

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S7427–S7478

Measures Introduced: Twelve bills and four resolutions were introduced, as follows: S. 2194–2205, and S. Res. 292–295. **Pages S7470–71**

Measures Reported:

S. 1868, to extend by 15 years the authority of the Secretary of Commerce to conduct the quarterly financial report program, with an amendment. (S. Rept. No. 114–157) **Page S7470**

Measures Passed:

Protecting Our Infants Act: Senate passed S. 799, to address problems related to prenatal opioid use, after agreeing to the committee amendment in the nature of a substitute and committee title amendment. **Pages S7439–41**

Veterans' Compensation Cost-of-Living Adjustment Act: Senate passed S. 1493, to provide for an increase, effective December 1, 2015, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans. **Page S7476**

25th Anniversary of the Reunification of Germany: Senate agreed to S. Res. 274, commemorating the 25th anniversary of the peaceful and democratic reunification of Germany. **Page S7476**

Filipino American History Month: Committee on the Judiciary was discharged from further consideration of S. Res. 283, designating October 2015 as “Filipino American History Month”, and the resolution was then agreed to. **Page S7476**

Condemning the Senseless Murder and Wounding in Roseburg, Oregon: Committee on the Judiciary was discharged from further consideration of S. Res. 287, condemning the senseless murder and wounding of 18 individuals (sons, daughters, fathers, mothers, uncles, aunts, cousins, students, and teachers) in Roseburg, Oregon, on October 1, 2015, and the resolution was then agreed to. **Pages S7476–77**

50th Anniversary of the Highway Beautification Act: Committee on Environment and Public

Works was discharged from further consideration of S. Res. 288, commemorating October 22, 2015, as the 50th anniversary of the enactment of the Highway Beautification Act of 1965, and the resolution was then agreed to. **Page S7477**

Day of the Deployed: Senate agreed to S. Res. 294, designating October 26, 2015, as Day of the Deployed. **Page S7477**

National Veterans Small Business Week: Senate agreed to S. Res. 295, designating the week of November 2 through November 6, 2015 as “National Veterans Small Business Week”. **Page S7477**

Measures Considered:

Cybersecurity Information Sharing Act—Agreement: Senate continued consideration of S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, after taking action on the following amendments proposed thereto: **Pages S7430–39, S7441–45**

Rejected:

By 32 yeas to 65 nays (Vote No. 282), Burr (for Paul) Modified Amendment No. 2564 (to Amendment No. 2716), to prohibit liability immunity to applying to private entities that break user or privacy agreements with customers. **Pages S7430, S7434–35**

Pending:

Burr/Feinstein Amendment No. 2716, in the nature of a substitute. **Page S7430**

Burr (for Cotton) Modified Amendment No. 2581 (to Amendment No. 2716), to exempt from the capability and process within the Department of Homeland Security communication between a private entity and the Federal Bureau of Investigation or the United States Secret Service regarding cybersecurity threats. **Page S7430**

Feinstein (for Coons) Modified Amendment No. 2552 (to Amendment No. 2716), to modify section 5 to require DHS to review all cyber threat indicators and countermeasures in order to remove certain personal information. **Page S7430**

Burr (for Flake/Franken) Amendment No. 2582 (to Amendment No. 2716), to terminate the provisions of the Act after six years. **Page S7430**

Feinstein (for Franken) Further Modified Amendment No. 2612 (to Amendment No. 2716), to improve the definitions of cybersecurity threat and cyber threat indicator. **Page S7430**

Burr (for Heller) Modified Amendment No. 2548 (to Amendment No. 2716), to protect information that is reasonably believed to be personal information or information that identifies a specific person. **Page S7430**

Feinstein (for Leahy) Modified Amendment No. 2587 (to Amendment No. 2716), to strike the FOIA exemption. **Page S7430**

Feinstein (for Mikulski/Cardin) Amendment No. 2557 (to Amendment No. 2716), to provide amounts necessary for accelerated cybersecurity in response to data breaches. **Page S7430**

Feinstein (for Whitehouse/Graham) Modified Amendment No. 2626 (to Amendment No. 2716), to amend title 18, United States Code, to protect Americans from cybercrime. **Page S7430**

Feinstein (for Wyden) Modified Amendment No. 2621 (to Amendment No. 2716), to improve the requirements relating to removal of personal information from cyber threat indicators before sharing. **Page S7430**

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

By 83 yeas to 14 nays (Vote No. 281), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on Burr/Feinstein Amendment No. 2716 (listed above). **Page S7434**

A unanimous-consent agreement was reached providing that notwithstanding rule XXII, that at 11 a.m., on Tuesday, October 27, 2015, the post-cloture time be considered expired on Burr/Feinstein Amendment No. 2716, and Senate vote on or in relation to the following amendments in the order listed: Feinstein (for Wyden) Modified Amendment No. 2621 (to Amendment No. 2716), Burr (for Heller) Modified Amendment No. 2548 (to Amendment No. 2716), Feinstein (for Leahy) Modified Amendment No. 2587 (to Amendment No. 2716), Burr (for Flake/Franken) Amendment No. 2582 (to Amendment No. 2716), and Feinstein (for Franken) Further Modified Amendment No. 2612 (to Amendment No. 2716); that following the disposition of Feinstein (for Franken) Further Modified Amendment No. 2612 (to Amendment No. 2716), Senate recess until 2:15 p.m. for the weekly conference meetings; that the time from 2:15 p.m. until 4 p.m. be equally divided in the usual form, and that at 4 p.m., Senate vote on or in relation to the following amendments in the order listed: Feinstein (for Coons) Modified Amendment No. 2552 (to Amendment No. 2716), Burr (for Cotton) Modified Amendment

No. 2581 (to Amendment No. 2716), and Burr/Feinstein Amendment No. 2716, as amended, if amended; and that if cloture is invoked on the bill, all post-cloture time be yielded back, and Senate vote on passage of the bill, as amended, if amended, without any intervening action or debate. **Page S7439**

Vilardo Nomination—Agreement: A unanimous-consent-time agreement was reached providing at 5 p.m., on Monday, October 26, 2015, Senate begin consideration of the nomination of Lawrence Joseph Vilardo, of New York, to be United States District Judge for the Western District of New York; that there be up to 30 minutes of debate on the nomination, and that following the use or yielding back of time, Senate vote on confirmation of the nomination, without intervening action or debate; and that no further motions be in order to the nomination. **Page S7475**

Nominations Confirmed: Senate confirmed the following nominations:

By a unanimous vote of 93 yeas (Vote No. EX. 283), Julie Furuta-Toy, of Wyoming, to be Ambassador to the Republic of Equatorial Guinea. **Page S7439**

Dennis B. Hankins, of Minnesota, to be Ambassador to the Republic of Guinea. **Page S7439**

Harry K. Thomas, Jr., of New York, to be Ambassador to the Republic of Zimbabwe. **Page S7439**

Robert Porter Jackson, of Virginia, to be Ambassador to the Republic of Ghana. **Page S7439**

5 Air Force nominations in the rank of general.

3 Army nominations in the rank of general.

2 Marine Corps nominations in the rank of general.

3 Navy nominations in the rank of admiral.

Pages S7475–76, S7477–78

Nomination Discharged: The following nomination were discharged from further committee consideration and placed on the Executive Calendar:

Ann Calvaresi Barr, of Maryland, to be Inspector General, United States Agency for International Development, which was sent to the Senate on May 11, 2015, from the Senate Committee on Homeland Security and Governmental Affairs. **Page S7477**

Messages from the House: **Page S7460**

Measures Placed on the Calendar:

Pages S7431, S7460

Measures Read the First Time: **Pages S7460, S7477**

Executive Communications: **Pages S7460–62**

Petitions and Memorials: **Pages S7462–70**

Additional Cosponsors: **Pages S7471–72**

Statements on Introduced Bills/Resolutions:

Pages S7472–75

Additional Statements: Pages S7459–60

Authorities for Committees to Meet: Page S7475

Record Votes: Three record votes were taken today. (Total—283) Pages S7434–35, S7439

Adjournment: Senate convened at 10 a.m. and adjourned at 5:55 p.m., until 3 p.m. on Monday, October 26, 2015. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S7477.)

Committee Meetings

(Committees not listed did not meet)

GLOBAL CHALLENGES

Committee on Armed Services: Committee concluded a hearing to examine global challenges, United States national security strategy, and defense organization, after receiving testimony from Eliot A. Cohen, and Thomas G. Mahnken, Advanced Strategy Program, both of Johns Hopkins School of Advanced International Studies, and Kathleen H. Hicks, Center for Strategic and International Studies International Security Program, all of Washington, D.C.; and Walter Russell Mead, The Hudson Institute, New York, New York.

PUERTO RICO

Committee on Energy and Natural Resources: Committee concluded a hearing to examine Puerto Rico, focusing on the economy, debt, and options for Congress, after receiving testimony from Representative Pierluisi; Antonio Weiss, Counselor to the Secretary, Department of the Treasury; Puerto Rico Governor Alejandro J. Garcia Padilla, and Sergio M.

Marxuach, Center for a New Economy, both of San Juan; and Steven M. Fetter, Regulation UnFettered, Port Townsend, Washington.

PAY FLEXIBILITIES IN THE FEDERAL WORKFORCE

Committee on Homeland Security and Governmental Affairs: Subcommittee on Regulatory Affairs and Federal Management concluded a hearing to examine improving pay flexibilities in the Federal workforce, after receiving testimony from Brenda Roberts, Deputy Associate Director, Pay and Leave, Employee Services, Office of Personnel Management; Debra A. Warner, Director of Civilian Force Management, Deputy Chief of Staff for Manpower, Personnel and Services, Department of the Air Force, Department of Defense; Linda Jacksta, Assistant Commissioner, Office of the Human Resources Management, Customs and Border Protection, Department of Homeland Security; and Anthony M. Reardon, National Treasury Employees Union, and William R. Dougan, National Federation of Federal Employees, both of Washington, D.C.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported S. 2123, to reform sentencing laws and correctional institutions, with an amendment in the nature of a substitute.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 18 Public bills, H.R. 3797–3814; and 4 resolutions, H.J. Res. 70; and H. Res. 486–488 were introduced.

Pages H7137–38

Additional Cosponsors: Pages H7138–39

Reports Filed: Reports were filed today as follows:

H.R. 1090, to amend the Securities Exchange Act of 1934 to provide protections for retail customers, and for other purposes (H. Rept. 114–304, Part 1); and

H.R. 2583, to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission, and for other purposes, with an amendment (H. Rept. 114–305).

Page H7137

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

Page H7093

Recess: The House recessed at 10:42 a.m. and reconvened at 12 noon.

Page H7097

Guest Chaplain: The prayer was offered by the Guest Chaplain, Reverend Rod Cannon, New Vision Worship Center, Zolfo Springs, Florida. **Page H7097**

Restoring Americans' Healthcare Freedom Reconciliation Act of 2015—Rule for consideration:

The House agreed to H. Res. 483, providing for consideration of the bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016, by a yea-and-nay vote of 240 yeas to 187 nays, Roll No. 567, after the previous question was ordered by a yea-and-nay vote of 244 yeas to 185 nays, Roll No. 566. Consideration is expected to resume tomorrow, October 23rd. **Pages H7101–07, H7124–26**

National Strategic and Critical Minerals Production Act of 2015: The House passed H.R. 1937, to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness, by a yea-and-nay vote of 254 yeas to 177 nays, Roll No. 565. **Pages H7107–24**

Rejected the Peters motion to recommit the bill to the Committee on Natural Resources with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 184 yeas to 246 noes, Roll No. 564. **Pages H7122–24**

Agreed to:

Pearce amendment (No. 4 printed in H. Rept. 114–301) that clarifies that the bill does not affect Secretarial Order 3324, issued by the Department of the Interior. **Pages H7117–18**

Rejected:

Lowenthal amendment (No. 1 printed in H. Rept. 114–301) that sought to replace the bill's definition of "strategic and critical minerals" with the accepted definition from the National Research Council (by a recorded vote of 176 yeas to 253 noes, Roll No. 560); **Pages H7114–15, H7120**

Dingell amendment (No. 2 printed in H. Rept. 114–301) that sought to ensure that mining permits are fully reviewed under the National Environmental Policy Act (by a recorded vote of 181 yeas to 248 noes, Roll No. 561); **Pages H7115–16, H7120–21**

Cartwright amendment (No. 3 printed in H. Rept. 114–301) that sought to strike sections of the bill that would limit judicial review of agency actions and prevent the awarding of attorney's fees under the Equal Access to Justice Act (by a recorded vote of 184 yeas to 245 noes, Roll No. 562); and **Pages H7116–17, H71212**

Hastings (FL) amendment (No. 5 printed in H. Rept. 114–301) that sought to require demonstration for proposed projects that domestic capacity to

produce strategic and critical minerals is less than 80 percent of domestic requirements and requires publication of intent to transport or sell strategic and critical mineral intermediate and final products outside of the United States unless the domestic capacity exceeds 80 percent (by a recorded vote of 183 yeas to 246 noes, Roll No. 563).

Pages H7118–19, H7121–22

H. Res. 481, the rule providing for consideration of the bill (H.R. 1937), was agreed to yesterday, October 21st.

Recess: The House recessed at 2:57 p.m. and reconvened at 3:32 p.m. **Page H7119**

Presidential Veto Message—National Defense Authorization Act for Fiscal Year 2016: Read a message from the President wherein he transmitted his Memorandum of Disapproval of H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, and explained his reasons therefore—ordered printed (H. Doc. 114–70). **Page H7127**

Pursuant to the order of the House of October 21, 2015, further consideration of the veto message and the bill are postponed until the legislative day of November 5, 2015, and that on that legislative day, the House shall proceed to the constitutional question of reconsideration and dispose of such question without intervening motion. **Page H7127**

Senate Messages: Messages received from the Senate by the Clerk and subsequently presented to the House today appear on pages H7101, H7135–36.

Senate Referral: S. 799 was held at the desk.

Pages H7135–36

Quorum Calls—Votes: Three yea-and-nay votes and five recorded votes developed during the proceedings of today and appear on pages H7120, H7120–21, H7121, H7122, H7123–24, H7124, H7125 and H7125–26. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 6:20 p.m.

Committee Meetings

COUNTERING ADVERSARIAL PROPAGANDA: CHARTING AN EFFECTIVE COURSE IN THE CONTESTED INFORMATION ENVIRONMENT

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities held a hearing entitled "Countering Adversarial Propaganda: Charting an

Effective Course in the Contested Information Environment”. Testimony was heard from Matthew Armstrong, Broadcasting Board of Governors; Major General Christopher K. Haas, USA, Director, Force Management and Development Directorate, United States Special Operations Command (SOCOM) (J-39); Michael Lumpkin, Assistant Secretary of Defense for Special Operations and Low Intensity Conflict; and Brigadier General Charles Moore, USAF, Deputy Director for Global Operations, Joint Staff (J-39).

TECHNICAL ASSISTANCE FOR RURAL WATER SYSTEMS: S. 611, THE GRASSROOTS RURAL AND SMALL COMMUNITY WATER SYSTEMS ASSISTANCE ACT

Committee on Energy and Commerce: Subcommittee on Environment and the Economy held a hearing entitled “Technical Assistance for Rural Water Systems: S. 611, the Grassroots Rural and Small Community Water Systems Assistance Act”. Testimony was heard from public witnesses.

EPA’S CO₂ REGULATIONS FOR NEW AND EXISTING POWER PLANTS: LEGAL PERSPECTIVES

Committee on Energy and Commerce: Subcommittee on Energy and Power held a hearing entitled “EPA’s CO₂ Regulations for New and Existing Power Plants: Legal Perspectives”. Testimony was heard from Elbert Lin, Solicitor General of West Virginia; and public witnesses.

THE FUTURE OF HOUSING IN AMERICA: 50 YEARS OF HUD AND ITS IMPACT ON FEDERAL HOUSING POLICY

Committee on Financial Services: Full Committee held a hearing entitled “The Future of Housing in America: 50 Years of HUD and Its Impact on Federal Housing Policy”. Testimony was heard from public witnesses.

WORDS HAVE CONSEQUENCES: PALESTINIAN AUTHORITY INCITEMENT TO VIOLENCE; MISCELLANEOUS MEASURE

Committee on Foreign Affairs: Full Committee held a hearing entitled “Words Have Consequences: Palestinian Authority Incitement to Violence”; and a markup on H. Res. 293, expressing concern over anti-Israel and anti-Semitic incitement within the Palestinian Authority. Testimony was heard from public witnesses. H. Res. 293 was ordered reported, as amended.

RUSSIAN ENGAGEMENT IN THE WESTERN HEMISPHERE

Committee on Foreign Affairs: Subcommittee on the Western Hemisphere held a hearing entitled “Russian Engagement in the Western Hemisphere”. Testimony was heard from public witnesses.

NORTH KOREA: BACK ON THE STATE SPONSOR OF TERRORISM LIST?

Committee on Foreign Affairs: Subcommittee on Terrorism, Nonproliferation, and Trade held a hearing entitled “North Korea: Back on the State Sponsor of Terrorism List?”. Testimony was heard from Sung Kim, Special Representative for North Korea Policy, Department of the State; and Hilary Batjer Johnson, Deputy Coordinator for Homeland Security, Screening, and Designations, Bureau of Counterterrorism, Department of State.

AFRICA’S GREAT LAKES REGION: A SECURITY, POLITICAL, AND HUMANITARIAN CHALLENGE

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations held a hearing entitled “Africa’s Great Lakes Region: A Security, Political, and Humanitarian Challenge”. Testimony was heard from Linda Thomas-Greenfield, Assistant Secretary, Bureau of African Affairs, Department of State; and Thomas Perriello, Special Envoy for the Great Lakes Region of Africa, Department of State.

READY AND RESILIENT?: EXAMINING FEDERAL EMERGENCY PREPAREDNESS AND RESPONSE CAPABILITIES

Committee on Homeland Security: Subcommittee on Emergency Preparedness, Response, and Communications held a hearing entitled “Ready and Resilient?: Examining Federal Emergency Preparedness and Response Capabilities”. Testimony was heard from W. Craig Fugate, Administrator, Federal Emergency Management Agency, Department of Homeland Security; Chris P. Currie, Director, Emergency Management, National Preparedness and Critical Infrastructure Protection, Homeland Security and Justice Team, Government Accountability Office; and a public witness.

OVERSIGHT OF THE FEDERAL BUREAU OF INVESTIGATION

Committee on the Judiciary: Full Committee held a hearing entitled “Oversight of the Federal Bureau of Investigation”. Testimony was heard from James B. Comey, Director, Federal Bureau of Investigation.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Water, Power and Oceans held a hearing on H.R. 3094, the “Gulf States Red Snapper Management Authority Act”. Testimony was heard from Robert Barham, Secretary, Department of Wildlife and Fisheries, State of Louisiana; Alan Risenhoover, Director of the Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration Fisheries; Nick Wiley, Executive Director, Florida Fish and Wildlife Conservation Commission; and public witnesses.

EPA’S 2015 OZONE STANDARD: CONCERNS OVER SCIENCE AND IMPLEMENTATION

Committee on Science, Space, and Technology: Full Committee held a hearing entitled “EPA’s 2015 Ozone Standard: Concerns Over Science and Implementation”. Testimony was heard from Seyed Sadredin, Executive Director and Air Pollution Control Officer, San Joaquin Valley Air Pollution Control District; Michael Honeycutt, Director, Texas Commission on Environmental Quality, Toxicology Division; and public witnesses.

MISCELLANEOUS MEASURE

Committee on Transportation and Infrastructure: Full Committee held a markup on H.R. 3763, the “Surface Transportation Reauthorization and Reform Act of 2015”. H.R. 3763 was ordered reported, as amended.

EVALUATING VA PRIMARY CARE DELIVERY, WORKLOAD, AND COST

Committee on Veterans’ Affairs: Subcommittee on Health held a hearing entitled “Evaluating VA Primary Care Delivery, Workload, and Cost”. Testimony was heard from Randall B. Williamson, Director, Health Care, Government Accountability Office; and Thomas Lynch, M.D., Assistant Deputy Under Secretary for Health Clinical Operations, Veterans Health Administration, Department of Veterans Affairs.

A REVIEW OF VA’S VETSUCCESS ON CAMPUS PROGRAM

Committee on Veterans’ Affairs: Subcommittee on Economic Opportunity held a hearing entitled “A Review of VA’s VetSuccess on Campus Program”. Testimony was heard from Jack Kammerer, Director, Vocational Rehabilitation and Employment Service, Veterans Benefits Administration, Department of Veterans Affairs; and public witnesses.

HEARING 4

Select Committee on Benghazi: Full Committee held a hearing entitled “Hearing 4”, regarding testimony of Secretary of State Hillary Rodham Clinton. Testimony was heard from Former Secretary of State Hillary R. Clinton. A vote to include material in the hearing record failed.

Joint Meetings

No joint committee meetings were held.

**COMMITTEE MEETINGS FOR FRIDAY,
OCTOBER 23, 2015**

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Energy and Commerce, Subcommittee on Health, hearing entitled “Reviewing the Accuracy of Medicaid and Exchange Eligibility Determinations”, 9:00 a.m., 2322 Rayburn.

Subcommittee on Commerce, Manufacturing and Trade, hearing entitled “Fighting Fraud Against the Elderly, an Update”, 9:15 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Capital Markets and Government Sponsored Enterprises, hearing entitled “Oversight of the SEC’s Division of Investment Management”, 9:15 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Terrorism, Nonproliferation, and Trade, hearing entitled “Evaluating the Export-Import Bank in the Global Economy”, 9:30 a.m., 2172 Rayburn.

Next Meeting of the SENATE

3 p.m., Monday, October 26

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, October 23

Senate Chamber

Program for Monday: Senate will be in a period of morning business. At 5 p.m., Senate will begin consideration of the nomination of Lawrence Joseph Vilardo, to be United States District Judge for the Western District of New York, and vote on confirmation of the nomination at 5:30 p.m.

House Chamber

Program for Friday: Consideration of H.R. 3762—Restoring Americans' Healthcare Freedom Reconciliation Act of 2015 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

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