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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

Thursday, May 1, 2003



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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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Issue No. 51

## UNANIMOUS CONSENT AGREEMENTS

### **Priscilla Richman Owen (Cal. No. 86)**

*Ordered*, That relative to the cloture motion presented on the nomination of Priscilla Richman Owen, of Texas, to be United States Circuit Judge for the Fifth Circuit, the mandatory quorum under Rule XXII be waived.

*Ordered*, That at 9:15 a.m. on Thursday, May 1, 2003, the Senate proceed to executive session and there be 1 hour of debate equally divided in the usual form prior to the vote on cloture on the nomination of Priscilla Richmond Owen, of Texas, to be United States Circuit Judge for the Fifth Circuit. (April 29, 30, 2003.)

### **Edward C. Prado (Cal. No. 105)**

*Ordered further*, That if cloture is not invoked on the Owen nomination, the Senate immediately proceed to the consideration of the nomination of Edward C. Prado, of Texas, to be United States Circuit Judge for the Fifth Circuit. (April 30, 2003.)

# RESOLUTIONS

CALENDAR No.	EX. RES No.	SUBJECT	REPORTED By

## TREATIES

CALENDAR No.	TREATY Doc. No.	SUBJECT	REPORTED By
6	108-4	Protocols to North Atlantic Treaty of 1949 on Accession of Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia	Apr 30, 2003 Reported by Mr. Lugar, Committee on Foreign Relations with printed Ex. Rept.108-6 and a resolution of advice and consent to ratification with 9 declarations and 3 understandings.

# NOMINATIONS

CALENDAR No.	MESSAGE No.	NOMINEE, OFFICE, AND PREDECESSOR	REPORTED By
		<b>FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION</b>	
* 17	81	Stanley C. Suboleski, of Virginia, to be a Member of the Federal Mine Safety and Health Review Commission for a term of six years expiring August 30, 2006, vice Marc Lincoln Marks, term expired.	Jan 23, 2003 Reported by Mr. Gregg, Committee on Health, Education, Labor, and Pensions, without printed report.
		<b>OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION</b>	
* 18	82	W. Scott Railton, of Virginia, to be a Member of the Occupational Safety and Health Review Commission for a term expiring April 27, 2007, vice Gary L. Visscher, term expired.	Jan 23, 2003 Reported by Mr. Gregg, Committee on Health, Education, Labor, and Pensions, without printed report.
		<b>THE JUDICIARY</b>	
21	6	Miguel A. Estrada, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit, vice Patricia M. Wald, retired.	Jan 30, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
34	5	Deborah L. Cook, of Ohio, to be United States Circuit Judge for the Sixth Circuit, vice Alan E. Norris, retired.	Feb 27, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
		<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>	
* 56	293	Linton F. Brooks, of Virginia, to be Under Secretary for Nuclear Security, Department of Energy, vice General John A. Gordon, USAF, resigned.	Mar 6, 2003 Reported by Mr. Warner, Committee on Armed Services, 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
* 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.
87	37	Mary Ellen Coster Williams, of Maryland, to be a Judge of the United States Court of Federal Claims for a term of fifteen years, vice Sarah L. Wilson.	Mar 27, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
88	38	Victor J. Wolski, of Virginia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years, vice Bohdan A. Futey, term expired.	Mar 27, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
<b>UNITED STATES SENTENCING COMMISSION</b>			
90	222	Michael E. Horowitz, of Maryland, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2007, vice Sterling Johnson, Jr., term expired.	Mar 27, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
91	223	Ricardo H. Hinojosa, of Texas, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2007, vice Joe Kendall, term expired.	Mar 27, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
<b>DEPARTMENT OF THE TREASURY</b>			
* 103	263	Mark W. Everson, of Texas, to be Commissioner of Internal Revenue for a term of five years, vice Charles Rossotti, term expired.	Apr 2, 2003 Reported by Mr. Grassley, Committee on Finance, without printed report.
<b>THE JUDICIARY</b>			
105	295	Edward C. Prado, of Texas, to be United States Circuit Judge for the Fifth Circuit, vice Robert M. Parker, retired.	Apr 3, 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
		<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>	
128	198	Cecilia M. Altonaga, of Florida, to be United States District Judge for the Southern District of Florida, vice Shelby Highsmith, retired.	Apr 10, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
129	34	Susan G. Braden, of the District of Columbia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years, vice Roger B. Andewelt, deceased.	Apr 10, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
130	36	Charles F. Lettow, of Virginia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years, vice John Paul Wiese, term expired.	Apr 10, 2003 Reported by Mr. Hatch, Committee on the Judiciary, without printed report.
* 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.
		<b>DEPARTMENT OF EDUCATION</b>	
134	248	Karen Johnson, of Virginia, to be Assistant Secretary for Legislation and Congressional Affairs, Department of Education, vice Rebecca O. Campoverde.	Apr 10, 2003 Senate Committee on Health, Education, Labor, and Pensions discharged by Unanimous Consent.
		<b>INTERNATIONAL JOINT COMMISSION, UNITED STATES AND CANADA</b>	
* 147	96	Dennis L. Schornack, of Michigan, to be Commissioner on the part of the United States on the International Joint Commission, United States and Canada, vice Thomas L. Baldini.	Apr 10, 2003 Reported by Mr. Lugar, Committee on Foreign Relations, without printed report.

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# NOMINATIONS

CALENDAR No.	MESSAGE No.	NOMINEE, OFFICE, AND PREDECESSOR	REPORTED By
		<b>DEPARTMENT OF DEFENSE</b>	
* 157	242	Lawrence Mohr, Jr., of South Carolina, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences for a term expiring June 20, 2003, vice John E. Connolly, term expired.	Apr 29, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.
* 158	262	Sharon Falkenheimer, of Texas, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences for a term expiring June 20, 2007, vice Lonnie R. Bristow, term expired.	Apr 29, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		<b>MARINE CORPS</b>	
159	455	The following named officer for appointment in the United States Marine Corps 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. Henry P. Osman, [REDACTED]	Apr 29, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.
		<b>AIR FORCE</b>	
160	500	The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grades indicated under title 10, U.S.C., section 12203:  <i>to be Major General</i> Brigadier General John B. Handy, [REDACTED] Brigadier General Marvin S. Mayes, [REDACTED] Brigadier General Douglas R. Moore, [REDACTED] Brigadier General Richard L. Testa, [REDACTED] <i>to be Brigadier General</i> Colonel Joseph G. Balskus, [REDACTED] Colonel Bobby L. Brittain, [REDACTED] Colonel Thomas J. Deardorff, [REDACTED] Colonel Michael P. Hickey, [REDACTED] Colonel Charles V. Ickes, II, [REDACTED] Colonel William B. Jernigan, [REDACTED] Colonel Henry C. Morrow, [REDACTED] Colonel Donald J. Quenneville, [REDACTED] Colonel Daniel R. Scace, [REDACTED] Colonel Timothy W. Scott, [REDACTED]	Apr 29, 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
161	503	<p>Colonel Eugene A. Sevi, [REDACTED] Colonel Darryll D. M. Wong, [REDACTED]</p> <p style="text-align: center;"><b>MARINE CORPS</b></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> Col. Douglas M. Stone, [REDACTED]</p>	Apr 29, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.
162	505	<p style="text-align: center;"><b>NAVY</b></p> <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> Capt. Thomas K. Burkhard, [REDACTED]</p>	Apr 29, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.
163	521	<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> Maj. Gen. James J. Lovelace, Jr., [REDACTED]</p>	Apr 29, 2003 Reported by Mr. Warner, Committee on Armed Services, without printed report.
* 164	284	<p style="text-align: center;">[NEW REPORTS]</p> <p style="text-align: center;"><b>TENNESSEE VALLEY AUTHORITY</b></p> <p>Richard W. Moore, of Alabama, to be Inspector General, Tennessee Valley Authority. (New Position)</p>	Apr 30, 2003 Senate Committee on Governmental Affairs discharged by Unanimous Consent. Agreement of January 15, 2003. Apr 9, 2003 Reported by Mr. Inhofe, Committee on Environment and Public Works, without printed report.

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## NOMINATIONS PLACED ON THE SECRETARY'S DESK

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### AIR FORCE

PN359 Air Force nominations (14) beginning PAUL L. CANNON, and ending FRANK A. YERKES, JR., which nominations were received by the Senate and appeared in the Congressional Record of February 25, 2003

PN441 Air Force nomination of Lawrence Mercandante, which was received by the Senate and appeared in the Congressional Record of March 24, 2003

PN442 Air Force nominations (2) beginning STANLEY J. BUELT, and ending CHRISTOPHER W. CASTLEBERRY, which nominations were received by the Senate and appeared in the Congressional Record of March 24, 2003

PN443 Air Force nominations (23) beginning EUGENE L. CAPONE, and ending ALLEN L. WOMACK, which nominations were received by the Senate and appeared in the Congressional Record of March 24, 2003

PN456 Air Force nominations (6) beginning GARY D. BOMBERGER, and ending WARREN R. ROBNETT, which nominations were received by the Senate and appeared in the Congressional Record of March 26, 2003

PN461 Air Force nominations (43) beginning MICHAEL F. ADAMES, and ending SCOTT A. ZUERLEIN, which nominations were received by the Senate and appeared in the Congressional Record of March 26, 2003

### ARMY

PN208 Army nominations (68) beginning CURTIS J ALITZ, and ending MARY J WYMAN, which nominations were received by the Senate and appeared in the Congressional Record of January 15, 2003

PN210 Army nominations (24) beginning RICHARD P BEIN, and ending KELLY E TAYLOR, which nominations were received by the Senate and appeared in the Congressional Record of January 15, 2003

PN211 Army nominations (18) beginning DEBORAH K BETTS, and ending DAVID WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of January 15, 2003

PN444 Army nomination of James R. Kerin, Jr., which was received by the Senate and appeared in the Congressional Record of March 24, 2003

PN462 Army nominations (60) beginning HENRY E ABERCROMBIE, and ending MICHELLE F YARBOROUGH, which nominations were received by the Senate and appeared in the Congressional Record of March 26, 2003

PN463 Army nominations (27) beginning MICHAEL P ARMSTRONG, and ending CRAIG M WHITEHILL, which nominations were received by the Senate and appeared in the Congressional Record of March 26, 2003

PN464 Army nominations (47) beginning JOHN F AGOGLIA, and ending JEFFREY R WITSKEN, which nominations were received by the Senate and appeared in the Congressional Record of March 26, 2003

PN465 Army nominations (320) beginning PAUL F ABEL, JR., and ending X4432, which nominations were received by the Senate and appeared in the Congressional Record of March 26, 2003

PN507 Army nomination of William T. Boyd, which was received by the Senate and appeared in the Congressional Record of April 7, 2003

PN508 Army nominations (5) beginning RICHARD D. DANIELS, and ending GEORGE G. PERRY, III, which nominations were received by the Senate and appeared in the Congressional Record of April 7, 2003

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## NOMINATIONS PLACED ON THE SECRETARY'S DESK

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PN509 Army nominations (5) beginning GARY L. HAMMETT, and ending DAVID L. SMITH, which nominations were received by the Senate and appeared in the Congressional Record of April 7, 2003

PN522 Army nominations (3) beginning EDWARD A. HEVENER, and ending ZEB S. REGAN, JR., which nominations were received by the Senate and appeared in the Congressional Record of April 10, 2003

### MARINE CORPS

PN327 Marine Corps nomination of Kenneth O. Spittler, which was received by the Senate and appeared in the Congressional Record of February 11, 2003

PN329 Marine Corps nominations (3) beginning THOMAS DUHS, and ending WILLIAM M. LAKE, which nominations were received by the Senate and appeared in the Congressional Record of February 11, 2003

PN339 Marine Corps nominations (3) beginning PATRICK W. BURNS, and ending DANIEL S. RYMAN, which nominations were received by the Senate and appeared in the Congressional Record of February 11, 2003

PN424 Marine Corps nominations (112) beginning DONALD J ANDERSON, and ending DONALD W ZAUTCHE, which nominations were received by the Senate and appeared in the Congressional Record of March 11, 2003

PN445 Marine Corps nominations (2) beginning SEAN T. MULCAHY, and ending STEVEN H. MATTOS, which nominations were received by the Senate and appeared in the Congressional Record of March 24, 2003

PN446 Marine Corps nomination of Franklin McLain, which was received by the Senate and appeared in the Congressional Record of March 24, 2003

PN447 Marine Corps nominations (29) beginning BRYAN DELGADO, and ending PAUL A. ZACHARZUK, which nominations were received by the Senate and appeared in the Congressional Record of March 24, 2003

PN466 Marine Corps nomination of Michael H. Gamble, which was received by the Senate and appeared in the Congressional Record of March 26, 2003

PN467 Marine Corps nomination of Jeffrey L. Miller, which was received by the Senate and appeared in the Congressional Record of March 26, 2003

PN489 Marine Corps nomination of Barrett R. Byrd, which was received by the Senate and appeared in the Congressional Record of April 2, 2003

PN510 Marine Corps nominations (99) beginning JEFFREY ACOSTA, and ending JOHN G WEMETT, which nominations were received by the Senate and appeared in the Congressional Record of April 7, 2003