

# Daily Digest

## HIGHLIGHTS

See *Résumé of Congressional Activity*.

## Senate

### Chamber Action

*Routine Proceedings, pages S7677–S7731.*

**Measures Introduced:** Eight bills and three resolutions were introduced, as follows: S. 2226–2233, and S. Res. 302–304. **Page S7720**

#### Measures Reported:

S. 1550, to amend title 31, United States Code, to establish entities tasked with improving program and project management in certain Federal agencies, with an amendment in the nature of a substitute. (S. Rept. No. 114–162)

Report to accompany S. 1082, to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct. (S. Rept. No. 114–163)

S. 2138, to amend the Small Business Act to improve the review and acceptance of subcontracting plans, with amendments. **Page S7722**

#### Measures Passed:

*Small Business Saturday:* Senate agreed to S. Res. 304, recognizing November 28, 2015, as “Small Business Saturday” and supporting efforts to increase awareness of the value of locally owned small businesses. **Page S7728**

#### Measures Considered:

**Federal Water Quality Protection Act:** Senate resumed consideration of the motion to proceed to consideration of S. 1140, to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term “waters of the United States”. **Pages S7679–7697**

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

By 57 yeas to 41 nays (Vote No. 295), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion

to close further debate on the motion to proceed to consideration of the bill. **Page S7697**

Subsequently, the motion to proceed to consideration of the bill, was withdrawn. **Page S7697**

**Department of Defense Appropriations Act—Cloture:** Senate began consideration of the motion to proceed to consideration of H.R. 2685, making appropriations for the Department of Defense for the fiscal year ending September 30, 2016.

**Pages S7697–S7703**

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, a vote on cloture will occur on Thursday, November 5, 2015.

**Page S7697**

**Waters of the United States—Agreement:** By 55 yeas to 43 nays (Vote No. 296), Senate agreed to the motion to proceed to consideration of S.J. Res. 22, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of “waters of the United States” under the Federal Water Pollution Control Act. **Page S7703**

A unanimous-consent agreement was reached providing for further consideration of the joint resolution at approximately 10 a.m., on Wednesday, November 4, 2015, with the time until 12 noon equally divided in the usual form; and that at 12 noon, Senate vote on passage of the joint resolution.

**Page S7728**

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

Transmitting, pursuant to law, the notification of the President’s intent to terminate the designation of the Republic of Burundi as a beneficiary sub-Saharan African country under the African Growth and Opportunity Act (AGOA), received during adjournment

of the Senate on October 30, 2015; which was referred to the Committee on Finance. (PM—31)

	<b>Page S7718</b>
<b>Messages from the House:</b>	<b>Page S7719</b>
<b>Measures Referred:</b>	<b>Page S7719</b>
<b>Measures Read the First Time:</b>	<b>Page S7719</b>
<b>Executive Communications:</b>	<b>Pages S7719–20</b>
<b>Petitions and Memorials:</b>	<b>Pages S7720–21</b>
<b>Additional Cosponsors:</b>	<b>Pages S7722–25</b>
<b>Statements on Introduced Bills/Resolutions:</b>	<b>Pages S7725–26</b>
<b>Additional Statements:</b>	<b>Pages S7716–18</b>
<b>Amendments Submitted:</b>	<b>Pages S7726–28</b>
<b>Authorities for Committees to Meet:</b>	<b>Page S7728</b>
<b>Privileges of the Floor:</b>	<b>Page S7728</b>
<b>Record Votes:</b> Two record votes were taken today. (Total—296)	<b>Pages S7697, S7703</b>
<b>Adjournment:</b> Senate convened at 10 a.m. and adjourned at 7:18 p.m., until 10 a.m. on Wednesday, November 4, 2015. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S7731.)	

## Committee Meetings

(Committees not listed did not meet)

### FUTURE OF WARFARE

*Committee on Armed Services:* Committee concluded a hearing to examine the future of warfare, after receiving testimony from General Keith B. Alexander, USA (Ret.), former Commander, United States Cyber Command, former Director, National Security Agency; Bryan Clark, Center for Strategic and Budgetary Assessments; Paul Scharre, Center for a New American Security 20YY Future of Warfare Initiative; and Peter W. Singer, New America.

### NOMINATIONS

*Committee on Foreign Relations:* Committee concluded a hearing to examine the nominations of Deborah R. Malac, of Virginia, to be Ambassador to the Republic of Uganda, Lisa J. Peterson, of Virginia, to be Ambassador to the Kingdom of Swaziland, and H. Dean Pittman, of the District of Columbia, to be Ambassador to the Republic of Mozambique, all of the Department of State, after the nominees testified and answered questions in their own behalf.

### UKRAINE

*Committee on Foreign Relations:* Subcommittee on Europe and Regional Security Cooperation concluded a hearing to examine Putin's invasion of Ukraine and the propaganda in Europe, after receiving testimony from Benjamin Ziff, Deputy Assistant Secretary of State, Bureau of European and Eurasian Affairs; Leon Aron, American Enterprise Institute, Maksymilian Czapurski, The Atlantic Council, and Heather A. Conley, Center for Strategic and International Studies Europe Program, all of Washington, D.C.; and Peter Pomerantsev, Legatum Institute, London, United Kingdom.

### DATA BROKERS

*Committee on the Judiciary:* Subcommittee on Privacy, Technology and the Law concluded a hearing to examine data brokers, focusing on whether consumers' information is secure, after receiving testimony from Justin Harvey, Fidelis Cybersecurity, Bethesda, Maryland; Pam Dixon, World Privacy Forum, San Diego, California; and Frank Caserta, Acxiom Corporation, Little Rock, Arkansas.

### 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.

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# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 39 public bills, H.R. 3879–3917; and 3 resolutions, H. Res. 510–511, and 513, were introduced.

**Pages H7622–24**

**Additional Cosponsors:**

**Pages H7625–26**

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

H. Res. 512, providing for further consideration of the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining

the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act (H. Rept. 114–326). **Page H7622**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Kelly to act as Speaker pro tempore for today. **Page H7393**

**Recess:** The House recessed at 10:47 a.m. and reconvened at 12 noon. **Page H7398**

**Suspension—Proceedings Resumed:** The House agreed to suspend the rules and pass the following measure which was debated on Monday, November 2nd:

*Expressing the sense of the House of Representatives regarding the safety and security of Jewish communities in Europe:* H. Res. 354, amended, expressing the sense of the House of Representatives regarding the safety and security of Jewish communities in Europe, by a  $\frac{2}{3}$  yea-and-nay vote of 418 yeas with none voting “nay”, Roll No. 585.

**Page H7412**

**Hire More Heroes Act of 2015:** The House began consideration of the Senate amendments to H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act. Consideration is expected to resume tomorrow, November 4th. **Pages H7412–H7621**

Pursuant to the Rule, the amendment printed in part A of H. Rept. 114–325 is adopted and the Senate amendment, as amended, shall be considered as read. Further, the amendment consisting of the text of Rules Committee Print 114–32 shall be considered as pending, shall be considered as read, shall not be debatable, and shall not be subject to amendment except those printed in part B of H. Rept. 114–325. **Pages H7418, H7517**

Agreed to:

Shuster amendment (No. 1 printed in part B of H. Rept. 114–325) that makes technical and conforming changes to Rules Committee Print 114–32; **Page H7579**

Walden amendment (No. 3 printed in part B of H. Rept. 114–325) that clarifies that projects within National Scenic Areas, and projects to increase capacity of highway segments to improve mobility, and are eligible for federal funding under Nationally Significant Freight and Highway Projects; **Pages H7580–81**

Babin amendment (No. 6 printed in part B of H. Rept. 114–325) that designates the Central Texas Corridor as the future Interstate Route I–14; **Page H7582**

Massie amendment (No. 7 printed in part B of H. Rept. 114–325) that allows the GSA to construct, install, and operate electric car charging stations on federal properties for use by employees; the construction, installation, and operation will be funded solely through user fees, so taxpayers will incur no cost; **Pages H7582–84**

Fleischmann amendment (No. 8 printed in part B of H. Rept. 114–325) that reports language encouraging the use of geosynthetic materials and other innovative technologies; **Page H7584**

Gibbs amendment (No. 9 printed in part B of H. Rept. 114–325) that requires the Secretary of Transportation to study the methods State’s use to procure culvert and storm sewer materials, and report their findings to the Transportation and Infrastructure Committee; **Pages H7584–85**

Gibson amendment (No. 10 printed in part B of H. Rept. 114–325) that directs the Secretary of Transportation to develop a comprehensive strategy, within 1 year, to address “structurally deficient” and “functionally obsolete” bridges, as defined by the National Bridge Inventory, and to identify the unique challenges and policy solutions with regards to these respective categories; **Page H7585**

Hanna amendment (No. 12 printed in part B of H. Rept. 114–325) that adds a Sense of Congress that the engineering industry provides critical technical expertise, innovation, and local expertise to federal and state agencies to efficiently deliver surface transportation projects and urges the Secretary to reinforce these partnerships; **Page H7586**

DeSaulnier amendment (No. 16 printed in part B of H. Rept. 114–325) that directs the U.S. Department of Transportation to study methods of inventorying roadside highway safety hardware devices (i.e. guardrails) for the purpose of improving in-service evaluation of these devices; **Page H7592**

Scott (VA) amendment (No. 17 printed in part B of H. Rept. 114–325) that includes a sense of Congress that the Department of Transportation should utilize modeling and simulation technology to analyze federally funded highway and public transit projects to ensure that these projects will increase transportation capacity and safety, alleviate congestion, reduce travel time and environmental impact, and are as cost effective as practicable; **Pages H7592–93**

Eddie Bernice Johnson (TX) amendment (No. 18 printed in part B of H. Rept. 114–325) that strikes the Department of Transportation’s authority to redistribute unallocated TIFIA funds; **Page H7593**

Sewell (AL) amendment (No. 20 printed in part B of H. Rept. 114–325) that seeks a public safety report to be provided to the House and Senate Transportation Committees on the security of locations intended to encourage public use of alternative transportation as well as personal transportation such as carpool parking lots, mass transit parking; local, state, and regional rail station parking, college or university parking, bike paths or walking trails and other locations the Secretary deems would be appropriate; **Pages H7594–95**

Sewell (AL) amendment (No. 21 printed in part B of H. Rept. 114–325) that provides a report on the Internet of Things (IoT) and its potential to improve transportation services to the elderly and persons with disabilities as well as assist local, state and federal transportation planners in achieving better inefficiencies and cost effectiveness, while protecting privacy and security of persons who use IoT technology; **Pages H7595–97**

Kirkpatrick amendment (No. 23 printed in part B of H. Rept. 114–325) that increases safety by allowing additional states that have passed distracted driving legislation to qualify for incentive grant funding; **Pages H7597–98**

Duncan (TN) amendment (No. 26 printed in part B of H. Rept. 114–325) that requires the Department of Transportation to conduct a study on the safety of operations of a double-decker motorcoach equipped with a luggage carrier at the rear of the vehicle; **Page H7599**

Comstock amendment (No. 27 printed in part B of H. Rept. 114–325) that clarifies the restrictions placed on institutions applying for UTC grants, and broadens the paragraph on Focused Research for regional UTCs; directs the Secretary of Transportation to develop a 5-Year Transportation R&D Strategic Plan for FY 18 through FY 22; authorizes the Assistant Secretary for Research and Technology to conduct a traffic congestion study; authorizes the Assistant Secretary to submit a rail safety study to Congress; **Pages H7599–H7601**

Barletta amendment (No. 28 printed in part B of H. Rept. 114–325) that requires all legacy tank cars retrofit for continued Class 3 Flammable Liquid service to include enhanced top fittings protections for pressure relief valves; **Pages H7601–02**

Lynch amendment (No. 29 printed in part B of H. Rept. 114–325) that provides for an additional, independent safety review of an approved pipeline route or segment of route, should a state or tribal government deem it necessary; **Pages H7602–03**

Costello amendment (No. 33 printed in part B of H. Rept. 114–325) that allows otherwise eligible Nationally Significant Freight and Highway Projects, which do not meet the minimum

\$100,000,000 threshold, to qualify for the specific reserved amount as provided in the legislation for such projects that fail to reach that threshold;

**Page H7606**

Edwards amendment (No. 35 printed in part B of H. Rept. 114–325) that seeks to improve highway designs to better manage storm water by moving up in the planning process from the end so that thought goes into how best to plan design, and construct project effectively while also reducing costs;

**Pages H7607–08**

Calvert amendment (No. 36 printed in part B of H. Rept. 114–325) that increases the limit on 10 local governments with whom the State can exercise its authority to eliminate duplicative reviews to 25;

**Page H7608**

Brown (FL) amendment (No. 15 printed in part B of H. Rept. 114–325) that creates a National Advisory Committee on Travel and Tourism Infrastructure which will advise the Secretary of Transportation on infrastructure needs related to the use of the nation's intermodal transportation network to facilitate travel and tourism (by a recorded vote of 216 ayes to 207 noes, Roll No. 589); **Pages H7610–11**

Farenthold amendment (No. 38 printed in part B of H. Rept. 114–325) that allows for only certain trucks with current weight exemptions to be allowed to continue riding at those higher weight exemptions once certain segments of Texas State Highways are converted into Interstate 69; **Page H7615**

Beyer amendment (No. 42 printed in part B of H. Rept. 114–325) that removes a federal preemption and restore the full right to regulate towing to states and localities; **Pages H7618–19**

DeBene amendment (No. 44 printed in part B of H. Rept. 114–325) that requires a report on the Frontline Workforce Development Program for each fiscal year; the report would include an evaluation of the program and policy recommendations to improve program effectiveness; and **Pages H7619–20**

Napolitano amendment (No. 45 printed in part B of H. Rept. 114–325) that changes the degradation standard of an HOV lane from maintaining an average operating speed above 45 mph over a consecutive 180 day period during peak hours from 90 percent of the time to 50 percent of the time.

**Pages H7620–21**

Rejected:

Quinta amendment (No. 11 printed in part B of H. Rept. 114–325) that sought to require the Government Accountability Office (GAO) to conduct a study to understand the purchasing power of a federal highway dollar and quantifying the things that weaken it, such as labor and environmental regulations and other inefficiencies that cause delays and drive up the cost of projects; **Pages H7585–86**

Mullin amendment (No. 13 printed in part B of H. Rept. 114–325) that sought to allow bridge work to be done despite the presence of swallows if the bridge has a condition rating of 3 or less until a rulemaking has occurred, requires notification to the Secretary of Interior, and directs the Sec. of Interior to promulgate a rulemaking to allow for bridge work under the Migratory Bird Treaty Act (MBTA);

**Pages H7586–87**

Welch amendment (No. 19 printed in part B of H. Rept. 114–325) that sought to strike Section 3010 of division A, which would lower the current federal share of bicycle facility projects from 95 and 90 percent to 80 percent;

**Pages H7593–94**

Blumenauer amendment (No. 22 printed in part B of H. Rept. 114–325) that sought to increase the number of states eligible for funding through the nonmotorized National Priority Safety Program, and double the funding for that program;

**Page H7597**

Swalwell (CA) amendment (No. 2 printed in part B of H. Rept. 114–325) that sought to expand the eligibility of the Congestion Mitigation and Air Quality Improvement (CMAQ) program to include innovative shared use mobility projects that can reduce congestion and improve air quality; expand associated transit improvements to include those shared-use projects that directly enhance transit (by a recorded vote of 181 ayes to 237 noes, Roll No. 586);

**Pages H7608–09**

Gosar amendment (No. 5 printed in part B of H. Rept. 114–325) that sought to require the federal government to track the total number, cost, and time required for each environmental review of transportation projects when reporting the status of these projects to the public (by a recorded vote of 196 ayes to 225 noes, Roll No. 587);

**Pages H7609–10**

Ribble amendment (No. 14 printed in part B of H. Rept. 114–325) that sought to give states the option of increasing the truck weight limits on their Interstate Highways from 80,000 pounds to 91,000 pounds if the trucks are equipped with an additional sixth axle; would not impact existing exemptions already enacted under the law (by a recorded vote of 187 ayes to 236 noes, Roll No. 588);

**Page H7610**

Lynch amendment (No. 29 printed in part B of H. Rept. 114–325) that sought to provide for an additional, independent safety review of an approved pipeline route or segment of route, should a state or tribal government deem it necessary (by a recorded vote of 160 ayes to 263 noes, Roll No. 590);

**Pages H7611–12**

Takano amendment (No. 31 printed in part B of H. Rept. 114–325) that sought to allow for a program of eligible projects to count as a single project to meet the \$100,000,000 threshold of project costs

(by a recorded vote of 174 ayes to 248 noes, Roll No. 591);

**Page H7612**

Brownley (CA) amendment (No. 32 printed in part B of H. Rept. 114–325) that sought to increase the freight program small project set aside from 10 percent to 20 percent (by a recorded vote of 160 ayes to 263 noes, Roll No. 592); and

**Pages H7612–13**

Radewagen amendment (No. 34 printed in part B of H. Rept. 114–325) that sought to require the secretary to allocate program funds made available to the territories according to quantifiable measures that are indicative of the surface transportation requirements of each of the territories (by a recorded vote of 113 ayes to 310 noes, Roll No. 593).

**Pages H7613–14**

Withdrawn:

Rice (NY) amendment (No. 24 printed in part B of H. Rept. 114–325) that was offered and subsequently withdrawn that would have required states to strengthen graduated driver's licensing requirements to be eligible for State Graduated Driver Licensing Incentive Grants;

**Pages H7598–99**

Lewis amendment (No. 30 printed in part B of H. Rept. 114–325) that was offered and subsequently withdrawn that would have struck Section 339(b) of the National Highway System Designation Act of 1995 and make construction of Type II noise barriers eligible for funds from the surface transportation block grant programs; and

**Pages H7603–04**

Mica amendment (No. 43 printed in part B of H. Rept. 114–325) that was offered and subsequently withdrawn that would have required that a state may not prohibit the operation of an automobile transporter with a gross weight of 84,000 pounds or less on any segment of the Interstate System or qualified Federal aid primary highways designated by the Secretary; allow the chief executive officer of a State, after consultation with units of local government, to request an exemption from the Secretary if it is determined that an interstate segment is not capable of safely accommodating such commercial motor vehicles.

**Pages H7619–20**

Proceedings Postponed:

Hartzler amendment (No. 37 printed in part B of H. Rept. 114–325), as modified, that seeks to repeal the authority of the Secretary of Transportation to approve as part of the construction of federal-aid highways the costs of landscape and roadside development;

**Pages H7614–15**

Rooney (FL) amendment (No. 39 printed in part B of H. Rept. 114–325) that seeks to provide that a state may allow, by special permit, the operation of vehicles with a gross vehicle weight of up to 95,000 pounds for the hauling of livestock; the cost of a special permit may not exceed \$200 per year for a livestock trailer;

**Pages H7615–16**

Rothfus amendment (No. 40 printed in part B of H. Rept. 114–325) that seeks to exempt projects to reconstruct any road, highway, railway, bridge, or transit facility that is damaged by an emergency declared by the Governor of the State and concurred in by the Secretary of Homeland Security from any environmental reviews, approvals, licensing, and permit restrictions if reconstruction takes place in the same location and using the same design, capacity, and dimensions as before the emergency; and

**Pages H7616–17**

DeSaulnier amendment (No. 41 printed in part B of H. Rept. 114–325) that seeks to establish a peer review group and a comprehensive risk management plan to prevent cost overruns and project delays for transportation mega projects exceeding \$2,500,000,000.

**Pages H7617–18**

H. Res. 507, amended, the rule providing for consideration of the Senate amendments to the bill (H.R. 22) was agreed to by a yea-and-nay vote of 248 yeas to 171 nays, Roll No. 584, after the previous question was ordered by a yea-and-nay vote of 241 yeas to 178 nays, Roll No. 583.

**Pages H7410–12**

**Recess:** The House recessed at 8:20 p.m. and reconvened at 11:23 p.m.

**Page H7621**

**Quorum Calls—Votes:** Three yea-and-nay votes and eight recorded votes developed during the proceedings of today and appear on pages H7410–11, H7411–12, H7412, H7608–09, H7609–10, H7610, H7610–11, H7611–12, H7612, H7612–13, and H7613–14. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 11:24 p.m.

## Committee Meetings

### AIRCRAFT CARRIER—PRESENCE AND SURGE LIMITATIONS. EXPANDING POWER PROJECTION OPTIONS

*Committee on Armed Services:* Subcommittee on Seapower and Projection Forces; and Subcommittee on Readiness, held a joint hearing entitled “Aircraft Carrier—Presence and Surge Limitations. Expanding Power Projection Options”. Testimony was heard from Vice Admiral John C. Aquilino, USN, Deputy Chief of Naval Operations, Operations, Plans and Strategy (N3/N5), U.S. Navy; Sean J. Stackley, Assistant Secretary of the Navy, Research, Development, and Acquisition; Rear Admiral Michael C. Manazir, USN, Director, Air Warfare (OPNAV N98); and Rear Admiral Thomas J. Moore, USN, Program Executive Officer, Aircraft Carriers.

### FUTURE OPTIONS FOR THE U.S. NUCLEAR DETERRENT—VIEWS FROM PROJECT ATOM

*Committee on Armed Services:* Subcommittee on Strategic Forces held a hearing entitled “Future Options for the U.S. Nuclear Deterrent—Views from Project Atom”. Testimony was heard from public witnesses.

### EXAMINING THE EU SAFE HARBOR DECISION AND IMPACTS FOR TRANSATLANTIC DATA FLOWS

*Committee on Energy and Commerce:* Subcommittee on Commerce, Manufacturing, and Trade; and Subcommittee on Communications and Technology, held a joint hearing entitled “Examining the EU Safe Harbor Decision and Impacts for Transatlantic Data Flows”. Testimony was heard from public witnesses.

### EXAMINING LEGISLATION TO IMPROVE MEDICARE AND MEDICAID

*Committee on Energy and Commerce:* Subcommittee on Health held a hearing entitled “Examining Legislation to Improve Medicare and Medicaid”. Testimony was heard from Representative Jenkins; Katharine Iritani, Director, Health Care Team, Government Accountability Office; and Anne Schwartz, Executive Director, Medicaid and CHIP Payment and Access Commission.

### MISCELLANEOUS MEASURES

*Committee on Energy and Commerce:* Subcommittee on Energy and Power held a markup on H. J. Res. 71, providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ‘Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units’; and H.J. Res. 72, providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ‘Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units’. H.J. Res. 71 and H.J. Res. 72 were both forwarded to the full committee, without amendment.

### MISCELLANEOUS MEASURES

*Committee on Energy and Commerce:* Subcommittee on Health began a markup on H.R. 2017, the “Common Sense Nutrition Disclosure Act of 2015”; H.R. 2446, to amend title XIX of the Social Security Act to require the use of electronic visit verification for personal care services furnished under the Medicaid program; H.R. 2646, the “Helping Families in Mental Health Crisis Act”; H.R. 3014, the “Medical Controlled Substances Transportation Act”; H.R.

3537, the “Synthetic Drug Control Act of 2015”; H.R. 3716, the “Ensuring Terminated Providers Are Removed from Medicaid and CHIP Act”; and H.R. 3821, the “Medicaid Directory of Caregivers Act”.

#### MISCELLANEOUS MEASURES

*Committee on Financial Services:* Full Committee began a markup on H.R. 1309, the “Systemic Risk Designation Improvement Act of 2015”; H.R. 1478, the “Policyholder Protection Act of 2015”; H.R. 1550, the “Financial Stability Oversight Council Improvement Act of 2015”; H.R. 1660, the “Federal Savings Association Charter Flexibility Act of 2015”; H.R. 2209, to require the appropriate Federal banking agencies to treat certain municipal obligations as level 2A liquid assets, and for other purposes; H.R. 3340, the “Financial Stability Oversight Council Reform Act”; H.R. 3557, the “FSOC Transparency and Accountability Act”; H.R. 3738, the “Office of Financial Research Accountability Act of 2015”; the “Small Business Credit Availability Act”; H.R. 3857, to require the Board of Governors of the Federal Reserve System and the Financial Stability Oversight Council to carry out certain requirements under the Financial Stability Act of 2010 before making any new determination under section 113 of such Act, and for other purposes. H.R. 1660 was ordered reported, without amendment.

#### DEFENDING AGAINST BIOTERRORISM: HOW VULNERABLE IS AMERICA?

*Committee on Homeland Security:* Full Committee held a hearing entitled “Defending Against Bioterrorism: How Vulnerable is America?”. Testimony was heard from public witnesses.

#### LEGISLATIVE MEASURES

*Committee on the Judiciary:* Subcommittee on Regulatory Reform, Commercial and Antitrust Law held a hearing on H.R. 3438, the “Require Evaluation before Implementing Executive Wishlists Act of 2015”; and H.R. 2631, the “Regulatory Predictability for Business Growth Act of 2015”. Testimony was heard from public witnesses.

#### INTERNATIONAL DATA FLOWS: PROMOTING DIGITAL TRADE IN THE 21ST CENTURY

*Committee on the Judiciary:* Subcommittee on Courts, Intellectual Property, and the Internet held a hearing entitled “International Data Flows: Promoting Digital Trade in the 21st Century”. Testimony was heard from public witnesses.

#### TSA: SECURITY GAPS

*Committee on Oversight and Government Reform:* Full Committee held a hearing entitled “TSA: Security

Gaps”. Testimony was heard from Peter Neffenger, Administrator, Transportation Security Administration, Department of Homeland Security; John Roth, Inspector General, Department of Homeland Security; and Jennifer Grover, Director, Homeland Security and Justice, Government Accountability Office.

#### PREPARING FOR THE 2020 CENSUS: WILL THE TECHNOLOGY BE READY?

*Committee on Oversight and Government Reform:* Subcommittee on Government Operations; and Subcommittee on Information Technology, held a joint hearing entitled “Preparing for the 2020 Census: Will the Technology Be Ready?”. Testimony was heard from John H. Thompson, Director, Census Bureau; Steven I. Cooper, Chief Information Officer, Department of Commerce; Carol R. Cha, Director, Information Technology Acquisition Management Issues, Government Accountability Office; and Robert Goldenkoff, Director, Strategic Issues, Government Accountability Office.

#### SENATE AMENDMENTS TO THE HIRE MORE HEROES ACT OF 2015

*Committee on Rules:* Full Committee held a hearing on Senate amendments to H.R. 22, the “Hire More Heroes Act of 2015” [DRIVE Act] [Amendment consideration]. The committee granted, by voice vote, a rule that provides for further consideration of the Senate amendments to H.R. 22 under a structured rule. In section 2, the rule makes in order only the further amendments to the amendment consisting of the text of Rules Committee Print 114–32 printed in part A of the Rules Committee report and amendments en bloc. Each further amendment printed in part A of the report shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule provides that it shall be in order at any time for the chair of the Committee on Transportation and Infrastructure or his designee to offer amendments en bloc consisting of amendments printed in part A of the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the further amendments

printed in part A of the report and amendments offered en bloc. In section 3, the rule makes in order only those further amendments to the Senate amendment, as amended, printed in part B of the Rules Committee report. Each such further amendment shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the further amendments printed in part B of the report. In section 4, the rule provides that if the Committee of the Whole reports the Senate amendment, as amended, back to the House with multiple amendments, the question of their adoption shall be put to the House en gros and without division of the question. The rule provides that if the Committee of the Whole reports the Senate amendment, as amended, back to the House without further amendment or the question of adoption of amendments en gros fails, no further consideration of the Senate amendments shall be in order except pursuant to a subsequent order of the House. In section 5, the rule provides that the Chair may postpone further consideration of the Senate amendments in the House to such time as may be designated by the Speaker.

In section 6, the rule provides that upon adoption of the further amendment or amendments in the House: (1) a motion that the House concur in the Senate amendment to the text, as amended, with such further amendment or amendments shall be considered as adopted; (2) the Clerk shall engross the action of the House as a single amendment in the nature of a substitute; (3) a motion that the House concur in the Senate amendment to the title shall be considered as adopted; and (4) it shall be in order for the chair of the Committee on Transportation and Infrastructure or his designee to move that the House insist on its amendment to the Senate amendment to H.R. 22 and request a conference with the Senate thereon. Finally, in section 7, the rule provides that the chair of the Committee on Armed Services may insert in the Congressional Record not later than November 16, 2015, such material as he may deem explanatory of defense authorization measures for the fiscal year 2016. Testimony was heard from Chairman Goodlatte, Chairman McCaul, and Representatives Farenthold, Lipinski, Denham, Garamendi, Rodney Davis of Illinois, Ashford, Polis, Maxine Waters of California, Clawson of Florida, Blumenauer, Pascrell, Schakowsky, Mulvaney,

Renacci, Palmer, Moulton, Rothfus, Sablan, Russell, Schweikert, Yoho, Young of Iowa, and Zinke.

#### **THE RENEWABLE FUEL STANDARD: A TEN YEAR REVIEW OF COSTS AND BENEFITS**

*Committee on Science, Space, and Technology:* Subcommittee on Environment; and Subcommittee on Oversight, held a joint hearing entitled “The Renewable Fuel Standard: A Ten Year Review of Costs and Benefits”. Testimony was heard from Terry Dinan, Senior Advisor, Congressional Budget Office; and public witnesses.

#### **EXAMINING VA’S INFORMATION TECHNOLOGY SYSTEMS THAT PROVIDE ECONOMIC OPPORTUNITIES FOR VETERANS**

*Committee on Veterans’ Affairs:* Subcommittee on Economic Opportunity held a hearing entitled “Examining VA’s Information Technology Systems that Provide Economic Opportunities for Veterans”. Testimony was heard from Curtis L. Coy, Deputy Under Secretary for Economic Opportunity, Veterans Benefits Administration, Department of Veterans Affairs; and public witnesses.

#### **BETTER COORDINATING WELFARE PROGRAMS TO SERVE FAMILIES IN NEED**

*Committee on Ways and Means:* Subcommittee on Human Resources held a hearing entitled “Better Coordinating Welfare Programs to Serve Families in Need”. Testimony was heard from Nick Lyon, Director, Michigan Department of Health and Human Services; and public witnesses.

#### **STATUS OF THE CONSUMER OPERATED AND ORIENTED PLAN (CO-OP) PROGRAM, ESTABLISHED UNDER THE PRESIDENT’S HEALTH CARE LAW**

*Committee on Ways and Means:* Subcommittee on Health held a hearing on the status of the Consumer Operated and Oriented Plan (CO-OP) Program, established under the President’s health care law. Testimony was heard from Mandy Cohen, Chief Operating Officer and Chief of Staff, Centers for Medicare and Medicaid Services.

### *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. D1131)

H.R. 3819, to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway



Trust Fund. Signed on October 29, 2015. (Public Law 114–73)

H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations. Signed on November 2, 2015. (Public Law 114–74)

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## COMMITTEE MEETINGS FOR WEDNESDAY, NOVEMBER 4, 2015

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on the Budget:* to hold hearings to examine reforming the Federal budget process, focusing on a biennial approach to better budgeting, 10:30 a.m., SD–608.

*Committee on Commerce, Science, and Transportation:* to hold hearings to examine how gagging honest reviews harms consumers and the economy, 10 a.m., SR–253.

*Committee on Foreign Relations:* to hold hearings to examine United States policy in North Africa, 10 a.m., SD–419.

*Committee on Homeland Security and Governmental Affairs:* to hold hearings to examine the value of education choices for low-income families, focusing on reauthorizing the D.C. Opportunity Scholarship Program, 10 a.m., SD–342.

*Committee on the Judiciary:* to hold hearings to examine the nomination of Stuart F. Delery, of the District of Columbia, to be Associate Attorney General, Department of Justice, 10 a.m., SD–226.

Subcommittee on Oversight, Agency Action, Federal Rights and Federal Courts, to hold hearings to examine the American victims of Iranian and Palestinian terrorism, 2 p.m., SH–216.

### House

*Committee on Agriculture,* Full Committee, hearing entitled “American Agriculture and Our National Security”, 10 a.m., 1300 Longworth.

*Committee on Energy and Commerce,* Subcommittee on Health, markup on H.R. 2017, the “Common Sense Nutrition Disclosure Act of 2015”; H.R. 2446, to amend title XIX of the Social Security Act to require the use of electronic visit verification for personal care services furnished under the Medicaid program; H.R. 2646, the “Helping Families in Mental Health Crisis Act”; H.R. 3014, the “Medical Controlled Substances Transportation Act”; H.R. 3537, the “Synthetic Drug Control Act of 2015”; H.R. 3716, the “Ensuring Terminated Providers Are Removed from Medicaid and CHIP Act”; and H.R. 3821, the “Medicaid Directory of Caregivers Act” (continued), 10 a.m., 2123 Rayburn.

*Committee on Financial Services,* Full Committee, markup on H.R. 1309, the “Systemic Risk Designation Improvement Act of 2015”; H.R. 1478, the “Policyholder Protection Act of 2015”; H.R. 1550, the “Financial Stability Oversight Council Improvement Act of 2015”; H.R. 2209, to require the appropriate Federal banking agencies

to treat certain municipal obligations as level 2A liquid assets, and for other purposes; H.R. 3340, the “Financial Stability Oversight Council Reform Act”; H.R. 3557, the “FSOC Transparency and Accountability Act”; H.R. 3738, the “Office of Financial Research Accountability Act of 2015”; the “Small Business Credit Availability Act”; H.R. 3857, to require the Board of Governors of the Federal Reserve System and the Financial Stability Oversight Council to carry out certain requirements under the Financial Stability Act of 2010 before making any new determination under section 113 of such Act, and for other purposes; and hearing entitled “Semi-Annual Testimony on the Federal Reserve’s Supervision and Regulation of the Financial System”, 9 a.m., 2128 Rayburn.

*Committee on Foreign Affairs,* Full Committee, hearing entitled “U.S. Policy after Russia’s Escalation in Syria”, 10 a.m., 2172 Rayburn.

Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, hearing entitled “Demanding Accountability: Evaluating the 2015 ‘Trafficking in Persons Report’”, 1 p.m., 2172 Rayburn.

Subcommittee on Europe, Eurasia, and Emerging Threats, hearing entitled “Challenge to Europe: The Growing Refugee Crisis”, 2 p.m., 2200 Rayburn.

*Committee on Homeland Security,* Subcommittee on Border and Maritime Security, hearing entitled “A New Approach to Increase Trade and Security: An Examination of CBP’s Public Private Partnerships”, 10 a.m., 311 Cannon.

Full Committee, markup on H.R. 2285, the “Prevent Trafficking in Cultural Property Act”; H.R. 2795, the “First Responder Identification of Emergency Needs in Disaster Situations Act”; H.R. 3842, the “Federal Law Enforcement Training Centers Reform and Improvement Act of 2015”; H.R. 3859, the “HSA Technical Corrections Act”; H.R. 3875, the “Department of Homeland Security CBRNE Defense Act of 2015”; H.R. 3869, the “State and Local Cyber Protection Act of 2015”; and H.R. 3878, the “Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act of 2015”, 2 p.m., 311 Cannon.

*Committee on Natural Resources,* Subcommittee on Federal Lands, hearing on H.R. 1815, the “Eastern Nevada Implementation Improvement Act”; and H.R. 3342, to provide for the stability of title to certain lands in the State of Louisiana, 10 a.m., 1324 Longworth.

Subcommittee on Energy and Mineral Resources, hearing on H.R. 3843, the “Locatable Minerals Claim Location and Maintenance Fees Act of 2015”; and H.R. 3844, the “Energy and Minerals Reclamation Foundation Establishment Act of 2015”, 10:30 a.m., 1334 Longworth.

Subcommittee on Indian, Insular and Alaska Native Affairs, hearing on H.R. 2009, the “Pascua Yaqui Tribe Land Conveyance Act of 2015”; H.R. 2719, the “Tribal Coastal Resiliency Act”; and H.R. 3079, to take certain Federal land located in Tuolumne County, California, into trust for the benefit of the Tuolumne Band of Me-Wuk Indians, and for other purposes, 2 p.m., 1324 Longworth.

*Committee on Oversight and Government Reform*, Subcommittee on Information Technology; and Subcommittee on Government Operations, joint hearing entitled “The Federal Information Technology Reform Act’s (FITARA) Role in Reducing IT Acquisition Risk, Part II—Measuring Agencies’ FITARA Implementation”, 2 p.m., 2154 Rayburn.

*Committee on Veterans’ Affairs*, Subcommittee on Oversight and Investigations; and Subcommittee on Contracting and Workforce of the House Committee on Small Business, joint hearing entitled “An Examination of Continued Challenges in VA’s Vets First Verification Process”, 10:30 a.m., 334 Cannon.

*Committee on Ways and Means*, Subcommittee on Oversight, hearing on presidential authority to waive anti-terror provisions in the tax code with respect to Iran, 10 a.m., 1100 Longworth.

### Joint Meetings

*Joint Economic Committee*: to hold hearings to examine ensuring success for the Social Security Disability Insurance program and its beneficiaries, 2:30 p.m., SD-106.

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## CONGRESSIONAL PROGRAM AHEAD

Week of November 4 through November 6,  
2015

### Senate Chamber

On *Wednesday*, at approximately 10 a.m., Senate will continue consideration of S.J. Res. 22, Waters of the United States, with a vote on passage of the joint resolution at 12 noon.

During the balance of the week, Senate may consider any cleared legislative and executive business.

### Senate Committees

*(Committee meetings are open unless otherwise indicated)*

*Committee on Agriculture, Nutrition, and Forestry*: November 5, to hold hearings to examine wildfire, focusing on stakeholder perspectives on budgetary impacts and threats to natural resources on Federal, state, and private lands, 10 a.m., SR-328A.

*Committee on Armed Services*: November 5, to hold hearings to examine revisiting the roles and missions of the armed forces, 9:30 a.m., SD-G50.

*Committee on the Budget*: November 4, to hold hearings to examine reforming the Federal budget process, focusing on a biennial approach to better budgeting, 10:30 a.m., SD-608.

*Committee on Commerce, Science, and Transportation*: November 4, to hold hearings to examine how gagging honest reviews harms consumers and the economy, 10 a.m., SR-253.

*Committee on Foreign Relations*: November 4, to hold hearings to examine United States policy in North Africa, 10 a.m., SD-419.

*Committee on Homeland Security and Governmental Affairs*: November 4, to hold hearings to examine the value of

education choices for low-income families, focusing on re-authorizing the D.C. Opportunity Scholarship Program, 10 a.m., SD-342.

November 5, Subcommittee on Regulatory Affairs and Federal Management, to hold hearings to examine agency progress in retrospective review of existing regulations, 9:30 a.m., SD-342.

*Committee on the Judiciary*: November 4, to hold hearings to examine the nomination of Stuart F. Delery, of the District of Columbia, to be Associate Attorney General, Department of Justice, 10 a.m., SD-226.

November 4, Subcommittee on Oversight, Agency Action, Federal Rights and Federal Courts, to hold hearings to examine the American victims of Iranian and Palestinian terrorism, 2 p.m., SH-216.

November 5, Full Committee, business meeting to consider the nominations of Rebecca Goodgame Ebinger, to be United States District Judge for the Southern District of Iowa, Leonard Terry Strand, of South Dakota, to be United States District Judge for the Northern District of Iowa, Julien Xavier Neals, to be United States District Judge for the District of New Jersey, Gary Richard Brown, to be United States District Judge for the Eastern District of New York, and Mark A. Young, to be United States District Judge for the Central District of California, 10 a.m., SD-226.

*Select Committee on Intelligence*: November 5, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH-219.

### House Committees

*Committee on Energy and Commerce*, November 5, Subcommittee on Oversight and Investigations, hearing entitled “Examining the Costly Failures of Obamacare’s CO-OP Insurance Loans”, 10 a.m., 2322 Rayburn.

*Committee on Foreign Affairs*, November 5, Full Committee, markup on H.R. 2241, the “Global Health Innovation Act of 2015”; H.R. 2845, the “African Growth and Opportunity Act Enhancement Act of 2015”; H.R. 3750, the “First Responders Passport Act of 2015”; and H.R. 3766, the “Foreign Aid Transparency and Accountability Act of 2015”, 9:30 a.m., 2172 Rayburn.

*Committee on Oversight and Government Reform*, November 5, Subcommittee on National Security, hearing entitled “Iran’s Power Projection Capability”, 9 a.m., 2154 Rayburn.

*Committee on Science, Space, and Technology*, November 5, Full Committee, hearing entitled “Examining EPA’s Predetermined Efforts to Block the Pebble Mine”, 9 a.m., 2318 Rayburn.

### Joint Meetings

*Joint Economic Committee*: November 4, to hold hearings to examine ensuring success for the Social Security Disability Insurance program and its beneficiaries, 2:30 p.m., SD-106.

*Commission on Security and Cooperation in Europe*: November 5, to receive a briefing on the rule of law and civil society in Azerbaijan, 2 p.m., 311, Cannon Building.

# Résumé of Congressional Activity

## FIRST SESSION OF THE ONE HUNDRED FOURTEENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

### DATA ON LEGISLATIVE ACTIVITY

January 6 through October 31, 2015

	<i>Senate</i>	<i>House</i>	<i>Total</i>
Days in session .....	146	136	..
Time in session .....	917 hrs, 29'	667 hrs, 46'	..
Congressional Record:			
Pages of proceedings .....	7,676	7,347	..
Extensions of Remarks .....	..	1,565	..
Public bills enacted into law .....	23	50	73
Private bills enacted into law .....	..	..	..
Bills in conference .....	1	1	..
Measures passed, total .....	358	434	792
Senate bills .....	74	26	..
House bills .....	66	273	..
Senate joint resolutions .....	1	1	..
House joint resolutions .....	1	3	..
Senate concurrent resolutions .....	10	5	..
House concurrent resolutions .....	18	21	..
Simple resolutions .....	188	105	..
Measures reported, total .....	*244	*311	555
Senate bills .....	186	5	..
House bills .....	29	243	..
Senate joint resolutions .....	..	..	..
House joint resolutions .....	..	1	..
Senate concurrent resolutions .....	1	..	..
House concurrent resolutions .....	..	3	..
Simple resolutions .....	28	59	..
Special reports .....	18	5	..
Conference reports .....	1	2	..
Measures pending on calendar .....	184	65	..
Measures introduced, total .....	2,564	4,534	7,098
Bills .....	2,216	3,867	..
Joint resolutions .....	24	72	..
Concurrent resolutions .....	23	89	..
Simple resolutions .....	301	506	..
Quorum calls .....	6	2	..
Yea-and-nay votes .....	294	242	..
Recorded votes .....	..	337	..
Bills vetoed .....	1	1	..
Vetoes overridden .....	..	..	..

### DISPOSITION OF EXECUTIVE NOMINATIONS

January 6 through October 31, 2015

Civilian nominations, totaling 336, disposed of as follows:	
Confirmed .....	115
Unconfirmed .....	213
Withdrawn .....	8
Other Civilian nominations, totaling 3,103, disposed of as follows:	
Confirmed .....	2,000
Unconfirmed .....	781
Withdrawn .....	322
Air Force nominations, totaling 5,333, disposed of as follows:	
Confirmed .....	5,283
Unconfirmed .....	48
Withdrawn .....	2
Army nominations, totaling 3,362, disposed of as follows:	
Confirmed .....	3,317
Unconfirmed .....	45
Navy nominations, totaling 3,933, disposed of as follows:	
Confirmed .....	3,871
Unconfirmed .....	62
Marine Corps nominations, totaling 1,067, disposed of as follows:	
Confirmed .....	1,066
Unconfirmed .....	1
<i>Summary</i>	
Total nominations carried over from the First Session .....	0
Total nominations received this Session .....	17,134
Total confirmed .....	15,652
Total unconfirmed .....	1,150
Total withdrawn .....	332
Total returned to the White House .....	0

\*These figures include all measures reported, even if there was no accompanying report. A total of 161 written reports have been filed in the Senate, 318 reports have been filed in the House.

*Next Meeting of the SENATE*

10 a.m., Wednesday, November 4

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Wednesday, November 4

## Senate Chamber

**Program for Wednesday:** Senate will continue consideration of S.J. Res. 22, Waters of the United States, with a vote on passage of the joint resolution at 12 noon.

## House Chamber

**Program for Wednesday:** Continue consideration of the Senate amendments to H.R. 22—Hire More Heroes Act of 2015 (Subject to a Rule).

## Extensions of Remarks, as inserted in this issue

## HOUSE

Barletta, Lou, Pa., E1576  
 Brooks, Susan W., Ind., E1582  
 Coffman, Mike, Colo., E1582  
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 Gallego, Ruben, Ariz., E1580  
 Guinta, Frank C., N.H., E1576  
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Hurt, Robert, Va., E1579  
 Jackson Lee, Sheila, Tex., E1576, E1577, E1577, E1578,  
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 Marchant, Kenny, Tex., E1578  
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 E1580, E1581, E1582  
 Visclosky, Peter J., Ind., E1575  
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