

Daily Digest

CORRECTION

Senate

Chamber Action

Routine Proceedings, pages S741–S802

Measures Introduced: Twenty-three bills and six resolutions were introduced, as follows: S. 356–378, S.J. Res. 6–7, and S. Res. 65–68. **Pages S771–72**

Measures Reported:

S. 227, to strengthen the Federal education research system to make research and evaluations more timely and relevant to State and local needs in order to increase student achievement. **Page S771**

Measures Passed:

Congratulating the New England Patriots: Committee on Commerce, Science, and Transportation was discharged from further consideration of S. Res. 63, congratulating the New England Patriots on their victory in Super Bowl XLIX, and the resolution was then agreed to. **Page S798**

Authorizing the Use of the Rotunda: Senate agreed to H. Con. Res. 12, authorizing the use of the rotunda of the United States Capitol for a ceremony to present the Congressional Gold Medal to Jack Nicklaus. **Pages S798–99**

Measures Considered:

Department of Homeland Security Appropriations Act—Agreement: Senate continued consideration of the motion to proceed to consideration of H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015. **Pages S741–44, S755–59**

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

Pursuant to the order of February 3, 2015, the motion to proceed to the motion to reconsider the vote by which cloture was not invoked on February 3, 2015, was agreed to. **Page S759**

Pursuant to the order of February 3, 2015, the motion to reconsider the vote by which cloture was not invoked on February 3, 2015, was agreed to. **Page S759**

By 53 yeas to 47 nays (Vote No. 52), three-fifths of those Senators duly chosen and sworn, having not voted in the affirmative, Senate upon reconsideration

rejected the motion to close further debate on the motion to proceed to consideration of the bill. **Page S759**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at approximately 10:30 a.m., on Thursday, February 5, 2015, with the time until 11:30 a.m. equally divided in the usual form. **Page S799**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency that was declared in Executive Order 13396 on February 7, 2006, with respect to the situation in or in relation to Cote d'Ivoire; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–4) **Page S768**

Nominations Received: Senate received the following nominations:

Waverly D. Crenshaw, Jr., of Tennessee, to be United States District Judge for the Middle District of Tennessee.

Lawrence Joseph Vilardo, of New York, to be United States District Judge for the Western District of New York.

Eileen Maura Decker, of California, to be United States Attorney for the Central District of California for the term of four years.

John W. Huber, of Utah, to be United States Attorney for the District of Utah for the term of four years.

68 Air Force nominations in the rank of general.
1 Army nomination in the rank of general.

A routine list in the Air Force. **Pages S801–02**

Messages from the House: **Page S768**

Measures Referred: **Page S768**

Measures Read the First Time: **Pages S768, S799**

Executive Communications: **Pages S768–71**

Additional Cosponsors: **Pages S772–73**

Statements on Introduced Bills/Resolutions: **Pages S773–81**

Additional Statements: Pages S767–68
Amendments Submitted: Pages S786–98
Authorities for Committees to Meet: Page S798
Record Votes: One record vote was taken today.
 (Total—52) Page S759

Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:06 p.m., until 10:30 a.m. on Thursday, February 5, 2015. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S799.)

Committee Meetings

(Committees not listed did not meet)

NOMINATION

Committee on Armed Services: Committee concluded a hearing to examine the nomination of Ashton B. Carter, of Massachusetts, to be Secretary of Defense, after the nominee, who was introduced by former Senator Lieberman, testified and answered questions in his own behalf.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY FRAMEWORK

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine private sector experience with the National Institute of Standards and Technology (NIST) framework, focusing on building a more secure cyber future, after receiving testimony from Charles H. Romine, Director, Information Technology Laboratory, National Institute of Standards and Technology, Department of Commerce; Ann M. Beauchesne, U.S. Chamber of Commerce, Paul Smocer, BITS/Financial Services Roundtable, and James A. Lewis, Center for Strategic and International Studies, all of Washington, DC; and Jeff England, Silver Star Communications, Freedom, Wyoming.

IMPACTS OF VESSEL DISCHARGE REGULATIONS

Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard concluded a hearing to examine the impacts of vessel discharge regulations on shipping and fishing industries, after receiving testimony from Claudia Copeland, Specialist in Resources and Environmental Policy, Resources Science and Industry Division, Congressional Research Service, Library of Congress; James F. Farley, Kirby Offshore Marine, LLC, Houston, Texas; James H. I. Weakley, Lake Carriers' Association, Rocky River, Ohio; and Robert F. Zales, II, Bob Zales Charters, Panama City, Flor-

ida, on behalf of the National Association of Charterboat Operators.

ADMINISTRATION'S PROPOSED EXPANSION OF WATER REGULATIONS

Committee on Environment and Public Works: Committee concluded a joint hearing with the House Committee on Transportation and Infrastructure to examine state and local impacts of Administration's proposed expansion of water regulations, after receiving testimony from Jo-Ellen Darcy, Assistant Secretary of the Army for Civil Works, Department of Defense; Gina McCarthy, Administrator, Environmental Protection Agency; E. Scott Pruitt, Oklahoma Attorney General, Oklahoma City; Adam H. Putnam, Florida Commissioner of Agriculture, Tallahassee; Lemuel M. Srolovic, Office of New York State Attorney General, Bureau Chief of the Environmental Protection Bureau, New York; Sallie Clark, El Paso County Commissioner, Colorado Springs, Colorado, on behalf of the National Association of Counties; and Timothy Mauck, Clear Creek County Commissioner, Idaho Springs, Colorado.

PRESIDENT'S PROPOSED BUDGET REQUEST

Committee on Finance: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2016, after receiving testimony from Sylvia M. Burwell, Secretary of Health and Human Services.

ENDING MODERN SLAVERY

Committee on Foreign Relations: Committee concluded a hearing to examine ending modern slavery, focusing on the best way forward, after receiving testimony from Gary Haugen, International Justice Mission, Arlington, Virginia; Shawna Bader-Blau, Solidarity Center, and David S. Abramowitz, Humanity United, both of Washington, DC; James Kofi Annan, Challenging Heights, Accra, Ghana; and Shandra Woworuntu, Mentari, New York, New York.

DEFERRED ACTION ON IMMIGRATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine deferred action on immigration, focusing on implications and unanswered questions, after receiving testimony from Stephen C. Goss, Chief Actuary, Social Security Administration; Eileen J. O'Connor, Pillsbury Winthrop Shaw Pittman LLP, Luke Peter Bellocchi, Wasserman, Mancini and Chang, PC, and Bo Cooper, Fragomen, Del Ray, Bernsen and Loewy LLP, all of Washington, DC; and Shawn Moran, National Border Patrol Council, Solana Beach, California.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following business items:

S. 184, to amend the Indian Child Protection and Family Violence Prevention Act to require background checks before foster care placements are ordered in tribal court proceedings;

S. 209, to amend the Indian Tribal Energy Development and Self-Determination Act of 2005;

S. 246, to establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, with an amendment in the nature of a substitute; and

S. 286, to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes.

LOAN LEVERAGING IN INDIAN COUNTRY

Committee on Indian Affairs: Committee concluded an oversight hearing to examine loan leveraging in Indian country, after receiving testimony from Sami Jo Difuntorum, National American Indian Housing

Council, Washington, DC; Carol Gore, Cook Inlet Housing Authority, Anchorage, Alaska; and Robert Gauthier, United Native American Housing Association, Ronan, Montana.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

COMBATING FINANCIAL EXPLOITATION OF VULNERABLE SENIORS

Special Committee on Aging: Committee concluded a hearing to examine combating financial exploitation of vulnerable seniors, after receiving testimony from Judith M. Shaw, Maine Securities Administrator, Augusta; Page Ulrey, King County Prosecutor's Office, Seattle, Washington; Philip C. Marshall, Roger Williams University, South Dartmouth, Massachusetts; and Kathleen M. Quinn, National Adult Protective Services Association, Fredericksburg, Virginia.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 47 public bills, H.R. 699–745; and 6 resolutions, H. Con. Res. 14; and H. Res. 86–90, were introduced.

Pages H809–12

Additional Cosponsors: **Page H814**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Jolly to act as Speaker pro tempore for today. **Page H759**

Recess: The House recessed at 10:28 a.m. and reconvened at 12 noon. **Page H762**

Guest Chaplain: The prayer was offered by the Guest Chaplain, Reverend Dean Curry, Life Center Church, Tacoma, Washington. **Page H762**

Unfunded Mandates Information and Transparency Act of 2015: The House passed H.R. 50, to provide for additional safeguards with respect to imposing Federal mandates, by a recorded vote of 250 ayes to 173 noes, Roll No. 64. **Pages H772–88**

Rejected the Bustos motion to recommit the bill to the Committee on Oversight and Government Reform with instructions to report the same back to

the House forthwith with an amendment, by a recorded vote of 184 ayes to 239 noes, Roll No. 63.

Pages H786–87

Pursuant to the Rule, the amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–4, modified by the amendment printed in part B of H. Rept. 114–14, shall be considered as adopted. **Page H779**

Agreed to:

Reed amendment (No. 1 printed in part C of H. Rept. 114–14) that requires an assessment of the effects that a proposed or final rule are expected to have on private property owners, including the use and value of affected property. **Pages H781–82**

Rejected:

Cummings amendment (No. 2 printed in part C of H. Rept. 114–14) that strikes section 12 of the bill that would require federal agencies to conduct a retrospective cost-benefit analysis of any regulation at the request of the Chairman or Ranking Member of a Congressional Committee (by a recorded vote of 179 ayes to 245 noes, Roll No. 61); and

Pages H782–83, H784–85

Connolly amendment (No. 3 printed in part C of H. Rept. 114–14) that provides that in the event that the average annual rate of real gross domestic product (GDP) growth remains below 5 percent over

the first four calendar quarters occurring after the date of enactment of H.R. 50, then the amendments made by H.R. 50 are repealed (by a recorded vote of 173 yeas to 249 noes, Roll No. 62).

Pages H783–84, H785

H. Res. 78, the rule providing for consideration of the bills (H.R. 527) and (H.R. 50) was agreed to by a recorded vote of 243 yeas to 179 noes, Roll No. 60, after the previous question was ordered by a yeas-and-nays vote of 242 yeas to 174 nays, Roll No. 59.

Pages H767–72

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow, February 5.

Page H788

Joint Economic Committee's—Appointment: The Chair announced the Speaker's appointment of the following Member of the House to the Joint Economic Committee: Representative Carolyn B. Maloney (NY).

Page H789

Presidential Message: Read a message from the President wherein he notified Congress that the national emergency declared in Executive Order 13396 of February 7, 2006 with respect to the situation in or in relation to Cote d'Ivoire is to continue in effect beyond February 7, 2015—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 113–6).

Page H789

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on pages H762–63.

Quorum Calls—Votes: One yeas-and-nays vote and five recorded votes developed during the proceedings of today and appear on pages H771–72, H772, H784–85, H785, H787, and H787–88. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:13 p.m.

Committee Meetings

FINAL RECOMMENDATIONS FROM THE MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION

Committee on Armed Services: Full Committee held a hearing entitled “Final Recommendations from the Military Compensation and Retirement Modernization Commission”. Testimony was heard from Stephen E. Buyer, Commissioner, Military Compensation and Retirement Modernization Commission; General Peter W. Chiarelli, USA (Retired), Commissioner, Military Compensation and Retirement Modernization Commission; Admiral Edmund P. Giambastiani, Jr., USN (Retired), Commissioner,

Military Compensation and Retirement Modernization Commission; Michael Higgins, Commissioner, Military Compensation and Retirement Modernization Commission; and Alphonso Maldon, Jr., Chairman, Military Compensation and Retirement Modernization Commission.

THE PRESIDENT'S FISCAL YEAR 2016 BUDGET

Committee on the Budget: Full Committee held a hearing entitled “The President's Fiscal Year 2016 Budget”. Testimony was heard from Shaun L.S. Donovan, Director, Office of Management and Budget.

EXPANDING OPPORTUNITY IN AMERICA'S SCHOOLS AND WORKPLACES

Committee on Education and the Workforce: Full Committee held a hearing entitled “Expanding Opportunity in America's Schools and Workplaces”. Testimony was heard from Mike Pence, Governor, State of Indiana; and public witnesses.

MISCELLANEOUS MEASURE

Committee on Energy and Commerce: Subcommittee on Communications and Technology held a markup on the “Federal Communications Commission Consolidated Reporting Act of 2015”. The “Federal Communications Commission Consolidated Reporting Act of 2015” was forwarded to the full committee, as amended.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Subcommittee on Health held a markup on H.R. 639, the “Improving Regulatory Transparency for New Medical Therapies Act”; H.R. 471, the “Ensuring Patient Access and Effective Drug Enforcement Act”; the “Trauma Systems and Regionalization of Emergency Care Reauthorization Act”; and the “Access to Life-Saving Trauma Care for All Americans Act”. The following bill was forwarded to the full committee, as amended: H.R. 639. The following were forwarded to the full committee, without amendment: H.R. 471; the “Trauma Systems and Regionalization of Emergency Care Reauthorization Act”; and the “Access to Life-Saving Trauma Care for All Americans Act”.

EXPLORING ALLEGED ETHICAL AND LEGAL VIOLATIONS AT THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled “Exploring Alleged Ethical and Legal Violations at

the U.S. Department of Housing and Urban Development”. Testimony was heard from David Montoya, Inspector General, Office of the Inspector General, Department of Housing and Urban Development; and Edda Emmanuelli Perez, Managing Associate General Counsel, Office of General Counsel, Government Accountability Office.

CUBA: ASSESSING THE ADMINISTRATION'S SUDDEN SHIFT

Committee on Foreign Affairs: Full Committee held a hearing entitled “Cuba: Assessing the Administration’s Sudden Shift”. Testimony was heard from Roberta S. Jacobson, Assistant Secretary, Bureau of Western Hemisphere Affairs, Department of State; John E. Smith, Deputy Director, Office of Foreign Assets Control, Department of the Treasury; and Matthew S. Borman, Deputy Assistant Secretary of Commerce for Export Administration, Bureau of Industry and Security, Department of Commerce.

THE PALESTINIAN AUTHORITY'S INTERNATIONAL CRIMINAL COURT GAMBIT: A TRUE PARTNER FOR PEACE?

Committee on Foreign Affairs: Subcommittee on the Middle East and North Africa held a hearing entitled “The Palestinian Authority’s International Criminal Court Gambit: A True Partner for Peace?”. Testimony was heard from public witnesses.

COMMITTEE FUNDING FOR THE 114TH CONGRESS

Committee on House Administration: Full Committee began a hearing on committee funding for the 114th Congress. Testimony was heard from Chairman Nunes, Chairman Ryan of Wisconsin, Chairman Goodlatte, Chairman Conaway, Chairman Price of Georgia, Chairman Shuster, Chairman Chabot, Chairman Kline, Chairman Sessions, Chairman Smith of Texas, Chairman Miller of Florida, and Representatives Schiff, Levin, Conyers, Peterson, Van Hollen, DeFazio, Velázquez, Scott of Virginia, Slaughter, Eddie Bernice Johnson of Texas, and Brown of Florida.

LEGISLATIVE HEARING

Committee on the Judiciary: Subcommittee on Immigration and Border Security held a hearing on the “Legal Workforce Act”. Testimony was heard from public witnesses.

LEGISLATIVE HEARING

Committee on the Judiciary: Subcommittee on Regulatory Reform, Commercial and Antitrust Law held a hearing on H.R. 526, the “Furthering Asbestos Claim Transparency (FACT) Act of 2015”. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Ways and Means: Full Committee held a markup on H.R. 644, to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory; H.R. 637, to amend the Internal Revenue Code of 1986 to make permanent the rule allowing certain tax-free distributions from individual retirement accounts for charitable purposes; H.R. 641, the “Conservation Easement Incentive Act of 2015”; H.R. 640, to amend the Internal Revenue Code of 1986 to modify the tax rate for excise tax on investment income of private foundations; H.R. 636, the “America’s Small Business Tax Relief Act of 2015”; H.R. 629, to amend the Internal Revenue Code of 1986 to make permanent the reduced recognition period for built-in gains of S corporations; H.R. 630, to amend the Internal Revenue Code of 1986 to make permanent certain rules regarding basis adjustments to stock of S corporations making charitable contributions of property. The following bills were ordered reported, as amended: H.R. 644, H.R. 637, H.R. 641, H.R. 640, H.R. 636, H.R. 629, and H.R. 630.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, FEBRUARY 5, 2015

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold hearings to examine the Guantanamo detention facility and the future of United States detention policy, 9:30 a.m., SD–G50.

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Protection, Product Safety, and Insurance, to hold hearings to examine data breach and notification legislation in the 114th Congress, 10 a.m., SR–253.

Committee on Finance: to continue hearings to examine the President’s proposed budget request for fiscal year 2016, 10 a.m., SD–215.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine the “joint employer” standard and business ownership, 10 a.m., SD–430.

Committee on the Judiciary: business meeting to consider S. 337, to improve the Freedom of Information Act, S. 295, to amend section 2259 of title 18, United States Code, and the nominations of Michael P. Botticelli, of the District of Columbia, to be Director of National Drug Control Policy, Jeanne E. Davidson, of Maryland, to be a Judge of the United States Court of International

Trade, and Daniel Henry Marti, of Virginia, to be Intellectual Property Enforcement Coordinator, 10:30 a.m., SD-226.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters, 2:30 p.m., SH-219.

House

Committee on Energy and Commerce, Subcommittee on Environment and the Economy, hearing and markup on

H.R. 212, the “Drinking Water Protection Act”, 10 a.m., 2123 Rayburn.

Committee on Foreign Affairs, Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, hearing entitled “Human Rights in Cuba: A Squandered Opportunity”, 10 a.m., 2172 Rayburn.

Next Meeting of the SENATE

10:30 a.m., Thursday, February 5

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Thursday, February 5

Senate Chamber

Program for Thursday: Senate will continue consideration of the motion to proceed to consideration of H.R. 240, Department of Homeland Security Appropriations Act, and vote on the motion to invoke cloture on the motion to proceed to consideration of the bill at 11:30 a.m.

House Chamber

Program for Thursday: Consideration of H.R. 527—Small Business Regulatory Flexibility Improvements Act of 2015 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

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