

Daily Digest

HIGHLIGHTS

Senate passed H.R. 3762, Restoring Americans' Healthcare Freedom Reconciliation Act, as amended.

Senate agreed to the conference report to accompany H.R. 22, Developing a Reliable and Innovative Vision for the Economy Act.

Senate

Chamber Action

Routine Proceedings, pages S8323–S8426

Measures Introduced: Thirteen bills and four resolutions were introduced, as follows: S. 2347–2359, S.J. Res. 26, and S. Res. 326–328. **Pages S8378–79**

Measures Reported:

S. 1704, to amend the Indian Tribal Justice Act to secure urgent resources vital to Indian victims of crime, with an amendment in the nature of a substitute. (S. Rept. No. 114–172)

H.R. 2820, to reauthorize the Stem Cell Therapeutic and Research Act of 2005, with an amendment in the nature of a substitute.

S. 2136, to establish the Regional SBIR State Collaborative Initiative Pilot Program, with an amendment in the nature of a substitute. **Page S8378**

Measures Passed:

Restoring Americans' Healthcare Freedom Reconciliation Act: By 52 yeas to 47 nays (Vote No. 329), Senate passed H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016, after taking action on the following amendments proposed thereto: **Pages S8326–57**

Adopted:

By 90 yeas to 10 nays (Vote No. 316), Heller Amendment No. 2882 (to Amendment No. 2874), to strike the reinstatement of the tax on employee health insurance premiums and health plan benefits. **Pages S8344–45**

By 60 yeas to 39 nays (Vote No. 324), Coats Amendment No. 2888 (to Amendment No. 2874), to amend the Internal Revenue Code of 1986 to extend the special rule for seniors relating to the income level for deduction of medical care expenses. **Pages S8352–53**

Reid Amendment No. 2917 (to Amendment No. 2916), to strike the reinstatement of the tax on employee health insurance premiums and health plan benefits. **Page S8354**

Enzi (for McConnell) Amendment No. 2916 (to Amendment No. 2874), in the nature of a substitute. **Pages S8353–54, S8356**

McConnell Amendment No. 2874, in the nature of a substitute. **Page S8326**

Rejected:

Murray/Wyden Amendment No. 2876 (to Amendment No. 2874), to ensure that this Act does not increase the number of uninsured women or increase the number of unintended pregnancies by establishing a women's health care and clinic security and safety fund. (By 54 yeas to 46 nays (Vote No. 311), Senate tabled the amendment.) **Pages S8326, S8341–42**

By 56 yeas to 44 nays (Vote No. 312), Johnson Amendment No. 2875 (to Amendment No. 2874), to amend the Patient Protection and Affordable Care Act to ensure that individuals can keep their health insurance coverage. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S8326, S8342**

By 48 yeas to 52 nays (Vote No. 314), Collins Amendment No. 2885 (to Amendment No. 2874), relating to the repeal of the prevention and public health fund. **Page S8343**

By 10 yeas to 89 nays (Vote No. 323), Paul Amendment No. 2899 (to Amendment No. 2874), to prevent the entry of extremists into the United States under the refugee program. Subsequently, a point of order that the amendment would violate section 313(b)(1)(c) of the Congressional Budget Act of 1974 was withdrawn. (A unanimous-consent

agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, was not agreed to.) **Page S8350**

Cardin Amendment No. 2913 (to Amendment No. 2874), to amend the Internal Revenue Code of 1986 to extend the special rule for seniors relating to the income level for deduction of medical care expenses and to require high-income taxpayers to pay a fair share of taxes. **Pages S8351–52**

By 54 yeas to 45 nays (Vote No. 325), Paul Amendment No. 2915 (to Amendment No. 2874), to restore Second Amendment rights in the District of Columbia. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, was not agreed to.) **Page S8353**

Withdrawn:

McCain/Klobuchar Amendment No. 2884 (to Amendment No. 2874), to amend the Federal Food, Drug, and Cosmetic Act to allow for the personal importation of safe and affordable drugs from approved pharmacies in Canada. **Pages S8350–51**

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

By 45 yeas to 55 nays (Vote No. 313), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive all applicable sections of the Congressional Budget Act of 1974 with respect to consideration of Brown Amendment No. 2883 (to Amendment No. 2874), to maintain the 100 percent FMAP for the Medicaid expansion population. Subsequently, a point of order that the amendment would cause the underlying legislation to exceed the authorizing committee's 302(a) allocation of new budget authority or outlays was sustained, and the amendment thus fell. **Pages S8342–43**

By 46 yeas to 54 nays (Vote No. 315), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive all applicable sections of the Congressional Budget Act of 1974 with respect to consideration of Casey/Baldwin Amendment No. 2893 (to Amendment No. 2874), to amend the Internal Revenue Code of 1986 to establish a credit for married couples who are both employed and have young children. Subsequently, a point of order that the amendment would cause the underlying legislation to exceed the authorizing committee's 302(a) allocation of new budget authority or outlays was sustained, and the amendment thus fell. **Pages S8343–44**

By 47 yeas to 52 nays (Vote No. 317), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive all applicable sections of the Congressional Budget Act of 1974 with respect to consideration of

Shaheen Amendment No. 2892 (to Amendment No. 2874), to improve mental health and substance use prevention and treatment. Subsequently, a point of order that the amendment would cause the underlying legislation to exceed the authorizing committee's 302(a) allocation of new budget authority or outlays was sustained, and the amendment thus fell. **Page S8345**

By 55 yeas to 44 nays (Vote No. 318), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive all applicable sections of the Congressional Budget Act of 1974 and applicable budget resolutions with respect to consideration of Cornyn Amendment No. 2912 (to Amendment No. 2874), relating to the Protect America Act. Subsequently, a point of order that the amendment would violate section 313(b)(1)(c) of the Congressional Budget Act of 1974 was sustained, and the amendment thus fell. **Pages S8345–46**

By 45 yeas to 54 nays (Vote No. 319), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive all applicable sections of the Congressional Budget Act of 1974 with respect to consideration of Feinstein Amendment No. 2910 (to Amendment No. 2874), to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists. Subsequently, a point of order that the amendment would violate section 313(b)(1)(c) of the Congressional Budget Act of 1974 was sustained, and the amendment thus fell. **Pages S8346–47**

By 53 yeas to 46 nays (Vote No. 320), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive all applicable sections of the Congressional Budget Act of 1974 and applicable budget resolutions with respect to consideration of Grassley Amendment No. 2914 (to Amendment No. 2874), to address gun violence, improve the availability of records to the National Instant Criminal Background Check System, address mental illness in the criminal justice system, and end straw purchases and trafficking of illegal firearms. Subsequently, a point of order that the amendment would violate section 313(b)(1)(c) of the Congressional Budget Act of 1974 was sustained, and the amendment thus fell. **Pages S8347–48**

By 48 yeas to 50 nays (Vote No. 321), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive all applicable sections of the Congressional Budget Act of 1974 and applicable budget resolutions with respect to consideration of Manchin/

Toomey Amendment No. 2908 (to Amendment No. 2874), to protect Second Amendment rights, ensure that all individuals who should be prohibited from buying a firearm are listed in the National Instant Criminal Background Check System, and provide a responsible and consistent background check process. Subsequently, a point of order that the amendment would violate section 313(b)(1)(c) of the Congressional Budget Act of 1974 was sustained, and the amendment thus fell. **Page S8348**

By 47 yeas to 52 nays (Vote No. 322), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive all applicable sections of the Congressional Budget Act of 1974 and applicable budget resolutions with respect to consideration of Bennet/Sanders Amendment No. 2907 (to Amendment No. 2874), to provide additional amounts to the Department of Veterans Affairs to increase the access of veterans to care and improve the physical infrastructure of the Department of Veterans Affairs and to impose a fair share tax on high-income taxpayers. Subsequently, a point of order that the amendment would cause the underlying legislation to exceed the authorizing committee's 302(a) allocation of new budget authority or outlays was sustained, and the amendment thus fell. **Pages S8348–50**

By 52 yeas to 47 nays (Vote No. 326), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive all applicable sections of the Congressional Budget Act of 1974 and applicable budget resolutions with respect to consideration of Enzi (for McConnell) Amendment No. 2916 (to Amendment No. 2874), in the nature of a substitute. Subsequently, a point of order that section 105(b) of the amendment would violate section 313(b)(1)(d) of the Congressional Budget Act of 1974 was sustained, and section 105(b) was stricken. **Pages S8353–54, S8356**

By 45 yeas to 54 nays (Vote No. 327), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive all applicable sections of the Congressional Budget Act of 1974 and applicable budget resolutions with respect to consideration of Baldwin Amendment No. 2919 (to Amendment No. 2916), to ensure that individuals can keep their health insurance coverage. Subsequently, a point of order that the amendment would cause the underlying legislation to exceed the authorizing committee's 302(a) allocation of new budget authority or outlays was sustained, and the amendment thus fell. **Pages S8354–55**

By 46 yeas to 53 nays (Vote No. 328), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to

waive all applicable sections of the Congressional Budget Act of 1974 and applicable budget resolutions with respect to consideration of Murphy/Stabenow Amendment No. 2918 (to Amendment No. 2916), to protect victims of violence or disease, veterans, workers who have lost their health insurance and their jobs, and other vulnerable populations from the repeal of the advance premium tax credit. Subsequently, a point of order that the amendment would cause the underlying legislation to exceed the authorizing committee's 302(a) allocation of new budget authority or outlays was sustained, and the amendment thus fell. **Pages S8355–56**

National Bison Legacy Act: Committee on the Judiciary was discharged from further consideration of S. 2032, to adopt the bison as the national mammal of the United States, and the bill was then passed. **Page S8426**

Conference Reports:

Developing a Reliable and Innovative Vision for the Economy Act: By 83 yeas to 16 nays (Vote No. 331), Senate agreed to the conference report to accompany H.R. 22, to authorize funds for Federal-aid highways, highway safety programs, and transit programs. **Pages S8357–66**

By 77 yeas to 22 nays (Vote No. 330) three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive Rule XXVIII relative to section 32205 with respect to the conference report. Subsequently, the point of order under Rule XXVIII that section 32205, exceeds the scope of conference report to accompany the bill, was not sustained. **Page S8364**

Every Child Achieves Act—Cloture: Senate began consideration of the conference report to accompany S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves. **Pages S8425–26**

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 Tuesday, December 8, 2015. **Pages S8425–26**

McDonough Nomination—Agreement: A unanimous-consent-time agreement was reached providing that at 5 p.m., on Monday, December 7, 2015, Senate begin consideration of the nomination of Travis Randall McDonough, to be United States District Judge for the Eastern District of Tennessee; that there then be 30 minutes of debate on the nomination, and that following the use or yielding back of time, Senate vote on confirmation of the nomination,

without intervening action or debate; and that no further motions be in order to the nomination.

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Messages from the House: Page S8376

Measures Read the First Time: Pages S8376, S8426

Enrolled Bills Presented: Pages S8376–77

Executive Communications: Pages S8377–78

Petitions and Memorials: Page S8378

Additional Cosponsors: Pages S8379–80

Statements on Introduced Bills/Resolutions: Pages S8380–82

Additional Statements: Pages S8374–76

Amendments Submitted: Pages S8382–S8425

Authorities for Committees to Meet: Page S8425

Record Votes: Twenty-one record votes were taken today. (Total—331) Pages S8341–50, S8352–57, S8364

Adjournment: Senate convened at 9:30 a.m. and adjourned at 9:53 p.m., until 2 p.m. on Monday, December 7, 2015. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S8426.)

Committee Meetings

(Committees not listed did not meet)

SUPPORTING THE WARFIGHTER

Committee on Armed Services: Committee concluded a hearing to examine supporting the warfighter of today and tomorrow, after receiving testimony from Michael B. Donley, former Secretary of the Air Force, Lieutenant General Michael T. Flynn, USA (Ret.), former Director, Defense Intelligence Agency, and General James L. Jones, USMC (Ret.), former National Security Advisor to the President, Supreme Allied Commander, Europe, and Commander,

United States European Command, and 32nd Commandant of the Marine Corps, all of the Department of Defense.

ALASKA NATIONAL INTEREST LANDS CONSERVATION ACT

Committee on Energy and Natural Resources: Committee concluded an oversight hearing to examine implementation of the Alaska National Interest Lands Conservation Act of 1980, including perspectives on the Act's impacts in Alaska and suggestions for improvements to the Act, after receiving testimony from Alaska Governor Bill Walker, Juneau; Alaska State Senator John Coghill, Fairbanks, on behalf of the Citizens' Advisory Commission on Federal Areas in Alaska; Anna M. Seidman, Safari Club International, Washington, D.C.; and Rod Arno, Alaska Outdoor Council, Valerie Brown, Trustees for Alaska, Joshua M. Kindred, Alaska Oil and Gas Association, and J.P. Tangen, all of Anchorage, Alaska.

U.S. ROLE IN THE MIDDLE EAST

Committee on Foreign Relations: Committee received a closed briefing on the United States role in the Middle East from Madeleine K. Albright, former Secretary of State, and Stephen J. Hadley, former National Security Advisor, both of Washington, D.C.

NOMINATIONS

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nominations of Robert A. Salerno, and Darlene Michele Soltys, both to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years, and Carol Waller Pope, of the District of Columbia, to be a Member of the Federal Labor Relations Authority for a term of five years expiring July 1, 2019 (Reappointment), after the nominees, who were introduced by Representative Norton, testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 19 public bills, H.R. 4165–4183; and 6 resolutions, H. Res. 548–553 were introduced. Pages H9010–12

Additional Cosponsors: Pages H9012–13

Reports Filed: Reports were filed today as follows:

H.R. 195, to terminate the Election Assistance Commission (H. Rept. 114–361);

H.R. 412, to reduce Federal spending and the deficit by terminating taxpayer financing of presidential election campaigns (H. Rept. 114–362, Part 1);

H.R. 3869, to amend the Homeland Security Act of 2002 to require State and local coordination on cybersecurity with the national cybersecurity and