

and girls worldwide, and to promoting meaningful and significant participation of women in all aspects of their societies and communities; and

(5) encourages the people of the United States to observe International Women's Day with appropriate programs and activities.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 2805. Mrs. FISCHER (for herself, Mr. KING, and Mr. RUBIO) submitted an amendment intended to be proposed by her to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; which was ordered to lie on the table.

SA 2806. Ms. HIRONO (for herself and Mr. HELLER) proposed an amendment to the bill S. 1821, to accelerate the income tax benefits for charitable cash contributions for the relief of victims of Typhoon Haiyan in the Philippines.

#### TEXT OF AMENDMENTS

**SA 2805.** Mrs. FISCHER (for herself, Mr. KING, and Mr. RUBIO) submitted an amendment intended to be proposed by her to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. —. PREVENTING REGULATORY OVER-REACH TO ENHANCE CARE TECHNOLOGY.

(a) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds as follows:

(A) The mobile health and mobile application economy was created in the United States and is now being exported globally, with the market expected to exceed \$26,000,000,000 by 2017.

(B) The United States mobile application economy is responsible for nearly 500,000 new jobs in the United States.

(C) Consumer health information technologies, including smart phones and tablets, have the potential to transform health care delivery through reduced systemic costs, improved patient safety, and better clinical outcomes.

(D) Clinical and health software innovation cycles evolve and move faster than the existing regulatory approval processes.

(E) Consumers and innovators need a new risk-based framework for the oversight of clinical and health software that improves on the framework of the Food and Drug Administration.

(F) A working group convened jointly by the Food and Drug Administration, the Federal Communications Commission, and the Office of the National Coordinator for Health Information Technology identified in a report that there are several major barriers to the effective regulation of health information technology that cannot be alleviated without changes to existing law.

(2) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) the President and Congress must intervene to facilitate interagency coordination across regulators that focuses agency efforts on fostering health information technology and mobile health innovation while better protecting patient safety, improving health care, and creating jobs in the United States;

(B) the President and the Congress should work together to develop and enact legisla-

tion that establishes a risk-based regulatory framework for such clinical software and health software that reduces regulatory burdens, fosters innovation, and, most importantly, improves patient safety;

(C) The National Institute of Standards and Technology should be the Federal agency that has oversight over technical standards used by clinical software; and

(D) The National Institute of Standards and Technology, in collaboration with the Federal Communications Commission, the National Patient Safety Foundation, and the Office of the National Coordinator for Health Information Technology, should work on next steps, beyond current oversight efforts, regarding health information technology, such as collaborating with nongovernmental entities to develop certification processes and to promote best practice standards.

(b) CLINICAL SOFTWARE AND HEALTH SOFTWARE.—

(1) DEFINITIONS.—Section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) is amended by adding at the end the following:

“(ss)(1) The term ‘clinical software’ means clinical decision support software or other software (including any associated hardware and process dependencies) intended for human or animal use that—

“(A) captures, analyzes, changes, or presents patient or population clinical data or information and may recommend courses of clinical action, but does not directly change the structure or any function of the body of man or other animals; and

“(B) is intended to be marketed for use only by a health care provider in a health care setting.

“(2) The term ‘health software’ means software (including any associated hardware and process dependencies) that is not clinical software and—

“(A) that captures, analyzes, changes, or presents patient or population clinical data or information;

“(B) that supports administrative or operational aspects of health care and is not used in the direct delivery of patient care; or

“(C) whose primary purpose is to act as a platform for a secondary software, to run or act as a mechanism for connectivity, or to store data.

“(3) The terms ‘clinical software’ and ‘health software’ do not include software—

“(A) that is intended to interpret patient-specific device data and directly diagnose a patient or user without the intervention of a health care provider;

“(B) that conducts analysis of radiological or imaging data in order to provide patient-specific diagnostic and treatment advice to a health care provider;

“(C) whose primary purpose is integral to the function of a drug or device; or

“(D) that is a component of a device.”.

(2) PROHIBITION.—Subchapter A of chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.) is amended by adding at the end the following:

#### “SEC. 524B. CLINICAL SOFTWARE AND HEALTH SOFTWARE.

“Clinical software and health software shall not be subject to regulation under this Act.”.

(c) EXCLUSION FROM DEFINITION OF DEVICE.—Section 201(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(h)) is amended by adding at the end “The term ‘device’ does not include clinical software or health software.”.

**SA 2806.** Ms. HIRONO (for herself and Mr. HELLER) proposed an amendment to the bill S. 1821, to accelerate the income tax benefits for charitable cash

contributions for the relief of victims of Typhoon Haiyan in the Philippines; as follows:

On page 2, lines 7 and 8, strike “January 1, 2014, and before March 1, 2014,” and inserting “the date of the enactment of this Act, and before April 15, 2014.”.

On page 2, beginning at line 23, strike all through line 25.

#### NOTICE OF HEARING

##### COMMITTEE ON INDIAN AFFAIRS

Mr. TESTER. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, March 13, 2014, in room SD-628 of the Dirksen Senate Office Building, at 10 a.m., to conduct an oversight hearing to receive testimony on “Tribal Transportation: Pathways to Infrastructure and Economic Development in Indian Country.”

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on March 6, 2014, at 10 a.m. in room SR-328A of the Russell Senate Office.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON ARMED SERVICES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 6, 2014, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 6, 2014, at 10 a.m. to conduct a hearing entitled “Map-21 Reauthorization: The Federal Role and Current Challenges to Public Transportation.”

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 6, 2014, at 10:30 a.m. in room 253 of the Russell Senate Office Building, to conduct a hearing entitled, “Enhancing Our Rail Safety: Current Challenges for Passenger and Freight Rail.”

THE PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on

Environment and Public Works be authorized to meet during the session of the Senate on March 6, 2014, at 10 a.m., in room SD-406 of the Dirksen Senate office building, to conduct a hearing entitled, "Preventing Potential Chemical Threats and Improving Safety: Oversight of the President's Executive Order on Improving Chemical Facility Safety and Security."

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 6, 2014, at 11 a.m., to hold a hearing entitled "Syria Spillover: The Growing Threat of Terrorism and Secularism in the Middle East."

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 6, 2014, at 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on March 6, 2014, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON VETERANS' AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on March 6, 2014, at 9:30 a.m., in room 345 of the Cannon House Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 6, 2014, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUBCOMMITTEE ON FINANCIAL AND CONTRACTING OVERSIGHT

Mr. REID. Mr. President, I ask unanimous consent that the Subcommittee on Financial and Contracting Oversight of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 6, 2014, at 9:30 a.m. to conduct a hearing entitled, "Oversight of Contractor Performance Information."

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRIVILEGES OF THE FLOOR

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that MAJ Mat-

thew Altman, a military fellow in my office, be given floor privileges for the remainder of the 113th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that at a time to be determined by me, with the concurrence of Senator McCONNELL, the Senate proceed to executive session to consider the following nomination: Calendar No. 512; there be 20 minutes of debate equally divided in the usual form; that upon the use or yielding back of the time the Senate proceed to vote, without intervening action or debate on the nomination; the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PHILIPPINES CHARITABLE GIVING ASSISTANCE ACT

Mr. REID. Mr. President, I ask unanimous consent that the Senate Finance Committee be discharged from further consideration of S. 1821 and the Senate proceed to its immediate consideration; that a Hirono-Heller amendment, which is at the desk, be agreed to; that the bill, as amended, be read a third time and passed; further, that upon passage the bill be held at the desk and that if the Senate receives a bill from the House, the text of which is identical to S. 1821, as passed by the Senate, the Senate proceed to its immediate consideration, the bill be read three times and passed, without any intervening action or debate; finally, the Senate bill be indefinitely postponed and all motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2806) was agreed to, as follows:

(Purpose: To change the dates during which contributions may be made to be treated as made in 2013, and for other purposes)

On page 2, lines 7 and 8, strike "January 1, 2014, and before March 1, 2014," and inserting "the date of the enactment of this Act, and before April 15, 2014,".

On page 2, beginning at line 23, strike all through line 25.

#### SEC. 2. ACCELERATION OF INCOME TAX BENEFITS FOR CHARITABLE CASH CONTRIBUTIONS FOR RELIEF OF VICTIMS OF TYPHOON HAIYAN IN THE PHILIPPINES.

(a) IN GENERAL.—For purposes of section 170 of the Internal Revenue Code of 1986, a taxpayer may treat any contribution described in subsection (b) made after the date of enactment of this Act, and before April 15, 2014, as if such contribution was made on December 31, 2013, and not in 2014.

(b) CONTRIBUTION DESCRIBED.—A contribution is described in this subsection if such contribution is a cash contribution made for the relief of victims in areas affected by Typhoon Haiyan, for which a charitable contribution deduction is allowable under section 170 of the Internal Revenue Code of 1986.

(c) RECORDKEEPING.—In the case of a contribution described in subsection (b), a telephone bill showing the name of the donee organization, the date of the contribution, and the amount of the contribution shall be treated as meeting the recordkeeping requirements of section 170(f)(17) of the Internal Revenue Code of 1986.

The bill (S. 1821), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1821

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Philippines Charitable Giving Assistance Act".

#### SEC. 2. ACCELERATION OF INCOME TAX BENEFITS FOR CHARITABLE CASH CONTRIBUTIONS FOR RELIEF OF VICTIMS OF TYPHOON HAIYAN IN THE PHILIPPINES.

(a) IN GENERAL.—For purposes of section 170 of the Internal Revenue Code of 1986, a taxpayer may treat any contribution described in subsection (b) made after the date of the enactment of this Act, and before April 15, 2014, as if such contribution was made on December 31, 2013, and not in 2014.

(b) CONTRIBUTION DESCRIBED.—A contribution is described in this subsection if such contribution is a cash contribution made for the relief of victims in areas affected by Typhoon Haiyan, for which a charitable contribution deduction is allowable under section 170 of the Internal Revenue Code of 1986.

(c) RECORDKEEPING.—In the case of a contribution described in subsection (b), a telephone bill showing the name of the donee organization, the date of the contribution, and the amount of the contribution shall be treated as meeting the recordkeeping requirements of section 170(f)(17) of the Internal Revenue Code of 1986.

#### MEASURE PLACED ON THE CALENDAR—H.R. 3370

Mr. REID. Mr. President, I understand that H.R. 3370 is at the desk and due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The bill clerk read as follows:

A bill (H.R. 3370) to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes.

Mr. REID. I object to any further proceedings at this time.

The PRESIDING OFFICER. Objection is heard, and the bill will be placed on the calendar.

#### MEASURES READ THE FIRST TIME—H.R. 4118 AND S. 2097

Mr. REID. Mr. President, I understand there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time.