

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S1165–S1221*

**Measures Introduced:** Twenty-six bills and two resolutions were introduced, as follows: S. 379–404, S.J. Res. 22, and S. Res. 61. **Pages S1217–18**

**Measures Passed:**

*Social Security Administration Rule Relating to Implementation of the NICS Improvement Amendments Act:* By 57 yeas to 43 nays (Vote No. 66), Senate passed H.J. Res. 40, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Social Security Administration relating to Implementation of the NICS Improvement Amendments Act of 2007.

**Pages S1167–69**

**Mulvaney Nomination—Agreement:** Senate resumed consideration of the nomination of Mick Mulvaney, of South Carolina, to be Director of the Office of Management and Budget.

**Pages S1170–75, S1175–S1216**

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

By 52 yeas to 48 nays (Vote No. 67), Senate agreed to the motion to close further debate on the nomination.

**Pages S1169–70**

A unanimous-consent agreement was reached providing for further consideration of the nomination at approximately 10 a.m., on Thursday, February 16, 2017, under the previous order.

**Page S1202**

**Mulvaney/Pruitt Nominations—Agreement:** A unanimous-consent-time agreement was reached providing that following Leader remarks on Thursday, February 16, 2017, there be 10 minutes of debate, equally divided, prior to a vote on confirmation of the nomination of Mick Mulvaney, of South Carolina, to be Director of the Office of Management and Budget; followed by up to 10 minutes of debate, equally divided, prior to a vote on the motion to invoke cloture on the nomination of Scott Pruitt, of Oklahoma, to be Administrator of the Environmental Protection Agency, and if cloture is invoked, post-cloture time be counted as if invoked at 7 a.m., on Thursday, February 16, 2017.

**Page S1202**

**Messages from the House:** **Page S1217**

**Additional Cosponsors:** **Pages S1218–19**

**Statements on Introduced Bills/Resolutions:** **Pages S1219–21**

**Additional Statements:** **Page S1217**

**Authorities for Committees to Meet:** **Page S1221**

**Privileges of the Floor:** **Page S1221**

**Record Votes:** Two record votes were taken today. (Total—67) **Pages S1169, S1170**

**Adjournment:** Senate convened at 10 a.m. and adjourned at 9:16 p.m., until 10 a.m. on Thursday, February 16, 2017. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1210.)

### Committee Meetings

*(Committees not listed did not meet)*

#### MENTAL HEALTH CARE

*Committee on Appropriations:* Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies concluded a hearing to examine mental health care, focusing on examining treatments and services, after receiving testimony from Joseph Parks, University of Missouri, St. Louis; David M. Johnson, Navos, Seattle, Washington; Dennis Freeman, Cherokee Health Systems, Knoxville, Tennessee; and Donald W. De Lucca, International Association of Chiefs of Police, Doral, Florida.

#### ANTI-ACCESS AREA DENIAL CHALLENGES IN EUROPE

*Committee on Armed Services:* Subcommittee on Emerging Threats and Capabilities received a closed briefing on Anti-Access Area Denial challenges in Europe from Lieutenant Colonel Andrew S. Shobe, USAF, Deliberate Plans Division, and Major Roderick V. James, USAF, Chief of Weapons and Tactics, both of Air Forces in Europe, and Lieutenant Colonel Keven P. Coyle, USAF, Future Operations Division, European Command, all of the Department of Defense.

**BUSINESS MEETING**

*Committee on Commerce, Science, and Transportation:* Committee announced the following subcommittee assignments:

*Subcommittee on Aviation Operations, Safety, and Security:* Senators Blunt (Chair), Wicker, Cruz, Fischer, Moran, Sullivan, Heller, Inhofe, Lee, Capito, Gardner, Young, Cantwell, Klobuchar, Blumenthal, Schatz, Markey, Booker, Udall, Peters, Baldwin, Duckworth, and Hassan.

*Subcommittee on Communications, Technology, Innovation, and the Internet:* Senators Wicker (Chair), Blunt, Cruz, Fischer, Moran, Sullivan, Heller, Inhofe, Lee, Johnson, Capito, Gardner, Young, Schatz, Cantwell, Klobuchar, Blumenthal, Markey, Booker, Udall, Peters, Baldwin, Duckworth, Hassan, and Cortez Masto.

*Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security:* Senators Moran (Chair), Blunt, Cruz, Fischer, Heller, Inhofe, Lee, Capito, Young, Blumenthal, Klobuchar, Markey, Booker, Udall, Duckworth, Hassan, and Cortez Masto.

*Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard:* Senators Sullivan (Chair), Wicker, Fischer, Inhofe, Lee, Johnson, Gardner, Young, Peters, Cantwell, Blumenthal, Schatz, Markey, Booker, and Baldwin.

*Subcommittee on Space, Science, and Competitiveness:* Senators Cruz (Chair), Moran, Sullivan, Lee, Johnson, Capito, Gardner, Markey, Schatz, Udall, Peters, Baldwin, and Hassan.

*Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security:* Senators Fischer (Chair), Wicker, Blunt, Heller, Inhofe, Johnson, Capito, Gardner, Young, Booker, Cantwell, Klobuchar, Blumenthal, Udall, Baldwin, Duckworth, and Hassan.

*Senators Thune and Nelson are ex officio members of each subcommittee.*

**MULTIMODAL TRANSPORTATION SYSTEM**

*Committee on Commerce, Science, and Transportation:* Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security concluded a hearing to examine stakeholder perspectives on our multimodal transportation system, after receiving testimony from Matthew K. Rose, BNSF Railway Company, Fort Worth, Texas; Christopher Lofgren, Schneider National, Inc., Green Bay, Wisconsin; Tom Gurd, The Dow Chemical Company, Midland,

Michigan, on behalf of the American Chemistry Council; and Wick Moorman, Amtrak, Washington, D.C.

**ENDANGERED SPECIES ACT**

*Committee on Environment and Public Works:* Committee concluded an oversight hearing to examine modernization of the Endangered Species Act, after receiving testimony from Wyoming Governor Dave Freudenthal, Cheyenne; Gordon Myers, North Carolina Wildlife Resources Commission Executive Director, Raleigh, on behalf of the Southeast Association of Fish and Wildlife Agencies; James Holte, Wisconsin Farm Bureau, Madison; Jamie Rappaport Clark, Defenders of Wildlife, Washington, D.C.; and Dan Ashe, Association of Zoos and Aquariums, Silver Spring, Maryland.

**ENDING MODERN SLAVERY**

*Committee on Foreign Relations:* Committee concluded a hearing to examine ending modern slavery, focusing on building on success, after receiving testimony from Ashton Kutcher, Thorn, Los Angeles, California; and Elisa Massimino, Human Rights First, Washington, D.C.

**GOVERNMENT OPERATIONS**

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine government operations susceptible to waste, fraud, and mismanagement, after receiving testimony from Gene L. Dodaro, Comptroller General of the United States, Government Accountability Office; John H. Thompson, Director, Census Bureau, Department of Commerce; Michael J. Missal, Inspector General, Department of Veterans Affairs; and John Roth, Inspector General, Department of Homeland Security.

**FINANCIAL FRAUD AFFECTING SENIORS**

*Special Committee on Aging:* Committee concluded a hearing to examine stopping senior scams, focusing on developments in financial fraud affecting seniors, after receiving testimony from Timothy P. Camus, Deputy Inspector General for Investigations, Treasury Inspector General for Tax Administration, Department of the Treasury; Lois Greisman, Associate Director of the Division of Marketing Practices, Bureau of Consumer Protection, Federal Trade Commission; Diane A. Menio, Center for Advocacy for the Rights and Interests of the Elderly, Philadelphia, Pennsylvania; and Philip Hatch, Portland, Maine.

# House of Representatives

## *Chamber Action*

**Public Bills and Resolutions Introduced:** 42 public bills, H.R. 1059–1100; and 9 resolutions, H.J. Res. 74–75; H. Con. Res. 25–27; and H. Res. 127–130 were introduced. **Pages H1242–44**

**Additional Cosponsors:** **Pages H1245–46**

**Reports Filed:** There were no reports filed today.

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Rogers (KY) to act as Speaker pro tempore for today. **Page H1187**

**Recess:** The House recessed at 10:30 a.m. and reconvened at 12 noon. **Page H1190**

**Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by Secretary of Health and Human Services relating to compliance with title X requirements by project recipients in selecting subrecipients and Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of the Interior relating to “Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska”—Rule for Consideration:** The House agreed to H. Res. 123, providing for consideration of the joint resolution (H.J. Res. 43) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by Secretary of Health and Human Services relating to compliance with title X requirements by project recipients in selecting subrecipients; providing for consideration of the joint resolution (H.J. Res. 69) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of the Interior relating to “Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska”, by a yeas-and-nays vote of 233 yeas to 188 nays, Roll No. 94, after the previous question was ordered by a yeas-and-nays vote of 233 yeas to 190 nays, Roll No. 93.

**Pages H1193–H1200**

**Committee Elections:** The House agreed to H. Res. 127, electing Members to certain standing committees of the House of Representatives. **Page H1200**

**Recess:** The House recessed at 3:54 p.m. and reconvened at 4:30 p.m. **Page H1221**

**Disapproving the rule submitted by the Department of Labor relating to savings arrangements**

**established by qualified State political subdivisions for non-governmental employees:** The House passed H.J. Res. 67, disapproving the rule submitted by the Department of Labor relating to savings arrangements established by qualified State political subdivisions for non-governmental employees, by a yeas-and-nays vote of 234 yeas to 191 nays, Roll No. 95. **Pages H1218–21, H1221**

H. Res. 116, the rule providing for consideration of the joint resolutions (H.J. Res. 66) and (H.J. Res. 67) was agreed to yesterday, February 14th.

**Disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for non-governmental employees:** The House passed H.J. Res. 66, disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for non-governmental employees, by a yeas-and-nays vote of 231 yeas to 193 nays, Roll No. 96.

**Pages H1206–17, H1221–22**

H. Res. 116, the rule providing for consideration of the joint resolutions (H.J. Res. 66) and (H.J. Res. 67) was agreed to yesterday, February 14th.

**Disapproving the rule submitted by the Department of Labor relating to drug testing of unemployment compensation applicants:** The House passed H.J. Res. 42, disapproving the rule submitted by the Department of Labor relating to drug testing of unemployment compensation applicants, by a yeas-and-nays vote of 236 yeas to 189 nays, Roll No. 97.

**Pages H1200–06, H1222–23**

H. Res. 99, the rule providing for consideration of the bill (H.R. 428) and the joint resolution (H.J. Res. 42) was agreed to yesterday, February 14th.

**House Commission on Congressional Mailing Standards—Appointment:** The Chair announced the Speaker's appointment of the following Members to the House Commission on Congressional Mailing Standards: Representatives Davis (CA), Sherman, and McEachin. **Page H1223**

**British-American Interparliamentary Group—Appointment:** The Chair announced the Speaker's appointment of the following Member on the part of the House to the British-American Interparliamentary Group: Representative Rodney Davis (IL).

**Pages H1224–25**

**Senate Messages:** Messages received from the Senate by the Clerk and subsequently presented to the House today appear on pages H1192 and H1223.

**Quorum Calls—Votes:** Five yeas-and-nays votes developed during the proceedings of today and appear

on pages H1199, H1199–H1200, H1221, H1222, and H1222–23. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 8:19 p.m.

## *Committee Meetings*

### **RURAL ECONOMIC OUTLOOK: SETTING THE STAGE FOR THE NEXT FARM BILL**

*Committee on Agriculture:* Full Committee held a hearing entitled “Rural Economic Outlook: Setting the Stage for the Next Farm Bill”. Testimony was heard from Robert Johansson, Chief Economist, Department of Agriculture; and public witnesses.

### **OVERSIGHT OF THE USDA OFFICE OF INSPECTOR GENERAL**

*Committee on Appropriations:* Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held an oversight hearing on the USDA Office of Inspector General. Testimony was heard from the following officials from the Office of the Inspector General of the Department of Agriculture: Phyllis K. Fong, Inspector General; Gil H. Harden, Assistant Inspector General for Audit; and Ann Coffey, Assistant Inspector General for Investigations.

### **PROVIDING VULNERABLE YOUTH THE HOPE OF A BRIGHTER FUTURE THROUGH JUVENILE JUSTICE REFORM**

*Committee on Education and the Workforce:* Subcommittee on Early Childhood, Elementary, and Secondary Education held a hearing entitled “Providing Vulnerable Youth the Hope of a Brighter Future Through Juvenile Justice Reform”. Testimony was heard from Meg Williams, Manager, Office of Adult and Juvenile Justice Assistance, Division of Criminal Justice, Colorado Department of Public Safety; Patrick J. Flannelly, Chief of Police, Lafayette Police Department, Lafayette, Indiana; Denise Navarre Cubbon, Judge, Lucas County Juvenile Division, Lucas County, Ohio; and a public witness.

### **MODERNIZING ENERGY AND ELECTRICITY DELIVERY SYSTEMS: CHALLENGES AND OPPORTUNITIES TO PROMOTE INFRASTRUCTURE IMPROVEMENT AND EXPANSION**

*Committee on Energy and Commerce:* Subcommittee on Energy held a hearing entitled “Modernizing Energy and Electricity Delivery Systems: Challenges and Opportunities to Promote Infrastructure Improvement and Expansion”. Testimony was heard from public witnesses.

### **MONETARY POLICY AND THE STATE OF THE ECONOMY**

*Committee on Financial Services:* Full Committee held a hearing entitled “Monetary Policy and the State of the Economy”. Testimony was heard from Janet Yellen, Chair of the Board of Governors, Federal Reserve System.

### **COMMITTEE FUNDING FOR THE 115TH CONGRESS**

*Committee on House Administration:* Full Committee began a hearing on committee funding for the 115th Congress. Testimony was heard from Chairman Bishop of Utah, Chairman Walden, Chairman Royce, Chairman McCaul, Chairman Nunes, Chairman Conaway, Chairman Sessions, Chairman Chabot, Chairman Brooks of Indiana, Chairman Foxx, Chairman Brady of Texas, Chairman Shuster, and Representatives Grijalva, Pallone, Engel, Thompson of Mississippi, Schiff, Peterson, Slaughter, Velázquez, Deutch, Scott of Virginia, Neal, and DeFazio.

### **MISCELLANEOUS MEASURES**

*Committee on the Judiciary:* Full Committee held a markup on the committee’s Authorization and Oversight Plan for the 115th Congress; H.R. 985, the “Fairness in Class Action Litigation Act of 2017”; and H.R. 906, the “Furthering Asbestos Claim Transparency Act of 2017”. The committee adopted its Authorization and Oversight Plan for the 115th Congress. H.R. 906 and H.R. 985 were ordered reported, without amendment.

### **GAO’S 2017 HIGH RISK REPORT: 34 PROGRAMS IN PERIL**

*Committee on Oversight and Government Reform:* Full Committee held a hearing entitled “GAO’s 2017 High Risk Report: 34 Programs in Peril”. Testimony was heard from Gene L. Dodaro, Comptroller General, Government Accountability Office.

### **EXAMINING FEDERAL PROGRAMS THAT SERVE TRIBES AND THEIR MEMBERS**

*Committee on Oversight and Government Reform:* Subcommittee on the Interior, Energy and Environment held a hearing entitled “Examining Federal Programs that Serve Tribes and Their Members”. Testimony was heard from Frank Rusco, Director, Natural Resources and Environment, Energy and Science Issues, Government Accountability Office; Mary Kendall, Deputy Inspector General, Office of Inspector General, Department of Interior; and a public witness.

## RISKY BUSINESS: THE DOE LOAN GUARANTEE PROGRAM

*Committee on Science, Space, and Technology:* Subcommittee on Energy; and Subcommittee on Oversight, held a joint hearing entitled “Risky Business: The DOE Loan Guarantee Program”. Testimony was heard from public witnesses.

## START-UPS STALLING? THE TAX CODE AS A BARRIER TO ENTREPRENEURSHIP

*Committee on Small Business:* Full Committee held a hearing entitled “Start-ups Stalling? The Tax Code as a Barrier to Entrepreneurship”. Testimony was heard from public witnesses.

## BUILDING A 21ST CENTURY INFRASTRUCTURE FOR AMERICA: STATE OF AMERICAN AVIATION MANUFACTURING

*Committee on Transportation and Infrastructure:* Subcommittee on Aviation held a hearing entitled “Building a 21st Century Infrastructure for America: State of American Aviation Manufacturing”. Testimony was heard from Peggy Gilligan, Associate Administrator for Aviation Safety, Federal Aviation Administration; and public witnesses.

## MISCELLANEOUS MEASURE

*Committee on Veterans' Affairs:* Full Committee held a markup on a resolution to assign Congressman Sablan, Congresswoman Esty, and Congressman Peters to subcommittees and a resolution designating Congresswoman Esty as the ranking member of a subcommittee. The committee adopted both resolutions.

## THE GEOGRAPHY OF POVERTY

*Committee on Ways and Means:* Subcommittee on Human Resources held a hearing entitled “The Geography of Poverty”. Testimony was heard from public witnesses.

## Joint Meetings

No joint committee meetings were held.

## NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D99)

H.J. Res. 41, providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Securities and Exchange Commission relating to “Disclosure of Payments by Resource Extraction Issuers”. Signed on February 14, 2017. (Public Law 115–4)

## COMMITTEE MEETINGS FOR THURSDAY, FEBRUARY 16, 2017

(Committee meetings are open unless otherwise indicated)

### Senate

*Committee on Armed Services:* to hold hearings to examine reshaping the United States military, 9:30 a.m., SD–G50.

*Committee on Commerce, Science, and Transportation:* Subcommittee on Aviation Operations, Safety, and Security, to hold hearings to examine stakeholder perspectives on improving the Transportation Security Administration for the security of the traveling public, 10:30 a.m., SR–253.

*Committee on Finance:* to hold hearings to examine the nomination of Seema Verma, of Indiana, to be Administrator of the Centers for Medicare and Medicaid Services, Department of Health and Human Services, 10 a.m., SD–215.

*Committee on Foreign Relations:* to hold hearings to examine the nomination of David Friedman, of New York, to be Ambassador to Israel, Department of State, 10:30 a.m., SD–419.

Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues, to hold hearings to examine democracy and human rights, focusing on the case for United States leadership, 2:45 p.m., SD–419.

*Committee on Rules and Administration:* organizational business meeting to consider committee rules, an original resolution authorizing expenditures by the Committee during the 115th Congress, and the omnibus budget resolution for Senate Committees, 10 a.m., SR–301.

*Select Committee on Intelligence:* to hold closed hearings to examine certain intelligence matters, 2 p.m., SH–219.

### House

*Committee on Agriculture,* Full Committee, markup on the “Pesticide Registration Enhancement Act of 2017”; and H.R. 953, the “Reducing Regulatory Burdens Act of 2017”; hearing entitled “Pros and Cons of Restricting SNAP Purchases”, 10 a.m., 1300 Longworth.

*Committee on Appropriations,* Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, hearing entitled “Members' Day”, 9:30 a.m., HT–2 Capitol.

*Committee on Armed Services,* Subcommittee on Tactical Air and Land Forces, hearing entitled “Military Services 5th Generation Tactical Aircraft Challenges and F–35 Joint Strike Fighter Program Update”, 9 a.m., 2212 Rayburn.

*Committee on Education and the Workforce,* Subcommittee on Workforce Protections, hearing entitled “Federal Wage and Hour Policies in the Twenty-First Century Economy”, 10 a.m., 2175 Rayburn.

*Committee on Energy and Commerce,* Subcommittee on Environment, hearing entitled “Modernizing Environmental Laws: Challenges and Opportunities for Expanding Infrastructure and Promoting Development and Manufacturing”, 10 a.m., 2123 Rayburn.

*Committee on Financial Services*, Subcommittee on Housing and Insurance, hearing entitled “Assessing the U.S.–EU Covered Agreement”, 10 a.m., 2128 Rayburn.

*Committee on Foreign Affairs*, Full Committee, hearing entitled “Iran on Notice”, 10 a.m., 2172 Rayburn.

*Committee on Homeland Security*, Subcommittee on Border and Maritime Security, hearing entitled “A Dangerous and Sophisticated Adversary: The Threat to the Homeland Posed by Cartel Operations”, 10 a.m., HVC–210.

Subcommittee on Oversight and Management Efficiency, hearing entitled “Watchdog Recommendations: A Better Way Ahead to Manage the Department of Homeland Security”, 2 p.m., HVC–210.

*Committee on House Administration*, Full Committee, hearing on committee funding for the 115th Congress (continued), 10:45 a.m., 1310 Longworth.

*Committee on the Judiciary*, Subcommittee on Regulatory Reform, Commercial and Antitrust Law, hearing on H.R.

372, the “Competitive Health Insurance Reform Act of 2017”, 10 a.m., 2141 Rayburn.

Subcommittee on the Constitution and Civil Justice, hearing entitled “The State of Religious Liberty in America”, 1 p.m., 2141 Rayburn.

*Committee on Science, Space, and Technology*, Full Committee, hearing entitled “NASA: Past, Present, and Future”, 10 a.m., 2318 Rayburn.

*Committee on Small Business*, Subcommittee on Economic Growth, Tax and Capital Access, hearing entitled “State of the Small Business Economy”, 11 a.m., 2360 Rayburn.

*Committee on Veterans’ Affairs*, Subcommittee on Economic Opportunity; and Subcommittee on Government Operations of the House Committee on Oversight and Government Reform, hearing entitled “The Use of Official Time for Union Activities at the Department of Veterans Affairs”, 12:30 p.m., 2154 Rayburn.

*Next Meeting of the SENATE*

10 a.m., Thursday, February 16

## Senate Chamber

**Program for Thursday:** Senate will continue consideration of the nomination of Mick Mulvaney, of South Carolina, to be Director of the Office of Management and Budget, with a vote on confirmation of the nomination, to be followed by a vote on the motion to invoke cloture on the nomination of Scott Pruitt, of Oklahoma, to be Administrator of the Environmental Protection Agency.

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Thursday, February 16

## House Chamber

**Program for Thursday:** Consideration of H.J. Res. 69—Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of the Interior relating to “Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska”. Consideration of H.J. Res. 43—Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by Secretary of Health and Human Services relating to compliance with title X requirements by project recipients in selecting subrecipients.

## Extensions of Remarks, as inserted in this issue

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