
SENATE OF THE UNITED STATES
ONE HUNDRED EIGHTH CONGRESS

FIRST SESSION { CONVENED JANUARY 7, 2003

SECOND SESSION {

EXECUTIVE CALENDAR

Thursday, November 6, 2003



PREPARED UNDER THE DIRECTION OF EMILY J. REYNOLDS,
SECRETARY OF THE SENATE

By Michelle Haynes, Executive Clerk

Issue No. 142

UNANIMOUS CONSENT AGREEMENT

William H. Pryor (Cal. No. 310)

Ordered, That at 10:30 a.m. on Thursday, November 6, 2003, the Senate proceed to executive session to consider the nomination of William H. Pryor, of Alabama, to be United States Circuit Judge for the Eleventh Circuit; and further, that there be 60 minutes of debate equally divided prior to the vote on the motion to invoke cloture; and further, that the live quorum under Rule XXII be waived. (*November 3, 5, 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
		UNITED STATES INTERNATIONAL TRADE COMMISSION	
* 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.
		FEDERAL ENERGY REGULATORY COMMISSION	
* 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.
		THE JUDICIARY	
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.
		DEPARTMENT OF DEFENSE	
* 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.
		THE JUDICIARY	
* 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
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.
AFRICAN DEVELOPMENT FOUNDATION			
* 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.
DEPARTMENT OF JUSTICE			
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.
MERIT SYSTEMS PROTECTION BOARD			
* 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.
* 234	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
		UNITED STATES POSTAL SERVICE	
* 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.
		DEPARTMENT OF AGRICULTURE	
* 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.
		THE JUDICIARY	
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.
		DEPARTMENT OF LABOR	
* 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.
		AIR FORCE	
321	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, ██████████	Jul 30, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.

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CALENDAR No.	MESSAGE No.	NOMINEE, OFFICE, AND PREDECESSOR	REPORTED By
		FEDERAL ENERGY REGULATORY COMMISSION	
* 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.
		THE JUDICIARY	
400	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.
410	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.
		DEPARTMENT OF JUSTICE	
411	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.
		DEPARTMENT OF THE INTERIOR	
* 417	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.
		ARMY	
418	412	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: <i>to be Lieutenant General</i> Maj. Gen. Robert T. Clark, [REDACTED]	Oct 23, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.

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NOMINATIONS

CALENDAR No.	MESSAGE No.	NOMINEE, OFFICE, AND PREDECESSOR	REPORTED By
		DEPARTMENT OF TRANSPORTATION	
* 419	883	Karan K. Bhatia, of Maryland, to be an Assistant Secretary of Transportation, vice Read Van de Water.	Oct 23, 2003 Reported by Mr. McCain, Committee on Commerce, Science, and Transportation, without printed report.
		METROPOLITAN WASHINGTON AIRPORTS AUTHORITY	
* 421	530	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.	Oct 23, 2003 Reported by Mr. McCain, Committee on Commerce, Science, and Transportation, without printed report.
		THE JUDICIARY	
425	544	Gary L. Sharpe, of New York, to be United States District Judge for the Northern District of New York, vice Thomas J. McAvoy, retired.	Oct 23, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
		DEPARTMENT OF EDUCATION	
* 429	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.
		THE JUDICIARY	
433	541	Dora L. Irizarry, of New York, to be United States District Judge for the Eastern District of New York, vice Reena Raggi, elevated.	Oct 30, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
		UNITED STATES SENTENCING COMMISSION	
434	979	William K. Sessions III, of Vermont, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2009. (Reappointment)	Oct 30, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.

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NOMINATIONS

CALENDAR No.	MESSAGE No.	NOMINEE, OFFICE, AND PREDECESSOR	REPORTED By
		DEPARTMENT OF JUSTICE	
435	969	David L. Huber, of Kentucky, to be United States Attorney for the Western District of Kentucky for the term of four years, vice Stephen Beville Pence, resigned.	Oct 30, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
		AIR FORCE	
436	767	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 Lieutenant General</i> Maj. Gen. Victor E. Renuart, Jr., [REDACTED]	Oct 30, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.
437	916	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 Lieutenant General</i> Lt. Gen. Richard V. Reynolds, [REDACTED]	Oct 30, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.
438	917	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 Lieutenant General</i> Maj. Gen. Charles L. Johnson, II, [REDACTED]	Oct 30, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.
439	1009	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 Lieutenant General</i> Maj. Gen. Garry R. Trexler,	Oct 30, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.

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NOMINATIONS

CALENDAR No.	MESSAGE No.	NOMINEE, OFFICE, AND PREDECESSOR	REPORTED By
		ARMY	
440	938	<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. Franklin L. Hagenbeck, [REDACTED]</p>	Oct 30, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.
441	972	<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. Joseph L. Yakovac, Jr., [REDACTED]</p>	Oct 30, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.
442	1034	<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. David W. Barno, [REDACTED]</p>	Oct 30, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		MARINE CORPS	
443	155	<p>The following named officers for appointment in the United States Marine Corps to the grade indicated under title 10, U.S.C., section 624:</p> <p style="text-align: center;"><i>to be Major General</i></p> <p style="text-align: center;">Brig. Gen. Tony L. Corwin, [REDACTED] Brig. Gen. Jon A. Gallinetti, [REDACTED] Brig. Gen. Thomas L. Moore, Jr., [REDACTED]</p>	Oct 30, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.
444	156	<p>The following named officers for appointment in the United States Marine Corps to the grade indicated under title 10, U.S.C., section 624:</p> <p style="text-align: center;"><i>to be Brigadier General</i></p> <p style="text-align: center;">Col. John R. Allen, [REDACTED] Col. Thomas L. Conant, [REDACTED] Col. Joseph V. Medina, [REDACTED]</p>	Oct 30, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.

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NOMINATIONS

CALENDAR No.	MESSAGE No.	NOMINEE, OFFICE, AND PREDECESSOR	REPORTED By
445	300	<p>Col. Robert E. Schmidle, Jr., [REDACTED] Col. Thomas D. Waldhauser, [REDACTED]</p> <p>The following named officer for appointment in the United States Marine Corps Reserve to the grade indicated under title 10, U.S.C., section 12203:</p> <p style="text-align: center;"><i>to be Brigadier General</i></p> <p>Col. James L. Williams, [REDACTED]</p> <p style="text-align: center;">NAVY</p>	Oct 30, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.
446	435	<p>The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:</p> <p style="text-align: center;"><i>to be Rear Admiral</i></p> <p>Rear Adm. (lh) Michael K. Loose, [REDACTED] Rear Adm. (lh) Robert L. Phillips, [REDACTED]</p>	Oct 30, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.
447	504	<p>The following named officer for appointment in the United States Naval Reserve to the grade indicated under title 10, U.S.C., section 12203:</p> <p style="text-align: center;"><i>to be Rear Admiral</i></p> <p>Rear Adm. (lh) Robert Ryland Percy, III, [REDACTED]</p>	Oct 30, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.
448	387	<p>The following named officer for appointment in the United States Naval Reserve to the grade indicated under title 10, U.S.C., section 12203:</p> <p style="text-align: center;"><i>to be Rear Admiral (Lower Half)</i></p> <p>Capt. Henry B. Tomlin, III, [REDACTED]</p>	Oct 30, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.
449	630	<p>The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:</p> <p style="text-align: center;"><i>to be Rear Admiral (Lower Half)</i></p> <p>Capt. Gary A. Engle, [REDACTED]</p>	Oct 30, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.
450	739	<p>The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:</p> <p style="text-align: center;"><i>to be Rear Admiral (Lower Half)</i></p> <p>Capt. Mark A. Hugel, [REDACTED]</p>	Oct 30, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.

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NOMINATIONS

CALENDAR No.	MESSAGE No.	NOMINEE, OFFICE, AND PREDECESSOR	REPORTED By
		ELECTION ASSISTANCE COMMISSION	
451	1014	Paul S. DeGregorio, of Missouri, to be a Member of the Election Assistance Commission for a term of two years. (New Position)	Oct 31, 2003 Senate Committee on Rules and Administration discharged by Unanimous Consent.
452	1015	Gracia M. Hillman, of the District of Columbia, to be a Member of the Election Assistance Commission for a term of two years. (New Position)	Oct 31, 2003 Senate Committee on Rules and Administration discharged by Unanimous Consent.
453	1016	Raymundo Martinez III, of Texas, to be a Member of the Election Assistance Commission for a term of four years. (New Position)	Oct 31, 2003 Senate Committee on Rules and Administration discharged by Unanimous Consent.
454	1017	Deforest B. Soaries, Jr., of New Jersey, to be a Member of the Election Assistance Commission for a term of four years. (New Position)	Oct 31, 2003 Senate Committee on Rules and Administration discharged by Unanimous Consent.

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NOMINATIONS PLACED ON THE SECRETARY'S DESK

AIR FORCE

PN360 Air Force nominations (51) beginning MARTIN ALEXIS, and ending JEROME E. WIZDA, which nominations were received by the Senate and appeared in the Congressional Record of February 25, 2003

PN973 Air Force nomination of Michael A. Mansueto, which was received by the Senate and appeared in the Congressional Record of September 25, 2003

PN974 Air Force nomination of Ronald C. Danielson, which was received by the Senate and appeared in the Congressional Record of September 25, 2003

PN1047 Air Force nomination of Jefferson L. Severs, which was received by the Senate and appeared in the Congressional Record of October 16, 2003

PN1048 Air Force nomination of Lesa M. Wagner, which was received by the Senate and appeared in the Congressional Record of October 16, 2003

PN1049 Air Force nomination of Francis D. Pombar, which was received by the Senate and appeared in the Congressional Record of October 16, 2003

PN1050 Air Force nomination of Alan T. Parmater, which was received by the Senate and appeared in the Congressional Record of October 16, 2003

ARMY

PN1036 Army nomination of Michael P. Vinlove, which was received by the Senate and appeared in the Congressional Record of October 14, 2003

PN1037 Army nominations (8) beginning DONALD A. BLACK, and ending DEBRA S. LONG, which nominations were received by the Senate and appeared in the Congressional Record of October 14, 2003

PN1053 Army nominations (29) beginning DOUGLAS B ASHBY, and ending TERRY C WASHAM, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2003

PN1054 Army nominations (62) beginning CURTIS J ALITZ, and ending MARSHALL F WILLIS, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2003

PN1055 Army nominations (42) beginning DEBRA E BURR, and ending JANICE B YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2003

PN1057 Army nominations (23) beginning LIONEL BAKER, and ending WARREN S WONG, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2003

NAVY

PN1058 Navy nominations (416) beginning JOHN A ADCOCK, JR, and ending JOSEPH ZULIANI, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2003

PN1062 Navy nominations (29) beginning MICHAEL C BECKETTE, and ending ROBERT S THOMPSON, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2003

PN1063 Navy nominations (458) beginning JAMES C TAYLOR, and ending JEFFERY S YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2003

NOMINATIONS PLACED ON THE SECRETARY'S DESK

PN1064 Navy nomination of Jeffrey D. Dickson, which was received by the Senate and appeared in the Congressional Record of October 16, 2003