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# SENATE OF THE UNITED STATES

## ONE HUNDRED NINTH CONGRESS

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FIRST SESSION { CONVENED JANUARY 3, 2005  
ADJOURNED DECEMBER 22, 2005

SECOND SESSION { CONVENED JANUARY 3, 2006

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# EXECUTIVE CALENDAR

**Wednesday, May 10, 2006**



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

By Michelle Haynes, Executive Clerk

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Issue No. 205



# RESOLUTIONS

CALENDAR No.	S. RES. No.	SUBJECT	REPORTED BY

## TREATIES

CALENDAR No.	TREATY Doc. No.	SUBJECT	REPORTED BY
5	108-11	Council of Europe Convention on Cybercrime	Nov 09, 2005 Reported by Mr. Lugar, Committee on Foreign Relations with printed Ex. Rept.109-6 and a resolution of advice and consent to ratification with 6 reservations and 5 declarations.
13	108-27	Mutual Legal Assistance Treaty with Germany	Apr 06, 2006 Reported favorably by Mr. Lugar, Committee on Foreign Relations with printed Ex. Rept.109-14 and a resolution of advice and consent to ratification.

## NOMINATIONS

CALENDAR No.	MESSAGE No.	NOMINEE, OFFICE, AND PREDECESSOR	REPORTED BY
<b>37</b>	199	<b>THE JUDICIARY</b> 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.
<b>* 40</b>	283	<b>DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION</b> 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.
<b>* 62</b>	84	<b>MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION</b> 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.
<b>* 63</b>	85	<b>MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION</b> 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.
<b>169</b>	192	<b>THE JUDICIARY</b> Terrence W. Boyle, of North Carolina, to be United States Circuit Judge for the Fourth Circuit, vice J. Dickson Phillips, Jr., retired.	Jun 16, 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
171	358	<b>DEPARTMENT OF JUSTICE</b> Alice S. Fisher, of Virginia, to be an Assistant Attorney General, vice Christopher R. Wray.	Jun 16, 2005 Reported by Mr. Specter, Committee on the Judiciary, without printed report.
* 252	70	<b>DEPARTMENT OF DEFENSE</b> Peter Cyril Wyche Flory, of Virginia, to be an Assistant Secretary of Defense, vice Jack Dyer Crouch, II.	Jul 28, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
* 376	763	<b>EXECUTIVE OFFICE OF THE PRESIDENT</b> Bertha K. Madras, of Massachusetts, to be Deputy Director for Demand Reduction, Office of National Drug Control Policy, vice Andrea G. Barthwell.	Oct 19, 2005 Reported by Mr. Enzi, Committee on Health, Education, Labor, and Pensions, without printed report.
* 390	756	<b>DEPARTMENT OF STATE</b> C. Boyden Gray, of the District of Columbia, to be Representative of the United States of America to the European Union, with the rank and status of Ambassador Extraordinary and Plenipotentiary.	Oct 25, 2005 Reported by Mr. Lugar, Committee on Foreign Relations, without printed report.
407	674	<b>DEFENSE NUCLEAR FACILITIES SAFETY BOARD</b> A. J. Eggenberger, of Montana, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2008. (Reappointment)	Oct 27, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
* 439	683	<b>DEPARTMENT OF HOMELAND SECURITY</b> Julie L. Myers, of Kansas, to be an Assistant Secretary of Homeland Security, vice Michael J. Garcia.	Nov 07, 2005 Senate Committee on the Judiciary discharged by Unanimous Consent Agreement of 10-7-05.  Oct 07, 2005 Reported by Ms. Collins, Committee on Homeland Security and Governmental Affairs, without printed report.

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<b>* 443</b>	840	<p style="text-align: center;"><b>DEPARTMENT OF ENERGY</b></p> <p>Edward F. Sproat III, of Pennsylvania, to be Director of the Office of Civilian Radioactive Waste Management, Department of Energy, vice Margaret S. Y. Chu, resigned.</p>	Nov 16, 2005 Reported by Mr. Domenici, Committee on Energy and Natural Resources, without printed report.
<b>* 484</b>	73	<p style="text-align: center;"><b>NATIONAL SECURITY EDUCATION BOARD</b></p> <p>Andrew J. McKenna, Jr., of Illinois, to be a Member of the National Security Education Board for a term of four years, vice Robert N. Shamansky, term expired.</p>	Dec 19, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.
<b>* 553</b>	876	<p style="text-align: center;"><b>DEPARTMENT OF LABOR</b></p> <p>Richard Stickler, of West Virginia, to be Assistant Secretary of Labor for Mine Safety and Health, vice David D. Lauriski, resigned.</p>	Mar 08, 2006 Reported by Mr. Enzi, Committee on Health, Education, Labor, and Pensions, without printed report.
<b>* 556</b>	531	<p style="text-align: center;"><b>FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION</b></p> <p>Arlene Holen, of the District of Columbia, to be a Member of the Federal Mine Safety and Health Review Commission for a term expiring August 30, 2010, vice Robert H. Beatty, Jr., term expired.</p>	Mar 08, 2006 Reported by Mr. Enzi, Committee on Health, Education, Labor, and Pensions, without printed report.
<b>* 572</b>	1089	<p style="text-align: center;"><b>DEPARTMENT OF THE INTERIOR</b></p> <p>David Longly Bernhardt, of Colorado, to be Solicitor of the Department of the Interior, vice Sue Ellen Wooldridge.</p>	Mar 15, 2006 Reported by Mr. Domenici, Committee on Energy and Natural Resources, without printed report.
<b>* 573</b>	1093	<p style="text-align: center;"><b>DEPARTMENT OF ENERGY</b></p> <p>Raymond L. Orbach, of California, to be Under Secretary for Science, Department of Energy. (New Position)</p>	Mar 15, 2006 Reported by Mr. Domenici, Committee on Energy and Natural Resources, without printed report.
<b>576</b>	1079	<p style="text-align: center;"><b>DEPARTMENT OF AGRICULTURE</b></p> <p>Marc L. Kesselman, of Tennessee, to be General Counsel of the Department of Agriculture, vice Nancy Southard Bryson.</p>	Mar 15, 2006 Senate Committee on Agriculture, Nutrition, and Forestry discharged by Unanimous Consent.

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577	1329	Linda Avery Strachan, of Virginia, to be an Assistant Secretary of Agriculture, vice Mary Kirtley Waters.	Mar 15, 2006 Senate Committee on Agriculture, Nutrition, and Forestry discharged by Unanimous Consent.
578	1196	Boyd Kevin Rutherford, of Maryland, to be an Assistant Secretary of Agriculture, vice Michael J. Harrison, resigned.	Mar 15, 2006 Senate Committee on Agriculture, Nutrition, and Forestry discharged by Unanimous Consent.
579	1158	Gale A. Buchanan, of Georgia, to be Under Secretary of Agriculture for Research, Education, and Economics, vice Joseph J. Jen, resigned.	Mar 15, 2006 Senate Committee on Agriculture, Nutrition, and Forestry discharged by Unanimous Consent.
<b>DEPARTMENT OF TRANSPORTATION</b>			
* 590	1162	Roger Shane Karr, of the District of Columbia, to be an Assistant Secretary of Transportation, vice Nicole R. Nason.	Mar 16, 2006 Reported by Mr. Stevens, Committee on Commerce, Science, and Transportation, without printed report.
* 591	1163	Tyler D. Duvall, of Virginia, to be an Assistant Secretary of Transportation, vice Emil H. Frankel.	Mar 16, 2006 Reported by Mr. Stevens, Committee on Commerce, Science, and Transportation, without printed report.
* 592	1165	Nicole R. Nason, of Virginia, to be Administrator of the National Highway Traffic Safety Administration, vice Jeffrey William Runge.	Mar 16, 2006 Reported by Mr. Stevens, Committee on Commerce, Science, and Transportation, without printed report.
* 593	1178	Thomas J. Barrett, of Alaska, to be Administrator of the Pipeline and Hazardous Materials Safety Administration, Department of Transportation. (New Position)	Mar 16, 2006 Reported by Mr. Stevens, Committee on Commerce, Science, and Transportation, without printed report.
<b>FEDERAL COMMUNICATIONS COMMISSION</b>			
* 595	1278	Robert M. McDowell, of Virginia, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2004, vice Kathleen Q. Abernathy, resigned.	Mar 16, 2006 Reported by Mr. Stevens, Committee on Commerce, Science, and Transportation, without printed report.

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<b>* 613</b>	1166	<p><b>ENVIRONMENTAL PROTECTION AGENCY</b></p> <p>James B. Gulliford, of Missouri, to be Assistant Administrator for Toxic Substances of the Environmental Protection Agency, vice Stephen L. Johnson, resigned.</p>	Apr 26, 2006 Reported by Mr. Inhofe, Committee on Environment and Public Works, without printed report.
<b>* 614</b>	1347	<p>William Ludwig Wehrum, Jr., of Tennessee, to be an Assistant Administrator of the Environmental Protection Agency, vice Jeffrey R. Holmstead, resigned.</p> <p><b>DEPARTMENT OF TRANSPORTATION</b></p>	Apr 26, 2006 Reported by Mr. Inhofe, Committee on Environment and Public Works, without printed report.
<b>* 615</b>	1374	<p>Richard Capka, of Pennsylvania, to be Administrator of the Federal Highway Administration, vice Mary E. Peters, resigned.</p> <p><b>DEPARTMENT OF JUSTICE</b></p>	Apr 26, 2006 Reported by Mr. Inhofe, Committee on Environment and Public Works, without printed report.
<b>619</b>	1348	<p>Timothy Anthony Junker, of Iowa, to be United States Marshal for the Northern District of Iowa for the term of four years, vice John Edward Quinn.</p>	Apr 27, 2006 Reported by Mr. Specter, Committee on the Judiciary, without printed report.
<b>620</b>	1349	<p>Patrick Carroll Smith, Sr., of Maryland, to be United States Marshal for the Western District of North Carolina for the term of four years, vice Gregory Allyn Forest, resigned.</p> <p><b>DEPARTMENT OF VETERANS AFFAIRS</b></p>	Apr 27, 2006 Reported by Mr. Specter, Committee on the Judiciary, without printed report.
<b>* 621</b>	1424	<p>Daniel L. Cooper, of Pennsylvania, to be Under Secretary for Benefits of the Department of Veterans Affairs for a term of four years. (Reappointment)</p> <p><b>POSTAL RATE COMMISSION</b></p>	Apr 27, 2006 Reported by Mr. Craig, Committee on Veterans' Affairs, without printed report.
<b>* 622</b>	1039	<p>Mark D. Acton, of Kentucky, to be a Commissioner of the Postal Rate Commission for a term expiring October 14, 2010, vice Dana Bruce Covington, Sr., term expired.</p>	May 02, 2006 Reported by Ms. Collins, Committee on Homeland Security and Governmental Affairs, without printed report.

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<b>* 623</b>	1058	<p><b>DEPARTMENT OF HOMELAND SECURITY</b></p> <p>Uttam Dhillon, of California, to be Director of the Office of Counternarcotics Enforcement, Department of Homeland Security. (New Position)</p>	May 02, 2006 Reported by Ms. Collins, Committee on Homeland Security and Governmental Affairs, without printed report.
		<b>THE JUDICIARY</b>	
<b>624</b>	1135	Norman Randy Smith, of Idaho, to be United States Circuit Judge for the Ninth Circuit, vice Stephen S. Trott, retired.	May 04, 2006 Reported by Mr. Specter, Committee on the Judiciary, without printed report.
<b>625</b>	1327	Milan D. Smith, Jr., of California, to be United States Circuit Judge for the Ninth Circuit, vice A. Wallace Tashima, retired.	May 04, 2006 Reported by Mr. Specter, Committee on the Judiciary, without printed report.
<b>626</b>	1182	Renee Marie Bumb, of New Jersey, to be United States District Judge for the District of New Jersey, vice William H. Walls, retired.	May 04, 2006 Reported by Mr. Specter, Committee on the Judiciary, without printed report.
<b>627</b>	1186	Noel Lawrence Hillman, of New Jersey, to be United States District Judge for the District of New Jersey, vice William G. Bassler, retired.	May 04, 2006 Reported by Mr. Specter, Committee on the Judiciary, without printed report.
<b>628</b>	210	Peter G. Sheridan, of New Jersey, to be United States District Judge for the District of New Jersey, vice Stephen M. Orlofsky, resigned.	May 04, 2006 Reported by Mr. Specter, Committee on the Judiciary, without printed report.
<b>629</b>	1188	Susan Davis Wigenton, of New Jersey, to be United States District Judge for the District of New Jersey, vice John W. Bissell, retired.	May 04, 2006 Reported by Mr. Specter, Committee on the Judiciary, without printed report.

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NOMINATIONS PLACED ON THE SECRETARY'S DESK

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