Daily Digest

HIGHLIGHTS

Senate passed S. 1963, Caregivers and Veterans Omnibus Health Services Act.

Senate

Chamber Action

Routine Proceedings, pages S11515–11824

Measures Introduced: Eight bills and three resolutions were introduced, as follows: S. 2799–2806, and S. Res. 355–357. Pages S11593–94

Measures Reported:

S. 2799, to expand the Iran Sanctions Act of 1996, to provide for the divestment of assets in Iran by State and local governments and other entities, to identify locations of concern with respect to transshipment, reexportation, or diversion of certain sensitive items to Iran. (S. Rept. No. 111–99) Pages S11593–94

S. 1147, to prevent tobacco smuggling, to ensure the collection of all tobacco taxes, with an amendment in the nature of a substitute. Pages S11593–94

S. 1261, to repeal title II of the REAL ID Act of 2005 and amend title II of the Homeland Security Act of 2002 to better protect the security, confidentiality, and integrity of personally identifiable information collected by States when issuing driver’s licenses and identification documents, with an amendment in the nature of a substitute. Page S11593

Measures Passed:

Caregivers and Veterans Omnibus Health Services Act: By unanimous vote of 98 yeas (Vote No. 352), Senate passed S. 1963, to amend title 38, United States Code, to provide assistance to caregivers of veterans, to improve the provision of health care to veterans, after taking action on the following amendment: Pages S11523–44, S11552–72

Rejected:

By 32 yeas to 66 nays (Vote No. 351), Coburn Amendment No. 2785, to transfer funding for United Nations contributions to offset costs of providing assistance to family caregivers of disabled veterans. Pages S11523–44, S11552–53

Government of the Islamic Republic of Iran: Senate agreed to S. Res. 355, expressing the sense of the Senate that the Government of the Islamic Republic of Iran has systematically violated its obligations to uphold human rights provided for under its constitution and international law. Pages S11817–18

Measures Considered:

Service Members Home Ownership Tax Act—Agreement: Senate began consideration of the motion to proceed to consideration of H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees. Pages S11577–78

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 19, 2009, a vote on cloture will occur at 8 p.m., on Saturday, November 21, 2009. Page S11578

A unanimous-consent-time agreement was reached providing that at 10 a.m., on Friday, November 20, 2009, Senate continue consideration of the motion to proceed to consideration of H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and proceed to a period of debate until 11 p.m., with the time controlled in alternating one hour blocks, with the Majority controlling the first hour; that at 10 p.m., there be 30 minute blocks until 11 p.m., with the Majority controlling the first 30 minutes; provided further, that on Saturday, November 21, 2009, at 10 a.m., Senate continue consideration of the motion to proceed to consideration of H.R. 3590, and with controlled debate in alternating blocks until 6 p.m., with the Majority controlling the first hour block; that at 6:00 p.m., the Majority control the time until 6:30 p.m., the Republicans then control 6:30 to 7:15 p.m., the Majority control
7:15 p.m. to 7:30 p.m.; the Republican Leader control 7:30 to 7:45 p.m., and the Majority Leader control 7:45 p.m. to 8 p.m.; that at 8 p.m., Senate vote on the motion to invoke cloture on the motion to proceed to consideration of H.R. 3590; that if cloture is invoked on the motion to proceed to consideration of the bill, then all post-cloture time be yielded back, and the motion to proceed be agreed to; that after the bill is reported, the Majority Leader be recognized to call up his amendment, and that it be reported by number only. Pages S11577–78, S11824

Appointments:

Social Security Advisory Board: The Chair, on behalf of the President pro tempore, and in consultation with the Ranking Member of the Senate Committee on Finance, pursuant to Public Law 103–296, appointed Jagadeesh Gokhale, of Maryland, vice Sylvester Schieber, of Michigan, as a member of the Social Security Advisory Board.

Nomination Confirmed: Senate confirmed the following nomination:

By 59 yeas 39 nays (Vote No. EX. 350), David F. Hamilton, of Indiana, to be United States Circuit Judge for the Seventh Circuit.

Nomination Confirmed: Senate confirmed the following nomination:

By 59 yeas 39 nays (Vote No. EX. 350), David F. Hamilton, of Indiana, to be United States Circuit Judge for the Seventh Circuit.

Nominations Received: Senate received the following nominations:

Victor H. Ashe, of Tennessee, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2010.

Walter Isaacson, of Louisiana, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2012.

Richard J. Vander Veen, of Michigan, to be a Member of the Broadcasting Board of Governors.

Michael Lynton, of California, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2012.

Susan McCue, of Virginia, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2011.

Michael P. Meehan, of Virginia, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2010.

Dennis Mulhaupt, of California, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2011.

Dana M. Perino, of the District of Columbia, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2012.

S. Enders Wimbush, of Virginia, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2010.

Messages from the House: Pages S11591–92

Mesures Referred: Page S11592

Enrolled Bills Presented:

Executive Communications:

Executive Reports of Committees:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Amendments Submitted:

Notices of Hearings/Meetings:

Authorities for Committees to Meet:

Privileges of the Floor:

Record Votes: Three record votes were taken today. (Total—352) Pages S11552, S11552–53, S11553

Adjournment: Senate convened at 9:31 a.m. and adjourned at 7:51 p.m., until 9:45 a.m. on Friday, November 20, 2009. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S11818.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of Clifford L. Stanley, of Pennsylvania, to be Under Secretary for Personnel and Readiness, and Erin C. Conaton, of the District of Columbia, to be Under Secretary of the Air Force, who was introduced by Representative Skelton, both of the Department of Defense, and Lawrence G. Romo, of Texas, to be Director of the Selective Service, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee began consideration of an original bill entitled “Restoring American Financial Stability Act of 2009”, but did not complete action thereon, and recessed subject to the call.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following business items:

S. 592, to implement the recommendations of the Federal Communications Commission report to the Congress regarding low-power FM service, with an amendment in the nature of a substitute;
S. 850, to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks, with an amendment in the nature of a substitute;

S. 1224, to reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration, with an amendment in the nature of a substitute;

S. 2764, to reauthorize the Satellite Home Viewer Extension and Reauthorization Act of 2004, with an amendment in the nature of a substitute; and

S. 2768, to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2010 through 2014, with an amendment in the nature of a substitute.

OFFSHORE ENERGY PRODUCTION
Committee on Energy and Natural Resources: Committee concluded a hearing to examine environmental stewardship policies related to offshore energy production, after receiving testimony from Walter Cruickshank, Deputy Director, Minerals Management Service, Department of the Interior; Marvin E. Odum, Shell Oil Company, and David Rainey, BP America Inc., both of Houston, Texas; John F. Amos, SkyTruth, Shepherdstown, West Virginia; and Jeffrey Short, Oceana, Juneau, Alaska.

NOMINATIONS
Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Leslie V. Rowe, of Washington, to be Ambassador to the Republic of Mozambique, Alberto M. Fernandez, of Virginia, to be Ambassador to the Republic of Equatorial Guinea, Mary Jo Wills, of the District of Columbia, to be Ambassador to the Republic of Mauritius, and to serve concurrently and without additional compensation as Ambassador to the Republic of Seychelles, and Philip S. Goldberg, of the District of Columbia, to be Assistant Secretary for Intelligence and Research, all of the Department of State, after the nominees testified and answered questions in their own behalf.

FORT HOOD ATTACK
Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the Fort Hood Attack, focusing on a preliminary assessment, after receiving testimony from General John M. Keane, USA, (Ret.), former Vice Chief of Staff of the U.S. Army, Department of Defense; Frances Fragos Townsend, former Assistant to President George W. Bush, Homeland Security and Counterterrorism, Department of Homeland Security; Mitchell D. Silber, New York City Police Department, New York, New York; Juan C. Zarate, Center for Strategic and International Studies, Washington, DC.; and Brian Michael Jenkins, RAND Corporation, Santa Monica, California.

NOMINATION
Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Alan C. Kessler, of Pennsylvania, to be a Governor of the United States Postal Service, after the nominee, who was introduced by Senator Casey, testified and answered questions in his own behalf.

BUSINESS MEETING
Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the nominations of Daniel I. Gordon, of the District of Columbia, to be Administrator for Federal Procurement Policy, and Erroll G. Southers, of California, to be Assistant Secretary of Homeland Security.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine nominations for Commissioner and for General Counsel of the Equal Employment Opportunity Commission, after receiving testimony from P. David Lopez, Equal Employment Opportunity Commission, Phoenix District Office, Phoenix, Arizona; Jacqueline A. Berrien, NAACP Legal Defense and Education Fund, New York, New York; and Chai R. Feldblum, Georgetown University Law Center, and Victoria A. Lipnic, Seyfarth Shaw, LLP, both of Washington, DC.

DRUG AND GANG ACTIVITIES IN INDIAN COUNTRY
Committee on Indian Affairs: Committee concluded an oversight hearing to examine drug smuggling and gang activity in Indian country, after receiving testimony from Arnold Moorin, National Director of the High Intensity Drug Trafficking Area Program, Office of National Drug Control Policy; Ivan D. Posey, Eastern Shoshone Tribe, Ft. Washakie, Wyoming; Nancy Dooley, Gila River Indian Community Department of Rehabilitation and Supervision Juvenile Division, Sacaton, Arizona; Chief Matt Haney, Confederated Tribes of the Colville Reservation Police, Nespelem, Washington; and Martina Whelshula, Healing Lodge of the Seven Nations, Spokane, Washington.

BUSINESS MEETING
Committee on the Judiciary: Committee ordered favorably reported the following business items:
S. 1147, to prevent tobacco smuggling, to ensure the collection of all tobacco taxes, with an amendment in the nature of a substitute; and


INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 46 public bills, H.R. 4113–4158; and 20 resolutions, H. Con. Res. 215; and H. Res. 920–938 were introduced.

Additional Cosponsors: Pages H13351–54

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative Pastor to act as Speaker pro tempore for today.

Committee Elections: The House agreed to H. Res. 921, electing the following Members to certain standing committees of the House of Representatives: Committee on Armed Services: Representative Owens (to rank immediately after Representative Murphy (NY)). Committee on Homeland Security: Representative Owens (to rank immediately after Representative Luján). Committee on Science and Technology: Representative Garamendi (to rank immediately after Representative Griffith). Committee on Transportation and Infrastructure: Representative Garamendi.

Suspension—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated on Wednesday, November 18th:

Expressing the sense of Congress on the occasion of the 20th anniversary of historic events in Central and Eastern Europe: H. Con. Res. 212, amended, to express the sense of Congress on the occasion of the 20th anniversary of historic events in Central and Eastern Europe, particularly the Velvet Revolution in Czechoslovakia, and to reaffirm the bonds of friendship and cooperation between the United States and the Slovak and Czech Republics, by a 2/3 yea-and-nay vote of 426 yeas with none voting "nay", Roll No. 906 and Pages H13272–79, H13279–81

Agreed to amend the title so as to read: "Expressing the sense of Congress on the occasion of the 20th anniversary of historic events in Central and Eastern Europe, particularly the Velvet Revolution in Czechoslovakia, and reaffirming the bonds of friendship and cooperation between the United States and the Slovak Republic and the Czech Republic."


Reserve Officers Association Modernization Act of 2009: S. 1599, to amend title 36, United States Code, to include in the Federal charter of the Reserve Officers Association leadership positions newly added in its constitution and bylaws, by a 2/3 yea-and-nay vote of 426 yeas with none voting "nay", Roll No. 906 and Pages H13288–89

Agreed to amend the title so as to read: "Expressing the sense of Congress on the occasion of the 20th anniversary of historic events in Central and Eastern Europe, particularly the Velvet Revolution in Czechoslovakia, and reaffirming the bonds of friendship and cooperation between the United States and the Slovak Republic and the Czech Republic."

Amending the Wild and Scenic Rivers Act to designate segments of the Molalla River in Oregon, as components of the National Wild and Scenic Rivers System: The House passed H.R. 2781, to amend the Wild and Scenic Rivers Act to designate segments of the Molalla River in Oregon, as components of the National Wild and Scenic Rivers System, and for other purposes, by a yea-and-nay vote of 292 yeas to 133 nays, Roll No. 905.

H. Res. 908, the rule providing for consideration of the bill, was agreed to by a recorded vote of 244 ayes to 176 noes, Roll No. 903, after the previous question was ordered by a yea-and-nay vote of 241 yeas to 176 nays, Roll No. 902.

Pages H13281–88

Pages H13272–79, H13279–81
amend the Small Business Act to expand and improve the assistance provided to Indian tribe members, Alaska Natives, and Native Hawaiians, by a ⅔ yea-and-nay vote of 343 yeas to 55 nays, Roll No. 910.  


Agreed to table the appeal of the ruling of the chair on a point of order sustained against the Gingrey motion to recommit the bill to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 251 yeas to 177 nays, Roll No. 907.  

Rejected the Cantor motion to recommit the bill to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 252 noes to 177 ayes to 252 noes, Roll No. 908.  

Pursuant to section 4 of the rule, in the engrossment of H.R. 3961, the Clerk shall (1) add the text of H.R. 2920, as passed by the House, as new matter at the end of H.R. 3961; (2) conform the title of H.R. 3961 to reflect the addition to the engrossment of the text of H.R. 2920; (3) assign appropriate designations to provisions within the engrossment; and (4) conform provisions for short titles within the engrossment.  

H. Res. 903, the rule providing for consideration of the bill, was agreed to on November 7, 2009.  

Supporting the observance of National Diabetes Month: The House agreed to discharge and agree to H. Res. 914, to support the observance of National Diabetes Month.  

Permitting each current member of the Board of Directors of the Office of Compliance to serve for 3 terms: The House agreed to discharge and agree to S. 1860, to permit each current member of the Board of Directors of the Office of Compliance to serve for 3 terms.  

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 3 p.m. on Monday, November 23, 2009, unless it sooner has received a message from the Senate transmitting its concurrent in H. Con. Res. 214, in which case the House shall stand adjourned pursuant to that concurrent resolution.  

Senate Referral: S. 1963 was referred to the Committee on Veterans' Affairs.  

Quorum Calls—Votes: Six yea-and-nay votes and three recorded votes developed during the proceedings of today and appear on pages H13280, H13280–81, H13281, H13288, H13289, H13316–17, H13318–19, H13319, H13320. There were no quorum calls.  

Adjournment: The House met at 10 a.m. and adjourned at 7:33 p.m.  

Committee Meetings  

RECOVERY ACT RURAL BROADBAND PROGRAM  

Committee on Agriculture: Subcommittee on Rural Development, Biotechnology, Specialty Crops, and Foreign Agriculture held a hearing to review rural broadband programs funded by the American Recovery and Reinvestment Act. Testimony was heard from Jonathan S. Adelstein, Administrator, Rural Utilities Service, USDA; and Lawrence E. Strickling, Assistant Secretary, Communications and Information, National Telecommunications and Information Administration, Department of Commerce.  

U.S. MEXICAN BORDER SECURITY  

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on Confronting the Cartels: Addressing U.S.-Mexican Border Security. Testimony was heard from the following officials of the Department of Homeland Security: Mariko Silver, Principal Deputy Assistant Secretary, Policy; Jayson P. Ahern, Acting Commissioner, U.S. Customs and Border Protection; and John Morton, Assistant Secretary, U.S. Immigration and Customs Enforcement.  

IMPROVING LITERACY SKILLS  

Committee on Education and Labor: Subcommittee on Early Childhood, Elementary and Secondary Education held a hearing on Improving the Literacy Skills of Children and Young Adults. Testimony was heard from public witnesses.  

MISCELLANEOUS MEASURES  

Committee on Energy and Commerce: Ordered reported, as amended, the following bills: H.R. 515, Radioactive Import Deterrence Act; and H.R. 1084, Commercial Advertisement Loudness Mitigation Act.  

ONLINE/OFFLINE CONSUMER INFORMATION COLLECTION  

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection and the Subcommittee on Communications, Technology and the Internet held a joint hearing on Exploring the
Offline and Online Collection and Use of Consumer Information. Testimony was heard from public witnesses.

COMMITTEE PRINT—FINANCIAL STABILITY IMPROVEMENT ACT OF 2009
Committee on Financial Services: Continued consideration of the Committee Print of the Financial Stability Improvement Act of 2009.

LIFTING CUBAN TRAVEL BAN
Committee on Foreign Affairs: Held a hearing on Is it Time to Lift the Ban on Travel to Cuba? Testimony was heard from GEN Barry R. McCaffrey, USA (ret.); Ambassador James Cason, former Chief of Missions, U.S. Interests Section, Havana, Cuba; and public witnesses.

MIDDLE EAST POLITICAL/RELIGIOUS FREEDOM
Committee on Foreign Affairs: Subcommittee on the Middle East and South Asia held a hearing on the State of Political and Religious Freedom in the Middle East. Testimony was heard from Michael H. Posner, Assistant Secretary, Bureau of Democracy, Human Rights and Labor, Department of State.

AL-QA’IDA THREAT ASSESSMENT
Committee on Homeland Security: Subcommittee on Intelligence, Information Sharing and Terrorism Risk Assessment held a hearing entitled “Reassessing the Evolving al-Qa’ida Threat to the Homeland.” Testimony was heard from LTG David W. Barno (ret.), Director, Near East South Asia Center for Strategic Studies, National Defense University, Department of Defense.

GLOBAL SPACE CAPABILITIES
Committee on Science and Technology: Subcommittee on Space and Aeronautics held a hearing on the Growth of Global Space Capabilities: What’s Happening and Why It Matters. Testimony was heard from public witnesses.

TRANSPORTATION RESEARCH AND DEVELOPMENT
Committee on Science and Technology: Subcommittee on Technology and Innovation held a hearing on the Research and Development Portfolio to Support the Priorities of the Department of Transportation. Testimony was heard from the following officials of the Department of Transportation: Polly Trottenberg, Assistant Secretary, Transportation Policy; and Peter Appel, Administrator, Research and Innovative Technology Administration; and public witnesses.

SBA OVERSIGHT
Committee on Small Business: Held a hearing entitled “Oversight of the Small Business Administration and its Programs.” Testimony was heard from Karen Mills, Administrator, SBA; and Gregory Kutz, Managing Director, Forensics Audits and Special Investigations, GAO.

HAZARDOUS MATERIAL TRANSPORTATION SAFETY ACT OF 2009
Committee on Transportation and Infrastructure: Ordered reported, as amended, H.R. 4016, Hazardous Material Transportation Safety Act of 2009.

ADAPTIVE HOUSING GRANTS
Committee on Veterans’ Affairs: Subcommittee on Economic Opportunity held a hearing on Adaptive Housing Grants. Testimony was heard from Mark Bologna, Director, Loan Guarantee Service, Veterans Benefits Administration, Department of Veterans Affairs; and representatives of veterans organizations.
INCREASING DEMANDS ON FOOD BANKS AND CHARITIES

Committee on Ways and Means: Subcommittee on Oversight, and the Subcommittee on Income Security and Family Support held a joint hearing to review the effect of the economic downturn and increased unemployment on the demand for hunger-relief assistance at food banks and other charities. Testimony was heard from Representatives McGovern, Boozman, and Moran of Kansas; and public witnesses.

SOCIAL SECURITY DISABILITY CLAIMS BACKLOGS

Committee on Ways and Means: Subcommittee on Social Security held a hearing on Clearing the Disability Claims Backlogs: The Social Security Administration’s Progress and New Challenges Arising From the Recession. Testimony was heard from Michael J. Astrue, Commissioner, SSA; Barbara B. Kennelly, Acting Chair, Social Security Advisory Board; Patrick O’Connell, Inspector General, SSA; and public witnesses.

BRIEFING—SIGNIFICANT ACTIVITIES

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Significant Activities. The Committee was briefed by departmental witnesses.

Joint Meetings

FINANCIAL REGULATORY REFORM

Joint Economic Committee: Committee concluded a hearing to examine financial regulatory reform, focusing on protecting taxpayers and the economy, after receiving testimony from Timothy F. Geithner, Secretary of the Treasury.

COMMITTEE MEETINGS FOR FRIDAY, NOVEMBER 20, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Finance: to hold hearings to examine the nominations of Lael Brainard, of the District of Columbia, to be Under Secretary, Mary John Miller, of Maryland, to be Assistant Secretary, and Charles Collyns, of Maryland, to be Deputy Under Secretary, all of the Department of the Treasury; to be immediately followed by a business meeting to consider the nominations of Michael W. Punke, of Montana, to be a Deputy United States Trade Representative, with the rank of Ambassador, Islam A. Siddiqui, of Virginia, to be Chief Agricultural Negotiator, Office of the United States Trade Representative, with the rank of Ambassador, Michael F. Mundaca, of New York, to be an Assistant Secretary of the Treasury, and Jim R. Esquea, of New York, to be an Assistant Secretary, Ellen Gloninger Murray, of Virginia, to be Commissioner on Children, Youth, and Families, all of the Department of Health and Human Services, 10 a.m., SD–215.

House

No committee meetings are scheduled.
Extensions of Remarks, as inserted in this issue

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