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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

**Tuesday, May 2, 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. 199



# RESOLUTIONS

| CALENDAR<br>No. | S. RES.<br>No. | SUBJECT | REPORTED<br>BY |
|-----------------|----------------|---------|----------------|
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## TREATIES

| CALENDAR<br>No. | TREATY<br>Doc. No. | SUBJECT                                     | REPORTED<br>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<br>No. | MESSAGE<br>No. | NOMINEE, OFFICE, AND PREDECESSOR   | REPORTED<br>BY  |
|-----------------|----------------|--|---|
| <b>37</b>       | 199            | <b>THE JUDICIARY</b><br>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><br>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><br>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><br>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><br>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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|-----------------|----------------|--|--|
| 171             | 358            | <b>DEPARTMENT OF JUSTICE</b><br>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><br>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><br>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><br>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><br>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><br>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.<br><br>Oct 07, 2005 Reported by Ms. Collins, Committee on Homeland Security and Governmental Affairs, without printed report. |

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|-----------------|----------------|--|---|
| * 443           | 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.       |
| * 484           | 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.                       |
| * 553           | 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. |
| * 556           | 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. |
| * 572           | 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.       |
| * 573           | 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.       |
| 576             | 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<br/>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           | <b>ENVIRONMENTAL PROTECTION AGENCY</b><br>James B. Gulliford, of Missouri, to be Assistant Administrator for Toxic Substances of the Environmental Protection Agency, vice Stephen L. Johnson, resigned. | Apr 26, 2006 Reported by Mr. Inhofe, Committee on Environment and Public Works, without printed report. |
| <b>* 614</b>    | 1347           | William Ludwig Wehrum, Jr., of Tennessee, to be an Assistant Administrator of the Environmental Protection Agency, vice Jeffrey R. Holmstead, resigned.  | Apr 26, 2006 Reported by Mr. Inhofe, Committee on Environment and Public Works, without printed report. |
|                 |                | <b>DEPARTMENT OF TRANSPORTATION</b>  |   |
| <b>* 615</b>    | 1374           | Richard Capka, of Pennsylvania, to be Administrator of the Federal Highway Administration, vice Mary E. Peters, resigned.  | Apr 26, 2006 Reported by Mr. Inhofe, Committee on Environment and Public Works, without printed report. |
|                 |                | <b>THE JUDICIARY</b>   |   |
| <b>617</b>      | 1183           | Brian M. Cogan, of New York, to be United States District Judge for the Eastern District of New York, vice Frederic Block, retired.  | Apr 27, 2006 Reported by Mr. Specter, Committee on the Judiciary, without printed report.               |
| <b>618</b>      | 1184           | Thomas M. Golden, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania, vice Franklin Van Antwerpen, elevated.   | Apr 27, 2006 Reported by Mr. Specter, Committee on the Judiciary, without printed report.               |
|                 |                | <b>DEPARTMENT OF JUSTICE</b>   |   |
| <b>619</b>      | 1348           | 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.   | Apr 27, 2006 Reported by Mr. Specter, Committee on the Judiciary, without printed report.               |
| <b>620</b>      | 1349           | 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.                         | Apr 27, 2006 Reported by Mr. Specter, Committee on the Judiciary, without printed report.               |
|                 |                | <b>DEPARTMENT OF VETERANS AFFAIRS</b>  |   |
| <b>* 621</b>    | 1424           | Daniel L. Cooper, of Pennsylvania, to be Under Secretary for Benefits of the Department of Veterans Affairs for a term of four years. (Reappointment)  | Apr 27, 2006 Reported by Mr. Craig, Committee on Veterans' Affairs, without printed report.             |

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NOMINATIONS PLACED ON THE SECRETARY'S DESK

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