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# SENATE OF THE UNITED STATES

## ONE HUNDRED THIRTEENTH CONGRESS

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FIRST SESSION { CONVENED JANUARY 3, 2013  
SECOND SESSION {

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# EXECUTIVE CALENDAR

**Tuesday, May 14, 2013**



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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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## Unanimous Consent Agreements

### **Marilyn B. Tavenner (Cal. No. 92)**

*Ordered,* That at a time to be determined by the Majority Leader, in consultation with the Republican Leader, the Senate proceed to executive session to consider the nomination of Marilyn B. Tavenner, of Virginia, to be Administrator of the Centers for Medicare and Medicaid Services.

*Ordered further,* That there be 1 hour 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 nomination; 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 to the nomination; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

*(May 9, 2013.)*

### **William H. Orrick, III (Cal. No. 40)**

*Ordered,* That at a time to be determined by the Majority Leader, in consultation with the Republican Leader, the Senate proceed to executive session to consider the nomination of William H. Orrick, III, of the District of Columbia, to be United States District Judge for the Northern District of California.

*Ordered further,* That there be 1 hour 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 nomination; 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 to the nomination; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

*(May 9, 2013.)*

### **Ernest J. Moniz (Cal. No. 91)**

*Ordered,* That at a time to be determined by the Majority Leader, in consultation with the Republican Leader, the Senate proceed to executive session to consider the nomination of Ernest J. Moniz, of Massachusetts, to be Secretary of Energy.

*Ordered further,* That there be 3 hours 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 nomination; 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 to the nomination; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

*(May 9, 2013.)*

# RESOLUTIONS

CALENDAR No.	S. 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>THE JUDICIARY</b>	
11	32	Mark A. Barnett, of Virginia, to be a Judge of the United States Court of International Trade, vice Judith M. Barzilay, retired.	Feb 14, 2013 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
12	33	Claire R. Kelly, of New York, to be a Judge of the United States Court of International Trade, vice Evan J. Wallach, elevated.	Feb 14, 2013 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
40	24	William H. Orrick, III, of the District of Columbia, to be United States District Judge for the Northern District of California, vice Charles R. Breyer, retired.	Feb 28, 2013 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
		<b>AIR FORCE</b>	
44	58-2	The following named officers 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>  Colonel Scott C. Long	Feb 26, 2013 Reported by Mr. Levin, Committee on Armed Services, without printed report.
		<b>THE JUDICIARY</b>	
45	10	Sheri Polster Chappell, of Florida, to be United States District Judge for the Middle District of Florida, vice Gregory A. Presnell, retired.	Mar 07, 2013 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
46	20	Michael J. McShane, of Oregon, to be United States District Judge for the District of Oregon, vice Michael R. Hogan, retired.	Mar 07, 2013 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
47	25	Nitza I. Quinones Alejandro, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania, vice Richard Barclay Surrick, retired.	Mar 07, 2013 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
48	26	Luis Felipe Restrepo, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania, vice Anita B. Brody, retired.	Mar 07, 2013 Reported by Mr. Leahy, Committee on the Judiciary, 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
49	28	<p>Jeffrey L. Schmehl, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania, vice Thomas M. Golden, deceased.</p> <p style="text-align: center;"><b>BUREAU OF CONSUMER FINANCIAL PROTECTION</b></p>	Mar 07, 2013 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
* 51	157	<p>Richard Cordray, of Ohio, to be Director, Bureau of Consumer Financial Protection for a term of five years. (New Position)</p> <p style="text-align: center;"><b>DEPARTMENT OF DEFENSE</b></p>	Mar 19, 2013 Reported by Mr. Johnson SD, Committee on Banking, Housing, and Urban Affairs, without printed report.
* 53	36	<p>Alan F. Estevez, of the District of Columbia, to be a Principal Deputy Under Secretary of Defense, vice Frank Kendall III.</p> <p style="text-align: center;"><b>THE JUDICIARY</b></p>	Mar 20, 2013 Reported by Mr. Levin, Committee on Armed Services, without printed report.
62	16	<p>Kenneth John Gonzales, of New Mexico, to be United States District Judge for the District of New Mexico, vice Bruce D. Black, retired.</p> <p style="text-align: center;"><b>INTERNATIONAL BANKS</b></p>	Apr 11, 2013 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
* 63	41	<p>Jacob J. Lew, of New York, to be United States Governor of the International Monetary Fund for a term of five years; United States Governor of the International Bank for Reconstruction and Development for a term of five years; United States Governor of the Inter-American Development Bank for a term of five years; United States Governor of the European Bank for Reconstruction and Development, vice Timothy G. Geithner.</p> <p style="text-align: center;"><b>AIR FORCE</b></p>	Apr 16, 2013 Reported by Mr. Menendez, Committee on Foreign Relations, without printed report.
70	207	<p>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:</p>	Apr 17, 2013 Reported by Mr. Levin, Committee on Armed Services, without printed report.

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## NOMINATIONS

CALENDAR No.	MESSAGE No.	NOMINEE, OFFICE, AND PREDECESSOR	REPORTED BY
90	128	<p style="text-align: center;"><i>to be Lieutenant General</i></p> <p>Lt. Gen. Susan J. Helms</p> <p style="text-align: center;"><b>THE JUDICIARY</b></p> <p>Gregory Alan Phillips, of Wyoming, to be United States Circuit Judge for the Tenth Circuit, vice Terrence L. O'Brien, retiring.</p>	Apr 18, 2013 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.
* 91	193	<p style="text-align: center;"><b>DEPARTMENT OF ENERGY</b></p> <p>Ernest J. Moniz, of Massachusetts, to be Secretary of Energy, vice Steven Chu.</p>	Apr 18, 2013 Reported by Mr. Wyden, Committee on Energy and Natural Resources, without printed report.
* 92	138	<p style="text-align: center;"><b>DEPARTMENT OF HEALTH AND HUMAN SERVICES</b></p> <p>Marilyn B. Tavenner, of Virginia, to be Administrator of the Centers for Medicare and Medicaid Services, vice Donald M. Berwick, resigned.</p>	Apr 23, 2013 Reported by Mr. Baucus, Committee on Finance, 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
51	Jan 22, 2013	Sylvia M. Becker, of the District of Columbia, to be a Member of the Foreign Claims Settlement Commission of the United States for the term expiring September 30, 2013, vice Ralph E. Martinez, term expired.	Yes	May 13, 2013	
52	Jan 22, 2013	Sylvia M. Becker, of the District of Columbia, to be a Member of the Foreign Claims Settlement Commission of the United States for the term expiring September 30, 2016. (Reappointment)	Yes	May 13, 2013	
122	Jan 28, 2013	Gerald Lyn Early, of Missouri, to be a Member of the National Council on the Humanities for a term expiring January 26, 2018, vice Josiah Bunting, III, term expired.	Yes		
123	Jan 28, 2013	Patricia Nelson Limerick, of Colorado, to be a Member of the National Council on the Humanities for a term expiring January 26, 2018, vice Robert S. Martin, term expired.	Yes		
124	Jan 28, 2013	Shelly Colleen Lowe, of Arizona, to be a Member of the National Council on the Humanities for a term expiring January 26, 2018, vice Jane M. Doggett, term expired.	Yes		
125	Jan 28, 2013	Daniel Iwao Okimoto, of California, to be a Member of the National Council on the Humanities for a term expiring January 26, 2018, vice Mary Habeck, term expired.	Yes		
126	Jan 28, 2013	Katherine H. Tachau, of Iowa, to be a Member of the National Council on the Humanities for a term expiring January 26, 2018, vice Jay Winik, 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

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131	Feb 04, 2013	Michael Wayne Hail, 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 Sharon Tucker, term expired.	Yes		
132	Feb 04, 2013	Janet Lorraine LaBreck, of Massachusetts, to be Commissioner of the Rehabilitation Services Administration, Department of Education, vice Lynnae M. Rutledge, resigned.	Yes		
174	Feb 27, 2013	Stephen J. Hadley, of the District of Columbia, to be a Member of the Board of Directors of the United States Institute of Peace for a term of four years, vice Judy Van Rest, term expired.	Yes		
190	Mar 07, 2013	Timothy Hyungrock Haahs, of Pennsylvania, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2014, vice Morgan Edwards, term expired.	Yes		
191	Mar 07, 2013	John Unsworth, of Massachusetts, to be a Member of the National Council on the Humanities for a term expiring January 26, 2016, vice Jean B. Elshtain, term expired.	Yes		
199	Mar 13, 2013	Olga Viso, of Minnesota, to be a Member of the National Council on the Arts for a term expiring September 3, 2018, vice William Francis Price, Jr., term expired.	Yes		

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245	Mar 21, 2013	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		
246	Mar 21, 2013	Ranee Ramaswamy, of Minnesota, to be a Member of the National Council on the Arts for a term expiring September 3, 2018, vice Miguel Campaneria, term expired.	Yes		
291	Apr 11, 2013	Rick Lowe, of Texas, to be a Member of the National Council on the Arts for a term expiring September 3, 2018, vice JoAnn Faletta, term expired.	Yes		
292	Apr 11, 2013	Dorothy Kosinski, of the District of Columbia, to be a Member of the National Council on the Humanities for a term expiring January 26, 2016, vice Ricardo Quinones, term expired.	Yes		
332	Apr 18, 2013	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.	Yes		
333	Apr 18, 2013	Henry J. Aaron, of the District of Columbia, to be a Member of the Social Security Advisory Board for a term expiring September 30, 2020. (Reappointment)	Yes		
334	Apr 18, 2013	Andrea Levere, of Maryland, to be a Member of the Board of Directors of the National Consumer Cooperative Bank for a term of three years, vice Nguyen Van Hanh, term expired.	Yes		

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335	Apr 18, 2013	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		
337	Apr 23, 2013	Roberto R. Herencia, of Illinois, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2015. (Reappointment)	Yes		
380	Apr 25, 2013	William S. Jasien, of Virginia, to be a Member of the Federal Retirement Thrift Investment Board for a term expiring October 11, 2015, vice Terrence A. Duffy, term expired.	Yes		
418	May 09, 2013	Mark D. Gearan, of New York, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring December 1, 2015. (Reappointment)	Yes		

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## 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)

MESSAGE No.	NOMINEE AND OFFICE	DATE AND SENATOR
<b>207</b>	The following named officer for appointment in the United States Air Force to the grade of Lieutenant General: Lt. Gen. Susan J. Helms.	Apr 23, 2013. - Mrs. McCaskill.

## 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