

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S7289–S7377*

**Measures Introduced:** Fourteen bills and one resolution were introduced, as follows: S. 4983–4996, and S. Res. 798. **Page S7327**

**Measures Reported:**

S. 2891, to require the Secretary of the Interior to establish Tribal Wildlife Corridors. (S. Rept. No. 116–305)

S. 4556, to authorize the Secretary of Health and Human Services, acting through the Director of the Indian Health Service, to acquire private land to facilitate access to the Desert Sage Youth Wellness Center in Hemet, California. (S. Rept. No. 116–306)

S. 790, to clarify certain provisions of Public Law 103–116, the Catawba Indian Tribe of South Carolina Land Claims Settlement Act of 1993, with an amendment in the nature of a substitute. (S. Rept. No. 116–307)

S. 2165, to enhance protections of Native American tangible cultural heritage, with an amendment in the nature of a substitute. (S. Rept. No. 116–308)

S. 3044, to amend the American's Water Infrastructure Act of 2018 to expand the Indian reservation drinking water program, with an amendment in the nature of a substitute. (S. Rept. No. 116–309) **Page S7327**

**Measures Passed:**

**Food Allergy Safety, Treatment, Education, and Research Act:** Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. 3451, to improve the health and safety of Americans living with food allergies and related disorders, including potentially life-threatening anaphylaxis, food protein-induced enterocolitis syndrome, and eosinophilic gastrointestinal diseases, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Pages S7292–93**

Thune (for Scott (SC)/Murphy) Amendment No. 2695, in the nature of a substitute. **Page S7292**

**DELIVER Act:** Committee on Veterans' Affairs was discharged from further consideration of H.R. 7105, to provide flexibility for the Secretary of Vet-

erans Affairs in caring for homeless veterans during a covered public health emergency, to direct the Secretary of Veterans Affairs to carry out a retraining assistance program for unemployed veterans, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page S7372**

Inhofe (for Moran/Tester) Amendment No. 2696, in the nature of a substitute. **Page S7372**

**Bankruptcy Administration Improvement Act:** Senate passed S. 4996, to ensure funding of the United States trustees, extend temporary bankruptcy judgeships. **Pages S7372–75**

**Whistleblower Act:** Committee on Homeland Security and Governmental Affairs was discharged from further consideration of S. 2315, to amend section 4712 of title 41, United States Code, to clarify the inclusion of subcontractors and subgrantees for whistleblower protection, and the bill was then passed. **Page S7375**

**STORM Act:** Senate passed S. 3418, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to allow the Administrator of the Federal Emergency Management Agency to provide capitalization grants to States to establish revolving funds to provide hazard mitigation assistance to reduce risks from disasters and natural hazards, and other related environmental harm, after withdrawing the committee amendments, and agreeing to the following amendment proposed thereto: **Pages S7375–77**

Inhofe (for Peters) Amendment No. 2697, in the nature of a substitute. **Page S7377**

**Measures Considered:**

**Foreign Military Sales Joint Resolutions:** By 46 yeas to 50 nays (Vote No. 261), Senate rejected the motion to discharge the Committee on Foreign Relations from further consideration of S.J. Res. 77, providing for congressional disapproval of the proposed foreign military sale to the United Arab Emirates of certain defense articles and services. **Pages S7296–S7317**

By 47 yeas to 49 nays (Vote No. 262), Senate rejected the motion to discharge the Committee on Foreign Relations from further consideration of S.J. Res. 78, providing for congressional disapproval of

the proposed foreign military sale to the United Arab Emirates of certain defense articles and services.

**Pages S7313–17**

### Conference Reports:

**National Defense Authorization Act—Agreement:** Senate began consideration of the conference report to accompany H.R. 6395, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year.

**Page S7317**

A motion was entered to close further debate on the conference report to accompany the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Friday, December 11, 2020.

**Page S7318**

A unanimous-consent agreement was reached providing for further consideration of the conference report to accompany the bill at approximately 10 a.m., on Thursday, December 10, 2020.

**Page S7377**

**Nominations Confirmed:** Senate confirmed the following nominations:

By 49 yeas to 47 nays (Vote No. EX. 258), Allen Dickerson, of the District of Columbia, to be a Member of the Federal Election Commission for a term expiring April 30, 2025.

**Pages S7291–92, S7293–94, S7377**

By 92 yeas to 4 nays (Vote No. EX. 259), Shana M. Broussard, of Louisiana, to be a Member of the Federal Election Commission for a term expiring April 30, 2023.

**Pages S7294, S7377**

By 50 yeas to 46 nays (Vote No. EX. 260), Sean J. Cooksey, of Missouri, to be a Member of the Federal Election Commission for a term expiring April 30, 2021.

**Pages S7294–95, S7377**

**Messages from the House:**

**Pages S7325–26**

**Measures Referred:**

**Page S7326**

**Executive Communications:**

**Page S7326**

**Petitions and Memorials:**

**Pages S7326–27**

**Additional Cosponsors:**

**Pages S7327–28**

**Statements on Introduced Bills/Resolutions:**

**Pages S7328–31**

**Additional Statements:**

**Pages S7324–25**

**Amendments Submitted:**

**Pages S7331–72**

**Authorities for Committees to Meet:**

**Page S7372**

**Record Votes:** Five record votes were taken today. (Total—262)

**Page S7294–95, S7317**

**Adjournment:** Senate convened at 10 a.m. and adjourned at 7:02 p.m., until 10 a.m. on Thursday, December 10, 2020. (For Senate's program, see the

remarks of the Acting Majority Leader in today's Record on page S7377.)

## Committee Meetings

(Committees not listed did not meet)

### EU-U.S. PRIVACY SHIELD

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine the invalidation of the European Union-United States Privacy Shield and the future of transatlantic data flows, after receiving testimony from James M. Sullivan, Deputy Assistant Secretary, International Trade Administration, Department of Commerce; Noah Phillips, Commissioner, Federal Trade Commission; Victoria Espinel, BSA—The Software Alliance, Washington D.C.; Peter Swire, Georgia Tech Scheller College of Business, Atlanta, on behalf of the Cross-Border Data Forum; and Neil Richards, Washington University School of Law, St. Louis, Missouri.

### NOMINATION

*Committee on Environment and Public Works:* Subcommittee on Clean Air and Nuclear Safety concluded a hearing to examine the nomination of Charles W. Cook, Jr., of Mississippi, to be a Member of the Board of Directors of the Tennessee Valley Authority, after the nominee, who was introduced by Senator Wicker, testified and answered questions in his own behalf.

### CHALLENGES TO RETIREMENT SECURITY

*Committee on Finance:* Subcommittee on Social Security, Pensions, and Family Policy concluded a hearing to examine investigating challenges to American retirement security, after receiving testimony from Scott Barr, Edward Jones, Zanesville, Ohio; Eric Stevenson, Nationwide, Columbus, Ohio; Michael P. Kreps, Groom Law Group, Washington, D.C.; and Joshua Luskin, National Association of Government Defined Contribution Administrators, Lexington, Kentucky.

### TRIBAL SELF-GOVERNANCE AND CULTURAL SOVEREIGNTY

*Committee on Indian Affairs:* Committee concluded a hearing to examine advancing tribal self-governance and cultural sovereignty for future generations, focusing on languages to homelands, after receiving testimony from Brian D. Vallo, Pueblo of Acoma, Acoma, New Mexico; Kirk Francis, United South and Eastern Tribes Sovereignty Protection Fund, Nashville, Tennessee; and John E. Echohawk, Native American Rights Fund, Boulder, Colorado.

**VA RESPONSE TO COVID-19**

*Committee on Veterans' Affairs:* Committee concluded a hearing to examine the Department of Veterans Affairs response to COVID-19 across the VA enterprise, after receiving testimony from Paul R. Lawrence, Under Secretary for Benefits, Veterans Benefits Administration, and Richard A. Stone, Executive in

Charge, Veterans Health Administration, both of the Department of Veterans Affairs.

**INTELLIGENCE**

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

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# House of Representatives

**Chamber Action**

**Public Bills and Resolutions Introduced:** 25 public bills, H.R. 8906–8930; and 4 resolutions, H. Con. Res. 126; and H. Res. 1253–1255, were introduced. **Pages H7109–10**

**Additional Cosponsors:** **Pages H7111–12**

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

H.R. 3632, to ensure that authorizations issued by the Secretary of Transportation to foreign air carriers do not undermine labor rights or standards, and for other purposes (H. Rept. 116–636); and

H.R. 5756, to amend the Bipartisan Budget Act of 2018 to extend the provision of assistance for critical services with respect to certain disasters, and for other purposes (H. Rept. 116–637). **Page H7109**

**Speaker:** Read a letter from the Speaker wherein she appointed Representative Cuellar to act as Speaker pro tempore for today. **Page H7049**

**Recess:** The House recessed at 11:33 a.m. and reconvened at 12 noon. **Page H7059**

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

*Further Continuing Appropriations Act, 2021, and Other Extensions Act:* H.R. 8900, making further continuing appropriations for fiscal year 2021, by a  $\frac{2}{3}$  yeas-and-nays vote of 343 yeas to 67 nays, Roll No. 240; **Pages H7062–66, H7092–93**

*Reaffirming the commitment to media diversity and pledging to work with media entities and diverse stakeholders to develop common ground solutions to eliminate barriers to media diversity:* H. Res. 549, reaffirming the commitment to media diversity and pledging to work with media entities and diverse stakeholders to develop common ground solutions to eliminate barriers to media diversity; **Pages H7066–67**

*Reliable Investment in Vital Energy Reauthorization Act:* H.R. 3361, to amend the Energy Policy

Act of 2005 to reauthorize hydroelectric production incentives and hydroelectric efficiency improvement incentives; **Pages H7067–68**

*Tribal Power Act:* H.R. 5541, amended, to amend the Energy Policy Act of 1992 to reauthorize programs to assist consenting Indian Tribes in meeting energy education, planning, and management needs; **Pages H7068–72**

*Timely Review of Infrastructure Act:* H.R. 1426, to amend the Department of Energy Organization Act to address insufficient compensation of employees and other personnel of the Federal Energy Regulatory Commission; **Pages H7072–74**

*Ceiling Fan Improvement Act of 2020:* H.R. 5758, to amend the Energy Policy and Conservation Act to make technical corrections to the energy conservation standard for ceiling fans, by a  $\frac{2}{3}$  yeas-and-nays vote of 396 yeas to 2 nays, Roll No. 241; **Pages H7074–76, H7093**

*Medical Marijuana Research Act:* H.R. 3797, amended, to amend the Controlled Substances Act to make marijuana accessible for use by qualified marijuana researchers for medical purposes; **Pages H7076–83**

*Amending title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening:* H.R. 1570, amended, to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening; **Pages H7083–86**

Agreed to amend the title so as to read: “To amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening, and for other purposes.”; **Pages H7085–86**

*Directing the Comptroller General of the United States to complete a study on barriers to participation in federally funded cancer clinical trials by populations that have been traditionally underrepresented in such trials:* H.R. 1966, amended, to direct the Comptroller General of the United States to complete a study on barriers to participation in federally funded cancer clinical trials by populations that have been traditionally underrepresented in such trials; **Pages H7086–88**

*Amending title XXX of the Public Health Services Act to provide for a technical correction to provide the Inspector General of the Department of Health and Human Service certain authorities with respect to investigations of information blocking:* H.R. 7898, amended, to amend title XXX of the Public Health Services Act to provide for a technical correction to provide the Inspector General of the Department of Health and Human Service certain authorities with respect to investigations of information blocking; and **Pages H7088–92**

Agreed to amend the title so as to read: “To amend the Health Information Technology for Economic and Clinical Health Act to require the Secretary of Health and Human Services to consider certain recognized security practices of covered entities and business associates when making certain determinations, and for other purposes.”. **Page H7092**

**Senate Referrals:** S. 1869 was held at the desk. S. 3325 was held at the desk. S. 3729 was held at the desk. S. 4138 was held at the desk. S. 4460 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 H7092.

**Quorum Calls—Votes:** Two yea-and-nay votes developed during the proceedings of today and appear on pages H7092–93 and H7093.

**Adjournment:** The House met at 10 a.m. and adjourned at 7:25 p.m.

## Committee Meetings

### 1890 LAND GRANT INSTITUTIONS—130 YEARS OF BUILDING EQUITY IN AGRICULTURE

*Committee on Agriculture:* Subcommittee on Biotechnology, Horticulture, and Research held a hearing entitled “1890 Land Grant Institutions—130 Years of Building Equity in Agriculture”. Testimony was heard from public witnesses.

### FORT HOOD 2020: THE FINDINGS AND RECOMMENDATIONS OF THE FORT HOOD INDEPENDENT REVIEW COMMITTEE

*Committee on Armed Services:* Subcommittee on Military Personnel held a hearing entitled “Fort Hood 2020: The Findings and Recommendations of the Fort Hood Independent Review Committee”. Testimony was heard from the following Fort Hood Independent Review Committee officials: Chris Swecker, Chair; Jonathan Harmon, Member; Carrie Ricci, Member; Queta Rodriguez, Member; and Jack White, Member.

### DIPLOMACY OR DEAD END: AN EVALUATION OF SYRIA POLICY

*Committee on Foreign Affairs:* Full Committee held a hearing entitled “Diplomacy or Dead End: An Evaluation of Syria Policy”. Testimony was heard from Joel D. Rayburn, Deputy Assistant Secretary for Levant Affairs and Special Envoy for Syria, Department of State.

### INTERNATIONAL HUMAN RIGHTS AND THE CLOSING CIVIC SPACE

*Committee on Foreign Affairs:* Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations held a hearing entitled “International Human Rights and the Closing Civic Space”. Testimony was heard from public witnesses.

### PIPELINES OVER PEOPLE: HOW FERC TRAMPLES LANDOWNER RIGHTS IN NATURAL GAS PROJECTS

*Committee on Oversight and Reform:* Subcommittee on Civil Rights and Civil Liberties held a hearing entitled “Pipelines Over People: How FERC Tramples Landowner Rights in Natural Gas Projects”. Testimony was heard from David L. Morenoff, Acting General Counsel, Federal Energy Regulatory Commission; and Terry Turpin, Director, Office of Energy Projects, Federal Energy Regulatory Commission.

### THE TOXIC WORLD OF PRESUMPTIVE SERVICE CONNECTION DETERMINATIONS: WHY SHOULD OUR VETERANS WAIT?

*Committee on Veterans' Affairs:* Subcommittee on Disability Assistance and Memorial Affairs held a hearing entitled “The Toxic World of Presumptive Service Connection Determinations: Why Should Our Veterans Wait?”. Testimony was heard from Beth Murphy, Executive Director, Policy and Procedures, Compensation Service, Veterans Benefits Administration, Department of Veterans Affairs; Elizabeth H. Curda, Director, Education, Workforce, and Income Security, Government Accountability Office; and public witnesses.

## Joint Meetings

### U.S. PRIORITIES FOR OSCE ENGAGEMENT

*Commission on Security and Cooperation in Europe:* On Tuesday, December 8, 2020, Commission concluded a hearing to examine United States priorities for engagement at the Organization for Security and Cooperation in Europe, after receiving testimony from Philip T. Reeker, Acting Assistant Secretary of State for European and Eurasian Affairs.

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### NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D1060)

H.R. 8247, to make certain improvements relating to the transition of individuals to services from the Department of Veterans Affairs, suicide prevention for veterans, and care and services for women veterans. Signed on December 5, 2020. (Public Law 116–214)

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### COMMITTEE MEETINGS FOR THURSDAY, DECEMBER 10, 2020

(Committee meetings are open unless otherwise indicated)

#### Senate

*Committee on Commerce, Science, and Transportation:* Subcommittee on Transportation and Safety, to hold hearings to examine the logistics of transporting a COVID–19 vaccine, 9:30 a.m., SR–253.

*Committee on Homeland Security and Governmental Affairs:* Permanent Subcommittee on Investigations, to hold hearings to examine combatting the opioid crisis, focusing on oversight of the implementation of the STOP Act, 10 a.m., SD–342/WEBEX.

*Committee on the Judiciary:* business meeting to consider S. 4632, to amend title 17, United States Code, to establish an alternative dispute resolution program for copyright small claims, to amend the Communications Act of 1934 to modify the scope of protection from civil liability for “good Samaritan” blocking and screening of offensive material, and the nominations of Thomas L. Kirsch II, of Indiana, to be United States Circuit Judge for the Seventh Circuit, Charles Edward Atchley, Jr., and Katherine A. Crytzer, both to be a United States District Judge for the Eastern District of Tennessee, Joseph Dawson III, to be United States District Judge for the District of South Carolina, and Zachary N. Somers, of the District of Columbia, to be a Judge of the United States Court of Federal Claims, 10 a.m., SD–G50.

*Committee on Small Business and Entrepreneurship:* to hold hearings to examine small business in crisis, focusing on the 2020 Paycheck Protection Program and its future, 10 a.m., SR–301.

#### House

*Committee on Foreign Affairs,* Subcommittee on Asia, the Pacific, and Nonproliferation, hearing entitled “Taiwan and the United States: Enduring Bonds in the Face of Adversity”, 10 a.m., Webex.

*Committee on Oversight and Reform,* Subcommittee on Government Operations, hearing entitled “The Elements of Presidential Transitions”, 10 a.m., Webex.

*Next Meeting of the SENATE*

10 a.m., Thursday, December 10

## Senate Chamber

**Program for Thursday:** Senate will continue consideration of the conference report to accompany H.R. 6395, National Defense Authorization Act.

*Next Meeting of the HOUSE OF REPRESENTATIVES*

9 a.m., Thursday, December 10

## House Chamber

**Program for Thursday:** Consideration of measures under suspension of the Rules.

## Extensions of Remarks, as inserted in this issue

Bost, Mike, Ill., E1120, E1124  
 Calvert, Ken, Calif., E1120  
 Cuellar, Henry, Tex., E1119, E1120, E1122, E1124, E1126  
 DeFazio, Peter A., Ore., E1127, E1127  
 Dingell, Debbie, Mich., E1126  
 Engel, Eliot L., N.Y., E1125, E1126  
 Eshoo, Anna G., Calif., E1121, E1125  
 García, Jesús G. "Chuy", Ill., E1121

Graves, Garret, La., E1124  
 Jackson Lee, Sheila, Tex., E1122  
 Jordan, Jim, Ohio, E1119, E1121  
 King, Steve, Iowa, E1119  
 Lee, Barbara, Calif., E1122  
 McCaul, Michael T., Tex., E1127  
 McCollum, Betty, Minn., E1125  
 Norton, Eleanor Holmes, The District of Columbia, E1119  
 Pence, Greg, Ind., E1124

Perry, Scott, Pa., E1124  
 Reschenthaler, Guy, Pa., E1123  
 Scott, Austin, Ga., E1119  
 Shimkus, John, Ill., E1121  
 Smith, Adrian, Nebr., E1122  
 Speier, Jackie, Calif., E1120, E1123, E1126  
 Steil, Bryan, Wisc., E1120  
 Wittman, Robert J., Va., E1123



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