

Committee on the Judiciary and the first 5 Democratic Senators from the Committee on the Judiciary be conferees, and that the Majority Leader select the final 7 conferees for the Majority side and the Democratic Leader select the final 7 conferees for the Minority side.

Pages S4385–86

Nomination—Agreement: A unanimous-consent agreement was reached providing that on Tuesday, May 16, 2006, Senate proceed to executive session for the consideration of the nomination of Milan D. Smith, Jr., of California, to be United States Circuit Judge for the Ninth Circuit; provided further, that prior to the vote there be 15 minutes for debate equally divided between the Chairman and Ranking Member of the Committee on the Judiciary, and Senator Smith, and that at the expiration or yielding back of time, Senate proceed to a vote on confirmation of the nomination.

Page S4503

Nominations Received: Senate received the following nominations:

William H. Tobey, of Connecticut, to be Deputy Administrator for Defense Nuclear Nonproliferation, National Nuclear Security Administration.

Gayleatha Beatrice Brown, of New Jersey, to be Ambassador to the Republic of Benin.

Peter R. Coneway, of Texas, to be Ambassador to Switzerland, and to serve concurrently and without additional compensation as Ambassador to the Principality of Liechtenstein.

Christina B. Rocca, of Virginia, for the rank of Ambassador during her tenure of service as U.S. Representative to the Conference on Disarmament.

Thomas D. Anderson, of Vermont, to be United States Attorney for the District of Vermont for the term of four years.

Routine lists in the Air Force, Navy.

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Messages From the House: Page S4467

Measures Referred: Page S4467

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Enrolled Bills Presented: Page S4467

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Notices of Hearings/Meetings: Pages S4502–03

Authorities for Committees to Meet: Page S4503

Privileges of the Floor: Page S4503

Record Votes: Two record votes were taken today. (Total—119) Pages S4446, S4460

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:26 p.m., until 9:30 a.m., on Friday, May 12, 2006. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S4505.)

Committee Meetings

(Committees not listed did not meet)

AVIAN INFLUENZA

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine the Department of Agriculture's national response plan to detect and control the potential spread of Avian Influenza into the United States, focusing on the Implementation Plan for the National Strategy for Pandemic Influenza, and migratory bird surveillance, after receiving testimony from Ron DeHaven, Administrator, Animal and Plant Health Inspection Service, Department of Agriculture.

NOMINATION

Committee on the Budget: Committee concluded a hearing to examine the nomination of Robert J. Portman, of Ohio, to be Director of the Office of Management and Budget, after the nominee, who was introduced by Senators Bunning and DeWine, testified and answered questions in his own behalf.

IRAN'S NUCLEAR PROGRAM

Committee on Foreign Relations: Committee met in closed session to receive a briefing to examine Iran's nuclear program and the impact of potential sanctions from Robert Walpole, Deputy Director for Strategy and Evaluation, National Counter-proliferation Center, and S. Leslie Ireland, Mission Manager for Iran, both of the Office of the Director of National Intelligence; and Paul E. Simons, Deputy Assistant Secretary of State for Energy, Sanctions and Commodities, Bureau of Economics and Business Affairs.

BUSINESS MEETING: NOMINATIONS

Committee on the Judiciary: Committee ordered favorably reported the nominations of Brett M. Kavanaugh, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit, and Sean F. Cox and Thomas L. Ludington, both to be a United States District Judge for the Eastern District of Michigan.

VA HEALTHCARE LEGISLATIVE INITIATIVES

Committee on Veterans' Affairs: Committee concluded a hearing to examine proposed health care-related legislation, after receiving testimony from Michael Kussman, Principal Deputy Under Secretary for Health, Veterans Health Administration, and Jack Thompson, Deputy General Counsel, both of the Department of Veterans Affairs; Robert Shaw, State Veterans Center, Rifle, Colorado, on behalf of National Association of State Veterans Homes; John

Melia, Wounded Warrior Project, Roanoke, Virginia; and Carl Blake, Paralyzed Veterans of America, Juan Lara, American Legion, and Adrian M. Atizado, Disabled American Veterans, all of Washington, D.C.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 33 public bills, H.R. 5351–5383; and 3 resolutions, H. Con. Res. 400–401; and H. Res. 813 were introduced. **Pages H2584–85**

Additional Cosponsors: **Pages H2585–86**

Reports Filed: Reports were filed today as follows: H.R. 4681 to promote the development of democratic institutions in areas under the administrative control of the Palestinian Authority, and for other purposes, with an amendment (H. Rept. 109–462). **Page H2584**

Motion to Adjourn: Rejected the Snyder motion to adjourn by a yea-and-nay vote of 31 yeas to 366 nays, Roll No. 137. **Pages H2507–08**

Later, the House rejected the Slaughter motion to adjourn by a recorded vote of 68 yeas to 336 noes with 1 voting “present”, Roll No. 138. **Pages H2509–10**

National Defense Authorization Act for Fiscal Year 2007: The House passed H.R. 5122, amended, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2007, by a recorded vote of 396 yeas to 31 noes, Roll No. 145. Consideration of the bill began yesterday, May 10th. **Pages H2508–51**

Rejected the Salazar motion to recommit the bill to the Committee on Armed Services with instructions to report it back to the House forthwith with an amendment, by a recorded vote of 202 yeas to 220 noes, Roll No. 144. **Pages H2549–51**

Pursuant to the rule, Representative Hunter requested that the following amendments printed in H. Rept. 109–461, following consideration of en bloc packages #1 and #2, be considered in the fol-

lowing order: Goode (#8), Millender-McDonald (#15), Rohrabacher (#16), Dent (#6), Gohmert (#7), Hooley (#9), McDermott (#13), Hostettler (#10), Tierney (#22), Schakowsky (#18), Jindal (#11), Lewis of Kentucky (#12), Mica (#14), Weldon of Pennsylvania (#23), and Taylor of Mississippi (#21). **Pages H2519–20**

Agreed to:

En bloc amendment consisting of the following amendments printed in H. Rept. 109–461: Baca (#1) requires DoD to study the scope of perchlorate contamination at Formerly Utilized Defense Sites (FUDS); Castle (#2) implements GAO's recommendations to cut-down on award and incentive fee spending waste by requiring the Department to develop a strategy for linking incentives to specific outcomes, such as meeting cost, schedule, and capability goals. It also establishes guidance for improving the effectiveness of award and incentive fees and ensures that appropriate approving officials are overseeing these decisions. The Department would be required to report to Congress on the status and effectiveness of these new standards; Davis of Virginia (#4) authorizes the Army to negotiate a “design build” to complete the Fairfax County Parkway. As a result of the construction mandated by BRAC on the Engineering Proving Ground (EPG), it would authorize the Army to enter into a special agreement with the state of Virginia. This agreement would authorize the state of Virginia to fund certain projects on the EPG while allowing the Army to maintain control of such projects; and Schiff (#19) directs the Secretary of Defense to submit to Congress a series of regular reports on the threat to American personnel posed by Improvised Explosive Devices (IEDs), as well as action being taken to interdict IEDs and to develop more effective active and passive countermeasures. First report would be due 30