

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S5301–S5420

Measures Introduced: Nine bills were introduced, as follows: S. 3290–3298. **Pages S5368–69**

Measures Considered:

Water Resources Development Act—Agreement: Senate began consideration of S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, after agreeing to the motion to proceed, withdrawing the committee reported amendments, and taking action on the following amendments proposed thereto:

Pages S5324–61

Pending:

McConnell (for Inhofe) Amendment No. 4979, in the nature of a substitute. **Page S5356**

Inhofe Amendment No. 4980 (to Amendment No. 4979), to make a technical correction.

Pages S5356–57

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 9:30 a.m., on Thursday, September 8, 2016. **Page S5420**

Moment of Silence—Agreement: A unanimous-consent agreement was reached providing that at approximately 9:30 a.m., on Thursday, September 8, 2016, Senate observe a moment of silence in remembrance of the lives lost in the attacks of September 11, 2001. **Page S5420**

Messages from the House: **Page S5368**

Measures Referred: **Page S5368**

Measures Placed on the Calendar: **Page S5368**

Measures Read the First Time: **Page S5368**

Additional Cosponsors: **Pages S5369–70**

Statements on Introduced Bills/Resolutions: **Pages S5370–73**

Additional Statements: **Pages S5365–68**

Amendments Submitted: **Pages S5373–S5420**

Authorities for Committees to Meet: **Page S5420**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:53 p.m., until 9:30 a.m. on Thursday, September 8, 2016. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5420.)

Committee Meetings

(Committees not listed did not meet)

COMPREHENSIVE NUCLEAR TEST-BAN TREATY

Committee on Foreign Relations: Committee concluded a hearing to examine the Administration's proposal for a United Nations resolution on the Comprehensive Nuclear Test-Ban Treaty, after receiving testimony from Stephen G. Rademaker, The Podesta Group, and Michael Krepon, The Stimson Center, both of Washington, D.C.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following business items:

S. 2711, to expand opportunity for Native American children through additional options in education, with an amendment in the nature of a substitute;

S. 2959, to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund, with an amendment; and

S. Con. Res. 49, supporting efforts to stop the theft, illegal possession or sale, transfer, and export of tribal cultural items of Indians, Alaska Natives, and Native Hawaiians in the United States and internationally, with an amendment.

INDIAN AFFAIRS LEGISLATION

Committee on Indian Affairs: Committee concluded a hearing to examine S. 2285, to provide for the recognition of the Lumbee Tribe of North Carolina, S. 3234, to amend the Native American Business Development, Trade Promotion, and Tourism Act of 2000, the Buy Indian Act, the Indian Trader Act, and the Native American Programs Act of 1974 to

provide industry and economic development opportunities to Indian communities, S. 3261, to establish a business incubators program within the Department of the Interior to promote economic development in Indian reservation communities, and H.R. 4685, to take certain Federal lands located in Tulare County, California, into trust for the benefit of the Tule River Indian Tribe, after receiving testimony from Cheryl Andrews-Maltais, Senior Policy Advisor, Assistant Secretary—Indian Affairs, Department of the Interior; Harvey J. Godwin Jr., Lumbee Tribe of North Carolina, Pembroke; Kenneth McDarmont, Tule River Tribe of California, Porterville; and Derrick Watchman, The National Center for American Indian Enterprise Development, Mesa, Arizona.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Walter David Counts, III, to be United States District Judge for the Western District of Texas, Karen Gren Scholer, to be United States District Judge for the Eastern District of Texas, and E. Scott Frost, James Wesley Hendrix, and Irma Carrillo Ramirez, each to be a

United States District Judge for the Northern District of Texas, after the nominees testified and answered questions in their own behalf.

VETERANS HEALTH ADMINISTRATION

Committee on Veterans' Affairs: Committee concluded a hearing to examine Veterans Health Administration best practices, focusing on exploring the Diffusion of Excellence initiative, after receiving testimony from Carolyn Clancy, Deputy Under Secretary of Veterans Affairs for Organizational Excellence, Veterans Health Administration.

SECURING AMERICA'S RETIREMENT FUTURE

Special Committee on Aging: Committee concluded a hearing to examine securing America's retirement future, focusing on the Bipartisan Policy Center's recommendations to boost savings, after receiving testimony from former Senator Kent Conrad, and James B. Lockhart III, both of the Bipartisan Policy Center Commission on Retirement Security and Personal Savings, Washington, D.C.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 11 public bills, H.R. 5942–5950; and 2 resolutions, H. Res. 847–848, were introduced. **Page H5161**

Additional Cosponsors: **Pages H5162–63**

Report Filed: A report was filed today as follows:

H.R. 5178, to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide educational and vocational counseling for veterans on campuses of institutions of higher learning, and for other purposes, with an amendment (H. Rept. 114–727). **Page H5161**

Speaker: Read a letter from the Speaker wherein he appointed Representative Valadao to act as Speaker pro tempore for today. **Page H5099**

Recess: The House recessed at 11:07 a.m. and reconvened at 12 noon. **Pages H5106–07**

Guest Chaplain: The prayer was offered by the Guest Chaplain, Rev. Marvin Jacobo, City Ministry Network, Modesto, CA. **Page H5107**

Stop Settlement Slush Funds Act of 2016: The House passed H.R. 5063, to limit donations made pursuant to settlement agreements to which the

United States is a party, by a recorded vote of 241 ayes to 174 noes, Roll No. 488. **Pages H5119–36**

Rejected the Meng motion to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 181 ayes to 234 noes, Roll No. 487. **Pages H5134–35**

Pursuant to the Rule, the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment under the five-minute rule. **Page H5124**

Agreed to:

Price (GA) amendment (No. 6 printed in H. Rept. 114–724) that requires the head of each Federal agency to electronically submit a report to the Congressional Budget Office on each settlement agreement entered into pursuant to this bill; and

Pages H5130–31

Price (GA) amendment (No. 7 printed in H. Rept. 114–724) that requires each agency's Inspector General to report annually to the House and Senate Committees on the Budget, the Judiciary, and Appropriations on any settlement agreement entered into by an during the previous year that are in violation of section 2. **Page H5131**

Rejected:

Jackson Lee amendment (No. 3 printed in H. Rept. 114–724) that sought to exempt settlement agreements that pertain to providing restitution for a State;

Pages H5126–27

Conyers amendment (No. 1 printed in H. Rept. 114–724) that sought to exempt from the bill any settlement pertaining to discrimination based on race, religion, national origin, or any other protected category (by a recorded vote of 178 ayes to 234 noes, Roll No. 483);

Pages H5125, H5131–32

Cicilline amendment (No. 2 printed in H. Rept. 114–724) that sought to exempt settlement agreements that strengthen the personal privacy of Americans from the blanket prohibition in this legislation (by a recorded vote of 175 ayes to 236 noes, Roll No. 484);

Pages H5125–26, H5132–33

Jackson Lee amendment (No. 4 printed in H. Rept. 114–724) that sought to exempt settlement agreements that resolves a civil action or potential civil action in relation to sexual harassment, violence, or discrimination in the work place (by a recorded vote of 178 ayes to 235 noes, Roll No. 485); and

Pages H5128–29, H5133

Gosar amendment (No. 5 printed in H. Rept. 114–724) that sought to cap settlement payments for attorney fees provided in relation to environmental cases at \$125 per hour (by a recorded vote of 155 ayes to 262 noes, Roll No. 486).

Pages H5129–30, H5133–34

H. Res. 843, the rule providing for consideration of the bill (H.R. 5063) was agreed to by a recorded vote of 231 ayes to 178 noes, Roll No. 482, after the previous question was ordered by a yea-and-nay vote of 231 yeas to 177 nays, Roll No. 481.

Pages H5117–19

Authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run: The House agreed to take from the Speaker's table and agree to H. Con. Res. 131, authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run.

Page H5119

Unanimous Consent Agreement: Agreed by unanimous consent that it be in order at any time on the legislative day of September 9, 2016, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1 of rule 15, relating to the bill (S. 2040) to deter terrorism, and provide justice for victims.

Page H5136

North American Energy Security and Infrastructure Act of 2016—Change in Conferees: The Chair appointed the following conferee on S. 2012, to provide for the modernization of the energy policy of the United States, to fill the vacancy caused by

the resignation of Representative Whitfield: Representative Kinzinger (IL).

Page H5136

Suspensions: The House agreed to suspend the rules and pass the following measures:

Recognizing the importance of the United States-Republic of Korea-Japan trilateral relationship to counter North Korean threats and nuclear proliferation, and to ensure regional security and human rights: H. Res. 634, amended, recognizing the importance of the United States-Republic of Korea-Japan trilateral relationship to counter North Korean threats and nuclear proliferation, and to ensure regional security and human rights;

Pages H5139–42

Education for All Act of 2016: H.R. 4481, amended, to amend the Foreign Assistance Act of 1961 to provide assistance for developing countries to promote quality basic education and to establish the goal of all children in school and learning as an objective of the United States foreign assistance policy;

Pages H5142–46

Digital Global Access Policy Act of 2016: H.R. 5537, amended, to promote internet access in developing countries and update foreign policy toward the internet; and

Pages H5146–49

African Growth and Opportunity Act Enhancement Act: H.R. 2845, amended, to promote access to benefits under the African Growth and Opportunity Act.

Pages H5149–53

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed.

Expressing the sense of the House of Representatives to support the territorial integrity of Georgia: H. Res. 660, expressing the sense of the House of Representatives to support the territorial integrity of Georgia.

Pages H5136–39

John F. Kennedy Centennial Commission—Appointment: Read a letter from Representative Pelosi, Minority Leader, in which she appointed the following Member to the John F. Kennedy Centennial Commission: Representative Kennedy.

Page H5153

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H5112.

Quorum Calls—Votes: One yea-and-nay vote and seven recorded votes developed during the proceedings of today and appear on pages H5117–18, H5118–19, H5131–32, H5132, H5133, H5133–34, H5135, and H5135–36. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:37 p.m.

Committee Meetings

DEFERRED MAINTENANCE IN THE NUCLEAR SECURITY ENTERPRISE: SAFETY AND MISSION RISKS

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing entitled “Deferred Maintenance in the Nuclear Security Enterprise: Safety and Mission Risks”. Testimony was heard from Frank Klotz, Administrator, National Nuclear Security Administration; James McConnell, Associate Administrator for Safety, Infrastructure, and Operations, National Nuclear Security Administration; and public witnesses.

CENTER FOR MEDICARE AND MEDICAID INNOVATION: SCORING ASSUMPTIONS AND REAL-WORLD IMPLICATIONS

Committee on the Budget: Full Committee held a hearing entitled “Center for Medicare and Medicaid Innovation: Scoring Assumptions and Real-World Implications”. Testimony was heard from Mark Hadley, Deputy Director, Congressional Budget Office; and public witnesses.

FEDERAL POWER ACT: HISTORICAL PERSPECTIVES

Committee on Energy and Commerce: Subcommittee on Energy and Power held a hearing entitled “Federal Power Act: Historical Perspectives”. Testimony was heard from public witnesses.

FEDERAL RESERVE DISTRICTS: GOVERNANCE, MONETARY POLICY, AND ECONOMIC PERFORMANCE

Committee on Financial Services: Subcommittee on Monetary Policy and Trade held a hearing entitled “Federal Reserve Districts: Governance, Monetary Policy, and Economic Performance”. Testimony was heard from Jeffrey M. Lacker, President and Chief Executive Officer, Federal Reserve Bank of Richmond; Esther L. George, President and Chief Executive Officer, Federal Reserve Bank of Kansas City; and public witnesses.

THE GROWING CRISIS IN SOUTH SUDAN

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations held a hearing entitled “The Growing Crisis in South Sudan”. Testimony was heard from Donald Booth, Special Envoy to Sudan and South Sudan, Department of State; and public witnesses.

OVERSIGHT OF THE JUDGMENT FUND: IRAN, BIG SETTLEMENTS, AND THE LACK OF TRANSPARENCY

Committee on the Judiciary: Subcommittee on the Constitution and Civil Justice held a hearing entitled “Oversight of the Judgment Fund: Iran, Big Settlements, and the Lack of Transparency”. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Full Committee began a markup on H.R. 3764, the “Tribal Recognition Act of 2015”; H.R. 4564, the “Robert Emmet Park Act of 2016”; H.R. 5032, to allow certain property in the town of Louisa, Virginia, to be used for purposes related to compliance with water quality standards, and for other purposes; and H.R. 5259, the “Certainty for States and Tribes Act”.

OVERSIGHT OF THE DEPARTMENT OF DEFENSE OFFICE OF INSPECTOR GENERAL’S MILITARY WHISTLEBLOWER REPRISAL INVESTIGATIONS

Committee on Oversight and Government Reform: Subcommittee on National Security held a hearing entitled “Oversight of the Department of Defense Office of Inspector General’s Military Whistleblower Reprisal Investigations”. Testimony was heard from Representative Zinke; Glenn Fine, Principal Deputy Inspector General, Department of Defense; Lori Atkinson, Assistant Director, Defense Capabilities and Management, Government Accountability Office; and a public witness.

COMMERCIAL REMOTE SENSING: FACILITATING INNOVATION AND LEADERSHIP

Committee on Science, Space, and Technology: Subcommittee on Space held a hearing entitled “Commercial Remote Sensing: Facilitating Innovation and Leadership”. Testimony was heard from public witnesses.

ENSURING OPPORTUNITIES: OVERSIGHT OF THE HUBZONE PROGRAM

Committee on Small Business: Full Committee held a hearing entitled “Ensuring Opportunities: Oversight of the HUBZone Program”. Testimony was heard from William B. Shear, Director, Financial Markets and Community Investment, Government Accountability Office; and John Shoraka, Associate Administrator, Office of Government Contracts and Business Development, Small Business Administration.

FEDERAL MARITIME NAVIGATION PROGRAMS: INTERAGENCY COOPERATION AND TECHNOLOGICAL CHANGE

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation; and Subcommittee on Water Resources and Environment, held a joint hearing entitled “Federal Maritime Navigation Programs: Interagency Cooperation and Technological Change”. Testimony was heard from Rear Admiral Paul F. Thomas, Assistant Commandant for Prevention Policy, U.S. Coast Guard; Rear Admiral Shephard Smith, Director, Office of Coast Survey, National Oceanic and Atmospheric Administration; and Edward E. Belk, Jr., Chief, Operations and Regulatory Division, U.S. Army Corps of Engineers.

BUSINESS MEETING; FROM TUMULT TO TRANSFORMATION: THE COMMISSION ON CARE AND THE FUTURE OF THE VA HEALTHCARE SYSTEM

Committee on Veterans' Affairs: Full Committee held a business meeting on possible motions to subpoena information from the U.S. Department of Veterans Affairs; and hearing entitled “From Tumult to Transformation: The Commission on Care and the Future of the VA Healthcare System”. Testimony was heard from Nancy Schlichting, Chairperson, Commission on Care; and Delos M. (Toby) Cosgrove, M.D., Vice Chairperson, Commission on Care.

UNEMPLOYMENT INSURANCE: AN OVERVIEW OF THE CHALLENGES AND STRENGTHS OF TODAY'S SYSTEM

Committee on Ways and Means: Subcommittee on Human Resources held a hearing entitled “Unemployment Insurance: An Overview of the Challenges and Strengths of Today's System”. Testimony was heard from Cissy Proctor, Executive Director, Florida Department of Economic Opportunity; Michelle Beebe, Director, Unemployment Insurance, Utah Department of Workforce Services; and public witnesses.

THE EVOLUTION OF QUALITY IN MEDICARE PART A

Committee on Ways and Means: Subcommittee on Health held a hearing entitled “The Evolution of Quality in Medicare Part A”. Testimony was heard from public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, SEPTEMBER 8, 2016

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Foreign Relations: to hold hearings to examine Pakistan, focusing on challenges for United States interests, 10 a.m., SD-419.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Regulatory Affairs and Federal Management, to hold hearings to examine reviewing independent agency rulemaking, 10 a.m., SD-342.

Committee on the Judiciary: business meeting to consider S. 2763, to provide the victims of Holocaust-era persecution and their heirs a fair opportunity to recover works of art confiscated or misappropriated by the Nazis, S. 3155, to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title, S. 3270, to prevent elder abuse and exploitation and improve the justice system's response to victims in elder abuse and exploitation cases, and the nominations of Danny C. Reeves, of Kentucky, and Charles R. Breyer, of California, both to be a Member of the United States Sentencing Commission, Kathleen Marie Sweet, to be United States District Judge for the Western District of New York, Lucy Haeran Koh, of California, to be United States Circuit Judge for the Ninth Circuit, and Florence Y. Pan, to be United States District Judge for the District of Columbia, Time to be announced, S-216, Capitol.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters, 2 p.m., SH-219.

House

Committee on Armed Services, Subcommittee on Military Personnel, hearing entitled “Views on H.R. 4298: Vietnam Helicopter Crew Memorial Act and H.R. 5458: Veteran's TRICARE Choice Act”, 3:30 p.m., 2118 Rayburn.

Committee on Energy and Commerce, Subcommittee on Health, hearing entitled “Examining Legislation to Improve Public Health”, 10 a.m., 2322 Rayburn.

Subcommittee on Communications and Technology, hearing entitled “Rural Call Quality and Reliability”, 2 p.m., 2322 Rayburn.

Committee on Financial Services, Subcommittee on Oversight and Investigations, hearing entitled “Fueling Terror: The Dangers of Ransom Payments to Iran”, 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Full Committee, hearing entitled “Reforming the National Security Council: Efficiency and Accountability”, 10 a.m., 2172 Rayburn.

Subcommittee on the Middle East and North Africa; and the Subcommittee on Energy of the House Committee on Science, Space, and Technology, joint hearing entitled “Eastern Mediterranean Energy: Challenges and Opportunities for U.S. Regional Priorities”, 2 p.m., 2172 Rayburn.

Subcommittee on Asia and the Pacific, hearing entitled “Asia's Growing Hunger for Energy: U.S. Policy and Supply Opportunities”, 3 p.m., 2255 Rayburn.

Committee on Homeland Security, Subcommittee on Counterterrorism and Intelligence, hearing entitled “State and Local Perspectives on Federal Information Sharing”, 10 a.m., 311 Cannon.

Committee on the Judiciary, Full Committee, markup on H.R. 3438, the “Require Evaluation before Implementing Executive Wishlists Act of 2015”, 10 a.m., 2237 Rayburn.

Committee on Natural Resources, Full Committee, markup on H.R. 3764, the “Tribal Recognition Act of 2015”; H.R. 4564, the “Robert Emmet Park Act of 2016”; H.R. 5032, to allow certain property in the town of Louisa, Virginia, to be used for purposes related to compliance with water quality standards, and for other purposes; and H.R. 5259, the “Certainty for States and Tribes Act” (continued), 11 a.m., 2167 Rayburn.

Committee on Oversight and Government Reform, Full Committee, hearing entitled “Examining FOIA Compliance at the Department of State”, 10 a.m., 2154 Rayburn.

Committee on Small Business, Subcommittee on Economic Growth, Tax and Capital Access, hearing entitled “Strug-

gling to Grow: Assessing the Challenges for Small Businesses in Rural America”, 10 a.m., 2360 Rayburn.

Committee on Ways and Means, Full Committee, markup on a bill to amend title XVIII of the Social Security Act to establish a demonstration program to provide integrated care for Medicare beneficiaries with end-stage renal disease, and for other purposes; and H.R. 954, to amend the Internal Revenue Code of 1986 to exempt from the individual mandate certain individuals who had coverage under a terminated qualified health plan funded through the Consumer Operated and Oriented Plan (CO-OP) program, 10 a.m., 1100 Longworth.

Joint Meetings

Joint Economic Committee: to hold hearings to examine Federal debt, focusing on direction, drivers, and dangers, 9:30 a.m., SH-216.

Conference: meeting of conferees on S. 2012, to provide for the modernization of the energy policy of the United States, 9:30 a.m., SD-106.

Next Meeting of the SENATE

9:30 a.m., Thursday, September 8

Senate Chamber

Program for Thursday: Senate will continue consideration of S. 2848, Water Resources Development Act.

(At 9:30 a.m., Senate will observe a moment of silence in remembrance of the lives lost in the attacks of September 11, 2001.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, September 8

House Chamber

Program for Thursday: Consideration of H.R. 2357—Accelerating Access to Capital Act of 2016 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

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