

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S2681–2740*

**Measures Introduced:** Five bills and two resolutions were introduced, as follows: S. 2291–2295, and S. Res. 438–439. **Page S2718**

**Measures Reported:**

S. 1611, to require certain agencies to conduct assessments of data centers and develop data center consolidation and optimization plans, with an amendment in the nature of a substitute. (S. Rept. No. 113–157) **Page S2718**

**Measures Passed:**

***Condemning the Abduction of Female Students in Nigeria:*** Committee on Foreign Relations was discharged from further consideration of S. Res. 433, condemning the abduction of female students by armed militants from the Government Girls Secondary School in the northeastern province of Borno in the Federal Republic of Nigeria, and the resolution was then agreed to. **Pages S2699–S2700**

***The Regulation of the Height of Buildings in the District of Columbia:*** Senate passed H.R. 4192, to amend the Act entitled “An Act to regulate the height of buildings in the District of Columbia” to clarify the rules of the District of Columbia regarding human occupancy of penthouses above the top story of the building upon which the penthouse is placed. **Page S2740**

***National Charter Schools Week:*** Senate agreed to S. Res. 438, congratulating the students, parents, teachers, and administrators of charter schools across the United States for their ongoing contributions to education, and supporting the ideals and goals of the 15th annual National Charter Schools Week, to be held May 4 through May 10, 2014. **Page S2740**

***National Safe Digging Month:*** Senate agreed to S. Res. 439, supporting the goals and ideals of National Safe Digging Month. **Page S2740**

**Measures Considered:**

**Energy Savings and Industrial Competitiveness Act—Agreement:** Senate continued consideration of the motion to proceed to consideration of S. 2262,

to promote energy savings in residential buildings and industry.

**Pages S2681–84, S2685–97, S2697–99, S2700–06, S2707–12**

During consideration of this measure today, Senate also took the following action:

By 79 yeas to 20 nays (Vote No. 131), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to consideration of the bill. **Pages S2690–91**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill, post-cloture, at approximately 9:30 a.m., on Wednesday, May 7, 2014; and that the time during adjournment count post-cloture. **Page S2740**

**Talwani Nomination—Cloture:** Senate began consideration of the nomination of Indira Talwani, of Massachusetts, to be United States District Judge for the District of Massachusetts. **Page S2684**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, May 8, 2014. **Page S2684**

**Peterson Nomination—Cloture:** Senate began consideration of the nomination of James D. Peterson, of Wisconsin, to be United States District Judge for the Western District of Wisconsin. **Page S2684**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Indira Talwani, of Massachusetts, to be United States District Judge for the District of Massachusetts. **Pages S2684–85**

**Rosenstengel Nomination—Cloture:** Senate began consideration of the nomination of Nancy J. Rosenstengel, of Illinois, to be United States District Judge for the Southern District of Illinois. **Page S2685**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition

of the nomination of James D. Peterson, of Wisconsin, to be United States District Judge for the Western District of Wisconsin. **Page S2685**

**Rosenbaum Nomination—Cloture:** Senate began consideration of the nomination of Robin S. Rosenbaum, of Florida, to be United States Circuit Judge for the Eleventh Circuit. **Page S2685**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Nancy J. Rosenstengel, of Illinois, to be United States District Judge for the Southern District of Illinois. **Page S2685**

**Executive Communications:** **Page S2717**

**Additional Cosponsors:** **Pages S2718–20**

**Statements on Introduced Bills/Resolutions:**  
**Pages S2720–22**

**Additional Statements:** **Pages S2715–17**

**Amendments Submitted:** **Pages S2722–39**

**Notices of Hearings/Meetings:** **Pages S2739–40**

**Authorities for Committees to Meet:** **Page S2740**

**Privileges of the Floor:** **Page S2740**

**Record Votes:** One record vote was taken today. (Total—131) **Pages S2690–91**

**Adjournment:** Senate convened at 10 a.m. and adjourned at 7:16 p.m., until 9:30 a.m. on Wednesday, May 7, 2014. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2740.)

## Committee Meetings

(Committees not listed did not meet)

### MILITARY COMPENSATION PROPOSALS

*Committee on Armed Services:* Committee concluded a hearing to examine Department of Defense proposals relating to military compensation, after receiving testimony from General Martin E. Dempsey, USA, Chairman, and Admiral James A. Winnefeld, Jr., USN, Vice Chairman, both of the Joint Chiefs of Staff, General Raymond T. Odierno, USA, Chief of Staff of the Army, Admiral Jonathan W. Greenert, USN, Chief of Naval Operations, General Mark A. Welsh, III, USAF, Chief of Staff of the Air Force, General James F. Amos, USMC, Commandant of the Marine Corps, and General Frank J. Grass, ARNG, Chief of the National Guard Bureau, all of the Department of Defense; General Gordon R. Sullivan, USA (Ret.), Association of the United States Army, and General Craig R. McKinley, USAF (Ret.), Air

Force Association, both of Arlington, Virginia; and General John H. Tilelli, Jr., USA (Ret.), Military Officers Association of America, and Vice Admiral John B. Totushek, USN (Ret.), Association of the United States Navy, both of Alexandria, Virginia.

### EDUCATION BUDGET

*Committee on the Budget:* Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2015 for education, after receiving testimony from Arne Duncan, Secretary, and Thomas Skelly, Acting Chief Financial Officer, both of the Department of Education.

### HIGHWAY AND TRANSIT FUNDING AND FINANCING

*Committee on Finance:* Committee concluded a hearing to examine new routes for funding and financing highways and transit, after receiving testimony from Senator Boxer; Joseph Kile, Assistant Director for Microeconomic Studies, Congressional Budget Office; Aubrey L. Layne, Jr., Virginia Secretary of Transportation, Richmond; Jayan Dhru, Standard and Poor's Rating Services, and Samara Barend, AECOM Capital, both of New York, New York; and Chris Edwards, Cato Institute, Washington, DC.

### UKRAINE

*Committee on Foreign Relations:* Committee concluded a hearing to examine Ukraine, focusing on countering Russian intervention and supporting a democratic state, after receiving testimony from Victoria Nuland, Assistant Secretary of State for European and Eurasian Affairs; Daniel L. Glaser, Assistant Secretary of the Treasury for Terrorist Financing; Evelyn Farkas, Deputy Assistant Secretary of Defense for Russia, Ukraine, and Eurasia; and Angela E. Stent, Georgetown University School of Foreign Service, and David J. Kramer, Freedom House, both of Washington, DC.

### EFFICIENT AND EFFECTIVE GOVERNMENT

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on the Efficiency and Effectiveness of Federal Programs and the Federal Workforce concluded a hearing to examine a more efficient and effective government, focusing on cultivating the Federal workforce, after receiving testimony from Katherine Archuleta, Director, Office of Personnel Management; Carol Waller Pope, Chairman, Federal Labor Relations Authority; Jeri L. Buchholz, Assistant Administrator for Human Capital Management, National Aeronautics and Space Administration; Paige Hinkle-Bowles, Deputy Assistant Secretary of Defense for Civilian Personnel Policy; and J. David Cox, Sr., American Federation of Government Employees, AFL–CIO, Colleen M. Kelley, National

Treasury Employees Union, Carol Bonosaro, Senior Executives Association, and Max Stier, Partnership for Public Service, all of Washington, DC.

## INTELLIGENCE

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

Committee recessed subject to the call.

# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 21 public bills, H.R. 4564–4584; 1 private bill, H.R. 4585; and 5 resolutions, H. Res. 567, and 570–573 were introduced. **Pages H3445–47**

**Additional Cosponsors:** **Pages H3447–49**

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

H.R. 2919, to amend titles 5 and 28, United States Code, to require annual reports to Congress on, and the maintenance of databases on, awards of fees and other expenses to prevailing parties in certain administrative proceedings and court cases to which the United States is a party, and for other purposes (H. Rept. 113–434);

H.R. 4292, to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title (H. Rept. 113–435);

H.R. 4228, to require the Department of Homeland Security to improve discipline, accountability, and transparency in acquisition program management, with an amendment (H. Rept. 113–436);

H.R. 503, to authorize the National Desert Storm Memorial Association to establish the National Desert Storm and Desert Shield Memorial as a commemorative work in the District of Columbia, and for other purposes, with an amendment (H. Rept. 113–437);

H.R. 2430, to adjust the boundaries of Paterson Great Falls National Historical Park to include Hinchliffe Stadium, and for other purposes, with an amendment (H. Rept. 113–438);

Supplemental Report to Accompany Resolution Recommending that the House of Representatives find Lois G. Lerner, Former Director, Exempt Organizations, Internal Revenue Service, in Contempt of Congress for Refusal to Comply with a Subpoena Duly Issued by the Committee on Oversight and Government Reform (H. Rept. 113–415, Pt. 2);

H.R. 863, to establish the Commission to Study the Potential Creation of a National Women's His-

tory Museum, and for other purposes, with an amendment (H. Rept. 113–411, Pt. 2);

H. Res. 568, relating to the consideration of House Report 113–415 and an accompanying resolution, and providing for consideration of the resolution (H. Res. 565) calling on Attorney General Eric H. Holder, Jr., to appoint a special counsel to investigate the targeting of conservative nonprofit groups by the Internal Revenue Service (H. Rept. 113–439); and

H. Res. 569, providing for consideration of the bill (H.R. 4438) to amend the Internal Revenue Code of 1986 to simplify and make permanent the research credit (H. Rept. 113–440). **Page H3445**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Culberson to act as Speaker pro tempore for today. **Page H3415**

**Recess:** The House recessed at 12:12 p.m. and reconvened at 2 p.m. **Page H3416**

**Journal:** The House agreed to the Speaker's approval of the Journal by a yeas-and-nays vote of 253 yeas to 127 nays with 2 answering "present", Roll No. 196. **Pages H3434–35**

**National Commission on Hunger—Appointment:** Read a letter from Representative Pelosi, Minority Leader, in which she appointed the following individuals to the National Commission on Hunger: Dr. Deborah Alice Frank, MD of Brookline, MA and William Howard Shore of Boston, MA. **Page H3417**

**Recess:** The House recessed at 2:11 p.m. and reconvened at 4:30 p.m. **Page H3418**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

*Amending the Federal Home Loan Bank Act to authorize privately insured credit unions to become members of a Federal home loan bank:* H.R. 3584, amended, to amend the Federal Home Loan Bank Act to authorize privately insured credit unions to become members of a Federal home loan bank, by a 2/3 yeas-and-nays vote of 395 yeas with none voting "nay", Roll No. 195; **Pages H3418–20, H3434**

**CFPB Rural Designation Petition and Correction Act:** H.R. 2672, amended, to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to provide for an application process for interested parties to apply for a county to be designated as a rural area; **Pages H3420–22**

Agreed to amend the title so as to read: “To amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to provide for an application process for interested parties to apply for an area to be designated as a rural area, and for other purposes.”. **Page H3422**

**Money Remittances Improvement Act of 2014:** H.R. 4386, to allow the Secretary of the Treasury to rely on State examinations for certain financial institutions; **Pages H3422–24**

**Enhancing the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, and increase individual savings:** H.R. 3329, to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings; **Pages H3424–26**

**Credit Union Share Insurance Fund Parity Act:** H.R. 3468, amended, to amend the Federal Credit Union Act to extend insurance coverage to amounts held in a member account on behalf of another person; **Pages H3426–28**

**Foreign Cultural Exchange Jurisdictional Immunity Clarification Act:** H.R. 4292, to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title, by a 2/3 yeas-and-nay vote of 388 yeas to 4 nays, Roll No. 194; and **Pages H3428–30, H3433–34**

**Open Book on Equal Access to Justice Act:** H.R. 2919, to amend titles 5 and 28, United States Code, to require annual reports to Congress on, and the maintenance of databases on, awards of fees and other expenses to prevailing parties in certain administrative proceedings and court cases to which the United States is a party. **Pages H3430–33**

**Recess:** The House recessed at 6:10 p.m. and reconvened at 6:30 p.m. **Page H3433**

**Moment of Silence:** The House observed a moment of silence in memory of James Oberstar, former Member of Congress. **Page H3435**

**Recess:** The House recessed at 8:47 p.m. and reconvened at 9:48 p.m. **Page H3444**

**Senate Messages:** Messages received from the Senate by the Clerk and subsequently presented to the House today appear on pages H3417–18.

**Quorum Calls—Votes:** Three yeas-and-nays votes developed during the proceedings of today and appear on pages H3433–34, H3434, and H3435. There were no quorum calls.

**Adjournment:** The House met at 12 noon and adjourned at 9:49 p.m.

## Committee Meetings

**AMERICAN RESEARCH AND COMPETITIVENESS ACT OF 2014; CALLING ON ATTORNEY GENERAL ERIC H. HOLDER, JR., TO APPOINT A SPECIAL COUNSEL TO INVESTIGATE THE TARGETING OF CONSERVATIVE NON-PROFIT GROUPS BY THE INTERNAL REVENUE SERVICE; AND RESOLUTION RECOMMENDING THAT THE HOUSE OF REPRESENTATIVES FIND LOIS G. LERNER, FORMER DIRECTOR, EXEMPT ORGANIZATIONS, INTERNAL REVENUE SERVICE, IN CONTEMPT OF CONGRESS FOR REFUSAL TO COMPLY WITH A SUBPOENA DULY ISSUED BY THE COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM**

**Committee on Rules:** Full Committee held a hearing on H.R. 4438, the “American Research and Competitiveness Act of 2014”; resolution recommending that the House of Representatives find Lois G. Lerner, Former Director, Exempt Organizations, Internal Revenue Service, in contempt of Congress for refusal to comply with a subpoena duly issued by the Committee on Oversight and Government Reform; and H. Res. 565, calling on Attorney General Eric H. Holder, Jr., to appoint a special counsel to investigate the targeting of conservative non-profit groups by the Internal Revenue Service. The Committee granted, by voice vote, a closed rule for H.R. 4438. The rule provides 90 minutes of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted and the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule provides one motion to recommit with or without instructions. The Committee granted, by record vote of 8–3, a rule that provides that if H. Rept. 113–415 is called up by direction of the Committee on Oversight and Government Reform, all points of order against the report shall be waived and it shall be considered as read. The rule grants a closed rule for the resolution accompanying H. Rept. 113–415. The

rule provides 50 minutes of debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform or their respective designees. The rule waives all points of order against consideration of the resolution accompanying the report. The rule provides that the resolution accompanying the report shall be considered as read and shall not be subject to a demand for division of the question. The rule provides one motion to refer at the conclusion of debate if offered by Rep. Cummings of Maryland or his designee, which shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent. The rule provides one motion to recommit the resolution accompanying the report with or without instructions. The rule additionally grants a closed rule for H. Res. 565. The rule provides 40 minutes of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the resolution. The rule provides that the resolution shall be considered as read and shall not be subject to a demand for division of the question. Testimony was heard from Chairmen Issa and Goodlatte, and Representatives Brady (TX), Levin, Cárdenas, Jackson Lee, Cummings, and Connolly.

## Joint Meetings

### GEORGIA 2008, UKRAINE 2014, AND MOLDOVA

*Commission on Security and Cooperation in Europe:* Commission received a briefing on Georgia 2008, and Ukraine 2014, focusing on if Moldova is next, and to examine Russia's intentions with regard to Transnistria and Moldova from Eugen Carpov, Deputy Prime Minister of Moldova for Reintegration, Chisinau; Stephen Blank, American Foreign Policy Council, Washington, DC; and Paul Goble, Winchester, Virginia.

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### COMMITTEE MEETINGS FOR WEDNESDAY, MAY 7, 2014

*(Committee meetings are open unless otherwise indicated)*

#### Senate

*Committee on Agriculture, Nutrition, and Forestry:* to hold hearings to examine the 2014 Farm Bill, focusing on implementation and next steps, 9 a.m., SR-328A.

*Committee on Appropriations:* Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2015 for the Department of Health and Human Services, 10 a.m., SD-138.

Subcommittee on Department of Homeland Security, to hold hearings to examine investing in cybersecurity, focusing on understanding risks and building capabilities for the future, 2 p.m., SD-192.

Subcommittee on Financial Services and General Government, to hold hearings to examine proposed budget estimates and oversight for fiscal year 2015 for Federal information technology investments, 2 p.m., SD-138.

*Committee on Commerce, Science, and Transportation:* to hold hearings to examine Surface Transportation Reauthorization, focusing on progress, challenges, and next steps, 2:30 p.m., SR-253.

*Committee on Indian Affairs:* to hold hearings to examine S. 1603, to reaffirm that certain land has been taken into trust for the benefit of the Match-E-Be-Nash-She-Wish Band of Pottawatami Indians, S. 1818, to ratify a water settlement agreement affecting the Pyramid Lake Paiute Tribe, S. 2040, to exchange trust and fee land to resolve land disputes created by the realignment of the Blackfoot River along the boundary of the Fort Hall Indian Reservation, S. 2041, to repeal the Act of May 31, 1918, and S. 2188, to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes, 2:30 p.m., SD-628.

*Special Committee on Aging:* to hold hearings to examine the fight against cancer, focusing on challenges, progress, and promise, 2:15 p.m., SD-562.

#### House

*Committee on Appropriations,* Subcommittee on Transportation, Housing and Urban Development and Related Agencies, markup on Transportation, Housing and Urban Development and Related Agencies Appropriations Bill FY 2015, 10 a.m., 2358-A Rayburn.

Subcommittee on State, Foreign Operations, and Related Programs, hearing on United States Assistance to Combat Transnational Crime Budget, 11:30 a.m., 2362-A Rayburn.

*Committee on Armed Services,* Full Committee, markup on H.R. 4435, the "National Defense Authorization Act for Fiscal Year 2015", 10 a.m., 2118 Rayburn.

*Committee on Energy and Commerce,* Subcommittee on Energy and Power, hearing entitled "The NRC FY 2015 Budget and Policy Issues", 10 a.m., 2322 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled "PPACA Enrollment and the Insurance Industry", 10:15 a.m., 2123 Rayburn.

Full Committee, markup on the following legislation: H.R. 3301, the "North American Energy Infrastructure Act"; H.R. 4342, the "Domain Openness Through Continued Oversight Matters Act of 2014"; and a bill to amend the Communications Act of 1934 to extend expiring provisions relating to the retransmission of signals of television broadcast stations, and for other purposes, 4 p.m., 2123 Rayburn.

*Committee on Financial Services,* Full Committee, markup on the following legislation: H.R. 4200, the "SBIC Advisers Relief Act"; H.R. 4554, the "Restricted Securities Relief Act"; H.R. 2629, the "Fostering Innovation Act"; H.R. 1779, the "Preserving Access to Manufactured

Housing Act of 2013”; H.R. 2673, the “Portfolio Lending and Mortgage Access Act”; H.R. 3211, the “Mortgage Choice Act of 2013”; H.R. 4466, the “Financial Regulatory Clarity Act of 2014”; H.R. 4521, the “Community Institution Mortgage Relief Act of 2014”; H.R. 4568, the “Small Business Freedom and Growth Act”; a resolution to authorize the issuance of subpoenas to the Department of Justice and the Department of the Treasury for certain documents; legislation regarding the Securities and Exchange Commission to revise its rules so as to increase the threshold amount for requiring issuers to provide certain disclosures relating to compensatory benefit plans; legislation regarding the Disclosure Modernization and Simplification Act; legislation regarding the Private Placement Improvement Act; and legislation regarding the Securities and Exchange Commission to revise the definition of a well-known seasoned issuer to reduce the worldwide market value threshold under the definition, 10 a.m., 2128 Rayburn.

*Committee on Foreign Affairs*, Subcommittee on Europe, Eurasia and Emerging Threats, hearing entitled “Assessing the Biological Weapons Threat: Russia and Beyond”, 2 p.m., 2200 Rayburn.

*Committee on Homeland Security*, Full Committee, hearing entitled “Preventing Waste, Fraud, Abuse and Mismanagement in Homeland Security—A GAO High-Risk List Review”, 10 a.m., 311 Cannon.

*Committee on the Judiciary*, Full Committee, markup on H.R. 3361, the “USA FREEDOM Act”, 1 p.m., 2141 Rayburn.

*Committee on Natural Resources*, Full Committee, hearing entitled “Keeping the Lights On and Reducing Cata-

strophic Forest Fire Risk: Proper Management of Electricity Rights of Way on Federal Lands”, 10 a.m., 1324 Longworth.

Subcommittee on Indian and Alaska Native Affairs, hearing on H.R. 409, the “Indian Trust Asset Reform Act”; and H.R. 4350, the “Northern Cheyenne Lands Act”, 2 p.m., 1324 Longworth.

*Committee on Oversight and Government Reform*, Full Committee, hearing entitled “Is EPA Leadership Obstructing Its Own Inspector General?”, 9:30 a.m., 2154 Rayburn.

Full Committee, markup on the Administration’s Postal Reform Act of 2014, 2 p.m., 2154 Rayburn.

*Committee on Rules*, Full Committee, hearing on H.R. 10, the “Success and Opportunity through Quality Charter Schools Act”; and H. Res. 567, Providing for the Establishment of the Select Committee on the Events Surrounding the 2012 Terrorist Attack in Benghazi, 2 p.m., H-313 Capitol.

*Committee on Small Business*, Full Committee, hearing entitled “Military to Entrepreneurship: Private Sector Initiatives to Help Veterans Pursue Business Opportunities”, 1 p.m., 2360 Rayburn.

*Committee on Ways and Means*, Subcommittee on Oversight, hearing on the Internal Revenue Service (IRS) and the 2014 tax return filing season, 10:30 a.m., 1100 Longworth.

### Joint Meetings

*Joint Economic Committee*: to hold hearings to examine the economic outlook, 10 a.m., SH-216.

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