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SENATE OF THE UNITED STATES  
ONE HUNDRED EIGHTH CONGRESS

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FIRST SESSION { CONVENED JANUARY 7, 2003

SECOND SESSION {

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EXECUTIVE CALENDAR

Wednesday, October 29, 2003  
(updated at 2:00 p.m.)\*



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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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## UNANIMOUS CONSENT AGREEMENT

**Charles W. Pickering, Sr. (Cal. No. 400)**

*Ordered*, That relative to the motion to invoke cloture on the nomination of Charles W. Pickering, Sr., of Mississippi, to be United States Circuit Judge for the Fifth Circuit, the live quorum, as required under Rule XXII, be waived. (*October 28, 2003.*)

### RESOLUTIONS AND MOTIONS OVER, UNDER THE RULE

S. Res. 192	Executive Resolution to discharge the David W. 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

# 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.

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# NOMINATIONS

CALENDAR No.	MESSAGE No.	NOMINEE, OFFICE, AND PREDECESSOR	REPORTED By
<b>165</b>	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.
<b>169</b>	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>			
* <b>199</b>	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.
* <b>200</b>	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>			
<b>219</b>	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>			
* <b>233</b>	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.
* <b>234</b>	616	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.	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
		<b>UNITED STATES POSTAL SERVICE</b>	
* 235	98	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.	Jun 17, 2003 Reported by Ms. Collins, Committee on Governmental Affairs, without printed report.
* 236	615	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.	Jun 17, 2003 Reported by Ms. Collins, Committee on Governmental Affairs, without printed report.
		<b>DEPARTMENT OF AGRICULTURE</b>	
* 237	140	Thomas C. Dorr, of Iowa, to be Under Secretary of Agriculture for Rural Development, vice Jill L. Long, resigned.	Jun 18, 2003 Reported by Mr. Cochran, Committee on Agriculture, Nutrition, and Forestry, without printed report.
* 238	141	Thomas C. Dorr, of Iowa, to be a Member of the Board of Directors of the Commodity Credit Corporation, vice Jill L. Long, resigned.	Jun 18, 2003 Reported by Mr. Cochran, Committee on Agriculture, Nutrition, and Forestry, without printed report.
		<b>DEPARTMENT OF HOMELAND SECURITY</b>	
* 299	451	Michael J. Garcia, of New York, to be an Assistant Secretary of Homeland Security. (New Position)	Jul 15, 2003 Senate Committee on the Judiciary discharged by Unanimous Consent. Agreement of June 13, 2003. Jun 17, 2003 Reported by Ms. Collins, Committee on Governmental Affairs, without printed report.
		<b>THE JUDICIARY</b>	
310	512	William H. Pryor, Jr., of Alabama, to be United States Circuit Judge for the Eleventh Circuit, vice Emmett Ripley Cox, retired.	Jul 23, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
		<b>DEPARTMENT OF LABOR</b>	
* 316	594	Howard Radzely, of Maryland, to be Solicitor for the Department of Labor, vice Eugene Scalia.	Jul 30, 2003 Reported by Mr. Gregg, Committee on Health, Education, Labor, and Pensions, without printed report.

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CALENDAR No.	MESSAGE No.	NOMINEE, OFFICE, AND PREDECESSOR	REPORTED By
		<b>AIR FORCE</b>	
<b>321</b>	602	The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:  <i>to be Brigadier General</i> Col. Bruce E. Burda, [REDACTED]	Jul 30, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		<b>FEDERAL ENERGY REGULATORY COMMISSION</b>	
* <b>362</b>	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>THE JUDICIARY</b>	
<b>400</b>	12	Charles W. Pickering, Sr., of Mississippi, to be United States Circuit Judge for the Fifth Circuit, vice Henry A. Politz, retired.	Oct 2, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
<b>402</b>	746	Roger W. Titus, of Maryland, to be United States District Judge for the District of Maryland, vice Marvin J. Garbis, retired.	Oct 2, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
<b>410</b>	846	George W. Miller, of Virginia, to be a Judge of the United States Court of Federal Claims for the term of fifteen years, vice James T. Turner, term expired.	Oct 16, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
		<b>DEPARTMENT OF JUSTICE</b>	
<b>411</b>	765	Deborah Ann Spagnoli, of California, to be a Commissioner of the United States Parole Commission for a term of six years, vice John R. Simpson, term expired.	Oct 16, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
		<b>DEPARTMENT OF THE INTERIOR</b>	
* <b>417</b>	935	David Wayne Anderson, of Minnesota, to be an Assistant Secretary of the Interior, vice Neal A. McCaleb, resigned.	Oct 22, 2003 Reported by Mr. Campbell, Committee on Indian Affairs, without printed report.

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CALENDAR No.	MESSAGE No.	NOMINEE, OFFICE, AND PREDECESSOR	REPORTED By
<b>418</b>	412	<p style="text-align: center;"><b>ARMY</b></p> <p>The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:</p> <p style="text-align: center;"><i>to be Lieutenant General</i></p> <p style="text-align: center;">Maj. Gen. Robert T. Clark, [REDACTED]</p>	Oct 23, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.
* <b>419</b>	883	<p style="text-align: center;"><b>DEPARTMENT OF TRANSPORTATION</b></p> <p>Karan K. Bhatia, of Maryland, to be an Assistant Secretary of Transportation, vice Read Van de Water.</p>	Oct 23, 2003 Reported by Mr. McCain, Committee on Commerce, Science, and Transportation, without printed report.
* <b>420</b>	818	<p style="text-align: center;"><b>NATIONAL AERONAUTICS AND SPACE ADMINISTRATION</b></p> <p>Gwendolyn Brown, of Virginia, to be Chief Financial Officer, National Aeronautics and Space Administration, vice Arnold Gregory Holz, resigned.</p>	Oct 23, 2003 Reported by Mr. McCain, Committee on Commerce, Science, and Transportation, without printed report.
* <b>421</b>	530	<p style="text-align: center;"><b>METROPOLITAN WASHINGTON AIRPORTS AUTHORITY</b></p> <p>Charles Darwin Snelling, of Pennsylvania, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for the remainder of the term expiring May 30, 2006, vice Norman Y. Mineta.</p>	Oct 23, 2003 Reported by Mr. McCain, Committee on Commerce, Science, and Transportation, without printed report.
<b>425</b>	544	<p style="text-align: center;"><b>THE JUDICIARY</b></p> <p>Gary L. Sharpe, of New York, to be United States District Judge for the Northern District of New York, vice Thomas J. McAvoy, retired.</p>	Oct 23, 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>[NEW REPORTS]</b>	
		<b>DEPARTMENT OF EDUCATION</b>	
* <b>429</b>	683	Robert Lerner, of Maryland, to be Commissioner of Education Statistics for a term expiring June 21, 2009, vice Pascal D. Forgione, Jr., term expired.	Oct 29, 2003 Reported by Mr. Gregg, Committee on Health, Education, Labor, and Pensions, without printed report.
		<b>EQUAL EMPLOYMENT OPPORTUNITY COMMISSION</b>	
* <b>430</b>	619	Naomi Churchill Earp, of Virginia, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2005, vice Reginald Earl Jones, term expired, to which position she was appointed during the last recess of the Senate.	Oct 29, 2003 Reported by Mr. Gregg, Committee on Health, Education, Labor, and Pensions, without printed report.
* <b>431</b>	807	Leslie Silverman, of Virginia, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2008. (Reappointment)	Oct 29, 2003 Reported by Mr. Gregg, Committee on Health, Education, Labor, and Pensions, without printed report.
* <b>432</b>	1029	Stuart Ishimaru, of the District of Columbia, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2007, vice Paul M. Igasaki, term expired.	Oct 29, 2003 Reported by Mr. Gregg, Committee on Health, Education, Labor, and Pensions, without printed report.

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NOMINATIONS PLACED ON THE SECRETARY'S DESK

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