

Daily Digest

HIGHLIGHTS

Senate passed S. 754, Cybersecurity Information Sharing Act, as amended.

Senate

Chamber Action

Routine Proceedings, pages S7497–S7550

Measures Introduced: Five bills were introduced, as follows: S. 2207–2211. **Page S7546**

Measures Reported:

S. 1326, to amend certain maritime programs of the Department of Transportation, with an amendment in the nature of a substitute. (S. Rept. No. 114–158)

S. 1789, to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan. **Page S7545**

Measures Passed:

Cybersecurity Information Sharing Act: By 74 yeas to 21 nays (Vote No. 291), Senate passed S. 754, to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats, and after taking action on the following amendments proposed thereto: **Page S7498**

Adopted:

Burr (for Flake/Franken) Further Modified Amendment No. 2582 (to Amendment No. 2716), to terminate the provisions of the Act after ten years. **Page S7498**

Burr/Feinstein Amendment No. 2749 (to Amendment No. 2716), relating to cybersecurity information sharing. **Page S7521**

Burr/Feinstein Amendment No. 2716, in the nature of a substitute. **Pages S7498, S7521**

Rejected:

By 41 yeas to 55 nays (Vote No. 285), 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. **Pages S7498, S7503–04**

By 47 yeas to 49 nays (Vote No. 286), Burr (for Heller) Modified Amendment No. 2548 (to Amend-

ment No. 2716), to protect information that is reasonably believed to be personal information or information that identifies a specific person. **Pages S7498, S7502–03, S7504–05**

By 37 yeas to 59 nays (Vote No. 287), Feinstein (for Leahy) Modified Amendment No. 2587 (to Amendment No. 2716), to strike the FOIA exemption. **Pages S7498, S7505, S7507–08**

By 35 yeas to 60 nays (Vote No. 288), Feinstein (for Franken) Further Modified Amendment No. 2612 (to Amendment No. 2716), to improve the definitions of cybersecurity threat and cyber threat indicator. **Pages S7509–10**

By 41 yeas to 54 nays (Vote No. 289), Feinstein (for Coons) Further Modified Amendment No. 2552 (to Amendment No. 2716), to modify section 105 to require DHS to review all cyber threat indicators and countermeasures in order to remove certain personal information. **Pages S7498, S7508**

By 22 yeas to 73 nays (Vote No. 290), 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. **Pages S7498, S7511**

Chair sustained a point of order that the following amendments were not germane, and the amendments thus fell:

Feinstein (for Whitehouse/Graham) Modified Amendment No. 2626 (to Amendment No. 2716), to amend title 18, United States Code, to protect Americans from cybercrime. **Pages S7498, S7503–04**

Feinstein (for Mikulski/Cardin) Amendment No. 2557 (to Amendment No. 2716), to provide amounts necessary for accelerated cybersecurity in response to data breaches. **Pages S7498, S7503–04**

A unanimous-consent agreement was reached providing that the motion to invoke cloture on the bill, be withdrawn. **Page S7520**

Messages from the House:	Page S7545
Measures Referred:	Page S7545
Enrolled Bills Presented:	Page S7545
Executive Reports of Committees:	Pages S7545–46
Additional Cosponsors:	Pages S7546–47
Statements on Introduced Bills/Resolutions:	Pages S7547–49
Additional Statements:	Pages S7543–45
Amendments Submitted:	Pages S7549–50
Authorities for Committees to Meet:	Page S7550
Privileges of the Floor:	Page S7550
Record Votes: Seven record votes were taken today. (Total—291)	Pages S7504, S7505, S7508, S7509–10, S7520, S7521, S7522

Adjournment: Senate convened at 10 a.m. and adjourned at 6:23 p.m., until 10 a.m. on Wednesday, October 28, 2015. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S7550.)

Committee Meetings

(Committees not listed did not meet)

U.S. MILITARY STRATEGY IN THE MIDDLE EAST

Committee on Armed Services: Committee concluded a hearing to examine United States military strategy in the Middle East, after receiving testimony from Ash Carter, Secretary, and General Joseph F. Dunford, Jr., USMC, Chairman of the Joint Chiefs of Staff, both of the Department of Defense.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the nomina-

tion of Sarah Elizabeth Feinberg, of West Virginia, to be Administrator of the Federal Railroad Administration, Department of Transportation.

OSM'S PROPOSED STREAM PROTECTION RULE OVERSIGHT

Committee on Energy and Natural Resources: Committee concluded an oversight hearing to examine the Office of Surface Mining, Reclamation, and Enforcement's proposed Stream Protection Rule, after receiving testimony from Janice M. Schneider, Assistant Secretary of the Interior, Land and Minerals Management; Randy C. Huffman, West Virginia Department of Environmental Protection, Charleston; Todd Parfitt, Wyoming Department of Environmental Quality, Cheyenne; and Jim Hecker, Public Justice, and Hal Quinn, National Mining Association, both of Washington, D.C.

INTERNAL REVENUE SERVICE

Committee on Finance: Committee concluded a hearing to examine the Internal Revenue Service's response to Committee recommendations contained in its August 5, 2015 report, after receiving testimony from John A. Koskinen, Commissioner, Internal Revenue Service, Department of the Treasury.

SYRIAN CONFLICT

Committee on Foreign Relations: Committee received a closed briefing on the Administration's response to the Syrian conflict from John F. Kerry, Secretary of State.

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: 8 public bills, H.R. 3834–3841; and 5 resolutions, H. Res. 494, 496–499 were introduced. **Pages H7253–54**

Additional Cosponsors: **Pages H7254–55**

Reports Filed: Reports were filed today as follows:
H.R. 2212, to take certain Federal lands located in Lassen County, California, into trust for the ben-

efit of the Susanville Indian Rancheria, and for other purposes, with an amendment (H. Rept. 114–314); and

H. Res. 495, providing for consideration of the Senate amendment to the bill (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. (H. Rept. 114–315). **Page H7253**

Speaker: Read a letter from the Speaker wherein he appointed Representative Valadao to act as Speaker pro tempore for today. **Page H7191**

Recess: The House recessed at 10:39 a.m. and reconvened at 12 noon. **Page H7196**

Suspension: The House agreed to suspend the rules and pass the following measure:

Surface Transportation Extension Act of 2015: 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. **Pages H7207–14**

Unanimous Consent Agreement: Agreed by unanimous consent that the question of adopting a motion to recommit on H.R. 597 may be subject to postponement as though under clause 8 of rule XX. **Page H7201**

Reform Exports and Expand the American Economy Act: The House passed H.R. 597, to reauthorize the Export-Import Bank of the United States, by a yea-and-nay vote of 313 yeas to 118 nays, Roll No. 576. Consideration began yesterday, October 26th. **Pages H7216–31, H7243–44**

Rejected the Norton motion to recommit the bill to the Committee on Financial Services, by voice vote (the Hensarling request for the yeas and nays was vacated by unanimous consent). **Pages H7229–31**

Pursuant to the Rule, the amendment in the nature of a substitute consisting of the text of H.R. 3611, as introduced, shall be considered as adopted and the bill, as amended, shall be considered as read. **Pages H7217–29**

H. Res. 450, the rule providing for consideration of the bill (H.R. 597) was agreed to by a yea-and-nay vote of 275 yeas to 154 nays, Roll No. 573, after the previous question was ordered by a yea-and-nay vote of 271 yeas to 158 nays, Roll No. 572. **Pages H7216–17**

Retail Investor Protection Act: The House passed H.R. 1090, to amend the Securities Exchange Act of 1934 to provide protections for retail customers, by a yea-and-nay vote of 245 yeas to 186 nays, Roll No. 575. **Pages H7201–07, H7214–16, H7231–43**

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–31 shall be considered as adopted. **Page H7231**

Rejected:

Lynch amendment (No. 1 printed in H. Rept. 114–313) that sought to replace the bill's existing requirement that the Department of Labor (DOL) stop its rulemaking pending a final Securities and Exchange Commission (SEC) rule with a requirement that the SEC revises its own regulations governing

fiduciary duty no later than 60 days after the DOL finalizes its rule and coordinates its rulemaking with the DOL (by a yea-and-nay vote of 184 yeas to 246 nays, Roll No. 574). **Pages H7241–43**

H. Res. 491, the rule providing for consideration of the bill (H.R. 1090) was agreed to by a recorded vote of 244 yeas to 186 nays, Roll No. 571, after the previous question was ordered by a yea-and-nay vote of 242 yeas to 185 nays, Roll No. 570. **Pages H7214–16**

Recess: The House recessed at 7:44 p.m. and reconvened at 12:13 a.m. **Page H7251**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on pages H7200–01.

Quorum Calls—Votes: Six yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H7214–15, H7215–16, H7216, H7216–17, H7242–43, H7243, H7243–44. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 12:14 a.m. on Wednesday, October 28, 2015.

Committee Meetings

PAST, PRESENT, AND FUTURE OF SNAP: BREAKING THE CYCLE

Committee on Agriculture: Subcommittee on Nutrition held a hearing entitled “Past, Present, and Future of SNAP: Breaking the Cycle”. Testimony was heard from public witnesses.

SHORTENING THE DEFENSE ACQUISITION CYCLE

Committee on Armed Services: Full Committee held a hearing entitled “Shortening the Defense Acquisition Cycle”. Testimony was heard from Paul Francis, Managing Director, Acquisition and Sourcing Management, Government Accountability Office; and public witnesses.

GAME CHANGERS—UNDERSEA WARFARE

Committee on Armed Services: Subcommittee on Seapower and Projection Forces held a hearing entitled “Game Changers—Undersea Warfare”. Testimony was heard from public witnesses.

IMPROVING CAREER AND TECHNICAL EDUCATION TO HELP STUDENTS SUCCEED IN THE WORKFORCE

Committee on Education and the Workforce: Subcommittee on Early Childhood, Elementary, and Secondary Education held a hearing entitled “Improving Career and Technical Education to Help Students

Succeed in the Workforce”. Testimony was heard from public witnesses.

COMMON CARRIER REGULATION OF THE INTERNET: INVESTMENT IMPACTS

Committee on Energy and Commerce: Subcommittee on Communications and Technology held a hearing entitled “Common Carrier Regulation of the Internet: Investment Impacts”. Testimony was heard from public witnesses.

E-MANIFEST: AN UPDATE ON IMPLEMENTATION

Committee on Energy and Commerce: Subcommittee on Environment and the Economy held a hearing entitled “E-manifest: An Update on Implementation”. Testimony was heard from Barnes Johnson, Director, Office of Resource Conservation and Recovery, Office of Solid Waste and Emergency Response, Environmental Protection Agency.

THE GLOBAL CRISIS OF RELIGIOUS FREEDOM

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations held a hearing entitled “The Global Crisis of Religious Freedom”. Testimony was heard from David N. Saperstein, Ambassador-at-Large for International Religious Freedom, Department of State; and Robert P. George, Chairman, U.S. Commission on International Religious Freedom.

EXAMINING THE SYRIAN HUMANITARIAN CRISIS FROM THE GROUND, PART II

Committee on Foreign Affairs: Subcommittee on the Middle East and North Africa held a hearing entitled “Examining the Syrian Humanitarian Crisis from the Ground, Part II”. Testimony was heard from Anne C. Richard, Assistant Secretary, Bureau of Population, Refugees, and Migration, Department of State; León Rodríguez, Director, U.S. Citizenship and Immigration Services, Department of Homeland Security; and Thomas Staal, Senior Deputy Assistant Administrator, Bureau for Democracy, Conflict and Humanitarian Assistance, U.S. Agency for International Development.

MISCELLANEOUS MEASURE

Committee on House Administration: Full Committee held a markup on a committee resolution amending Committee regulations to permit officially-sanctioned competitions. The committee resolution amending Committee regulations to permit officially-sanctioned competitions passed.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Full Committee held a markup on H.R. 3279, the “Open Book on Equal Access to Justice Act”; and H.R. 2834, to enact certain laws relating to the environment as title 55, United States Code, “Environment”. H.R. 3279 and H.R. 2834 were ordered reported, without amendment.

VA AND DOD IT: ELECTRONIC HEALTH RECORDS INTEROPERABILITY

Committee on Oversight and Government Reform: Subcommittee on Information Technology; and Subcommittee on Oversight and Investigations of the House Committee on Veterans’ Affairs, held a joint hearing entitled “VA and DoD IT: Electronic Health Records Interoperability”. Testimony was heard from LaVerne Council, Assistant Secretary for Information Technology, Chief Information Officer, Department of Veterans Affairs; Brian P. Burns, Deputy Director, Warfighter Systems Integration, Office of Information Dominance, Department of Veterans Affairs; Christopher A. Miller, Program Executive Officer, Defense Healthcare Management Systems, Department of Defense; David DeVries, Principal Deputy Chief Information Officer, Department of Defense; and Valarie C. Melvin, Director of Information Management and Technology Resources Issues, Government Accountability Office.

ENSURING TAX EXEMPT ORGANIZATIONS THE RIGHT TO APPEAL ACT

Committee on Rules: Full Committee held a hearing on the Senate amendment to H.R. 1314, the “Ensuring Tax Exempt Organizations the Right to Appeal Act” [Bipartisan Budget Agreement of 2015]. The committee granted, by voice vote, a rule that provides for the consideration of the Senate amendment to H.R. 1314. The rule makes in order a motion offered by the Majority Leader or his designee that the House concur in the Senate amendment with the amendment printed in Part A of the Rules Committee report modified by the amendment printed in Part B of the report. The rule waives all points of order against consideration of the motion and provides that the motion is not subject to a demand for division of the question. The rule provides that the Senate amendment and the motion shall be considered as read. The rule provides one hour of debate on the motion equally divided and controlled by the Majority Leader and the Minority Leader or their respective designees. Testimony was heard from Representatives Hastings, Mulvaney, Schweikert, and Clawson of Florida.

**A REVIEW OF PROGRESS BY THE
DEPARTMENT OF HOMELAND SECURITY
(DHS), SCIENCE AND TECHNOLOGY
DIRECTORATE**

Committee on Science, Space, and Technology: Full Committee held a hearing entitled “A Review of Progress by the Department of Homeland Security (DHS), Science and Technology Directorate”. Testimony was heard from Reginald Brothers, Under Secretary, Science and Technology, Department of Homeland Security.

**MAXIMIZING MENTORING: HOW ARE THE
SBA AND DOD MENTOR-PROTÉGÉ
PROGRAMS SERVING SMALL BUSINESSES?**

Committee on Small Business: Subcommittee on Contracting and Workforce held a hearing entitled “Maximizing Mentoring: How are the SBA and DoD Mentor-Protégé Programs Serving Small Businesses?”. Testimony was heard from Kenyatta Wesley, Acting Director, Office of Small Business Programs, Department of Defense; and A. John Shoraka, Associate Administrator of Government Contracting and Business Development, Small Business Administration.

**PREVENTION OF AND RESPONSE TO THE
ARRIVAL OF A DIRTY BOMB AT A U.S.
PORT**

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held a hearing entitled “Prevention of and Response to the Arrival of a Dirty Bomb at a U.S. Port”. Testimony was heard from Rear Admiral Peter J. Brown, Assistant Commandant for Response Policy, United States Coast Guard; Huban Gowadia, Director, Domestic Nuclear Detection Office; Todd Owen, Assistant Commissioner, Office of Field Operations, Customs and Border Protection; David C. Maurer, Director, Justice and Law Enforcement Issues, Homeland Security and Justice Team, Government Accountability Office; Gregory H. Canavan, Senior Fellow, Los Alamos National Laboratories; Charles A. (Gus) Potter, Distinguished Member of the Technical Staff, Sandia National Laboratories; and public witnesses.

Joint Meetings

No joint committee meetings were held.

**COMMITTEE MEETINGS FOR WEDNESDAY,
OCTOBER 28, 2015**

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, to hold hearings to examine unmanned aircraft systems and the steps being taken to successfully integrate this technology into our National Airspace System, 10 a.m., SD–192.

Subcommittee on Energy and Water Development, to hold hearings to examine realizing the potential of the Department of Energy national laboratories, 2:30 p.m., SD–138.

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Financial Institutions and Consumer Protection, to hold hearings to examine the state of rural banking, focusing on challenges and consequences, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: to hold hearings to examine the nomination of Jessica Rosenworcel, of the District of Columbia, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2015, 10 a.m., SR–253.

Committee on Foreign Relations: to hold hearings to examine the United States role and strategy in the Middle East, 9:30 a.m., SD–419.

Full Committee, to hold hearings to examine the nominations of Peter William Bodde, of Maryland, to be Ambassador to Libya, Marc Jonathan Sievers, of Maryland, to be Ambassador to the Sultanate of Oman, Elisabeth I. Millard, of Virginia, to be Ambassador to the Republic of Tajikistan, and Kenneth Damian Ward, of Virginia, for the rank of Ambassador during his tenure of service as United States Representative to the Organization for the Prohibition of Chemical Weapons, all of the Department of State, and John Morton, of Massachusetts, to be Executive Vice President of the Overseas Private Investment Corporation, 3:30 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: Subcommittee on Primary Health and Retirement Security, to hold hearings to examine retirement plan options for small businesses, 2:30 p.m., SH–216.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the state of our nation's bio-defense, 2:30 p.m., SD–342.

Committee on Veterans' Affairs: to hold hearings to examine Department of Veterans Affairs mental health, focusing on ensuring access to care, 2:30 p.m., SR–418.

House

Committee on Agriculture, Full Committee, hearing entitled “Big Data and Agriculture: Innovation and Implications”, 10 a.m., 1300 Longworth.

Committee on Armed Services, Subcommittee on Military Personnel, hearing entitled “Transition Assistance Program—A Unity of Effort”, 2 p.m., 2212 Rayburn.

Subcommittee on Oversight and Investigation, hearing entitled “Assessing DOD’s Assured Access to Micro-Electronics in Support of U.S. National Security Requirements”, 3:30 p.m., 2118 Rayburn.

Committee on the Budget, Full Committee, hearing entitled “Restoring the Trust for America’s Most Vulnerable”, 10 a.m., 210 Cannon.

Committee on Education and the Workforce, Full Committee, markup on H.R. 3459, the “Protecting Local Business Opportunity Act”, 10 a.m., HVC–210.

Committee on Energy and Commerce, Subcommittee on Communications and Technology, hearing entitled “Breaking Down Barriers to Broadband Infrastructure Deployment”, 10 a.m., 2123 Rayburn.

Subcommittee on Environment and the Economy, hearing entitled “Update on Low-Level Radioactive Waste Disposal Issues”; markup on S. 611, the “Grassroots Rural and Small Community Water Systems Assistance Act”, 10:15 a.m., 2322 Rayburn.

Committee on Homeland Security, Subcommittee on Counterterrorism and Intelligence, hearing entitled “Terror Inmates: Countering Violent Extremism in Prison and Beyond”, 10 a.m., 311 Cannon.

Committee on Natural Resources, Subcommittee on Federal Lands, hearing on a discussion draft of the “Federal Lands Recreation Enhancement Modernization Act”, 10 a.m., 1324 Longworth.

Subcommittee on Indian, Insular and Alaska Native Affairs, hearing on H.R. 3764, the “Tribal Recognition Act of 2015”, 2 p.m., 1334 Longworth.

Subcommittee on Water, Power and Oceans, hearing on H.R. 1219, the “Arbuckle Project Maintenance Complex and District Office Conveyance Act of 2015”; H.R. 1296, to amend the San Luis Rey Indian Water Rights Settlement Act to clarify certain settlement terms, and for other purposes; and H.R. 3062, the “Assuring Private Property Rights Over Vast Access to Land (APPROVAL) Act”, 2:30 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on National Security, hearing entitled “Radicalization: Social Media and the Rise of Terrorism”, 10 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Subcommittee on Research and Technology, hearing entitled “A Review of the Networking and Information Technology Research and Development (NITRD) Program”, 10 a.m., 2318 Rayburn.

Next Meeting of the SENATE

10 a.m., Wednesday, October 28

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, October 28

Senate Chamber

Program for Wednesday: Senate will be in a period of morning business until 12 noon.

House Chamber

Program for Wednesday: Consideration of the Senate amendment to H.R. 1314—Trade Act of 2015 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

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