(b) TOTAL AMOUNT AVAILABLE FOR ALLOCA-
TION.—Section 1933(g) of such Act (42 U.S.C. 1396u-3(g)) is amended—
(1) in paragraph (2)—
(A) by inserting “and” at the end of sub-
paragraph (B); (B) by striking the period at the end of sub-
paragraph (C) and inserting “and”; and (C) by adding at the end the following new sub-
paragraphs:
“(D) for the period that begins on October
1, 2005, and ends on December 31, 2005, the
total allocation amount is $100,000,000; and
“(E) for the period that begins on January
1, 2006, and ends on September 30, 2006, the
total allocation amount is $300,000,000.
1, 2006, and ends on September 30, 2006, the
total allocation amount is $100,000,000; and
less such agents are used to treat a condi-
tion, other than sexual or erectile dys-
function, for which the agent has been ap-
proved by the Food and Drug Administra-
tion.”.

(2) EFFECTIVE DATE.—The amendment
made by this subsection shall apply to drugs
subject to this authority on or after the date that is 60 days after the date of enactment of this Act.
The bill (H.R. 3971), as amended, was
read the third time and passed.

EXECUTIVE CALANDAR

Mr. STEVENS. Mr. President, I ask
unanimous consent that the Senate im-
mediately proceed to executive session to
consider the following nominations
on today’s Executive Calendar: Cal-
endar Nos. 312, 313, 314, 315, 316, 338, 339,
340, 341, 342, 343, 344, 345, 346, 347, 348,
349, 350, 351, 352, 353, 354, 355, 356, 357,
358, 359, 360, 361, 362, 363, 364, 366, 367,
368, 369, and all nominations on the
Secretary’s Calendar.
I further ask unanimous consent that the nominations be confirmed en bloc,
the motions to reconsider be laid upon
the table, the President be imme-
diately notified of the Senate’s action,
and the Senate then return to legisla-
tive session.
The PRESIDING OFFICER. Without
objection, it is so ordered.
The nominations considered and con-
firmed are as follows:
DEPARTMENT OF JUSTICE
Kenneth L. Wainstein, of Virginia, to
be United States Attorney for the District
of Columbia for the term of four years, Howard,
Mr., resigned.

THE JUDICIARY
Juliet JoAnn McKenna, of the District
of Columbia, to be an Associate Judge of the
Superior Court of the District of Columbia
for the term of five years; United States
Altarate Governor of the Inter-
American Development Bank for a term
of five years; United States Alternate
Governor of the African Development Fund;
United States Alternate Governor of the
African Development Bank; and United States
Senior Governor of the European Bank
for Reconstruction and Development.

UNITED STATES AGENCY FOR INTERNATIONAL
DEVELOPMENT
Kent R. Hill, of Virginia, to be an Assist-
ant Administrator of the United States
Agency for International Development.

DEPARTMENT OF STATE
Jacqueline Ellen Schafer, of the District
of Columbia, to be an Assistant Administrator
of the United States Agency for Inter-
national Development.

DEPARTMENT OF STATE
John Hilten, of Virginia, to be an Assistant
Secretary of State (Political-Military Af-
fairs), vice Lincoln P. Bloomfield, Jr.,
re-nominated.

AFRICAN DEVELOPMENT FOUNDATION
Jendayi Elizabeth Frazer, Assistant Sec-
retary of State (African Affairs), to be
Chairman of the Board of Directors of
the African Development Commission.

DEPARTMENT OF COMMERCE
Charles A. Ford, of Virginia, to be an Assistant
Secretary of Commerce and Director General
of the United States and Foreign Commer-
cial Service.

DEPARTMENT OF COMMERCE
Israel Hernandez, of Texas, to be Assistant
Secretary of Commerce for Export Administra-
tion.

DEPARTMENT OF STATE
Thomas A. Shannon, Jr., of Virginia, a Ca-
reer Member of the Senior Foreign Service,
Class of Minister-Counselor, to be an Assist-
ant Secretary of State (Western Hemisphere
Affairs).

INTER-AMERICAN DEVELOPMENT BANK
Jan E. Boyer, of Texas, to be United States
Executive Director of the Inter-
American Development Bank.

OVERSEAS PRIVATE INVESTMENT CORPORATION
Robert A. Moshower, of Texas, to be Presi-
dent of the Overseas Private Investment
Corporation.

MILLENNIUM CHALLENGE CORPORATION
John J. Danilovich, of California, to be
Chief Executive Officer, Millennium
Challenge Corporation.

DEPARTMENT OF STATE
Josette Sheeren Shiner, of Virginia, to be
United States Alternate Governor of the Interna-
tional Bank for Reconstruction and Develop-
ment for a term of five years; United States
Alternate Governor of the Inter-
American Development Bank for a term
of five years; United States Alternate
Governor of the African Development Fund;
United States Alternate Governor of the
African Development Bank; and United States
Senior Governor of the European Bank
for Reconstruction and Development.

DEPARTMENT OF COMMERCE
James M. Smith, of Tennessee, to be an Assistant
Secretary of Commerce for Economic
Development.

DEPARTMENT OF COMMERCE
Jendayi Elizabeth Frazer, Assistant Sec-
retary of State (African Affairs), to be
Chairman of the Board of Directors of
the African Development Commission.

DEPARTMENT OF STATE
Alfred Hoffman, of Florida, to be Ambas-
sador Extraordinary and Plenipotentiary
of the United States of America to the Holy
See.

DEPARTMENT OF COMMERCE
Francis Rooney, of Florida, to be Ambas-
sador Extraordinary and Plenipotentiary
of the United States of America to Portugal.

DEPARTMENT OF STATE
Charles A. Ford, of Virginia, to be an Assistant
Secretary of Commerce and Director General
of the United States and Foreign Commer-
cial Service.

DEPARTMENT OF COMMERCE
Israel Hernandez, of Texas, to be Assistant
Secretary of Commerce for Export Administra-
tion.

DEPARTMENT OF STATE
Thomas A. Shannon, Jr., of Virginia, a Ca-
reer Member of the Senior Foreign Service,
Class of Minister-Counselor, to be an Assist-
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African Development Bank; and United States
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UNITED STATES AGENCY FOR INTERNATIONAL
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ant Administrator of the United States
Agency for International Development.

DEPARTMENT OF STATE
Jacqueline Ellen Schafer, of the District
of Columbia, to be an Assistant Administrator
of the United States Agency for Inter-
national Development.

DEPARTMENT OF STATE
John Hilten, of Virginia, to be an Assistant
Secretary of State (Political-Military Af-
fairs), vice Lincoln P. Bloomfield, Jr.,
re-nominated.

AFRICAN DEVELOPMENT FOUNDATION
Jendayi Elizabeth Frazer, Assistant Sec-
retary of State (African Affairs), to be
Chairman of the Board of Directors of
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DEPARTMENT OF COMMERCE
James M. Smith, of Tennessee, to be an Assistant
Secretary of Commerce for Economic
Development.

DEPARTMENT OF COMMERCE
Jendayi Elizabeth Frazer, Assistant Sec-
retary of State (African Affairs), to be
Chairman of the Board of Directors of
the African Development Commission.

DEPARTMENT OF STATE
Alfred Hoffman, of Florida, to be Ambas-
sador Extraordinary and Plenipotentiary
of the United States of America to Portugal.

DEPARTMENT OF STATE
Charles A. Ford, of Virginia, a Career
Member of the Senior Foreign Service,
Class of Career Minister, to be Ambas-
sador Extraordinary and Plenipotentiary
of the United States of America to the Republic
of Honduras.
Mark Langlede, of Texas, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Costa Rica.

Brenda LaGrange Johnson, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Jamaica.

Allen R. Vreeswijk, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Korea.

Patricia Louise Herbold, of Washington, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Singapore.

William Paul McCormick, of Oregon, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to New Zealand, and serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to Samoa.

H. Dale Hall, of New Mexico, to be Director of the United States Fish and Wildlife Service, vice Steven A. Williams, resigned.

Edward McGaffigan, Jr., of Virginia, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2010. (Reappointment)

George M. Gray, of Massachusetts, to be an Assistant Administrator of the Environmental Protection Agency.

Lyons Gray, of North Carolina, to be Chief Financial Officer, Environmental Protection Agency.

NTN-2007 Foreign Service nomination of Robert S. Conner, which was received by the Senate and appeared in the Congressional Record on July 29, 2005.

Mr. LEVIN. Mr. President, I rise to address the nomination of Stewart Baker to be Assistant Secretary for Policy at the Department of Homeland Security.

Last week, when Mr. Baker’s nomination came before the Senate Committee on Homeland Security and Governmental Affairs, I voted no. That is my position today.

Mr. Baker is an intelligent and accomplished man, but he does not have the experience necessary to fill this important post at this important time. Mr. Baker is a lawyer with experience in national security, trade, and technology. He has been widely published on topics such as cyber-security and civil liberties. I understand that he performed capably as the general counsel of the Silverman-Robb Commission on WMD intelligence capabilities. Mr. Baker has been qualified for many positions at DHS, but he is not qualified to be Assistant Secretary for Policy.

During his confirmation hearing before our committee, Mr. Stewart testified that he expected to be the “central player” in the Obama administration’s response to Hurricane Katrina, to develop emergency response policy, and to be a key player on immigration reform, among other matters. Yet when asked at his hearing if he had emergency response experience, he said “no.” He also admitted to having little expertise on immigration issues.

While no one could be expected to be an expert on all of the immigration issues addressed by DHS, it makes little sense to me to appoint a person with no emergency response experience to be the central player on immigration issues, in a position to learn about issues from Katrina. And when pressed, the President himself admitted to being “unprepared” for the Katrina disaster, we cannot afford to have unexperienced people in senior positions at DHS for on-the-job training.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

SEQUENTIAL REFERRAL OF NOMINATION

Mr. STEVENS. Mr. President, as in executive session, I ask consent that when the Committee on Homeland Security and Governmental Affairs reports the nomination of Julie Myers, the nomination then be sequentially referred to the Judiciary Committee for up to 30 calendar days; provided further that if not reported by that time, the nomination be automatically discharged from the Judiciary Committee and placed on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION SIGNING

Mr. STEVENS. Mr. President, I ask unanimous consent that during the adjournment of the Senate, the majority leader and senior Senator from Virginia be authorized to sign duly enrolled bills or joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION TO MAKE ADJOURNMENT APPOINTMENTS

Mr. STEVENS. Mr. President, I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President pro tempore of the Senate, the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences or nonparliamentary conferences authorized by law, by current direction of the two Houses or by order of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—ADJOURNMENT RESOLUTION

Mr. STEVENS. Mr. President, I ask unanimous consent that notwithstanding the adjournment of the Senate, when the Senate receives from the House the adjournment resolution, the resolution which is attached to the concurrent resolution be considered agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

FUTURE STATUS OF KOSOVO

Mr. STEVENS. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration and the Senate now proceed to consider Senate Resolution 237.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 237) expressing the sense of the Senate on reaching an agreement on the future status of Kosovo.

There being no objection, the Senate proceeded to consider the resolution.

Mr. STEVENS. Mr. President, I ask unanimous consent the Senate resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 237) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. Res. 237

Whereas, on June 10, 1999, the United Nations Security Council adopted Resolution 1244 which authorized the Secretary-General of the United Nations to establish an interim administration for Kosovo to assume the supreme legal authority in Kosovo with the task of promoting “substantive autonomy and self-governance” in Kosovo and facilitating a political process to determine the future status of Kosovo;

Whereas, on December 10, 2003, the United Nations interim administration, known as the United Nations Interim Administration Mission in Kosovo, presented the Standards for Kosovo document which set out the requirements to be met to advance stability in Kosovo;

Whereas the Standards for Kosovo require the establishment of functioning democratic institutions in Kosovo, including providing for the holding of elections, establishing the Provisional Institutions of Self-Government, and establishing a stable and civil society, the establishment of rule of law to ensure equal access to justice and to implement mechanisms to suppress economic and financial crime, and the establishment of freedom of movement in Kosovo, including the free use of language;

Whereas the Standards for Kosovo further require sustainable returns and the rights of communities and their members, improvements in economic and financial institutions, including the prevention of money laundering and the establishment of an attractive environment for investors, the establishment of property rights, including the