

guided Judge Motley into our own work, and our daily lives.

I am pleased to join a bipartisan group of my colleagues in introducing a resolution honoring the life of Judge Constance Baker Motley and I hope this body will move swiftly to its passage.

Mr. STEVENS. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to, en bloc, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 272) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 272

Whereas Constance Baker Motley was born in 1921, in New Haven, Connecticut, the daughter of immigrants from the Caribbean island of Nevis;

Whereas in 1943, Constance Baker Motley graduated from New York University with a Bachelor of Arts degree in economics;

Whereas, upon receiving a law degree from Columbia University in 1946, Constance Baker Motley became a staff attorney at the National Association for the Advancement of Colored People Legal Defense and Educational Fund, Inc., and fought tirelessly for 2 decades alongside Thurgood Marshall and other leading civil rights lawyers to dismantle segregation throughout the country;

Whereas Constance Baker Motley was the only female attorney on the legal team that won the landmark desegregation case, *Brown v. Board of Education*;

Whereas Constance Baker Motley argued 10 major civil rights cases before the Supreme Court, winning all but one, including the case brought on behalf of James Meredith challenging the University of Mississippi's refusal to admit him;

Whereas Constance Baker Motley's only loss before the United States Supreme Court was in *Swain v. Alabama*, a case in which the Court refused to proscribe race-based peremptory challenges in cases involving African-American defendants and which was later reversed in *Batson v. Kentucky* on grounds that had been largely asserted by Constance Baker Motley in the *Swain* case;

Whereas in 1964, Constance Baker Motley became the first African-American woman elected to the New York State Senate;

Whereas in 1965, Constance Baker Motley became the first African-American woman, and the first woman, to serve as president of the Borough of Manhattan;

Whereas Constance Baker Motley, in her capacity as an elected public official in New York, continued to fight for civil rights, dedicating herself to the revitalization of the inner city and improvement of urban public schools and housing;

Whereas in 1966, Constance Baker Motley was appointed by President Johnson as a United States District Court Judge for the Southern District of New York;

Whereas the appointment of Constance Baker Motley made her the first African-American woman, and only the fifth woman, appointed and confirmed for a Federal judgeship;

Whereas in 1982, Constance Baker Motley was elevated to Chief Judge of the United States District Court for the Southern District of New York, the largest Federal trial court in the United States;

Whereas Constance Baker Motley assumed senior status in 1986, and continued serving with distinction for the next 2 decades; and

Whereas Constance Baker Motley passed away on September 28, 2005, and is survived by her husband Joel Wilson Motley Jr., their son, Joel Motley III, her 3 grandchildren, her brother, Edmund Baker of Florida, and her sisters Edna Carnegie, Eunice Royster, and Marian Green, of New Haven, Connecticut: Now, therefore, be it

*Resolved*, That the Senate—

(1) extends its heartfelt sympathy to the family and friends of Constance Baker Motley on the occasion of her passing; and

(2) commends Constance Baker Motley for—

(A) her 39-year tenure on the United States District Court for the Southern District of New York; and

(B) her lifelong commitment to the advancement of civil rights and social justice.

AUTHORIZING THE USE OF THE CAPITOL GROUNDS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 161, which was received from the House.

The PRESIDING OFFICER. The clerk will please report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 161) authorizing the use of the Capitol Grounds for an event to commemorate the 10th Anniversary of the Million Man March.

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

Mr. STEVENS. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the concurrent resolution be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 161) was agreed to.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

EXECUTIVE SESSION

INTER-AMERICAN CONVENTION AGAINST TERRORISM—TREATY DOCUMENT NO. 107-18

U.N. CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME—TREATY DOCUMENT NO. 108-16

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following treaties on today's Executive Calendar, Nos. 2 and 3. I fur-

ther ask unanimous consent that these treaties be considered as having passed through their various parliamentary stages, up to and including the presentation of the resolutions for ratification; that any committee conditions, declarations, or reservations be agreed to as applicable; that any statements be printed in the RECORD as if read; and that the Senate take one vote on the resolutions of ratification, to be considered as separate votes; further, that when the resolutions of ratification are voted upon, the motion to reconsider be laid on the table; the President be notified of the Senate's action, and that following the disposition of the treaties, the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered. The treaties will be considered to have passed through their various parliamentary stages, up to and including the presentation of the resolutions of ratification.

The resolutions of ratification are as follows:

INTER-AMERICAN CONVENTION AGAINST TERRORISM (T.D.107-18)

SECTION 1. SENATE ADVICE AND CONSENT SUBJECT TO UNDERSTANDING

*Resolved (two-thirds of the Senators present concurring therein)*, The Senate advises and consents to the ratification of the Inter-American Convention Against Terrorism (the "Convention"), adopted at the thirty-second regular session of the General Assembly of the Organization of American States meeting in Bridgetown, Barbados, and signed by the United States on June 3, 2002 (Treaty Doc. 107-18), subject to the understanding in Section 2.

SECTION 2. UNDERSTANDING

The advice and consent of the Senate under section 1 is subject to the following understanding, which shall be included in the United States instrument of ratification:

The United States of America understands that the term "international humanitarian law" in paragraph 2 of Article 15 of the Convention has the same substantive meaning as the law of war.

SECTION 3. RESERVATIONS, UNDERSTANDING, AND DECLARATION RELATIVE TO THE TRAFFICKING PROTOCOL

(a) RESERVATIONS.—The advice and consent of the Senate under section 1 is subject to the following reservations relative to the Trafficking Protocol, which shall be included in the United States instrument of ratification:

(1) The United States of America reserves the right not to apply in part the obligation set forth in Article 15, paragraph 1(b), of the United Nations Convention Against Transnational Organized Crime with respect to the offenses established in the Trafficking Protocol. The United States does not provide for plenary jurisdiction over offenses that are committed on board ships flying its flag or aircraft registered under its laws. However, in a number of circumstances, U.S. law provides for jurisdiction over such offenses committed on board U.S.-flagged ships or aircraft registered under U.S. law. Accordingly, the United States will implement paragraph 1(b) of the Convention to the extent provided for under its federal law.

(2) The United States of America reserves the right to assume obligations under this Protocol in a manner consistent with its fundamental principles of federalism, pursuant

to which both federal and state criminal laws must be considered in relation to conduct addressed in the Protocol. U.S. federal criminal law, which regulates conduct based on its effect on interstate or foreign commerce, or another federal interest, such as the Thirteenth Amendment's prohibition of "slavery" and "involuntary servitude," serves as the principal legal regime within the United States for combating the conduct addressed in this Protocol, and is broadly effective for this purpose. Federal criminal law does not apply in the rare case where such criminal conduct does not so involve interstate or foreign commerce, or otherwise implicate another federal interest, such as the Thirteenth Amendment. There are a small number of conceivable situations involving such rare offenses of a purely local character where U.S. federal and state criminal law may not be entirely adequate to satisfy an obligation under the Protocol. The United States of America therefore reserves to the obligations set forth in the Protocol to the extent they address conduct which would fall within this narrow category of highly localized activity. This reservation does not affect in any respect the ability of the United States to provide international cooperation to other Parties as contemplated in the Protocol.

(3) In accordance with Article 15, paragraph 3, the United States of America declares that it does not consider itself bound by the obligation set forth in Article 15, paragraph 2.

(b) UNDERSTANDING.—The advice and consent of the Senate under section 1 is subject to the following understanding relative to the Trafficking Protocol, which shall be included in the United States instrument of ratification:

The United States of America understands the obligation to establish the offenses in the Protocol as money laundering predicate offenses, in light of Article 6, paragraph 2(b) of the United Nations Convention Against Transnational Organized Crime, as requiring States Parties whose money laundering legislation sets forth a list of specific predicate offenses to include in such list a comprehensive range of offenses associated with trafficking in persons.

(c) DECLARATION.—The advice and consent of the Senate under section 1 is subject to the following declaration relative to the Trafficking Protocol:

The United States of America declares that, in view of its reservations, current United States law, including the laws of the States of the United States, fulfills the obligations of the Protocol for the United States. Accordingly, the United States of America does not intend to enact new legislation to fulfill its obligations under the Protocol.

**SECTION 4. RESERVATIONS AND UNDERSTANDING RELATIVE TO THE SMUGGLING PROTOCOL**

(a) RESERVATIONS.—The advice and consent of the Senate under section 1 is subject to the following reservations relative to the Smuggling Protocol, which shall be included in the United States instrument of ratification:

(1) The United States of America criminalizes most but not all forms of attempts to commit the offenses established in accordance with Article 6, paragraph 1 of this Protocol. With respect to the obligation under Article 6, Paragraph 2(a), the United States of America reserves the right to criminalize attempts to commit the conduct described in Article 6, paragraph 1(b), to the extent that under its laws such conduct relates to false or fraudulent passports and other specified identity documents, constitutes fraud or the making of a false statement, or constitutes attempted use of a false or fraudulent visa.

(2) In accordance with Article 20, paragraph 3, the United States of America declares that it does not consider itself bound by the obligation set forth in Article 20, paragraph 2.

(b) UNDERSTANDING.—The advice and consent of the Senate under section 1 is subject to the following understanding relative to the Smuggling Protocol, which shall be included in the United States instrument of ratification:

The United States of America understands the obligation to establish the offenses in the Protocol as money laundering predicate offenses, in light of Article 6, paragraph 2(b) of the United Nations Convention Against Transnational Organized Crime, as requiring States Parties whose money laundering legislation sets forth a list of specific predicate offenses to include in such list a comprehensive range of offenses associated with smuggling of migrants.

Mr. SESSIONS. Mr. President, the Senate is prepared to ratify two important treaties, the Inter-American Convention Against Terrorism, and the United Nations Convention Against Transnational Organized Crime.

As a former prosecutor, I believe these treaties will provide important tools in our war against terrorism and organized crime.

However, as chairman of the Senate Steering Committee, and as a United States Senator, it is my job to carefully review all legislation and treaties to ensure that they are consistent with our Constitution and in the best interest of the United States.

In reviewing these treaties, there were two matters I felt needed further clarification.

First, the issue of extradition. I believe it is important that if we are going to enter into an extradition arrangement, it strengthen our hand with respect to nations, such as Mexico, who have refused to extradite violent criminals to the United States for prosecution. It serves no purpose to enter into treaties with no teeth.

Second, the International Criminal Court: The position of the United States has been firm in opposition to any expanded powers of the International Criminal Court. These treaties were silent on the ICC. They did not explicitly permit the ICC from exercising jurisdiction over matters, nor do they prohibit it from doing so. Were I not absolutely certain that these treaties would provide no mechanism for an overzealous ICC prosecutor to assert new jurisdiction, these treaties would not be ratified today.

However, based on an exchange of correspondence with the United States Department of Justice, I am satisfied that there is absolutely no way the ICC may assert any new jurisdiction based upon these treaties.

I received this letter by fax within the last few minutes, and it is on this basis that I am permitting these treaties to proceed. I am confident that these treaties are in the interest of the United States, and this correspondence will serve as legislative history with respect to the concerns I just addressed.

I ask unanimous consent that the above-referenced letters be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF JUSTICE,  
OFFICE OF LEGISLATIVE AFFAIRS,  
Washington, DC.

Hon. JEFF SESSIONS,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR SESSIONS: We are pleased to have the opportunity to respond to your letter of October 6, posing questions about the United Nations Convention Against Transnational Organized Crime and the Inter-American Convention Against Terrorism. Both Conventions are strongly supported by the Administration, and we urge immediate action by the Senate to provide its advice and consent to ratification. As you may be aware, the first Conference of States Parties to the U.N. transnational organized crime convention will commence in Vienna on October 10, and thus there is particular urgency to the Senate acting today to approve this treaty and thereby strengthen the United States' ability to participate effectively at this meeting.

Your first question concerned Article 16 of the U.N. Convention on transnational organized crime and its impact on our existing bilateral extradition relations. This is a common provision in multilateral law enforcement treaties, and it can strengthen our extradition relationships under existing bilateral extradition treaties by requiring that the organized crime offenses covered by the U.N. Convention be included as extraditable offenses under those existing treaties. This can be helpful with older treaties that contain a limited list of extraditable offenses. Our treaty with Mexico, however, is not so limited.

As you suggest in your letter, a particular concern with Mexico at this time is the impact of a 2001 Mexican Supreme Court decision which barred extradition where a defendant would be subject to a life sentence. The U.N. Convention does not resolve this issue; at the same time it in no way endorses, or requires the United States to acquiesce in, such a limitation on extradition. You can be assured that resolving this problem in our extradition relations with Mexico remains a major objective of the Departments of Justice and State and is one that Attorney General Gonzales has raised personally with the Mexican Attorney General and with the Mexican Foreign Minister. We are hopeful that a recent decision of the Mexican Supreme Court in a domestic criminal case may open the door to a favorable revision of its 2001 decision, and we are committed to working with Mexico to that end.

With respect to your question concerning potential interplay between these treaties and the International Criminal Court (ICC), I can assure you that the Administration continues to have fundamental concerns about the ICC and would not advocate the United States joining any treaty that would expand the jurisdiction of the ICC or impose directly or indirectly any obligation on the United States to support the ICC. The jurisdiction of the ICC is strictly defined by the Rome statute at Article 5. Neither of the treaties now being considered by the Senate extends or could extend that jurisdiction. This is clear from the text of the treaties and the intent of the negotiators. Moreover, in no respect will the United States becoming a party to these two treaties affect the provisions of the American Service-members' Protection Act of 2002 (ASPA), including its restrictions on assistance to the ICC. We do

not believe there is any ambiguity on these points and thus no need for clarification through understandings in the resolution of ratification. You and other members of the Senate can be confident that the Administration shares your concerns about the ICC and is fully satisfied that none of those concerns are implicated in these treaties.

We have consulted with the Department of State, which concurs fully in these views, and hope with this letter you and your colleagues will be able to vote in favor of these two important treaties today.

Sincerely,

WILLIAM E. MOSCHELLA,  
Assistant Attorney General.

SENATE STEERING COMMITTEE,  
UNITED STATES SENATE,  
Washington, DC, October 6, 2005.

Hon. ALBERTO R. GONZALES,  
Attorney General, U.S. Department of Justice,  
Washington, DC.

DEAR MR. ATTORNEY GENERAL: I am writing regarding two critical treaties that the Senate is considering. As a former prosecutor, I believe these treaties could provide important new tools to law enforcement. However, before we ratify them, I seek your assistance in addressing several concerns.

1. *Article 16 of the United Nations Convention Against Transnational Organized Crime.* I am interested in learning whether or not the extradition provisions of this treaty would strengthen our current bilateral arrangements to address problems we have had with nations such as Mexico who refuse to extradite dangerous criminals to the United States. Further, it would appear that our moral position for extradition would be undermined if we explicitly acquiesce in allowing the nation to consider penalties as a basis for denying extradition.

2. *International Criminal Court.* The ICC is mentioned in neither treaty, and the Department of Justice attorneys have maintained that the ICC would have no jurisdiction over matters addressed in them. However, the main reason that the United States rejects the Rome Statute is that the ICC has one prosecutor who initiates investigations with virtually unchecked discretion. I seek further clarification from the Department on whether we can be absolutely certain that these treaties would not provide a vehicle for a case to be brought to the ICC by an overzealous prosecutor. Absent such certainty, it would be my desire to include an understanding to the resolution of ratification that clarifies the United States's position that the ICC may not try cases under the Convention or avail itself of the Convention's extradition or judicial assistance provisions. We could also add an explicit understanding to the resolution that ASPA shall govern application of the Convention by the Executive branch.

Thank you for your assistance.

Sincerely,

JEFF SESSIONS.

Mr. STEVENS. Mr. President, I ask for a division vote on the resolutions of ratification.

The PRESIDING OFFICER. A division vote is requested. Senators in favor of the resolutions will rise and stand until counted.

Those opposed will rise and stand until counted.

On a division vote, two-thirds of the Senators present and voting having voted in the affirmative, the resolutions of ratification are agreed to.

Mr. STEVENS. Mr. President, I am delighted to represent two-thirds of the Senate.

The PRESIDING OFFICER. The Chair recognizes the power of the Senator from Alaska.

#### LEGISLATIVE SESSION

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

#### ORDERS FOR MONDAY, OCTOBER 17, 2005

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate stand in adjournment until 2 p.m. on Monday, October 17, contingent upon the Senate's action on the adjournment resolution from the House; that if we do not agree to the adjournment resolution, the Senate reconvene at 12 noon on Tuesday, October 11. I further ask that following the prayer and pledge on October 17, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and that there be a period for morning business until 3 p.m. equally divided. I further ask that the Senate then proceed to consideration of H.R. 3058, the Transportation-Treasury appropriations bill, under the previous order.

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

#### PROGRAM

Mr. STEVENS. Mr. President, when the Senate reconvenes on Monday, October 17, we will begin consideration of the Transportation-Treasury appropriations bill. As we consider the bill, I remind my colleagues to work with Senators Bond and Murray, the bill managers, and to offer amendments early in the week. I alert my colleagues that the first vote during Monday's session will occur at 5:30 p.m.

#### ADJOURNMENT UNTIL TUESDAY, OCTOBER 11, 2005, OR 2 P.M., MONDAY, OCTOBER 17, 2005

Mr. STEVENS. 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 1:11 p.m., adjourned until Tuesday, October 11, 2005, at 12 noon, or Monday, October 17, 2005, at 2 p.m.

#### NOMINATIONS

Executive nomination received by the Senate October 7, 2005:

##### SUPREME COURT OF THE UNITED STATES

HARRIET ELLAN MIERS, OF TEXAS, TO BE AN ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES, VICE SANDRA DAY O'CONNOR, RETIRING.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate, Friday, October 7, 2005:

##### FEDERAL LABOR RELATIONS AUTHORITY

COLLEEN DUFFY KIKO, OF VIRGINIA, TO BE GENERAL COUNSEL OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A TERM OF FIVE YEARS.

##### DEPARTMENT OF HOMELAND SECURITY

STEWART A. BAKER, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF HOMELAND SECURITY.

##### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

KIM KENDRICK, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

KEITH A. NELSON, OF TEXAS, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

DARLENE F. WILLIAMS, OF TEXAS, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

KEITH E. GOTTFRIED, OF CALIFORNIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

##### DEPARTMENT OF COMMERCE

DAVID H. MCCORMICK, OF PENNSYLVANIA, TO BE UNDER SECRETARY OF COMMERCE FOR EXPORT ADMINISTRATION.

##### DEPARTMENT OF THE TREASURY

PATRICK M. O'BRIEN, OF MINNESOTA, TO BE ASSISTANT SECRETARY FOR TERRORIST FINANCING, DEPARTMENT OF THE TREASURY.

##### DEPARTMENT OF COMMERCE

ISRAEL HERNANDEZ, OF TEXAS, TO BE ASSISTANT SECRETARY OF COMMERCE AND DIRECTOR GENERAL OF THE UNITED STATES AND FOREIGN COMMERCIAL SERVICE.

DARRYL W. JACKSON, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE.

##### DEPARTMENT OF THE TREASURY

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

##### DEPARTMENT OF STATE

THOMAS A. SHANNON, JR., OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF STATE (WESTERN HEMISPHERE AFFAIRS).

##### INTER-AMERICAN DEVELOPMENT BANK

JAN E. BOYER, OF TEXAS, TO BE UNITED STATES ALTERNATE EXECUTIVE DIRECTOR OF THE INTER-AMERICAN DEVELOPMENT BANK.

##### OVERSEAS PRIVATE INVESTMENT CORPORATION

ROBERT A. MOSBACHER, OF TEXAS, TO BE PRESIDENT OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION.

##### MILLENNIUM CHALLENGE CORPORATION

JOHN J. DANLOVICH, OF CALIFORNIA, TO BE CHIEF EXECUTIVE OFFICER, MILLENNIUM CHALLENGE CORPORATION.

##### DEPARTMENT OF STATE

JOSETTE SHEERAN SHINER, OF VIRGINIA, TO BE UNITED STATES ALTERNATE GOVERNOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT 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 BANK FOR A TERM OF FIVE YEARS; UNITED STATES ALTERNATE GOVERNOR OF THE AFRICAN DEVELOPMENT FUND; UNITED STATES ALTERNATE GOVERNOR OF THE ASIAN DEVELOPMENT BANK; AND UNITED STATES ALTERNATE GOVERNOR OF THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT.

##### UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

KENT R. HILL, OF VIRGINIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

JACQUELINE ELLEN SCHAFER, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

##### DEPARTMENT OF STATE

JOHN HILLEN, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF STATE (POLITICAL-MILITARY AFFAIRS).

BARRY F. LOWENKRON, OF VIRGINIA, TO BE ASSISTANT SECRETARY OF STATE FOR DEMOCRACY, HUMAN RIGHTS, AND LABOR.

##### AFRICAN DEVELOPMENT FOUNDATION

JENDAYI ELIZABETH FRAZER, ASSISTANT SECRETARY OF STATE (AFRICAN AFFAIRS), TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR THE REMAINDER OF THE TERM EXPIRING SEPTEMBER 27, 2009.

##### DEPARTMENT OF STATE

FRANCIS ROONEY, OF FLORIDA, TO BE AMBASSADOR TO THE HOLY SEE.

ALFRED HOFFMAN, OF FLORIDA, TO BE AMBASSADOR TO THE REPUBLIC OF PORTUGAL.

CHARLES A. FORD, OF VIRGINIA, TO BE AMBASSADOR TO THE REPUBLIC OF HONDURAS.

MARK LANGDALE, OF TEXAS, TO BE AMBASSADOR TO THE REPUBLIC OF COSTA RICA.

BRENDA LAGRANGE JOHNSON, OF NEW YORK, TO BE AMBASSADOR TO JAMAICA.