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SENATE OF THE UNITED STATES  
ONE HUNDRED EIGHTH CONGRESS

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FIRST SESSION { CONVENEED JANUARY 7, 2003

SECOND SESSION {

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EXECUTIVE CALENDAR

Tuesday, September 30, 2003



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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. 122

## UNANIMOUS CONSENT AGREEMENT

### RESOLUTIONS AND MOTIONS OVER, UNDER THE RULE

S. Res. 192	Executive Resolution to discharge the David WA. McKeague nomination.	July 7, 2003. - Mr. Frist
S. Res. 193	Executive Resolution to discharge the Susan Bieke Neilson nomination.	July 7, 2003. - Mr. Frist
S. Res. 194	Executive Resolution to discharge the Henry W. Saad nomination.	July 7, 2003. - Mr. Frist
S. Res. 195	Executive Resolution to discharge the Richard A. Griffin nomination.	July 7, 2003. - Mr. Frist

### MARCIA A. CRONE (C. 381) and RONALD A. WHITE (C. 384)

*Ordered*, That at 9:15 a.m. on Tuesday, September 30, 2003, the Senate proceed to executive session and the immediate votes on the following nominations on the Executive Calendar:

Marcia A. Crone, of Texas, to be United States District Judge for the Eastern District of Texas; and  
Ronald A. White, of Oklahoma, to be United States District Judge for the Eastern District of Oklahoma.

*Ordered further*, That there be 2 minutes equally divided for debate prior to each vote; and that following the Senate votes on the confirmation of the nominations, the President be immediately notified of the Senate's action and the Senate then return to legislative session.(September 29, 2003)

# RESOLUTIONS

CALENDAR No.	EX. RES No.	SUBJECT	REPORTED By

# TREATIES

CALENDAR No.	TREATY Doc. No.	SUBJECT	REPORTED By

# NOMINATIONS

CALENDAR No.	MESSAGE No.	NOMINEE, OFFICE, AND PREDECESSOR	REPORTED By
		<b>UNITED STATES INTERNATIONAL TRADE COMMISSION</b>	
* 48	114	Daniel Pearson, of Minnesota, to be a Member of the United States International Trade Commission for the term expiring June 16, 2011, vice Lynn M. Bragg, term expired.	Mar 5, 2003 Reported by Mr. Grassley, Committee on Finance, without printed report.
* 49	113	Charlotte A. Lane, of West Virginia, to be a Member of the United States International Trade Commission for a term expiring December 16, 2009, vice Dennis M. Devaney.	Mar 5, 2003 Reported by Mr. Grassley, Committee on Finance, without printed report.
		<b>DEPARTMENT OF ENERGY</b>	
* 61	148	Joseph Timothy Kelliher, of the District of Columbia, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2007, vice Linda Key Breathitt, term expired.	Mar 12, 2003 Reported by Mr. Domenici, Committee on Energy and Natural Resources, without printed report.
		<b>THE JUDICIARY</b>	
86	11	Priscilla Richman Owen, of Texas, to be United States Circuit Judge for the Fifth Circuit, vice William L. Garwood, retired.	Mar 27, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
		<b>DEPARTMENT OF DEFENSE</b>	
* 120	264	John Paul Woodley, Jr., of Virginia, to be an Assistant Secretary of the Army, vice Michael Parker.	Apr 9, 2003 Reported by Mr. Inhofe, Committee on Environment and Public Works, without printed report. Mar 27, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		<b>THE JUDICIARY</b>	
* 132	40	Bruce E. Kasold, of Virginia, to be a Judge of the United States Court of Appeals for Veterans Claims for the term prescribed by law, vice a new position created by Public Law 107-103, approved December 27, 2001.	Apr 10, 2003 Reported by Mr. Specter, Committee on Veterans' Affairs, without printed report.

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

# NOMINATIONS

CALENDAR No.	MESSAGE No.	NOMINEE, OFFICE, AND PREDECESSOR	REPORTED By
		<b>INTERNATIONAL JOINT COMMISSION, UNITED STATES AND CANADA</b>	
* 147	96	Dennis L. Schornack, of Michigan, to be Commissioner on the part of the United States on the International Joint Commission, United States and Canada, vice Thomas L. Baldini.	Apr 10, 2003 Reported by Mr. Lugar, Committee on Foreign Relations, without printed report.
		<b>THE JUDICIARY</b>	
165	279	J. Leon Holmes, of Arkansas, to be United States District Judge for the Eastern District of Arkansas, vice Stephen M. Reasoner, retired.	May 1, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without recommendation without printed report.
169	8	Carolyn B. Kuhl, of California, to be United States Circuit Judge for the Ninth Circuit, vice James R. Browning, retired.	May 8, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
		<b>AFRICAN DEVELOPMENT FOUNDATION</b>	
* 199	379	Ephraim Batambuze, of Illinois, to be a Member of the Board of Directors of the African Development Foundation for a term expiring February 9, 2008, vice Henry McKoy, term expired.	May 21, 2003 Reported by Mr. Lugar, Committee on Foreign Relations, without printed report.
* 200	404	John W. Leslie, Jr., of Connecticut, to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 22, 2007, vice Ernest G. Green, term expired.	May 21, 2003 Reported by Mr. Lugar, Committee on Foreign Relations, without printed report.
		<b>DEPARTMENT OF JUSTICE</b>	
219	131	David B. Rivkin, Jr., of Virginia, to be a Member of the Foreign Claims Settlement Commission of the United States for the term expiring September 30, 2004, vice Laramie Faith McNamara.	Jun 5, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
		<b>MERIT SYSTEMS PROTECTION BOARD</b>	
* 233	102	Susanne T. Marshall, of Virginia, to be Chairman of the Merit Systems Protection Board, vice Beth Susan Slavet.	Jun 17, 2003 Reported by Ms. Collins, Committee on Governmental Affairs, without printed report.

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CALENDAR No.	MESSAGE No.	NOMINEE, OFFICE, AND PREDECESSOR	REPORTED By
* 234	616	<p>Neil McPhie, of Virginia, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2009, vice Beth Susan Slavet, term expired, to which position he was appointed during the last recess of the Senate.</p> <p style="text-align: center;"><b>UNITED STATES POSTAL SERVICE</b></p>	Jun 17, 2003 Reported by Ms. Collins, Committee on Governmental Affairs, without printed report.
* 235	98	<p>Albert Casey, of Texas, to be a Governor of the United States Postal Service for a term expiring December 8, 2009, vice Tirso del Junco, term expired.</p>	Jun 17, 2003 Reported by Ms. Collins, Committee on Governmental Affairs, without printed report.
* 236	615	<p>James C. Miller III, of Virginia, to be a Governor of the United States Postal Service for the term expiring December 8, 2010, vice Einar V. Dyhrkopp, term expired, to which position he was appointed during the last recess of the Senate.</p> <p style="text-align: center;"><b>DEPARTMENT OF AGRICULTURE</b></p>	Jun 17, 2003 Reported by Ms. Collins, Committee on Governmental Affairs, without printed report.
* 237	140	<p>Thomas C. Dorr, of Iowa, to be Under Secretary of Agriculture for Rural Development, vice Jill L. Long, resigned.</p>	Jun 18, 2003 Reported by Mr. Cochran, Committee on Agriculture, Nutrition, and Forestry, without printed report.
* 238	141	<p>Thomas C. Dorr, of Iowa, to be a Member of the Board of Directors of the Commodity Credit Corporation, vice Jill L. Long, resigned.</p> <p style="text-align: center;"><b>THE JUDICIARY</b></p>	Jun 18, 2003 Reported by Mr. Cochran, Committee on Agriculture, Nutrition, and Forestry, without printed report.
249	513	<p>Thomas M. Hardiman, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania, vice William L. Standish, retired.</p> <p style="text-align: center;"><b>DEPARTMENT OF HOMELAND SECURITY</b></p>	Jun 26, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
* 299	451	<p>Michael J. Garcia, of New York, to be an Assistant Secretary of Homeland Security. (New Position)</p>	Jul 15, 2003 Senate Committee on the Judiciary discharged by Unanimous Consent. Agreement of July 13, 2003.

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CALENDAR No.	MESSAGE No.	NOMINEE, OFFICE, AND PREDECESSOR	REPORTED By
			Jun 17, 2003 Reported by Ms. Collins, Committee on Governmental Affairs, without printed report.
<b>308</b>	704	<p style="text-align: center;"><b>DEPARTMENT OF JUSTICE</b></p> <p>Jack Landman Goldsmith III, of Virginia, to be an Assistant Attorney General, vice Jay S. Bybee, resigned.</p>	Jul 17, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
<b>310</b>	512	<p style="text-align: center;"><b>THE JUDICIARY</b></p> <p>William H. Pryor, Jr., of Alabama, to be United States Circuit Judge for the Eleventh Circuit, vice Emmett Ripley Cox, retired.</p>	Jul 23, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
* <b>316</b>	594	<p style="text-align: center;"><b>DEPARTMENT OF LABOR</b></p> <p>Howard Radzely, of Maryland, to be Solicitor for the Department of Labor, vice Eugene Scalia.</p>	Jul 30, 2003 Reported by Mr. Gregg, Committee on Health, Education, Labor, and Pensions, without printed report.
<b>321</b>	602	<p style="text-align: center;"><b>AIR FORCE</b></p> <p>The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:</p> <p style="text-align: center;"><i>to be Brigadier General</i> Col. Bruce E. Burda, <span style="background-color: black; color: black;">██████</span></p>	Jul 30, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.
* <b>343</b>	781	<p style="text-align: center;"><b>DEPARTMENT OF HOMELAND SECURITY</b></p> <p>Penrose C. Albright, of Virginia, to be an Assistant Secretary of Homeland Security. (New Position)</p>	Jul 30, 2003 Reported by Ms. Collins, Committee on Governmental Affairs, without printed report.
<b>354</b>	800	<p style="text-align: center;"><b>DEPARTMENT OF JUSTICE</b></p> <p>Daniel J. Bryant, of Virginia, to be an Assistant Attorney General, vice Viet D. Dinh, resigned.</p>	Jul 31, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.

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		<b>FEDERAL ENERGY REGULATORY COMMISSION</b>	
* 362	736	Suedeem G. Kelly, of New Mexico, to be a Member of Federal Energy Regulatory Commission for the remainder of the term expiring June 30, 2004, vice Curt Hebert, Jr., resigned.	Sep 17, 2003 Reported by Mr. Domenici, Committee on Energy and Natural Resources, without printed report.
		<b>DEPARTMENT OF ENERGY</b>	
* 363	779	Rick A. Dearborn, of Oklahoma, to be an Assistant Secretary of Energy (Congressional and Intergovernmental Affairs), vice Dan R. Brouillette, resigned.	Sep 17, 2003 Reported by Mr. Domenici, Committee on Energy and Natural Resources, without printed report.
		<b>DEPARTMENT OF JUSTICE</b>	
379	808	Mauricio J. Tamargo, of Florida, to be Chairman of the Foreign Claims Settlement Commission of the United States for a term expiring September 30, 2006. (Reappointment)	Sep 25, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
		<b>THE JUDICIARY</b>	
381	575	Marcia A. Crone, of Texas, to be United States District Judge for the Eastern District of Texas, vice a new position created by Public Law 107-273, approved November 2, 2002.	Sep 25, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
382	577	William Q. Hayes, of California, to be United States District Judge for the Southern District of California, vice a new position created by Public Law 107-273, approved November 2, 2002.	Sep 25, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
383	578	John A. Houston, of California, to be United States District Judge for the Southern District of California, vice a new position created by Public Law 107-273, approved November 2, 2002.	Sep 25, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
384	660	Ronald A. White, of Oklahoma, to be United States District Judge for the Eastern District of Oklahoma, vice Frank Howell Seay, retiring.	Sep 25, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
385	702	Robert Clive Jones, of Nevada, to be United States District Judge for the District of Nevada, vice David W. Hagen, retiring.	Sep 25, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.

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CALENDAR No.	MESSAGE No.	NOMINEE, OFFICE, AND PREDECESSOR	REPORTED By
<b>386</b>	703	<p>Phillip S. Figa, of Colorado, to be United States District Judge for the District of Colorado, vice Richard P. Matsch, retiring.</p> <p style="text-align: center;"><b>DEPARTMENT OF JUSTICE</b></p>	Sep 25, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
<b>387</b>	449	<p>John Francis Bardelli, of Connecticut, to be United States Marshal for the District of Connecticut for the term of four years, vice John R. O'Connor.</p>	Sep 25, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.

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NOMINATIONS PLACED ON THE SECRETARY'S DESK

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