

*Wednesday, February 13, 2019*

# *Daily Digest*

## **Senate**

### ***Chamber Action***

#### ***Routine Proceedings, pages S1285–S1336***

**Measures Introduced:** Nineteen bills and five resolutions were introduced, as follows: S. 466–484, S.J. Res. 8, S. Res. 68–70, and S. Con. Res. 3.

**Pages S1325–26**

#### **Measures Reported:**

S. Res. 50, improving procedures for the consideration of nominations in the Senate.

S. Res. 70, authorizing expenditures by committees of the Senate for the periods March 1, 2019 through September 30, 2019, October 1, 2019 through September 30, 2020, and October 1, 2020 through February 28, 2021.

**Page S1325**

**Barr Nomination—Agreement:** Senate continued consideration of the nomination of William Pelham Barr, of Virginia, to be Attorney General, Department of Justice.

**Pages S1286–S1319**

A unanimous-consent agreement was reached providing for further consideration of the nomination, post-cloture, at approximately 10 a.m., on Thursday, February 14, 2019; and that at a time to be determined by the Majority Leader, in consultation with the Democratic Leader, Senate vote on confirmation of the nomination.

**Page S1336**

#### **Measures Placed on the Calendar:**

**Pages S1285, S1324**

**Measures Read the First Time:** **Pages S1324, S1336**

**Executive Communications:** **Pages S1324–25**

**Petitions and Memorials:** **Page S1325**

**Executive Reports of Committees:** **Page S1325**

**Additional Cosponsors:** **Pages S1326–27**

**Statements on Introduced Bills/Resolutions:** **Pages S1327–35**

**Additional Statements:** **Page S1323**

**Authorities for Committees to Meet:** **Pages S1335–36**

**Adjournment:** Senate convened at 10 a.m. and adjourned at 6:35 p.m., until 10 a.m. on Thursday, February 14, 2019. (For Senate's program, see the re-

marks of the Majority Leader in today's Record on page S1336.)

### ***Committee Meetings***

*(Committees not listed did not meet)*

#### **CYBER OPERATIONS TO DEFEND MIDTERM ELECTIONS**

**Committee on Armed Services:** Committee received a closed briefing on cyber operations to defend the midterm elections from General Paul M. Nakasone, USA, Commander, United States Cyber Command, Director, National Security Agency, Chief, Central Security Service; Anne Neuberger, Senior Policy Advisor to Director, National Security Agency; and Brigadier General Timothy D. Haugh, USAF, Commander, Cyber National Mission Force, Department of Defense.

#### **MILITARY HOUSING PRIVATIZATION INITIATIVE**

**Committee on Armed Services:** Subcommittee on Readiness and Management Support concluded a joint hearing with the Subcommittee on Personnel to examine the current condition of the Military Housing Privatization Initiative, after receiving testimony from Robert H. McMahon, Assistant Secretary for Sustainment, Alex A. Beehler, Assistant Secretary of the Army for Installations, Energy, and Environment, Phyllis L. Bayer, Assistant Secretary of the Navy for Energy, Installations, and Environment, and John W. Henderson, Assistant Secretary of the Air Force for Installations, Environment, and Energy, all of the Department of Defense; Christopher Williams, Balfour Beatty Communities; John G. Picerne, Corvias Group; John Ehle, Hunt Military Communities; Denis Hickey, Americas Lendlease Corporation; Jarl Bliss, Lincoln Military Housing; Crystal Cornwall; Jana Wanner; and Janna Driver.

#### **BUSINESS MEETING**

**Committee on Commerce, Science, and Transportation:** Committee ordered favorably reported the nominations of Janice Miriam Hellreich, of Hawaii, Robert A. Mandell, of Florida, Don Munce, of Florida, and

Bruce M. Ramer, of California, each to be a Member of the Board of Directors of the Corporation for Public Broadcasting, and a routine list in the Coast Guard.

### AMERICA'S INFRASTRUCTURE NEEDS

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine America's infrastructure needs, focusing on keeping pace with a growing economy, after receiving testimony from William Friedman, Cleveland-Cuyahoga County Port Authority, Cleveland, Ohio, on behalf of the American Association of Port Authorities; Ian Jefferies, Association of American Railroads, Chris Spear, American Trucking Associations, and Larry I. Willis, Transportation Trades Department, AFL-CIO, all of Washington, D.C.; and Matthew M. Polka, American Cable Association, Pittsburgh, Pennsylvania.

### INVASIVE SPECIES THREAT

*Committee on Environment and Public Works:* Committee concluded a hearing to examine the invasive species threat, focusing on protecting wildlife, public health, and infrastructure, after receiving testimony from Senator Cramer; Slade Franklin, Wyoming Department of Agriculture Weed and Pest Coordinator, Cheyenne; Terry Steinwand, North Dakota Game and Fish Department Director, Bismarck; and Joe Rogerson, Delaware Department of Natural Resources and Environmental Control Division of Fish and Wildlife Species Conservation and Research Program Environmental Program Manager, Smyrna.

### BUSINESS MEETING

*Committee on Homeland Security and Governmental Affairs:* Committee ordered favorably reported the following business items:

S. 380, to increase access to agency guidance documents, with an amendment in the nature of a substitute;

S. 394, to amend the Presidential Transition Act of 1963 to improve the orderly transfer of the executive power during Presidential transitions;

S. 195, to require the Director of the Government Publishing Office to establish and maintain a website accessible to the public that allows the public to obtain electronic copies of all congressionally mandated reports in one place;

S. 196, to save taxpayer money and improve the efficiency and speed of intragovernmental correspondence;

S. 395, to require each agency, in providing notice of a rule making, to include a link to a 100 word plain language summary of the proposed rule;

S. 406, to establish a Federal rotational cyber workforce program for the Federal cyber workforce;

S. 375, to improve efforts to identify and reduce Governmentwide improper payments;

S. 315, to authorize cyber hunt and incident response teams at the Department of Homeland Security, with an amendment in the nature of a substitute;

S. 333, to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training;

S. 387, to prohibit Federal agencies and Federal contractors from requesting that an applicant for employment disclose criminal history record information before the applicant has received a conditional offer;

H.R. 504, to amend the Homeland Security Act of 2002 to require the Department of Homeland Security to develop an engagement strategy with fusion centers, with an amendment in the nature of a substitute; and

The nominations of Dennis Dean Kirk, of Virginia, to be Chairman, and Julia Akins Clark, of Maryland, to be a Member, both of the Merit Systems Protection Board.

### NOMINATIONS

*Committee on the Judiciary:* Committee concluded a hearing to examine the nominations of Michael H. Park, of New York, and Joseph F. Bianco, of New York, both to be a United States Circuit Judge for the Second Circuit, Greg Girard Guidry, to be United States District Judge for the Eastern District of Louisiana, who was introduced by Senator Cassidy, Michael T. Liburdi, to be United States District Judge for the District of Arizona, who was introduced by Senators McSally and Sinema, and Peter D. Welte, to be United States District Judge for the District of North Dakota, who was introduced by Senator Hoeven, after the nominees testified and answered questions in their own behalf.

### BUSINESS MEETING

*Committee on Rules and Administration:* Committee ordered favorably reported the following business items:

S. Res. 50, improving procedures for the consideration of nominations in the Senate;

An original resolution authorizing expenditures by committees for the 116th Congress; and

Committee adopted its rules of procedure for the 116th Congress.

### SBA OVERSIGHT

*Committee on Small Business and Entrepreneurship:* Committee concluded an oversight hearing to examine the Small Business Administration, including S. 84, to amend the Small Business Act to require that

consumer reporting agencies and other credit reporting companies provide certain protections to small businesses, after receiving testimony from Linda E.

McMahon, Administrator, Small Business Administration.

# House of Representatives

## *Chamber Action*

**Public Bills and Resolutions Introduced:** 66 public bills, H.R. 1153–1218; and 8 resolutions, H.J. Res. 45; H. Con. Res. 18; and H. Res. 125–130 were introduced.

**Pages H1580–83**

**Additional Cosponsors:** **Pages H1585–87**

**Report Filed:** A report was filed today as follows:

Conference report on H.J. Res. 31, making further continuing appropriations for the Department of Homeland Security for fiscal year 2019, and for other purposes (H. Rept. 116–9).

**Page H1580**

**Speaker:** Read a letter from the Speaker wherein she appointed Representative Espaillat to act as Speaker pro tempore for today.

**Page H1527**

**Recess:** The House recessed at 10:49 a.m. and reconvened at 12 noon.

**Page H1532**

**Journal:** The House agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 215 yeas to 199 nays with one answering "present", Roll No. 80.

**Pages H1532, H1542–43**

**House Democracy Partnership—Appointment:** Read a letter from Representative McCarthy, Minority Leader, in which he appointed the following Member to the House Democracy Partnership: Representative Buchanan, Ranking Member.

**Page H1533**

**Directing the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress:** The House passed H.J. Res. 37, directing the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress, by a yea-and-nay vote of 248 yeas to 177 nays with one answering "present", Roll No. 83.

**Pages H1543–56**

Agree to the Kustoff (TN) motion to recommit the bill to the Committee on Foreign Affairs with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 424 ayes with none voting "no" and two answering "present", Roll No. 82. Subsequently, Representative Engel reported the bill back to the House with the amendment and the amendment was agreed to.

**Pages H1554–55**

Pursuant to the Rule, it shall be in order to consider as an original joint resolution for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116–4.

**Page H1554**

Agreed to:

Buck amendment (No. 2 printed in H. Rept. 116–8) that ensures the U.S. may continue intelligence collection, analysis, and sharing operations with other nations (by a recorded vote of 252 ayes to 177 noes, Roll No. 81).

**Pages H1552–54**

H. Res. 122, the rule providing for consideration of the joint resolution (H.J. Res. 37) was agreed to by a yea-and-nay vote of 228 yeas to 193 nays, Roll No. 79, after the previous question was ordered by a yea-and-nay vote of 227 yeas to 195 nays, Roll No. 78.

**Pages H1533–42**

**Suspension—Proceedings Resumed:** The House agreed to suspend the rules and pass the following measure. Consideration began Monday, February 11th.

**Settlement Agreement Information Database Act of 2019:** H.R. 995, amended, to amend chapter 3 of title 5, United States Code, to require the publication of settlement agreements, by a  $\frac{2}{3}$  recorded vote of 418 ayes with none voting "no", Roll No. 84.

**Page H1557**

**Committee Resignation:** Read a letter from Representative Matsui wherein she resigned from the Committee on Rules.

**Page H1558**

**Committee Election and Ranking:** The House agreed to H. Res. 125, electing Members to certain standing committees of the House of Representatives and ranking Members on a certain standing committee of the House of Representatives.

**Page H1558**

**Clerk to Correct Engrossment:** Agreed by unanimous consent that in the engrossment of H.J. Res. 37, the Clerk be authorized to correct section numbers, punctuation, spelling, and cross-references, and to make such other technical and conforming changes as may be necessary to reflect the actions of the House, including the change placed at the desk.

**Page H1558**

Recess: The House recessed at 7:06 p.m. and reconvened at 11:37 p.m. **Page H1571**

Recess: The House recessed at 11:37 p.m. and reconvened at 11:50 p.m. **Pages H1571–72**

**Senate Referrals:** S. 47 was held at the desk. S. 461 was referred to the Committee on Oversight and Reform and the Committee on Education and Labor.

**Page H1579**

**Senate Message:** Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H1533.

**Quorum Calls—Votes:** Four yea-and-nay votes and three recorded votes developed during the proceedings of today and appear on pages H1541, H1541–42, H1542–43, H1553–54, H1554–55, H1555–56, and H1557–58. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 11:52 p.m.

## Committee Meetings

### OVERSIGHT HEARING: DEPARTMENT OF ENERGY'S WEATHERIZATION ASSISTANCE PROGRAM

*Committee on Appropriations:* Subcommittee on Energy and Water Development, and Related Agencies held a hearing entitled “Oversight Hearing: Department of Energy’s Weatherization Assistance Program”. Testimony was heard from Michael Furze, Assistant Director, Energy Division, Department of Commerce; Annamaria Garcia, Director, Weatherization and Intergovernmental Programs Office, Department of Energy; and public witnesses.

### U.S. MILITARY SERVICE ACADEMIES OVERVIEW

*Committee on Appropriations:* Subcommittee on Defense held a hearing entitled “U.S. Military Service Academies Overview”. Testimony was heard from Vice Admiral Walter E. Carter, Jr., Superintendent, U.S. Naval Academy; Lieutenant General Jay B. Silveria, Superintendent, U.S. Air Force Academy; and Lieutenant General Darryl A. Williams, Superintendent, U.S. Military Academy.

### LONG TERM HEALTHCARE CHALLENGES AND LONG TERM CARE HEARING

*Committee on Appropriations:* Subcommittee on Military Construction, Veterans Affairs, and Related Agencies held a hearing entitled “Long Term Healthcare Challenges and Long Term Care Hearing”. Testimony was heard from Teresa Boyd, Assistant Deputy Under Secretary for Health for Clinical Operations, Veterans Health Administration;

and Scotte R. Hartonft, Acting Executive Director, Office of Geriatrics and Extended Care, Department of Veterans Affairs.

### MILITARY SERVICE ACADEMIES' ACTION PLANS TO ADDRESS THE RESULTS OF SEXUAL ASSAULT AND VIOLENCE REPORT AT THE MILITARY SERVICE ACADEMIES

*Committee on Armed Services:* Subcommittee on Military Personnel held a hearing entitled “Military Service Academies’ Action Plans to Address the Results of Sexual Assault and Violence Report at the Military Service Academies”. Testimony was heard from Elizabeth P. Van Winkle, Executive Director, Force Resiliency, Office of the Under Secretary of Defense for Personnel and Readiness, Department of Defense; Lieutenant General Darryl A. Williams, U.S. Army, Superintendent, U.S. Military Academy; Vice Admiral Walter E. Carter, Jr., U.S. Navy, Superintendent, U.S. Naval Academy; Lieutenant General Jay B. Silveria, U.S. Air Force, Superintendent, U.S. Air Force Academy; and public witnesses.

### LEGISLATIVE MEASURE

*Committee on Education and Labor:* Subcommittee on Civil Rights and Human Services; and Subcommittee on Workforce Protections held a joint hearing entitled “Paycheck Fairness Act (H.R. 7): Equal Pay for Equal Work”. Testimony was heard from Representatives Beyer, DeLauro, and Norton; and public witnesses.

### PROTECTING CONSUMERS AND COMPETITION: AN EXAMINATION OF THE T-MOBIL AND SPRINT MERGER

*Committee on Energy and Commerce:* Subcommittee on Communications and Technology held a hearing entitled “Protecting Consumers and Competition: An Examination of the T-Mobil and Sprint Merger”. Testimony was heard from public witnesses.

### STRENGTHENING OUR HEALTH CARE SYSTEM: LEGISLATION TO REVERSE ACA SABOTAGE AND ENSURE PRE-EXISTING CONDITIONS PROTECTIONS

*Committee on Energy and Commerce:* Subcommittee on Health held a hearing entitled “Strengthening Our Health Care System: Legislation to Reverse ACA Sabotage and Ensure Pre-Existing Conditions Protections”. Testimony was heard from Jessica K. Altman, Commissioner, Pennsylvania Insurance Department; and public witnesses.

## HOMELESS IN AMERICA: EXAMINING THE CRISIS AND SOLUTIONS TO END HOMELESSNESS

*Committee on Financial Services:* Full Committee held a hearing entitled “Homeless in America: Examining the Crisis and Solutions to End Homelessness”. Testimony was heard from public witnesses.

## CHALLENGES AND SOLUTIONS: ACCESS TO BANKING SERVICES FOR CANNABIS-RELATED BUSINESSES

*Committee on Financial Services:* Subcommittee on Consumer Protection and Financial Institutions held a hearing entitled “Challenges and Solutions: Access to Banking Services for Cannabis-Related Businesses”. Testimony was heard from Fiona Ma, State Treasurer, California; and public witnesses.

## VENEZUELA AT A CROSSROADS

*Committee on Foreign Affairs:* Full Committee held a hearing entitled “Venezuela at a Crossroads”. Testimony was heard from Elliott Abrams, U.S. Special Representative for Venezuela, Department of State; Sandra Oudkirk, Deputy Assistant Secretary, Bureau of Energy Resources, Department of State; and Steve Olive, Acting Assistant Administrator, Bureau for Latin America and the Caribbean, U.S. Agency for International Development.

## DEFENDING OUR DEMOCRACY: BUILDING PARTNERSHIPS TO PROTECT AMERICA’S ELECTIONS

*Committee on Homeland Security:* Full Committee held a hearing entitled “Defending Our Democracy: Building Partnerships to Protect America’s Elections”. Testimony was heard from Christopher C. Krebs, Director, Cybersecurity and Infrastructure Security Agency, Department of Homeland Security; Thomas Hicks, Commissioner, U.S. Election Assistance Commission; Alex Padilla, Secretary of State, California; John Merrill, Secretary of State, Alabama; and public witnesses.

## MISCELLANEOUS MEASURES

*Committee on the Judiciary:* Full Committee held a markup on H.R. 8, the “Bipartisan Background Checks Act of 2019”; and H.R. 1112, the “Enhanced Background Checks Act of 2019”. H.R. 8 and H.R. 1112 were ordered reported, as amended.

## CLIMATE CHANGE AND PUBLIC LANDS: EXAMINING IMPACTS AND CONSIDERING ADAPTATION OPPORTUNITIES

*Committee on Natural Resources:* Subcommittee on National Parks, Forests, and Public Lands held a hearing entitled “Climate Change and Public Lands: Examining Impacts and Considering Adaptation Op-

portunities”. Testimony was heard from public witnesses.

## THE STATE OF CLIMATE SCIENCE AND WHY IT MATTERS

*Committee on Science, Space, and Technology:* Full Committee held a hearing entitled “The State of Climate Science and Why it Matters”. Testimony was heard from public witnesses.

## SMALL BUSINESS PRIORITIES FOR THE 116TH CONGRESS

*Committee on Small Business:* Full Committee held a hearing entitled “Small Business Priorities for the 116th Congress”. Testimony was heard from public witnesses.

## PUTTING U.S. AVIATION AT RISK: THE IMPACT OF THE SHUTDOWN

*Committee on Transportation and Infrastructure:* Subcommittee on Aviation held a hearing entitled “Putting U.S. Aviation at Risk: The Impact of the Shutdown”. Testimony was heard from public witnesses.

## ORGANIZATIONAL MEETING

*Committee on Veterans’ Affairs:* Full Committee held an organizational meeting. The Committee adopted its Rules for the 116th Congress.

## HOW MIDDLE CLASS FAMILIES ARE FARING IN TODAY’S ECONOMY

*Committee on Ways and Means:* Subcommittee on Select Revenue Measures held a hearing entitled “How Middle Class Families are Faring in Today’s Economy”. Testimony was heard from public witnesses.

## Joint Meetings

### ASSET RECOVERY IN EURASIA

*Commission on Security and Cooperation in Europe.* Commission received a briefing on asset recovery in Eurasia from Bryan Earl, former Supervisory Special Agent and Assistant General Counsel, and Karen Greenaway, former Supervisory Special Agent, both of the Federal Bureau of Investigation, Department of Justice; Sona Ayvazyan, Transparency International Armenia; and Kristian Lasslett, Ulster University.

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## COMMITTEE MEETINGS FOR THURSDAY, FEBRUARY 14, 2019

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Armed Services:* to hold hearings to examine United States Special Operations Command and United

States Cyber Command in review of the Defense Authorization Request for fiscal year 2020 and the Future Years Defense Program, 9:30 a.m., SD—G50.

*Committee on Banking, Housing, and Urban Affairs:* to hold hearings to examine the nominations of Bimal Patel, of Georgia, to be an Assistant Secretary of the Treasury, Todd M. Harper, of Virginia, and Rodney Hood, of North Carolina, both to be a Member of the National Credit Union Administration Board, and Mark Anthony Calabria, of Virginia, to be Director of the Federal Housing Finance Agency, 10 a.m., SD—538.

*Committee on Energy and Natural Resources:* to hold hearings to examine the status and outlook for cybersecurity efforts in the energy industry, 10 a.m., SD—366.

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

## House

*Committee on House Administration,* February 14, Full Committee, hearing entitled “For the People: Our American Democracy”, 8:30 a.m., 1310 Longworth.

*Next Meeting of the SENATE*  
10 a.m., Thursday, February 14

*Next Meeting of the HOUSE OF REPRESENTATIVES*  
10 a.m., Thursday, February 14

Senate Chamber

**Program for Thursday:** Senate will continue consideration of the nomination of William Pelham Barr, of Virginia, to be Attorney General, Department of Justice, post-cloture, and at a time to be determined by the two Leaders, vote on confirmation of the nomination.

House Chamber

**Program for Thursday:** To be announced.

**Extensions of Remarks, as inserted in this issue**

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