

# Daily Digest

## HIGHLIGHTS

Senate agreed to H. Con. Res. 259, Adjournment Resolution.

## Senate

### Chamber Action

*Routine Proceedings, pages S14425–S14576*

**Measures Introduced:** Nineteen bills and two resolutions were introduced, as follows: S. 2357–2375, and S. Res. 383–384. **Page S14488**

#### Measures Reported:

Special Report entitled “Further Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution, Fiscal Year 2008”. (S. Rept. No. 110–230)

Report to accompany S. 1642, to extend the authorization of programs under the Higher Education Act of 1965. (S. Rept. No. 110–231)

S. Res. 366, designating November 2007 as “National Methamphetamine Awareness Month”, to increase awareness of methamphetamine abuse.

S. Res. 367, commemorating the 40th anniversary of the mass movement for Soviet Jewish freedom and the 20th anniversary of the Freedom Sunday rally for Soviet Jewry on the National Mall.

S. 1970, to establish a National Commission on Children and Disasters, a National Resource Center on Children and Disasters, with an amendment in the nature of a substitute.

S. 2272, to designate the facility of the United States Postal Service known as the Southpark Station in Alexandria, Louisiana, as the John “Marty” Thiels Southpark Station, in honor and memory of Thiels, a Louisiana postal worker who was killed in the line of duty on October 4, 2007. **Page S14487**

#### Measures Passed:

**Adjournment Resolution:** Senate agreed to H. Con. Res. 259, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Pages S14464–65**

**Higher Education Act Technical Corrections:** Senate passed S. 2371, to amend the Higher Education Act of 1965 to make technical corrections. **Pages S14567–68**

**Emancipation Hall:** Committee on Rules and Administration was discharged from further consideration of S. 1679, to provide that the great hall of the Capitol Visitor Center shall be known as Emancipation Hall, and the bill was then passed. **Page S14568**

**Identity Theft Enforcement and Restitution Act:** Senate passed S. 2168, to amend title 18, United States Code, to enable increased federal prosecution of identity theft crimes and to allow for restitution to victims of identity theft, after agreeing to the committee amendments. **Pages S14568–72**

**National Adoption Day and Month:** Senate agreed to S. Res. 384, expressing support for the goals of National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children awaiting families, celebrating children and families involved in adoption, and encouraging Americans to secure safety, permanency, and well-being for all children. **Pages S14572–73**

#### Measures Considered:

**Farm Bill Extension Act:** Senate continued consideration of H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, taking action on the following amendments proposed thereto: **Pages S14435–45**

Pending:

Harkin Amendment No. 3500, in the nature of a substitute. **Page S14435**

Reid (for Dorgan/Grassley) Amendment No. 3508 (to Amendment No. 3500), to strengthen payment limitations and direct the savings to increased funding for certain programs. **Page S14435**

Reid Amendment No. 3509 (to Amendment No. 3508), to change the enactment date. **Page S14435**

Reid Amendment No. 3510 (to the language proposed to be stricken by Amendment No. 3500), to change the enactment date. **Page S14435**

Reid Amendment No. 3511 (to Amendment No. 3510), to change the enactment date. **Page S14435**

Motion to commit the bill to the Committee on Agriculture, Nutrition, and Forestry, with instructions to report back forthwith, with Reid Amendment No. 3512. **Page S14435**

Reid Amendment No. 3512 (to the instructions of the motion to commit to the Committee on Agriculture, Nutrition, and Forestry, with instructions), to change the enactment date. **Page S14435**

Reid Amendment No. 3513 (to the instructions of the motion to recommit), to change the enactment date. **Page S14435**

Reid Amendment No. 3514 (to Amendment No. 3513), to change the enactment date. **Page S14435**

A unanimous-consent agreement was reached providing that on Friday, November 16, 2007, that if cloture is not invoked on the motion to proceed to the consideration of H.R. 4156 (see below), Senate vote on the motion to invoke cloture on Harkin Amendment No. 3500 (listed above); provided further, that the vote on the motion to invoke cloture on the bill, be delayed to occur, if needed, upon the adoption of the Harkin Amendment No. 3500; that there be one hour for debate prior to the first vote be equally divided between the two Leaders, or their designees; that Senator Harkin be recognized for up to 10 minutes of the time of the majority; provided further, that the last 10 minutes be reserved for the two Leaders with the Majority Leader controlling the last 5 minutes; and that there be 2 minutes for debate before the 2nd and 3rd votes. **Page S14465**

A unanimous-consent agreement was reached providing that Members have until 9 a.m., on November 16, 2007, to file any germane second-degree amendments. **Page S14574**

**Emergency Supplemental Appropriations—Cloture:** Senate began consideration of the motion to proceed to consideration of S. 2340, making emergency supplemental appropriations for the Department of Defense for the fiscal year ending September 30, 2008. **Pages S14445–74**

A motion was entered to close further debate on the motion to proceed to consideration of the bill and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of November 15, 2007, a vote on cloture will occur at 9:30 a.m. on Friday, November 16, 2007. **Pages S14445, S14465–74**

Subsequently, the motion to proceed was withdrawn. **Page S14474**

**Emergency Supplemental Appropriations—Cloture:** Senate began consideration of the motion to proceed to consideration of H.R. 4156, making emergency supplemental appropriations for the Department of Defense for the fiscal year ending September 30, 2008. **Pages S14474–76**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, November 15, 2007, a vote on cloture will occur on Friday, November 16, 2007, if cloture is not invoked on the motion to proceed to consideration of S. 2340, Emergency Supplemental Appropriations (listed above). **Pages S14474–76, S14574**

Subsequently, the motion to proceed was withdrawn. **Page S14474**

**Nominations Confirmed:** Senate confirmed the following nominations:

A routine list in the National Oceanic and Atmospheric Administration. **Pages S14568, S14576**

**Nominations Received:** Senate received the following nominations:

Craig W. Duehring, of Minnesota, to be an Assistant Secretary of the Air Force.

Neel T. Kashkari, of California, to be an Assistant Secretary of the Treasury.

Thomas C. Carper, of Illinois, to be a Member of the Reform Board (Amtrak) for a term of five years.

Nancy A. Naples, of New York, to be a Member of the Reform Board (Amtrak) for a term of five years.

Denver Stutler, Jr., of Florida, to be a Member of the Reform Board (Amtrak) for a term of five years.

Eric M. Thorson, of Virginia, to be Inspector General, Department of the Treasury.

Ana M. Guevara, of Florida, to be United States Alternate Executive Director of the International Bank for Reconstruction and Development for a term of two years.

Goli Ameri, of Oregon, to be an Assistant Secretary of State (Educational and Cultural Affairs).

Tracy Ralph Justesen, of Utah, to be Assistant Secretary for Special Education and Rehabilitative Services, Department of Education.

Nathan J. Hochman, of California, to be an Assistant Attorney General.

Grace C. Becker, of New York, to be an Assistant Attorney General.

James B. Peake, of the District of Columbia, to be Secretary of Veterans Affairs.

Rod J. Rosenstein, of Maryland, to be United States Circuit Judge for the Fourth Circuit.

Gene E.K. Pratter, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

Lincoln D. Almond, of Rhode Island, to be United States District Judge for the District of Rhode Island.

Mark S. Davis, of Virginia, to be United States District Judge for the Eastern District of Virginia.

David Gregory Kays, of Missouri, to be United States District Judge for the Western District of Missouri.

David J. Novak, of Virginia, to be United States District Judge for the Eastern District of Virginia.

Carolyn P. Short, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Richard T. Morrison, of Virginia, to be a Judge of the United States Tax Court for a term of fifteen years.

Joseph P. Russoniello, of California, to be United States Attorney for the Northern District of California for the term of four years.

Diane J. Humetewa, of Arizona, to be United States Attorney for the District of Arizona for the term of four years.

Rebecca A. Gregory, of Texas, to be United States Attorney for the Eastern District of Texas for the term of four years.

Gregory A. Brower, of Nevada, to be United States Attorney for the District of Nevada for the term of four years.

Edmund A. Booth, Jr., of Georgia, to be United States Attorney for the Southern District of Georgia for the term of four years.

Michael G. McGinn, of Minnesota, to be United States Marshal for the District of Minnesota for the term of four years.

Reed Verne Hillman, of Massachusetts, to be United States Marshal for the District of Massachusetts for the term of four years.

William Joseph Hawe, of Washington, to be United States Marshal for the Western District of Washington for the term of four years.

3 Air Force nominations in the rank of general. Routine lists in the Army, Coast Guard, Navy.

Page S14576

**Nomination Discharged:** The following nomination were discharged from further committee consideration and placed on the Executive Calendar:

Todd J. Zinser, of Virginia, to be Inspector General, Department of Commerce, which was sent to the Senate on September 7, 2007, from the Senate Committee on Homeland Security and Governmental Affairs.

Pages S14568. S14576

**Messages from the House:** Page S14485

**Measures Referred:** Page S14487

**Measures Placed on the Calendar:** Page S14487

## Measures Read the First Time:

Pages S14487, S14573–74

**Petitions and Memorials:** Pages S14485–87

**Executive Reports of Committees:** Pages S14487–88

**Additional Cosponsors:** Pages S14488–90

**Statements on Introduced Bills/Resolutions:**  
Pages S14490–S14500

**Additional Statements:** Pages S14480–85

**Amendments Submitted:** Pages S14500–66

**Authorities for Committees to Meet:** Page S14567

**Adjournment:** Senate convened at 9:30 a.m. and adjourned at 7:58 p.m., until 8:30 a.m. on Friday, November 16, 2007. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S14574.)

## Committee Meetings

(Committees not listed did not meet)

### SUBCOMMITTEE ASSIGNMENTS

*Committee on Appropriations:* On November 2, 2007, Committee announced the following subcommittee assignments:

*Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies:* Senators Kohl (Chairman), Harkin, Dorgan, Feinstein, Durbin, Johnson, Nelson (NE), Reed, Bennett, Cochran, Specter, Bond, McConnell, Craig, and Brownback.

*Subcommittee on Commerce, Justice, Science, and Related Agencies:* Senators Mikulski (Chairman), Inouye, Leahy, Kohl, Harkin, Dorgan, Feinstein, Reed, Lautenberg, Shelby, Gregg, Stevens, Domenici, McConnell, Hutchison, Brownback, and Alexander.

*Subcommittee on Defense:* Senators Inouye (Chairman), Byrd, Leahy, Harkin, Dorgan, Durbin, Feinstein, Mikulski, Kohl, Murray, Stevens, Cochran, Specter, Domenici, Bond, McConnell, Shelby, Gregg, and Hutchison.

*Subcommittee on Energy and Water Development:* Senators Dorgan (Chairman), Byrd, Murray, Feinstein, Johnson, Landrieu, Inouye, Reed, Lautenberg, Domenici, Cochran, McConnell, Bennett, Craig, Bond, Hutchison, and Allard.

*Subcommittee on Financial Services and General Government:* Senators Durbin (Chairman), Murray, Landrieu, Lautenberg, Nelson (NE), Brownback, Bond, Shelby, and Allard.

*Subcommittee on Homeland Security:* Senators Byrd (Chairman), Inouye, Leahy, Mikulski, Kohl, Murray, Landrieu, Lautenberg, Nelson (NE), Cochran, Gregg,

Stevens, Specter, Domenici, Shelby, Craig, and Alexander.

*Subcommittee on the Interior, Environment, and Related Agencies:* Senators Feinstein (Chairman), Byrd, Leahy, Dorgan, Mikulski, Kohl, Johnson, Reed, Nelson (NE), Allard, Craig, Stevens, Cochran, Domenici, Bennett, Gregg, and Alexander.

*Subcommittee on Labor, Health and Human Services, and Education, and Related Agencies:* Senators Harkin (Chairman), Inouye, Kohl, Murray, Landrieu, Durbin, Reed, Lautenberg, Specter, Cochran, Gregg, Craig, Hutchison, Stevens, and Shelby.

*Subcommittee on Legislative Branch:* Senators Landrieu (Chairman), Durbin, Nelson (NE), Alexander, and Allard.

*Subcommittee on Military Construction and Veteran Affairs, and Related Agencies:* Senators Johnson (Chairman), Inouye, Landrieu, Byrd, Murray, Reed, Nelson (NE), Hutchison, Craig, Brownback, Allard, McConnell, and Bennett.

*Subcommittee on State, Foreign Operations, and Related Programs:* Senators Leahy (Chairman), Inouye, Harkin, Mikulski, Durbin, Johnson, Landrieu, Reed, Gregg, McConnell, Specter, Bennett, Bond, Brownback, and Alexander.

*Subcommittee on Transportation and Housing and Urban Development, and Related Agencies:* Senators Murray (Chairman), Byrd, Mikulski, Kohl, Durbin, Dorgan, Leahy, Harkin, Feinstein, Johnson, Lautenberg, Bond, Shelby, Specter, Bennett, Hutchison, Brownback, Stevens, Domenici, Alexander, and Allard.

Senators Byrd and Cochran are ex officio members of each subcommittee.

## STATE OF THE U.S. ARMY

*Committee on Armed Services:* Committee concluded a hearing to examine the state of the United States Army, focusing on the Army's strategic imperatives, after receiving testimony from Pete Geren, Secretary, and General George W. Casey Jr., Chief of Staff, both of the United States Army, Department of Defense.

## NOMINATIONS

*Committee on Armed Services:* Committee order favorably reported the nominations of John J. Young, Jr. of Virginia, to be Under Secretary for Acquisition, Technology, and Logistics, and Douglas A. Brook, of California, to be an Assistant Secretary of the Navy for Financial Management and Comptroller, both of the Department of Defense, Robert L. Smolen, of Pennsylvania, to be Deputy Administrator for Defense Programs, National Nuclear Security Administration, Department of Energy, and 135 nominations in the Army, Navy, Air Force, and Marine Corps.

## ISSUES FACING THE U.S. SPACE PROGRAM

*Committee on Commerce, Science, and Transportation:* Subcommittee on Space, Aeronautics, and Related Agencies concluded a hearing to examine issues facing the United States space program after retirement of the space shuttles, after receiving testimony from Michael D. Griffin, Administrator, William H. Gerstenmaier, Associate Administrator for Space Operations, and Richard Gilbrech, Associate Administrator, Exploration Systems Mission Directorate, all of the National Aeronautics and Space Administration.

## URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND REAUTHORIZATION

*Committee on Energy and Natural Resources:* Committee concluded a hearing to examine S. 2203, to reauthorize the Uranium Enrichment Decontamination and Decommissioning Fund, after receiving testimony from James A. Rispoli, Assistant Secretary of Energy for Environmental Management; Robin M. Nazzaro, Director, Natural Resources and Environment, Government Accountability Office; Marvin S. Fertel, Nuclear Energy Institute, and Wesley P. Warren, Natural Resources Defense Council, both of Washington, DC; and John R. Longenecker, Longenecker and Associates, Inc., Las Vegas, Nevada.

## AMERICA'S CLIMATE SECURITY ACT

*Committee on Environment and Public Works:* Committee concluded hearings to examine S. 2191, to direct the Administrator of the Environmental Protection Agency to establish a program to decrease emissions of greenhouse gases, after receiving testimony from Ron Sims, King County, Seattle, Washington; Fred Krupp, Environmental Defense, New York, New York; Eileen Claussen, Pew Center on Global Climate Change, and Kevin Book, FBR Capital Markets Corporation, both of Arlington, Virginia; and Christopher Berendt, Pace, Fairfax, Virginia.

## MERIDA INITIATIVE

*Committee on Foreign Relations:* Committee concluded a hearing to examine the anti-drug package for Mexico and Central America, known as the Merida Initiative, after receiving testimony from Thomas A. Shannon, Assistant Secretary, Bureau of Western Hemisphere Affairs, and David T. Johnson, Assistant Secretary, Bureau for International Narcotics and Law Enforcement Affairs, both of the Department of State.

## RADIOLOGICAL DISPERSION DEVICE RESPONSE

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a joint hearing with the Ad Hoc Subcommittee on State, Local, and Private Sector Preparedness and Integration to examine the national level of preparedness of the United States to respond following an radiological dispersion device (RDD) or “dirty bomb” attack, focusing on the coordination with and capabilities of federal, state, and local governments to work together, after receiving testimony from Gene Aloise, Director, Natural Resources and Environment, Government Accountability Office; Steven Aoki, Deputy Under Secretary of Energy for Counterterrorism; Thomas P. Dunne, Associate Administrator of Homeland Security, Environmental Protection Agency; Glenn M. Cannon, Assistant Administrator, Disaster Operations Directorate, Federal Emergency Management Agency, Department of Homeland Security; Kevin Yeskey, Deputy Assistant Secretary, Director, Office of Preparedness and Emergency Operations, Office of the Assistant Secretary for Preparedness and Response, Department of Health and Human Services; Kenneth D. Murphy, Oregon Emergency Management, Salem; Thomas S. Tenforde, National Council on Radiation Protection and Measurements, Bethesda, Maryland; and Wayne J. Tripp, General Physics Corporation, Pine Bluff, Arkansas.

## AMERICANS WITH DISABILITIES ACT

*Committee on Health, Education, Labor, and Pensions:* Committee concluded a hearing to examine the Americans with Disabilities Act (Public Law 101-336), focusing on S. 1881, to amend the Americans with Disabilities Act of 1990 to restore the intent and protections of that Act, after receiving testimony from John D. Kemp, Powers, Pyles, Sutter, and Verville, P.C., Dick Thornburgh, Kirkpatrick and Lockhart Preston Gates Ellis, LLP, and Chai R. Feldblum, Georgetown University Law Center Federal Legislation Clinic, all of Washington, DC; Camille A. Olson, Seyfarth Shaw, LLP, Chicago, Illinois; and Stephen C. Orr, Rapid City, South Dakota.

## BUSINESS MEETING

*Committee on the Judiciary:* Committee ordered favorably reported the following:

S. 2248, to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, with an amendment in the nature of a substitute;

S. Res. 366, designating November 2007 as “National Methamphetamine Awareness Month”, to increase awareness of methamphetamine abuse;

S. Res. 367, commemorating the 40th anniversary of the mass movement for Soviet Jewish freedom and the 20th anniversary of the Freedom Sunday rally for Soviet Jewry on the National Mall; and

The nominations of Joseph N. Laplante, to be United States District Judge for the District of New Hampshire, Reed Charles O’Connor, to be United States District Judge for the Northern District of Texas, Thomas D. Schroeder, to be United States District Judge for the Middle District of North Carolina, and Amul R. Thapar, to be United States District Judge for the Eastern District of Kentucky.

## NURSING HOME TRANSPARENCY

*Special Committee on Aging:* Committee concluded a hearing to examine nursing home transparency and improvement, focusing on federal, state, and industry initiatives to improve nursing home transparency, enforcement, and the quality of services in the country’s 16,000 nursing homes, after receiving testimony from Senator Grassley; Kerry Weems, Acting Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Sarah Slocum, Michigan State Long Term Care, Lansing; David R. Zimmerman, University of Wisconsin Department of Industrial and Systems Engineering, Madison; Arvid Muller, Service Employees International Union, Steve Biondi, Extencicare Health Services, Milwaukee, Wisconsin, on behalf of the American Health Care Association; and Bonnie Zabel, Marquardt Memorial Manor, Inc., Watertown, Wisconsin, on behalf of the American Association of Homes and Services for the Aging.

# House of Representatives

## *Chamber Action*

**Public Bills and Resolutions Introduced:** 61 public bills, H.R. 4190–4250; and 13 resolutions, H. Con. Res. 259–263; and H. Res. 828–836 were introduced.

**Pages H14080–83**

**Additional Cosponsors:**

**Page H14083**

**Reports Filed:** Reports were filed today as follows:

H.R. 2406, to authorize the National Institute of Standards and Technology to increase its efforts in support of the integration of the healthcare information enterprise in the United States, with an amendment (H. Rept. 110–451);

H. Res. 661, honoring the accomplishments of Barrington Antonio Irving, the youngest pilot and first person of African descent ever to fly solo around the world, with amendments (H. Rept. 110–452);

H. Res. 772, recognizing the American Highway Users Alliance on the occasion of its 75th anniversary (H. Rept. 110–453);

H.R. 409, to amend title 23, United States Code, to inspect highway tunnels (H. Rept. 110–454);

H.R. 3712, to designate the Federal building and United States courthouse located at 1716 Spielbusch Avenue in Toledo, Ohio, as the “James M. & Thomas W.L. Ashley Customs Building and United States Courthouse”, with amendments (H. Rept. 110–455);

H.R. 3985, to amend title 49, United States Code, to direct the Secretary of Transportation to register a person providing transportation by an over-the-road bus as a motor carrier of passengers only if the person is willing and able to comply with certain accessibility requirements in addition to other existing requirements (H. Rept. 110–456); and H.R. 2768, to establish improved mandatory standards to protect miners during emergencies, with an amendment (H. Rept. 110–457).

**Page H14080**

**Speaker:** Read a letter from the Speaker wherein she appointed Representative Altmire to act as Speaker Pro Tempore for today.

**Page H13961**

**Mortgage Reform and Anti-Predatory Lending Act of 2007:** The House passed H.R. 3915, to amend the Truth in Lending Act to reform consumer mortgage practices and provide accountability for such practices, to establish licensing and registration requirements for residential mortgage originators, and to provide certain minimum standards for consumer mortgage loans, by a yea-and-nay vote of 291 yeas to 127 nays, Roll No. 1118.

**Pages H13978–H14037**

Rejected the Blackburn motion to recommit the bill to the Committee on Financial Services with in-

structions to report the same back to the House forthwith with amendments, by a recorded vote of 188 yeas to 231 noes, Roll No. 1117.

**Pages H14035–37**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill shall be considered as an original bill for the purpose of amendment under the five-minute rule.

**Page H13789**

Agreed by unanimous consent that amendment No. 16 printed in H. Rept. 110–450 may be offered out of sequence.

**Pages H14011, H14018**

Agreed by unanimous consent that amendment No. 10 printed in H. Rept. 110–450 may be offered out of sequence.

**Page H14018**

Accepted:

Frank (MA) manager’s amendment (No. 1 printed in H. Rept. 110–450) that makes a number of technical and conforming changes as well as enhancements to the bill including the following: (1) clarifies the definition of loan originator; (2) narrows the scope of the preemption provision to make it clear that states cannot use or adopt state laws against securitizers/assignees for violations of the national standards or to impose remedies outside of the unique Federal remedy established in the bill, and to make it clear that actions for fraud, misrepresentation, deception, false advertising or civil rights laws are not preempted; (3) clarifies the registration requirements for the Nationwide Mortgage Licensing System and Registry; (4) allows consumers to obtain a cure from assignee or securitizer if creditor or other assignees cease to exist or go bankrupt; (5) clarifies the incentive compensation provision; and (6) adds a monthly disclosure requirement for mortgages;

**Pages H14005–06**

Kanjorski amendment (No. 2 printed in H. Rept. 110–450) that, reflecting provisions from H.R. 3837, betters consumer protection by improving mortgage servicing, protecting appraiser independence, ensuring better appraisal quality and regulatory oversight, requiring escrows for mortgages for borrowers who might experience difficulty with repayment, and establishing disclosure for consumers who waive escrow accounts;

**Pages H14006–11**

Maloney (NY) amendment (No. 3 printed in H. Rept. 110–450) that requires a borrower to receive the option of a mortgage without a prepayment penalty, if they are offered an amendment with a prepayment penalty. The amendment sets the maximum time for a prepayment penalty of 3 years and a maximum prepayment amount of 3% of the loan



for the first year, 2% for the second year and 1% for the third year; **Pages H14012–13**

Putnam amendment (No. 10 printed in H. Rept. 110–450) that directs the GAO to conduct a study to determine the effects the enactment of H.R. 3915 will have on the availability and affordability of credit for homebuyers and mortgage lending, and to submit a report to Congress containing the findings and conclusions within one year of the enactment of the legislation; **Pages H14020–21**

Watt amendment (No. 8 printed in H. Rept. 110–450) to the Hensarling amendment (No. 7 printed in H. Rept. 110–450) that adds that the obligor must have had actual knowledge of the false material information for the exemption from liability to take effect; **Pages H14022–23**

Hensarling amended amendment (No. 7 printed in H. Rept. 110–450) that removes the civil liability of a lender and cancels the right of rescission for a borrower in instances when a borrower knowingly lied on their mortgage loan application; **Pages H14022–23**

Meeks (NY) amendment (No. 9 printed in H. Rept. 110–450) that provides that the Nationwide Mortgage Licensing System and Registry shall not directly or indirectly offer educational courses for pre-licensure or continuing education for mortgage originators. In approving courses under this Act, the Nationwide Mortgage Licensing System and Registry shall apply reasonable standards in the review and approval of courses; **Pages H14023–24**

Brown-Waite amendment (No. 11 printed in H. Rept. 110–450) that excludes loans insured by the Federal Housing Administration from the provisions of the bill; **Pages H14024–25**

Al Green (TX) amendment (No. 14 printed in H. Rept. 110–450) that states that educational requirements include instruction on fraud, consumer protection, and fair lending issues; and **Pages H14028–29**

Sutton amendment (No. 18 printed in H. Rept. 110–450) that requires loan creditors or servicers to provide a written notice to consumers with hybrid adjustable rate mortgages six months before their interest rates are due to reset. This notice would state the new interest rate, an explanation of how the new interest rate would be determined, the creditor's or servicer's good faith estimate of the monthly payment that will apply after the reset, a list of alternatives consumers may pursue before the date of adjustment or reset, and contact information for local HUD-approved housing counseling agencies and the state housing finance authority. **Pages H14031–33**

Rejected:

Watt amendment (No. 4 printed in H. Rept. 110–450) that sought to allow for actual damages in

the liability section (by a recorded vote of 169 ayes to 250 noes, Roll No. 1112); **Pages H14013–14, H14014–15**

Watt amendment (No. 5 printed in H. Rept. 110–450) that sought to require the assignee to have policies/procedures and to cure the loan to avoid being liable for rescission; **Pages H14019–20**

Price (GA) amendment (No. 16 printed in H. Rept. 110–450) that sought to exempt prime loans from the bill (by a recorded vote of 172 ayes to 249 noes, Roll No. 1114); **Pages H14014–15, H14033**

Garrett (NJ) amendment (No. 12 printed in H. Rept. 110–450) that sought to strike the rebuttable presumption under section 203, stating that all qualified safe harbor loans that meet the requirements listed in section 203(c)(3)(C) fall under the safe harbor (by a recorded vote of 188 ayes to 229 noes, Roll No. 1115); and **Pages H14025–26, H14033–34**

McHenry amendment (No. 15 printed in H. Rept. 110–450) that sought to strike Title III—High-Cost Mortgages from the bill (by a recorded vote of 168 ayes to 244 noes, Roll No. 1116). **Pages H14029–31, H14034–35**

Withdrawn:

Watt amendment (No. 6 printed in H. Rept. 110–450) that was offered and subsequently withdrawn that would have changed the irrebuttable presumption under section 203 to a rebuttable presumption for all mortgages that allow a borrower to defer payment of principal or interest; **Pages H14021–22**

Frank (MA) amendment (No. 13 printed in H. Rept. 110–450) that was offered and subsequently withdrawn that would have allowed regulators to fine mortgage originators, assignees and securitizers who more than occasionally (“pattern or practice”) violate the minimum standards for loans established in the bill at least \$1 million, \$25,000 per loan. Proceeds would be held in trust by the US Treasury for the benefit of borrowers who have no other avenue for obtaining a remedy; and **Pages H14026–28**

Van Hollen amendment (No. 17 printed in H. Rept. 110–450) that was offered and subsequently withdrawn that would have required that in the case of a residential mortgage loan, closing costs may not exceed by more than 10% any estimate of closing costs disclosed to the consumer in advance of closing. **Page H14031**

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House. **Page H14037**

H. Res. 825, the rule providing for consideration of the bill, was agreed to by voice vote after agreeing to order the previous question by a yea-and-nay vote of 224 yeas to 195 nays, Roll No. 1109. **Pages H13764–69, H13977**

**Adjournment Resolution:** The House agreed to H. Con. Res. 259, providing for an adjournment or recess of the two Houses, by a yea-and-nay vote of 214 yeas to 196 nays, Roll No. 1113. **Page H14018**

**Discharge Petition:** Representative Aderholt moved to discharge the Committee on Rules from the consideration of H. Res. 748, providing for the consideration of the bill (H.R. 3584) to amend title XXI of the Social Security Act to extend funding for 18 months for the State Children's Health Insurance Program (SCHIP), and for other purposes (Discharge Petition No. 4). **Page H14086**

**RESTORE Act of 2007:** The House passed H.R. 3773, to amend the Foreign Intelligence Surveillance Act of 1978 to establish a procedure for authorizing certain acquisitions of foreign intelligence, by a recorded vote of 227 yeas to 189 nays, Roll No. 1120. Consideration of the measure began on October 17th. **Pages H14037–62**

Rejected the Smith (TX) motion to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House promptly with amendments, by a yea-and-nay vote of 194 yeas to 222 nays, Roll No. 1119. **Pages H14059–61**

Pursuant to the rule, the further amendment to H.R. 3773, as amended, printed in H. Rept. 110–449 shall be considered as adopted. **Page H14059**

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House. **Page H14063**

H. Res. 824, the rule providing for further consideration of the bill, was agreed to by a yea-and-nay vote of 224 yeas to 192 nays, Roll No. 1111, after agreeing to order the previous question by a yea-and-nay vote of 221 yeas to 195 nays, Roll No. 1110. **Pages H13969–76, H13977–78**

**Suspension—Proceedings Resumed:** The House agreed to suspend the rules and pass the following measure which was debated on Tuesday, November 13th:

*Amending title 18 of the United States Code to clarify the scope of the child pornography laws:* H.R. 4136, amended, to amend title 18 of the United States Code to clarify the scope of the child pornography laws, by a 2/3 yea-and-nay vote of 416 yeas with none voting "nay", Roll No. 1121. **Pages H14062–63**

**Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2008—Presidential Veto:** The House voted to sustain the President's veto of H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending Sep-

tember 30, 2008, by a yea-and-nay vote of 277 yeas to 141 nays, Roll No. 1122 (two-thirds of those present not voting to override). **Pages H14063–66**

Subsequently, the message (H. Doc. 110–76) and the bill were referred to the Committee on Appropriations. **Page H14066**

**Speaker Pro Tempore:** Read a letter from the Speaker wherein she appointed Representative Hoyer and Representative Van Hollen to act as Speaker pro tempore to sign enrolled bills and joint resolutions through December 4, 2007. **Page H14066**

**Calendar Wednesday:** Agreed to dispense with the Calendar Wednesday business of Wednesday, December 5th. **Page H14085**

**Senate Messages:** Messages received from the Senate today appear on pages H13969 and H14062.

**Senate Referrals:** S. 597 and S. 2371 were held at the desk.

**Quorum Calls Votes:** Eight yea-and-nay votes and six recorded votes developed during the proceedings of today and appear on pages H13976, H13977, H13977–78, H14015–16, H14018, H14033, H14033–34, H14034–35, H14036–37, H14037, H14061, H14061–62, H14062–63, and H14065–66. There were no quorum calls.

**Adjournment:** The House met at 9:00 a.m. and at 11:40 p.m., pursuant to the provisions of H. Con. Res. 259, the House stands adjourned until 2 p.m. on Tuesday, December 4, 2007.

## *Committee Meetings*

### COUNTERING TERRORISM'S IDEOLOGICAL SUPPORT

*Committee on Armed Services:* Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on strategic communications and countering ideological support for terrorism. Testimony was heard from Duncan MacInnes, Principal Deputy Coordinator, Bureau of International Information Programs, Department of State; and the following officials of the Department of Defense, CAPT Hall Pittman, USN, Acting Deputy Assistant Secretary, (Joint Communication); and Michael Doran, Deputy Assistant Secretary, (Support for Public Diplomacy).

### COLLEGE OPPORTUNITY AND AFFORDABILITY ACT OF 2007

*Committee on Education and Labor:* Ordered reported, as amended, H.R. 4137, College Opportunity and Affordability Act of 2007.



### CONSUMER PRODUCT SAFETY MODERNIZATION ACT OF 2007

*Committee on Energy and Commerce:* Subcommittee on Commerce, Trade, and Consumer Protection approved for full Committee action, as amended, H.R. 4040, Consumer Product Safety Modernization Act.

### DIPLOMATIC ASSURANCES ON TERRORISM

*Committee on Foreign Affairs:* Subcommittee on International Organizations, Human Rights, and Oversight held a hearing on Diplomatic Assurances on Torture: A Case Study of Why Some Are Accepted and Others Rejected. Testimony was heard from public witnesses.

### EMERGENCY RESPONSE MUTUAL AID

*Committee on Homeland Security:* Subcommittee Emergency Communications, Preparedness, and Response held a hearing entitled “Leveraging Mutual Aid for Effective Emergency Response.” Testimony was heard from Marko Bourne, Director of Policy and Program Analysis, Federal Emergency Management Agency, Department of Homeland Security; Kenneth Murphy, Director, Office of Emergency Management, State of Oregon; and public witnesses.

### DEFECTIVE TOY MANUFACTURER ACCOUNTABILITY

*Committee on the Judiciary:* Subcommittee on Commercial and Administrative Law held an oversight hearing on Protecting the Playroom: Holding Foreign Manufacturers Accountable for Defective Products. Testimony was heard from public witnesses.

### MISCELLANEOUS MEASURES

*Committee on Natural Resources:* Ordered reported the following bills: H.R. 4074, San Joaquin River Restoration Settlement Act; H.R. 123, amended, To authorize appropriations for the San Gabriel Basin Restoration Fund; H.R. 236, amended, North Bay Water Reuse Program Act of 2007; H. R. 2085, McGee Creek Project Pipeline and Associated Facilities Conveyance Act; and H.R. 3739, To amend the Arizona Water Settlements Act to modify the requirement for the statement of findings.

### TSA AIRPORT SECURITY CHECKPOINTS

*Committee on Oversight and Government Reform:* Held a hearing on One Year Later: Have TSA Airport Security Checkpoints Improved? Testimony was heard from the following officials of the GAO: Gregory D. Kutz, Managing Director, Forensic Audits and Special Investigations, and John Cooney, Assistant Director, Forensic Audits and Special Investigations; and Edmund S. Hawley, Administrator, Transportation Security Administration, Department of Homeland Security.

### BORDER/MARITIME SECURITY TECHNOLOGIES

*Committee on Science and Technology:* Subcommittee on Technology and Innovation held a hearing on the Next Generation Border and Maritime Security Technologies: H.R. 3916, To provide for the next generation of border and maritime security technologies. Testimony was heard from the following officials Department of Homeland Security: Robert Hooks, Director of Transition, and Ervin Kapos, Director, Operations Analysis, both with the Science and Technology Directorate; and Jeff Self, Division Chief, U.S. Border Patrol; and a public witness.

### SMALL BUSINESS REGULATORY FLEXIBILITY

*Committee on Small Business:* Held a hearing on Reducing the Regulatory Burden on Small Business: Improving the Regulatory Flexibility Act. Testimony was heard from public witnesses.

### AVIATION—AIRPORT HOLIDAY TRAVEL PREPARATIONS

*Committee on Transportation and Infrastructure:* Subcommittee on Aviation held a hearing on Aviation and Airport Holiday Travel Preparations. Testimony was heard from public witnesses.

### NURSING HOME OWNERSHIP/QUALITY

*Committee on Ways and Means:* Subcommittee on Health held a hearing on Trends in Nursing Home Ownership and Quality. Testimony was heard from Scott A. Johnson, Special Assistant Attorney General, State of Mississippi; and public witnesses.

### BRIEFING—IC CLEARANCE AND SECURITY CONCERNS

*Permanent Select Committee on Intelligence:* Met in executive session to hold a briefing on IC Clearance and Security Concerns. The Committee was briefed by departmental witnesses.

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## COMMITTEE MEETINGS FOR FRIDAY, NOVEMBER 16, 2007

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Veterans' Affairs:* business meeting to consider the nomination of Michael W. Hager, of Virginia, to be an Assistant Secretary of Veterans Affairs (Human Resources and Management), Time to be announced, Room to be announced.

### House

*Committee on House Administration,* to continue hearings on Voter Registration and List Maintenance, 10 a.m., 1310 Longworth.

## Next Meeting of the SENATE

8:30 a.m., Friday, November 16

## Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Tuesday, December 4

## Senate Chamber

Program for Friday: After a period of debate, Senate will vote on the motion to invoke cloture on the motion to proceed to consideration of S. 2340, Emergency Supplemental Appropriations, at approximately 9:30 a.m.; following which, Senate may vote on certain motions to invoke cloture on certain measures.

## House Chamber

Program for Tuesday, December 4, 2007: To be announced.

## Extensions of Remarks, as inserted in this issue

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