

# Daily Digest

## HIGHLIGHTS

Senate passed S. 815, Employment Non-Discrimination Act, as amended.

## Senate

### Chamber Action

*Routine Proceedings, pages S7891–S7933*

**Measures Introduced:** Sixteen bills and one resolution were introduced, as follows: S. 1661–1676, and S. Res. 289. **Page S7927**

#### Measures Reported:

S. 822, to protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, with amendments. **Page S7927**

#### Measures Passed:

**Employment Non-Discrimination Act:** By 64 yeas to 32 nays (Vote No. 232), Senate passed S. 815, to prohibit employment discrimination on the basis of sexual orientation or gender identity, after agreeing to the committee amendment in the nature of a substitute, and after taking action on the following amendments and motions proposed thereto:

**Pages S7894–S7909**

#### Rejected:

By 43 yeas to 55 nays (Vote No. 230), Reid (for Toomey/Flake) Amendment No. 2013, to strike the appropriate balance between protecting workers and protecting religious freedom. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.) **Page S7902**

#### Withdrawn:

Collins (for Reid) Amendment No. 2020 (to Amendment No. 2013), to change the enactment date. **Page S7894**

Reid Amendment No. 2014 (to the language proposed to be stricken by the committee substitute), to change the enactment date. **Page S7894**

Reid motion to recommit the bill to the Committee on Health, Education, Labor, and Pensions with instructions to report back forthwith, Reid Amendment No. 2016, to change the enactment date. **Page S7894**

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

Reid Amendment No. 2015 (to Amendment No. 2014), of a perfecting nature, fell when Reid Amendment No. 2014 was withdrawn. **Page S7894**

Reid Amendment No. 2017 (to (the instructions of the motion to recommit) Amendment No. 2016), of a perfecting nature, fell when Reid Amendment No. 2016 was withdrawn. **Page S7894**

Reid Amendment No. 2018 (to Amendment No. 2017), of a perfecting nature, fell when Reid Amendment No. 2017 fell. **Page S7894**

By 64 yeas to 34 nays (Vote No. 231), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill. **Page S7902**

**40th Anniversary of Withdrawal of U.S. Combat Troops from Vietnam War:** Committee on Foreign Relations was discharged from further consideration of S. Res. 280, recognizing the 40th anniversary of the withdrawal of United States combat troops from the Vietnam War and expressing renewed support for United States veterans of that conflict, and the resolution was then agreed to.

**Page S7931**

#### Measures Considered:

**Drug Quality and Security Act—Agreement:** Senate began consideration of the motion to proceed to consideration of H.R. 3204, to amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security. **Pages S7891–94, S7909–24**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, 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 7, 2013, a vote on cloture will occur upon disposition of the nomination of Cornelia T. L. Pillard, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit, on Tuesday, November 12, 2013. **Page S7932**

A unanimous-consent agreement was reached providing that if cloture is invoked on the nomination of Cornelia T. L. Pillard, upon disposition of the nomination, Senate resume consideration of the motion to proceed to consideration of the bill, and vote on the motion to invoke cloture on the motion to proceed to consideration of the bill; and that if cloture is not invoked on the nomination, Senate immediately resume the motion to proceed to consideration of the bill, and vote on the motion to invoke cloture on the motion to proceed to consideration of the bill. **Page S7932**

**Signing Authority—Agreement:** A unanimous-consent agreement was reached providing that from Thursday, November 7, 2013 through Tuesday, November 12, 2013, the Majority Leader be authorized to sign duly enrolled bills or joint resolutions. **Page S7932**

**Pillard Nomination—Agreement:** Senate began consideration of the nomination of Cornelia T. L. Pillard, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit. **Page S7923**

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 7, 2013, a vote on cloture will occur at approximately 5:30 p.m., on Tuesday, November 12, 2013. **Page S7923**

A unanimous-consent agreement was reached providing that at 4:30 p.m., on Tuesday, November 12, 2013, Senate resume consideration of the nomination, with the time until 5:30 p.m. equally divided and controlled in the usual form, prior to the vote on the motion to invoke cloture on the nomination. **Page S7932**

**Nominations Received:** Senate received the following nominations:

Joseph P. Mohorovic, of Illinois, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2012.

Janice Marion Schneider, of New York, to be an Assistant Secretary of the Interior.

Ellen Dudley Williams, of Maryland, to be Director of the Advanced Research Projects Agency-Energy, Department of Energy.

Colleen Bradley Bell, of the District of Columbia, to be Ambassador to Hungary.

Joseph William Westphal, of New York, to be Ambassador to the Kingdom of Saudi Arabia.

Janet L. Yellen, of California, to be United States Alternate Governor of the International Monetary Fund for a term of five years.

Madelyn R. Creedon, of Indiana, to be Principal Deputy Administrator, National Nuclear Security Administration.

Robin S. Rosenbaum, of Florida, to be United States Circuit Judge for the Eleventh Circuit.

James D. Peterson, of Wisconsin, to be United States District Judge for the Western District of Wisconsin.

Nancy J. Rosenstengel, of Illinois, to be United States District Judge for the Southern District of Illinois.

Ronnie L. White, of Missouri, to be United States District Judge for the Eastern District of Missouri.

Kevin W. Techau, of Iowa, to be United States Attorney for the Northern District of Iowa for the term of four years.

Routine lists in the Air Force, and Coast Guard.

**Pages S7932–33**

**Nominations Withdrawn:** Senate received notification of withdrawal of the following nominations:

Ben S. Bernanke, of New Jersey, to be United States Alternate Governor of the International Monetary Fund for a term of five years, which was sent to the Senate on April 18, 2013.

Thomas Edgar Wheeler, of the District of Columbia, to be a Member of the Federal Communications Commission for the remainder of the term expiring June 30, 2013, which was sent to the Senate on May 9, 2013.

1 Air Force nomination in the rank of general.

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**Measures Read the First Time:** **Pages S7926, S7932**

**Executive Communications:** **Pages S7926–27**

**Additional Cosponsors:** **Pages S7928–29**

**Statements on Introduced Bills/Resolutions:** **Pages S7929–31**

**Additional Statements:** **Pages S7925–26**

**Notices of Hearings/Meetings:** **Page S7931**

**Authorities for Committees to Meet:** **Page S7931**

**Privileges of the Floor:** **Page S7931**

**Record Votes:** Three record votes were taken today. (Total—232) **Pages S7902, S7907**

**Adjournment:** Senate convened at 10 a.m. and adjourned at 6:16 p.m., until 11:45 a.m. on Friday, November 8, 2013. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S7932.)

## Committee Meetings

(Committees not listed did not meet)

### IMPACT OF SEQUESTRATION ON NATIONAL DEFENSE

*Committee on Armed Services:* Committee concluded a hearing to examine the impact of sequestration on the national defense, after receiving testimony from General Raymond T. Odierno, Chief of Staff United States Army, Admiral Jonathan Greenert, United States Navy, Chief of Naval Operations, General James F. Amos, Commandant of the Marine Corps, and General Mark A. Welsh III, Chief of Staff, United States Air Force, all of the Department of Defense.

### HOUSING FINANCE REFORM

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine housing finance reform, focusing on essential elements to provide affordable options for housing, including S. 1217, to provide secondary mortgage market reform, after receiving testimony Hilary O. Shelton, National Association for the Advancement of Colored People (NAACP) Washington Bureau, St. Louis, Missouri; Rick Judson, National Association of Home Builders, Charlotte, North Carolina; Sheila Crowley, National Low Income Housing Coalition, and Douglas Holtz-Eakin, American Action Forum, both of Arlington, Virginia; and Ethan Handelman, National Housing Conference, Silver Spring, Maryland.

### PATENT ASSERTION ENTITIES

*Committee on Commerce, Science, and Transportation:* Subcommittee on Consumer Protection, Product Safety, and Insurance concluded a hearing to examine patent assertion entities, focusing on demand letters and consumer protection, after receiving testimony from Nebraska Attorney General Jon Bruning, Lincoln; Jon Potter, Application Developers Alliance, Washington, D.C.; Mark Chandler, Cisco Systems, San Jose, California; Julie P. Samuels, Electronic Frontier Foundation, San Francisco, California; Lary Sinewitz, BrandsMart USA, Hollywood, Florida, on behalf of

The National Retail Federation; and Adam Mossoff, George Mason University School of Law Center for the Protection of Intellectual Property, Arlington, Virginia.

### COLUMBIA RIVER TREATY DRAFT REGIONAL RECOMMENDATION

*Committee on Energy and Natural Resources:* Committee concluded an oversight hearing to examine the Draft Regional Recommendation regarding the Columbia River Treaty, after receiving testimony from Brigadier General John Kem, Commander, United States Army Corps of Engineers, Northwestern Division, Department of Defense, and Member, United States Entity for the Columbia River Treaty, and Stephen Oliver, Vice President, Generation Asset Management, Bonneville Power Administration, Department of Energy, and Coordinator, United States Entity for the Columbia River Treaty; Joel Moffett, Columbia River Inter-Tribal Fish Commission, Kristin Meira, Pacific Northwest Waterways Association, and Gregory Haller, Pacific Rivers Council, all of Portland, Oregon; Thomas Karier, Northwest Power and Conservation Council, Spokane, Washington; George Caan, Washington Public Utilities Districts Association, Olympia; and Norm Semanko, Idaho Water Users Association, Boise.

### NOMINATIONS

*Committee on Foreign Relations:* Committee concluded a hearing to examine the nominations of Heather Anne Higginbottom, of the District of Columbia, to be Deputy Secretary for Management and Resources, Sarah Sewall, of Massachusetts, to be Under Secretary for Civilian Security, Democracy, and Human Rights, and Richard Stengel, of New York, to be Under Secretary for Public Diplomacy, all of the Department of State, after the nominees testified and answered questions in their own behalf.

### AUTO SAFETY AND MENTAL HEALTH

*Committee on the Judiciary:* Subcommittee on Oversight, Federal Rights and Agency Action concluded a hearing to examine rules delayed on auto safety and mental health, after receiving testimony from former Representative Patrick J. Kennedy; Thomas O. McGarity, University of Texas School of Law, Austin; Clarence M. Ditlow, Center for Auto Safety, Washington, D.C.; Cary Coglianese, University of Pennsylvania Penn Program on Regulation, Philadelphia; and Cathy Morelli, Southington, Connecticut.