

# Daily Digest

## HIGHLIGHTS

Senator-Designate John E. Walsh, of Montana, was administered the oath of office by the Vice President.

## Senate

### Chamber Action

*Routine Proceedings, pages S859–S913*

**Measures Introduced:** Six bills and one resolution were introduced, as follows: S. 2011–2016, and S. Res. 353. **Pages S890–91**

#### Measures Passed:

*National Oceanic and Atmospheric Administration Commissioned Officer Corps Amendments Act:* Senate passed S. 1068, to reauthorize and amend the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S903–13**

Reid (for Begich) Amendment No. 2740, to treat certain officers in the commissioned officer corps of the National Oceanic and Atmospheric Administration as employees of the Administration for purposes of vacant positions of employment open only to current employees of the Administration. **Page S907**

#### Measures Considered:

**Bipartisan Budget Act:** Senate continued consideration of the motion to proceed to consideration of S. 1963, to repeal section 403 of the Bipartisan Budget Act of 2013. **Pages S860–85**

#### Appointments:

*Board of Visitors of the U.S. Air Force Academy:* The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 9355(a), appointed the following Senator to the Board of Visitors of the U.S. Air Force Academy: Senator Moran, vice Senator Hoeven. **Page S913**

*Board of Visitors of the U.S. Merchant Marine Academy:* The Chair, on behalf of the Vice President, pursuant to Section 1295b(h) of title 46 App., United States Code, and upon the recommendation of the Chairman of the Committee on Commerce,

Science and Transportation, appointed the following Senators to the Board of Visitors of the U.S. Merchant Marine Academy: Senators Boozman and Wicker. **Page S913**

**Swearing-in of Senator Walsh:** The Chair laid before the Senate the certificate of appointment of Senator-Designate John E. Walsh of the State of Montana, and the oath of office was then administered as required by the U.S. Constitution and prescribed by law. **Pages S871–72**

**Nominations—Agreement:** A unanimous-consent-time agreement was reached providing that at 11 a.m., on Wednesday, February 12, 2014, Senate begin consideration of the following nominations: Tina S. Kaidanow, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Coordinator for Counterterrorism, with the rank and status of Ambassador at Large, Daniel Bennett Smith, of Virginia, to be an Assistant Secretary of State (Intelligence and Research), Catherine Ann Novelli, of Virginia, to be United States Alternate Governor of the International Bank for Reconstruction and Development for a term of five years, and United States Alternate Governor of the Inter-American Development Bank for a term of five years, and Catherine Ann Novelli, of Virginia, to be an Under Secretary of State (Economic Growth, Energy, and the Environment); that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, Senate vote, without intervening action or debate, on confirmation of the nominations, in the order listed; that no further motions be in order; provided further, that there be two minutes for debate, equally divided in the usual form prior to each vote, and all votes after the first, be ten minutes in length. **Pages S902–03**

**Nominations Confirmed:** Senate confirmed the following nominations:

By 90 yeas to 8 nays (Vote No. EX. 27), Richard Stengel, of New York, to be Under Secretary of State for Public Diplomacy. **Pages S885–86, S913**

By 97 yeas to 1 nay (Vote No. EX. 28), Sarah Sewall, of Massachusetts, to be an Under Secretary of State (Civilian Security, Democracy, and Human Rights). **Pages S885–86, S913**

By 92 yeas to 6 nays (Vote No. EX. 29), Charles Hammerman Rivkin, of the District of Columbia, to be an Assistant Secretary of State (Economic and Business Affairs). **Pages S885–86, S913**

Sloan D. Gibson, of the District of Columbia, to be Deputy Secretary of Veterans Affairs.

**Pages S885–87, S913**

**Messages from the House: Page S889**

**Measures Placed on the Calendar: Page S889**

**Executive Communications: Pages S889–90**

**Additional Cosponsors: Page S891**

**Statements on Introduced Bills/Resolutions: Pages S891–97**

**Additional Statements: Pages S888–89**

**Amendments Submitted: Pages S897–S902**

**Notices of Hearings/Meetings: Page S902**

**Authorities for Committees to Meet: Page S902**

**Privileges of the Floor: Page S902**

**Record Votes:** Three record votes were taken today. (Total—29) **Pages S885–86**

**Adjournment:** Senate convened at 10 a.m. and adjourned at 6:45 p.m., until 9:30 a.m. on Wednesday, February 12, 2014. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S913.)

## Committee Meetings

(Committees not listed did not meet)

### WORLDWIDE THREATS TO U.S. NATIONAL SECURITY

*Committee on Armed Services:* Committee concluded a hearing to examine current and future worldwide threats to the national security of the United States, after receiving testimony from James R. Clapper, Jr., Director of National Intelligence; and Lieutenant General Michael T. Flynn, USA, Director, Defense Intelligence Agency, Department of Defense.

### BUDGET AND ECONOMIC OUTLOOK

*Committee on the Budget:* Committee concluded a hearing to examine the budget and economic outlook for fiscal years 2014–2024, after receiving testimony

from Douglas W. Elmendorf, Director, Congressional Budget Office.

### WORKERS' RIGHTS IN BANGLADESH

*Committee on Foreign Relations:* Committee concluded a hearing to examine prospects for Democratic reconciliation and workers' rights in Bangladesh, after receiving testimony from former Representative Ellen Tauscher, Alliance for Bangladesh Worker Safety; Nisha D. Biswal, Assistant Secretary of State for South and Central Asian Affairs; Eric R. Biel, Acting Associate Deputy Undersecretary of Labor for International Affairs, Bureau of International Labor Affairs; Lewis Karesh, Assistant United States Trade Representative for Labor, Office of the United States Trade Representative; Scott Nova, Worker Rights Consortium, Washington, DC, on behalf of the Accord on Fire and Building Safety in Bangladesh; and Kalpona Akter, Bangladesh Center for Worker Solidarity, Dhaka.

### NOMINATIONS

*Committee on Health, Education, Labor, and Pensions:* Committee concluded a hearing to examine the nominations of Christopher P. Lu, of Virginia, to be Deputy Secretary, who was introduced by Senator Kaine and Representative Gabbard, and Portia Y. Wu, of the District of Columbia, to be Assistant Secretary for Employment and Training, who was introduced by Senator Harkin, both of the Department of Labor, after the nominees testified and answered questions in their own behalf.

### NOMINATIONS

*Committee on the Judiciary:* Committee concluded a hearing to examine the nominations of Robin S. Rosenbaum, of Florida, to be United States Circuit Judge for the Eleventh Circuit, who was introduced by Senators Nelson and Rubio, Bruce Howe Hendricks, to be United States District Judge for the District of South Carolina, who was introduced by Senators Graham and Scott, Mark G. Mastroianni, to be United States District Judge for the District of Massachusetts, who was introduced by Senator Warren, and Leslie Ragon Caldwell, of New York, to be an Assistant Attorney General, Department of Justice, after the nominees testified and answered questions in their own behalf.

### 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:** 27 public bills, H.R. 4031–4057; and 13 resolutions, H.J. Res. 110; H. Con. Res. 81–84; and H. Res. 476–477, 479–484 were introduced. **Pages H1759–72**

**Additional Cosponsors:** **Pages H1772–73**

**Report Filed:** A report was filed today as follows:

H. Res. 478, providing for consideration of the bill (S. 540), to designate the air route traffic control center located in Nashua, New Hampshire, as the “Patricia Clark Boston Air Route Traffic Control Center”, and for other purposes (H. Rept. 113–351).

**Page H1769**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative LaMalfa to act as Speaker pro tempore for today. **Page H1721**

**Recess:** The House recessed at 10:57 a.m. and reconvened at 12 noon. **Page H1727**

**Journal:** The House agreed to the Speaker’s approval of the Journal by voice vote. **Pages H1758–59**

**Consumer Financial Protection Safety and Soundness Improvement Act—Rule for Consideration:** The House agreed to H. Res. 475, the rule that is providing for consideration of the bill (H.R. 3193) to amend the Consumer Financial Protection Act of 2010 to strengthen the review authority of the Financial Stability Oversight Council of regulations issued by the Bureau of Consumer Financial Protection, and for other purposes; and providing for proceedings during the period from February 13, 2014, through February 24, 2014, by a recorded vote of 223 ayes to 193 noes with 1 answering “present”, Roll No. 59, after the previous question was ordered by a yea-and-nay vote of 222 yeas to 195 nays, Roll No. 58. **Pages H1731–39, S1741–43**

**Committee Resignation:** Read a letter from Representative Cicilline, wherein he resigned from the Committee on the Budget. **Page H1744**

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

**South Utah Valley Electric Conveyance Act:** S. 25, amended, to direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, by a  $\frac{2}{3}$  yea-and-nay vote of 326 yeas to 90 nays with 1 answering “present”, Roll No. 60; **Page H1743**

*Ensuring that any new or revised requirement providing for the screening, testing, or treatment of*

*an airman or an air traffic controller for a sleep disorder is adopted pursuant to a rulemaking proceeding:* H.R. 3578, amended, to ensure that any new or revised requirement providing for the screening, testing, or treatment of an airman or an air traffic controller for a sleep disorder is adopted pursuant to a rulemaking proceeding; and **Pages H1744–46**

Agreed to amend the title so as to read: “To establish requirements for the adoption of any new or revised requirement providing for the screening, testing, or treatment of an airman or an air traffic controller for a sleep disorder, and for other purposes”. **Page H1758**

**Small Cap Liquidity Reform Act:** H.R. 3448, amended, to amend the Securities Exchange Act of 1934 to provide for an optional pilot program allowing certain emerging growth companies to increase the tick sizes of their stocks, by a  $\frac{2}{3}$  yea-and-nay vote of 412 yeas to 4 nays, Roll No. 62. **Pages H1746–48, H1758**

**Designating the air route traffic control center located in Nashua, New Hampshire, as the “Patricia Clark Boston Air Route Traffic Control Center”:** The House passed S. 540, to designate the air route traffic control center located in Nashua, New Hampshire, as the “Patricia Clark Boston Air Route Traffic Control Center”, by a yea-and-nay vote of 221 yeas to 201 nays, Roll No. 61. **Pages H1748–58**

Pursuant to the rule, an amendment in the nature of a substitute consisting of the text of sections 1 through 3 of Rules Committee Print 113–37 shall be considered as adopted. **Page H1752**

H. Res. 478, the rule providing for consideration of the bill, was agreed to by voice vote after the previous question was ordered without objection. **Pages H1748–58**

**Providing for the appointment of John Fahey as a citizen regent of the Board of Regents of the Smithsonian Institution:** The House agreed to discharge from committee and agree to S.J. Res. 28, to provide for the appointment of John Fahey as a citizen regent of the Board of Regents of the Smithsonian Institution. **Page H1759**

**Providing for the appointment of Risa Lavizzo-Mourey as a citizen regent of the Board of Regents of the Smithsonian Institution:** The House agreed to discharge from committee and agree to S.J. Res. 29, to provide for the appointment of Risa Lavizzo-Mourey as a citizen regent of the Board of Regents of the Smithsonian Institution. **Page H1759**

**Meeting Hour:** Agreed that when the House adjourns today, it adjourn to meet at 2 p.m. on Friday, February 14th. **Page H1759**

**Providing a correction in the enrollment of S. 25:** The House agreed to H. Con. Res. 81, providing a correction in the enrollment of S. 25. **Page H1759**

**Providing a correction in the enrollment of S. 540:** The House agreed to H. Con. Res. 82, providing a correction in the enrollment of S. 540. **Page H1759**

**Senate Message:** Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H1731.

**Senate Referral:** S. 1954 was referred to the Committees on Energy and Commerce and Ways and Means. **Page H1768**

**Quorum Calls—Votes:** Four yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H1742, H1742–43, H1743, H1757–58 and H1758. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 7:03 p.m.

## *Committee Meetings*

### UNITED STATES SECURITY POLICY AND DEFENSE POSTURE IN THE MIDDLE EAST

*Committee on Armed Services:* Full Committee held a hearing entitled “United States Security Policy and Defense Posture in the Middle East”. Testimony was heard from Vice Admiral Frank Pandolfe, Director for Strategic Plans and Policy, Joint Staff, Department of Defense; Anne Patterson, Assistant Secretary of State, Near Eastern Affairs, Department of State; and Elissa Slotkin, Principal Deputy Assistant Secretary of Defense, International Security Affairs, Department of Defense.

### MISCELLANEOUS MEASURES

*Committee on the Budget:* Full Committee held a markup on H.R. 1872, the “Budget and Accounting Transparency Act of 2014”; and H.R. 1869, the “Biennial Budgeting and Enhanced Oversight Act of 2014”. The following bills were ordered reported, as amended: H.R. 1872 and H.R. 1869.

### SERVING SENIORS THROUGH THE OLDER AMERICANS ACT

*Committee on Education and the Workforce:* Subcommittee on Education and Workforce Training held a hearing entitled “Serving Seniors Through the Older Americans Act”. Testimony was heard from public witnesses.

### DEPARTMENT OF ENERGY OVERSIGHT: STATUS OF CLEAN COAL PROGRAMS

*Committee on Energy and Commerce:* Subcommittee on Oversight and Investigations held a hearing entitled “Department of Energy Oversight: Status of Clean Coal Programs”. Testimony was heard from Julio Friedmann, Deputy Assistant Secretary, Clean Coal Department of Energy.

### MONETARY POLICY AND THE STATE OF THE ECONOMY

*Committee on Financial Services:* Full Committee held a hearing entitled “Monetary Policy and the State of the Economy”. Testimony was heard from Janet L. Yellen, Chair, Board of Governors, Federal Reserve System; and public witnesses.

### WORLDWIDE PERSECUTION OF CHRISTIANS

*Committee on Foreign Affairs:* Subcommittee on African, Global Health, Global Human Rights, and International Organizations held a hearing entitled “The Worldwide Persecution of Christians”. Testimony was heard from public witnesses.

### BIOTERRORISM: ASSESSING THE THREAT

*Committee on Homeland Security:* Subcommittee on Emergency Preparedness, Response, and Communications held a hearing entitled “Bioterrorism: Assessing the Threat”. Testimony was heard from public witnesses.

### AL QAEDA’S EXPANSION IN EGYPT: IMPLICATIONS FOR U.S. HOMELAND SECURITY

*Committee on Homeland Security:* Subcommittee on Counterterrorism and Intelligence held a hearing entitled “Al Qaeda’s Expansion in Egypt: implications for U.S. Homeland Security”. Testimony was heard from public witnesses.

### LEGISLATIVE MEASURE

*Committee on the Judiciary:* Subcommittee on Regulatory Reform, Commercial and Antitrust Law held a hearing on legislation regarding the Searching for and Cutting Regulations that are Unnecessarily Burdensome Act of 2014. Testimony was heard from public witnesses.

### ASYLUM FRAUD

*Committee on the Judiciary:* Subcommittee on Immigration and Border Security held a hearing entitled “Asylum Fraud: Abusing America’s Compassion?”. Testimony was heard from public witnesses.

### MISCELLANEOUS MEASURES

*Committee on Oversight and Government Reform:* Full Committee held a markup to consider the following

legislation: H.R. 4011, the “Alaska Bypass Fair Competition Act of 2014”; H.R. 3308, the “Taxpayer Transparency Act of 2013”; and H.R. 2804, the “All Economic Regulations are Transparent Act of 2013”. The following bills were ordered reported, as amended: H.R. 2804 and H.R. 3308. The following bill was ordered reported, without amendment: H.R. 4011.

#### DC NAVY YARD SHOOTING: FIXING THE SECURITY CLEARANCE PROCESS

*Committee on Oversight and Government Reform:* Full Committee held a hearing entitled “DC Navy Yard Shooting: Fixing the Security Clearance Process”. Testimony was heard from Katherine Archuleta, Director, Office of Personnel Management; Patrick McFarland, Inspector General, Office of Personnel Management; Stephen Lewis, Deputy Director, Personnel Industrial and Physical Security Policy, Counterintelligence and Security Directorate, Office of Under Secretary, Defense Intelligence, Department of Defense; and public witnesses.

#### PATRICIA CLARK BOSTON AIR ROUTE TRAFFIC CONTROL CENTER

*Committee on Rules:* Full Committee held a hearing on S. 540, to designate the air route traffic control center located in Nashua, New Hampshire, as the “Patricia Clark Boston Air Route Traffic Control Center”. The Committee granted, by voice vote, a closed rule for S. 540. The rule provides one hour of debate equally divided and controlled by the Majority Leader and Minority Leader or their respective designees. The rule waives all points of order against consideration of the bill. The rule provides that an amendment in the nature of a substitute consisting of the text of sections 1 through 3 of the Rules Committee Print 113–37 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. In section 2, the rule provides that House Resolution 475 is amended in section 2 by striking “February 13, 2014” and inserting “February 12, 2014”.

#### ENSURING OPEN SCIENCE AT EPA

*Committee on Science, Space, and Technology:* Subcommittee on the Environment held a hearing entitled “Ensuring Open Science at EPA”. Testimony was heard from public witnesses.

#### BUILDING ON THE WIRELESS REVOLUTION

*Committee on Small Business:* Full Committee held a hearing entitled “Building on the Wireless Revolution: Opportunities and Barriers for Small Firms”.

Testimony was heard from public witnesses.

#### MISCELLANEOUS MEASURES

*Committee on Transportation and Infrastructure:* Full Committee held a markup on H.R. 3676, the “Prohibiting In-Flight Voice Communications on Mobile Wireless Devices Act of 2013”; General Services Administration Capital Investment and Leasing Program Resolutions; H.R. 1378, to designate the United States courthouse located at 333 West Broadway in San Diego, California, as the “James M. Carter and Judith N. Keep United States Courthouse”; and H.R. 4005, the “Coast Guard and Maritime Transportation Act of 2014”. The General Services Administration Capital Investing and Leasing Program Resolutions were approved. The following bills were ordered reported, as amended: H.R. 1378 and H.R. 4005. The following bill was ordered reported, without amendment: H.R. 3676.

#### MISCELLANEOUS MEASURES

*Committee on Ways and Means:* Full Committee held a markup on H.R. 3865, the “Stop Targeting of Political Beliefs by the IRS Act of 2014”. The bill was ordered reported, as amended.

### Joint Meetings

No joint committee meetings were held.

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#### NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D84)

H.R. 2642, to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018. Signed on February 7, 2014. (Public Law 113–79)

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#### COMMITTEE MEETINGS FOR WEDNESDAY, FEBRUARY 12, 2014

(Committee meetings are open unless otherwise indicated)

##### Senate

*Committee on Energy and Natural Resources:* Subcommittee on Energy, to hold an oversight hearing to examine lessons for Federal policy from state efficiency and renewable programs, 2:30 p.m., SD–366.

*Committee on Environment and Public Works:* to hold hearings to examine Moving Ahead for Progress in the 21st Century (MAP–21) reauthorization, focusing on the economic importance of maintaining Federal investments in our transportation infrastructure, 10 a.m., SD–406.

*Committee on Foreign Relations:* to hold hearings to examine fisheries treaties and Port State Measures Agreements, 2:30 p.m., SD–419.

*Committee on Homeland Security and Governmental Affairs:* to hold hearings to examine extreme weather events, focusing on the costs of not being prepared, 10 a.m., SD-342.

*Committee on Indian Affairs:* to hold an oversight hearing to examine the Indian Law and Order Commission Report, focusing on a roadmap for making Native America safer, 2:30 p.m., SD-628.

*Committee on the Judiciary:* to hold an oversight to examine the report of the Privacy and Civil Liberties Oversight Board on Reforms to the Section 215 telephone records program and the Foreign Intelligence Surveillance Court, 10 a.m., SD-226.

*Committee on Rules and Administration:* to hold hearings to examine bipartisan support for improving United States elections, focusing on an overview from the Presidential Commission on Election Administration, 10 a.m., SR-301.

Full Committee, business meeting to consider the nominations of Thomas Hicks, of Virginia, and Myrna Perez, of Texas, both to be a Member of the Election Assistance Commission, 10:30 a.m., SR-301.

*Committee on Small Business and Entrepreneurship:* with the Special Committee on Aging, to hold a joint hearing to examine the challenges and advantages of senior entrepreneurship, 10 a.m., SD-562.

Full Committee, to hold hearings to examine the nomination of Maria Contreras-Sweet, of California, to be Administrator of the Small Business Administration, 10:30 a.m., SR-428.

*Special Committee on Aging:* with the Committee on Small Business and Entrepreneurship, to hold a joint hearing to examine the challenges and advantages of senior entrepreneurship, 10 a.m., SD-562.

### House

No hearings are scheduled.

*Next Meeting of the SENATE*

9:30 a.m., Wednesday, February 12

## Senate Chamber

**Program for Wednesday:** After the transaction of any morning business (not to extend beyond 11 a.m.), Senate will begin consideration of the nominations of Tina S. Kaidanow, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Coordinator for Counterterrorism, with the rank and status of Ambassador at Large, Daniel Bennett Smith, of Virginia, to be an Assistant Secretary of State (Intelligence and Research), Catherine Ann Novelli, of Virginia, to be United States Alternate Governor of the International Bank for Reconstruction and Development for a term of five years, and United States Alternate Governor of the Inter-American Development Bank for a term of five years, and Catherine Ann Novelli, of Virginia, to be an Under Secretary of State (Economic Growth, Energy, and the Environment). At 11:30 a.m., Senate will vote on confirmation of the nominations.

Also, Senate expects to receive and consider the debt limit legislation and the Military Retirement Pay bill from the House.

*Next Meeting of the HOUSE OF REPRESENTATIVES*

2 p.m., Friday, February 14

## House Chamber

**Program for Friday:** The House will meet in pro forma session at 2 p.m.

## Extensions of Remarks, as inserted in this issue

## HOUSE

Andrews, Robert E., N.J., E201, E206	Cuellar, Henry, Tex., E204	Lee, Barbara, Calif., E193, E198	Peters, Gary C., Mich., E191, E198
Bilirakis, Gus M., Fla., E201	Foster, Bill, Ill., E200	Long, Billy, Mo., E204	Reichert, David G., Wash., E196, E205
Blumenauer, Earl, Ore., E195	Foxx, Virginia, N.C., E200	McAllister, Vance M., La., E193	Richmond, Cedric L., La., E196
Carter, John R., Tex., E199	Frankel, Lois, Fla., E199, E201, E203, E205, E207	McDermott, Jim, Wash., E203	Rogers, Harold, Ky., E191
Castor, Kathy, Fla., E192	Gosar, Paul A., Ariz., E206	McKinley, David B., W.Va., E197	Rogers, Mike, Ala., E202
Chaffetz, Jason, Utah, E200	Graves, Sam, Mo., E196, E198, E199, E200, E202, E203	Maloney, Carolyn B., N.Y., E197	Ryan, Tim, Ohio, E194, E201
Coffman, Mike, Colo., E199	Green, Al, Tex., E205	Meadows, Markk, N.C., E194	Schneider, Bradley S., Ill., E203
Cole, Tom, Okla., E194	Gutiérrez, Luis V., Ill., E205	Meehan, Patrick, Pa., E191	Smith, Adam, Wash., E200, E206
Connolly, Gerald E., Va., E203, E205, E206, E207	Higgins, Brian, N.Y., E193, E195, E196	Nadler, Jerrold, N.Y., E199	Van Hollen, Chris, Md., E195
Courtney, Joe, Conn., E195	Kildee, Daniel T., Mich., E192	Napolitano, Grace F., Calif., E200	Webster, Daniel, Fla., E202
	Kind, Ron, Wisc., E203	Norton, Eleanor Holmes, D.C., E197, E205	Wilson, Joe, S.C., E204
		Pallone, Frank, Jr., N.J., E197	



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