# SENATE OF THE UNITED STATES ONE HUNDRED SEVENTH CONGRESS 

<br>SECOND SESSION \{ Convened Jantark 23, 2002

## EXECUTIVE CALENDAR

Tuesday, July 23, 2002



PREPARED UNDER THE DIRECTION OF JERI THOMSON, SECRETARY OF THE SENATE

By Michelle Haynes, Executive Clerk

## UNANIMOUS CONSENT AGREEMENT

Ordered, That the live quorum for the motion to invoke cloture be waived and that on Tuesday, July 23, 2002, at 10:45 a.m., the Senate vote on the motion on the nomination of Richard H. Carmona, of Arizona, to be Medical Director in the Regular Corps of the Public Health Service, subject to the qualifications therefor as provided by law and qualifications, and to be Surgeon General for the Public Health Service for a term of four years.
(Cal. No. 921.) (July 18, 2002)

## CLOTURE MOTION FILED

Motion to invoke cloture filed on the nomination of Richard H. Carmona, of Arizona, to be Medical Director in the Regular Corps of the Public Health Service, subject to qualifications therefor as provided by law and regulations, and to be Surgeon General of the Public Health Service for a term of four years. (Cal. No. 921.) (July 18, 2002)

## RESOLUTIONS



## TREATIES



## NOMINATIONS

| Calendar <br> No. | Message <br> No. | Nominee, Office, and Predecessor | Reported <br> By |
| :---: | :---: | :---: | :---: |
|  |  | INTERNATIONAL JOINT COMMISSION, |  |
|  |  | UNITED STATES AND CANADA |  |
|  |  |  |  |

Eugene Scalia, of Virginia, to be Solicitor for the Department of Labor, vice Henry L. Solano, resigned.

## DEPARTMENT OF TRANSPORTATION

Emil H. Frankel, of Connecticut, to be an Assistant Secretary of Transportation, vice Eugene A. Conti, Jr., resigned.

Jeffrey Shane, of the District of Columbia, to be Associate Deputy Secretary of Transportation, vice Stephen D. Van Beek, resigned.

## NATIONAL LABOR RELATIONS BOARD

Rene Acosta, of Virginia, to be a Member of the National Labor Relations Board for the remainder of the term expiring August 27, 2003 , vice William B. Cowen, who was appointed to this position during the recess of the Senate from December 20, 2001, to January 23, 2002.

Dennis P. Walsh, of Maryland, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2004, vice Sarah McCracken Fox, resigned.

## THE JUDICLARY

Julia Smith Gibbons, of Tennessee, to be United States Circuit Judge for the Sixth Circuit, vice Gilbert S. Merritt, retired.

Sep 25, 2001 Reported by Mr. Biden, Committee on Foreign Relations, without printed report.

Oct 17, 2001 Reported by Mr. Kennedy, Committee on Health, Education, Labor, and Pensions, without printed report.

Dec 19, 2001 Reported by Mr.
Hollings, Committee on Commerce, Science, and Transportation, without printed report.

Dec 19, 2001 Reported by Mr. Hollings, Committee on Commerce, Science, and Transportation, without printed report.

Apr 22, 2002 Reported by Mr. Kennedy, Committee on Health, Education, Labor, and Pensions, without printed report.

Apr 22, 2002 Reported by Mr. Kennedy, Committee on Health, Education, Labor, and Pensions, without printed report.

May 2, 2002 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.

[^0]NOMINATIONS

| Calendar <br> No. | Message No. | Nominee, Office, and Predecessor | Reforted <br> By |
| :---: | :---: | :---: | :---: |
| 826 | 1470 | Christopher C. Conner, of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania, vice Sylvia H. Rambo, retired. | May 16, 2002 Reported by Mr. Leahy, Committee on the Judiciary, without printed report. |
| 827 | 1330 | Joy Flowers Conti, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania, vice Alan N. Bloch, retired. | May 16, 2002 Reported by Mr. <br> Leahy, Committee on the Judiciary, without printed report. |
| 828 | 1471 | John E. Jones III, of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania, vice James F. McClure, Jr., retired. <br> CONSUMER PRODUCT SAFETY COMMISSION | May 16, 2002 Reported by Mr. Leahy, Committee on the Judiciary, without printed report |
| * 829 | 1514 | Harold D. Stratton, of New Mexico, to be Chairman of the Consumer Product Safety Commission, vice Ann Brown. | May 17, 2002 Reported by Mr. Hollings, Committee on Commerce, Science, and Transportation, without printed report. |
| * 830 | 1515 | Harold D. Stratton, of New Mexico, to be a Commissioner of the Consumer Product Safety Commission for the remainder of the term expiring October 26, 2006, vice Ann Brown. <br> FEDERAL EMERGENCY MANAGEMENT AGENCY | May 17, 2002 Reported by Mr. <br> Hollings, Committee on Commerce, Science, and Transportation, without printed report. |
| * 832 | 1591 | Anthony Lowe, of Washington, to be Federal Insurance Administrator, Federal Emergency Management Agency, vice Jo Ann Jay Howard, resigned. <br> THE JUDICLARY | May 21, 2002 Reported by Mr. Sarbanes, Committee on Banking, Housing, and Urban Affairs, without printed report. |
| 837 | 1480 | Robert R. Rigsby, 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 Reggie Barnett Walton, elevated. | May 22, 2002 Reported by Mr. Lieberman, Committee on Governmental Affairs, without printed report. |

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## NOMINATIONS

| Calendar No. | Message No. | Nominee, Office, and Predecessor |
| :---: | :---: | :---: |
|  |  | DISTRICT OF COLUMBIA OFFENDER SUPERVISION, DEFENDER, AND COURTS SERVICES AGENCY |
| * 838 | 1260 | Paul A. Quander, Jr., of the District of Columbia, to be Director of the District of Columbia Offender Supervision, Defender, and Courts Services Agency for a term of six years. (New Position) |
|  |  | DEPARTMENT OF JUSTICE |
| * 839 | 1393 | Todd Walther Dillard, of Maryland, to be United States Marshal for the Superior Court of the District of Columbia for the term of four years. (Reappointment) |
|  |  | THE JUDICLARY |
| 840 | 1005 | D. Brooks Smith, of Pennsylvania, to be United States Circuit Judge for the Third Circuit, vice Timothy K. Lewis, retired. |
|  |  | DEPARTMENT OF JUSTICE |
| 841 | 1356 | Roslynn R. Mauskopf, of New York, to be United States Attorney for the Eastern District of New York for the term of four years, vice Loretta E. Lynch, resigned. |
| 842 | 1726 | Steven D. Deatherage, of Illinois, to be United States Marshal for the Central District of Illinois for the term of four years, vice Robert Moore, term expired. |
| 843 | 1651 | Thomas M. Fitzgerald, of Pennsylvania, to be United States Marshal for the Western District of Pennsylvania for the term of four years, vice Frank Policaro, Jr., term expired. |
| 844 | 1687 | G. Wayne Pike, of Virginia, to be United States Marshal for the Western District of Virginia for the term of four years, vice Larry Reed Mattox, term expired. |
| 845 | 1647 | David William Thomas, of Delaware, to be United States Marshal for the District of Delaware for the term of four years, vice Timothy Patrick Mullaney, Sr., term expired. |

May 22, 2002 Reported by Mr. Lieberman, Committee on Governmental Affairs, without printed report.

May 22, 2002 Reported by Mr. Lieberman, Committee on Governmental Affairs, without printed report.

May 23, 2002 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 |
| :---: | :---: | :---: | :---: |
| * 846 | 1516 | DEPARTMENT OF STATE <br> David A. Gross, of Maryland, for the rank of Ambassador during his tenure of service as Deputy Assistant Secretary of State for International Communications and Information Policy in the Bureau of Economic and Business Affairs and U.S. Coordinator for International Communications and Information Policy. | May 23, 2002 Reported by Mr. Biden, Committee on Foreign Relations, without printed $\mathrm{r} \varepsilon_{2}$ ort |
| * 847 | 1604 | Jack C. Chow, of Pennsylvania, for the rank of Ambassador during his tenure of service as Special Representative of the Secretary of State for HIV/AIDS. | May 23, 2002 Reported by Mr. <br> Biden, Committee on Foreign Relations, without printed report |
| * 848 | 1592 | Paula A. DeSutter, of Virginia, to be an Assistant Secretary of State (Verification and Compliance), vice Owen James Sheaks. | May 23, 2002 Reported by Mr. Biden, Committee on Foreign Relations, without printed report |
| * 849 | 1479 | Stephen Geoffrey Rademaker, of Delaware, to be an Assistant Secretary of State (Arms Contiol), vice Avis Thayer Bohlen. | May 23, 2002 Reported by Mr. Biden, Committee on Foreign Relations, without printed report. |
| * 850 | 144.2 | Michael Alan Guhin, of Maryland, a Career Member of the Senior Executive Service, for the rank of Ambassador during tenure of service as U.S. Fissile Material Negotiator. <br> DEPARTMENT OF ENERGY | May 23, 2002 Reported by Mr. Biden, Committee on Foreign Relations, without printed report. |
| * 851 | 1711 | Kyle E. McSlarrow, of Virginia, to be Deputy Secretary of Energy, vice Francis S. Blake, resigned. | Jun 5, 2002 Reported by Mr. Bingaman, Committee on Energy and Natural Resources, without printed report. |
| * 852 | 1383 | Guy F. Caruso, of Virginia, to be Administrator of the Energy Information Administration, vice Jay E. Hakes, resigned. <br> THE JUDICIARY | Jun 5, 2002 Reported by Mr. <br> Bingaman, Committee on Fnergy and Natural Resources, without printed report. |
| 862 | 1574 | Henry E. Autrey, of Missouri, to be United States District Judge for the Eastern District of Missouri, vice George F. Gunn, Jr., retired. | Jun 13, 2002 Reported by Mr. <br> Leahy, Committee on the Judiciary, without printed report. |

[^3]NOMINATIONS

| Calendar No. | $\begin{aligned} & \text { Message } \\ & \text { No. } \end{aligned}$ | Nominee, Offtce, and Predecessor |
| :---: | :---: | :---: |
| 863 | 1575 | Richard E. Dorr, of Missouri, to be Uinited States District Judge for the Western District of Missouri, vice D. Brook Bartlett, deceased. |
| 864 | 1338 | David C. Godbey, of Texas, to be United States District Judge for the Northern District of Texas, vice Robert B. Maloney, retired. |
| 865 | 1340 | Henry E. Hudson, of Virginia, to be United States District Judge for the Eastern District of Virginia, vice a new position created by Public Law 106-553, approved December 21, 2000. |
| 866 | 1577 | Timothy J. Savage, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania, vice Edward N. Cahn, retired. |
| 867 | 1573 | Amy J. St. Eve, of Illinois, to be United States District Judge for the Northern District of Illinois, vice George W. Lindberg, retired. |
| !. |  | DEPARTMENT OF JUSTICE |
| 868 | 1725 | Gregory Robert Miller, of Florida, to be United States Attorney for the Northern District of Florida for the term of four years, vice Patrick Michael Patterson, resigned. |
| 869 | 1765 | Kevin Vincent Ryan, of California, to be United States Attorney for the Northern District of California, for the term of four years, vice Robert S. Mueller III, resigned. |
| 870 | 1794 | Randall Dean Anderson, of Utah, to be United States Marshal for the District of Utah for the term of four years. (Reappointment) |
| 871 | 1613 | Ray Elmer Carnahan, of Arkansas, to be United States Marshal for the Eastern District of Arkansas for the term of four years, vice Conrad S. Pattillo, term expired. |
| 872 | 1775 | David Scott Carpenter, of North Dakota, to be United States Marshal for the District of North Dakota for the term of four years, vice Brian C. Berg, term expired. |

Jun 13, 2002 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.

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[^4]NOMINATIONS

| Calendar No. | Message No. | Nominee, Office, and Predecessor | Reported <br> By |
| :---: | :---: | :---: | :---: |
| 873 | 1615 | Theresa A. Merrow, of Georgia, to be United States Marshal for the Middle District of Georgia for the term of four years, vice Lawson Cary Bittick, term expired. | Jun 13, 3002 Reported by Mr. <br> Leahy, Committee on the Judiciary, without printed report. |
| 874 | 1653 | Ruben Monzon, of Texas, to be IJnited States Marshal for the Southern District of Texas for the term of four years, vice Hiran Arthur Contreras, term expired. | Jun 13, 2002 Reported by Mr. <br> Leahy, Committee on the Judiciary, without printed report. |
| 875 | 1778 | James Michael Wahlrab, of Ohio, to be United States Marshal for the Southerr District of Ohia for the term of four years, vice Roy Allen Smith, term expired. <br> DEYARTMENT OF STATE | Jun 13, 2002 Reported by Mr. <br> I, ealiy, Committee on the Judiciary, without printed report. |
| * 876 | 1777 | Tony P. Hall, of Ohio, for the rank of Ambassador during his tenure of service as United States Representative to the United Nations Agencies for Food and Agriculture. <br> DEPARTMENT OF LABOR | Jun 13, 2002 Reported by Mr. Biden, Committee on Foreign Relations, without printed report. |
| * 877 | 2571 | Kathleen P. Utgoff, of Virginia, to be Commissioner of Labor Statistics, United States Department of Labor for a term of four years, vice Katherine G. Abraham, term expired. | Jun 19, 2002 Reported by Mr. Kennedy, Committee on Health, Education, Labor, and Pensions, without printed report. |
| * 878 | 1534 | W. Roy Grizzard, of Virginia, to be an Assistant Secretary of Labor, vice John Martin Manley, resigned. | Jun 19, 2002 Reported by Mr. Kennedy, Committee on Health, Education, Labor, and Pensions, without printed report. |
| * 879 | 1559 | NATIONAL COUNCIL ON DISABLLITY <br> Lex Frieden, of Texas, to be a Member of the National Council On Disability for a term expiring September 17, 2004, vice Marca Bristo, term expired. | .Jun 19, 2002 Reported by Mr. Kennedy, Committee on Health, Education, Labor, and Pensions, without printed report. |
| * 880 | 1560 | Young Woo Kang, of Indiana, to be a Member of the National Council On Disability for a term expiring September 17, 2003, vice Debra Robinson, term expired. | Jun 19, 2002 Reported by Mr. Kennedy, Committee on Health, Education, Labor, and Pensions, without printed report. |

[^5]| Calendar No. | $\begin{gathered} \text { Message } \\ \text { No. } \end{gathered}$ | Nominee, Office, and Predecessor |
| :---: | :---: | :---: |
| * 881 | 1561 | Kathleen Martinez, of California, to be a Member of the National Council On Disability for a term expiring September 17, 2003, vice Rae E. Unzicker, term expired. |
| * 882 | 1562 | Carol Hughes Novak, of Georgia, to be a Member of the National Council On Disability for a term expiring September 17, 2004, vice Gina McDonald, term expired. |
| * 883 | 1563 | Fatricia Pound, of Texas, to be a Member of the National Council On Disability for a term expiring September 17, 2002, vice Ela Yazzie-King, term expired. <br> NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES |
| * 884 | 1490 | Jeffrey D. Wallin, of California, to be a Member of the National Council on the Humanities for a term expiring January 26, 2006, vice Ron Chew. |
| * 885 | 1537 | Wilfred M. McClay, of Tennessee, to be a Member of the National Council on the Humanities for a term expiring January 26,2006 , vice Bill Duke. |
| * 886 | 1540 | Thomas Mallon, of Connecticut, to be a Member of the National Council on the Humanities for a term expiring January 26,2004 , vice Donald L. Fixico. <br> THE JUDICIARY |
| 887 | 1576 | David S. Cercone, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania, vice Donald J. Lee, retired. |
| 888 | 1572 | Morrison C. England, Jr., of California, to be United States District Judge for the Eastern District of California, vice Lawrence K . Karlton, retired. |
| 889 | 1320 | Kenneth A. Marra, of Florida, to be United States District Judge for the Southern District of Florida, vice a new position created by Public Law 106-553, approved December 21, 2000. |

Jun 19, 2002 Reported by Mr.
Kennedy, Committee on Health, Education, Labor, and Pensions, without printed report.

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Kennedy, Committee on Health, Education, Labor, and Pensions, without printed report.

Jun 19, 2002 Reported by Mr. Kennedy, Committee on Health, Education, Labor, and Pensions, without printed report.

Jun 20, 2002 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.

Jun 20, 2002 Reported by Mr.
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Jun 20, 2002 Reported by Mr.
Leahy, Committee on the Judiciary, without printed report.

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## NOMINATIONS

| Calendar No. | Message No. | Nominee, Office, and Prwdecessor | $\begin{gathered} \text { Reported } \\ \mathrm{By} \end{gathered}$ |
| :---: | :---: | :---: | :---: |
| 890 | 1241 | DEPARTMENT OF JUSTICE <br> Lawrence A. Greenfeld, of Maryland, to be Director of the Bureau of Justice Statistics, vice Jan M. Chaiken, resigned. | Jun 20, 2002 Reported by Mr. Leahy, Committee on the Judiciary, without printed report |
| 891 | 1730 | Anthony Dichio, of Massachusetts, to be United States Marshal for the District of Massachusetts for the term of four years, vice Nancy J. McGillivray-Shaffer, term expired. | Jun 20, 2002 Reported by Mr. <br> Leahy, Committee on the Judiciary, without printed report. |
| 892 | 135 E | Michael Lee Kline, of Waskington, to be United States Marshal for the Eastern District of Washington for the term of four years, vice G. Ronald Dashiell, termi expired. | Jun 20, 2002 Reported by Mr. Leahy, Committee on the Judiciary, without printed report. |
| 893 | 1773 | James Thomas Roberts, Jr., of Georgia, to be United States Marshal for the Southern District of Georgia for the term of four years, vice John W. Caldwell, term expired. <br> FARM CREDIT ADMINISTRATION | Jun 20, 2002 Reported by Mr. <br> Ieahy, Committee on the Judiciary, without printed report. |
| * 904 | 819 | Fred L. Dailey, of Ohio, to be a Member of the Board of Directors of the Federal Agricultural Mortgage Corporation, vice Gordon Clyde Southern. | Jun 28, 2002 Senate Committee on Agriculture, Nutrition, and Forestry discharged by Unanimous Consent. |
| * 305 | 820 | Crace Trujillo Daniel, of California, to be a Member of the Board of Directors of the Federal Agricultural Mortgage Corporation, vice Clyde Arlie Wheeler, Jr. <br> COMMODITY FUTURES TRADING COMMISSION | Jun 28, 2002 Senate Committee on Agriculture, Nutrition, and Forestry discharged by Unanimous Consent. |
| * 906 | 1600 | Sharon Brown-Hruska, of Virginia, to be a Commissioner of the Commodity Futures Trading Commission for the remainder of the term expiring April 13, 2004, vice William J. Rainer, resigned. | Jun 28, 2002 Senate Committee on Agriculture, Nutrition, and Forestry discharged by Unanimous Consent. |
| * 307 | 1641 | Walter Lukken, of Indiana, to be a Commissioner of the Commodity Futures Trading Commission for a term expiring April 13, 2005, vice David D. Spears, term expired. | Jun 28, 2002 Senate Committee on Agriculture, Nutrition, and Forestry discharged by Unanimous Consent. |

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


## NOMINATIONS

| $\begin{gathered} \text { Calendar } \\ \text { No. } \end{gathered}$ | Message <br> No. | Nominer, Office, and Predecrssor | Reported By |
| :---: | :---: | :---: | :---: |
| * 908 | 1744 | FARM CREDIT ADMINISTRATION <br> Douglas L. Flory, of Virginia, to be a Member of the Farm Credit Administration Board, Farm Credit Administration, for a term expiring October 13, 2006, vice Michael V. Dunn. | Jun 28, 2002 Senate Committee on Agriculture, Nutrition, and Forestry discharged by Unanimous Consent. |

## NUCLEAR REGULATORY COMMISSION

Jeffrey S. Merrifield, of New Hampshire, to be a Member of the Nuclear Regulatory Comunission for the term of five years expiring June 30, 2007. (Reappointment)

## CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

J. Russell George, of Virginia, to be Inspector General, Corporation for National and Community Service, vice Luise S. Jordan, resigned.

## THE JUDICLARY

John M. Rogers, of Kentucky, to be United States Circuit Judge for the Sixth Circuit, vice Eugene E. Siler, Jr., retired.

## DEPARTMENT OF JUSTICE

Marcos D. Jimenez, of Florida, to be United States Attorney for the Southern District of Florida for the term of four years, vice Thomas E. Scott, resigned.

Miriam F. Miquelon, of Illinois, to be United States Attorney for the Southern District of Illinois, vice Walter Charles Grace, term expired.

Forestry discharged by Unanimous Consent.

Jun 28, 2002 Senate Committee on Environment and Public Works discharged by Unanimous Consent.

Jul 9, 2002 Senate Committee on Governmental Affairs discharged pursuant to the unanimous consent agreement of January 5 , 2001.

Jun 19, 2002 Reported by Mr. Kennedy, Committee on Health, Education, Labor and Pensions, without printed report. Further referred to Committee on Governmental Affairs for not more than 20 days pursuant too an order of the Senate of January 5, 2001.

Jul 11, 2002 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.

Jul 11, 2002 Reported by Mr. Leahy, Committee on the Judiciary, without printed report.

Jul 11, 2002 Reported by Mr.
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| Calendar No. | Message No. | Nominee, Office, and Prajecessor | Reported By |
| :---: | :---: | :---: | :---: |
| 914 | 1774 | James Robert Dougan, of Nichigan, to be United States Marshal for the Western District of Michigan for the term of four years, vice Barbara C. Jurkses, term expired. | Jul 11, 2002 Reported by Mr. <br> Leahy, Committee on the Judiciary, without printed report. |
| 915 | 1892 | George Breffni Walsh, of Virginia, to be United States Marshal for the District of Columbia for the term of four years, vice Donald W. Horton. <br> FEDERAL MEDIATION AND CONCILIATION SERVICE | Jul 11, 2002 Reported by Mr. <br> Leahy, Committee on the Judiciary, without printed report. |
| * 916 | 1853 | Peter J. Hurtgen, of Maryland, to be Federal Mediation and Conciliation Director, vice Charles Richard Earnes, resigned. | Jul 11, 2002 Reported by Mr. Kennedy, Committee on Healih, Education, Labor, and Pensions, without printed report. |
| * 917 | 1558 | NATIONAL COUNCL ON DISABLITY <br> Robert Davila, of New York, to be a Member of the National Council On Disability for a term expiring September 17, 2003, vice John D. Kemp, term expired. <br> NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES | Jul 11, 2002 Reported by Mr. Kennedy, Committee on Health, Education, Labor, and Pensions, without printed report. |
| * 918 | 1873 | Earl A. Powell III, of Virginia, to be a Member of the National Council on the Arts for a term expiring September 3, 2006, vice Townsend D. Wolfe, III, term expired. | Jul 11, 2002 Reported by Mr. Kennedy, Committee on Health, Education, Labor, and Pensions, without printed report. |
| * 919 | 1455 | Naomi Shihab Nye, of Texas, to be a Member of the National Council on the Humanities for a term expiring January $26,2006$. <br> (Reappointment) | Jul 11, 2002 Reported by Mr. Kennedy, Committee on Health, Education, Labor, and Pensions, without printed report. |
| * 920 | 1517 | Michael Pack, of Maryland, to be a Member of the National Council on the Humanities for a term expiring January 26,2004 , vice Darryl J. Gless, term expired. | Jul 11, 2002 Reported by Mr. Kennedy, Committee on Health, Education, Labor, and Pensions, without printed report. |

[^7]NOMINATIONS


[^8]NOMINATIONS PLACED ON THE SECRETARY'S DESK


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