

Daily Digest

HIGHLIGHTS

Senate agreed to H. Con. Res. 119, Adjournment Resolution.

Senate

Chamber Action

Routine Proceedings, pages S6163–S6223

Measures Introduced: Twenty bills and seven resolutions were introduced, as follows: S. 2947–2966, and S. Res. 585–591. **Pages S6204–05**

Measures Reported:

H.R. 1447, to encourage States to report to the Attorney General certain information regarding the deaths of individuals in the custody of law enforcement agencies.

S. 1744, to strengthen the accountability of individuals involved in misconduct affecting the integrity of background investigations, to update guidelines for security clearances, with an amendment in the nature of a substitute.

S. 2520, to improve the Freedom of Information Act, with an amendment in the nature of a substitute. **Page S6204**

Measures Passed:

Sudden Unexpected Death Data Enhancement and Awareness Act: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of H.R. 669, to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life, and the bill was then passed, after agreeing to the following amendments proposed thereto:

Page S6219

Reid (for Harkin) Amendment No. 3957, to amend the title. **Page S6219**

Reid (for Harkin) Amendment No. 3958, in the nature of a substitute. **Page S6219**

Small Rural Hospitals: Senate passed H.R. 4067, to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2014. **Page S6219**

Service of Women in the Armed Forces of the United States: Senate passed H.R. 5441, to amend

the Federal charter of the Veterans of Foreign Wars of the United States to reflect the service of women in the Armed Forces of the United States. **Page S6219**

STELA Reauthorization Act: Senate passed H.R. 5728, to amend the Communications Act of 1934 and title 17, United States Code, to extend expiring provisions relating to the retransmission of signals of television broadcast stations. **Page S6219–20**

National Adoption Day and National Adoption Month: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. Res. 580, expressing support for the goals of National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children awaiting families, celebrating children and families involved in adoption, and encouraging the people of the United States to secure safety, permanency, and well-being for all children, and the resolution was then agreed to. **Page S6220**

Drive Safer Sunday: Committee on the Judiciary was discharged from further consideration of S. Res. 583, designating November 30, 2014, as “Drive Safer Sunday”, and the resolution was then agreed to. **Page S6220**

Rural Access to Hospitals and Health Care Providers: Senate agreed to S. Res. 588, recognizing that access to hospitals and other health care providers for patients in rural areas of the United States is essential to the survival and success of communities in the United States. **Page S6221**

Honoring the Life of Boston Mayor Thomas M. Menino: Senate agreed to S. Res. 589, honoring the life of Thomas M. Menino, Mayor of Boston, Massachusetts, from 1993 to 2014. **Page S6221**

National Native American Heritage Month: Senate agreed to S. Res. 590, recognizing National Native American Heritage Month and celebrating the heritages and cultures of Native Americans and the contributions of Native Americans to the United States. **Page S6221**

Convening Date for 114th Congress: Senate passed H.J. Res. 129, appointing the day for the convening of the first session of the One Hundred Fourteenth Congress. **Page S6222**

Adjournment Resolution: Senate agreed to H. Con. Res. 119, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page S6222**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during the adjournment or recess of the Senate from Thursday, November 20, 2014 through Monday, December 1, 2014, the Majority Leader be authorized to sign duly enrolled bills or joint resolutions. **Page S6222**

Authorizing Leadership To Make Appointments—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President Pro Tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **Page S6222**

Mamet Nomination—Cloture: Senate began consideration of the nomination of Noah Bryson Mamet, of California, to be Ambassador to the Argentine Republic. **Page S6186**

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, and pursuant to the unanimous-consent agreement of Thursday, November 20, 2014, a vote on cloture will occur at 5:30 p.m., on Monday, December 1, 2014. **Page S6186**

Bell Nomination—Cloture: Senate began consideration of the nomination of Colleen Bradley Bell, of California, to be Ambassador to Hungary. **Page S6187**

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 Noah Bryson Mamet, of California, to be Ambassador to the Argentine Republic. **Page S6187**

Coloretti Nomination—Cloture: Senate began consideration of the nomination of Nani A. Coloretti, of California, to be Deputy Secretary of Department of Housing and Urban Development. **Page S6187**

A motion was entered to close further debate on the nomination, and, in accordance with the provi-

sions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Colleen Bradley Bell, of California, to be Ambassador to Hungary. **Page S6187**

Adler Nomination—Cloture: Senate began consideration of the nomination of Robert S. Adler, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission. **Page S6187**

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 Nani A. Coloretti, of California, to be Deputy Secretary of Department of Housing and Urban Development. **Page S6187**

Burrows Nomination—Cloture: Senate began consideration of the nomination of Charlotte A. Burrows, of the District of Columbia, to be a Member of the Equal Employment Opportunity Commission. **Page S6187**

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 Robert S. Adler, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission. **Page S6187**

Lopez Nomination—Cloture: Senate began consideration of the nomination of P. David Lopez, of Arizona, to be General Counsel of the Equal Employment Opportunity Commission. **Page S6188**

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 Charlotte A. Burrows, of the District of Columbia, to be a Member of the Equal Employment Opportunity Commission. **Page S6188**

Mamet and Bell Nominations—Agreement: A unanimous-consent-time agreement was reached providing that at 5:30 p.m., on Monday, December 1, 2014, Senate vote on the motions to invoke cloture on the nominations of Noah Bryson Mamet, of California, to be Ambassador to the Argentine Republic, and Colleen Bradley Bell, of California, to be Ambassador to Hungary; that if cloture is invoked on either of these nominations, that at 10:30 a.m., on Tuesday, December 2, 2014, all post-cloture time be expired, and Senate vote on confirmation of the nominations, in the order upon which cloture was invoked; and that there be two minutes for debate prior to each vote and all roll call votes after the first vote in each sequence be ten minutes in length. **Page S6188**

Nominations Confirmed: Senate confirmed the following nominations:

By a unanimous vote of 95 yeas (Vote No. EX. 288), Pamela Pepper, of Wisconsin, to be United States District Judge for the Eastern District of Wisconsin. **Pages S6176–78, S6223**

By a unanimous vote of 96 yeas (Vote No. EX. 289), Brenda K. Sannes, of New York, to be United States District Judge for the Northern District of New York. **Pages S6176–78, S6223**

Madeline Cox Arleo, of New Jersey, to be United States District Judge for the District of New Jersey. **Pages S6176–78, S6223**

Wendy Beetlestone, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania. **Pages S6176–78, S6223**

By 49 yeas to 46 nays (Vote No. EX. 290), Victor Allen Bolden, of Connecticut, to be United States District Judge for the District of Connecticut. **Pages S6176–78, S6223**

James D. Pettit, of Virginia, to be Ambassador to the Republic of Moldova. **Pages S6178–80, S6223**

Pamela Leora Spratlen, of California, to be Ambassador to the Republic of Uzbekistan. **Pages S6178–80, S6223**

Tamara Wenda Ashford, of Virginia, to be a Judge of the United States Tax Court for a term of fifteen years. **Pages S6178–80, S6222**

L. Paige Marvel, of Maryland, to be a Judge of the United States Tax Court for a term of fifteen years. **Pages S6178–80, S6222**

Cary Douglas Pugh, of Virginia, to be a Judge of the United States Tax Court for a term of fifteen years. **Pages S6178–80, S6223**

Ramin Toloui, of Iowa, to be a Deputy Under Secretary of the Treasury. **Pages S6178–80, S6223**

Lisa Afua Serwah Mensah, of Maryland, to be Under Secretary of Agriculture for Rural Development. **Pages S6178–80, S6223**

George Albert Krol, of New Jersey, to be Ambassador to the Republic of Kazakhstan. **Pages S6178–80, S6222**

Luis G. Moreno, of Texas, to be Ambassador to Jamaica. **Pages S6178–80, S6222**

Donald Lu, of California, to be Ambassador to the Republic of Albania. **Pages S6178–80, S6222**

Brent Robert Hartley, of Oregon, to be Ambassador to the Republic of Slovenia. **Pages S6178–80, S6223**

Robert M. Speer, of Virginia, to be an Assistant Secretary of the Army. **Pages S6178–80, S6223**

3 Air Force nominations in the rank of general. **Pages S6188, S6223**

Routine lists in the Coast Guard, and Foreign Service. **Pages S6188, S6223**

Nominations Received: Senate received the following nominations:

Ann Donnelly, of New York, to be United States District Judge for the Eastern District of New York.

Roseann A. Ketchmark, of Missouri, to be United States District Judge for the Western District of Missouri.

Travis Randall McDonough, of Tennessee, to be United States District Judge for the Eastern District of Tennessee. **Page S6222**

Messages from the House: **Page S6195**

Measures Referred: **Page S6195**

Measures Placed on the Calendar: **Page S6195**

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Executive Reports of Committees: **Page S6204**

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Additional Statements: **Pages S6193–95**

Amendments Submitted: **Pages S6212–18**

Authorities for Committees to Meet: **Page S6218–19**

Privileges of the Floor: **Page S6219**

Record Votes: Three record votes were taken today. (Total—290) **Pages S6177–78**

Adjournment: Senate convened at 9:30 a.m. and adjourned, pursuant to the provisions of H. Con. Res. 119, at 7:22 p.m., until 2 p.m. on Monday, December 1, 2014. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S6222.)

Committee Meetings

(Committees not listed did not meet)

TAKATA AIRBAG RECALLS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the Takata airbag recalls and the National Highway Traffic Safety Administration's (NHTSA) recall process, after receiving testimony from David J. Friedman, Deputy Administrator, National Highway Traffic Safety Administration, Department of Transportation; Hiroshi Shimizu, Takata Corporation, Tokyo, Japan; Rick Schostek, Honda North America, Inc., Marysville, Ohio; Scott G. Kunselman, Chrysler Group LLC, Auburn Hills, Michigan; and Stephanie Erdman, Destin, Florida.

WALL STREET BANK INVOLVEMENT WITH PHYSICAL COMMODITIES

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations

held a hearing to examine Wall Street bank involvement with physical commodities, focusing on the extent to which banks and their holding companies own physical commodities like oil, natural gas, aluminum and other industrial metals, as well as own or control businesses like power plants, oil and gas pipelines, and commodity warehouses, after receiving testimony from Chris Wibbelman, Metro International Trade Services, Allen Park, Michigan; Jacques Gabillon, Goldman Sachs, London, England; Jorge Vazquez, HARBOR Aluminum Intelligence LLC, Austin, Texas; Nick Madden, Novelis Inc., Atlanta, Georgia; and Gregory Agran, Goldman Sachs, Simon Greenshields, Morgan Stanley, and John Anderson, JPMorgan Chase and Co., all of New York, New York.

Hearings recessed subject to the call and will meet again on Friday, November 21, 2014.

NOMINATION

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine the nomination of Lauren McGarity McFerran, of the District of Columbia, to be a Member of the National Labor Relations Board, after the nominee, who was introduced by Senator Harkin, testified and answered questions in her own behalf.

PRICING OF GENERIC DRUGS

Committee on Health, Education, Labor, and Pensions: Subcommittee on Primary Health and Aging concluded a hearing to examine the pricing of generic drugs, after receiving testimony from Representative Cummings; Stephen W. Schondelmeyer, University of Minnesota College of Pharmacy PRIME Institute, Minneapolis; Rob Frankil, Sellersville Pharmacy, Inc., Sellersville, Pennsylvania, on behalf of the National Community Pharmacists Association; Scott Gottlieb, The American Enterprise Institute, Washington, DC; Aaron S. Kesselheim, Harvard Medical

School, and Brigham and Women's Hospital, Boston, Massachusetts; and Carol Ann Riha, West Des Moines, Iowa.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 2520, to improve the Freedom of Information Act, with an amendment in the nature of a substitute;

H.R.1447, to encourage States to report to the Attorney General certain information regarding the deaths of individuals in the custody of law enforcement agencies; and

The nominations of Jorge Luis Alonso, and John Robert Blakey, both to be a United States District Judge for the Northern District of Illinois, Allison Dale Burroughs, to be United States District Judge for the District of Massachusetts, Jeanne E. Davidson, of Maryland, to be a Judge of the United States Court of International Trade, Haywood Stirling Gilliam, Jr., to be United States District Judge for the Northern District of California, Amos L. Mazzant, III, and Robert William Schroeder III, both to be a United States District Judge for the Eastern District of Texas, Amit Priyavadan Mehta, to be United States District Judge for the District of Columbia, and Robert Lee Pitman, to be United States District Judge for the Western District of Texas.

NOMINATION

Select Committee on Intelligence: Committee concluded a hearing to examine the nomination of Nicholas J. Rasmussen, of Virginia, to be Director of the National Counterterrorism Center, Office of the Director of National Intelligence, after the nominee, who was introduced by Senator Feinstein, testified and answered questions in his own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 23 public bills, H.R. 5746–5768; and 6 resolutions, H. Con. Res. 119; and H. Res. 761–765, were introduced. **Pages H8169–70**

Additional Cosponsors: **Page H8171**

Report Filed: A report was filed today as follows:

H.R. 4329, to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996, and for other purposes, with an amendment (H. Rept. 113–628). **Page H8169**

Speaker: Read a letter from the Speaker wherein he appointed Representative Collins (GA) to act as Speaker pro tempore for today. **Page H8135**

Promoting New Manufacturing Act: The House passed H.R. 4795, to promote new manufacturing in

the United States by providing for greater transparency and timeliness in obtaining necessary permits, by a recorded vote of 238 ayes to 172 noes, Roll No. 531. **Pages H8137–46**

Rejected the Kuster 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 recorded vote of 189 ayes to 223 noes, Roll No. 530. **Pages H8144–45**

Agreed to:

Whitfield amendment (No. 2 printed in part C of H. Rept. 113–626) that clarifies that Section 3(b) of the bill does not prohibit States from imposing new or revised federal air quality standards under state or local law. **Pages H8142–43**

Rejected:

Waxman amendment (No. 1 printed in part C of H. Rept. 113–626) that stated that outdated air quality standards do not apply toward a preconstruction permit if the applicable federal, state, or local permitting agency determines that applying it would likely increase air pollution, slow permitting, or increase regulatory uncertainty (by a recorded vote of 183 ayes to 225 noes, Roll No. 529). **Pages H8141–42, H8143**

H. Res. 756, the rule providing for consideration of the bills (H.R. 1422), (H.R. 4012), and (H.R. 4795), was agreed to on November 18.

Moment of Silence: The House observed a moment of silence in honor of the victims of the tragedy at Marysville-Pilchuck High School in Marysville, Washington on October 24, 2014. **Page H8146**

Adjournment Resolution: The House agreed to H. Con. Res. 119, providing for an adjournment or recess of the two Houses. **Pages H8148**

Quorum Calls—Votes: Three recorded votes developed during the proceedings of today and appear on pages H8143, H8145, H8145–46. There were no quorum calls.

Adjournment: The House met at 9 a.m. and at 1:05 p.m., the House stands adjourned until 12 noon on Monday, November 24, 2014, unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 119, in which case the House shall stand adjourned pursuant to that concurrent resolution.

Committee Meetings

MISCELLANEOUS MEASURES

Committee on Foreign Affairs: Full Committee held a markup on the following legislative measures: H.R. 2901, the “Senator Paul Simon Water for the World Act of 2013”; H.R. 5206, to allow Foreign Service and other executive agency employees to designate

beneficiaries of their death benefits; H.R. 5241, the “Crimea Annexation Non-recognition Act”; H.R. 5656, the “Feed the Future Global Food Security Act of 2014”; H.R. 5685, the “Rewards for Justice Congressional Notification Act of 2014”; H.R. 5710, the “Ebola Emergency Response Act”; H. Res. 714, reaffirming the peaceful and collaborative resolution of maritime and jurisdictional disputes in the South China Sea and the East China Sea as provided for by universally recognized principles of international law, and reaffirming the strong support of the United States Government for freedom of navigation and other internationally lawful uses of sea and airspace in the Asia-Pacific region; and H. Res. 758, strongly condemning the actions of the Russian Federation, under President Vladimir Putin, which has carried out a policy of aggression against neighboring countries aimed at political and economic domination. The following legislation was ordered reported, as amended: H.R. 2901, H.R. 5206, H.R. 5656, H.R. 5710, H. Res. 714, and H. Res. 758. The following legislation was ordered reported, without amendment: H.R. 5241 and H.R. 5685.

EXAMINING WHAT A NUCLEAR IRAN DEAL MEANS FOR GLOBAL SECURITY

Committee on Foreign Affairs: Subcommittee on the Middle East and North Africa held a hearing entitled “Examining What a Nuclear Iran Deal Means for Global Security”. Testimony was heard from public witnesses.

IS THE MIDWAY ATOLL NATIONAL WILDLIFE REFUGE BEING PROPERLY MANAGED?

Committee on Natural Resources: Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs held a hearing entitled “Is the Midway Atoll National Wildlife Refuge Being Properly Managed?”. Testimony was heard from Kevin Foerster, Regional Chief for the National Wildlife Refuge System in the Pacific Region, U.S. Fish and Wildlife Service; and public witnesses.

FILIPINO VETERANS EQUITY COMPENSATION FUND: INQUIRY INTO THE ADEQUACY OF PROCESS IN VERIFYING ELIGIBILITY

Committee on Veterans' Affairs: Subcommittee on Disability Assistance and Memorial Affairs held a hearing entitled “Filipino Veterans Equity Compensation Fund: Inquiry into the Adequacy of Process in Verifying Eligibility”. Testimony was heard from Brad Flohr, Senior Advisor for Compensation Service, Veterans Benefits Administration, Department of Veterans Affairs; Brigadier General David K. “Mac” MacEwen, 59th Adjutant General of the U.S. Army,

Department of the Army; and Kevin Pratt, Assistant Director for Military Records, National Personnel Records Center, National Archives and Records Administration.

CYBERSECURITY THREATS: THE WAY FORWARD

Permanent Select Committee on Intelligence: Full Committee held a hearing entitled “Cybersecurity Threats: The Way Forward”. Testimony was heard from Admiral Michael S. Rogers, Commander, U.S. Cyber Command, and Director, National Security Agency.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D1005)

S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990. Signed on November 19, 2014. (Public Law 113–186)

COMMITTEE MEETINGS FOR FRIDAY, NOVEMBER 21, 2014

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Financial Institutions and Consumer Protection, to hold hearings to examine improving financial institution supervision, focusing on addressing regulatory capture, 10 a.m., SD–538.

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations, to continue hearings to examine Wall Street bank involvement with physical commodities, focusing on the extent to which banks and their holding companies own physical commodities like oil, natural gas, aluminum and other industrial metals, as well as own or control businesses like power plants, oil and gas pipelines, and commodity warehouses, 9:30 a.m., SD–106.

House

No hearings are scheduled.

Next Meeting of the SENATE

2 p.m., Monday, December 1

Next Meeting of the HOUSE OF REPRESENTATIVES

12 p.m., Monday, November 24

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 5:30 p.m.), Senate will resume consideration of the nominations of Noah Bryson Mamet, of California, to be Ambassador to the Argentine Republic, and Colleen Bradley Bell, of California, to be Ambassador to Hungary, and vote on the motions to invoke cloture on the nominations at 5:30 p.m.

House Chamber

Program for Monday: To be announced.

Extensions of Remarks, as inserted in this issue.

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