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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, January 31, 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. 158

## UNANIMOUS CONSENT AGREEMENTS

### (SAMUEL A. ALITO, JR. [Cal. No. 490])

*Ordered*, That at 9:45 a.m. on Tuesday, January 31, 2006, the Senate resume debate on the nomination Samuel A. Alito, Jr., of New Jersey, to be an Associate Justice of the Supreme Court of the United States, notwithstanding the provisions of Rule XXII.

*Ordered further*, That the time until 10:20 a.m. be equally divided, with the time from 10:20 to 10:30 a.m. under the control of the Senator from Vermont (Mr. Leahy), the time from 10:30 to 10:40 a.m. under the control of the Senator from Pennsylvania (Mr. Specter), the time from 10:40 to 10:50 a.m. under the control of the Democratic Leader and the time from 10:50 to 11 a.m. under the control of the Majority Leader.

(January 26, 27, 30, 2006.)

### (BEN S. BERNANKE [Cal. Nos. 440 - 441])

*Ordered*, That on Tuesday, January 31, 2006, following the vote on the confirmation of Samuel A. Alito, Jr., the Senate proceed to executive session and the consideration en bloc, of the nominations of Ben S. Bernanke, of New Jersey, to be a Member and Chairman of the Board of Governors of the Federal Reserve System; provided further, that there be 60 minutes equally divided between the Chairman and ranking Member of the Committee on Banking, Housing, and Urban Affairs;

*Ordered further*, That the Senate stand in recess from 12:30 to 2:15 p.m., and that at 2:15 p.m., 30 minutes be under the control of the Senator from Kentucky (Mr. Bunning).

*Ordered further*, That following the use or yielding back of time the Senate proceed to consecutive votes on the confirmation of the two nominations, and that following the votes the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

(January 26, 30, 2006.)

# RESOLUTIONS

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

# 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. |

## 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.               |

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

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|-----------------|----------------|--|---|
| <b>171</b>      | 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. |
| <b>* 239</b>    | 608            | <b>EXECUTIVE OFFICE OF THE PRESIDENT</b><br>Benjamin A. Powell, of Florida, to be General Counsel of the Office of the Director of National Intelligence. (New Position)   | Jul 26, 2005 Reported by Mr. Roberts, Committee on Intelligence, without printed report.  |
| <b>* 252</b>    | 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. |
| <b>286</b>      | 376            | <b>NAVY</b><br>The following named officer for appointment in the United States Naval Reserve to the grade indicated under title 10, U.S.C., section 12203:<br><br><i>to be Rear Admiral</i><br><br>Rear Adm. (lh) Craig O. McDonald, [REDACTED] | Jul 28, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report. |
| <b>294</b>      | 244            | The following named officer for appointment in the United States Naval Reserve to the grade indicated under title 10, U.S.C., section 12203:<br><br><i>to be Rear Admiral (lower half)</i><br><br>Capt. Raymond P. English, [REDACTED]           | Jul 28, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report. |
| <b>* 309</b>    | 507            | <b>DEPARTMENT OF DEFENSE</b><br>Eric S. Edelman, of Virginia, to be Under Secretary of Defense for Policy, vice Douglas Jay Feith.   | Jul 29, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report. |
| <b>* 310</b>    | 413            | Gordon England, of Texas, to be Deputy Secretary of Defense, vice Paul D. Wolfowitz.   | Jul 29, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report. |

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|-----------------|----------------|---|---|
| * 376           | 763            | <p><b>EXECUTIVE OFFICE OF THE PRESIDENT</b></p> <p>Bertha K. Madras, of Massachusetts, to be Deputy Director for Demand Reduction, Office of National Drug Control Policy, vice Andrea G. Barthwell.</p>  | Oct 19, 2005 Reported by Mr. Enzi, Committee on Health, Education, Labor, and Pensions, without printed report.   |
| * 390           | 756            | <p style="text-align: center;"><b>DEPARTMENT OF STATE</b></p> <p>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.</p>   | Oct 25, 2005 Reported by Mr. Lugar, Committee on Foreign Relations, without printed report.                       |
| 407             | 674            | <p style="text-align: center;"><b>DEFENSE NUCLEAR FACILITIES SAFETY BOARD</b></p> <p>A. J. Eggenberger, of Montana, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2008. (Reappointment)</p>   | Oct 27, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.                         |
| * 424           | 776            | <p style="text-align: center;"><b>DEPARTMENT OF STATE</b></p> <p>Roland Arnall, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of the Netherlands.</p>  | Nov 02, 2005 Reported by Mr. Lugar, Committee on Foreign Relations, without printed report.                       |
| 428             | 1007           | <p style="text-align: center;"><b>COAST GUARD</b></p> <p>The following named officers for appointment in the United States Coast Guard to the grade indicated under Title 14, U.S.C., Section 271:</p> <p style="text-align: center;"><i>to be Rear Admiral</i></p> <p>Rear Adm. (lh) Jody A. Breckenridge, [REDACTED]<br/> Rear Adm. (lh) Arthur E. Brooks, [REDACTED]<br/> Rear Adm. (lh) John E. Crowley, [REDACTED]<br/> Rear Adm. (lh) Richard R. Houck, [REDACTED]<br/> Rear Adm. (lh) Richard R. Kelly, [REDACTED]<br/> Rear Adm. (lh) David P. Pekoske, [REDACTED]<br/> Rear Adm. (lh) Fred M. Rosa, [REDACTED]<br/> Rear Adm. (lh) Timothy S. Sullivan, [REDACTED]</p> | Nov 02, 2005 Reported by Mr. Stevens, Committee on Commerce, Science, and Transportation, without printed report. |

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|-----------------|----------------|---|--|
| <b>437</b>      | 819            | <b>DEPARTMENT OF JUSTICE</b><br>Thomas O. Barnett, of Virginia, to be an Assistant Attorney General, vice R. Hewitt Pate.   | Nov 03, 2005 Reported by Mr. Specter, Committee on the Judiciary, without printed report.  |
| * <b>439</b>    | 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. |
| * <b>440</b>    | 1025           | <b>FEDERAL RESERVE SYSTEM</b><br>Ben S. Bernanke, of New Jersey, to be a Member of the Board of Governors of the Federal Reserve System for a term of fourteen years from February 1, 2006, vice Alan Greenspan, term expiring. | Nov 16, 2005 Reported by Mr. Shelby, Committee on Banking, Housing, and Urban Affairs, without printed report.   |
| * <b>441</b>    | 1026           | Ben S. Bernanke, of New Jersey, to be Chairman of the Board of Governors of the Federal Reserve System for a term of four years, vice Alan Greenspan.   | Nov 16, 2005 Reported by Mr. Shelby, Committee on Banking, Housing, and Urban Affairs, without printed report.   |
| * <b>443</b>    | 840            | <b>DEPARTMENT OF ENERGY</b><br>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.                           | Nov 16, 2005 Reported by Mr. Domenici, Committee on Energy and Natural Resources, without printed report.  |
| * <b>484</b>    | 73             | <b>NATIONAL SECURITY EDUCATION BOARD</b><br>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.                      | Dec 19, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.  |

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|-----------------|----------------|---|--|
| * 485           | 922            | <b>DEPARTMENT OF DEFENSE</b><br>Dorrance Smith, of Virginia, to be an Assistant Secretary of Defense, vice Victoria Clarke.   | Dec 19, 2005 Reported by Mr. Warner, Committee on Armed Services, without printed report.  |
| 490             | 1059           | <b>SUPREME COURT OF THE UNITED STATES</b><br>Samuel A. Alito, Jr., of New Jersey, to be an Associate Justice of the Supreme Court of the United States, vice Sandra Day O'Connor, retiring. | Jan 24, 2006 Reported by Mr. Specter, Committee on the Judiciary, under authority of the order of the Senate of 01/18/2006 without printed report. |

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NOMINATIONS PLACED ON THE SECRETARY'S DESK

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