

Thursday, July 17, 2014

Daily Digest

HIGHLIGHTS

Senate passed S. 2244, Terrorism Risk Insurance Program Reauthorization Act, as amended.

Senate

Chamber Action

Routine Proceedings, pages S4571–S4635

Measures Introduced: Fourteen bills and four resolutions were introduced, as follows: S. 2619–2632, and S. Res. 505–508. **Page S4620**

Measures Reported:

H.R. 4870, making appropriations for the Department of Defense for the fiscal year ending September 30, 2015, with an amendment in the nature of a substitute. (S. Rept. No. 113–211)

Report to accompany S. 517, to promote consumer choice and wireless competition by permitting consumers to unlock mobile wireless devices. (S. Rept. No. 113–212)

S.J. Res. 19, proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections, with an amendment in the nature of a substitute. **Page S4618**

Measures Passed:

Terrorism Risk Insurance Program Reauthorization Act: By 93 yeas to 4 nays (Vote No. 231), Senate passed S. 2244, to extend the termination date of the Terrorism Risk Insurance Program established under the Terrorism Risk Insurance Act of 2002, after agreeing to the committee-reported amendments, which will be considered as original text for the purpose of further amendment, after taking action on the following amendments and motion proposed thereto: **Pages S4574–95**

Adopted:

Vitter Amendment No. 3550, to reaffirm the importance of community banking and community banking regulatory experience on the Federal Reserve Board of Governors, to ensure that the Federal Reserve Board of Governors has a member who has previous experience in community banking or community banking supervision. **Pages S4584–85, S4588**

By a unanimous vote of 97 yeas (Vote No. 230), Flake Amendment No. 3551, to establish the Advisory Committee on Risk-Sharing Mechanisms. **Pages S4582–84, S4588–89**

Tester Amendment No. 3552, to reform the National Association of Registered Agents and Brokers. **Pages S4576–82, S4589**

During consideration of this measure today, Senate also took the following action: By 48 yeas to 49 nays (Vote No. 229), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive all applicable sections of the Congressional Budget Act of 1974 and applicable budget resolutions for purposes of Coburn Amendment No. 3549, to allow the Secretary to extend the deadline for collecting terrorism loss risk-spreading premiums if the mandatory recoupment is more than the \$1,000,000,000. Subsequently, the point of order that Coburn Amendment No. 3549 (listed above) was in violation of section 201 of S. Con. Res. 21, the Concurrent Resolution on the Budget for Fiscal Year 2008, was sustained, and the amendment was ruled out of order. **Page S4588**

United States Support for the State of Israel: Senate agreed to S. Res. 498, expressing the sense of the Senate regarding United States support for the State of Israel as it defends itself against unprovoked rocket attacks from the Hamas terrorist organization. **Page S4626**

National Day of the American Cowboy: Committee on the Judiciary was discharged from further consideration of S. Res. 488, designating July 26, 2014, as “National Day of the American Cowboy”, and the resolution was then agreed to. **Page S4626**

National Lighthouse and Lighthouse Preservation Day: Senate agreed to S. Res. 507, designating August 7, 2014, as “National Lighthouse and Lighthouse Preservation Day”. **Page S4626**

Congressional Research Service Centennial Anniversary: Senate agreed to S. Res. 508, commemorating the centennial anniversary of the establishment of the Congressional Research Service.

Pages S4626–27

Measures Considered:

Bring Jobs Home Act: Senate began consideration of the motion to proceed to consideration of S. 2569, to provide an incentive for businesses to bring jobs back to America. Pages S4571–73, S4595–98, S4599–S4604

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during the adjournment or recess of the Senate from Thursday, July 17, 2014, through Monday, July 21, 2014, Senators Reed and Rockefeller be authorized to sign duly enrolled bills or joint resolutions.

Page S4627

Executive Reports of Committees: Senate received the following executive reports of a committee:

Report to accompany The Protocol Amending the Tax Convention with Spain (Treaty Doc. 113–4) (Ex. Rept. 113–10); and

Report to accompany Convention on Taxes with the Republic of Poland (Treaty Doc. 113–5) (Ex. Rept. 113–11).

Pages S4619–20

Carnes Nomination—Agreement: Senate continued consideration of the nomination of Julie E. Carnes, of Georgia, to be United States Circuit Judge for the Eleventh Circuit.

Page S4599

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

By 68 yeas to 23 nays (Vote No. 232), Senate agreed to the motion to close further debate on the nomination.

Page S4599

A unanimous-consent agreement was reached providing that at 5:30 p.m., on Monday, July 21, 2014, all post-cloture time be expired and Senate vote on confirmation of the nomination.

Page S4573

Lawson and Reddick Nominations—Agreement:

A unanimous-consent-time agreement was reached providing that following disposition of the nomination of Julie E. Carnes, of Georgia, to be United States Circuit Judge for the Eleventh Circuit, on Monday, July 21, 2014, Senate begin consideration of the nominations of Michael Anderson Lawson, of California, for the rank of Ambassador during his tenure of service as Representative of the United States of America on the Council of the International Civil Aviation Organization, and Eunice S. Reddick, of the District of Columbia, to be Ambassador to the Republic of Niger, that there be two minutes for debate equally divided between the two Leaders, or their designees, prior to each vote; that upon the use or yielding back of time, Senate vote, without inter-

vening action or debate, on confirmation of the nominations in the order listed; that any roll call votes, following the first in the series, be 10 minutes in length; and that no further motions be in order to the nominations.

Page S4611

Birotte, Rosenberg, and DeGravelles Nominations—Agreement: A unanimous-consent-time agreement was reached providing that notwithstanding rule XXII, at 10:45 a.m., on Tuesday, July 22, 2014, Senate vote on the motions to invoke cloture on the nominations of Andre Birotte, Jr., of California, to be United States District Judge for the Central District of California, Robin L. Rosenberg, of Florida, to be United States District Judge for the Southern District of Florida, and John W. deGravelles, of Louisiana, to be United States District Judge for the Middle District of Louisiana, in the order listed; that if cloture is invoked on any of these nominations, that at 2:15 p.m., on Tuesday, July 22, 2014, all post-cloture time be expired, and Senate vote on confirmation of the nominations in the order upon which cloture was invoked; all roll call votes after the first in each sequence be 10 minutes in length; and that there be two minutes for debate prior to each vote.

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Nominations Confirmed: Senate confirmed the following nominations:

David B. Shear, of New York, to be an Assistant Secretary of Defense.

Pages S4599, S4635

David Arthur Mader, of Virginia, to be Controller, Office of Federal Financial Management, Office of Management and Budget.

Pages S4599, S4635

Nominations Received: Senate received the following nominations:

Charles C. Adams, Jr., of Maryland, to be Ambassador to the Republic of Finland.

Matthew Vincent Masterson, of Ohio, to be a Member of the Election Assistance Commission for a term expiring December 12, 2017.

Christy A. McCormick, of Virginia, to be a Member of the Election Assistance Commission for a term expiring December 12, 2015.

1 Air Force nomination in the rank of general.

33 Army nominations in the rank of general.

4 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, and Navy.

Pages S4628–35

Messages from the House:

Page S4618

Measures Referred:

Page S4618

Measures Read the First Time:

Pages S4618, S4627

Executive Reports of Committees:

Pages S4619–20

Additional Cosponsors:

Pages S4620–21

Statements on Introduced Bills/Resolutions:**Pages S4621–24****Additional Statements:****Pages S4615–18****Amendments Submitted:****Pages S4624–25****Notices of Hearings/Meetings:****Page S4625****Authorities for Committees to Meet: Page S4626**

Record Votes: Four record votes were taken today. (Total—232) **Pages S4588–89, S4599**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:12 p.m., until 2 p.m. on Monday, July 21, 2014. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S4628.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Appropriations: Committee ordered favorably reported H.R. 4870, making appropriations for the Department of Defense for the fiscal year ending September 30, 2015, with an amendment in the nature of a substitute.

NOMINATION

Committee on Armed Services: Committee concluded a hearing to examine the nomination of General Joseph F. Dunford, Jr., USMC, for reappointment to the grade of general and to be Commandant of the Marine Corps, Department of Defense, after the nominee testified and answered questions in his own behalf.

GENERAL MOTORS RECALLS

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Protection, Product Safety, and Insurance concluded a hearing to examine accountability and corporate culture in wake of the General Motors recalls, after receiving testimony from Kenneth R. Feinberg, Feinberg Rozen, LLP, Washington, DC; Mary T. Barra, and Michael P. Millikin, both of the General Motors Company, Detroit, Michigan; Rodney O'Neal, Delphi Automotive, Gillingham, United Kingdom; and Anton R. Valukas, Jenner and Block LLP, Chicago, Illinois.

FEDERAL RESEARCH PORTFOLIO

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the Federal research portfolio, focusing on capitalizing on investments in research and development, after receiving testimony from Vinton G. Cerf, Google, Reston, Virginia; Mariette DiChristina, *Scientific American*, New York, New York; Neal Lane, Rice

University's Baker Institute for Public Policy, Houston, Texas, on behalf of The American Academy of Arts and Sciences Committee on New Models for U.S. Science and Technology Policy; and Stephen E. Fienberg, Carnegie Mellon University, Pittsburgh, Pennsylvania.

21ST CENTURY MANUFACTURING

Committee on Finance: Committee concluded a hearing to examine the role of trade and technology in 21st century manufacturing, after receiving testimony from Jacklyn A. Sturm, Intel Corporation, Santa Clara, California; Ray Kimber, RKB Industrial and Kimber Kable, Ogden, Utah, on behalf of the Consumer Electronics Association; and Stephen J. Ezell, Information Technology and Innovation Foundation, Washington, DC.

UNACCOMPANIED MINORS IN CENTRAL AMERICA

Committee on Foreign Relations: Committee concluded a hearing to examine Central America in crisis and the exodus of unaccompanied minors, after receiving testimony from Thomas A. Shannon, Counselor of the Department of State; Bruce Swartz, Deputy Assistant Attorney General, and Counselor for International Affairs, Criminal Division, Department of Justice; and Sonia Nazario, Kids in Need of Defense (KIND), Cynthia J. Arnson, Woodrow Wilson International Center for Scholars, and Stephen Johnson, International Republican Institute, all of Washington, DC.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Marcia Stephens Bloom Bernicat, of New Jersey, to be Ambassador to the People's Republic of Bangladesh, David Pressman, of New York, to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador, and to be an Alternate Representative to the Sessions of the General Assembly of the United Nations, during his tenure of service as Alternate Representative for Special Political Affairs in the United Nations, George Albert Krol, of New Jersey, to be Ambassador to the Republic of Kazakhstan, Allan P. Mustard, of Washington, to be Ambassador to Turkmenistan, and Erica J. Barks Ruggles, of Minnesota, to be Ambassador to the Republic of Rwanda, all of the Department of State, after the nominees testified and answered questions in their behalf.

NEED TO IMPROVE PATIENT SAFETY

Committee on Health, Education, Labor, and Pensions: Subcommittee on Primary Health and Aging concluded a hearing to examine the need to improve patient safety and reduce preventable deaths, after receiving testimony from John T. James, Patient Safety America, Houston, Texas; Ashish K. Jha, Harvard School of Public Health, and Tejal K. Gandhi, Harvard Medical School, both of Boston, Massachusetts; Peter Pronovost, Johns Hopkins Medicine Armstrong Institute for Patient Safety and Quality, Baltimore, Maryland; Joanne Disch, University of Minnesota School of Nursing, Minneapolis; and Lisa McGiffert, Consumers Union, Austin, Texas.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nominations of Pamela Harris, of Maryland, to be United States Circuit Judge for the Fourth Circuit, Pamela Pepper, to be United States District Judge for the Eastern District of Wisconsin, Brenda K. Sannes, to be United States District Judge for the Northern District of New York, and Patricia M. McCarthy, of Maryland, and Jeri Kaylene Somers, of Virginia, both to be a Judge of the United States Court of Federal Claims.

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: 29 public bills, H.R. 5129–5157; and 4 resolutions, H. Con. Res. 108; and H. Res. 673–675 were introduced.

Pages H6397–99

Additional Cosponsors:

Pages H6399–H6400

Reports Filed: Reports were filed today as follows:

H. Res. 645, requesting that the President of the United States transmit to the House of Representatives copies of any emails in the possession of the Executive Office of the President that were transmitted to or from the email account(s) of former Internal Revenue Service Exempt Organizations Division Director Lois Lerner between January 2009 and April 2011; Adversely (H. Rept. 113–524);

H. Res. 647, directing the Secretary of the Treasury to transmit to the House of Representatives copies of any emails in the possession of the Department that were transmitted to or from the email account(s) of former Internal Revenue Service Exempt Organizations Division Director Lois Lerner between January 2009 and April 2011; Adversely (Rept. 113–525);

H.R. 3393, to amend the Internal Revenue Code of 1986 to consolidate certain tax benefits for educational expenses, and for other purposes, with an amendment (H. Rept. 113–526);

H.R. 4935, to amend the Internal Revenue Code of 1986 to make improvements to the child tax credit, with an amendment (H. Rept. 113–527);

H.R. 3202, to require the Secretary of Homeland Security to prepare a comprehensive security assessment of the transportation security card program, and for other purposes, with an amendment (H. Rept. 113–528);

H.R. 3136, to establish a demonstration program for competency-based education, with an amendment (H. Rept. 113–529);

H.R. 4983, to simplify and streamline the information regarding institutions of higher education made publicly available by the Secretary of Education, and for other purposes, with an amendment (H. Rept. 113–530);

H.R. 4984, to amend the loan counseling requirements under the Higher Education Act of 1965, and for other purposes, with an amendment (H. Rept. 113–531);

H.R. 3716, to ratify a water settlement agreement affecting the Pyramid Lake Paiute Tribe, and for other purposes (H. Rept. 113–532);

H.R. 4283, to amend the Wild and Scenic Rivers Act to authorize the Secretary of the Interior to maintain or replace certain facilities and structures for commercial recreation services at Smith Gulch in Idaho, and for other purposes, with an amendment (H. Rept. 113–533);

H.R. 4508, to amend the East Bench Irrigation District Water Contract Extension Act to permit the Secretary of the Interior to extend the contract for certain water services (H. Rept. 113–534);

H.R. 4527, to remove a use restriction on land formerly a part of Acadia National Park that was

transferred to the town of Tremont, Maine, and for other purposes (H. Rept. 113–535);

H.R. 4562, to authorize early repayment of obligations to the Bureau of Reclamation within the Northport Irrigation District in the State of Nebraska (H. Rept. 113–536);

H.R. 4315, to amend the Endangered Species Act of 1973 to require publication on the Internet of the basis for determinations that species are endangered species or threatened species, and for other purposes, with an amendment (H. Rept. 113–537);

H.R. 4316, to amend the Endangered Species Act of 1973 to improve the disclosure of certain expenditures under that Act, and for other purposes, with an amendment (H. Rept. 113–538);

H.R. 4317, to amend the Endangered Species Act of 1973 to require disclosure to States of the basis of determinations under such Act, to ensure use of information provided by State, tribal, and county governments in decisionmaking under such Act, and for other purposes (H. Rept. 113–539); and

H.R. 4318, to amend the Endangered Species Act of 1973 to conform citizen suits under that Act with other existing law, and for other purposes (H. Rept. 113–540, Pt. 1).

Page H6397

Motion to Instruct Conferees: The House rejected the Gallego motion to instruct conferees on H.R. 3230 by a yea-and-nay vote of 201 yeas to 213 nays, Roll No. 430. The motion was debated yesterday, July 16th.

Pages H6363–64

Fighting Hunger Incentive Act of 2014: The House passed H.R. 4719, to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory, by a yea-and-nay vote of 277 yeas to 130 nays, Roll No. 432.

Pages H6357–78

Rejected the Van Hollen motion to recommit the bill to the Committee on Ways and Means with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 185 yeas to 227 nays, Roll No. 431.

Pages H6375–78

Pursuant to the rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–51 shall be considered as adopted, in lieu of the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill.

Page H6364

H. Res. 670, the rule providing for consideration of the bill, was agreed to by a recorded vote of 230 yeas to 183 noes, Roll No. 429, after the previous question was ordered by a yea-and-nay vote of 226 yeas to 186 nays, Roll No. 428.

Pages H6362–63

Motion to Instruct Conferees: The House debated the Barber motion to instruct conferees on H.R. 3230. Further proceedings were postponed.

Pages H6380–83

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 11 a.m. tomorrow, July 18th; and when the House adjourns on that day, it adjourn to meet on Tuesday, July 22nd at 12 noon for Morning Hour Debate and 2 p.m. for legislative business.

Page H6383

Providing for the correction of the enrollment of H.R. 5021: The House agreed by unanimous consent to H. Con. Res. 108, to provide for the correction of the enrollment of H.R. 5021.

Page H6391

Senate Messages: Messages received from the Senate today appear on pages H6364 and H6396.

Senate Referral: S. 2244 was held at the desk.

Page H6396

Quorum Calls—Votes: Four yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H6362–63, H6363, H6364, H6377–78 and H6378. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 3:16 p.m.

Committee Meetings

RUSSIAN VIOLATIONS OF THE INF TREATY: AFTER DETECTION—WHAT?

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing entitled “Russian Violations of the INF Treaty: After detection—what?”. Testimony was heard from public witnesses.

THE PRESIDENT’S FUNDING REQUEST FOR OVERSEAS CONTINGENCY OPERATIONS

Committee on the Budget: Full Committee held a hearing entitled “The President’s Funding Request for Overseas Contingency Operations”. Testimony was heard from Heather Higginbottom, Deputy Secretary for Management and Resources, Department of State; Robert O. Work, Deputy Secretary, Department of Defense; and Admiral James A. Winnefeld, Jr., Vice Chairman, Joint Chiefs of Staff, Department of Defense.

21ST CENTURY TECHNOLOGY FOR 21ST CENTURY CURES

Committee on Energy and Commerce: Subcommittee on Communications and Technology; and Subcommittee on Health held a joint subcommittee hearing entitled “21st Century Technology for 21st Century Cures”. Testimony was heard from public witnesses.

A LEGISLATIVE PROPOSAL ENTITLED THE “BANK ACCOUNT SEIZURE OF TERRORIST ASSETS (BASTA) ACT”

Committee on Financial Services: Subcommittee on Monetary Policy and Trade held a hearing entitled “A Legislative Proposal Entitled the ‘Bank Account Seizure of Terrorist Assets (BASTA) Act’”. Testimony was heard from Jennifer Fowler, Deputy Assistant Secretary for Terrorist Financing and Financial Crime, Department of the Treasury; Marshall L. Miller, Acting Principal Deputy Assistant Attorney General and Chief of Staff, Department of Justice; and public witnesses.

GUILTY UNTIL PROVEN INNOCENT? A STUDY OF THE PROPRIETY & LEGAL AUTHORITY FOR THE JUSTICE DEPARTMENT’S OPERATION CHOKE POINT

Committee on the Judiciary: Subcommittee on Regulatory Reform, Commercial and Antitrust Law held a hearing entitled “Guilty until Proven Innocent? A Study of the Propriety & Legal Authority for the Justice Department’s Operation Choke Point”. Testimony was heard from Stuart F. Delery, Assistant Attorney General, Civil Division, Department of Justice; and public witnesses.

EXAMINING THE JUSTICE DEPARTMENT’S RESPONSE TO THE IRS TARGETING SCANDAL

Committee on Oversight and Government Reform: Subcommittee on Economic Growth, Job Creation and Regulatory Affairs held a hearing entitled “Examining the Justice Department’s Response to the IRS Targeting Scandal”. Testimony was heard from James M. Cole, Deputy Attorney General, Department of Justice.

POLICIES TO SPUR INNOVATIVE MEDICAL BREAKTHROUGHS FROM LABORATORIES TO PATIENTS

Committee on Science, Space, and Technology: Subcommittee on Research and Technology held a hearing entitled “Policies to Spur Innovative Medical Breakthroughs from Laboratories to Patients”. Testimony was heard from Harold Varmus, Director, National Cancer Institute, National Institutes of Health; and public witnesses.

ONGOING INTELLIGENCE ACTIVITIES

House Permanent Select Committee on Intelligence: Full Committee held a hearing entitled “Ongoing Intelligence Activities”. This was a closed hearing.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D742)

H.R. 2388, to take certain Federal lands located in El Dorado County, California, into trust for the benefit of the Shingle Springs Band of Miwok Indians. Signed on July 16, 2014. (Public Law 113–127)

**COMMITTEE MEETINGS FOR FRIDAY,
JULY 18, 2014**

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No hearings are scheduled.

Next Meeting of the SENATE

2 p.m., Monday, July 21

Next Meeting of the HOUSE OF REPRESENTATIVES

11 a.m., Friday, July 18

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 5:30 p.m.), Senate will vote on confirmation of the nominations of Julie E. Carnes, of Georgia, to be United States Circuit Judge for the Eleventh Circuit, Michael Anderson Lawson, of California, for the rank of Ambassador during his tenure of service as Representative of the United States of America on the Council of the International Civil Aviation Organization, and Eunice S. Reddick, of the District of Columbia, to be Ambassador to the Republic of Niger.

House Chamber

Program for Friday: The House will meet in pro forma session at 11 a.m.

Extensions of Remarks, as inserted in this issue

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