

MESSAGE FROM THE HOUSE
DURING RECESS

ENROLLED BILLS SIGNED

Under authority of the order of the Senate of January 4, 2007, the Secretary of the Senate, on November 20, 2007, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

H.R. 50. An act to reauthorize the African Elephant Conservation Act and the Rhinoceros and Tiger Conservation Act of 1994.

H.R. 465. An act to reauthorize the Asian Elephant Conservation Act of 1997.

H.R. 2089. An act to designate the facility of the United States Postal Service located at 701 Loyola Avenue in New Orleans, Louisiana, as the "Louisiana Armed Services Veterans Post Office".

H.R. 2276. An act to designate the facility of the United States Postal Service located at 203 North Main Street in Vassar, Michigan, as the "Corporal Christopher E. Eskelson Post Office Building".

H.R. 3297. An act to designate the facility of the United States Postal Service located at 950 West Trenton Avenue in Morrisville, Pennsylvania, as the "Nate DeTample Post Office Building".

H.R. 3307. An act to designate the facility of the United States Postal Service located at 570 Broadway in Bayonne, New Jersey, as the "Dennis P. Collins Post Office Building".

H.R. 3308. An act to designate the facility of the United States Postal Service located at 216 East Main Street in Atwood, Indiana, as the "Lance Corporal David K. Fribley Post Office".

H.R. 3325. An act to designate the facility of the United States Postal Service located at 235 Mountain Road in Suffield, Connecticut, as the "Corporal Stephen R. Bixler Post Office".

H.R. 3382. An act to designate the facility of the United States Postal Service located at 200 North William Street in Goldsboro, North Carolina, as the "Philip A. Baddour, Sr. Post Office".

H.R. 3446. An act to designate the facility of the United States Postal Service located at 202 East Michigan Avenue in Marshall, Michigan, as the "Michael W. Schragg Post Office Building".

H.R. 3518. An act to designate the facility of the United States Postal Service located at 1430 South Highway 29 in Cantonment, Florida, as the "Charles H. Hendrix Post Office Building".

H.R. 3530. An act to designate the facility of the United States Postal Service located at 1400 Highway 41 North in Inverness, Florida, as the "Chief Warrant Officer Aaron Weaver Post Office Building".

H.R. 3572. An act to designate the facility of the United States Postal Service located at 4320 Blue Parkway in Kansas City, Missouri, as the "Wallace S. Hartsfield Post Office Building".

Under authority of the order of the Senate of January 4, 2007, the enrolled bills were signed on November 20, 2007, during the recess of the Senate, by the President pro tempore (Mr. BYRD).

MESSAGE FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the

following bills, in which it requests the concurrence of the Senate:

H.R. 3773. An act to amend the Foreign Intelligence Surveillance Act of 1978 to establish a procedure for authorizing certain acquisitions of foreign intelligence, and for other purposes.

H.R. 3915. An act 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, to provide certain minimum standards for consumer mortgage loans, and for other purposes.

H.R. 4136. An act to amend title 18 of the United States Code to clarify the scope of the child pornography laws and for other purposes.

The message also announced that the House of Representatives having proceeded to reconsider the bill (H.R. 3043) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was resolved, that the said bill do not pass, two-thirds of the House of Representatives not agreeing to pass the same.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3915. An act 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, to provide certain minimum standards for consumer mortgage loans, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 4136. An act to amend title 18 of the United States Code to clarify the scope of the child pornography laws, and for other purposes; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 3703. An act to amend section 5112(p)(1)(A) of title 31, United States Code, to allow an exception from the \$1 coin dispensing capability requirement for certain vending machines.

H.R. 3997. An act to amend the Internal Revenue Code of 1986 to provide earnings assistance and tax relief to members of the uniformed services, volunteer firefighters, and Peace Corps volunteers, and for other purposes.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 3773. An act to amend the Foreign Intelligence Surveillance Act of 1978 to establish a procedure for authorizing certain acquisitions of foreign intelligence, and for other purposes.

REPORTS OF COMMITTEES DURING RECESS

Under the authority of the order of the Senate of November 16, 2007, the following reports of committees were submitted on November 27, 2007:

By Mr. INOUYE, from the Committee on Commerce, Science, and Transportation, with amendments:

S. 1661. A bill to communicate United States travel policies and improve marketing and other activities designed to increase travel in the United States from abroad (Rept. No. 110-233).

EXECUTIVE REPORTS OF COMMITTEES RECEIVED DURING RECESS

Under the authority of the order of the Senate of November 16, 2007, the following executive reports of committees were submitted on November 27, 2007:

By Mr. LEAHY for the Committee on the Judiciary:

Joseph N. Laplante, of New Hampshire, to be United States District Judge for the District of New Hampshire.

Thomas D. Schroeder, of North Carolina, to be United States District Judge for the Middle District of North Carolina.

By Mr. BIDEN, from the Committee on Foreign Relations:

Treaty Doc. 109-12: Patent Law Treaty and Regulations Under Patent Law Treaty with one reservation (Ex. Rept. 110-6);

Treaty Doc. 109-21: Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs with nine declarations (Ex. Rept. 110-7); and

Treaty Doc. 110-2: Singapore Treaty on the Law of Trademarks with one condition (Ex. Rept. 110-8)

The text of the committee-recommended resolutions of advice and consent to ratification are as follows:

109-12: Patent Law Treaty and Regulations Under Patent Law Treaty.

Resolved (two-thirds of the Senators present concurring therein),

Section 1. Senate Advice and Consent Subject to Reservation

The Senate advises and consents to the ratification of the Patent Law Treaty and Regulations under the Patent Law Treaty, done at Geneva on June 1, 2000 (Treaty Doc. 109-12), subject to the reservation of section 2.

Section 2. Reservation

The advice and consent of the Senate under section 1 is subject to the following reservation, which shall be included in the United States instrument of ratification:

Pursuant to Article 23, the United States of America declares that Article 6(1) shall not apply to any requirement relating to unity of invention applicable under the Patent Cooperation Treaty to an international application.

109-21: Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs.

Resolved (two-thirds of the Senators present concurring therein),

Section 1. Senate Advice and Consent Subject to Declarations

The Senate advises and consents to the ratification of the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs (the "Agreement"), adopted in Geneva on July 2, 1999, and signed by the United States of America on July 6, 1999 (Treaty Doc. 109-21), subject to the declarations of section 2.

Section 2. Declarations

The advice and consent of the Senate under section 1 is subject to the following declarations, which shall be included in the United States instrument of ratification:

(1) Pursuant to Article 5(2)(a) and Rule 11(3) of the Agreement, the United States of America declares that its Office is an Examining Office under the Agreement whose law requires that an application for the grant of protection to an industrial design contain: (i) indications concerning the identity of the creator of the industrial design that is the subject of the application; (ii) a brief description of the reproduction or of the characteristic features of the industrial design that is the subject of the application; and (iii) a claim. The specific wording of the claim shall be in formal terms to the ornamental design for the article (specifying name of article) as shown, or as shown and described.

(2) Pursuant to Article 7(2) and Rule 12(3) of the Agreement, the United States of America declares that, as an Examining Office under the Agreement, the prescribed designation fee referred to in Article 7(1) of the Agreement shall be replaced by an individual designation fee, that is payable in a first part at filing and a second part payable upon allowance of the application. The current amount of the designation fee is US\$1,230, payable in a first part of US\$430 at filing and a second part of US\$800 upon allowance of the application. However, for those entities that qualify for “small entity” status within the meaning of section 41(h) of title 35 of the United States Code and section 3 of the Small Business Act, the amount of the individual designation fee is US\$615, payable in a first part of US\$215 and a second part of US\$400. In addition, these amounts are subject to future changes upon which notification to the Director General will be made in future declarations as authorized in Article 7(2) of the Agreement.

(3) Pursuant to Article 11(1)(b) of the Agreement, the United States of America declares that the law of the United States of America does not provide for the deferment of the publication of an industrial design.

(4) Pursuant to Article 13(1) of the Agreement, the United States of America declares that its laws require that only one independent and distinct design may be claimed in a single application.

(5) Pursuant to Article 16(2) of the Agreement, the United States of America declares that a recording by the International Bureau under Article 16(1)(i) of the Agreement shall not have effect in the United States of America until the United States Patent and Trademark Office has received the statements or documents recorded thereby.

(6) Pursuant to Article 17(3)(C) of the Agreement, the United States of America declares that the maximum duration of protection for designs provided for by its law is 15 years from grant.

(7) Pursuant to Rule 8(1) of the Agreement, the United States of America declares that the law of the United States of America requires that an application for protection of an industrial design be filed in the name of the creator of the industrial design. The specific form and mandatory contents of a statement required for the purposes of Rule 8(2) of the Agreement are contained in section 1.63 of title 37 of the Code of Federal Regulations of the United States.

(8) Pursuant to Rule 13(4) of the Agreement, the United States of America declares that the period of one month referred to in Rule 13(3) of the Agreement shall be replaced by a period of six months as to the United States of America in light of the security clearance required by United States law.

(9) Pursuant to Rule 18(1)(b), the United States of America declares that the period of

six months referred to in Rule 18(1)(a) of the Agreement shall be replaced by a period of twelve months with respect to the United States of America, as the Office of the United States of America is an Examining Office under the Agreement.

110-2: Singapore Treaty on the Law of Trademarks.

Resolved (two-thirds of the Senators present concurring therein),

Section 1. Senate Advice and Consent Subject to a Condition

The Senate advises and consents to the ratification of the Singapore Treaty on the Law of Trademarks adopted in Singapore on March 27, 2006 and signed by the United States at Singapore on March 28, 2006 (Treaty Doc. 110-2), subject to the condition of section 2.

Section 2. Condition

The advice and consent of the Senate under section 1 is subject to the following condition:

Report on Amendments to the Regulations. Not later than 60 days after the Assembly has agreed to an amendment to the Regulations pursuant to Article 22 and Article 23 of the Treaty, the Secretary of State shall transmit the text of the amendment to the Committee on Foreign Relations and the Committee on the Judiciary of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SESSIONS (for himself, Mrs. CLINTON, Mr. McCAIN, Mr. CASEY, Mr. MARTINEZ, Mr. SANDERS, Mr. LAUTENBERG, Mr. DORGAN, and Mr. WEBB):

S. 2400. A bill to amend title 37, United States Code, to require the Secretary of Defense to continue to pay to a member of the Armed Forces who is retired or separated from the Armed Forces due to a combat-related injury certain bonuses that the member was entitled to before the retirement or separation and would continue to be entitled to if the member was not retired or separated, and for other purposes; to the Committee on Armed Services.

By Ms. CANTWELL (for herself, Mr. ALLARD, Mr. ISAKSON, Mr. SALAZAR, and Mr. BROWNBACK):

S. 2401. A bill to amend the Internal Revenue Code of 1986 to allow a refund of motor fuel excise taxes for the actual off-highway use of certain mobile machinery vehicles; to the Committee on Finance.

By Mr. SPECTER:

S. 2402. A bill to provide for the substitution of the United States in certain civil actions; to the Committee on the Judiciary.

By Mr. WARNER (for himself and Mr. WEBB):

S. 2403. A bill to designate the new Federal Courthouse, located in the 700 block of East Broad Street, Richmond, Virginia, as the “Spottswood W. Robinson III and Robert R. Merhige, Jr. Federal Courthouse”; to the Committee on Environment and Public Works.

By Mr. SCHUMER:

S. 2404. A bill to amend title XVIII of the Social Security Act to improve payments under the Medicare clinical laboratory fee schedule; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. STEVENS:

S. Con. Res. 57. A concurrent resolution honoring professional surveyors and recognizing their contributions to society; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 22

At the request of Mr. WEBB, the names of the Senator from North Dakota (Mr. DORGAN) and the Senator from Delaware (Mr. BIDEN) were added as cosponsors of S. 22, a bill to amend title 38, United States Code, to establish a program of educational assistance for members of the Armed Forces who serve in the Armed Forces after September 11, 2001, and for other purposes.

S. 310

At the request of Mr. AKAKA, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 310, a bill to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity.

S. 329

At the request of Mrs. LINCOLN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 329, a bill to amend title XVIII of the Social Security Act to provide coverage for cardiac rehabilitation and pulmonary rehabilitation services.

At the request of Mr. CRAPO, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 329, *supra*.

S. 399

At the request of Mr. BUNNING, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 399, a bill to amend title XIX of the Social Security Act to include podiatrists as physicians for purposes of covering physicians services under the Medicaid program.

S. 442

At the request of Mr. DURBIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 442, a bill to provide for loan repayment for prosecutors and public defenders.

S. 450

At the request of Mr. ENSIGN, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 450, a bill to amend title XVIII of the Social Security Act to repeal the medicare outpatient rehabilitation therapy caps.

S. 548

At the request of Mr. LEAHY, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 548, a bill to amend the Internal Revenue Code of 1986 to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor.