

Tuesday, January 10, 2017

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S181–S221

Measures Introduced: Eighteen bills and three resolutions were introduced, as follows: S. 76–93, and S. Res. 9–11. **Pages S204–05**

Measures Considered:

Budget Resolution—Agreement: Senate continued 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, taking action on the following amendments proposed thereto:

Pages S184–87, S187–99, S220

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

By 31 yeas to 67 nays (Vote No. 5), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected the motion to waive all applicable sections of the Congressional Budget Act of 1974, and applicable budget resolutions, with respect to Enzi (for Flake) Amendment No. 52, to strengthen Social Security and Medicare, to reform Medicaid without prioritizing able-bodied adults over the disabled, and to return regulation of insurance to State governments. Subsequently, the point of order that the amendment was in violation of Section 305(b)(2) of the Congressional Budget Act of 1974 was sustained, and thus the amendment fell. **Page S191**

By 49 yeas to 49 nays (Vote No. 6), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected the motion to waive all applicable sections of the Congressional Budget Act of 1974 with respect to Sanders Amendment No. 19, relative to Social Security, Medicare, and Medicaid. Subsequently, the point of order that the amendment was in violation of Section 305(b)(2) of the Congressional Budget Act of 1974 was sustained, and thus the amendment fell. **Page S191**

A unanimous-consent-time agreement was reached providing for further consideration of the concurrent resolution at approximately 12 noon, on Wednesday, January 11, 2017, with three hours of debate re-

maining on the resolution for the majority, and three hours for the minority. **Page S220**

Messages from the House: **Page S200**

Measures Referred: **Page S200**

Executive Communications: **Pages S200–04**

Additional Cosponsors: **Pages S205–06**

Statements on Introduced Bills/Resolutions: **Pages S206–08**

Amendments Submitted: **Pages S209–11**

Authorities for Committees to Meet: **Page S220**

Privileges of the Floor: **Page S220**

Record Votes: Two record votes were taken today. (Total—6) **Page S191**

Adjournment: Senate convened at 12 noon and adjourned at 6:30 p.m., until 12 noon on Wednesday, January 11, 2017. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S. 220)

Committee Meetings

(Committees not listed did not meet)

CIVILIAN CONTROL OF THE ARMED FORCES

Committee on Armed Services: Committee concluded a hearing to examine civilian control of the Armed Forces, after receiving testimony from Eliot A. Cohen, Johns Hopkins School of Advanced International Studies, and Kathleen H. Hicks, Center for Strategic and International Studies International Security Program, both of Washington, D.C.

ONLINE SEX TRAFFICKING

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations concluded a hearing to examine Backpage.com's facilitation of online sex trafficking, after receiving testimony from Carl Ferrer, Michael Lacey, James Larkin, Elizabeth McDougall, and Andrew Padilla, all of Backpage.com, Dallas, Texas, and other public witnesses.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of General John F. Kelly, USMC (Ret.), to be Secretary of Homeland Security, after the nominee, who was introduced by Senators Carper and McCain, testified and answered questions in his own behalf.

NOMINATION

Committee on the Judiciary: Committee began hearings to examine the nomination of Jeff Sessions, of Alabama, to be Attorney General, Department of Justice, after the nominee, who was introduced by Senators Shelby and Collins, testified and answered questions in his own behalf, but did not complete action thereon.

Hearings recessed subject to the call and will meet again at 9:30 a.m., on Wednesday, January 11, 2017.

RUSSIAN INTELLIGENCE ACTIVITIES

Select Committee on Intelligence: Committee concluded a hearing to examine Russian activities and intentions in recent United States elections, after receiving testimony from James Clapper, Director of National Intelligence; John Brennan, Director, Central Intelligence Agency; Admiral Michael Rogers, USN, Director, National Security Agency, Department of Defense; and James Comey, Director, Federal Bureau of Investigation, Department of Justice.

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: 43 public bills, H.R. 388–430; and 8 resolutions, H.J. Res. 26; and H. Res. 36–39, 41–43, were introduced.

Pages H297–99

Additional Cosponsors:

Pages H300–01

Report Filed: A report was filed today as follows:

H. Res. 40, providing for consideration of the bill (H.R. 78) to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders; providing for consideration of the bill (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, to help keep consumer costs low, and for other purposes; and for other purposes (H. Rept. 115–3).

Page H297

Speaker: Read a letter from the Speaker wherein he appointed Representative Webster (FL) to act as Speaker pro tempore for today.

Page H239

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

Page H245

Journal: The House agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 248 yeas to 162 nays with 3 answering "present", Roll No. 28.

Pages H245, H258

Administration of the Oath of Office: Representative-elect Schrader presented himself in the well of the House and was administered the oath of office by the Speaker.

Pages H245–46

Whole Number of the House: Under clause 5(d) of Rule 20, the Chair announced to the House that, in light of the administration of the oath of office to the Member-elect, the whole number of the House is 435.

Page H246

Committee Elections: The House agreed to H. Res. 36, electing Members to certain standing committees of the House of Representatives.

Page H249

Privileged Resolution: The House agreed to H. Res. 37, providing for the attendance of the House at the Inaugural Ceremonies of the President and Vice President of the United States.

Page H249

Committee Election: The House agreed to H. Res. 39, electing a Member to a certain standing committee of the House of Representatives.

Page H259

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

Energy Efficient Government Technology Act: H.R. 306, to amend the Energy Independence and

Security Act of 2007 to promote energy efficiency via information and computing technologies;

Pages H266–68

Small Business Broadband Deployment Act: H.R. 288, to ensure that small business providers of broadband Internet access service can devote resources to broadband deployment rather than compliance with cumbersome regulatory requirements;

Pages H268–70

Inspiring the Next Space Pioneers, Innovators, Researchers, and Explorers (INSPIRE) Women Act: H.R. 321, to inspire women to enter the aerospace field, including science, technology, engineering, and mathematics, through mentorship and outreach;

Pages H270–73

Promoting Women in Entrepreneurship Act: H.R. 255, to authorize the National Science Foundation to support entrepreneurial programs for women;

Pages H273–75

Support for Rapid Innovation Act of 2017: H.R. 239, amended, to amend the Homeland Security Act of 2002 to provide for innovative research and development;

Pages H275–77

Leveraging Emerging Technologies Act of 2017: H.R. 240, amended, to encourage engagement between the Department of Homeland Security and technology innovators; and

Pages H277–79

Modernizing Government Travel Act: H.R. 274, amended, to provide for reimbursement for the use of modern travel services by Federal employees traveling on official Government business. Pages H279–80

Recess: The House recessed at 4:50 p.m. and reconvened at 5:20 p.m.

Page H280

Helping Angels Lead Our Startups Act: The House passed H.R. 79, to clarify the definition of general solicitation under Federal securities law, by a yea-and-nay vote of 344 yeas to 73 nays, Roll No. 31.

Pages H259–66, H280–83

Rejected:

Velázquez amendment (No. 1 printed in part B of H. Rept. 115–2) that sought to require the event sponsor to provide attendees with a written disclosure outlining the nature of the event and the risks of investing in the securities for sale; would also clarify that attendance at an event does not in itself establish a pre-existing relationship for purposes of Rule 506(b) (by a recorded vote of 167 ayes to 249 noes, Roll No. 29); and

Pages H264–65, H280–81

Clay amendment (No. 2 printed in part B of H. Rept. 115–2) that sought to limit the types of fees “demo day” sponsors can collect and requires an

issuer to be a real business (by a recorded vote of 163 ayes to 253 noes, Roll No. 30).

Pages H265–66, H281–82

H. Res. 33, the rule providing for consideration of the bills (H.R. 5) and (H.R. 79) was agreed to by a recorded vote of 233 ayes to 183 noes, Roll No. 27, after the previous question was ordered by a yea-and-nay vote of 234 yeas to 179 nays, Roll No. 26.

Pages H249–58

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

Tested Ability to Leverage Exceptional National Talent Act of 2017: H.R. 39, to amend title 5, United States Code, to codify the Presidential Innovation Fellows Program.

Pages H283–85

Quorum Calls—Votes: Three yea-and-nay votes and three recorded votes developed during the proceedings of today and appear on pages H259, H257–58, H258, H281, H281–82, and H282–83. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:20 p.m.

Committee Meetings

SEC REGULATORY ACCOUNTABILITY ACT; COMMODITY END-USER RELIEF ACT

Committee on Rules: Full Committee held a hearing on H.R. 78, the “SEC Regulatory Accountability Act”; and H.R. 238, the “Commodity End-User Relief Act”. The committee granted, by voice vote, a structured rule for H.R. 78. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services or their respective designees. 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 makes in order only those amendments printed in part A of the Rules Committee report. Each such amendment may be offered 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, 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 amendments printed in part A of the report. The rule provides one motion to recommit with or without instructions. Additionally, the rule grants a structured rule for H.R. 238. The rule provides one hour of general debate equally divided

and controlled by the Majority Leader and the Minority Leader or their respective designees. The rule waives all points of order against consideration of the bill. The rule makes in order as original text for the purpose of amendment an amendment in the nature of a substitute consisting of the text of the Rules Committee Print 115–2, and provides that it shall be considered as read. The rule waives all points of order against that amendment in the nature of a substitute. The rule makes in order only those amendments printed in part B of the Rules Committee report. Each such amendment may be offered 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, 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 amendments printed in part B of the report. The rule provides one motion to recommit with or without instructions. In section 3, the rule provides that on any legislative day during the period from January 16, 2017, through January 20, 2017: the Journal of the proceedings of the previous day shall be considered as approved; and the Chair may at any time declare the House adjourned to meet at a date and time to be announced by the Chair in declaring the adjournment. In section 4, the rule provides that the Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 3. In section 5, the rule provides that it shall be in order at any time on the legislative day of January 13, 2017, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV, and that the Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section. Testimony was heard from Chairman Conaway and Representatives Wagner and Lucas.

ORGANIZATIONAL MEETING; BUSINESS MEETING

Permanent Select Committee on Intelligence: Full Committee held an organizational meeting for the 115th Congress; and a business meeting to consider an ac-

cess request. The committee adopted its rules for the 115th Congress. A motion, pursuant to Committee Rule 14(i), that the Committee call to the attention of the House the Classified Intelligence Community Assessment Regarding Russian Activities and Intentions in the Recent U.S. Election passed. This meeting was closed.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D10)

S. 3084, to invest in innovation through research and development, and to improve the competitiveness of the United States. Signed on January 6, 2017. (Public Law 114–329)

COMMITTEE MEETINGS FOR WEDNESDAY, JANUARY 11, 2017

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Commerce, Science, and Transportation: to hold hearings to examine the nomination of Elaine L. Chao, to be Secretary of Transportation, 10:15 a.m., SD–G50.

Committee on Foreign Relations: to hold hearings to examine the nomination of Rex Wayne Tillerson, of Texas, to be Secretary of State, 9 a.m., SD–106.

Full Committee, business meeting to consider 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, and protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro (Treaty Doc. 114–12), 6 p.m., S–216, Capitol.

Committee on the Judiciary: to continue hearings to examine the nomination of Jeff Sessions, of Alabama, to be Attorney General, Department of Justice, 9:30 a.m., SR–325.

House

Committee on House Administration: Full Committee, organizational meeting for the 115th Congress, 11 a.m., 1310 Longworth.

Next Meeting of the SENATE

12 noon, Wednesday, January 11

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, January 11

Senate Chamber

Program for Wednesday: Senate will continue consideration of S. Con. Res. 3, Budget Resolution. Senate expects to begin votes on or in relation to amendments to the concurrent resolution at approximately 6 p.m.

House Chamber

Program for Wednesday: Consideration of H.R. 5—Regulatory Accountability Act of 2017.

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