

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

The PRESIDING OFFICER (Mr. DAINES). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 50, nays 47, as follows:

[Rollcall Vote No. 271 Ex.]

YEAS—50

Alexander	Fischer	Perdue
Barrasso	Flake	Portman
Blunt	Gardner	Risch
Boozman	Graham	Roberts
Burr	Grassley	Rounds
Capito	Hatch	Rubio
Cassidy	Heller	Sasse
Cochran	Inhofe	Scott
Collins	Isakson	Shelby
Corker	Johnson	Strange
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	Manchin	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	

NAYS—47

Baldwin	Harris	Paul
Bennet	Hassan	Peters
Blumenthal	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Coons	Leahy	Tester
Cortez Masto	Markey	Udall
Donnelly	McCain	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Merkley	Warren
Feinstein	Murphy	Whitehouse
Franken	Murray	Wyden
Gillibrand	Nelson	

NOT VOTING—3

Booker	Hoeven	Menendez
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The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 47.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Steven Gill Bradbury, of Virginia, to be General Counsel of the Department of Transportation.

The PRESIDING OFFICER. The majority leader.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Mr. MENENDEZ. Mr. President, I was unavailable for rollcall vote No.

270, on the nomination of Derek Kan, of California, to be Under Secretary of Transportation for Policy. Had I been present, I would have voted nay.

Mr. President, I was unavailable for rollcall vote No. 271, on the motion to invoke cloture on Steven Gill Bradbury, of Virginia, to be general counsel of the Department of Transportation. Had I been present, I would have voted nay.●

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Mr. BOOKER. Mr. President, I was necessarily absent for the votes on confirmation of Executive Calendar No. 159 and the motion to invoke cloture on Executive Calendar No. 254.

On vote No. 270, had I been present, I would have voted nay on the confirmation of Executive Calendar No. 159.

On vote No. 271, had I been present, I would have voted nay on the motion to invoke cloture on Executive Calendar No. 254.●

TRIBUTE TO LIEUTENANT COLONEL MICHAEL MANNING

Mr. WHITEHOUSE. Mr. President, today I pay tribute to a great Rhode Islander, LTC Michael Manning of the Rhode Island National Guard. My office, along with the rest of the Rhode Island congressional delegation, has worked closely with Lieutenant Colonel Manning for several years in his capacity as the Rhode Island National Guard legislative liaison. Throughout this time, he has been of great assistance to my office and has served in this position with great honor, dedication, and effectiveness.

This Saturday, November 18, the Rhode Island National Guard Recruiting and Retention Battalion change of command ceremony will take place at Camp Fogarty in East Greenwich, RI. The incoming commander will be Lieutenant Colonel Manning. This ceremony represents the formal transfer of authority and responsibility of the Recruiting and Retention Battalion. The event will include a passing of the unit colors from one officer to another, symbolizing continued leadership, trust, and allegiance to the soldiers in the unit.

Lieutenant Colonel Manning is a distinguished military graduate of Providence College's ROTC class of 1997. His first assignment was with 1st Battalion, 26th Infantry Regiment, 1st Infantry Division, forward deployed to the Republic of Germany. In June 1999, he deployed to Kosovo in support of Operation Joint Guardian II. While in Kosovo, Lieutenant Colonel Manning was reassigned to E Troop, 4th U.S. Cavalry as a brigade reconnaissance troop leader for Task Force Falcon.

In February 2002, after joining the Rhode Island Army National Guard, he was appointed commander of the 173rd

Infantry Detachment Long Range Surveillance. The 173rd LRS was mobilized in support of Operation Iraqi Freedom III from July 2004 through November 2005. Lieutenant Colonel Manning deployed with Special Operations Detachment Global in support of Operation Enduring Freedom Caribbean and Central America in 2008 through 2009, assigned to Special Operations Command South. While there, he served as the deputy chief for the Regional Engagement Branch, responsible for the Caribbean and Central America.

In 2010, he graduated with distinction from the College of Naval Command and Staff at the U.S. Naval War College in Newport, RI, with a master of arts in national security and strategic studies. In 2013, Lieutenant Colonel Manning mobilized and deployed once again with the Special Operations Detachment Global, where he served in the capacity of senior special operations to the Afghan Ministry of Defense.

Lieutenant Colonel Manning has also served as an assistant professor of military science at Providence College, State Partnership Program coordinator, legislative liaison, operations officer for Special Operations Detachment Global, and is currently the secretary of the general staff. He is a special operations support qualified officer, senior instructor of design at the Joint Special Operations University, and recipient of numerous awards and decorations, including the Bronze Star with oakleaf cluster, Combat Infantryman's Badge, and the coveted Ranger Tab.

I thank and congratulate Lieutenant Colonel Manning for his many sacrifices and achievements. In addition, I thank and congratulate his wife, Meg, his sons Michael and Jack, and his daughter Shannon for their many sacrifices and their support of the colonel. Rhode Island is fortunate to have such a committed, energetic, and selfless citizen and family. Godspeed, my friends.

MESSAGE FROM THE HOUSE

At 4:05 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2201. An act to amend the Securities Act of 1933 to exempt certain micro-offerings from the registration requirements of such Act, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2201. An act to amend the Securities Act of 1933 to exempt certain micro-offerings from the registration requirements of such Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

EXECUTIVE AND OTHER
COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3434. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Clarifications to the Export Administration Regulations for the Use of License Exceptions" (RIN0694-AG80) received in the Office of the President of the Senate on November 9, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-3435. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the Central African Republic that was declared in Executive Order 13667 of May 12, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC-3436. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Syria that was declared in Executive Order 13338 of May 11, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC-3437. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Rhode Island; Enhanced Motor Vehicle Inspection and Maintenance Program" (FRL No. 9970-66-Region 1) received in the Office of the President of the Senate on November 9, 2017; to the Committee on Environment and Public Works.

EC-3438. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Determination of Attainment by the Attainment Date for the 2008 Ozone National Ambient Air Quality Standard; District of Columbia, Maryland, and Virginia; Washington, DC-MD-VA Area" (FRL No. 9970-70-Region 3) received in the Office of the President of the Senate on November 9, 2017; to the Committee on Environment and Public Works.

EC-3439. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Quality Designations for the 2015 Ozone National Ambient Air Quality Standards (NAAQS)" (FRL No. 9970-77-OAR) received in the Office of the President of the Senate on November 9, 2017; to the Committee on Environment and Public Works.

EC-3440. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "State of Iowa; Approval and Promulgation of the State Implementation Plan, the Operating Permits Program, and the 11(d) Plan; Withdrawal" (FRL No. 9970-85-Region 7) received in the Office of the President of the Senate on November 9, 2017; to the Committee on Environment and Public Works.

EC-3441. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Community Right-to-Know; Adopting 2017 North American Industry Classification System (NAICS) Codes for Toxics Release Inventory (TRI) Reporting; Withdrawal" (FRL No. 9968-26-OCSPP) (RIN2070-AK32) received

in the Office of the President of the Senate on November 9, 2017; to the Committee on Environment and Public Works.

EC-3442. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; NH; Approval of Recordkeeping and Reporting Requirements and Single Source Order" (FRL No. 9970-64-Region 1) received in the Office of the President of the Senate on November 9, 2017; to the Committee on Environment and Public Works.

EC-3443. A communication from the Deputy Chief of Staff, Office of Science and Technology Policy, Executive Office of the President, transmitting, pursuant to law, a report relative to a vacancy in the position of Director, Office of Science and Technology Policy, Executive Office of the President, received in the Office of the President pro tempore of the Senate; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND
JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BENNET:

S. 2118. A bill for the relief of Melecio Andazola-Morales; to the Committee on the Judiciary.

By Mr. DURBIN (for himself, Mr. BLUMENTHAL, Mr. MARKEY, Mr. REED, Mr. BROWN, Mr. WYDEN, and Mrs. MURRAY):

S. 2119. A bill to amend title 38, United States Code, to prohibit smoking in any facility of the Veterans Health Administration, and for other purposes; to the Committee on Veterans' Affairs.

ADDITIONAL COSPONSORS

S. 236

At the request of Mr. WYDEN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 236, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 298

At the request of Mr. TESTER, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 298, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 317

At the request of Mr. LANKFORD, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 317, a bill to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, and for other purposes.

S. 794

At the request of Mr. CARPER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 794, a bill to amend title XVIII of the Social Security Act in order to improve the process whereby Medicare administrative contractors issue local coverage determinations under the Medicare program, and for other purposes.

S. 821

At the request of Mr. RUBIO, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 821, a bill to promote access for United States officials, journalists, and other citizens to Tibetan areas of the People's Republic of China, and for other purposes.

S. 835

At the request of Mr. MURPHY, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 835, a bill to require the Supreme Court of the United States to promulgate a code of ethics.

S. 944

At the request of Mr. GRASSLEY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 944, a bill to amend the Internal Revenue Code of 1986 to reform and extend the incentives for biodiesel.

S. 1002

At the request of Mr. MORAN, the names of the Senator from Arkansas (Mr. COTTON) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 1002, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1109

At the request of Mr. MERKLEY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1109, a bill to amend title VIII of the Public Health Service Act to extend advanced education nursing grants to support clinical nurse specialist programs, and for other purposes.

S. 1338

At the request of Mr. CORNYN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1338, a bill to award a Congressional Gold Medal to the United States Army Dust Off crews of the Vietnam War, collectively, in recognition of their extraordinary heroism and lifesaving actions in Vietnam.

S. 1361

At the request of Mr. CRAPO, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 1361, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 1520

At the request of Mr. WICKER, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 1520, a bill to expand recreational fishing opportunities through enhanced marine fishery conservation and management, and for other purposes.