in the RECORD. I appreciate her gen-
erosity and that of the Senator from West
Virginia.

The PRESIDING OFFICER. The Sen-
ator 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 bi-
partisanship as possible. Part of this,
of course, concerns relationships be-
tween 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 direc-
tion.

The President has a number of nomi-
nees, 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	hose nominees cleared; that the Senate can
confirm the President’s nominations and the
personnel that he needs in the execu-
tive 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 rel-
avely slow pace. I might also add the
change from the majority to the mi-
nority, and vice versa, undoubtedly
complicated this, but we were not mak-
ing 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 com-
mittee 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 admin-
istration’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 un-
derstanding is that there are 29 nomi-
nations pending, 3 of which have had
hearings. Of those, 20 are circuit court
nominees, 9 are district court nomi-
nees. The bottom line with regard to
the circuit is that as of today, no cir-
cuit 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 fin-
gers at the spirit the bipartisanship
which I am involving 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 this week, 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 cur-
rently 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 out by the time we con-
clude 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 pe-
riod of time, 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 nomi-
nees are being held up by Senators—ac-
tually 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 Re-
publican colleagues to cooperate so the
concerns they have expressed can be
dealt with and the nominees can move
forward. I hope my Democratic col-
leagues will do the same on their side
of the aisle. I think it is important
that we as a Senate might be able to
get 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 con-
consideration so that Senator will then
have an opportunity to object. Obvi-
ously, we do not want to put Members
in that position, but I do think it is im-
portant for the full Senate to be able to
work its will on these nominees. That
is why I am going to ask both Repub-
licans 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 get these nominees
done at the same time. There is noth-
ing to prevent us from bringing an ap-
propriations bill to the floor. I then
toward the end of the day, for those
nominees that do not require debate
and rollcall vote, having them consid-
ered in the wrap-up.

I will continue to do that because it
is my expectation that we will not
have to use the cumbersome procedu-
res 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 nomi-
nees. I will have more to say about this
later.

I ask unanimous consent that the
names of the nominees that are cur-
rently pending be printed in the
RECORD.

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

BUSH ADMINISTRATION NOMINEES PENDING

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 Sec-
retary for Market Access and Compliance.

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

DEFENSE

Jack Dyer Crouch II, Assistant Secretary

Stephen A. Cambone, Principal Deputy
Undersecretary for Policy.

Susan Morrisey Livinston, Undersec-
retary 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 & In-
telligence.

Ronald M. Sega, Director, Defense Re-
search and Engineering.

Joseph E. Schmitz, Inspector General.

Michael L. Dominguez, Assistant Sec-
retary (Air Force) for Manpower, Reserve Af-
fairs.

Neilson P. Gibbs, Assistant Secretary (Air
Force) for Installations & Environment.

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

Roger P. Friese, Assistant Secretary (Army)
for Installations & Environment.

EDUCATION

Carol D’Amico, Assistant Secretary for Vo-
cational and Adult Education.

Brian Jones, General Counsel.

Laurie Rich, Assistant Secretary for Inter-
governmental and Intergency Affairs.

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

Joanne M. Wilson, Commissioner, Reha-
bitation Services Administration.

July 16, 2001
July 16, 2001

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