

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S7763–S8057

Measures Introduced: Forty-one bills and eight resolutions were introduced, as follows: S. 3163–3203, S. Res. 440–446, and S. Con. Res. 20.

Pages S7788–90

Measures Passed:

National Native American Heritage Month: Senate agreed to S. Res. 440, recognizing National Native American Heritage Month and celebrating the heritages and cultures of Native Americans and the contributions of Native Americans to the United States.

Pages S8054–55

National Bison Day: Senate agreed to S. Res. 441, designating November 6, 2021, as “National Bison Day”.

Page S8055

SFC Sean Cooley and SPC Christopher Horton Congressional Gold Star Family Fellowship Program: Senate agreed to S. Res. 442, establishing the SFC Sean Cooley and SPC Christopher Horton Congressional Gold Star Family Fellowship Program for the Senate.

Page S8055

McCain-Mansfield Fellowship Program: Senate agreed to S. Res. 443, establishing the McCain-Mansfield Fellowship Program for the Senate.

Page S8055

Public Radio Music Day: Senate agreed to S. Res. 444, expressing support for the designation of “Public Radio Music Day” and deep appreciation for the role of public radio music stations in serving listeners, musicians, and hundreds of communities in the United States.

Page S8055

Congratulating the Atlanta Braves: Senate agreed to S. Res. 445, congratulating the Atlanta Braves for winning the 2021 Major League Baseball World Series and honoring the life of Henry Louis Aaron.

Page S8055

House Messages:

Protecting America’s First Responders Act: Senate concurred in the amendment of the House of Representatives to S. 1511, to amend the Omnibus

Crime Control and Safe Streets Act of 1968 with respect to payments to certain public safety officers who have become permanently and totally disabled as a result of personal injuries sustained in the line of duty.

Page S8054

Pro Forma Sessions—Agreement: A unanimous-consent agreement was reached providing that the Senate adjourn, to then convene for pro forma sessions only, with no business being conducted on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, November 5, 2021, at 8:30 a.m.; Tuesday, November 9, 2021, at 12 noon; Friday, November 12, 2021, at 8:30 a.m.; and that when the Senate adjourns on Friday, November 12, 2021, it next convene on Monday, November 15, 2021, at 3 p.m.

Page S8055

Steele Nomination—Cloture: Senate began consideration of the nomination of Graham Scott Steele, of California, to be an Assistant Secretary of the Treasury.

Page S7777

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 4, 2021, a vote on cloture will occur at 5:30 p.m. on Monday, November 15, 2021.

Page S7777

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

Senate agreed to the motion to proceed to Legislative Session.

Page S7777

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

Page S7777

A unanimous-consent agreement was reached providing that at approximately 3 p.m., on Monday, November 15, 2021, Senate resume consideration of the nomination; and that notwithstanding the provisions of Rule XXII, the motions to invoke cloture filed during the session of Thursday, November 4, 2021 ripen at 5:30 p.m. on Monday, November 15, 2021.

Page S8055

Bonnie Nomination—Cloture: Senate began consideration of the nomination of Robert Farrell

Bonnie, of Virginia, to be Under Secretary of Agriculture for Farm Production and Conservation.

Page S7777

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 Graham Scott Steele, of California, to be an Assistant Secretary of the Treasury.

Page S7777

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

Senate agreed to the motion to proceed to Legislative Session.

Page S7777

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

Page S7777

Nelson Nomination—Cloture: Senate began consideration of the nomination of Brian Eddie Nelson, of California, to be Under Secretary of the Treasury for Terrorism and Financial Crimes.

Pages S7777–84

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 Farrell Bonnie, of Virginia, to be Under Secretary of Agriculture for Farm Production and Conservation.

Pages S7777–78

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

Senate agreed to the motion to proceed to Legislative Session.

Page S7777

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

Page S7777

Kanter Nomination—Agreement: A unanimous-consent-time agreement was reached providing that notwithstanding Rule XXII, if applicable, at a time to be determined by the Majority Leader, in consultation with the Republican Leader, Senate begin consideration of the nomination of Jonathan Kanter, of Maryland, to be an Assistant Attorney General, Department of Justice; that there be 10 minutes for debate equally divided in the usual form on the nomination; and that upon the use or yielding back of time, Senate proceed to vote, without intervening action or debate, on confirmation of the nomination; and that no further motions be in order to the nomination.

Page S7784

Nominations Confirmed: Senate confirmed the following nominations:

By 92 yeas to 5 nays (Vote No. EX. 463), Michael Lee Connor, of Colorado, to be an Assistant Secretary of the Army.

Pages S7769–70

By 58 yeas to 35 nays (Vote No. EX. 465), Robert Luis Santos, of Texas, to be Director of the Census for a term expiring December 31, 2026.

Pages S7763–65, S7770–77

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

By 61 yeas to 36 nays (Vote No. EX. 464), Senate agreed to the motion to close further debate on the nomination.

Page S7770

Geraldine Richmond, of Oregon, to be Under Secretary for Science, Department of Energy.

Page S7784

M. Camille Calimlim Touton, of Nevada, to be Commissioner of Reclamation.

Page S7784

Nominations Received: Senate received the following nominations:

Samuel H. Slater, of Massachusetts, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for a term expiring November 22, 2023.

Alice P. Albright, of the District of Columbia, to be Chief Executive Officer, Millennium Challenge Corporation.

Randi Charno Levine, of New York, to be Ambassador to the Portuguese Republic.

Monde Muyangwa, of Maryland, to be an Assistant Administrator of the United States Agency for International Development.

Marc B. Nathanson, of California, to be Ambassador to the Kingdom of Norway.

Pages S8056–57

Messages from the House:

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Measures Referred:

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Executive Communications:

Pages S7787–88

Executive Reports of Committees:

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Additional Cosponsors:

Pages S7790–93

Statements on Introduced Bills/Resolutions:

Pages S7793–S7801

Additional Statements:

Pages S7785–87

Amendments Submitted:

Pages S7801–S8054

Authorities for Committees to Meet:

Page S8054

Privileges of the Floor:

Page S8054

Record Votes: Three record votes were taken today. (Total—465)

Pages S7769–70, S7777

Adjournment: Senate convened at 10 a.m. and adjourned at 4:57 p.m., until 8:30 a.m. on Friday, November 5, 2021. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S8055.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Agriculture, Nutrition, and Forestry: Committee ordered favorably reported the nominations of Rostin Behnam, of Maryland, to be Chairman, and to be a Commissioner of the Commodity Futures Trading Commission.

CIVILIAN NUCLEAR ENERGY

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the potential non-electric applications of civilian nuclear energy, after receiving testimony from Shannon Bragg-Sitton, Director, Integrated Energy and Storage Systems Division, Energy and Environment Science and Technology Directorate, Idaho National Laboratory, Department of Energy; Paul Chodak III, American Electric Power, Columbus, Ohio; and Michael J. Guastella, Council on Radionuclides and Radiopharmaceuticals, Inc., Washington, D.C.

COVID-19 RESPONSE

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine the road ahead for the COVID-19 response, focusing on next

steps, after receiving testimony from Rochelle P. Walensky, Director, Centers for Disease Control and Prevention, Anthony S. Fauci, Director, National Institute of Allergy and Infectious Diseases, National Institutes of Health, Janet Woodcock, Acting Commissioner of Food and Drugs, Food and Drug Administration, and Dawn O'Connell, Assistant Secretary for Preparedness and Response, all of the Department of Health and Human Services.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 2342, to amend title 9 of the United States Code with respect to arbitration of disputes involving sexual assault and sexual harassment, with an amendment in the nature of a substitute; and

The nominations of Clare E. Connors, to be United States Attorney for the District of Hawaii, Zachary A. Cunha, to be United States Attorney for the District of Rhode Island, Nikolas P. Kerest, to be United States Attorney for the District of Vermont, Cole Finegan, to be United States Attorney for the District of Colorado, and Kenneth L. Parker, to be United States Attorney for the Southern District of Ohio, all of the Department of Justice.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 37 public bills, H.R. 5853–5889; and 3 resolutions, H. Con. Res. 59; and H. Res. 772–773, were introduced.

Pages H6205–07

Additional Cosponsors:

Pages H6208–09

Reports Filed: There were no reports filed today.

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

Page H6181

Recess: The House recessed at 11:32 a.m. and reconvened at 12 noon.

Pages H6190–91

Recess: The House recessed at 12:19 p.m. and reconvened at 1:30 p.m.

Page H6193

Protect Older Job Applicants Act: The House passed H.R. 3992, to amend the Age Discrimination in Employment Act of 1967 to prohibit employers from limiting, segregating, or classifying applicants for employment, by a yea-and-nay vote of 224 yeas

to 200 nays, Roll No. 358. Consideration began yesterday, November 3rd.

Pages H6193–95

Agreed to amend the title so as to read: "To amend the Age Discrimination in Employment Act of 1967 to prohibit employers from limiting, segregating, or classifying applicants for employment."

Agreed to:

Pappas amendment (No. 1 printed in part E of H. Rept. 117–137) that was debated on November 3rd that requires the Equal Employment Opportunity Commission to conduct a study on the number of job applicants impacted by age discrimination in the job application process and issue recommendations on addressing age discrimination in the job application process (by a yea-and-nay vote of 225 yeas to 201 nays, Roll No. 356).

Pages H6393–94

Rejected:

Keller amendment (No. 2 printed in part E of H. Rept. 117–137) that was debated on November 3rd that sought to require a GAO study to determine whether not allowing claims of disparate impact discrimination by applicants for employment under the

Age Discrimination in Employment Act of 1967 has a significant negative impact on such applicants, and provides that if the results of the study show there is not a significant negative impact on such applicants, then the Act shall not take effect (by a yeas-and-nays vote of 197 yeas to 228 nays, Roll No. 357).

Page H6394

H. Res. 716, the rule providing for consideration of the bills (H.R. 2119), (H.R. 3110), and (H.R. 3992) and relating to consideration of the Senate amendment to the House amendment to the bill (S. 1301) was agreed to Tuesday, October 12th.

Oath of Office—Eleventh Congressional District of Ohio: Representative-elect Shontel M. Brown presented herself in the well of the House and was administered the Oath of Office by the Speaker. Earlier, the Clerk of the House transmitted a scanned copy of a letter received from Amanda M. Grandjean, Esq., Director of Elections and Deputy Assistant Secretary of State, Ohio Office of the Secretary of State, indicating that, according to the unofficial results of the Special Election held November 2, 2021, the Honorable Shontel M. Brown was elected Representative to Congress for the Eleventh Congressional District, State of Ohio.

Page H6196

Oath of Office—Fifteenth Congressional District of Ohio: Representative-elect Mike Carey presented himself in the well of the House and was administered the Oath of Office by the Speaker. Earlier, the Clerk of the House transmitted a scanned copy of a letter received from Amanda M. Grandjean, Esq., Director of Elections and Deputy Assistant Secretary of State, Ohio Office of the Secretary of State, indicating that, according to the unofficial results of the Special Election held November 2, 2021, the Honorable Mike Carey was elected Representative to Congress for the Fifteenth Congressional District, State of Ohio.

Page H6196

Whole Number of the House: The Speaker announced to the House that, in light of the administration of the oath of office to the gentlewoman and the gentleman from Ohio, the whole number of the House is 434.

Page H6197

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measure. Consideration began Wednesday, November 3rd.

Hazard Eligibility and Local Projects Act: H.R. 1917, to modify eligibility requirements for certain hazard mitigation assistance programs, by a yeas-and-nays vote of 409 yeas to 16 nays, Roll No. 359;

Pages H6195–96

Advanced Air Mobility Coordination and Leadership Act: H.R. 1339, amended, to require the Sec-

retary of Transportation to establish an advanced air mobility interagency working group, by a yeas-and-nays vote of 383 yeas to 41 nays, Roll No. 360;

Pages H6197–98

Eliminating Barriers to Rural Internet Development Grant Eligibility Act: H.R. 3193, amended, to amend the Public Works and Economic Development Act of 1965 to provide for a high-speed broadband deployment initiative, by a yeas-and-nays vote of 410 yeas to 16 nays, Roll No. 361;

Pages H6198–99

Preliminary Damage Assessment Improvement Act of 2021: H.R. 3709, to direct the Administrator of the Federal Emergency Management Agency to submit to Congress a report on preliminary damage assessments and make necessary improvements to processes in the Federal Emergency Management Agency, by a yeas-and-nays vote of 402 yeas to 11 nays, Roll No. 362;

Pages H6199–H6200

Amending title 40, United States Code, to modify the treatment of certain bargain-price options to purchase at less than fair market value: H.R. 2220, to amend title 40, United States Code, to modify the treatment of certain bargain-price options to purchase at less than fair market value, by a yeas-and-nays vote of 416 yeas to 4 nays, Roll No. 363;

Page H6200

Redesignating the Federal building located at 167 North Main Street in Memphis, Tennessee as the “Odell Horton Federal Building”: H.R. 390, to redesignate the Federal building located at 167 North Main Street in Memphis, Tennessee as the “Odell Horton Federal Building”, by a yeas-and-nays vote of 422 yeas to 2 nays with one answering “present”, Roll No. 364;

Pages H6200–01

Designating the Federal building located at 1200 New Jersey Avenue Southeast in Washington, DC, as the “Norman Yoshio Mineta Federal Building”: H.R. 4679, to designate the Federal building located at 1200 New Jersey Avenue Southeast in Washington, DC, as the “Norman Yoshio Mineta Federal Building”, by a yeas-and-nays vote of 409 yeas to 14 nays with one answering “present”, Roll No. 365; and

Pages H6201–02

Designating the Federal Building and United States Courthouse located at 1125 Chapline Street in Wheeling, West Virginia, as the “Frederick P. Stamp, Jr. Federal Building and United States Courthouse”: H.R. 4660, to designate the Federal Building and United States Courthouse located at 1125 Chapline Street in Wheeling, West Virginia, as the “Frederick P. Stamp, Jr. Federal Building and United States Courthouse”, by a yeas-

yea-and-nay vote of 416 yeas to 4 nays with one answering “present”, Roll No. 366. **Pages H6202–03**

Recess: The House recessed at 5:58 p.m. and reconvened at 10:05 p.m. **Page H6203**

Senate Referral: S. Con. Res. 19 was held at the desk. **Page H6193**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H6193.

Quorum Calls—Votes: Eleven yea-and-nay votes developed during the proceedings of today and appear on pages H6193–94, H6394, H6195, H6195–96, H6197–98, H6198–99, H6199, H6200, H6200–01, H6201–02, and H6202–03.

Adjournment: The House met at 10 a.m. and adjourned at 10:05 p.m.

Committee Meetings

CLOSING THE COURTHOUSE DOORS: THE INJUSTICE OF FORCED ARBITRATION AGREEMENTS

Committee on Education and Labor: Subcommittee on Health, Employment, Labor, and Pensions held a hearing entitled “Closing the Courthouse Doors: The Injustice of Forced Arbitration Agreements”. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Subcommittee on Health held a markup on H.R. 1193, the “CAROL Act”; H.R. 1667, the “Dr. Lorna Breen Health Care Provider Protection Act”; H.R. 3297, the “Public Health Workforce Loan Repayment Act of 2021”; H.R. 3320, the “Allied Health Workforce Diversity Act of 2021”; H.R. 3537, the “Accelerating Access to Critical Therapies for ALS Act”; H.R. 4555, the “Oral Health Literacy and Awareness Act of 2021”; H.R. 5487, the “SHINE for Autumn Act of 2021”; H.R. 5551, the “Improving the Health of Children Act”; and H.R. 5561, the “Early Hearing Detection and Intervention Reauthorization Act”. H.R. 1193, H.R. 1667, H.R. 3297, H.R. 3320, H.R. 3537, H.R. 5487, H.R. 5551 were forwarded to the full Committee, as amended. H.R. 4555 and H.R. 5561 were forwarded to the full Committee, without amendment.

FROM TIMBER TO TUNGSTEN: HOW THE EXPLOITATION OF NATURAL RESOURCES FUNDS ROGUE ORGANIZATIONS AND REGIMES

Committee on Financial Services: Subcommittee on National Security, International Development and Monetary Policy held a hearing entitled “From Timber

to Tungsten: How the Exploitation of Natural Resources Funds Rogue Organizations and Regimes”. Testimony was heard from public witnesses.

THE TEXAS ABORTION BAN AND ITS DEVASTATING IMPACT ON COMMUNITIES AND FAMILIES

Committee on the Judiciary: Full Committee held a hearing entitled “The Texas Abortion Ban and its Devastating Impact on Communities and Families”. Testimony was heard from public witnesses.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Water, Oceans, and Wildlife held a hearing on H. Res. 320, recognizing the critical importance of access to reliable, clean drinking water for Native Americans and Alaska Natives and confirming the responsibility of the Federal Government to ensure such water access; H.R. 4832, the “Open Access Evapotranspiration Data Act”; H.R. 5001, the “Upper Colorado and San Juan River Basins Recovery Act”; and H.R. 5345, the “Saline Lake Ecosystems in the Great Basin States Program Act of 2021”. Testimony was heard from Representatives Neguse, Lee of Nevada, and Moore of Utah; Tanya Trujillo, Assistant Secretary for Water and Science, Department of the Interior; Rebecca Mitchell, Director, Colorado Water Conservation Board; Joel Ferry, State Representative, District 1, Utah House of Representatives; and public witnesses.

BUILD BACK BETTER ACT

Committee on Rules: Full Committee concluded a hearing on H.R. 5376, the “Build Back Better Act”. The Committee granted, by record vote of 9–4, a closed rule providing for consideration of H.R. 5376, the “Build Back Better Act”. The rule provides two hours of debate equally divided among and controlled by the chair and ranking minority member of the Committee on the Budget or their respective designees and the chair and ranking minority member of the Committee on Ways and Means or their respective designees. The rule waives all points of order against consideration of the bill. The rule provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 117–18, modified by the amendment printed in the Rules Committee report, 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 provides one motion to recommit. The rule provides that House Resolution 188 is amended by striking “November 18, 2021” and inserting “December 3, 2021”.

THE COMMUNITY COLLEGE PIPELINE TO SMALL BUSINESSES

Committee on Small Business: Subcommittee on Innovation, Entrepreneurship, and Workforce Development held a hearing entitled “The Community College Pipeline to Small Businesses”. Testimony was heard from public witnesses.

THE EVOLVING CYBERSECURITY LANDSCAPE: INDUSTRY PERSPECTIVES ON SECURING THE NATION'S INFRASTRUCTURE

Committee on Transportation and Infrastructure: Full Committee held a hearing entitled “The Evolving Cybersecurity Landscape: Industry Perspectives on Securing the Nation's Infrastructure”. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Veterans' Affairs: Full Committee held a markup on H.R. 1836, the “Guard and Reserve GI Bill Parity Act of 2021”; H.R. 3944, the “Burial Equity for Guards and Reserves Act of 2021”; H.R. 5603, the “Protections for Student Veterans Act”; H.R. 4591, the “VA Electronic Health Record Transparency Act of 2021”; H.R. 2250, the “VA IT Reform Act of 2021”; H.R. 5721, the “VIPER Act”; H.R. 2916, the “VA Medical Cannabis Research Act of 2021”; H.R. 5029, the “Expanding the Families of Veterans Access to Mental Health Services Act”; H.R. 5516, the “VITAL Assessment Act”; H.R. 5529, the “Veterans Justice Outreach Improvement Act”; H.R. 5761, to authorize the Secretary of Veterans Affairs to furnish seasonal influenza vaccines to certain individuals, and for other purposes; H.R. 2385, the “Justice for Women Veterans Act”; H.R. 5562, to amend title 38, United States Code, to expand eligibility for hospital care, medical services, and nursing home care from the Department of Veterans Affairs to include veterans of World War II; H.R. 1596, the “Commission to

Study the Stigmatization, Criminalization, and Ongoing Exclusion and Inequity for LGBTQ Servicemembers and Veterans Act”; H.R. 4845, to amend title 38, United States Code, to establish the Advisory Committee on Lesbian, Gay, Bisexual, Transgender, and Queer Veterans; H.R. 3730, to amend title 38, United States Code, to establish in the Department of Veterans Affairs an Advisory Committee on United States Outlying Areas and Freely Associated States, and for other purposes; H.R. 5607, the “Justice for ALS Veterans Act of 2021”; and H.R. 5151, the “Col. James Floyd Turner IV USMC GI Bill Transfer Act of 2021”. H.R. 1836, H.R. 3944, H.R. 5603, H.R. 4591, H.R. 2250, H.R. 5516, H.R. 5529, H.R. 5671, H.R. 2385, H.R. 1596, and H.R. 5151 were ordered reported, as amended. H.R. 5721, H.R. 2916, H.R. 5029, H.R. 5562, H.R. 4845, H.R. 3730, and H.R. 5607 were ordered reported, without amendment.

ARTICLE ONE: STRENGTHENING CONGRESSIONAL OVERSIGHT CAPACITY

Select Committee on the Modernization of Congress: Full Committee held a hearing entitled “Article One: Strengthening Congressional Oversight Capacity”. Testimony was heard from public witnesses.

Joint Meetings

No joint committee meetings were held.

**COMMITTEE MEETINGS FOR FRIDAY,
NOVEMBER 5, 2021**

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No hearings are scheduled.

Next Meeting of the SENATE

8:30 a.m., Friday, November 5

Next Meeting of the HOUSE OF REPRESENTATIVES

8 a.m., Friday, November 5

Senate Chamber

Program for Friday: Senate will meet in a pro forma session.

House Chamber

Program for Friday: Senate Amendment to H.R. 3684—Infrastructure Investment and Jobs Act and the Build Back Better Act.

Extensions of Remarks, as inserted in this issue.

HOUSE

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