# SENATE OF THE UNITED STATES

#### ONE HUNDRED NINTH CONGRESS

FIRST SESSION {

CONVENED JANUARY 4, 200

SECOND SESSION {

# **EXECUTIVE CALENDAR**

Thursday, May 26, 2005



PREPARED UNDER THE DIRECTION OF EMILY J. REYNOLDS, SECRETARY OF THE SENATE

By Michelle Haynes, Executive Clerk

#### UNANIMOUS CONSENT AGREEMENTS

#### [JOHN ROBERT BOLTON (CAL. No. 103)]

Ordered, That at 9:30 a.m. on Thursday, May 26, 2005, the Senate resume debate on the nomination of John Robert Bolton, of Maryland, to be the Representative of the United States of America to the United Nations, with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Representative of the United States of America in the Security Council of the United Nations; provided, that all time until 6:00 p.m. be equally divided between the Chairman of the Committee on Foreign Relations and the Ranking Member or their designees; and provided further, that one hour be under the control of Senator Voinovich.

Ordered further, That notwithstanding the provisions of Rule XXII, that a vote on cloture occur at 6:00 p.m. on Thursday, May 26, 2005, with the live quorum being waived.

Ordered further, That if cloture is invoked on the nomination, the Senate then proceed to a vote on the nomination, with no intervening action or debate, and that following the vote the President be immediately notified of the Senate's action and the Senate return to legislative session.

(May 25, 2005)

#### [DAVID MCKEAGUE AND RICHARD GRIFFIN]

Ordered, That at a time determined by the Majority Leader, after consultation with the Democratic Leader, it be in order to move to proceed en bloc to the following nominations if they are reported by the Committee on the Judiciary:

#### THE JUDICIARY

David W. McKeague, of Michigan, to be United States Circuit Judge for the Sixth Circuit; and Richard A. Griffin, of Michigan, to be United States Circuit Judge for the Sixth Circuit.

Ordered further, That the nominations be considered under a total time limitation of 10 hours, equally divided between the Chairman of the Committee on the Judiciary and the Ranking Member or their designees; provided further, that following the use or yielding back of time the Senate proceed to votes on the confirmation of the nominations with no further intervening action or debate; provided further, that following the votes the President be immediately notified of the Senate's action and the Senate then resume legislative session.

#### [THOMAS B. GRIFFITH (CAL. No. 66)]

Ordered, That at a time determined by the Majority Leader, after consultation with the Democratic Leader the Senate proceed to the consideration of the nomination on the Executive Calendar of Thomas B. Griffith, of Utah, to be United States Circuit Judge for the District of Columbia Circuit; provided further, that there be 4 hours equally divided for debate on the nomination between the Chairman of the Committee on the Judiciary and Ranking Member or their designees; provided further, that following the use or yielding back of time the Senate proceed to a vote on the confirmation of the nomination with no further intervening action or debate; and finally the President be immediately notified of the Senate's action and the Senate then resume legislative session.

(May 24, 2005.)

# RESOLUTIONS

Calendar No.	S. Res. No.	Subject	Reported By

# TREATIES

Calendar No.	TREATY DOC. NO.	Subject	Reported By
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Calendar No.	MESSAGE No.	Nominee, Office, and Predecessor	Reported By
		CORPORATION FOR NATIONAL AND COMMUNITY SERVICE	
26	111	Edward L. Flippen, of Virginia, to be Inspector General, Corporation for National and Community Services, vice J. Russell George.	Mar 09, 2005 Senate Committee on Homeland Security and Governmental Affairs discharged. Pursuant to unanimous consent agreement of January 20, 2005.
			Feb 10, 2005 Reported by Mr. Enzi, Committee on Health, Education, Labor, and Pensions, without printed report.
		DEPARTMENT OF THE INTERIOR	
* 35	227	Patricia Lynn Scarlett, of California, to be Deputy Secretary of the Interior, vice J. Steven Griles, resigned.	Mar 16, 2005 Reported by Mr. Domenici, Committee on Energy and Natural Resources, without printed report.
		THE JUDICIARY	
37	199	William Gerry Myers III, of Idaho, to be United States Circuit Judge for the Ninth Circuit, vice Thomas G. Nelson, retired.	Mar 17, 2005 Reported by Mr. Specter, Committee on the Judiciary, without printed report.
		DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION	
* 40	283	Anthony Joseph Principi, of California, to be a Member of the Defense Base Closure and Realignment Commission. (New Position)	Mar 17, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		DEPARTMENT OF HEALTH AND HUMAN SERVICES	
* 57	88	Daniel R. Levinson, of Maryland, to be Inspector General, Department of Health and Human Services, vice Janet Rehnquist, resigned.	Apr 13, 2005 Senate Committee on Homeland Security and Governmental Affairs discharged by Unanimous Consent. Pursuant to an order of the Senate of January 20, 2005.

<sup>\*</sup> Signifies nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate

Calendar No.	Message No	Nominee, Office, and Predecessor	Reported By
		DEPARTMENT OF ENERGY	Mar 17, 2005 Reported by Mr. Grassley, Committee on Finance, without printed report.
* 58	284	David Garman, of Virginia, to be Under Secretary of Energy, vice Robert Gordon Card,	Apr 13, 2005 Reported by Mr. Domenici, Committee on
		resigned.	Energy and Natural Resources, without printed report.
		MORRIS K. UDALL SCHOLORSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION	
* 62	84	D. Michael Rappoport, of Arizona, to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for a term expiring October 6, 2008. (Reappointment)	Apr 13, 2005 Reported by Mr. Inhofe, Committee on Environment and Public Works, without printed report.
		MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION	
* 63	85	Michael Butler, of Tennessee, to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for a term expiring October 6, 2008, vice Eric D. Eberhard, term expired.	Apr 13, 2005 Reported by Mr. Inhofe, Committee on Environment and Public Works, without printed report.
		THE JUDICIARY	
66	202	Thomas B. Griffith, of Utah, to be United States Circuit Judge for the District of Columbia Circuit, vice Patricia M. Wald, retired.	Apr 14, 2005 Reported by Mr. Specter, Committee on the Judiciary, without printed report.
72	201	Janice R. Brown, of California, to be United States Circuit Judge for the District of Columbia Circuit, vice Stephen F. Williams, retired.	Apr 21, 2005 Reported by Mr. Specter, Committee on the Judiciary, without printed report.

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Calendar No	Message No	Nominee, Office, and Predecessor	Reported By
100	200	William H. Pryor, Jr., of Alabama, to be United States Circuit Judge for the Eleventh Circuit.	May 12, 2005 Reported by Mr. Specter, Committee on the Judiciary, without printed report.
		DEPARTMENT OF AGRICULTURE	
101	68	Thomas C. Dorr, of Iowa, to be Under Secretary of Agriculture for Rural Development, vice Jill L. Long, resigned.	May 12, 2005 Senate Committee on Agriculture, Nutrition, and Forestry discharged by Unanimous Consent.
102	69	Thomas C. Dorr, of Iowa, to be a Member of the Board of Directors of the Commodity Credit Corporation, vice Jill L. Long, resigned.	May 12, 2005 Senate Committee on Agriculture, Nutrition, and Forestry discharged by Unanimous Consent.
		DEPARTMENT OF STATE	
* 103	326	John Robert Bolton, of Maryland, to be the Representative of the United States of America to the United Nations, with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Representative of the United States of America in the Security Council of the United Nations.	May 18, 2005 Reported by Mr. Lugar, Committee on Foreign Relations, without recommendation, and with printed report no. S. Ex. Rept. 109-1. Minority views filed.
		DEPARTMENT OF EDUCATION	
* 104	429	Raymond Simon, of Arkansas, to be Deputy Secretary of Education, vice Eugene Hickok, resigned.	May 18, 2005 Reported by Mr. Enzi, Committee on Health, Education, Labor, and Pensions, without printed report.
		[NEW REPORTS]	
	1	DEPARTMENT OF DEFENSE	
* 105	347	Kenneth J. Krieg, of Virginia, to be Under Secretary of Defense for Acquisition, Technology, and Logistics, vice Edward C. Aldridge, resigned.	May 25, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		AIR FORCE	
106	125	The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:	May 25, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.

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Calendar No	MESSAGE No.	Nominee, Office, and Predecessor	Reported By
		to be Brigadier General	
	İ	Col. Kathleen D. Close,	
107	179	The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:	May 25, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		to be Lieutenant General	
		Maj. Gen. Charles E. Croom, Jr.,	
108	238	The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:	May 25, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		to be Brigadier General	
		Col. Benjamin J. Spraggins,	
109	306	The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:	May 25, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		to be General	
		Lt. Gen. Ronald E. Keys,	
		ARMY	
110	279	The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:	May 25, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
	ĺ	to be Major General	
		Brig. Gen. Benjamin C. Freakley,	
111	433	The following named Army National Guard of the United States officer for appointment as Director, Army National Guard and for appointment to the grade indicated under title 10, U.S.C., section 10506:	May 25, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		to be Lieutenant General	
		Maj. Gen. Clyde A. Vaughn,	

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Calendar No.	Message No.	Nominee, Office, and Predecessor	Reported By
112	449	The following named 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	May 25, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		Brigadier General Rita M. Broadway, Brigadier General William H. Johnson, Brigadier General Dennis E. Lutz, to be Brigadier General	
		Colonel William H. Gerety, Colonel William D. Frink, Jr., Colonel Geoffrey A. Freeman, Colonel Stuart M. Dyer, Colonel Paul E. Crandall, Colonel Lie-Ping Chang, to be Major General	
		Brigadier General Bruce E. Zukauskas, Brigadier General William Terpeluk, Brigadier General Robert A. Pollmann, to be Brigadier General	
		Colonel Richard A. Stone, Colonel Steven W. Smith, Colonel Eldon P. Regua, Colonel Bert K. Mizusawa, Colonel Charles D. Luckey, Colonel Douglas E. Lee, Colonel Dempsey D. Kee, Colonel Jeffrey A. Jacobs, Colonel George R. Harris, Colonel Margaret C. Wilmoth, Colonel Robin B. Umberg, to be Major General	
		Brigadier General Larry Knightner, Brigadier General David L. Evans, Brigadier General Bruce A. Casella,	
113	488	The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:	May 25, 2005 Reported by Mr. Warner, Committee on Arme Services, without printed report.

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Calendar No	Message No	Nominee, Office, and Predecessor	Reported By
		to be Brigadier General	
		Col. Neil Dial,	
114	517-1	The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:	May 25, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		to be Brigadier General	
		Col. Donald M. Bradshaw, Col. David A. Rubenstein, Col. James K. Gilman,	
	1	MARINE CORPS	
115	434	The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:	May 25, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		to be Lieutenant General	
		Maj. Gen. John W. Bergman,	
116	489	The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:	May 25, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		to be Lieutenant General	
		Lt. Gen. Robert R. Blackman, Jr.,	
		NAVY	
117	297	The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:	May 25, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		to be Admiral	
		Vice Adm. Gary Roughead,	
118	382-1	The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:	May 25, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		to be Rear Admiral (Lower Half)	
	ĺ	Captain William R. Burke,	

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Calendar No.	Message No.	Nominee, Office, and Predecessor	Reported By
		Captain Nevin P. Carr, Jr., Captain Philip H. Cullom, Captain Mark I. Fox, Captain William D. French, Captain Michael S. Frick, Captain Timothy M. Giardina, Captain Robert S. Harward, Jr., Captain William H. Hilarides, Captain Daniel P. Holloway, Captain Douglas J. McAneny, Captain Terence E. McKnight, Captain John W. Miller, Captain Michael S. Obryan, Captain Frank C. Pandolfe, Captain David L. Philman, Captain Brian C. Prindle, Captain Brian C. Prindle, Captain William E. Shannon, III, Captain James A. Symonds, Captain Stephen S. Voetsch,	
119	457	Captain James P. Wisecup, The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:	May 25, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		to be Rear Admiral	
		Rear Adm. (lh) Alan S. Thompson,	
120	458	The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:	May 25, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		to be Rear Admiral	
		Rear Adm. (lh) Nancy J. Lescavage,	
121	459	The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:	May 25, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		to be Rear Admiral	
		Rear Adm. (lh) Jeffrey A. Brooks,	

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Calendar No.	Message No	Nominee, Office, and Predecessor	Reported By
122	460	The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:	May 25, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		to be Rear Admiral	
		Rear Adm. (lh) Robert B. Murrett,	
123	461	The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:	May 25, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		to be Rear Admiral (lower half)	
		Capt. Victor C. See, Jr.,	
124	462	The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:	May 25, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
	]	to be Rear Admiral (lower half)	_
		Capt. Christine M. Bruzek-Kohler,	
125	463	The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:	May 25, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		to be Rear Admiral (lower half)	
		Capt. Mark W. Balmert,	
126	464	The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:	May 25, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		to be Rear Admiral (lower half)	
		Capt. Raymond E. Berube, Capt. John J. Prendergast, III,	
127	465	The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:	May 25, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		to be Rear Admiral (lower half)	_
		Capt. Kevin M. McCoy, Capt. William D. Rodriguez,	
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Calendar No.	Message No.	Nominee, Office, and Predecessor	Reported By
128	494	The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:	May 25, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
	1	to be Rear Admiral	
		Rear Adm. (lh) David J. Venlet,	
129	495	The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:	May 25, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		to be Rear Admiral	
		Rear Adm. (lh) Bruce W. Clingan, Rear Adm. (lh) Derwood C. Curtis, Rear Adm. (lh) Peter H. Daly, Rear Adm. (lh) Kenneth W. Deutsch, Rear Adm. (lh) Mark T. Emerson, Rear Adm. (lh) Jeffrey L. Fowler, Rear Adm. (lh) Garry E. Hall, Rear Adm. (lh) Leendert R. Hering, SR., Rear Adm. (lh) Alan B. Hicks, Rear Adm. (lh) Stephen E. Johnson, Rear Adm. (lh) Bernard J. McCullough, III, Rear Adm. (lh) Michael H. Miller, Rear Adm. (lh) Allen G. Myers, Rear Adm. (lh) Joseph A. Walsh, Rear Adm. (lh) Melvin G. Williams, JR., Rear Adm. (lh) James A. Winnefeld, JR.,	
130	496	The following named officer for appointment in the United States Naval Reserve to the grade indicated under title 10, U.S.C., section 12203:  to be Rear Admiral (lower half)	May 25, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
101	497	Capt. Carol M. Pottenger,  The following named officer for appointment in	May 25, 2005 Reported by Mr.
131	497	the United States Naval Reserve to the grade indicated under title 10, U.S.C., section 12203:	Warner, Committee on Armed Services, without printed report.
		to be Rear Admiral (lower half)	
		Capt. Nathan E. Jones,	
			while constituted committee of the Senate.

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Calendar No	Message No	Nominee, Office, and Predecessor	REPORTED By
132	498	The following named officer for appointment in the United States Naval Reserve to the grade indicated under title 10, U.S.C., section 12203	May 25, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		to be Rear Admiral (lower half)	
		Capt. Albert Garcia, III,  BARRY GOLDWATER SCHOLARSHIP &  EXCELLENCE IN EDUCATION  FOUNDATION	
* 133	110	Charles P. Ruch, of South Dakota, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring August 11, 2010, vice Niranjan Shamalbhai Shah, term expired.	May 25, 2005 Reported by Mr. Enzi, Committee on Health, Education, Labor, and Pensions, without printed report.
		NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES	
* 134	103	Harry Robinson, Jr., of Texas, to be a Member of the National Museum Services Board for a term expiring December 6, 2008. (Reappointment)	May 25, 2005 Reported by Mr. Enzi, Committee on Health, Education, Labor, and Pensions, without printed report.
		NATIONAL MUSEUM AND LIBRARY SERVICES BOARD	
* 135	302	Kim Wang, of California, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2009. (Reappointment)	May 25, 2005 Reported by Mr. Enzi, Committee on Health, Education, Labor, and Pensions, without printed report.
		POSTAL RATE COMMISSION	
* 136	116	Tony Hammond, of Virginia, to be a Commissioner of the Postal Rate Commission for a term expiring October 14, 2010. (Reappointment)	May 25, 2005 Reported by Ms. Collins, Committee on Homeland Security and Governmental Affairs, without printed report.

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Calendar No.	Message No.	Nominee, Office, and Predecessor	Reported By
		UNITED STATES POSTAL SERVICE	
* 137	114	Carolyn L. Gallagher, of Texas, to be a Governor of the United States Postal Service for the remainder of the term expiring December 8, 2009, vice Louis J. Giuliano, resigned.	May 25, 2005 Reported by Ms. Collins, Committee on Homeland Security and Governmental Affairs, without printed report.
* 138	115	Louis J. Giuliano, of New York, to be a Governor of the United States Postal Service for a term expiring December 8, 2005, vice Carolyn L. Gallagher.	May 25, 2005 Reported by Ms. Collins, Committee on Homeland Security and Governmental Affairs, without printed report.
* 139	117	Louis J. Giuliano, of New York, to be a Governor of the United States Postal Service for a term expiring December 8, 2014. (Reappointment)	May 25, 2005 Reported by Ms. Collins, Committee on Homeland Security and Governmental Affairs, without printed report.
		DEPARTMENT OF HOMELAND SECURITY	
* 140	355	Philip J. Perry, of Virginia, to be General Counsel, Department of Homeland Security, vice Joe D. Whitley, resigned.	May 25, 2005 Reported by Mr. Warner for Ms. Collins, Committee on Homeland Security and Governmental Affairs, without printed report.

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#### NOMINATIONS PLACED ON THE SECRETARY'S DESK

#### AIR FORCE

PN311 AIR FORCE nominations (445) beginning DONNELL E. ADAMS, and ending DANIEL J. ZALEWSKI, which nominations were received by the Senate and appeared in the Congressional Record of March 14, 2005.

PN499 AIR FORCE nomination of Michael E. Van Valkenburg, which was received by the Senate and appeared in the Congressional Record of May 9, 2005.

#### ARMY

PN222 ARMY nominations (12) beginning ROBERT D. BOWMAN, and ending THERESA M. SULLIVAN, which nominations were received by the Senate and appeared in the Congressional Record of February 15, 2005.

PN500 ARMY nominations (75) beginning CATHERINE D SCHOONOVER, and ending VINCENT M YZNAGA, which nominations were received by the Senate and appeared in the Congressional Record of May 9, 2005.

#### NAVY

PN435 NAVY nominations (35) beginning JOEL P. BERNARD, and ending MARC K. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of April 21, 2005.