation, and they do not want to vote to stop a Democratic filibuster and move the bill along? It is very puzzling. I do not understand it. It makes one wonder: Are we hearing all these speeches now since gas is way up, at the highest level in history, because maybe they have some shame because they didn't want to vote to stop that filibuster last fall?

Then I hear some criticism toward the President about high gasoline prices. But what about the President of the United States leading the way ever since he has been in office to get this

Congress to adopt a national energy policy, and Congress came within two votes, but a Democratic filibuster killed it, and the President is getting blamed for a national energy policy he has been pushing that the other side killed?

Is there some guilt, some shame on the other side trying to detract from what the President has been trying to do? Is there some shame on the other side when they were in the majority in 2001 and 2002 and could not produce a national energy policy?

We have had an opportunity to move forward with a national energy policy, and those people who are giving the speeches condemning the President or concerned about high prices, what about helping us to reconsider that vote of last November—it can be reconsidered—and bring cloture and finality to the bill, and we can have a national energy policy?

Is a national energy policy going to make a difference when it comes to high energy prices? You bet it is because it is sending a signal to OPEC that we have our act put together and we are prepared to respond.

It very much broke the stranglehold of OPEC in 1982 when President Reagan deregulated the cost controls that we had on petroleum. For the next 20 years, OPEC was irrelevant because it told the rest of the world that we are not going to hold our product off the market. When we establish not only our own incentives for producing our own fossil fuels to a greater extent than we are today but also that we are going to have incentives for conservation, it is going to send that same clear signal to OPEC?

OPEC is meeting maybe right this very day to say to the rest of the world: We are going to shut our spigots down another million barrels a day. And all the time the Senate is languishing because of a Democrat filibuster last November of the Energy bill. They see inactivity on our part, and to a great extent it encourages them the same way they were encouraged when we had price controls on petroleum from 1979, 1980, and 1981 until Reagan finally took them off. I hope we will have less speeches from the other side and votes in favor of ethanol and biodiesel, all of those things that are good for the agricultural communities of Illinois, Indiana, and Wisconsin, as well as Iowa and Minnesota. They are good for the environment because ethanol and biodiesel are cleaner burning than fossil fuels; good for the agricultural economy because when the bill is fully implemented, we would be using 20 percent of our corn crop to produce ethanol and will eventually be doing the same thing with the soybean crop and biodiesel. We will also be conserving as well.

Yet what do we get from the Members of those States when they have an

opportunity to do something? They vote no, under some excuse that we are not going to be able to maybe have some lawsuits that they want to have.

Do they want chocolate cake for lawyers or do they want lower gasoline prices? Do they want chocolate cake for their lawyers—because the whole new realm of lawsuits after tobacco and after asbestos, that is where those lawyers are going to go, suing the energy companies—or do they want a cleaner environment? Do they want chocolate cake for their lawyers or do they want to help their farmers? Do they want chocolate cake for their lawyers or do they want to send a signal to OPEC that we have our act together and we are going to play in this energy game and we are not going to be in a stranglehold by those oil sheiks? I think the choice is pretty clear. I hope we get some action and less words.

I yield the floor.

RECESS UNTIL 9:30 TOMORROW

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until tomorrow, Thursday, April 1, at 9:30 a.m.

Thereupon, the Senate, at 7:27 p.m., recessed until Thursday, April 1, 2004, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 31, 2004:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ALPHONSO R. JACKSON, OF TEXAS, TO BE SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. CHARLES C. BALDWIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. CECIL R. RICHARDSON

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIGADIER GENERAL JAMES J. BISSON
BRIGADIER GENERAL RONALD G. CROWDER
BRIGADIER GENERAL WILLIAM W. GOODWIN
BRIGADIER GENERAL MICHAEL A. GORMAN
BRIGADIER GENERAL ROBERT G.F. LEE
BRIGADIER GENERAL ROBERTO MARRERRO-CORLETTI
BRIGADIER GENERAL JOSEPH J. TALUTO
BRIGADIER GENERAL ARTHUR H. WYMAN

To be brigadier general

COLONEL FLOYD E. BELL, JR.
COLONEL JAMES A. BRUNSON
COLONEL JOSEPH J. CHAVES
COLONEL JOSEPH L. CULVER
COLONEL PAUL C. GENEREUX, JR.
COLONEL MARTIN L. GRABER
COLONEL MARK W. HAMPTON
COLONEL YAROPOLK R. HLADKY J
COLONEL GEORGE E. IRVIN, SR.
COLONEL JAMES A. KRUECK
COLONEL ROGER A. LALICH
COLONEL JACK E. LEE
COLONEL RICHARD B. MOORHEAD

COLONEL JAMES W. NUTTALL
 COLONEL BILLY L. PIERCE
 COLONEL STEVER D. SAUNDERS
 COLONEL WILLIAM D. SCHNEIDER
 COLONEL KING E. SIDWELL
 COLONEL MICHAEL C. SWEZEY
 COLONEL OMER C. TOOLEY

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. ELIZABETH A. HIGHT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) NANCY E. BROWN

AIR FORCE NOMINATION OF ARTHUR R. HOMER.
 AIR FORCE NOMINATION OF WILLIAM R. KENT III.
 AIR FORCE NOMINATION OF LORI J. FINK.
 AIR FORCE NOMINATIONS BEGINNING PATRICIA K. COLLINS AND ENDING JEFFREY E. SHERWOOD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 26, 2004.
 AIR FORCE NOMINATIONS BEGINNING CHRISTOPHER D. BOYER AND ENDING MATTHEW E. COOMBS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 26, 2004.
 AIR FORCE NOMINATION OF RICHARD G. HUTCHISON.
 AIR FORCE NOMINATION OF JEFFERY C. SIMS.
 AIR FORCE NOMINATIONS BEGINNING DOUGLAS R. ALFAR AND ENDING FI A. YI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 1, 2004.
 AIR FORCE NOMINATION OF CHRISTINE R. GUNDEL.
 AIR FORCE NOMINATIONS BEGINNING BOIKAI B. BRAGGS AND ENDING

CHARLES W. FOX, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 11, 2004.
 AIR FORCE NOMINATION OF DAVID W. PUVOGEL.
 AIR FORCE NOMINATION OF TERRANCE J. WOHLFIEL.
 ARMY NOMINATIONS BEGINNING DALE A. ADAMS AND ENDING NICHOLAS E. ZOELLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 21, 2003.
 ARMY NOMINATIONS BEGINNING THOMAS M. BESCH AND ENDING ALBERT M. ZACCOR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 22, 2004.
 ARMY NOMINATIONS BEGINNING KENNETH L. ALFORD AND ENDING JAMES R. YONTS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 22, 2004.
 ARMY NOMINATIONS BEGINNING THOMAS E. BAILEY AND ENDING DANIEL S. ZUPAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 22, 2004.
 ARMY NOMINATIONS BEGINNING EILEEN M. AHEARN AND ENDING X4578, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 22, 2004.
 ARMY NOMINATION OF GARY W. STINNETT.
 ARMY NOMINATION OF JAMES M. IVES.
 ARMY NOMINATION OF PAUL SWICORD.
 ARMY NOMINATION OF STEPHEN A. BERNSTEIN.
 ARMY NOMINATION OF JAMES R. HUDSON.
 ARMY NOMINATION OF GARY J. GARAY.
 ARMY NOMINATION OF JOHN W. ERVIN.
 ARMY NOMINATIONS BEGINNING FLOYD T. CURRY AND ENDING JEFFREY B. WHEELER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 26, 2004.
 ARMY NOMINATIONS BEGINNING JOHN E. ARMITSTEAD AND ENDING EUGENE R. WOOLRIDGE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 26, 2004.
 ARMY NOMINATION OF RANDALL J. VANCE.
 ARMY NOMINATION OF CRAIG M. DOANE.
 ARMY NOMINATION OF CAROL A. CULLINAN.
 ARMY NOMINATION OF CHRISTOPHER B. SOLTIS.

ARMY NOMINATIONS BEGINNING JEFFREY A. TONG AND ENDING TIMOTHY M. WARD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 12, 2004.
 ARMY NOMINATIONS BEGINNING JAMES M. GAUDIO AND ENDING BEVERLY A. HERARD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 12, 2004.
 ARMY NOMINATIONS BEGINNING MICHAEL J. HARRIS AND ENDING ROBERT L. LEGG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 12, 2004.
 ARMY NOMINATIONS BEGINNING DAVID N. AYCOCK AND ENDING DAVID E. LINDBERG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 12, 2004.
 ARMY NOMINATION OF MICHAEL T. LAWHORN.
 ARMY NOMINATIONS BEGINNING DERRON A. ALVES AND ENDING ALISA R. WILMA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 12, 2004.
 ARMY NOMINATIONS BEGINNING JOEL R. BACHMAN AND ENDING SHERRY L. WOMACK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 12, 2004.
 ARMY NOMINATIONS BEGINNING CURTIS J. *ABERLE AND ENDING PAMELA M. *WULF, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 12, 2004.
 ARMY NOMINATIONS BEGINNING GINA M. *AGRON AND ENDING JEFFREY V. ZOTTOLA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 12, 2004.
 ARMY NOMINATIONS BEGINNING BRUCE M. FREDERICKSON AND ENDING WILLIAM A. PETTY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 12, 2004.
 NAVY NOMINATION OF DAVID R. AGLE.
 NAVY NOMINATIONS BEGINNING HUGH B. BURKE AND ENDING JEANINE B. WOMBLE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 12, 2004.