

Wednesday, October 23, 2013

Daily Digest

Senate

Chamber Action

The Senate was not in session and stands adjourned until 2 p.m. on Monday, October 28, 2013.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 29 public bills, H.R. 3309–3337 and 3 resolutions, H.J. Res. 98; and H. Res. 389–390 were introduced.

Pages H6767–69

Additional Cosponsors:

Pages H6770–71

Report Filed: A report was filed today as follows:

H.R. 2850, to require certain procedures in the conduct by the Environmental Protection Agency of its study of the potential impacts of hydraulic fracturing on drinking water resources, with an amendment (H. Rept. 113–252).

Page H6767

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

Page H6679

Recess: The House recessed at 11:45 a.m. and reconvened at 12 noon.

Page H6691

Journal: The House agreed to the Speaker's approval of the Journal by voice vote.

Pages H6691, H6758

Water Resources Reform and Development Act of 2013: The House passed H.R. 3080, to provide for improvements to the rivers and harbors of the United States and to provide for the conservation and development of water and related resources, by a yea-and-nay vote of 417 yeas to 3 nays, Roll No. 560.

Pages H6696–H6758

Pursuant to the rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–24 shall be considered as an original bill for the purpose of amendment under the five-minute rule, in lieu of the amendment in the nature of a substitute recommended by the Com-

mittee on Transportation and Infrastructure now printed in the bill.

Page H6721

Agreed to:

Gibbs manager's amendment (No. 1 printed in H. Rept. 113–251) that adds a new section that provides for expediting the completion of any on-going feasibility study for a project initiated prior to enactment and clarifies that the Corps of Engineers is authorized to move to preconstruction planning, engineering, and design activities immediately after completing a feasibility study. Amends Section 107 of H.R. 3080 to add a savings clause to ensure work carried out under an existing statute related to navigation that is repealed in H.R. 3080 can continue if initiated prior to enactment. Adds a new section providing non-Federal interests the ability to carry out work at their own expense for a project where a final feasibility report has been completed but has not received authorization from Congress. Requires the non-Federal interest to carry out work subject to any State or Federal permitting requirements and to carry out the project in accordance with the final feasibility report. Amends Section 120 of H.R. 3080 to request the Corps of Engineers to review the uses and economic feasibility of non-structural alternatives in their review of existing authorities for carrying out work after a storm event. Amends Section 102 of H.R. 3080 to add natural gas companies to the entities eligible to contribute funds to Corps of Engineers to expedite the processing of permits within the regulatory program of the Corps of Engineers. Makes other technical and conforming changes to H.R. 3080;

Pages H6738–40

Shuster en bloc amendment that consists of the following amendments printed in H. Rept.

113–251: Mullin amendment (No. 4), as modified, that specifies that due to ongoing drought in many parts of the United States, state agencies are finding it difficult to maintain Federal Energy Regulatory Commission-licensed lake levels. Not later than 180 days after enactment, FERC is to initiate an assessment of the effects of drought conditions on these lakes and report to Congress—specifically looking at existing FERC-licensed lakes with rule curves in areas of drought and the effect long-term licenses have on state agencies being able to meet all their obligations; Jackson Lee amendment (No. 9) that provides that in making recommendations pursuant to Section 118 of the Act, the Secretary shall consult with key stakeholders, including State, county, and city governments, and, where applicable, State and local water districts, and in the case of recommendations concerning projects that substantially affect under represented communities the Secretary shall also consult with historically Black colleges and universities, Tribal Colleges and Universities, and other minority-serving institutions; Grimm amendment (No. 10) that modifies Section 118 to require the Secretary of the Army to include project recommendations made in the study for flood and storm damage reduction related to natural disasters under title II of division A of the Disaster Relief Appropriations Act, 2013 within the Secretary’s Report to Congress on Future Water Resources Development; Peters (CA) amendment (No. 11) that adds a subsection specifying that the Secretary of the Army coordinates with the Administrator of the FEMA to disseminate the emergency communication of risk to the public through widely used and readily available means; Stutzman amendment (No. 12) that provides that the Secretary of the Army shall not require the removal of levee vegetation until the Corps of Engineers’ policy guidelines on vegetation management for levees have been reviewed and adopted. Provides an exception for vegetation that presents an unacceptable safety risk; Pierluisi amendment (No. 14) that adds Puerto Rico to the provision of law that would be updated for inflation by Section 137 and that authorizes the Secretary of the Army to waive local cost-sharing requirements up to a specified dollar amount for studies and projects in certain U.S. territories; Cotton amendment (No. 15) that allows non-Federal entities (regional authorities or municipalities) and the Army Corps of Engineers to collaborate on a proposal to sell any excess water supply in order to address an oversupply of water resulting from the 1958 Water Supply Act. This would not authorize the Corps to actually sell the water or release the water from storage; Hastings (WA) amendment (No. 17) that ensures that Congress continue the practice of authorizing project purposes at Corps

of Engineers dams or reservoirs; McCollum amendment (No. 18) that establishes a multiagency effort to slow the spread of Asian carp in the Upper Mississippi and Ohio River basins and tributaries by providing technical assistance, coordination, best practices, and support to State and local governments in carrying out such activities; Thompson (CA) amendment (No. 19) that requires the Government Accountability Office to conduct an assessment on the impacts of aquatic invasive species on Federal assets and current Federal spending on aquatic invasive species prevention; Brownley amendment (No. 20) that requires the Army Corps to consider activities of the Secretary of the Navy when assessing the operation and maintenance needs of harbors and the equitable distribution of funds; Lowenthal amendment (No. 21) that requires the Secretary to include “expanded uses” of the Harbor Maintenance Trust Fund in the assessments and prioritization of operations and maintenance reports to Congress; Brownley amendment (No. 22) that requires GAO to study and report to Congress on the effectiveness of activities funded by the Harbor Maintenance Trust Fund in maximizing economic growth and job creation in the communities surrounding low- and moderate-use ports; and include recommendations relating to the use of amounts in the Harbor Maintenance Trust Fund to increase the competitiveness of United States ports relative to Canadian and Mexican ports; and Schneider amendment (No. 23) that expands congressional reporting requirements to include recommendations for mitigating current problems and limiting the construction backlog;

Pages H6743–46

Flores amendment (No. 3 printed in H. Rept. 113–251) that prohibits programs or actions authorized under this Act from further implementation of coastal and marine spatial planning and ecosystem-based management components under Executive Order 13547. Requires the Secretary of the Army to conduct and submit a study detailing all activities engaged in and resources expended in furtherance of Executive Order 13547. The study also should include any budget requests for fiscal year 2014 for support of implementation of Executive Order 13547, and be submitted to the House Committee on Transportation and Infrastructure and Senate Committee on Commerce, Science, and Transportation (by a recorded vote of 225 ayes to 193 noes, Roll No. 557); and

Pages H6741–43, H6755–56

Richmond amendment (No. 16 printed in H. Rept. 113–251) that directs the Corps to calculate the national benefits of proposed flood protection projects, including benefits from a reduction in national and regional economic losses, as well as the

protection of evacuation routes (by a recorded vote of 237 ayes to 183 noes, Roll No. 559).

Pages H6752–54, H6757

Rejected:

Young (AK) amendment (No. 5 printed in H. Rept. 113–251) that sought to require USACE to contract with private sector surveying and mapping firms, wherever practical, in performance of surveying and mapping services and activities for Corps projects. Would require the Secretary to issue agency guidance to encourage use of the private sector for surveying and mapping services, and require a process to provide oversight of the performance of compliance with the guidance;

Pages H6746–48

Bentivolio amendment (No. 7 printed in H. Rept. 113–251) that sought to increase the amount of backlogged projects to be de-authorized, beyond what is initially de-authorized in the bill from \$12,000,000,000 to \$35,000,000,000;

Pages H6749–50

Velázquez amendment (No. 13 printed in H. Rept. 113–251) that sought to establish a national water-based freight policy to improve the movement of freight and cargo over waterways, canals, ports, and harbors;

Pages H6751–52

DeFazio amendment (No. 2 printed in H. Rept. 113–251) that sought to delay the application of environmental “streamlining” provisions in the bill until the Secretary certifies that there is sufficient funding to reduce the current backlog of authorized Corps projects to less than \$20 billion; more than \$40 billion in projects have already been authorized using existing environmental review processes, but have yet to receive funding for construction (by a recorded vote of 183 ayes to 236 noes, Roll No. 556); and

Pages H6740–41, H6755

Hastings (FL) amendment (No. 6 printed in H. Rept. 113–251) that sought to include operation and maintenance costs associated with sand transfer plants in the annual operations and maintenance budget of the Corps of Engineers (by a recorded vote of 133 ayes to 287 noes, Roll No. 558).

Pages H6748–49, H6756–57

Withdrawn:

Jones amendment (No. 8 printed in H. Rept. 113–251) that was offered and subsequently withdrawn that would have exempted the disaster restriction on projects which non-Federal interests may contribute to and

Pages H6750–51

Gardner amendment (No. 24 printed in H. Rept. 113–251) that was offered and subsequently withdrawn that would have established the Office of Water Storage at the Army Corp of Engineers to serve as an initial point of contact for the acquisition or satisfaction of a Federal permit for a water storage facility.

Pages H6754–55

H. Res. 385, the rule providing for consideration of the bill, was agreed to by a recorded vote of 271 ayes to 147 noes, Roll No. 555, after the previous question was ordered by a yea-and-nay vote of 225 yeas to 194 nays, Roll No. 554. **Pages H6696–H6706**

Moment of Silence: The House observed a moment of silence in honor of the 241 Americans who were lost in the bombing in Beirut on October 23, 1983.

Page H6755

Meeting Hour: Agreed that the order of the House of January 3, 2013 regarding morning hour debate not apply tomorrow, and when the House adjourns tomorrow, October 24th, it adjourn to meet on Monday, October 28th, when it shall convene at 12 noon for morning hour debate and 2 p.m. for legislative business. Further agreed that when the House adjourns today, it adjourn to meet at 12 noon tomorrow, October 24th.

Page H6760

Commission on Security and Cooperation in Europe—Appointment: The Chair announced the Speaker’s appointment of the following Members on the part of the House to the Commission on Security and Cooperation in Europe: Representatives Slaughter, McIntyre, and Cohen.

Page H6762

Quorum Calls—Votes: Two yea-and-nay votes and five recorded votes developed during the proceedings of today and appear on pages H6705–06, H6706, H6755, H6756, H6756–57, H6757, H6758. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:42 p.m.

Committee Meetings

INDEPENDENT ASSESSMENT OF THE NAVY’S 30 YEAR SHIPBUILDING PLAN

Committee on Armed Services: Subcommittee on Seapower and Project Forces held a hearing entitled “An Independent Assessment of the Navy’s 30 year Shipbuilding Plan”. Testimony was heard from Eric Labs, Senior Analyst for Naval Weapons and Forces, Congressional Budget Office; and Ronald O’Rourke, Specialist in Naval Affairs, Congressional Research Service.

IMPACTS OF A CONTINUING RESOLUTION AND SEQUESTRATION ON ACQUISITION AND MODERNIZATION

Committee on Armed Services: Subcommittee on Tactical Air and Land Forces held a hearing entitled “Impacts of a Continuing Resolution and Sequestration on Acquisition and Modernization”. Testimony was heard from Lieutenant General James O. Barclay III, Deputy Chief of Staff, USA; William A. LaPlante, Principal Deputy to Secretary of the Air

Force for Acquisition, USAF; Lieutenant General Michael R. Moeller, Deputy Chief of Staff for Strategic Plans and Programs, USAF; Vice Admiral Allen G. Myers, Deputy Chief of Naval Operations for Integration of Capabilities and Resources, USN; Heidi Shyu, Assistant Secretary of the Army for Acquisition, Logistics, and Technology, USA; Sean J. Stackley, Assistant Secretary of the Navy for Research, Development, and Acquisition, USN; Lieutenant General Glenn M. Walters, Deputy Commandant for Programs and Resources, USMC.

EVOLUTION OF WIRED COMMUNICATIONS NETWORKS

Committee on Energy and Commerce: Subcommittee on Communication and Technology held a hearing entitled “The Evolution of Wired Communications Networks”. Testimony was heard from John D. Burke, Board Member, Public Service Board, State of Vermont; and public witnesses.

LEGISLATION TO FURTHER REDUCE IMPEDIMENTS TO CAPITAL FORMATION

Committee on Financial Services: Subcommittee on Capital Markets and Government Sponsored Enterprises held a hearing entitled “Legislation to Further Re-

duce Impediments to Capital Formation”. Testimony was heard from public witnesses.

PREVENTING AND ADDRESSING SEX TRAFFICKING OF YOUTH IN FOSTER CARE

Committee on Ways and Means: Subcommittee on Human Resources held a hearing entitled “Preventing and Addressing Sex Trafficking of Youth in Foster Care”. Testimony was heard from Representatives Paulsen; Slaughter; Poe (TX); and Bass.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, OCTOBER 24, 2013

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Energy and Commerce, Full Committee, hearing entitled “PPACA Implementation Failures: Didn’t Know or Didn’t Disclose?”, 9 a.m., 2123 Rayburn.

Next Meeting of the SENATE

2 p.m., Monday, October 28

Next Meeting of the HOUSE OF REPRESENTATIVES

12 p.m., Thursday, October 24

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 4:30 p.m.), Senate will begin consideration of the nomination of Richard F. Griffin, Jr., of the District of Columbia, to be General Counsel of the National Labor Relations Board, with a vote on confirmation of the nomination at approximately 5:30 p.m.

House Chamber

Program for Thursday: The House will meet in pro forma session at 12 noon.

Extensions of Remarks, as inserted in this issue

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