

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S6579–S6614

Measures Introduced: Twenty-four bills and seven resolutions were introduced, as follows: S. 2855–2878, and S. Res. 421–427. **Pages S6604–05**

Measures Passed:

Enrollment Correction: Senate agreed to H. Con. Res. 72, directing the Clerk of the House to make a correction in the enrollment of H.R. 2423.

Page S6586

White Horse Hill National Game Preserve Designation Act: Senate passed S. 2099, to redesignate the Sullys Hill National Game Preserve in the State of North Dakota as the White Horse Hill National Game Preserve.

Pages S6613–14

ONDCP Technical Corrections Act: Committee on the Judiciary was discharged from further consideration of H.R. 3889, to amend the Office of National Drug Control Policy Reauthorization Act of 1998 to make technical corrections, and the bill was then passed.

Page S6614

Women veterans of the Armed Forces Commemorative Stamp: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of S. Res. 415, expressing the sense of the Senate that the United States Postal Service should issue a commemorative postage stamp series honoring women veterans of the Armed Forces and that the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that such a stamp series be issued, and the resolution was then agreed to.

Page S6614

Guru Nanak 550th birthday: Committee on the Judiciary was discharged from further consideration of S. Res. 393, recognizing the historical, cultural, and religious significance of the 550th birthday of Guru Nanak and the contributions and sacrifices made by Sikhs of the United States, and the resolution was then agreed to.

Page S6694

America Recycles Day: Senate agreed to S. Res. 422, recognizing November 15, 2019, as "America Recycles Day" and expressing the sense of the Senate

that recycling promotes a healthy economy and responsible environmental stewardship.

Pages S6611, S6614

National Homeless Children and Youth Awareness Month: Senate agreed to S. Res. 423, recognizing November 2019 as "National Homeless Children and Youth Awareness Month".

Pages S6611, S6614

Colorado Farm Bureau Federation 100th anniversary: Senate agreed to S. Res. 424, recognizing the 100th anniversary of the Colorado Farm Bureau Federation and celebrating the long history of the Colorado Farm Bureau Federation representing the farmers and ranchers of Colorado.

Pages S6611–12, S6614

National Down Syndrome Awareness Month: Senate agreed to S. Res. 425, designating October 2019 as "National Down Syndrome Awareness Month" and supporting the goals and ideals of National Down Syndrome Awareness Month.

Pages S6612, S6614

Luck Nomination—Cloture: Senate began consideration of the nomination of Robert J. Luck, of Florida, to be United States Circuit Judge for the Eleventh Circuit.

Pages S6596, S6614

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, November 14, 2019, a vote on cloture will occur at 5:30 p.m. on Monday, November 18, 2019.

Page S6596

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session.

Page S6596

Senate agreed to the motion to proceed to Executive Session to consider the nomination.

Page S6596

A unanimous-consent agreement was reached providing that at approximately 3 p.m., on Monday, November 18, 2019, Senate resume consideration of

the nomination; and that the motions to invoke cloture filed on Thursday, November 14, 2019, ripen at 5:30 p.m., on Monday, November 18, 2019.

Page S6614

Lagoa Nomination—Cloture: Senate began consideration of the nomination of Barbara Lagoa, of Florida, to be United States Circuit Judge for the Eleventh Circuit.

Page S6596

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Robert J. Luck, of Florida, to be United States Circuit Judge for the Eleventh Circuit.

Page S6596

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session.

Page S6596

Senate agreed to the motion to proceed to Executive Session to consider the nomination.

Page S6596

Zuckerman Nomination—Cloture: Senate began consideration of the nomination of Adrian Zuckerman, of New Jersey, to be Ambassador to Romania, Department of State.

Page S6596

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Barbara Lagoa, of Florida, to be United States Circuit Judge for the Eleventh Circuit.

Page S6596

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session.

Page S6596

Senate agreed to the motion to proceed to Executive Session to consider the nomination.

Page S6596

Nomination Confirmed: Senate confirmed the following nomination:

By 51 yeas to 41 nays (Vote No. EX. 356), Steven J. Menashi, of New York, to be United States Circuit Judge for the Second Circuit.

Pages S6581–86, S6586–96

Messages from the House:

Pages S6603–04

Measures Referred:

Page S6604

Additional Cosponsors:

Pages S6605–06

Statements on Introduced Bills/Resolutions:

Pages S6607–10

Additional Statements:

Pages S6602–03

Authorities for Committees to Meet:

Page S6613

Privileges of the Floor:

Page S6613

Record Votes: One record vote was taken today. (Total—356)

Pages S6595–96

Adjournment: Senate convened at 10 a.m. and adjourned at 4:01 p.m., until 3 p.m. on Monday, November 18, 2019. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S6614.)

Committee Meetings

(Committees not listed did not meet)

NOMINATION

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the nomination of Dan R. Brouillette, of Texas, to be Secretary of Energy, after the nominee, who was introduced by Senators Cassidy, Cruz, and Kennedy, testified and answered questions in his own behalf.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Peter Gaynor, of Rhode Island, to be Administrator of the Federal Emergency Management Agency, Department of Homeland Security, after the nominee, who was introduced by Senator Reed, testified and answered questions in his own behalf.

SMITHSONIAN INSTITUTION OVERSIGHT

Committee on Rules and Administration: Committee concluded an oversight hearing to examine the Smithsonian Institution, after receiving testimony from Lonnie G. Bunch III, Secretary of the Smithsonian Institution.

NOMINATION

Committee on Rules and Administration: Committee concluded a hearing to examine the nomination of Hugh Nathaniel Halpern, of Virginia, to be Director of the Government Publishing Office, after the nominee, who was introduced by Senator Blunt, testified and answered questions in his own behalf.

NONCOMPETE AGREEMENTS

Committee on Small Business and Entrepreneurship: Committee concluded a hearing to examine noncompete agreements and American workers, including S. 124, to amend the Fair Labor Standards Act of 1938 to prevent employers from using non-compete agreements in employment contracts for certain non-exempt employees, and S. 2614, to prohibit certain noncompete agreements, after receiving testimony from Evan Starr, University of Maryland Robert H. Smith School of Business, College Park; John W. Lettieri, Economic Innovation Group, Washington,

D.C.; and Keith A. Bollinger, Conover, North Carolina.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 34 public bills, H.R. 5080–5113; and 10 resolutions, H. Con. Res. 73–74; and H. Res. 698–705 were introduced. **Pages H8877–79**

Additional Cosponsors: **Pages H8880–81**

Reports Filed: Reports were filed today as follows:
H.R. 2247, to amend the Federal Water Pollution Control Act to provide assistance for programs and activities to protect the water quality of Puget Sound, and for other purposes, with an amendment (H. Rept. 116–290); and

H.R. 4275, to amend the Federal Water Pollution Control Act to reauthorize the Lake Pontchartrain Basin Restoration Program, and for other purposes, with an amendment (H. Rept. 116–291). **Page H8877**

Speaker: Read a letter from the Speaker wherein she appointed Representative Cuellar to act as Speaker pro tempore for today. **Page H8829**

Recess: The House recessed at 10:49 a.m. and reconvened at 12 noon. **Page H8834**

Guest Chaplain: The prayer was offered by the Guest Chaplain, Mr. Dipesh Pandya, BAPS Swaminarayan Sanstha, Warrington, Pennsylvania. **Pages H8834–35**

Journal: The House agreed to the Speaker's approval of the Journal by voice vote. **Pages H8835, H8845**

United States Export Finance Agency Act of 2019: The House considered H.R. 4863, to promote the competitiveness of the United States, to reform and reauthorize the United States Export Finance Agency. Consideration is expected to resume tomorrow, November 15th. **Pages H8845–70**

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116–36 shall be considered as adopted in the House and in the Committee of the Whole, in lieu of the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill. **Pages H8856–59**

Agreed to:

Torres (CA) amendment (No. 1 printed in H. Rept. 116–289) that requires the Agency to emphasize outreach to tribal export businesses and to include in their annual report a summary of those outreach efforts and the provision of Agency support to tribal export businesses; **Pages H8859–60**

Tlaib amendment (No. 6 printed in H. Rept. 116–289) that requires the Agency to submit an annual report to Congress about the Agency's activities in economically disadvantaged regions and efforts to support businesses in those regions; also defines economically disadvantaged regions; **Pages H8865–66**

Case amendment (No. 7 printed in H. Rept. 116–289) that clarifies that, for the purpose of the Agency's Office of Minority and Women Inclusion, "minority" is understood to include Native Hawaiians and Alaska Natives; **Pages H8866–67**

Speier amendment (No. 8 printed in H. Rept. 116–289) that clarifies that the Bank's activities to support exports in energy efficiency technologies shall include activities to support exports in electric battery vehicles, batteries for electric vehicles, and electric vehicle charging infrastructure; and **Pages H8867–68**

Ruiz amendment (No. 9 printed in H. Rept. 116–289) that allows the U.S. Export Finance Agency to use surplus funds to expand or establish additional regional finance centers. **Pages H8868–70**

Proceedings Postponed:

Torres (CA) amendment (No. 2 printed in H. Rept. 116–289) that seeks to ensure that the Bank will not provide credit to any individual who is subject to sanctions related to serious violations of human rights or free speech, including in China and Burma; **Pages H8860–61**

Flores amendment (No. 3 printed in H. Rept. 116–289) that seeks to strike Section 13 and create the office of energy efficiency and clean energy exports which advises the EXIM board on ways to improve the export of goods and services that increase energy efficiency and clean energy abroad; requires the EXIM bank to consider energy affordability as well as environmental impacts before approving

transactions, and requires the EXIM bank to include in its annual report the impacts of any transaction backed by the Bank on the cost of energy in the importing country and the estimated emissions reductions caused by exports financed by the Bank;

Pages H8861–62

McAdams amendment (No. 4 printed in H. Rept. 116–289) that seeks to expand the prohibition of the Board of Directors from approving a transaction unless the person receiving the Agency's support certifies that the person does not engage in any activity in contravention of any U.S. law, regulation, or order concerning sanctions relating to the illegal trafficking of synthetic opioids, including any sanctions imposed pursuant to the Foreign Narcotics Kingpin Designation Act; and

Pages H8862–63

Davidson (OH) amendment (No. 5 printed in H. Rept. 116–289) that seeks to prohibit Agency assistance for the governments of certain countries (including China and Mexico) unless the President certifies that the government is cooperating with the U.S. to prevent illegal trafficking of synthetic opioids.

Pages H8863–65

H. Res. 695, the rule providing for consideration of the bill (H.R. 4863) was agreed to by a yea-and-nay vote of 228 yeas to 198 nays, Roll No. 616, after the previous question was ordered by a yea-and-nay vote of 226 yeas to 198 nays, Roll No. 615. Pursuant to H. Res. 695, H. Res. 661 and H. Res. 693 are considered as adopted.

Pages H8838–45

Discharge Petition: Representative Rodney Davis presented to the clerk a motion to discharge the Committee on Financial Services from consideration of the bill (H.R. 3407) to strengthen the competitiveness of the United States, to modernize and reform the United States Export Finance Agency, and for other purposes (Discharge Petition No. 4).

Senate Referral: S. 2851 was held at the desk.

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H8845.

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H8843–44 and H8844–45. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 5:58 p.m.

Committee Meetings

SAFEGUARDING AMERICAN AGRICULTURE FROM WILD, INVASIVE, AND NON-NATIVE SPECIES

Committee on Agriculture: Subcommittee on Livestock and Foreign Agriculture held a hearing entitled “Safeguarding American Agriculture from Wild, Invasive, and Non-Native Species”. Testimony was heard from Ric Ortega, General Manager, Grassland Water District, Los Banos, California; Beth Thompson, State Veterinarian, Minnesota, and Executive Director, Minnesota Board of Animal Health; and public witnesses.

OFFICE OF ACCOUNTABILITY AND WHISTLEBLOWER PROTECTION'S FAILURES AT VA

Committee on Appropriations: Subcommittee on Military Construction, Veterans Affairs, and Related Agencies held a hearing entitled “Office of Accountability and Whistleblower Protection's Failures at VA”. Testimony was heard from Tamara Bonzanto, Assistant Secretary for Accountability and Whistleblower Protection, Department of Veterans Affairs; and Michael J. Missal, Inspector General, Department of Veterans Affairs.

THE ECONOMIC OUTLOOK: THE VIEW FROM THE FEDERAL RESERVE

Committee on the Budget: Full Committee held a hearing entitled “The Economic Outlook: The View from the Federal Reserve”. Testimony was heard from Jerome H. Powell, Chair, Board of Governors of the Federal Reserve System.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Subcommittee on Consumer Protection and Commerce held a markup on H.R. 3851, the “Travel Promotion, Enhancement, and Modernization Act of 2019”; and H.R. 4779, to extend the Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers beyond Borders Act of 2006, and for other purposes. H.R. 3851 was forwarded to the full Committee, as amended. H.R. 4779 was forwarded to the full Committee, without amendment.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Subcommittee on Communications and Technology held a markup on H.R. 4229, the “Broadband Deployment Accuracy and Technological Availability Act”; H.R. 4227, the “Mapping Accuracy Promotes Services Act”; H.R. 5000, the “Studying How to Harness Airwave Resources Efficiently Act of 2019”; H.R. 4998, the “Secure and Trusted Communications Networks

Act”; H.R. 4461, the “Network Security Information Sharing Act of 2019”; H.R. 2881, the “Secure 5G and Beyond Act of 2019”; H.R. 4500, the “Promoting United States Wireless Leadership Act of 2019”; H. Res. 575, expressing the sense of the House of Representatives that all stakeholders in the deployment of 5G communications infrastructure should carefully consider and adhere to the recommendation of “The Prague Proposals”; and H.R. 5035, the “Television Viewer Protection Act”. H.R. 4227, H.R. 5000, H.R. 5035 were forwarded to the full Committee, without amendment. H.R. 4229, H.R. 4998, H.R. 4461, H.R. 2881, H.R. 4500, H. Res. 575 were forwarded to the full Committee, as amended.

MISCELLANEOUS MEASURES

Committee on Financial Services: Full Committee concluded a markup on H.R. 2445, the “Self-Employed Mortgage Act”; H.R. 3490, the “Small Business Lending Fairness Act”; H.R. 3948, the “Debt Collection Practices Harmonization Act”; H.R. 4403, the “Stop Debt Collection Abuse Act”; H.R. 5021, the “Ending Debt Collection Harassment Act of 2019”; H.R. 2398, to amend the United States Housing Act of 1937 and title 38, United States Code, to expand eligibility for the HUD–VASH program, to direct the Secretary of Veterans Affairs to submit annual reports to the Committees on Veterans’ Affairs of the Senate and House of Representatives regarding homeless veterans, and for other purposes; H.R. 5003, the “Fair Debt Collection Practices for Servicemembers Act”; H.R. 5001, the “Non-Judicial Foreclosure Debt Collection Clarification Act”; and H.R. 5013, the “Small Business Fair Debt Collection Protection Act”. H.R. 4403, H.R. 3490, H.R. 5001, H.R. 5013, H.R. 3948, H.R. 5021, H.R. 2398, and H.R. 5003 were ordered reported, as amended.

THE U.S. POLICY IN THE SAHEL REGION

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations held a hearing entitled “The U.S. Policy in the Sahel Region”. Testimony was heard from Whitney Baird, Deputy Assistant Secretary for West Africa and Security Affairs, Bureau of African Affairs, Department of State; and Cheryl Anderson, Deputy Assistant Administrator, Bureau for Africa, U.S. Agency for International Development.

THE ADMINISTRATION OF BAIL BY STATE AND FEDERAL COURTS: A CALL FOR REFORM

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing

entitled “The Administration of Bail by State and Federal Courts: A Call for Reform”. Testimony was heard from public witnesses.

EXAMINING THE USE OF “SNAP” REMOVALS TO CIRCUMVENT THE FORUM DEFENDANT RULE

Committee on the Judiciary: Subcommittee on Courts, Intellectual Property, and the Internet held a hearing entitled “Examining the Use of “Snap” Removals to Circumvent the Forum Defendant Rule”. Testimony was heard from public witnesses.

LEGISLATIVE MEASURE

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources held a hearing on H.R. 4248, the “Surface Mining Control and Reclamation Act Amendments of 2019”. Testimony was heard from Representative Cartwright; John Stefanko, Deputy Secretary, Office of Active and Abandoned Mine Operations, Department of Environmental Protection, Pennsylvania, and Member, Interstate Mining Compact Commission; Alan Edwards, Deputy Director, Department of Environmental Quality, Wyoming, and Administrator, Wyoming Abandoned Mine Land Program, Cheyenne, Wyoming; and public witnesses.

OVERSIGHT OF NOAA’S REPORT ON ILLEGAL, UNREPORTED, AND UNREGULATED FISHING

Committee on Natural Resources: Subcommittee on Water, Oceans, and Wildlife held a hearing entitled “Oversight of NOAA’s Report on Illegal, Unreported, and Unregulated Fishing”. Testimony was heard from Alexa Cole, Acting Director of International Affairs and Seafood Inspection, National Oceanic and Atmospheric Administration Fisheries, National Oceanic and Atmospheric Administration; and public witnesses.

EXAMINING STATE EFFORTS TO UNDERMINE ACCESS TO REPRODUCTIVE HEALTH CARE

Committee on Oversight and Reform: Full Committee held a hearing entitled “Examining State Efforts to Undermine Access to Reproductive Health Care”. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Science, Space, and Technology: Full Committee held a markup on H.R. 4979, the “Rural STEM Education Act”; H.R. 4704, the “Advancing Research to Prevent Suicide Act”; and H.R. 4990, the “Election Technology Research Act”. H.R. 4704, H.R. 4990, and H.R. 4979 were ordered reported, as amended.

WATER AND GEOTHERMAL POWER: UNEARTHING THE NEXT WAVE OF ENERGY INNOVATION

Committee on Science, Space, and Technology: Subcommittee on Energy held a hearing entitled “Water and Geothermal Power: Unearthing the Next Wave of Energy Innovation”. Testimony was heard from David Solan, Deputy Assistant Secretary for Renewable Power, Office of Energy Efficiency and Renewable Energy, Department of Energy; Joseph Moore, Manager, Utah Frontier Observatory for Research in Geothermal Energy, Department of Energy; and public witnesses.

ASSESSING THE GOVERNMENT’S ROLE IN SERVING RURAL AMERICAN SMALL BUSINESSES (PART ONE)

Committee on Small Business: Subcommittee on Rural Development, Agriculture, Trade, and Entrepreneurship held a hearing entitled “Assessing the Government’s Role in Serving Rural American Small Businesses (Part One)”. Testimony was heard from Bette Brand, Administrator, Rural Business-Cooperative Service, USDA-Rural Development, Department of Agriculture; and Michelle Christian, National Director, Office of Rural Affairs, U.S. Small Business Administration.

A FAIR PLAYING FIELD? INVESTIGATING BIG TECH’S IMPACT ON SMALL BUSINESS

Committee on Small Business: Full Committee held a hearing entitled “A Fair Playing Field? Investigating Big Tech’s Impact on Small Business”. Testimony was heard from public witnesses.

COMMERCIAL AND PASSENGER VESSEL SAFETY: CHALLENGES AND OPPORTUNITIES

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held a hearing entitled “Commercial and Passenger Vessel Safety: Challenges and Opportunities”. Testimony was heard from Rear Admiral Richard V. Timme, Assistant Commandant for Prevention Policy, U.S. Coast Guard; Richard Balzano, Deputy Administrator, U.S. Maritime Administration; Brian Curtis, Director, Office of Marine Safety, National Transportation Safety Board; and public witnesses.

CYBERSECURITY CHALLENGES AND CYBER RISK MANAGEMENT AT THE DEPARTMENT OF VETERANS AFFAIRS

Committee on Veterans’ Affairs: Subcommittee on Technology Modernization held a hearing entitled “Cybersecurity Challenges and Cyber Risk Management at the Department of Veterans Affairs”. Testimony was heard from Paul Cunningham, Deputy Assistant Secretary and Chief Information Security Officer, Department of Veterans Affairs; Nick Dahl, Deputy Assistant Inspector General for Audits and Evaluations, Office of the Inspector General, Department of Veterans Affairs; and Greg Wilshusen, Director of Information Technology and Cybersecurity, Government Accountability Office.

CARING FOR AGING AMERICANS

Committee on Ways and Means: Full Committee held a hearing entitled “Caring for Aging Americans”. Testimony was heard from public witnesses.

MEMBER DAY

Select Committee on the Climate Crisis: Full Committee held a hearing entitled “Member Day”. Testimony was heard from Chairman Deutch, Chairman Kilmer, and Representatives Underwood, McCollum, Davis of California, Barragán, Ted Lieu of California, Bustos, Reed, Lee of California, Kaptur, Beyer, Phillips, DeFazio, Schneider, Peters, Axne, Tonko, Shalala, Stanton, Pingree, Schrier, Kennedy, Rouda, Mucarsel-Powell, and Malinowski.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, NOVEMBER 15, 2019

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Permanent Select Committee on Intelligence, Full Committee, hearing entitled “Impeachment Inquiry: Ambassador Marie ‘Masha’ Yovanovitch”, 9 a.m., 1100 Longworth.

Select Committee on the Modernization of Congress, Full Committee, hearing entitled “Administrative Efficiencies: Exploring Options to Streamline Operations in the U.S. House of Representatives”, 9:30 a.m., 210 Cannon.

Next Meeting of the SENATE

3 p.m., Monday, November 18

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, November 15

Senate Chamber

Program for Monday: Senate will resume consideration of the nomination of Robert J. Luck, of Florida, to be United States Circuit Judge for the Eleventh Circuit, and vote on the motion to invoke cloture thereon at 5:30 p.m.

House Chamber

Program for Friday: Complete consideration of H.R. 4863—United States Export Finance Agency Act of 2019.

Extensions of Remarks, as inserted in this issue

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