Due to the Jewish new year celebration at the start of the week, Congress returns for an abbreviated week.

The Senate returns first, on Tuesday, to resume its consideration of a resolution to disapprove the Iran nuclear deal. The Senate spent last week debating the resolution, but on Thursday Democratic senators opposed cloture on the resolution in sufficient numbers, defeating the cloture motion on a 58-42 votes (60 votes are needed to cut off debate), thereby preventing a vote on the measure. Rather than give up, and in the wake of House rejection of the Iran deal on Friday, Majority Leader Mitch McConnell (R-KY) announced that the Senate would take up the resolution again this week in order to try to change two Democratic votes on cloture to enable the Senate to vote on the resolution of disapproval. The effort would appear bound to fail, so the maneuver is likely designed to force Democratic senators to cast another vote in the face of popular sentiment against the Iran deal, which most polls show is opposed by a large majority of Americans. Republicans are no doubt hoping the political pressure from the polls will force at least a couple of potentially vulnerable Democratic senators seeking reelection in 2016 to change their votes, though in politics changing one’s position is usually a worse sin than taking the wrong position in the first place. Therefore, no one should expect a different result. The Senate floor schedule following the completion of the chamber’s consideration of the Iran resolution is unclear at this writing.

The House returns on Wednesday for a full three days of legislating. On Wednesday, the House is scheduled to consider 13 bills under suspension. The bills are primarily from the Natural Resources Committee, with one from the Homeland Security Committee and two from the Science Committee. On Thursday and Friday, the House is scheduled to consider three bills brought to the floor under a Rule. The first of these is H.R. 758, the Lawsuit Abuse Reduction Act, introduced by former Judiciary Committee Chairman Lamar Smith (R-TX), which will be of interest to all federal-court litigators. The bill, which the House has passed in several prior sessions of Congress, would make the sanctions provisions under Rule 11 of the Federal Rules of Civil Procedure for filings in federal civil litigation that are not well-founded in law or fact mandatory. The bill reflects an effort to try to curb frivolous litigation in federal courts. Whatever the merits of the bill, its chance of enactment is nil, because the Senate will, as it has in the past, be unable to take the bill when it passes the House.

Once the House completes its consideration of the Lawsuit Abuse Reduction Act, it will turn its attention to two bills addressing red-hot, controversial and topical social issues. The House will take up H.R. 3134, sponsored by Rep. Diane Black (R-TN), the Defund Planned Parenthood Act of 2015. The bill would deprive Planned Parenthood of all federal funding for a year. The bill is in response to the undercover videos that have been released in recent weeks showing Planned Parenthood employees discussing the removal and sale of body parts from aborted fetuses. After considering that bill, the House will consider a bill to be introduced by Rep. Trent Franks (R-AZ), one of the leading pro-life advocates in Congress, called the Born-Alive Abortion Survivors Protection Act, a bill that will likely protect the lives of late-term fetuses born alive in the course of an abortion. No doubt these bills will both pass the House, but equally without doubt they will be unable to advance in the Senate. The purpose of bringing these bills to the House floor this week is likely to allow Members to vote on these issues in order to placate social conservatives and
allow Congress, in the wake of House approval of these bills, to take up a clean Continuing
Resolution without Planned Parenthood-related funding issues. Conservatives, led by Senator (and
Republican presidential candidate Ted Cruz (R-TX), have been threatening to block any Continuing
Resolution (CR) to provide funding for the federal government beyond September 30, when the fiscal
year ends, unless the CR blocks funding for Planned Parenthood. Whether or not the tactic of
allowing House votes on these two bills will placate social conservatives and allow Congress to
enact a clean CR before the end of the month and avoid a government shut-down remains to be seen.
Time to resolve government-funding issues, at least in the short-term, is running out, and the
coming weeks between now and the end of the fiscal year will see a Pope address a joint session of
Congress for the first time and the Yom Kippur Jewish holiday, both eating into limited legislative
time. In sum, House activity this week can be seen largely as an effort to set the stage for the
remaining week and a half of the fiscal year in order to enact a CR, whose length remains to be
negotiated.

Committees in both chambers have active hearing schedules this week. On Monday, the Senate Homeland
Security and Governmental Affairs Committee holds a field hearing in New Hampshire on the epidemic
of opioid and heroine abuse exploding across the country. On Wednesday and Thursday, five
committees in both chambers will hold four hearings into the debacle of the massive spill of
pollutants during the Environmental Protection Agency’s effort to remediate a polluted abandoned
gold mine in Colorado. Also on Wednesday, the Senate Finance Committee holds a hearing on identity
theft and the Senate Judiciary Committee holds a hearing on legislation to reform the Electronic
Communications Privacy Act, a 1986 statute that has become obsolete due to advances in technology
since 1986, when a cloud was a puffy object in the sky. On Thursday, the House Energy and Commerce
Committee holds a hearing on defunding abortion providers that violate federal law. Also on
Thursday, the House Foreign Affairs Committee will hold a hearing on how the Iran agreement will
benefit terrorist groups supported by Iran, which stands to receive billions of dollars it can use
to bolster the activities of these rabidly anti-American organizations. The scheduled hearings in
both chambers are listed below.

Monday, September 14, 2015

Senate Committees

Opioid Trafficking and Abuse
Senate Homeland Security and Governmental Affairs
Full Committee Field Hearing
2 p.m., New Hampshire Institute of Politics, Saint Anselm College, 100 Saint Anselm Drive,
Manchester, N.H.

Tuesday, September 15, 2015

House Committees

Gulf of Mexico Energy Production
House Natural Resources
Full Committee Field Hearing
9 a.m., 400 Royal St., New Orleans, La.

USDA Organization and Program Administration
House Agriculture
Full Committee Hearing
1:30 p.m., 1300 Longworth Bldg.

Senate Committees

Intelligence Issues
Senate Select Intelligence
Full Committee Closed Briefing
2:30 p.m., 219 Hart Bldg.

Wednesday, September 16, 2015

House Committees

USDA Organization and Program Administration
House Agriculture
Full Committee Hearing
10 a.m., 1300 Longworth Bldg.

Federal Superfund Facility Cleanup
House Energy and Commerce – Subcommittee on Environment and the Economy
Subcommittee Hearing
Sept. 16, 4 p.m., 2123 Rayburn Bldg.

Senate Committees

Gold King Mine Accident
Senate Environment and Public Works
Full Committee Oversight Hearing
9:30 a.m., 406 Dirksen Bldg.

Identity Theft Legislation
Senate Finance
Full Committee Markup
10 a.m., 215 Dirksen Bldg.

Health Information Technology
Senate Health, Education, Labor and Pensions
Full Committee Hearing
10 a.m., 430 Dirksen Bldg.

Regulatory Revisions
Senate Homeland Security and Governmental Affairs
Full Committee Hearing
10 a.m., 342 Dirksen Bldg.

Reforming the Electronic Communications Privacy Act
Senate Judiciary
Full Committee Hearing
10:15 a.m., 226 Dirksen Bldg.

Syria, Iraq, and the Fight Against ISIS
Senate Foreign Relations
Full Committee Hearing
2:30 p.m., 419 Dirksen Bldg.

Gold King Mine Spill
Senate Indian Affairs
Full Committee Oversight Hearing
2:15 p.m., 628 Dirksen Bldg.

Veterans Issues
Senate Veterans’ Affairs
Full Committee Hearing
2:30 p.m., 418 Russell Bldg.

Thursday, September 17, 2015

House Committees

Animas River Spill
House Natural Resources; House Oversight and Government Reform
Committees Joint Hearing
10 a.m., 2154 Rayburn Bldg.

Veterans Measures
House Veterans’ Affairs
Full Committee Markup
10:30 a.m., 334 Cannon Bldg.

Protecting Infants: Ending Taxpayer Funding for Abortion Providers Who Violate the Law
House Energy and Commerce – Subcommittee on Health
Subcommittee Hearing
3 p.m., 2123 Rayburn Bldg.

Challenges to Religious Freedom in the Americas
House Foreign Affairs – Subcommittee on the Western Hemisphere
Subcommittee Hearing
2 p.m., 2200 Rayburn Bldg.

Major Beneficiaries of the Iran Deal: IRGC and Hezbollah
House Foreign Affairs – Subcommittee on the Middle East and North Africa
Subcommittee Hearing
2 p.m., 2172 Rayburn Bldg.

Safeguarding Our Nations Surface Transportation Systems Against Evolving Terrorist Threats
House Homeland Security – Subcommittee on Transportation Security
Subcommittee Hearing
2 p.m., 311 Cannon Bldg.

Financing Main Street: How Dodd-Frank is Crippling Small Lenders and Access to Capital
House Small Business – Subcommittee on Economic Growth, Tax and Capital Access
Subcommittee Hearing
1 p.m., 2360 Rayburn Bldg.

Senate Committees

Maritime Security Strategy
Senate Armed Services
Full Committee Hearing
10 a.m., 216 Russell Bldg.

Treasury Nomination
Senate Banking, Housing and Urban Affairs
Full Committee Confirmation Hearing
10 a.m., 538 Dirksen Bldg.

Transportation Nomination
Senate Commerce, Science and Transportation
Full Committee Confirmation Hearing
9:45 a.m., 253 Russell Bldg.

Federal Land Policy
Senate Energy and Natural Resources
Full Committee Hearing
10 a.m., 366 Dirksen Bldg.

Biosimilar Implementation
Senate Health, Education, Labor and Pensions – Subcommittee on Primary Health and Retirement Security
Subcommittee Hearing
10 a.m., 430 Dirksen Bldg.

Judiciary Nominations and Measures (S. 1814, Stop Sanctuary Cities Act, S. 32, Transnational Drug Trafficking Act of 2015)
Senate Judiciary
Full Committee Markup
10 a.m., 226 Dirksen Bldg.

Intelligence Issues
Senate Select Intelligence
Full Committee Closed Briefing
2:30 p.m., 219 Hart Bldg.

Child Nutrition Reauthorization
Senate Agriculture, Nutrition and Forestry
Full Committee Markup
Friday, September 18, 2015

House Committees

Homeland Security Management
House Homeland Security – Subcommittee on Oversight and Management Efficiency
Subcommittee Hearing
10 a.m., 311 Cannon Bldg.

National Ecological Observatory Network
House Science, Space and Technology – Subcommittee on Research and Technology; House Science, Space and Technology – Subcommittee on Oversight
Committee Joint Hearing
9 a.m., 2318 Rayburn Bldg.

Defense Intelligence Agency and Defense Clandestine Service
House Select Intelligence
Full Committee Hearing
9 a.m., HVC-304 Capitol Visitor Center

Senate Committees

Pipeline Safety: State and Local Perspectives
Senate Commerce, Science, & Transportation
Full Committee Hearing
10 a.m., Montana State University, Billings Library – Room 148

Kaitlyn McClure is co-author of this article.

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