

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S151–S165*

**Measures Introduced:** One bill and one resolution were introduced, as follows: S. 3182, and S. Res. 468. **Page S161**

**Measures Reported:**

S. 1601, to direct the Secretary of Transportation to issue a rule requiring all new passenger motor vehicles to be equipped with a child safety alert system. (S. Rept. No. 116–204) **Page S161**

**Measures Passed:**

***Emancipation National Historic Trail Study Act:*** Committee on Energy and Natural Resources was discharged from further consideration of H.R. 434, to amend the National Trails System Act to provide for the study of the Emancipation National Historic Trail, and the bill was then passed. **Page S163**

***Death of former Senator Jocelyn Burdick:*** Senate agreed to S. Res. 468, relative to the death of the Honorable Jocelyn Burdick, former United States Senator for the State of North Dakota. **Page S163**

**Message from the President:** Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the issuance of an Executive Order with respect to Iran that takes additional steps with respect to the national emergency declared in Executive Order 12957 of March 15, 1995, received during adjournment of the Senate on January 10, 2020; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–41) **Page S160**

**Gaynor Nomination—Agreement:** Senate resumed consideration of the nomination of Peter Gaynor, of Rhode Island, to be Administrator of the Federal Emergency Management Agency, Department of Homeland Security. **Pages S151–59**

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

By 76 yeas to 8 nays (Vote No. EX. 11), Senate agreed to the motion to close further debate on the nomination. **Page S157**

A unanimous-consent agreement was reached providing for further consideration of the nomination, post-cloture, at approximately 10 a.m., on Tuesday, January 14, 2020; and that notwithstanding Rule XXII, the post-cloture time expire at 11:30 a.m., on Tuesday, January 14, 2020. **Page S163**

**Nominations Confirmed:** On Thursday, January 9, 2020, Senate confirmed the following nominations:

By 50 yeas to 44 nays (Vote No. EX. 10), Paul J. Ray, of Tennessee, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget.

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

By 50 yeas to 45 nays (Vote No. EX. 9), Senate agreed to the motion to close further debate on the nomination.

Cynthia L. Attwood, of Virginia, to be a Member of the Occupational Safety and Health Review Commission for a term expiring April 27, 2025.

Amanda Wood Laihow, of Maine, to be a Member of Occupational Safety and Health Review Commission for the remainder of a term expiring April 27, 2023.

Crosby Kemper III, of Missouri, to be Director of the Institute of Museum and Library Services for a term of four years. **Page S165**

**Nominations Received:** On Thursday, January 9, 2020, Senate received the following nominations:

Fernando L. Aenlle-Rocha, of California, to be United States District Judge for the Central District of California.

Stanley Blumenfeld, of California, to be United States District Judge for the Central District of California.

Grace Karaffa Obermann, of Virginia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Mark C. Scarsi, of California, to be United States District Judge for the Central District of California.

Stephen Sidney Schwartz, of Virginia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Scott J. Laurer, of Virginia, to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years.

J. David Patterson, of Tennessee, to be Deputy Under Secretary of Defense for Personnel and Readiness.

109 Air Force nominations in the rank of general.

3 Army nominations in the rank of general.

11 Marine Corps nominations in the rank of general.

Routine lists in the Air Force, Army, Foreign Service, and Marine Corps.

Pages S163–65

Messages from the House:

Pages S160–61

Measures Referred:

Page S161

Additional Cosponsors:

Pages S161–63

#### Statements on Introduced Bills/Resolutions:

Page S163

**Record Votes:** One record vote was taken today. (Total—11)

Page S157

**Adjournment:** Senate convened at 3 p.m. and adjourned, as a further mark of respect to the memory of the late Senator Jocelyn Burdick, in accordance with S. Res. 468, at 6:48 p.m., until 10 a.m. on Tuesday, January 14, 2020. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S163.)

### Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

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## House of Representatives

### Chamber Action

**Public Bills and Resolutions Introduced:** 11 public bills, H.R. 5585–5595; and 1 resolution, H. Res. 791, were introduced.

Page H207

**Additional Cosponsors:**

Pages H208–09

**Reports Filed:** Reports were filed today as follows:

H.R. 3851, to extend funding for Brand USA through fiscal year 2027, and for other purposes, with an amendment (H. Rept. 116–376, Part 1); and

H. Res. 790, providing for consideration of the bill (H.R. 1230) to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate standards for Federal employment discrimination and retaliation claims, and for other purposes; providing for consideration of the joint resolution (H.J. Res. 76) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to “Borrower Defense Institutional Accountability”; and providing for proceedings during the period from January 17, 2020, through January 24, 2020 (H. Rept. 116–377).

Page H207

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

Page H183

**Recess:** The House recessed at 12:05 p.m. and reconvened at 2 p.m.

Pages H183–84

**Recess:** The House recessed at 2:08 p.m. and reconvened at 4:30 p.m.

Page H184

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

*Approving the request of the Secretary of Veterans Affairs for a waiver under section 1703E(f) of title 38, United States Code:* H.J. Res. 80, approving the request of the Secretary of Veterans Affairs for a waiver under section 1703E(f) of title 38, United States Code;

Pages H185–86

*Homeless Assistance Act:* H.R. 4302, amended, to authorize public housing agencies to share certain data regarding homeless individuals and families for the provision of housing and services;

Pages H186–88

*8-K Trading Gap Act:* H.R. 4335, amended, to amend the Securities Exchange Act of 1934 to require the Securities and Exchange Commission to issue rules that prohibit officers and directors of certain companies from trading securities in anticipation of a current report, by a 2/3 yeas-and-nays vote of 384 yeas to 7 nays, Roll No. 14;

Pages H188–89, H201–02

**Prudential Regulator Oversight Act:** H.R. 4841, amended, to require the prudential banking regulators to provide annual testimony to Congress on their supervision and regulation activities;

Pages H189–92

**Expanding Opportunity for Minority Depository Institutions (MDIs) Act:** H.R. 5315, amended, to amend the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 to establish a Financial Agent Mentor-Protégé Program within the Department of the Treasury;

Pages H192–94

**Amending 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:** H.R. 2398, amended, 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, by a 2/3 yea-and-nay vote of 362 yeas to 31 nays, Roll No. 15;

Pages H194–95, H202–03

**Cybersecurity and Financial System Resilience Act:** H.R. 4458, amended, to require the Board of Governors of the Federal Reserve System to issue reports on cybersecurity with respect to the functions of the Federal Reserve System; and

Pages H195–98

**President George H.W. Bush and First Spouse Barbara Bush Coin Act:** S. 457, to require that \$1 coins issued during 2019 honor President George H.W. Bush and to direct the Secretary of the Treasury to issue bullion coins during 2019 in honor of Barbara Bush.

Pages H198–H201

**Senate Referrals:** S. 1982 was referred to the Committee on Transportation and Infrastructure, the Committee on Natural Resources, the Committee on Foreign Affairs, the Committee on Energy and Commerce, the Committee on Science, Space, and Technology, and the Committee on Agriculture. S. 2629 was referred to the Committee on Energy and Commerce. S.J. Res. 65 was referred to the Committee on House Administration. S.J. Res. 66 was referred to the Committee on House Administration. S.J. Res. 67 was referred to the Committee on House Administration.

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**Senate Message:** Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H184.

**Quorum Calls Votes:** Two yea-and-nay votes developed during the proceedings of today and appear on pages H201–02, and H202–03.

**Adjournment:** The House met at 12 noon and adjourned at 7:35 p.m.

## Committee Meetings

**PROTECTING OLDER WORKERS AGAINST DISCRIMINATION ACT; PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE DEPARTMENT OF EDUCATION RELATING TO “BORROWER DEFENSE INSTITUTIONAL ACCOUNTABILITY”**

**Committee on Rules:** Full Committee held a hearing on H.R. 1230, the “Protecting Older Workers Against Discrimination Act”; and H.J. Res. 76, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to “Borrower Defense Institutional Accountability”. The Committee granted, by record vote of 8–3, a rule providing for consideration of H.R. 1230, the “Protecting Older Workers Against Discrimination Act”, and H.J. Res. 76, Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to “Borrower Defense Institutional Accountability”. The rule provides for consideration of H.R. 1230, the “Protecting Older Workers Against Discrimination Act”, under a structured rule. The rule provides one hour of debate on the bill equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute consisting of the text of Rules Committee Print 116–46 shall be considered as adopted and the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule makes in order only those amendments printed in 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 the report. The rule provides one motion to recommit with or without instructions. The rule provides for consideration of H.J.

Res. 76, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to “Borrower Defense Institutional Accountability”, under a closed rule. The rule provides one hour of debate on the joint resolution equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor. The rule waives all points of order against consideration of the joint resolution. The rule provides that the joint resolution shall be considered as read. The rule waives all points of order against provisions in the joint resolution. The rule provides one motion to recommit. Section 3 of the rule provides that on any legislative day during the period from January 17, 2020, through January 24, 2020: 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. 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. The rule provides that each day during the period addressed by section 3 shall not constitute a legislative day for the purposes of clause 7 of rule XV. Testimony was heard from Chairman Scott of Virginia, and Representatives Foxx, Lee of Nevada, and Rodney Davis of Illinois.

## Joint Meetings

No joint committee meetings were held.

### COMMITTEE MEETINGS FOR TUESDAY, JANUARY 14, 2020

(Committee meetings are open unless otherwise indicated)

#### Senate

*Committee on the Budget*: business meeting to markup H.R. 5430, to implement the Agreement between the United States of America, the United Mexican States, and Canada attached as an Annex to the Protocol Replacing the North American Free Trade Agreement, 10:30 a.m., SD-608.

*Committee on Environment and Public Works*: business meeting to consider H.R. 5430, to implement the Agreement between the United States of America, the United Mexican States, and Canada attached as an Annex to the Protocol Replacing the North American Free Trade Agreement, 10 a.m., SD-406.

*Select Committee on Intelligence*: closed business meeting to consider pending intelligence matters; to be immediately followed by a closed hearing to examine certain intelligence matters, 2:30 p.m., SH-219.

#### House

*Committee on Education and Labor*, Full Committee, markup on H.R. 2694, the “Pregnant Workers Fairness Act”; and H.R. 5191, the “Runaway and Homeless Youth and Trafficking Prevention Act of 2019”, 10:15 a.m., 2175 Rayburn.

*Committee on Energy and Commerce*, Subcommittee on Oversight and Investigations, hearing entitled “A Public Health Emergency: State Efforts to Curb the Opioid Crisis”, 10 a.m., 2123 Rayburn.

Subcommittee on Environment and Climate Change, hearing entitled “Promoting American Innovation and Jobs: Legislation to Phase Down Hydrofluorocarbons”, 10:30 a.m., 2322 Rayburn.

*Committee on Financial Services*, Full Committee, hearing entitled “On the Brink of Homelessness: How the Affordable Housing Crisis and the Gentrification of America Is Leaving Families Vulnerable”, 10 a.m., 2128 Rayburn.

Subcommittee on Consumer Protection and Financial Institutions, hearing entitled “The Community Reinvestment Act: Reviewing Who Wins and Who Loses with Comptroller Otting’s Proposal”, 2 p.m., 2128 Rayburn.

*Committee on Foreign Affairs*, Full Committee, hearing entitled “From Sanctions to the Soleimani Strike to Escalation: Evaluating the Administration’s Iran Policy”, 10 a.m., 2172 Rayburn.

*Committee on Homeland Security*, Subcommittee on Border Security, Facilitation, and Operations, hearing entitled “Assessing the Adequacy of DHS Efforts to Prevent Child Deaths in Custody”, 10 a.m., 310 Cannon.

Subcommittee on Oversight, Management, and Accountability, hearing entitled “Seventeen Years Later: Why is Morale at DHS Still Low?”, 2 p.m., 310 Cannon.

*Committee on Natural Resources*, Subcommittee on Water, Oceans, and Wildlife, hearing on H.R. 1834, the “Defending Our National Marine Sanctuaries from Damaging Chemicals Act of 2019”; H.R. 2236, the “Forage Fish Conservation Act”; H.R. 4679, the “Climate-Ready Fisheries Act of 2019”; H.R. 4723, the “Fish Act of 2019”; H.R. 5126, the “Direct Enhancement of Snapper Conservation and the Economy through Novel Devices Act of 2019”; H.R. 5548, the “Fishery Failures: Urgently Needed Disaster Declarations Act”, 10 a.m., 1324 Longworth.

*Committee on Transportation and Infrastructure*, Subcommittee on Coast Guard and Maritime Transportation, hearing entitled “The Path to a Carbon-Free Maritime Industry: Investments and Innovation”, 10 a.m., 2167 Rayburn.

*Committee on Veterans’ Affairs*, Subcommittee on Economic Opportunity, hearing entitled “Making HUD-VASH Work for all Veteran Communities”, 10 a.m., HVC-210.

*Select Committee on the Modernization of Congress*, Full Committee, hearing entitled “Article One: Restoring Capacity and Equipping Congress to Better Serve the American People”, 2 p.m., 2020 Rayburn.

## CONGRESSIONAL PROGRAM AHEAD

Week of January 14 through January 17, 2020

## Senate Chamber

On *Tuesday*, Senate will continue consideration of the nomination of Peter Gaynor, of Rhode Island, to be Administrator of the Federal Emergency Management Agency, Department of Homeland Security, post-cloture, and vote on confirmation of the nomination at 11:30 a.m.

During the balance of the week, Senate may consider any cleared legislative and executive business.

## Senate Committees

*(Committee meetings are open unless otherwise indicated)*

*Committee on Armed Services:* January 16, to hold hearings to examine the nominations of James E. McPherson, of Virginia, to be Under Secretary of the Army, and Charles Williams, of Missouri, to be an Assistant Secretary of the Navy, both of the Department of Defense, 9:30 a.m., SD–G50.

*Committee on the Budget:* January 14, business meeting to markup H.R. 5430, to implement the Agreement between the United States of America, the United Mexican States, and Canada attached as an Annex to the Protocol Replacing the North American Free Trade Agreement, 10:30 a.m., SD–608.

*Committee on Commerce, Science, and Transportation:* January 15, business meeting to consider H.R. 5430, to implement the Agreement between the United States of America, the United Mexican States, and Canada attached as an Annex to the Protocol Replacing the North American Free Trade Agreement; to be immediately followed by a hearing to examine industries of the future, 10 a.m., SH–216.

*Committee on Environment and Public Works:* January 14, business meeting to consider H.R. 5430, to implement the Agreement between the United States of America, the United Mexican States, and Canada attached as an Annex to the Protocol Replacing the North American Free Trade Agreement, 10 a.m., SD–406.

January 15, Full Committee, to hold hearings to examine an update on implementation of the Nuclear Energy Innovation and Modernization Act, 10 a.m., SD–406.

*Committee on Foreign Relations:* January 15, to receive a closed briefing on United States-Iran policy and authorities for the use of force, 10 a.m., SVC–217.

January 16, Full Committee, business meeting to consider H.R. 5430, to implement the Agreement between the United States of America, the United Mexican States, and Canada attached as an Annex to the Protocol Replacing the North American Free Trade Agreement, the nominations of Todd C. Chapman, of Texas, to be Ambassador to the Federative Republic of Brazil, John Hennessey-Niland, of Illinois, to be Ambassador to the Republic of Palau, Dorothy Shea, of North Carolina, to be Ambassador to the Lebanese Republic, and Donald Wright, of Virginia, to be Ambassador to the United Re-

public of Tanzania, all of the Department of State, and other pending calendar business, 10 a.m., S–116, Capitol.

*Committee on Health, Education, Labor, and Pensions:* January 15, business meeting to consider H.R. 5430, to implement the Agreement between the United States of America, the United Mexican States, and Canada attached as an Annex to the Protocol Replacing the North American Free Trade Agreement, 10 a.m., SD–430.

*Committee on the Judiciary:* January 16, business meeting to consider the nominations of Andrew Lynn Brasher, of Alabama, to be United States Circuit Judge for the Eleventh Circuit, John Charles Hinderaker, and Scott H. Rash, both to be a United States District Judge for the District of Arizona, Joshua M. Kindred, to be United States District Judge for the District of Alaska, Matthew Thomas Schelp, to be United States District Judge for the Eastern District of Missouri, Fernando L. Aenlle-Rocha, Stanley Blumenfeld, and Mark C. Scarsi, each to be a United States District Judge for the Central District of California, Stephen A. Vaden, of Tennessee, to be a Judge of the United States Court of International Trade, and Grace Karaffa Obermann, and Stephen Sidney Schwartz, both of Virginia, both to be a Judge of the United States Court of Federal Claims, 10 a.m., SD–226.

*Select Committee on Intelligence:* January 14, closed business meeting to consider pending intelligence matters; to be immediately followed by a closed hearing to examine certain intelligence matters, 2:30 p.m., SH–219.

## House Committees

*Committee on Armed Services,* January 15, Full Committee, hearing entitled “DOD’s Role in Competing with China”, 10 a.m., 2118 Rayburn.

*Committee on the Budget,* January 15, Full Committee, hearing entitled “Why Federal Investments Matter: Stability from Congress to State Capitals”, 10 a.m., 210 Cannon.

*Committee on Energy and Commerce,* January 15, Subcommittee on Health, hearing entitled “Cannabis Policies for the New Decade”, 10 a.m., 2123 Rayburn.

January 15, Subcommittee on Communications and Technology, hearing entitled “Lifting Voices: Legislation to Promote Media Marketplace Diversity”, 10:30 a.m., 2322 Rayburn.

*Committee on Financial Services,* January 15, Subcommittee on National Security, International Development, and Monetary Policy, hearing entitled “A Persistent and Evolving Threat: An Examination of the Financing of Domestic Terrorism and Extremism”, 10 a.m., 2128 Rayburn.

January 15, Subcommittee on Investor Protection, Entrepreneurship, and Capital Markets, hearing entitled “Overseeing the Standard Setters: An Examination of the Financial Accounting Standards Board and the Public Company Accounting Oversight Board”, 2 p.m., 2128 Rayburn.

*Committee on Foreign Affairs,* January 15, Full Committee, hearing entitled “U.S. Lessons Learned in Afghanistan”, 10 a.m., 2172 Rayburn.

January 15, Subcommittee on the Western Hemisphere, Civilian Security, and Trade, hearing entitled

“Strengthening Security and the Rule of Law in Mexico”, 2 p.m., 2172 Rayburn.

*Committee on Homeland Security*, January 15, Full Committee, hearing entitled “U.S.-Iran Tensions: Implications for Homeland Security”, 10 a.m., 310 Cannon.

January 15, Subcommittee on Intelligence and Counterterrorism, hearing entitled “Confronting the Rise in Anti-Semitic Domestic Terrorism”, 2 p.m., 310 Cannon.

*Committee on Natural Resources*, January 15, Full Committee, markup on H.R. 306, the “Kettle Creek Battlefield Study Act”; H.R. 496, the “Sinkhole Mapping Act of 2019”; H.R. 895, the “Tribal School Federal Insurance Parity Act”; H.R. 1702, the “Free Veterans from Fees Act”; H.R. 2640, the “Buffalo Tract Protection Act”; H.R. 3068, the “Offshore Wind Jobs and Opportunity Act”; H.R. 3160, the “Blackwater Trading Post Land Transfer Act”; H.R. 3465, the “Fallen Journalists Memorial Act of 2019”; H.R. 4248, the “Surface Mining Control and Reclamation Act Amendments of 2019”; H.R.

5552, the “Migratory Bird Protection Act of 2020”, 10 a.m., 1324 Longworth.

*Committee on Oversight and Reform*, January 15, Full Committee, hearing entitled “Facial Recognition Technology (Part III): Ensuring Commercial Transparency and Accuracy”, 10 a.m., 2154 Rayburn.

*Committee on Science, Space, and Technology*, January 15, Full Committee, hearing entitled “An Update on the Climate Crisis: From Science to Solutions”, 10 a.m., 2318 Rayburn.

January 15, Subcommittee on Energy, hearing entitled “The Department of Energy’s Office of Science: Exploring the Next Frontiers in Energy Research and Scientific Discovery”, 2 p.m., 2318 Rayburn.

*Committee on Small Business*, January 15, Full Committee, hearing entitled “Enhancing Patent Diversity for America’s Innovators”, 11:30 a.m., 2360 Rayburn.

*Committee on Transportation and Infrastructure*, January 15, Subcommittee on Aviation, hearing entitled “Oversight of Working Conditions for Airline Ground Workers”, 10 a.m., 2167 Rayburn.

*Next Meeting of the SENATE*

10 a.m., Tuesday, January 14

## Senate Chamber

**Program for Tuesday:** Senate will continue consideration of the nomination of Peter Gaynor, of Rhode Island, to be Administrator of the Federal Emergency Management Agency, Department of Homeland Security, post-cloture, and vote on confirmation of the nomination at 11:30 a.m.

*(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)*

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Tuesday, January 14

## House Chamber

**Program for Tuesday:** Consideration of H.R. 1230—Protecting Older Workers Against Discrimination Act (Subject to a Rule).

## Extensions of Remarks, as inserted in this issue

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