

over the illegal use of firearms was a higher priority.

The decision came after Republican leaders failed to muster the 60 votes needed to prevent amendments not strictly related to the defense budget from being offered to the defense bill.

In a count of 50–48, seven Republicans joined Democrats in voting not to restrict debate, a move that Democratic leaders said would have prevented consideration of amendments to help veterans and survivors of deceased service members, along with other issues.

With Congress planning to leave town Friday for one-month break, debate on S. 397, Protection of Lawful Commerce in Arms Act, is expected to last two or three days, and then Senate leaders plan to take up an energy bill, an estate tax reform bill and an Interior Department funding bill that has a \$1.5 billion bailout attached for veterans' health care programs, leaving no time until September to get back to the defense bill.

The House approved its version of the defense bill in May and has been waiting for the Senate to catch up to begin negotiations with the Bush administration on a final version.

Delay in the Senate is partly a result of senators spending three weeks this spring debating federal judicial nominations before reaching a compromise on President Bush's nominees.

It all points toward a difficult autumn. When the Senate returns in September from its month-long summer recess, it will need to consider recommendations of the Defense Base Closure and Realignment Commission, due to finish its work by Sept. 8, and begin deliberations on the nomination of John Roberts to the Supreme Court vacancy left by retiring Justice Sandra Day O'Connor.

NOTICE

Incomplete record of Senate proceedings. Except for concluding business which follows, today's Senate proceedings will be continued Book II.

ORDERS FOR FRIDAY, JULY 29, 2005

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9 a.m. on Friday, July 29; I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate proceed to the consideration of the conference report to accompany H.R. 2361, the Interior appropriations bill, as under the previous order. I further ask that following the use or yielding back of the time on the Interior conference report, it be temporarily set aside and the Senate proceed to the conference report to accompany H.R. 2985, the Legislative Branch appropriations bill, as under the previous order.

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

Mr. FRIST. I further ask unanimous consent that the Senate then resume consideration of the Energy conference report and there be 30 minutes equally divided for closing remarks between the chairman and ranking member or their designees with all of the provisions of the previous consent remaining.

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

PROGRAM

Mr. FRIST. Mr. President, tomorrow the Senate will complete consideration of the conference reports to accompany the Interior appropriations bill, the Legislative Branch appropriations bill, the Energy bill, and the highway bill. The Senate will also complete action on the gun liability bill with an agreement that was reached this evening. As my colleagues can see, we will have a very busy day tomorrow with rollcall votes throughout. We should be able to complete our business tomorrow. I expect that we will. Again, it will be a very busy day. Senators should remain close to the Chamber throughout the day so that we can proceed in an or-

derly way for what could be up to 13 votes during tomorrow's session.

A PRODUCTIVE SEVERAL MONTHS

Mr. FRIST. Mr. President, we will be closing tomorrow afternoon, hopefully not too late in the afternoon. This has been a very productive several months. If you look back and reflect upon the issues that have been discussed and the bills that have been passed, there have been many. We are governing in a way that meets the expectations of the American people, governing with meaningful solutions to their everyday problems. We passed a budget which was the fifth fastest in history. We passed a bankruptcy bill, a class action reform bill to rid frivolous lawsuits. We had six circuit court nominations, judges that had been either filibustered or threatened to be filibustered in the past. Now we will continue all of that work tomorrow with an Energy bill, a highway bill, a gun liability bill, a legislative conference report, and the Interior conference report. So it has been a very productive Congress and one that we will continue to work very aggressively on as we come back after the recess.

CONDITIONAL ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES AND CONDITIONAL RECESS OR ADJOURNMENT OF THE SENATE

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of H. Con. Res. 225, the adjournment resolution; provided that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table.

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

The concurrent resolution (H. Con. Res. 225) was agreed to, as follows:

H. CON. RES. 225

Resolved by the House of Representatives (the Senate concurring), That, in consonance with section 132(a) of the Legislative Reorganization Act of 1946, when the House adjourns on

the legislative day of Thursday, July 28, 2005, Friday, July 29, 2005, or Saturday, July 30, 2005, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, September 6, 2005, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Friday, July 29, 2005, through Friday, August 5, 2005, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Tuesday, September 6, 2005, or at such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 10:57 p.m., adjourned until Friday, July 29, 2005, at 9 a.m.

DISCHARGED NOMINATIONS

The Senate Committee on Health, Education, Labor, and Pensions was discharged from further consideration of the following nominations and the nominations were confirmed:

THOMAS A. FUENTES, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2005.
BERNICE PHILLIPS, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2005.
KEVIN F. SULLIVAN, OF NEW YORK, TO BE ASSISTANT SECRETARY FOR COMMUNICATIONS AND OUTREACH, DEPARTMENT OF EDUCATION.
HENRY LOUIS JOHNSON, OF MISSISSIPPI, TO BE ASSISTANT SECRETARY FOR ELEMENTARY AND SECONDARY EDUCATION, DEPARTMENT OF EDUCATION.

TERRELL HALASKA, OF THE DISTRICT OF COLUMBIA, TO BE ASSISTANT SECRETARY FOR LEGISLATION AND CONGRESSIONAL AFFAIRS, DEPARTMENT OF EDUCATION.

The Senate Committee on Rules and Administration was discharged from further consideration of the following nomination and the nomination was confirmed:

IDNETTA DAVIDSON, OF COLORADO, TO BE A MEMBER OF THE ELECTION ASSISTANCE COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING DECEMBER 12, 2007.

NOMINATIONS

Executive nominations received by the Senate July 28, 2005:

DEPARTMENT OF DEFENSE

JOHN J. YOUNG, JR., OF VIRGINIA, TO BE DIRECTOR OF DEFENSE RESEARCH AND ENGINEERING, VICE RONALD M. SEGA.

DEPARTMENT OF THE TREASURY

EMIL W. HENRY, JR., OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE WAYNE ABERNATHY.

FEDERAL TRADE COMMISSION

WILLIAM E. KOVACIC, OF VIRGINIA, TO BE A FEDERAL TRADE COMMISSIONER FOR A TERM OF SEVEN YEARS FROM SEPTEMBER 26, 2004, VICE ORSON SWINDLE, RESIGNED.

NATIONAL TRANSPORTATION SAFETY BOARD

KATHRYN HIGGINS, OF SOUTH DAKOTA, TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM EXPIRING DECEMBER 31, 2009, VICE CAROL JONES CARMODY, RESIGNED.

NUCLEAR REGULATORY COMMISSION

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)

ENVIRONMENTAL PROTECTION AGENCY

GEORGE M. GRAY, OF MASSACHUSETTS, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE J. PAUL GILMAN, RESIGNED.

DEPARTMENT OF STATE

BARRY F. LOWENKRON, OF VIRGINIA, TO BE ASSISTANT SECRETARY OF STATE FOR DEMOCRACY, HUMAN RIGHTS, AND LABOR, VICE LORNE W. CRANER, RESIGNED.

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.

ROLAND ARNALL, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF THE NETHERLANDS.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

CHRISTINE M. GRIFFIN, OF MASSACHUSETTS, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2009, VICE PAUL STEVEN MILLER, TERM EXPIRED.

EXECUTIVE OFFICE OF THE PRESIDENT

JAMES F. O'GARA, OF PENNSYLVANIA, TO BE DEPUTY DIRECTOR FOR SUPPLY REDUCTION, OFFICE OF NATIONAL DRUG CONTROL POLICY, VICE BARRY D. CRANE.

THE JUDICIARY

TIMOTHY MARK BURGESS, OF ALASKA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ALASKA, VICE JAMES K. SINGLETON, JR., RETIRED.

JOSEPH FRANK BIANCO, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK, VICE DENIS R. HURLEY, RETIRED.

HARRY SANDLIN MATTICE, JR., OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TENNESSEE, VICE R. ALLAN EDGAR, RETIRING.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED TO THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 624 AND 1552:

To be colonel

THOMAS L. LUTZ, 0000

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT TO THE GRADE INDICATED TO THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

BRUCE A. ELLIS, JR., 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED

STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 531 AND 1552:

To be lieutenant colonel

ANSELMO FELICIANO, 0000
DENNIS J. MALFER, JR., 0000
VIRGINIA W. SPISAK, 0000
DAKE S. VAHOVICH, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTRISK (*) UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be major

JOLENE A. * AINSWORTH, 0000
THOMAS M. * ALSPAUGH, 0000
JOYCE E. ANGELO, 0000
JANE E. * ARGENTO, 0000
KARLA M. * ATCHLEY, 0000
JUDITH K. * BAILLIE, 0000
RAYMOND E. * BAKER, 0000
BRIAN B. * BARNETT, 0000
ERIC B. * BARNETT, 0000
BETH M. * BAYKAN, 0000
MARED G. * BELING, 0000
MELINDA MARIE * BELLOMYMUTH, 0000
DONNA R. * BELCOIN, 0000
TINA A. * BETANCOURT, 0000
DAWN M. * BLACK, 0000
MARTHA J. * BOURNE, 0000
MARTHA L. * BRECHEISENBEACH, 0000
PAMELA L. * BREWER, 0000
NERRIZA L. * BROOKS, 0000
CASSANDRA E. * CAMPBELL, 0000
HEATHER R. * CAMPBELL, 0000
JAMES E. * CAMPION, 0000
DAISY E. * CASTRICO, 0000
KEVIN P. * CAVANAUGH, 0000
LAWANDA M. * CLARK, 0000
ERICA C. * CLARKE, 0000
RANDY O. * CLAXTON, 0000
MARGARET E. * CLEVELINGER, 0000
STACEY L. * COLEMAN, 0000
TARA N. * CONSTANTINE, 0000
CHARLES P. * COOLEY, 0000
MARK W. * CORNELL, 0000
CHARLES L. * COX, JR., 0000
MARK A. * DAMMEN, 0000
GINETTE * DAMUS/JORDAN, 0000
LINDA S. * DENNY, 0000
SUSAN M. * DICKERSON, 0000
SUZIE C. * DIETZ, 0000
BETH R. * DION, 0000
DANIEL E. * DONAHUE, 0000
ROBIN C. * DOSWELL, 0000
PAUL * DREATER, JR., 0000
DIANA Y. * DUNCAN, 0000
VIRGINIA * DUNN, 0000
CHERYL A. * ELLIOTT, 0000
ROSS M. * EVANS, 0000
VICKI M. * FAIR, 0000
LORINDA L. * FARRIS, 0000
THOMAS G. * FEVURLY, 0000
CHARLES M. * FLOWE, 0000
KAWAHEE R. * FLOWE, 0000
MARY T. * FLOYD, 0000
ALISON T. * FORSYTHE, 0000
SHERRY L. * FRANK, 0000
JANE M. * FREE, 0000
DEBRA L. * FREIMARCK, 0000
ALAN C. * GARLLSI, 0000
MURIEL A. * GATLIN, 0000
VIRGINIA A. * CAVIN, 0000
MARY K. * GEYER, 0000
MATTIE D. * GOODE, 0000
DAWN M. * GRAHAM, 0000
LARHONDA M. * GRAY, 0000
STACY GILMORE * GREENE, 0000
CHERYL L. * GROTSKY, 0000
MARIANNE R. * HAFLER, 0000
LINDA A. * HAGEMANN, 0000
BARBARA A. * HASSAN, 0000
JEANINE D. * HATFIELD, 0000
ROBERT W. * HAYES, 0000
TAMMY G. * HAYES, 0000
MICHELLE A. * HEDRICK, 0000
KRISTINA R. * HERTZLER, 0000
JOHN R. * HIMBERGER, 0000
DAWN K. * HINCKLEY, 0000
FRANCES L. * HODGES, 0000
LEAH NICOLE * HOLLAND, 0000
KATHLEEN M. * HOLLEY, 0000
ANITA A. * HOYUELA, 0000
JACQUELYN J. * HUDSON, 0000
LELA A. * HUDSON, 0000
SHERRY L. * HULSE, 0000
NANCY J. * JOHNSON, 0000
LAURA K. * JONES, 0000
RONALD L. * JONES, JR., 0000
JULIE A. * JUMP, 0000
KRISTIN L. * KALLIN, 0000
LESLIE E. * KARAS, 0000
STEVEN M. * KEENE, 0000
JACQUELINE M. * KILLIAN, 0000
DIANE R. * KLINGENBERG, 0000
MARK A. * KNITZ, 0000
LAURA L. * KOONTZ, 0000
LEANN M. * LAMB, 0000
KAREN V. * LARRY, 0000
MARGARET A. * LAUREANOMILLER, 0000
RONALD E. * LECZNER, 0000
JOHN W. * LEDWICH III, 0000
CHUNG MIN * LEE, 0000
SUSAN J. * LEE, 0000
PAUL L. * LINK, 0000
JOANN A. * LLANEZA, 0000
MICHAEL A. * LOPEZ, 0000
BACH HOA T. MAL, 0000
EDWIN A. * MALDONADO, 0000
NAQUITA J. * MANNING, 0000
JOHN L. * MANSUY, 0000
LILLI M. * MARTINEZ, 0000
THOMAS * MCALARNEY, 0000
JACQUELINE J. * MCAULEY, 0000
MICHAEL P. * MCGANN, 0000
KEVIN R. * MCHAFFEY, 0000
CHRISTINE L. * MEVES, 0000
LORI J. * MILLER, 0000
PAUL T. * MILLER, JR., 0000
GRETCHEN H. * MORELAND, 0000
DENNIS * MULLINS, 0000
THERESA A. * MURPHY, 0000
VIRGINIA R. * MUSHENSKI, 0000
DENISE M. * MYERS, 0000
NELVA J. * NIELSEN, 0000
MARTIN * OCKERT, 0000
JAMES G. * OLANDA, 0000
JEFFREY J. * OLIVER, 0000
LAURA J. * PALM, 0000
VINCE E. * PARIS, 0000
DEXTER A. * PATTON, 0000
KARIN E. * PETERSEN, 0000
MIKEL W. * PHILLIPS, 0000
DONALD R. * POTTER, 0000
ANDREA M. * RAMEY, 0000
LORRI M. * REED, 0000
ANDREW L. * REIMUND, 0000
MARK J. * REITTER, 0000
SCOTT C. * RHODES, 0000
HEATHER A. * RISDAL, 0000
VICTOR R. * RIVERA, 0000
KIM G. * ROBINSON, 0000
KENT A. * ROMAN, 0000
PAMELA J. * ROSSIO, 0000
KIMBERLEE M. * RUSSELL, 0000
JEANNIE Y. * SABATINE, 0000
SUSAN M. * SARGENT, 0000
KATHY S. * SAVELL, 0000
KIMBERLY A. * SCHMIDT, 0000
ANTOINETTE N. * SHEPPARD, 0000
SANDRA S. * SHORES, 0000
VICKIE L. * SKUPSKI, 0000
MELISSA C. * SMITH, 0000
SHERRY L. * SMITH, 0000
JANICE L. * SOWERS, 0000
PENNY E. * SPAID, 0000
LISA K. * STOLZER, 0000
KARL M. * STONE, 0000
SEAN A. * STRAIT, 0000
CHRISTOPHER M. * SWEENEY, 0000
LEA M. * THIES, 0000
JENNIFER E. * THOMAS, 0000
SCOTT R. * TONKO, 0000
VALERIE A. * TRUMP, 0000
ANITA S. * UPP, 0000
EDWIN * VALENTIN, 0000
JOHN D. * VANDELDELDE, 0000
KATHI S. * VAVRA, 0000
JERRY * VEGA, 0000
TAMRA C. * WEATHERBEE, 0000
BRUCE W. * WEISS, 0000
GINGER S. * WEISS, 0000
JACQUELINE F. * WHITE, 0000
CINDI L. * WILLIS, 0000
WILLIAM T. * WILSON, 0000
SHARON L. WINDERLICH, 0000
JAMES R. * WITTENAUER III, 0000
LOUISE H. * WOLFE, 0000
SHANNON G. * WOMBLE, 0000
SHANNEN M. * WRIGHT, 0000
DAVID C. * ZIMMERMAN, 0000

CONFIRMATIONS

Executive nominations confirmed by the Senate Thursday, July 28, 2005:

ENVIRONMENTAL PROTECTION AGENCY

MARCUS C. PEACOCK, OF MINNESOTA, TO BE DEPUTY ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

DEPARTMENT OF ENERGY

DAVID R. HILL, OF MISSOURI, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF ENERGY.
JILL L. SIGAL, OF WYOMING, TO BE ASSISTANT SECRETARY OF ENERGY (CONGRESSIONAL AND INTERGOVERNMENTAL AFFAIRS).

DEPARTMENT OF HOMELAND SECURITY

RICHARD L. SKINNER, OF VIRGINIA, TO BE INSPECTOR GENERAL, DEPARTMENT OF HOMELAND SECURITY.

DEPARTMENT OF THE TREASURY

JANICE B. GARDNER, OF VIRGINIA, TO BE ASSISTANT SECRETARY FOR INTELLIGENCE AND ANALYSIS, DEPARTMENT OF THE TREASURY.

EXECUTIVE OFFICE OF THE PRESIDENT

JOHN S. REDD, OF GEORGIA, TO BE DIRECTOR OF THE NATIONAL COUNTERTERRORISM CENTER, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.
THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.