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# SENATE OF THE UNITED STATES

## ONE HUNDRED TWELFTH CONGRESS

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FIRST SESSION { CONVENED JANUARY 5, 2011  
ADJOURNED JANUARY 3, 2012

SECOND SESSION { CONVENED JANUARY 3, 2012

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# EXECUTIVE CALENDAR

**Friday, May 25, 2012**



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PREPARED UNDER THE DIRECTION OF NANCY ERICKSON,  
SECRETARY OF THE SENATE

<http://www.senate.gov/ExecutiveCalendar>

By Michelle Haynes, Executive Clerk

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Issue No. 228

## UNANIMOUS CONSENT AGREEMENT

**Timothy S. Hillman (Cal. No. 613)**

*Ordered*, That at 5:00 p.m. on Monday, June 4, 2012, the Senate proceed to executive session to consider the nomination of Timothy S. Hillman, of Massachusetts, to be United States District Judge for the District of Massachusetts.

*Ordered further*, That there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time the Senate proceed to vote without intervening action or debate on the Hillman nomination; that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

*(May 24, 2012.)*

# RESOLUTIONS

CALENDAR No.	S. RES. No.	SUBJECT	REPORTED BY

## TREATIES

CALENDAR No.	TREATY Doc. No.	SUBJECT	REPORTED BY
1	112-1	Protocol Amending Tax Convention with Swiss Confederation	Aug 30, 2011 Reported by Mr. Kerry, Committee on Foreign Relations under authority of the order of the Senate of 08/02/2011 with printed Ex. Rept.112-1 and a resolution of advice and consent to ratification with 1 declaration.
4	111-7	Tax Convention with Hungary	Aug 30, 2011 Reported by Mr. Kerry, Committee on Foreign Relations under authority of the order of the Senate of 08/02/2011 with printed Ex. Rept.112-4 and a resolution of advice and consent to ratification with 1 declaration.
5	111-8	Protocol Amending Tax Convention with Luxembourg	Aug 30, 2011 Reported by Mr. Kerry, Committee on Foreign Relations under authority of the order of the Senate of 08/02/2011 with printed Ex. Rept.112-5 and a resolution of advice and consent to ratification with 1 declaration.

## NOMINATIONS

CALENDAR No.	MESSAGE No.	NOMINEE, OFFICE, AND PREDECESSOR	REPORTED BY
* 86	334	<p style="text-align: center;"><b>INTERNATIONAL MONETARY FUND</b></p> <p>Ben S. Bernanke, of New Jersey, to be United States Alternate Governor of the International Monetary Fund for a term of five years. (Reappointment)</p>	Apr 12, 2011 Reported by Mr. Kerry, Committee on Foreign Relations, without printed report.
* 231	208	<p style="text-align: center;"><b>SUPERIOR COURT OF THE DISTRICT OF COLUMBIA</b></p> <p>Donna Mary Murphy, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years, vice Kaye K. Christian, retired.</p>	Jun 29, 2011 Reported by Mr. Lieberman, Committee on Homeland Security and Governmental Affairs, without printed report.
* 345	673	<p style="text-align: center;"><b>FEDERAL DEPOSIT INSURANCE CORPORATION</b></p> <p>Martin J. Gruenberg, of Maryland, to be Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation for a term of five years, vice Sheila C. Bair, resigned.</p>	Sep 08, 2011 Reported by Mr. Johnson SD, Committee on Banking, Housing, and Urban Affairs, without printed report.
* 403	675	<p style="text-align: center;"><b>ENVIRONMENTAL PROTECTION AGENCY</b></p> <p>Kenneth J. Kopocis, of Virginia, to be an Assistant Administrator of the Environmental Protection Agency, vice Peter Silva Silva, resigned.</p>	Sep 21, 2011 Reported by Mrs. Boxer, Committee on Environment and Public Works, without printed report.
* 450	510	<p style="text-align: center;"><b>HARRY S TRUMAN SCHOLARSHIP FOUNDATION</b></p> <p>Laura A. Cordero, of the District of Columbia, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 15, 2015, vice Juanita Alicia Vasquez-Gardner, term expired.</p>	Oct 19, 2011 Reported by Mr. Harkin, Committee on Health, Education, Labor, and Pensions, 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>* 456</b>	884	<p style="text-align: center;"><b>AMTRAK BOARD OF DIRECTORS</b></p> <p>Albert DiClemente, of Delaware, to be a Director of the Amtrak Board of Directors for a term of five years. (Reappointment)</p>	Nov 02, 2011 Reported by Mr. Rockefeller, Committee on Commerce, Science, and Transportation, without printed report.
<b>* 501</b>	267	<p style="text-align: center;"><b>DEPARTMENT OF STATE</b></p> <p>Mari Carmen Aponte, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of El Salvador.</p>	Nov 29, 2011 Reported by Mr. Kerry, Committee on Foreign Relations, without printed report.
<b>* 518</b>	1064	<p style="text-align: center;"><b>DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT</b></p> <p>Carol J. Galante, of California, to be an Assistant Secretary of Housing and Urban Development, vice David H. Stevens, resigned.</p>	Dec 13, 2011 Reported by Mr. Johnson SD, Committee on Banking, Housing, and Urban Affairs, without printed report.
<b>* 519</b>	1065	<p style="text-align: center;"><b>FEDERAL DEPOSIT INSURANCE CORPORATION</b></p> <p>Thomas Hoenig, of Missouri, to be Vice Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation, vice Martin J. Gruenberg.</p>	Dec 13, 2011 Reported by Mr. Johnson SD, Committee on Banking, Housing, and Urban Affairs, without printed report.
<b>* 542</b>	255	<p style="text-align: center;"><b>SOCIAL SECURITY ADMINISTRATION</b></p> <p>Henry J. Aaron, of the District of Columbia, to be a Member of the Social Security Advisory Board for a term expiring September 30, 2014, vice Jeffrey Robert Brown, term expired.</p>	Dec 17, 2011 Reported by Mr. Baucus, Committee on Finance, without printed report.
<b>607</b>	1104	<p style="text-align: center;"><b>THE JUDICIARY</b></p> <p>Andrew David Hurwitz, of Arizona, to be United States Circuit Judge for the Ninth Circuit, vice Mary M. Schroeder, retiring.</p>	Mar 01, 2012 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.

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## NOMINATIONS

CALENDAR No.	MESSAGE No.	NOMINEE, OFFICE, AND PREDECESSOR	REPORTED BY
<b>* 609</b>	897	<b>HARRY S TRUMAN SCHOLARSHIP FOUNDATION</b> Steven H. Cohen, of Illinois, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2013, vice Luis D. Rovira, term expired.	Mar 02, 2012 Placed on the Calendar pursuant to S.Res. 116, 112th Congress.
<b>610</b>	525	<b>THE JUDICIARY</b> Jeffrey J. Helmick, of Ohio, to be United States District Judge for the Northern District of Ohio, vice James G. Carr, retired.	Mar 08, 2012 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
<b>611</b>	1006	Patty Shwartz, of New Jersey, to be United States Circuit Judge for the Third Circuit, vice Maryanne Trump Barry, retired.	Mar 08, 2012 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
<b>612</b>	349	Mary Geiger Lewis, of South Carolina, to be United States District Judge for the District of South Carolina, vice Henry F. Floyd.	Mar 08, 2012 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
<b>613</b>	1131	Timothy S. Hillman, of Massachusetts, to be United States District Judge for the District of Massachusetts, vice Nancy Gertner, retired.	Mar 08, 2012 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
<b>* 644</b>	1403	<b>DEPARTMENT OF STATE</b> Carlos Pascual, of the District of Columbia, to be an Assistant Secretary of State (Energy Resources), vice John Stern Wolf.	Mar 27, 2012 Reported by Mr. Kerry, Committee on Foreign Relations, without printed report.
<b>* 645</b>	1198	<b>DEPARTMENT OF THE TREASURY</b> Richard B. Berner, of Massachusetts, to be Director, Office of Financial Research, Department of the Treasury, for a term of six years. (New Position)	Mar 29, 2012 Reported by Mr. Johnson SD, Committee on Banking, Housing, and Urban Affairs, without printed report.

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## NOMINATIONS

CALENDAR No.	MESSAGE No.	NOMINEE, OFFICE, AND PREDECESSOR	REPORTED BY
<b>THE JUDICIARY</b>			
<b>650</b>	1114	Richard Gary Taranto, of Maryland, to be United States Circuit Judge for the Federal Circuit, vice Paul R. Michel, retired.	Mar 29, 2012 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
<b>651</b>	1123	Gershwin A. Drain, of Michigan, to be United States District Judge for the Eastern District of Michigan, vice Bernard A. Friedman, retired.	Mar 29, 2012 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
<b>652</b>	1132	Robin S. Rosenbaum, of Florida, to be United States District Judge for the Southern District of Florida, vice Alan S. Gold, retired.	Mar 29, 2012 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
<b>660</b>	1202	William J. Kayatta, Jr., of Maine, to be United States Circuit Judge for the First Circuit, vice Kermit Lipez, retired.	Apr 19, 2012 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
<b>661</b>	1196	John Thomas Fowlkes, Jr., of Tennessee, to be United States District Judge for the Western District of Tennessee, vice Bernice B. Donald, elevated.	Apr 19, 2012 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
<b>662</b>	1197	Kevin McNulty, of New Jersey, to be United States District Judge for the District of New Jersey, vice Garrett E. Brown, Jr., retiring.	Apr 19, 2012 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
<b>663</b>	1203	Michael A. Shipp, of New Jersey, to be United States District Judge for the District of New Jersey, vice Mary Little Parell, retired.	Apr 19, 2012 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
<b>664</b>	1342	Stephanie Marie Rose, of Iowa, to be United States District Judge for the Southern District of Iowa, vice Robert W. Pratt, retiring.	Apr 19, 2012 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
<b>674</b>	1115	Gonzalo P. Curiel, of California, to be United States District Judge for the Southern District of California, vice Thomas J. Whelan, retired.	Apr 26, 2012 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.

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## NOMINATIONS

CALENDAR No.	MESSAGE No.	NOMINEE, OFFICE, AND PREDECESSOR	REPORTED BY
<b>675</b>	1133	Robert J. Shelby, of Utah, to be United States District Judge for the District of Utah, vice Tena Campbell, retired.	Apr 26, 2012 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
<b>676</b>	1341	Michael P. Shea, of Connecticut, to be United States District Judge for the District of Connecticut, vice Christopher Droney, elevated.	Apr 26, 2012 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
<b>DEPARTMENT OF THE INTERIOR</b>			
<b>* 677</b>	1352	Marcilynn A. Burke, of North Carolina, to be an Assistant Secretary of the Interior, vice Wilma A. Lewis, resigned.	Apr 26, 2012 Reported by Mr. Bingaman, Committee on Energy and Natural Resources, without printed report.
<b>NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES</b>			
<b>* 709</b>	1036	Paul W. Hodes, of New Hampshire, to be a Member of the National Council on the Arts for a term expiring September 3, 2016. (New Position)	May 09, 2012 Placed on the Calendar pursuant to S.Res. 116, 112th Congress.
<b>DEPARTMENT OF DEFENSE</b>			
<b>* 714</b>	1355	Heidi Shyu, of California, to be an Assistant Secretary of the Army, vice Malcolm Ross O'Neill, resigned.	May 15, 2012 Reported by Mr. Levin, Committee on Armed Services, without printed report.
<b>PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD</b>			
<b>718</b>	47	James Xavier Dempsey, of California, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2016. (New Position)	May 17, 2012 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
<b>719</b>	48	Elisebeth Collins Cook, of Illinois, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2014. (New Position)	May 17, 2012 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.

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## NOMINATIONS

CALENDAR No.	MESSAGE No.	NOMINEE, OFFICE, AND PREDECESSOR	REPORTED BY
<b>720</b>	1189	Rachel L. Brand, of Iowa, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2017. (New Position)	May 17, 2012 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
<b>721</b>	1190	David Medine, of Maryland, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2012. (New Position)	May 17, 2012 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
<b>722</b>	1191	David Medine, of Maryland, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2018. (Reappointment)	May 17, 2012 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
<b>723</b>	1192	Patricia M. Wald, of the District of Columbia, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2013. (New Position)	May 17, 2012 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
<b>724</b>	1521	Patricia M. Wald, of the District of Columbia, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2019. (Reappointment)	May 17, 2012 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
<b>AIR FORCE</b>			
<b>726</b>	1204	The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:  <i>to be General</i>  Lt. Gen. Herbert J. Carlisle	May 23, 2012 Reported by Mr. Levin, Committee on Armed Services, without printed report.

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NOMINATIONS PLACED ON THE SECRETARY'S DESK

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## PRIVILEGED NOMINATIONS

Pursuant to S. Res. 116, 112th Congress, nominations in this section of the Executive Calendar are entitled to expedited procedures.

MESSAGE No.	DATE RECEIVED	NOMINEE AND POSITION	* INFORMATION REQUESTED BY COMMITTEE	** REQUESTED INFORMATION RECEIVED	SENATOR REQUESTED REFERRAL TO COMMITTEE OF JURISDICTION
1052	Oct 18, 2011	Alfredo J. Balsera, of Florida, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2014, vice Elizabeth F. Bagley, term expired.	Yes		
1127	Nov 30, 2011	Marie F. Smith, of Hawaii, to be a Member of the Social Security Advisory Board for a term expiring September 30, 2016, vice Dana K. Bilyeu, term expired.	Yes		
1378	Feb 14, 2012	James M. Demers, of New Hampshire, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2014, vice Kevin Glenn Nealer, term expired.	Yes		
1379	Feb 14, 2012	Naomi A. Walker, of the District of Columbia, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2012, vice Christopher J. Hanley, term expired.	Yes		
1447	Mar 19, 2012	Edward W. Brehm, of Minnesota, to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 22, 2017. (Reappointment)	Yes		
1501	Mar 28, 2012	Robert James Grey, Jr., of Virginia, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2014. (Reappointment)	Yes		

\* Committee of jurisdiction has requested appropriate biographical and financial information on this nominee

\*\* Committee of jurisdiction has received the necessary biographical and financial information on this nominee; nominee will remain in this section for 10 session days

## PRIVILEGED NOMINATIONS

Pursuant to S. Res. 116, 112th Congress, nominations in this section of the Executive Calendar are entitled to expedited procedures.

MESSAGE No.	DATE RECEIVED	NOMINEE AND POSITION	* INFORMATION REQUESTED BY COMMITTEE	** REQUESTED INFORMATION RECEIVED	SENATOR REQUESTED REFERRAL TO COMMITTEE OF JURISDICTION
1502	Mar 28, 2012	John Gerson Levi, of Illinois, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2014. (Reappointment)	Yes		
1503	Mar 28, 2012	Laurie I. Mikva, of Illinois, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2013. (Reappointment)	Yes		
1504	Mar 28, 2012	Martha L. Minow, of Massachusetts, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2014. (Reappointment)	Yes		
1505	Mar 28, 2012	Gloria Valencia-Weber, of New Mexico, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2014. (Reappointment)	Yes		
1512	Mar 29, 2012	Maria Rosario Jackson, of California, to be a Member of the National Council on the Arts for a term expiring September 3, 2016, vice Terence Alan Teachout, term expired.	Yes		
1513	Apr 16, 2012	Ingrid A. Gregg, of Michigan, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2017, vice John E. Kidde, term expired.	Yes		
1514	Apr 16, 2012	James L. Henderson, of Kentucky, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2017, vice John Peyton, term expired.	Yes		

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\*\* Committee of jurisdiction has received the necessary biographical and financial information on this nominee; nominee will remain in this section for 10 session days

## PRIVILEGED NOMINATIONS

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MESSAGE No.	DATE RECEIVED	NOMINEE AND POSITION	* INFORMATION REQUESTED BY COMMITTEE	** REQUESTED INFORMATION RECEIVED	SENATOR REQUESTED REFERRAL TO COMMITTEE OF JURISDICTION
1515	Apr 16, 2012	Vicki Miles-LaGrange, of Oklahoma, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 2015, vice Roger L. Hunt, term expired.	Yes		
1516	Apr 16, 2012	Charles P. Rose, of Illinois, to be a Member of the Board of Trustees of the Morris K. Udall and Stewart L. Udall Foundation for a term expiring April 16, 2017, vice Stephen M. Prescott, term expired.	Yes		
1566	May 08, 2012	Maria Lopez De Leon, of Texas, to be a Member of the National Council on the Arts for a term expiring September 3, 2016, vice James Ballinger, term expired.	Yes		
1567	May 08, 2012	Emil J. Kang, of North Carolina, to be a Member of the National Council on the Arts for a term expiring September 3, 2018, vice Benjamin Donenberg, term expiring.	Yes		
1689	May 21, 2012	Joseph Byrne Donovan, of Virginia, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2013, vice Lane Carson, resigned.	Yes		
1690	May 21, 2012	Bruce R. Sievers, of California, to be a Member of the National Council on the Humanities for a term expiring January 26, 2018, vice Kenneth R. Weinstein, term expired.	Yes		
1692	May 24, 2012	Jonathan Lippman, of New York, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2012, vice Robert A. Miller, term expired.	Yes		

\* Committee of jurisdiction has requested appropriate biographical and financial information on this nominee

\*\* Committee of jurisdiction has received the necessary biographical and financial information on this nominee; nominee will remain in this section for 10 session days

## PRIVILEGED NOMINATIONS

Pursuant to S. Res. 116, 112th Congress, nominations in this section of the Executive Calendar are entitled to expedited procedures.

MESSAGE No.	DATE RECEIVED	NOMINEE AND POSITION	* INFORMATION REQUESTED BY COMMITTEE	** REQUESTED INFORMATION RECEIVED	SENATOR REQUESTED REFERRAL TO COMMITTEE OF JURISDICTION
1693	May 24, 2012	Jonathan Lippman, of New York, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2015. (Reappointment)	Yes		

\* Committee of jurisdiction has requested appropriate biographical and financial information on this nominee

\*\* Committee of jurisdiction has received the necessary biographical and financial information on this nominee; nominee will remain in this section for 10 session days

## NOTICE OF INTENT TO OBJECT

When a notice of intent to object is given to the appropriate leader, or their designee, and such notice is submitted for inclusion in the Congressional Record and the Senate Executive Calendar, or following the objection to a unanimous consent to proceeding to, and, or disposition of, matters relating to nominations and treaties on their behalf, it shall be placed in the section of the Senate Executive Calendar entitled "Notice of Intent to Object". (S. Res. 28, 112<sup>th</sup> Congress)

CALENDAR No.	MESSAGE No.	NOMINEE AND OFFICE	DATE AND SENATOR



## MOTIONS FOR RECONSIDERATION

After an action taken by the Senate, any Senator voting with the prevailing side or who has not voted may, on the same day or on either of the next two days of actual session thereafter, either enter a motion for reconsideration or move a reconsideration. This section contains such motions not yet acted on as so provided by Rule XIII, Paragraph 1.

DATE	SUBJECT
Dec 12, 2011	Motion entered by Mr. Reid to reconsider the vote by which the motion to invoke cloture on the nomination of Mari Carmen Aponte was not agreed to (Roll Call Vote No. 227).