

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S297–S320*

**Measures Introduced:** Forty bills and four resolutions were introduced, as follows: S. 107–146, S.J. Res. 4, and S. Res. 12–14. **Pages S313–14**

#### Measures Reported:

S. Res. 6, objecting to United Nations Security Council Resolution 2334 and to all efforts that undermine direct negotiations between Israel and the Palestinians for a secure and peaceful settlement, with amendments.

S. 84, to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces. **Page S312**

#### Measures Passed:

**Secretary of Defense Nomination Waiver:** By 81 yeas to 17 nays (Vote No. 27), Senate passed S. 84, to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces, after agreeing to the motion to proceed. **Pages S299–S307**

**Commending Clemson University Tigers Football Team:** Senate agreed to S. Res. 14, commending the Clemson University Tigers football team for winning the 2017 College Football Playoff National Championship. **Page S320**

**GAO Access and Oversight Act—Agreement:** A unanimous-consent-time agreement was reached providing that at 4:15 p.m., on Tuesday, January 17, 2017, Committee on Homeland Security and Governmental Affairs be discharged and Senate begin consideration of H.R. 72, to ensure the Government Accountability Office has adequate access to information; that there be 30 minutes of debate, equally divided in the usual form, and that upon the use or yielding back of time, Senate vote on passage of the bill, with no intervening action or debate. **Page S320**

**Pro Forma—Agreement:** A unanimous-consent agreement was reached providing that Senate adjourn

until 10 a.m., on Friday, January 13, 2017, for a pro forma session only, with no business being conducted; and that when Senate adjourns on Friday, January 13, 2017, it next convene at 3 p.m., on Tuesday, January 17, 2017. **Page S320**

**Executive Reports of Committees:** Senate received the following executive report of a committee:

Report to accompany Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro (Treaty Doc. 114–12) (Ex. Rept. 115–1). **Pages S312–13**

**Messages from the House:** **Page S310**

**Measures Referred:** **Pages S310–11**

**Executive Communications:** **Pages S311–12**

**Petitions and Memorials:** **Page S312**

**Additional Cosponsors:** **Pages S314–15**

**Statements on Introduced Bills/Resolutions:** **Pages S315–20**

**Additional Statements:** **Page S310**

**Authorities for Committees to Meet:** **Page S320**

**Record Votes:** One record vote was taken today. (Total—27) **Page S307**

**Adjournment:** Senate convened at 12:30 p.m. and adjourned at 5:38 p.m., until 10 a.m. on Friday, January 13, 2017. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S320.)

### Committee Meetings

*(Committees not listed did not meet)*

#### NOMINATION

**Committee on Armed Services:** Committee concluded a hearing to examine the nomination of James N. Mattis, to be Secretary of Defense, after the nominee, who was introduced by former Senators Cohen and Nunn, testified and answered questions in his own behalf.

**BUSINESS MEETING**

*Committee on Armed Services:* Committee ordered favorably reported S. 84, to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces.

**NOMINATION**

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine the nomination of Benjamin Carson, of Michigan, to be Secretary of Housing and Urban Development, after the nominee, who was introduced by Senator Rubio, testified and answered questions in his own behalf.

**BUSINESS MEETING**

*Committee on Foreign Relations:* Committee ordered favorably reported S. Res. 6, objecting to United Na-

tions Security Council Resolution 2334 and to all efforts that undermine direct negotiations between Israel and the Palestinians for a secure and peaceful settlement, with amendments.

**NOMINATION**

*Select Committee on Intelligence:* Committee concluded open and closed hearings to examine the nomination of Mike Pompeo, of Kansas, to be Director of the Central Intelligence Agency, after the nominee, who was introduced by Senator Roberts and former Senator Bob Dole, testified and answered questions in his own behalf.

**BUSINESS MEETING**

*Select Committee on Intelligence:* Committee ordered favorably reported an original bill entitled, "Intelligence Authorization Act of Fiscal Year 2017".

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# House of Representatives

*Chamber Action*

**Public Bills and Resolutions Introduced:** 52 public bills, H.R. 462–513; and 5 resolutions, H.J. Res. 27, and H. Res. 46–47, 49–50, were introduced.

**Pages H468–71**

**Additional Cosponsors:**

**Page H473**

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

H. Res. 48, providing for consideration of the concurrent resolution (S. Con. Res. 3) setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026, and providing for consideration of the bill (S. 84) to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces (H. Rept. 115–4).

**Page H468**

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

**Page H393**

**Recess:** The House recessed at 10:55 a.m. and reconvened at 12 noon.

**Page H400**

**Securities and Exchange Commission Regulatory Accountability Act:** The House passed H.R. 78, to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its

regulations and orders, by a recorded vote of 243 ayes to 184 noes, Roll No. 51.

**Pages H428–48**

Rejected the Bustos motion to recommit the bill to the Committee on Financial Services with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 195 ayes to 232 noes, Roll No. 50.

**Pages H446–47**

Agreed to:

Velázquez amendment (No. 2 printed in part A of H. Rept. 115–3) that requires the SEC consider the protection of investors, in addition to promoting efficiency, competition, and capital formation when conducting such a review and also expressly instructs the SEC to consider the public interest, the protection of investors as well as the promotion of efficiency, competition, and capital formation when conducting such a review of existing SEC regulations.

**Page H439**

Rejected:

Al Green (TX) amendment (No. 1 printed in part A of H. Rept. 115–3) that sought to require the SEC to identify, analyze and address potential conflicts of interest related to its rulemakings (by a recorded vote of 192 ayes to 233 noes, Roll No. 46);

**Pages H438–39, H443–44**

Al Green (TX) amendment (No. 3 printed in part A of H. Rept. 115–3) that sought to exempt regulations promulgated to maintain or support U.S. financial stability or prevent or reduce systemic risk

(by a recorded vote of 191 ayes to 232 noes, Roll No. 47);

**Pages H439–41, H444**

DeSaulnier amendment (No. 4 printed in part A of H. Rept. 115–3) that sought to require the Chairman of the SEC and his immediate family to divest from too-big-to-fail banks (by a recorded vote of 194 ayes to 233 noes, Roll No. 48); and

**Pages H441–42, H444–45**

Raskin amendment (No. 5 printed in part A of H. Rept. 115–3) that sought to require the Chairman of the Securities and Exchange Commission to be trained on ethical standards and codes of conduct to ensure all regulations enacted are not done so with a conflict of interest, specifically regarding prior employment and legal representation of too-big-to-fail banks (by a recorded vote of 196 ayes to 231 noes, Roll No. 49).

**Pages H442–43, H445–46**

H. Res. 40, the rule providing for consideration of the bills (H.R. 78) and (H.R. 238) was agreed to yesterday, January 11th.

**Commodity End-User Relief Act:** The House passed H.R. 238, to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, and to help keep consumer costs low, by a ye-a-and-nay vote of 239 yeas to 182 nays, Roll No. 54.

**Pages H404–28, H450–51**

Rejected the Langevin motion to recommit the bill to the Committee on Agriculture with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 190 ayes to 235 noes, Roll No. 53.

**Pages H449–50**

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–2 shall be considered as an original bill for the purpose of amendment under the five-minute rule.

**Page H414**

Agreed to:

Aderholt amendment (No. 1 printed in part B of H. Rept. 115–3) that amends the Commodity Exchange Act to give the Commodity Futures Trading Commission authority to designate other agencies to manage its leases;

**Pages H421–22**

Austin Scott (GA) amendment (No. 2 printed in part B of H. Rept. 115–3) that reforms the Customer Protection Fund at the CFTC to amend the size of the fund, annual expenditures from the fund and return excess balance to the Treasury;

**Pages H422–23**

Conaway amendment (No. 3 printed in part B of H. Rept. 115–3) that makes technical and conforming changes;

**Pages H423–24**

Duffy amendment (No. 5 printed in part B of H. Rept. 115–3) that prohibits the CFTC from compelling the production of algorithmic trading source code and similar intellectual property unless it has issued a subpoena;

**Pages H424–25**

LaMalfa amendment (No. 6 printed in part B of H. Rept. 115–3) that prevents a situation in which an end-user loses its ability to rely on the end-user exception to the clearing requirement due simply to the positive performance of transactions entered into solely to mitigate the prospect of falling revenues and asset values;

**Pages H425–26**

Lucas amendment (No. 7 printed in part B of H. Rept. 115–3) that exempts all inter-affiliate transactions from being regulated as “swaps” under the Dodd-Frank related provisions of the Commodity Exchange Act (“CEA”) and Commodity Futures Trading Commission (“CFTC”) regulations promulgated thereunder;

**Pages H426–27**

Hartzler amendment (No. 8 printed in part B of H. Rept. 115–3) that delays implementation of the CFTC Ownership and Control Reports Rule until the Chairman determines the rule has been amended by adjusting reporting trading volume levels to 300 contracts per day, removing the requirements for natural person controller data, and ensuring the rule does not require entities to violate foreign privacy laws; and

**Page H427**

Conaway amendment (No. 4 printed in part B of H. Rept. 115–3) that makes clear Congress’s intent that the Commission may impose and implement position limits as it finds necessary, provided the Commission makes a finding prior to imposing such limits; it makes no changes to the longstanding federal position limits regime for the enumerated agricultural commodities or the existing statutory requirements that Designated Contract Markets impose position limits or accountability levels on all contracts (by a recorded vote of 236 ayes to 191 noes, Roll No. 52).

**Pages H448–49**

H. Res. 40, the rule providing for consideration of the bills (H.R. 78) and (H.R. 238) was agreed to yesterday, January 11th.

**Joint Economic Committee—Appointment:** The Chair announced the Speaker’s appointment of the following Members on the part of the House to the Joint Economic Committee: Representatives Paulsen, Schweikert, Comstock, LaHood, Francis Rooney (FL), Carolyn B. Maloney (NY), Delaney, Adams, and Beyer.

**Page H455**

**Recess:** The House recessed at 8:15 p.m. and reconvened at 8:27 p.m.

**Page H468**

**Senate Messages:** Message received from the Senate and message received from the Senate by the Clerk

and subsequently presented to the House today appear on pages H400, H441.

**Senate Referrals:** S. Con. Res. 3 was held at the desk. S. 84 was held at the desk.

**Quorum Calls—Votes:** One yea-and-nay vote and eight recorded votes developed during the proceedings of today and appear on pages H443–44, H444, H444–45, H445–46, H447, H447–48, H448–49, H449–50, and H450–51. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 8:29 p.m.

## *Committee Meetings*

### ORGANIZATIONAL MEETING; MISCELLANEOUS MEASURE

*Committee on Armed Services:* Full Committee held an organizational meeting for the 115th Congress; and markup on H.R. 393, to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces. The committee adopted its rules for the 115th Congress. H.R. 393 was ordered reported, without amendment.

### SENATE CONCURRENT RESOLUTION SETTING FORTH THE CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2017 AND SETTING FORTH THE APPROPRIATE BUDGETARY LEVELS FOR FISCAL YEARS 2018 THROUGH 2026; SENATE BILL TO PROVIDE FOR AN EXCEPTION TO A LIMITATION AGAINST APPOINTMENT OF PERSONS AS SECRETARY OF DEFENSE WITHIN SEVEN YEARS OF RELIEF FROM ACTIVE DUTY AS A REGULAR COMMISSIONED OFFICER OF THE ARMED FORCES

*Committee on Rules:* Full Committee held a hearing on S. Con. Res. 3, setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026; and S. 84, to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces. The committee granted, by record vote of 9–3, a structured rule for S. Con. Res. 3. The rule provides two hours

of general debate with 90 minutes confined to the congressional budget equally divided and controlled by the chair and ranking minority member of the Committee on the Budget and 30 minutes on the subject of economic goals and policies equally divided and controlled by Rep. Tiberi of Ohio and Rep. Carolyn Maloney of New York or their respective designees. The rule waives all points of order against consideration of the concurrent resolution. The rule makes in order only the amendment printed in the Rules Committee report. Such amendment may be offered only by the 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 and shall not be subject to amendment. The rule waives all points of order against the amendment printed in the report. The rule provides that the concurrent resolution shall not be subject to a demand for division of the question of its adoption. Additionally, the rule grants a closed rule for S. 84. The rule provides 90 minutes of debate equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services. The rule waives all points of order against consideration of the bill. The rule provides that the bill shall be considered as read. The rule waives all points of order against provisions in the bill. The rule provides one motion to commit. Testimony was heard from Chairman Black, Chairman Thornberry, and Representatives Yarmuth, Lee, Pocan, O'Halleran, Panetta, and Smith of Washington.

### ORGANIZATIONAL MEETING

*Committee on Ways and Means:* Full Committee held an organizational meeting for the 115th Congress. The committee successfully organized and adopted its rules for the 115th Congress.

## *Joint Meetings*

No joint committee meetings were held.

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### COMMITTEE MEETINGS FOR FRIDAY, JANUARY 13, 2017

*(Committee meetings are open unless otherwise indicated)*

#### Senate

No meetings/hearings scheduled.

#### House

No hearings are scheduled.

*Next Meeting of the SENATE*

10 a.m., Friday, January 13

*Next Meeting of the HOUSE OF REPRESENTATIVES*

9 a.m., Friday, January 13

## Senate Chamber

**Program for Friday:** Senate will meet in a pro forma session.

## House Chamber

**Program for Friday:** Consideration of S. Con. Res. 3—Setting forth the congressional budget for the United States Government for fiscal year 2017 and setting forth the appropriate budgetary levels for fiscal years 2018 through 2026 (Subject to a Rule). Consideration of S. 84—To provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces (Subject to a Rule).

## Extensions of Remarks, as inserted in this issue

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