

There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 2765) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2765

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “RBIC Advisers Relief Act of 2018”.

SEC. 2. ADVISERS OF RBICS.

Section 203 of the Investment Advisers Act of 1940 (15 U.S.C. 80b-3(b)) is amended—

(1) in subsection (b)—
(A) in paragraph (6)(B)—
(i) by adjusting the margins accordingly; and
(ii) by striking the period at the end and inserting a semicolon;

(B) in paragraph (7)(C), by striking the period at the end and inserting “; or”; and
(C) by adding at the end the following:

“(8) any investment adviser, other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940 (15 U.S.C. 80a-53), who solely advises—

“(A) rural business investment companies (as defined in section 384A of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc)); or

“(B) companies that have submitted to the Secretary of Agriculture an application in accordance with section 384D(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc-3(b)) that—

“(i) have received from the Secretary of Agriculture a letter of conditions, which has not been revoked; or

“(ii) are affiliated with 1 or more rural business investment companies described in subparagraph (A).”;

(2) in subsection (1), by adding at the end the following:

“(3) ADVISERS OF RBICS.—For purposes of this subsection, a venture capital fund includes an entity described in subparagraph (A) or (B) of subsection (b)(8) (other than an entity that has elected to be regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940 (15 U.S.C. 80a-53)).”;

(3) in subsection (m), by adding at the end the following:

“(4) ADVISERS OF RBICS.—For purposes of this subsection, the assets under management of a private fund that is an entity described in subparagraph (A) or (B) of subsection (b)(8) (other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940 (15 U.S.C. 80a-53)) shall be excluded from the limit set forth in paragraph (1).”.

SEC. 3. RELATIONSHIP TO STATE LAW.

Section 203A(b)(1) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-3a(b)(1)) is amended—

(1) in subparagraph (C), by striking the period at the end and inserting “; or”; and
(2) by adding at the end the following:

“(D) that is not registered under section 203 because that person is exempt from registration as provided in subsection (b)(8) of

such section, or is a supervised person of such person.”.

9/11 HEROES MEDAL OF VALOR ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of H.R. 3834 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3834) to provide that members of public safety agencies who died of 9/11-related health conditions are eligible for the Presidential 9/11 Heroes Medal of Valor, and for other purposes.

There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Mr. MCCONNELL. I further ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The bill (H.R. 3834) was ordered to a third reading, was read the third time, and passed.

RELATIVE TO THE DEATH OF THE HONORABLE JOSEPH D. “JOE” TYDINGS, FORMER UNITED STATES SENATOR FOR THE STATE OF MARYLAND

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 684, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 684) relative to the death of the Honorable Joseph D. “Joe” Tydings, former United States Senator for the State of Maryland.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 684) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

ORDERS FOR FRIDAY, OCTOBER 12, THROUGH TUESDAY, NOVEMBER 13, 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the

Senate completes its business today, it 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, October 12, at 12 noon; Tuesday, October 16, at 12 noon; Friday, October 19, at 10 a.m.; Tuesday, October 23, at 4:30 p.m.; Friday, October 26, at 5 p.m.; Tuesday, October 30, at 1 p.m.; Friday, November 2, at 2:45 p.m.; Tuesday, November 6, at 4 p.m.; Friday, November 9, at 9 a.m. I further ask that when the Senate adjourns on Friday, November 9, it next convene at 3 p.m. on Tuesday, November 13; and that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; finally, that following leader remarks, the Senate resume consideration of the House message to accompany S. 140 under the previous order.

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

ADJOURNMENT UNTIL TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the provisions of S. Res. 684 and do so as a further mark of respect for the late Joseph D. “Joe” Tydings, former Senator for the State of Maryland.

There being no objection, the Senate, at 9:39 p.m., adjourned until Friday, October 12, 2018, at 12 noon.

NOMINATIONS

Executive nomination received by the Senate:

DEPARTMENT OF JUSTICE

DOUGLAS J. STRIKE, OF IOWA, TO BE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF IOWA FOR THE TERM OF FOUR YEARS, VICE KENNETH JAMES RUNDE, TERM EXPIRED.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 11, 2018:

THE JUDICIARY

WILLIAM M. RAY II, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA.

LILES CLIFTON BURKE, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ALABAMA.

MICHAEL JOSEPH JUNEAU, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF LOUISIANA.

MARK SAALFIELD NORRIS, SR., OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TENNESSEE.

ELI JEREMY RICHARDSON, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF TENNESSEE.

DEPARTMENT OF JUSTICE

JEFFREY BOSSERT CLARK, OF VIRGINIA, TO BE AN ASSISTANT ATTORNEY GENERAL.

ERIC S. DREIBAND, OF MARYLAND, TO BE AN ASSISTANT ATTORNEY GENERAL.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

ADAM I. KLEIN, OF THE DISTRICT OF COLUMBIA, TO BE CHAIRMAN AND MEMBER OF THE PRIVACY AND CIVIL