

in the RECORD. I appreciate her generosity and that of the Senator from West Virginia.

The PRESIDING OFFICER. The Senator from Arizona.

CONFIRMATION OF NOMINEES

Mr. KYL. We started this session of Congress, I think, on a fairly high note of bipartisanship. While there have been some recent events that may have detracted from that, I think most of us would like to proceed with as much bipartisanship as possible. Part of this, of course, concerns relationships between the Congress and the President.

Since the majority in the Senate and the President are of different parties, that may be a little more difficult, but I have a suggestion today which I hope will enable us to move in that direction.

The President has a number of nominees, executive branch nominees, there are a few legislative branch nominees that require our actions, and then there are some judicial nominees. I hope in a real spirit of bipartisanship we can get those nominees cleared; that is to say, the Senate can confirm the President's nominations and the personnel that he needs in the executive branch to get his work done, and that we can confirm the judges the courts need. These are people who need to be put into place so our country can move forward for all of the American people.

Up until last week, unfortunately, the Senate had been acting at a relatively slow pace. I might also add the change from the majority to the minority, and vice versa, undoubtedly complicated this, but we were not making very good progress.

Last week, I note that 54 nominees were confirmed by the Senate. In fact, 36 were confirmed just last Thursday. So we are finally beginning to make some progress. I urge my colleagues to continue this progress because, by my count, there are 93 executive branch nominees pending as of today. Only 26 have had hearings. But as we know, it does not take too much for the committee work to follow shortly after a hearing so the nominees can actually come to the Senate for full debate and confirmation by the full Senate.

As of today, according to the administration's figures, approximately 347 nominees have come to the Senate, and only 187 have been confirmed. So we still have a fair amount of work to do.

In terms of judicial nominees, my understanding is that there are 29 nominations pending, 3 of which have had hearings. Of those, 20 are circuit court nominees, 9 are district court nominees. The bottom line with regard to the courts is that as of today, no circuit or district court judges have been confirmed this year. We are, of course, now past the midway point of this year.

We are going to have to get going. Again, I do not want to point any fingers in the spirit of bipartisanship which I am invoking here today. I am hoping Republicans and Democrats in the Senate and the administration can work very closely together.

What I would like to do, and I will do at the end of my remarks, is submit for the RECORD the names of the nominees who are pending. I was going to read the names of the people who are currently pending, but I do not need to do that. I will submit those for the RECORD. But I would note some of these have been pending going back to the month of April. Clearly the Senate can act on those nominees who have been before us for a long period of time, and we should expedite those who have come before us, even fairly recently. It should be our goal that by the time we conclude our work in July and return to our States for the August recess, that all of the nominees who have come to the Senate, except maybe in the last couple of days before that period of time, will have been cleared; that is to say, they will have had their hearings, come out of committee, and been acted upon by the full Senate. Very few of them are controversial, as I go down the list.

I do note in a couple of cases nominees are being held up by Senators—actually in four or five cases. A couple of those are being held up by Republicans, and a few more are being held up by Democrats. I am going to urge my Republican colleagues to cooperate so the concerns they have expressed can be dealt with and the nominees can move forward. I hope my Democratic colleagues will do the same on their side of the aisle. I think it is important that while a Member of the Senate may put a technical hold on a nomination, we all appreciate all that means is that they have requested to be notified if the majority leader is going to call that nominee up for a full Senate consideration so that Senator will then have an opportunity to object. Obviously, we do not want to put Members in that position, but I do think it is important for the full Senate to be able to work its will on these nominees. That is why I am going to ask both Republicans and Democrats, where they have a problem with somebody, to try to work that out with the administration so we can proceed.

Finally, last week I worked with the distinguished majority leader and the assistant majority leader in ensuring we could both bring the appropriations bills that we have to deal with to the Senate floor and to get these nominees done at the same time. There is nothing to prevent us from bringing an appropriations bill to the floor and then toward the end of the day, for those nominees that do not require debate and rollcall vote, having them considered in the wrap-up.

I will continue to do that because it is my expectation that we will not have to use the rules of parliamentary procedure that we all have available to us to hold up business of the Senate in order to get these nominees done since they are the top priority; that we can actually do both at the same time.

That is my request of the majority leader and of the assistant majority leader—to continue to work in that spirit moving forward both with the appropriations bill and with the nominees. I will have more to say about this later.

I ask unanimous consent that the names of the nominees who are currently pending be printed in the RECORD.

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

BUSH ADMINISTRATION NOMINEES PENDING SENATE ACTION

AGRICULTURE

Thomas C. Dorr, Undersecretary for Rural Development.

Hilda Gay Legg, Administrator, Rural Utilities Services.

Mark Edward Rey, Undersecretary for Natural Resources and Environment.

COMMERCE

Samuel W. Bodman, Deputy Secretary of Commerce.

David Sampson, Assistant Secretary for Economic Development.

Michael J. Garcia, Assistant Secretary for Export Enforcement.

William Henry Lash III, Assistant Secretary for Market Access and Compliance.

James Edward Rogan, Undersecretary for Intellectual Property and Director of the United States Patent and Trademark Office.

DEFENSE

Jack Dyer Crouch II, Assistant Secretary for International Security.

Stephen A. Cambone, Principal Deputy Undersecretary for Policy.

Susan Morrisey Linvingstone, Undersecretary of the Navy.

Alberto Jose Mora, General Counsel, Navy.

Michael Parker, Assistant Secretary for Civil Works, Army.

John Stenbit, Assistant Secretary for Command, Control, Communications & Intelligence.

Ronald M. Sega, Director, Defense Research and Engineering.

Joseph E. Schmitz, Inspector General.

Michael L. Dominguez, Assistant Secretary (Air Force) for Manpower, Reserve Affairs.

Nelson F. Gibbs, Assistant Secretary (Air Force) for Installations & Environment.

H.T. Johnson, Assistant Secretary (Navy) for Installations & Environment.

Mario P. Fiori, Assistant Secretary (Army) for Installations & Environment.

EDUCATION

Carol D'Amico, Assistant Secretary for Vocational and Adult Education.

Brian Jones, General Counsel.

Laurie Rich, Assistant Secretary for Intergovernmental and Interagency Affairs.

Robert Pasternack, Assistant Secretary for Special Education and Rehabilitative Services.

Joanne M. Wilson, Commissioner, Rehabilitation Services Administration.

ENERGY

Dan R. Brouillette, Assistant Secretary for Congressional and Intergovernmental Affairs.

Theresa Alvillar-Speake, Director, of Minority Economic Impact.

HEALTH AND HUMAN SERVICES

Wade F. Horn, Assistant Secretary for Family Support.

Kevin Keane, Assistant Secretary for Public Affairs.

Janet Hale, Assistant Secretary for Management and Budget.

Alex Azar, III, General Counsel.

Janet Rehnquist, Inspector General.

Josefina Carbonell, Assistant Secretary for Aging.

Joan E. Ohl, Commissioner, Administration for Children, Youth and Families.

HOUSING AND URBAN DEVELOPMENT

Michael Minoru Fawn Liu, Assistant Secretary for Public and Indian Housing.

Melody H. Fennel, Assistant Secretary for Congressional and Intergovernmental Affairs.

JUSTICE

Ralph F. Boyd, Jr., Assistant Attorney General for Civil Rights.

Deborah J. Daniels, Assistant Attorney General for the Office of Justice.

Thomas L. Sansonetti, Assistant Attorney General for Environment & Natural Resources.

Robert D. McCallum, Jr., Assistant Attorney General for the Civil Division.

Eileen J. O'Connor, Assistant Attorney General for Tax Division.

Sarah V. Hart, Director, National Institute of Justice.

Richard R. Nedelkoff, Director of the Bureau of Justice Assistance.

J. Robert Flores, Administrator, Office of Juvenile Justice and Delinquency Prevention.

James W. Ziglar, Commissioner, Immigration and Naturalization Service.

John W. Gillis, Director, Office for Victims of Crime.

Asa Hutchinson, Administrator, Drug Enforcement Agency.

Sharee M. Freeman, Director, Community Relations Service.

Mauricio J. Tamargo, Chairman, Foreign Claims Settlement Commission.

LABOR

Eugene Scalia, Solicitor of Labor.

John Lester Henshaw, Assistant Secretary, Occupational Safety and Health.

Emily Stover DeRocco, Assistant Secretary for Employment Training Administration.

STATE

John D. Negroponte, Representative to the United Nations.

Otto J. Reich, Assistant Secretary for Western Hemisphere Affairs.

Charlotte L. Beers, Undersecretary for Public Diplomacy.

Clark Kevin Ervin, Inspector General.

Dennis L. Schornack, Commissioner, International Joint Commission.

William A. Eaton, Assistant Secretary for Administration.

TRANSPORTATION

Allan Rutter, Administrator, Federal Railroad Administration.

Kirk Van Tine, General Counsel.

Ellen G. Engleman, Administrator, Research and Special Programs.

Jeffrey William Runge, Administrator, National Highway Traffic Safety Administration.

TREASURY

Michele Davis, Assistant Secretary for Public Affairs.

Kenneth Dam, Deputy Secretary of the Treasury.

Peter R. Fisher, Undersecretary for Domestic Finance.

Jimmy Gurule, Undersecretary for Enforcement.

Rosario Marin, Treasurer of the United States.

Brian Carlton Roseboro, Assistant for Financial Markets.

Henrietta Holsman Fore, Director, U.S. Mint.

Robert C. Bonner, Commissioner of Customs.

Sheila C. Bair, Assistant Secretary for Financial Institutions.

VETERANS AFFAIRS

Gordon H. Mansfield, Assistant Secretary for Congressional Affairs.

Claude Kickligher, Assistant Secretary for Policy and Planning.

EXECUTIVE BRANCH

John D. Graham, Administrator of the Office of Information and Regulatory Affairs.

Jon M. Huntsman, Deputy USTR.

Mark B. McClellan, Member, Council of Economic Advisors.

Allen Frederick Johnson, Chief Agricultural Negotiator, USTR.

John Walters, Director, Office of Drug Control Policy.

AGENCIES

Robert E. Fabricant, General Counsel, EPA.

Hector Baretto, Administrator, Small Business Administration.

Roger Walton Ferguson, Governor, Federal Reserve System.

Jeffrey R. Holmstead, Assistant Administrator for Air and Radiation, EPA.

George Tracey Megan, III, Assistant Administrator for Water, EPA.

Eduardo Aguirre, Jr., First Vice President & Vice Chair, Export-Import Administration.

Cari Dominguez, Chairwoman, Equal Employment Opportunity Commission.

Harvey L. Pitt, Chairman, Securities and Exchange Commission.

Ross J. Connelly, Executive Vice President, OPIC.

Carole L. Brookins, US Executive Director of the International Bank for Reconstruction.

Judith Elizabeth Ayres, Assistant Administrator for International Activities.

Daniel R. Levinson, Inspector General, GSA.

Marion Blakey, Chairman, National Transportation Safety Board.

John Arthur Hammerschmidt, Member, National Transportation Safety Board.

Donald Schregardus, Assistant Administrator for Enforcement.

JUDICIARY

John G. Roberts, Jr., U.S. Circuit Court, District of Columbia.

Miguel A. Estrada, U.S. Circuit Court, District of Columbia.

Edith Brown Clement, U.S. Circuit Court, Fifth Circuit.

Priscilla Richman Owen, U.S. Circuit Court, Fifth Circuit.

Dennis W. Shedd, U.S. Circuit Court, Fourth Circuit.

Roger L. Gregory, U.S. Circuit Court, Fourth Circuit.

Terrence W. Boyle, U.S. Circuit Court, Fourth Circuit.

Barrington D. Parker, U.S. Circuit Court, Second Circuit.

Deborah L. Cook, U.S. Circuit Court, Sixth Circuit.

Jeffrey S. Sutton, U.S. Circuit Court, Sixth Circuit.

Michael E. McConnell, U.S. Circuit Court, Tenth Circuit.

Sharon Prost, U.S. Circuit Court, Federal Circuit.

Lavenski R. Smith, U.S. Circuit Court, Eighth Circuit.

William J. Riley, U.S. Circuit Court, Eighth Circuit.

Charles W. Pickering, Sr., U.S. Circuit Court, Fifth Circuit.

Timothy M. Tymkovich, U.S. Circuit Court, Tenth Circuit.

Harris L. Hartz, U.S. Circuit Court, Tenth Circuit.

Carolyn B. Kuhl, U.S. Circuit Court, Ninth Circuit.

Richard R. Clifton, U.S. Circuit Court, Ninth Circuit.

Michael J. Melloy, U.S. Circuit Court, Eighth Circuit.

Richard F. Cebull, U.S. District Court, District of Montana.

Sam E. Haddon, U.S. District Court, District of Montana.

Terry L. Wooten, U.S. District Court, District of South Carolina.

Laurie Smith Camp, U.S. District Court, District of Nebraska.

Paul G. Cassell, U.S. District Court, District of Utah.

John D. Bates, U.S. District Court, District of the District of Columbia.

Reggie B. Walton, U.S. District Court, District of the District of Columbia.

Michael P. Mills, U.S. District Court, Northern District of Mississippi.

James E. Gritzner, U.S. District Court, Southern District of Iowa.

Mr. KYL. Mr. President, I will continue to work with the majority and minority leaders to ensure that we can consider these nominees.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Ms. CANTWELL. Thank you, Mr. President.

REGULATION OF ENERGY MARKETS

Ms. CANTWELL. Mr. President, I rise today to address an issue of extraordinary importance to the State of Washington, the Pacific Northwest, and the entire west coast. That is the role of the Federal Energy Regulatory Commission in regulating our Nation's energy markets and righting the wrongs that have been visited upon ratepayers in the West by runaway energy prices over the last year.

We are now 22 days into an expedited review process by the Federal Energy Regulatory Commission, designed to determine refunds for the unjust and unreasonable rates paid by Western consumers.

At the urging of my colleagues from the Northwest, Senators MURRAY, WYDEN, SMITH, and myself, FERC finally recognized the realities of the energy markets in the West when they allowed Pacific Northwest utilities to participate in these proceedings and the expedited review process. But my