Congressional Record

United States of America

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, FIRST SESSION

Vol. 163
WASHINGTON, MONDAY, JULY 31, 2017
No. 129

House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, August 1, 2017, at 11 a.m.

Senate

MONDAY, JULY 31, 2017

The Senate met at 4 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, who transforms common days into transfiguring and redemptive moments, hallowed be Your Name. Make our lawmakers great enough for these momentous times, as they seek to live worthy of Your great Name. May Your precepts keep them from life’s pitfalls, guiding them through the darkness to a safe haven. Lord, cleanse the fountains of their hearts from all that defiles, so that they may be fit vessels to be used for Your glory. Let Your peace be within them, as Your Spirit inspires them to glorify You in their thoughts, words, and actions.

We pray in Your wonderful Name.
Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. Ernst). The majority leader is recognized.

NOMINATION OF KEVIN NEWSOM

Mr. MCCONNELL. Madam President, this week the Senate will continue considering a number of nominations, beginning with Kevin Newsom of Alabama to serve as judge on the Eleventh Circuit Court of Appeals.

Mr. Newsom has earned bipartisan support, having been voted out of the Judiciary Committee 18 to 2. As Chairman GRASSLEY pointed out prior to that vote, several lifelong Democrats and Republicans have penned letters to the committee touting Mr. Newsom’s “professionalism and qualifications.” He is an “exceptionally accomplished nominee,” Chairman GRASSLEY said, “who spent the last 20 years building an impressive legal resume.”

That resume includes things like clerk ing for an Associate Justice on the U.S. Supreme Court, serving as Alabama’s solicitor general, and earning an appointment to the Advisory Committee on Appellate Rules.

For his exceptional work, Mr. Newsom has garnered a number of awards from the legal community. The American Lawyer magazine has included him on its list of America’s top 50 litigators under age 45. Chambers USA has ranked him Band 1 for appellate litigation. The National Association of Attorneys General has awarded him on several occasions the Best Brief Award for his briefing before the Supreme Court.

During his impressive legal career, Mr. Newsom has argued four cases before the Supreme Court, filed amicus briefs in many other cases, and argued more than 35 cases in Federal circuit courts.

As indicated by his distinguished professional background, Mr. Newsom will be an excellent addition to the court. I look forward to supporting his nomination today and confirming him to the Eleventh Circuit later this week.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the Newsom nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Kevin Christopher Newsom, of Alabama, to be
United States Circuit Judge for the Eleventh Circuit.

LEGISLATIVE SESSION
Mr. MCCONNELL. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR
Mr. MCCONNELL. Madam President, I move to proceed to executive session to consider Calendar No. 175, Marvin Kaplan.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Marvin Kaplan, of Kansas, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2020.

CLOTURE MOTION
Mr. MCCONNELL. Madam President, I send a clouture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION
We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Marvin Kaplan, of Kansas, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2020.


Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER
The Democratic leader is recognized.

HEALTHCARE
Mr. SCHUMER. Thank you, Madam President.

First, on the matter of healthcare. I sincerely and truly hope the events of last week are a turning point. I hope they steer this body toward a period of greater bipartisanship. We sure could use it because the problems in our healthcare system did not end last week. We Democrats know that the Affordable Care Act wasn’t perfect. We want to keep what works—and there are a lot of good things in it—and we want to fix what doesn’t. We have a lot of work to do on that front.

Our first order of business should be to stabilize the individual market and then both parties should work together through the standing committees to discuss other improvements. Chairman ALEXANDER and Ranking Member MURRAY have indicated they want to work together, have public hearings, and do this the right away. I am hopeful Chairman, Ranking Member Wyden, both of whom have proven themselves willing and able to work across party lines, will also be willing to work closely together to address broader problems with our healthcare in a very bipartisan way.

Let me repeat. The first order of business should be to stabilize the individual market, which has been racked by uncertainty.

Right now, as insurers prepare to lock in their rates and plans for 2018, the Trump administration is dangling a massive sword of Damocles over the heads of millions of Americans, threatening to end payments the administration is targeting, as a way to cause premiums to go up 20 percent or more on average, and millions of Americans will hold them accountable if the system implodes. Remember, AHIP—the largest trade group of insurers—has said the uncertainty about these payments is “the single most destabilizing factor in the individual market.” That is not CHEMICAL SCIENCE or some Democrat saying it, it is the insurers saying it. Make no mistake, by refusing these payments, President Trump is sabotaging our healthcare system. He is actively trying to make it collapse, talking out his political loss on the American people. That is not being President; that is not being vindicative, and it will hurt millions of Americans he has sworn to help.

In Pennsylvania and North Carolina, insurers have filed two separate sets of possible rates for next year if the payments are made and one if they are not. If the payments are not made, premiums would be 20 percent higher.

Let’s repeat that. If the payments are not made, if President Trump follows through on his vindictive idea of not making the payments, premiums will be 20 percent higher for the people of North Carolina and Pennsylvania. So if President Trump does not guarantee these payments permanently, Americans will have to pay a Trump tax on their premiums next year.

Let me say that again. If President Trump does not guarantee these payments, Americans will be paying a Trump tax of 20 percent higher premiums.

President Trump has a responsibility to make our healthcare system work, and millions of Americans will hold him accountable if his system implodes. He needs to make sure the markets on his watch, or if insurers leave the markets on his watch, or if their premiums go up 20 percent or more on his watch.

Of course, we in Congress could remove the uncertainty hanging over the market and take the decision out of the President’s hands. We can and should guarantee these payments as soon as possible, before the insurers set their rates for next year. I ask my Republican friends to join us on Senator Shaheen’s bill to guarantee these payments and prevent President Trump’s premium tax from going into effect.

Republican Senators ALEXANDER, Collin C. Peterson, PORTMAN, and JINDAL have all spoken about the need to do this. I hope they will help us move forward. We could get this done very quickly and show the American people that we are able to work together on healthcare in a very bipartisan way, to help keep costs down for so many rate-payers.

SANCTIONS BILL
Now, Madam President, on the matter of Russia sanctions. I was very proud last week, as nearly every Member of Congress, save five, voted to pass legislation for sanctions on Russia, Iran, and North Korea; that there was such bipartisanship on that issue. According to reports, the President will sign the legislation. These are tough sanctions. They will have a real effect on Russia, and they are more than justified. President Putin violated the sovereignty of Ukraine, aided and abetted human rights abuses in Syria, and attacked the very foundation of our democracy by meddling in the 2016 election.

Just as importantly, the sanctions bill gives Congress the ability to review any decision to weaken, dilute, or lift sanctions on Russia. President Putin will not be able to get out from under the stinging of these sanctions without the consent of Congress.

Let this be an unequivocal message to Mr. Putin and any other nation that is thinking of interfering in our elections—or you intercede in our elections, which we hold sacred, you will be sanctioned. Those sanctions will be severe.

RUSSIA INVESTIGATION
Finally, Madam President, a word on the investigation conducted by Special Counsel Mueller.

Since the beginning of the investigation of Russia’s meddling into our elections both here in Congress and in the executive branch, the heavy hand of the administration has been far away. We know that the administration solicited the help of the chairman of the House Intelligence Committee to beat back reports in the press about Russia’s interference in our election, and that was after 17 intelligence agencies said that it happened. The President fired FBI Director Jim Comey and admitted on national television that he was thinking about “this Russia thing” when he did it. Then, after Special Counsel Mueller was appointed to lead the investigation, all of the administration went on television to defame his character, to sully his reputation—a shameful ploy to degrade a man with
one of the most sterling records of non-partisan public service that a man can have in this country.

On Twitter, the President routinely berates and humiliates his former friend—maybe he still is a friend; who knows his Attorney General, his greatly in his campaign. Jeff Sessions was one of President Trump’s earliest friends, one of his first supporters in Congress. Not only does that get to character—I cannot imagine any American likes the way Senator Sessions was praised whether you agree with him or disagree with him—but it also raises questions about whether the President wants the Attorney General to resign so that he can appoint a new Attorney General who is willing to fire Special Counsel Mueller.

If such a scenario were to pass, we would have a constitutional crisis on our hands. The Senate should remove even the possibility of its coming about. So, in the tradition of the Senate, we will hold full sessions throughout the upcoming recess to prevent a recess appointment from being made.

The fact that President Trump continues to meddle with the Department of Justice and impedes the Russia investigation gets to a larger question: If President Trump has nothing to hide, nothing to fear, why not let Special Counsel Mueller do his job, follow the facts, and finally get to the bottom of the matter?

On a matter as important as foreign interference in our elections, the American people deserve a thorough and impartial investigation into the facts. President Trump should come nowhere near it.

Yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The senior assistant legislative clerk will call the roll.

I yield the floor.

Mr. NELSON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

VENEZUELA

Maduro wants to rewrite Venezuela’s Constitution so that he can cling to power, and yesterday’s vote was only the latest attempt to undermine, if not to completely undo, Venezuela’s democracy. He continues to crack down on protesters, killing more than 100 and injuring thousands more. His thugs have raided homes and terrorized the opposition’s families. He has tried to strip the National Assembly of its powers, undercut the Attorney General, and he has co-opted the courts, including the National Assembly and injured opposition lawmakers. He blocked a lawful referendum to recall his election.

His cronies steal the country’s currency and enrich themselves. All the while, the Venezuelan people suffer. The people go hungry; children are malnourished; there are no staple products—no medicines, no medical supplies for the people. Of course, you know who gets the food and the medical supplies—privileged few—the Maduro ones whom he protects. This is Venezuela’s tragic reality.

Maduro has made himself a dictator, and he and his cronies are bent on turning Venezuela into a vibrant democracy and once vibrant economy into a Cuban-style regime. Nevertheless, the Venezuelan people, in the face of violence, oppression, and deprivation, continue to fight for their democracy—for the little bit of freedom they have left. They are doing everything they can—at great risk to themselves and their families—to save their democracy and, thus, to save their country. The task just got a lot harder.

The issue before us is what we can do to support them since Maduro has now installed himself with this fake referendum on the National Assembly. What can we do to keep Maduro from being the dictator he is?

What we cannot do is to condemn the National Assembly as the sham that it is. It also means the United States increasing the pressure on the Maduro regime. I just spoke this afternoon with the Treasury Department. The United States announced a little earlier this afternoon that it has frozen Maduro’s assets. I expect at least two other countries to follow suit—and probably more after they do. This is an important step, and I hope that it is the first in what will be the strongest possible sanctions to stop Maduro. It is time that we consider cutting the imports of Venezuela’s oil also.

What have we done thus far?

There was already a group of Maduro’s cronies—some in the private sector, some in the government—on whom the sanctions have been slapped. You ask: What does that do? What good does that do? Listen, all of these cronies of Maduro’s love to come to Miami. They love to have offshore bank accounts and all kinds of assets stashed overseas—if not in the United States, perhaps in some of those other countries that are going to follow suit. We should do that with his cronies.

What we have done today with the announcement by the Treasury Department is to freeze Nicholas Maduro’s assets, and if other countries will follow then they are going to freeze his assets as well.

Maybe we should take the next step. The next step is that Venezuela exports a lot of its oil to the United States. It is a heavy, dirty crude that is a good part of that that has to go to the refineries in the United States because those refineries are the ones that are capable of refining that heavy, dirty crude. Maybe we just ought to stop our imports of Venezuela’s oil and absorb that percentage of loss of oil that is coming into the United States from Venezuela as, clearly, on the world marketplace, oil is fungible. Maybe that is what we ought to do because we are now dealing with a Cuban-style dictator who is the head of Venezuela.

I think, in going forward, that the United States must insist on the release of all political prisoners and the rule of law and that Venezuela has to go back to when it was a democracy. That was back when they respected human rights and the people had some freedoms. As the United States, we ought to help rally the nations of the Organization of American States, and rally the support of the world to bring about a meaningful end to this crisis because it is just going to get worse and worse.

The violence that you have seen on TV yesterday and today is going to continue. As you continue to squeeze the people, to starve them, to take away all semblance of human decency, what do you think they are going to do? They are going to revolt, and the violence is not going to stop.

There is a role for Congress, and there is an opportunity for the Congress to lead. The President’s budget eliminated the funding for democracy programs in Venezuela that supported the National Assembly and civil society and those same democracy programs that promoted human rights and the encouraging of an independent media.

Recently I wrote to the Senate Appropriations Committee, along with a number of other Senators, urging that the committee continue that funding for those democracy programs in Venezuela. In May, this Senator joined Senator Cardin and seven others in introducing the Venezuela Humanitarian Assistance and Defense of Democratic Governance Act. That bill addresses the many aspects of the crisis in Venezuela.

It is codified targeted sanctions on regime officials—something we are now implementing—and thank goodness for this announcement today by the administration. I give them kudos for that. That act would authorize badly needed humanitarian assistance. It would back OAS efforts to bring about an end to the crisis, and it funds election observation organizations and
groups working to defend democracy in Venezuela.

These are bipartisan efforts, and I urge our colleagues to support them, and I urge that we bring them up as soon as possible. The situation is terrible in the country, and the situation in that chaos, especially what we have seen in Caracas, is going to get worse. Time is of the essence.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MORAN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ENZI. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

EXECUTIVE CALENDAR—Continued

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Kevin Christopher Newsom, of Alabama, to be United States Circuit Judge for the Eleventh Circuit.


The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Kevin Christopher Newsom, of Alabama, to be United States Circuit Judge for the Eleventh Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from South Carolina (Mr. GRAHAM), and the Senator from Arizona (Mr. MCGUIRE).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENendez), the Senator from Oregon (Mr. MERKLEY), and the Senator from Michigan (Mr. PETTERS) are necessarily absent.

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

The yeas and nays resulted—yeas 68, nays 26, as follows:

<table>
<thead>
<tr>
<th>YEA—68</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alexander</td>
</tr>
<tr>
<td>Barrasso</td>
</tr>
<tr>
<td>Blumenthal</td>
</tr>
<tr>
<td>Burr</td>
</tr>
<tr>
<td>Menendez</td>
</tr>
<tr>
<td>Capito</td>
</tr>
<tr>
<td>Cardin</td>
</tr>
<tr>
<td>Casey</td>
</tr>
<tr>
<td>Cassidy</td>
</tr>
<tr>
<td>Cochrane</td>
</tr>
<tr>
<td>Collins</td>
</tr>
<tr>
<td>Corker</td>
</tr>
<tr>
<td>Cory</td>
</tr>
<tr>
<td>Cotton</td>
</tr>
<tr>
<td>Cruz</td>
</tr>
<tr>
<td>Duckworth</td>
</tr>
<tr>
<td>Durbin</td>
</tr>
<tr>
<td>Enzi</td>
</tr>
<tr>
<td>Ernst</td>
</tr>
<tr>
<td>Feinstein</td>
</tr>
</tbody>
</table>

NAYS—26

<table>
<thead>
<tr>
<th>NAY—26</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baldwin</td>
</tr>
<tr>
<td>Bennet</td>
</tr>
<tr>
<td>Booker</td>
</tr>
<tr>
<td>Brown</td>
</tr>
<tr>
<td>Cantwell</td>
</tr>
<tr>
<td>Carper</td>
</tr>
<tr>
<td>Coons</td>
</tr>
<tr>
<td>Cortez Masto</td>
</tr>
<tr>
<td>Franken</td>
</tr>
</tbody>
</table>

NOT VOTING—6

<table>
<thead>
<tr>
<th>NOT VOTING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Burr</td>
</tr>
<tr>
<td>Graham</td>
</tr>
</tbody>
</table>

The PRESIDING OFFICER. On this vote, the yeas are 68, the nays are 26. The motion is passed. The majority leader.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in 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.

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee’s intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the offical version of the Foreign Relations Committee, room SD–423.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[Roll call Vote No. 180 Leg.]

YEAS—68

Alexander | Fischer | Nelson |
| Barrasso | Flake | Paul |
| Blumenthal | Gardner | Perdue |
| Burr | Grassley | Portman |
| Menendez | Hassan | Risch |
| Capito | Hatch | Roberts |
| Cardin | Hoeppner | Rosenberg |
| Casey | Heller | Rubio |
| Cassidy | Heinrich | Scott |
| Cochrane | Inhofe | Shaheen |
| Collins | Johnson | Shelby |
| Corker | Klobuchar | Strong |
| Cory | Lankford | Sullivan |
| Cotton | Leahy | Tester |
| Cruz | Lee | Thune |
| Duckworth | McCaskill | Tillis |
| Durbin | McConnell | Toomey |
| Enzi | Moran | Warner |
| Ernst | Murkowski | Wicker |
| Feinstein | Murphy | Young |

NAYS—26

<table>
<thead>
<tr>
<th>NAY—26</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baldwin</td>
</tr>
<tr>
<td>Bennet</td>
</tr>
<tr>
<td>Booker</td>
</tr>
<tr>
<td>Brown</td>
</tr>
<tr>
<td>Cantwell</td>
</tr>
<tr>
<td>Carper</td>
</tr>
<tr>
<td>Coons</td>
</tr>
<tr>
<td>Cortez Masto</td>
</tr>
<tr>
<td>Franken</td>
</tr>
</tbody>
</table>

NOT VOTING—6

<table>
<thead>
<tr>
<th>NOT VOTING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Burr</td>
</tr>
<tr>
<td>Graham</td>
</tr>
</tbody>
</table>

[Enclosures]

TRANSMITTAL NO. 17–30

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 35(b)(1) of the Arms Export Control Act, as amended

(i) (U) Prospective Purchaser: The Government of Switzerland.


Other $90 million.

Total $115 million.

(iii) (U) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

The following defense articles and services have been requested as part of a Service Life Extension Program for Switzerland’s F/A–18CD aircraft:


Non-MDE includes: Fifty (50) ARC-210 GEN 5 RT-1600(B) radios w/Second Generation Anti-Jam Tactical UHP Radio for NATO (SANTURN) frequency hopping; twenty (20) Joint Helmet Mounted Cuing System (JHMCS) Night Vision Cuing Display (NVCD); CFT Automated Dependence Surveillance-Broadcast (ADS–B) Out; software enhancements to the APG–73 radar; improvements to the F/A–18 Software Configuration Set (SCS) 26C; and sustainment for the ALQ–165 Airborne Self Protection Jammer (ASPJ) system. Operational support for these modifications will be provided through upgrades to the purchaser’s unique Information Data System. Also included are: system integration and testing; software development and integration; support equipment; spare and repair parts; maintenance personnel and pilot familiarization training; software support; publications and technical documents; U.S. Government and contractor technical assistance; and other related elements of logistics and program support.


(v) (U) Prior Related Cases, if any: 8Z–P–LAN.

(vi) (U) Sales Commission, Fee, etc., Paid, Offered, or Agreed to Be Paid: None.

(vii) (U) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to Be Sold: See Attached Annex.


*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

(U) Government of Switzerland—F/A–18 Upgrades

(U) The Government of Switzerland has requested the possible sale of a Service Life...
Extension Program for its F/A-18CD aircraft to include up to fifty (50) Multifunctional Information Distribution System Joint Tactical Radio System (MIDS/JTRS) with Concurrent (CMN-4) capability; fifty (50) ARC-210 GEN 5 RT-1900A(C) radios w/ Second Generation Anti-Jam Tactical UHF Radio for NATO (SATURN) frequency hopping; Helmet Mounted Cueing System (HMCs) Night Vision Cueing Display (NVCD); CIT Automated Dependence Surveillance-Broadcast (ADS-B) Out; software and training to the APG-73 radar; improvements to the F/A-18 Software Configuration Set (SCS) 29C; and sustainment for the ALQ-165 Airborne Self Protection Jammer (ASPAJ) system. Support for these modifications will be provided through upgrades to the purchaser’s unique Mission Data System. Also included are: system integration and testing; software development and integration; support equipment; spare and repair parts; maintenance personnel and pilot familiarization training; software support; publications and technical documents; U.S. Government and contractor technical assistance; and other related elements of logistics and program support. The estimated total cost is $185 million.

(U) This proposed sale will contribute to the foreign policy and national security objectives of the United States by helping to improve the security of Switzerland, which has been, and continues to be an important force for political stability and economic progress in Europe. Switzerland is also a member of the NATO Partnership for Peace (PfP) program. (U) The proposed sale will allow the Swiss Air Force to extend the useful life of its F/A-18 fighter aircraft and enhance their survivability. Further, the proposed sale will increase Switzerland’s tactical aviation operations; meanwhile, Switzerland will have no difficulty absorbing this equipment and support into its armed forces.

(U) The proposed sale of this equipment and support will not alter the basic military balance in the region.

(U) The principal contractors will be the Boeing Company, McDonnell Douglas Corporation, St. Louis, MO; Data Link Solutions LLC, Wayne, NJ; Rockwell Collins, Cedar Rapids, IA; Rockwell Collins ESA Vision System LLC, Fort Worth, TX. There are no known agreements associated with this potential sale.

(U) Implementation of this proposed sale will not impact the assessment of any additional U.S. Government personnel or contractor representatives to Switzerland. However, multiple trips to Switzerland involving U.S. Government and contractor representatives will be required for technical reviews/support and program management.

(U) There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 17–30

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act
Annex Item No. vii

(vii) (U) Sensitivity of Technology:

1. (U) The hardware and software being purchased is being used to upgrade Switzerland’s existing F/A-18C/D Hornet aircraft. The MIDS/JTRS hardware is UNCLASSIFIED. The MIDS/JTRS software requires a crypto key be loaded in order to function. The crypto key required for operation is a Controlled Cryptographic Item (CCI).

2. (U) The ARC-210 GEN 5 RT-1900A(C) is a digital radio capable of transmit and receipt of Digital Communication System, Variable Message Format (DCS/VMF) encrypted data messages. The RT-1900 hardware is UNCLASSIFIED. This proposed sale requires a crypto key be loaded in order to function. The crypto key required for operation is a Controlled Cryptographic Item (CCI).

3. (U) The AN/AVS-11 Night Vision Cueing Device (NVCD) is UNCLASSIFIED but is capable of high resolution imaging. This capability allows reduced visibility weapon delivery using Switzerland’s F/A-18CD aircraft. While the NVCD hardware is UNCLASSIFIED, this item requires Enhanced End Use Monitoring (EEMU).

4. (U) If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures which might reduce weapons system effectiveness or be used in the development of a system with similar or advanced capabilities.

5. (U) A determination has been made that the Government of Switzerland can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This proposed sale is necessary to the furtherance of the U.S. foreign policy and national security objectives outlined in the policy justification.

6. (U) All defense articles and services listed in this transmittal are authorized for release and export to the Government of Switzerland.

NOMINATION OF KEVIN NEWSOM

Mrs. FEINSTEIN. Mr. President, today I want to speak briefly about the nomination of Kevin Newsom to the Eleventh Circuit Court of Appeals from Alabama.

I intend to support Mr. Newsom’s nomination. Mr. Newsom is currently in private practice in Birmingham. He previously served as the solicitor general of Alabama. He also clerked for Justice Souter on the U.S. Supreme Court and graduated from Harvard Law School and Samford University. The American Bar Association has unanimously rated him “well qualified.”

My support for Mr. Newsom’s nomination does not mean that this is a judicial nominee that I would have necessarily chosen. There are aspects of Mr. Newsom’s record that concern me.

For example, in private practice, Mr. Newsom published an article in which he was extremely critical of the doctrine known as substantive due process. This is the doctrine the Supreme Court invoked in protecting the right to use contraception, a woman’s right to choose, and the right to same-sex marriage.

Additionally, as solicitor general of Alabama, Mr. Newsom filed an amicus brief in the case of Rasul v. Bush, arguing that Federal courts did not have jurisdiction to hear habeas claims from foreign nationals who were captured overseas and detained at Guantanamo Bay. The Supreme Court ruled against Mr. Newsom’s position in a 6-3 decision.

Lastly, while Mr. Newsom was in private practice, he filed an amicus brief in the Supreme Court case of v. Simmonds. I urge the Court to reject a brightline rule prohibiting capital punishment for children under the age of 18. His work on this case followed several other cases where, as solicitor general of Alabama, he had argued against proportional rights for individuals on death row.

As I consider this nominee, I have to balance these positions—which do concern me—with other aspects of Mr. Newsom’s nomination. Here, we have a nominee unanimously rated “well qualified” by the American Bar Association. His home-State Senators have returned blue slips and support his nomination. Although some outside groups have expressed concerns, no organization has officially opposed his confirmation.

As a result, I voted to invoke cloture on Mr. Newsom’s nomination today. My decision on every nominee will be based on that nominee’s individual record.

I also want to briefly remind my colleagues why we are even considering Mr. Newsom’s nomination in the first place.

In February 2016, President Obama nominated Alabama U.S. District Court Judge Abdul Kallon for this very same vacancy on the Eleventh Circuit.

Today Mr. Newsom was voted on because Senators SHELBY and STRANGE returned blue slips for his nomination. I would like the Senate to also know that we held a hearing just last week that included Judge Ralph Erickson to be a judge on the Eighth Circuit Court of Appeals because Senators HOEVEN and HEITKAMP returned their blue slips.

Mr. Newsom was discovered to have given the wrong information toHDR helping move nominations through the process.

Democratic Senators are conducting their due diligence on these nominees before returning their blue slips, and in the Erickson nomination, the return of the blue slip is bipartisan. Many of the current nominees have voluminous records, and we need to allow home-State Senators to do their work.

Thank you.

TRIBUTE TO PETER JOHN CAMINO

Mr. ENZL. Mr. President, I wish to speak on behalf of Peter John Camino, who is being inducted into the Wyoming Agriculture Hall of Fame. Every year since 1992, Wyoming has recognized individuals who have made substantial contributions to agriculture in our State. As a third-generation rancher dedicating much of his life to Wyoming’s agriculture industry, Peter John well deserves this honor.

Peter John grew up on his ranch that his grandfather founded near Buffalo, WY. After attending college, he joined
the military and served honorably for several years. Ultimately, the ranch lifestyle called him home and he returned to Wyoming to take over the family operation. Peter John has said she she's business was thriving upon his return and fondly remembers the community with good times.

Fortunately for Wyoming, Peter John not only stuck with the agriculture industry during the good times, but took on leadership positions and persevered through the hard times as well. Peter John served as president of the Wyoming Wool Growers Association and played a crucial role in strengthening the organization. He has been described by coworkers and friends as a courageous leader who would always take time to listen to members of the organization. As president, he guided the sheep industry through some tough times and advocated for its cause at the local and Federal levels.

Leadership, courage, and collaboration are only some of the admirable qualities Peter John possesses. He has also shown dedication and selflessness while volunteering in his community and passing on his knowledge of the agriculture industry to younger generations. In addition to volunteering with his church and Knights of Columbus, serving on the board for Johnson County Fire District, and advising the University of Wyoming’s Sheep Program, he also serves as sheep superintendent for Twenty Praise and often invites schoolkids to his ranch to teach them about ranching, the sheep industry, and the value of wool.

I want to extend my congratulations to Mr. Camino and thank him for his service and years of hard work. Peter John truly lives the “Code of the West,” and I am proud to have the opportunity to recognize his achievements as an inductee into the Wyoming Agriculture Hall of Fame. Wyoming is well served by his lasting and continuing contributions to our State.

ADDITIONAL STATEMENTS

TRIBUTE TO MARIDI CHOMA
- Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Maridi for her hard work as an intern in my Washington, DC, office. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Maridi is a native of Casper, WY. She currently attends the University of Wyoming, where she is studying international studies and French. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months. I want to thank Maridi for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.

TRIBUTE TO SAMUEL FRENCH
- Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Samuel for his hard work as an intern in the Senate Committee on Environment and Public Works. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Samuel is a native of Wilson, WY, and a graduate of Boston College. He studied environmental studies. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months. I want to thank Samuel for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.

TRIBUTE TO AMANDA HINCHLEY
- Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Amanda for her hard work as an intern in my Washington, DC, office. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Amanda is a native of Casper, WY. She currently attends the University of Wyoming, where she is studying business management and Spanish. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months. I want to thank Amanda for the dedication she has shown while working for me and my staff. It is a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.
me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.

Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Kayla for her hard work as an intern in my Casper office. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Kayla is a native of Casper, WY. She currently attends Casper College, where she is studying international studies. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Kayla for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.

Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Jessica for her hard work as an intern in the Senate Republican Policy Committee. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Jessica is a native of Cheyenne, WY. She currently attends the University of Wyoming, where she is studying secondary education social studies. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Jessica for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.

Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Dakotah for her hard work as an intern in my Washington, DC, office. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Dakotah is a native of Casper, WY. She currently attends the University of Wyoming, where she is studying economics and journalism. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Dakotah for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.

Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Conor for his hard work as an intern in the Senate Republican Policy Committee. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Conor is a native of New York. He currently attends Boston College, where he is studying political science. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Conor for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.

Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Charles for his hard work as an intern in my Cheyenne office. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Charles is a native of Gillette, WY. He is a graduate of the University of Wyoming, where he studied history. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Charles for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.

Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Patrick for his hard work as an intern in my Casper office. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Patrick is a native of Casper, WY. He currently attends the University of Wyoming, where he is studying organizational leadership. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Patrick for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.

Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to George for his hard work as an intern in my Rapid City, SD, office. I recognize his efforts and contributions to my office, as well as to the State of South Dakota.

George is a graduate of St. Thomas More High School in Rapid City. Currently, he is attending the University of Oregon, where he is majoring in business. George is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to George Eccarius for all of his great efforts over the last several months.

Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Christopher for his hard work as an intern in my Casper office. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Christopher is a native of Wheatland, WY. He currently attends the University of Wyoming, where he is studying political science. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Christopher for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.
the fine work he has done and wish him continued success in the years to come.

A TRIBUTE TO HALLIE SHAЕ
• Mr. THUNE, Mr. President, today I recognize Hallie Shae, an intern in my Aberdeen, SD, office for all of the hard work she has done for me, my staff, and the State of South Dakota.

Hallie is a graduate of Deuel High School in Clear Lake, SD. Currently, she is attending Northern State University, where she is majoring in sociology, with an emphasis in criminal justice. Hallie is a dedicated worker who has been committed to getting the most out of her experience.

I extend my sincere thanks and appreciation to Hallie Shae for all of the fine work she has done and wish her continued success in the years to come.

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Ms. Ridgway, one of his secretaries.

PRESIDENTIAL MESSAGE

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13441 WITH RESPECT TO LEBANON, RECEIVED DURING ADJOURNMENT OF THE SENATE ON JULY 28, 2017.

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days of the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the Federal Register for publication the enclosed notice stating that the national emergency with respect to Lebanon that was declared in Executive Order 13441 of August 1, 2007, is to continue in effect beyond August 1, 2017.

Certain ongoing activities, such as continuing arms transfers to Hezbollah that include increasingly sophisticated weapons systems, undermine Lebanese sovereignty to political and economic instability in the region, and continue to constitute an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13441 with respect to Lebanon.

DONALD J. TRUMP

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2017, the Secretary of the Senate, on July 28, 2017, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bill:

H.R. 3364. An act to provide congressional review and to counter aggression by the Governments of Iran, the Russian Federation, and North Korea, and for other purposes.

Under the authority of the order of the Senate of January 3, 2017, the enrolled bill was signed on July 28, 2017, during the adjournment of the Senate, by the President pro tempore (Mr. HATCH).

MESSAGE FROM THE HOUSE

At 4:03 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 bills, in which it requests the concurrence of the Senate:

H.R. 95. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide child care assistance to veterans receiving certain medical services provided by the Department of Veterans Affairs; to the Committee on Veterans’ Affairs.

H.R. 3272. An act to amend title 38, United States Code, to provide for requirements relating to the reassignment of Veterans Affairs senior executive employees; to the Committee on Veterans’ Affairs.

H.R. 3180. An act to authorize appropriations for fiscal year 2018 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; to the Committee on Intelligence.

H.R. 2994. An act to require the Secretary of Veterans Affairs to carry out a pilot program to provide educational assistance to certain former members of the Armed Forces for education and training as physician assistants of the Department of Veterans Affairs; and for other purposes; to the Committee on Veterans’ Affairs.

The following bills were read the first time:

H.R. 3219. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes.

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–2363. A communication from the Acting Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Irish Potatoes Grown in Certain Designated Counties in Idaho, and Malheur County, Oregon; Decreased Assessment Rate” (Docket No. AMS–SC–16–0111) received in the Office of the President of the Senate on July 26, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2364. A communication from the Acting Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Tart Cherries Grown in the States of Michigan, etc.; Free and Restricted Percentages for the 2016–17 Crop Year for ‘Tart Cherries’” (Docket No. AMS–SC–16–0105) received in the Office of the President of the Senate on July
EC–2365. A communication from the Acting Administrator of the Specialty Crops Program, Office of the Administrator, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Pseudomonas chlororaphis strain AF8090; Exemption from the Requirement of Registration for the Use of a Microorganism for the Control of Plant Pests” (FRL No. 9962–96) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2366. A communication from the Acting Administrator of the Specialty Crops Program, Office of the Administrator, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Sweet Onions Grown in the Walla Walla Valley, Washington and southeast Oregon; Decreased Assessment Rate” (Docket No. AMS–SC–16–0116) received in the Office of the President of the Senate on July 24, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2367. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Review of Medicare’s Program for Oversight of Accrediting Organizations and the Clinical Laboratory Improvement Validation Program: Fiscal Year 2016”; to the Committee on Finance.

EC–2368. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Technical Corrections to U.S. Customs and Border Protection Regulations” (CBP Dec. 17–08) received in the Office of the President of the Senate on July 24, 2017; to the Committee on Environment and Public Works.

EC–2369. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled, “Amendments to Federal Mortgage Disclosure Requirements under the Truth in Lending Act (Regulation Z)” (EC–2379) received in the Office of the President of the Senate on July 24, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC–2370. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled, “Incorporation of Congressional Affairs, Office of Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Incorporation by Reference of American Society of Mechanical Engineers Codes and Code Cases” ((RNIC10–A197) (NRC–2011–0088)) received in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC–2371. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, a certification of the proposed sale or export of defense articles and/or defense services to a Middle Eastern country (OSS–2017–0768); to the Committee on Foreign Relations.

EC–2372. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of defense articles, including technical data, and defense services to support the establishment of an F–35 aircraft Final Assembly and Checkout (FACO) facility in Nagoya, Japan for end-use by the Japan Aerospace Exploration Agency in the amount of $100,000,000 or more (Transmittal No. DDTC 17–016); to the Committee on Foreign Relations.

EC–2373. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section 36(d) of the Arms Export Control Act, the certification of a proposed license for the export of M1500 bolt action rifles in various calibers and accessories to Argentina for commercial resale in the amount of $1,000,000 or more (Transmittal No. DDTC 17–020); to the Committee on Foreign Relations.

EC–2374. A communication from the Assistant General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled “Assistance to States for the Education of Children with Disabilities and Preschool Grants for Children with Disabilities Program: Early Intervention Program for Infants and Toddlers with Disabilities” (RIN 1830–B174) received in the Office of the President of the Senate on July 14, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC–2375. A communication from the Chief of External Affairs and Performance Branch, Office of Government Ethics, transmitting, pursuant to law, a report relative to a vacancy in the position of Director, Office of Government Ethics, received in the Office of the President of the Senate on July 26, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC–2376. A communication from the Chairman of the Columbia, transmitting, pursuant to law, a report of a rule entitled “Tolpyralate; Pesticide Tolerances” (FRL No. 9963–04) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2377. A communication from the Chairman of the Columbian Banking, transmitting, pursuant to law, a report of a rule entitled “Tolpyralate; Pesticide Tolerances” (FRL No. 9962–96) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2378. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Ametocadin; Pesticide Tolerance” (FRL No. 9963–04) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2379. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Fenamidone; Pesticide Tolerances” (FRL No. 9962–96) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2380. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Service Level I, II, and III Protective Coatings Applied to Nuclear Power Plants” (NRC–2016–0192) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Environment and Public Works.

EC–2381. A communication from the Director of the Specialty Crops Program, Office of the Administrator, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Expedited Approval of Alternative Test Procedures for the Analysis of Contaminants in Shellfish; Final Rule, Final Rule” (FRL No. 9964–78) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2382. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Tolpyralate; Pesticide Tolerances” (FRL No. 9964–15) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Agriculture, Nutrition, and Forestry.
of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2392. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Priorities List" (FRL No. 9965–33–Region 4) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2393. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of an action-taken document entitled "TSCA Inventory Notification (Active-Inactive) Requirements" ((RIN2070–AK24) (FRL No. 9964–22)) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2394. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Propulation of Air Quality Implementation Plans; Maryland; Requirements for Continuous Emission Monitoring" (FRL No. 9965–25–Region 3) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2395. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator for Administration and Resources Management, received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2396. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Kentucky; Revisions to Louisville; Definitions" (FRL No. 9965–30–Region 4) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2397. 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; Florida; Unnecessary Rule Removal" (FRL No. 9965–14–Region 4) received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2398. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Chief Financial Officer, received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2399. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator for Legislative and Intergovernmental Information, received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2400. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Chief Financial Officer, received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2401. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator for Environmental Information, received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2402. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator for Administration and Resources Management, received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2403. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Administrator, received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2404. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator for Air and Radiation, received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2405. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Administrator, received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2406. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator for Air and Radiation, received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2407. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator, received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2408. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator for Enforcement and Compliance Assurance, received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2409. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator for Enforcement and Compliance Assurance, received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.
during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2427. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator for Administration and Resources Management, received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2428. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator for Administration and Resources Management, received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2429. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator for Administration and Resources Management, received during adjournment of the Senate in the Office of the President of the Senate on July 21, 2017; to the Committee on Environment and Public Works.

EC-2430. A communication from the Acting General Counsel for Regulatory Affairs, Department of State, transmitting, pursuant to law, a report relative to a vacancy in the position of Attorney Advisor Program—Certified Terminated Single-employer Plans; Interest Assumptions for Paying Benefits” (29 CFR Part 4022) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-2431. A communication from the Acting Assistant Secretary for Legislative Affairs, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Extension of Notice of the Final Foreign Trade Act’s freedom of emigration provisions, as required under the Jackson-Vanik Amendment to the Trade Act of 1974” received in the Office of the President of the Senate on July 25, 2017; to the Committee on Finance.

EC-2432. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of Treasury, transmitting, pursuant to law, a report of a rule entitled “Assessment of the Assumption of Government Involving Indeterminate Values” (RIN-1515-MF01) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Finance.

EC-2433. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of Treasury, transmitting, pursuant to law, the report of a rule entitled “Dedication of Commercially Useful Items to Nuclear Power Plants” (Regulatory Guide 1.164, Revision 0) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Environment and Public Works.

EC-2434. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of Treasury, transmitting, pursuant to law, the report of a rule entitled “Full Description Drug Fee” ((RIN1545-BM26) (TD 9823)) received in the Office of the President of the Senate on July 28, 2017; to the Committee on Finance.

EC-2435. A communication from the Director, Office of Regulations and Reports Clearinghouse, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Extension of Sunset Date for Attorney Advisor Program” (RIN0960-AI06) received in the Office of the President of the Senate on July 28, 2017; to the Committee on Finance.

EC-2436. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Dedicated B-52 Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits” (29 CFR Part 4022) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Finance.

EC-2437. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2017-0129—2017-0141); to the Committee on Foreign Relations.

EC-2438. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Requirements for Premarket Approval of Pediatric Uses of Devices—Fiscal Year 2015”; to the Committee on Health, Education, Labor, and Pensions.

EC-2440. A communication from the Acting Assistant Secretary for Legislative Affairs, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Comprehensive Vibration Assessment Program for Reactor Internals During Preoperational and Initial Startup Testing” (Regulatory Guide 1.20, Revision 4) received in the Office of the President of the Senate on July 25, 2017; to the Committee on Environment and Public Works.

EC-2441. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Definitions and Selection Criteria that Apply to Direct Grant Programs” (RIN1835–AA13) received during adjournment of the Senate in the Office of the President of the Senate on July 28, 2017; to the Committee on Finance.

EC-2442. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant General Counsel for Regulatory Affairs, Department of Education, transmitting, pursuant to law, the report of a rule entitled “Subpart B—Definitions” (RIN0960–AI06) received in the Office of the President of the Senate on July 28, 2017; to the Committee on Finance.

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. CARPER (for himself, Ms. COLINS, Mr. BROWN, Mr. CARDIN, Mr. REED, Mr. COONS, Mr. KING, Mr. SCHATZ, Mr. MARKET, Mr. MENDENHALL, Ms. WARNER, and Mr. WHITEHOUSE):

S. 1672. A bill to amend the Internal Revenue Code of 1986 to provide for an investment credit related to the generation of electricity from offshore wind; to the Committee on Finance.

S. 1673. A bill to amend the Internal Revenue Code to include in income the value of wages earned by a group of unrelated individuals who include an inverted corporation; to the Committee on Finance.
By Mr. REED (for himself, Mr. BROWN, Ms. CORTEZ-MASTO, Ms. HASSAN, Ms. WARREN, Mr. WHITHOUSE, Ms. HIRONO, and Mr. CARDIN):

S. 1674. A bill to provide grants for the repair, renovation, and construction of public elementary and secondary schools, to establish a school infrastructure bond program, and for other purposes; to the Committee on Finance.

By Mr. BLUNT (for himself, Ms. WARREN, Mr. LANKFD, and Mrs. SHAHEEN):

S. 1675. A bill to promote quality student loan servicing by improving the borrower experience for borrowers of Federal Direct Loans; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND (for herself and Mrs. CAPITO):

S. 1676. A bill to amend the Rural Electrification Act of 1936 to provide grants for access to broadband telecommunications services in rural areas, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DONNELLY (for himself and Mr. STRANGE):

S. 1677. A bill to amend the Food, Agriculture, Conservation, and Trade Act of 1990 to improve access to grants and loans for evidence-based substance use disorder treatment services in rural areas, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DONNELLY (for himself and Mr. ROBERTS):

S. 1678. A bill to amend the Consolidated Farm and Rural Development Act to improve access to grants and loans for evidence-based substance use disorder treatment services in rural areas, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. DUCKWORTH (for herself, Mr. BLUMENTHAL, and Mr. DURBIN):

S. 1679. A bill to amend the Foreign Agents Registration Act of 1938 to increase enforcement of certain violations and strengthen certain transparency requirements; to the Committee on Foreign Relations.

By Mr. SCHUTZ, Mr. WYDEN, Mr. MERKLEY, and Mr. BOOKER:

S. 1680. A bill to decrease the incidence of foodborne illness; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SANDERS:

S. 1681. A bill to require persons who undertake Federally funded research and development of drugs to enter into reasonable pricing agreements with the Secretary of Health and Human Services; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

At the request of Mr. BROWN, the name of the Senator from Montana (Mr. TANNER) was added as a cosponsor of S. 479, a bill to amend title XVIII of the Social Security Act to waive coinurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 479

At the request of Ms. CANTWELL, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 497, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 754

At the request of Mr. Kaine, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 754, a bill to support meeting our Nation’s growing cybersecurity workforce needs by expanding the cybersecurity education pipeline.

S. 910

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 910, a bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes.

S. 1002

At the request of Mr. MORAN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor 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. 1009

At the request of Ms. DUCKWORTH, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1050, a bill to award a Congressional Gold Medal, collectively, to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II.

S. 1169

At the request of Mr. DURBIN, the name of the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Minnesota (Ms. KLOBUCHER) were added as cosponsors of S. 1169, a bill to amend title XIX of the Social Security Act to provide States with an option to provide medical assistance to individuals between the ages of 22 and 64 for inpatient services to reduce substance use disorders at certain facilities, and for other purposes.

S. 1182

At the request of Mr. YOUNG, the names of the Senator from Colorado (Mr. GARDNER) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 1182, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion.

S. 1219

At the request of Mr. HETTCKAMP, the name of the Senator from Minnesota (Ms. KLOBUCHER) was added as a cosponsor of S. 1218, a bill to promote Federal employment for veterans, and for other purposes.

S. 1291

At the request of Mr. NELSON, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1301, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 1314

At the request of Mr. BARRASSO, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 1314, a bill to amend certain Acts to reauthorize those Acts and to increase protections for wildlife, and for other purposes.

S. 1328

At the request of Mr. WICKER, the name of the Senator from Minnesota (Ms. KLOBUCHER) was added as a cosponsor of S. 1514, a bill to amend the Registration Act of 1938 to increase enforcement services in rural areas, and for other purposes.

S. 1520

At the request of Ms. HETTCKAMP, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1529, a bill to amend the Internal Revenue Code of 1986 to expand eligibility for the refundable credit for coverage under a qualified health plan.

S. 1544

At the request of Ms. KLOBUCHER, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1544, a bill to prevent Federal funds from being used to establish a cybersecurity unit in cooperation with the Russian Federation.

S. 1554

At the request of Mr. RUBIO, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 1595, a bill to amend the Hizballah International Financing Prevention Act of 2015 to impose additional sanctions with respect to Hizballah, and for other purposes.

S. 1608

At the request of Mr. ISAOKSON, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Alabama (Mr. STRANGE) were added as cosponsors of S. 1598, a bill to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 1619

At the request of Mr. DURBIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1619, a bill to amend the Servicemembers Civil Relief Act to extend the interest rate limitation on debt entered into during military service to consolidate or refinance student loans incurred before military service.

S. 1638

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota (Ms. KLOBUCHER) was added as a cosponsor of S. 1638, a bill to provide priority under certain federally assisted housing programs to assist youths who
By Mr. REED (for himself, Mr. BROWN, Ms. CORTEZ MASTO, Ms. HASSAN, Ms. WARREN, Mr. WHITEHOUSE, Ms. HIRONO, and Mr. CARDIN):

S. 1674. A bill to provide grants for the repair, renovation, and construction of public elementary schools and secondary schools, to establish a school infrastructure revolving fund program, and for other purposes; to the Committee on Finance.

Mr. REED. Mr. President, our public schools are critical National infrastructure. They play a central role in Democracy—educating the next generation to meet the economic, social, environmental, and global challenges our Nation faces. Yet, too many of the over 50 million students and six million staff who work and learn in our public schools, spend their days in facilities that fail to make the grade. A 2014 Department of Education study estimated that it would cost $197 billion to bring all public schools into “good” condition. Nationally, there is also a $38 billion gap in school construction bonds to help fill the annual gap in school facility funding gaps. The School Construction Improvement Act of 2017 will create a Federal-State partnership for school infrastructure. It will provide, over ten years, a total of $100 billion in direct grants and school construction bonds to help fill the annual gap in school facility capital needs, while creating nearly two million jobs.

There are plenty of examples in Rhode Island of the urgent need for additional investment in school facilities. My hometown of Cranston recently reported $190 million in school facility deficiencies—a startling figure. In the weeks ahead, the Rhode Island Department of Education will publish a report detailing the infrastructure shortfalls in school districts across the state. Our students and community members do not have to be convinced about the need for investing in school facilities. Teachers, parents, students, and community leaders gathered in Providence to talk about our schools. One participant said, “The condition of the buildings is a value statement about how we feel about our students. We must have buildings that are warm, safe, and dry.” The Federal government needs to be a partner in helping Rhode Island and other States in closing school infrastructure funding gaps. School Building Improvement Act of 2017 will create a Federal-State partnership for school infrastructure. It will provide, over ten years, a total of $100 billion in direct grants and school construction bonds to help fill the annual gap in school facility capital needs, while creating nearly two million jobs.

Specifically, the School Building Improvement Act will provide $7 billion per year in formula funds to States for local competitive grants for school repair, renovation, and construction. States will focus assistance on communities with the greatest financial need,
encourage green construction practices, and ensure equitable access for public charter schools. Our legislation would also provide $30 billion for qualified school infrastructure bonds (QSBIs), $10 billion each year from FY 2018 through FY 2020 and expand the bond authority of and eligible purposes for Qualified Zone Academy Bonds (QZABs) to allow local education agencies to construct, rehabilitate, retrofit, or repair school facilities. The School Building Improvement Act also supports authorities in states by ensuring that projects use American-made iron, steel, and manufactured products.

I would like to thank the broad coalition of educators, community organizations, and unions that have provided feedback and support for this legislation, including Rebuild America’s Schools, American Federation of Teachers, Californians for School Facilities, Council of the Great City Schools, International Union of Operating Engineers, National Association of School Principals, National Association of Federally Impacted Schools, National Association of Secondary School Principals, National Education Association, National Parent Teacher Association, and North American Building Contractors.

We look forward to expanding this coalition in the weeks and months ahead.

We have no time to waste in fixing our deteriorating school infrastructure. In the words of a student activist in Providence, “Students cannot learn in a crumbling building, a school that isn’t fit to uplift our minds.” We need to listen to our students, strengthen our communities, and improve our school buildings. I urge all of my colleagues to cosponsor the School Building Improvement Act.

AMENDMENTS SUBMITTED AND PROPOSED

SA 734. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table;

SA 740. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 734. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 899D. SHORT TITLE.

This subtitle may be cited as the “End Outsourcing Act.”

SEC. 899E. OUTSOURCING STATEMENT IN WORKER ADJUSTMENT AND RETRAINING NOTICE.

(a) Outsourcing Statement.—Section 3 of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2120) is amended by adding at the end the following:

“(c) Outsourcing Statement.—”(1) In General.—For purposes of subsection (a), the employer shall include an outsourcing statement in the notice described in that subsection. The outsourcing statement shall specify whether part or all of the positions held by affected employees covered by subsection (a) will be moved to a country outside the United States, regardless of whether the positions are being moved within the business enterprise involved or to another business enterprise. The employer shall describe the determination of whether the positions are being so moved in accordance with regulations issued by the Secretary.

“(2) Notice.—The outsourcing statement may be included in a notice under section 3(a) as required under this section, to include an outsourcing statement.”.

(b) IMPLEMENTATION REPORT.—The Worker Adjustment and Retraining Notification Act is amended by inserting after section 10 (29 U.S.C. 2120) the following:

“SEC. 10A. IMPLEMENTATION STUDY.

(a) Study.—The Comptroller General of the United States shall conduct a study of the implementation of section 3(e) of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2120(e)) by the Department of Labor.

“(b) Report.—Not later than 3 years after the date of enactment of this section, the Comptroller General shall submit to the appropriate committees of Congress a report containing the results of the study conducted under this section.”.

SEC. 899F. DENIAL OF DEDUCTION FOR OUTSOURCING EXPENSES.

(a) In General.—Part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

“SEC. 2501. OUTSOURCING EXPENSES.

“(a) In General.—No deduction otherwise allowable under this chapter shall be allowed for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

(b) PAYGO Legislation.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined to be described in the latest PAYGO Legislation title ‘‘Budgetary Effects of PAYGO Legislation’’ for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, that was submitted prior to the vote on passage.

(c) PAYGO Legislation.—In the Internal Revenue Code of 1986 is amended by adding at the end the following:


“(a) In General.—Part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

“SEC. 2501. OUTSOURCING EXPENSES.

“(a) In General.—No deduction otherwise allowable under this chapter shall be allowed for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

(b) PAYGO Legislation.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined to be described in the latest PAYGO Legislation title ‘‘Budgetary Effects of PAYGO Legislation’’ for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

(c) PAYGO Legislation.—In the Internal Revenue Code of 1986 is amended by adding at the end the following:


“(a) In General.—Part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

“SEC. 2501. OUTSOURCING EXPENSES.

“(a) In General.—No deduction otherwise allowable under this chapter shall be allowed for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

(b) PAYGO Legislation.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined to be described in the latest PAYGO Legislation title ‘‘Budgetary Effects of PAYGO Legislation’’ for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.
Sec. 899I. Recapture of Credits for Outsourcing Employers.

(a) In General.—Pursuant to regulations prescribed by the Secretary, in the case of a taxpayer which owns a facility for which the taxpayer is an outsourcing employer for the taxable year, the tax under this chapter for such taxable year shall be increased by the amount equal to the sum of—

(1) any credits allowed under this chapter relating to expenses for design, construction, operation, or maintenance of such facility during the 5 taxable years preceding such taxable year, and

(2) any grants provided by the Secretary in lieu of credits described in paragraph (1) during the 5 taxable years preceding such taxable year.

(b) Outsourcing Event.—For purposes of subsection (a), the term ‘outsourcing event’ means a plant closing or mass layoff (as defined in section 4980B(c)(1)) during the taxable year of the taxpayer which results in the employment loss of any part-time employees for positions which will be moved to a country outside of the United States, as determined pursuant to the outsourcing statement (as described in paragraph (1) of section 3(e) of such Act).

(c) Effective Date.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

Sec. 899J. Credit for Insourcing Expenses.

(a) In General.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subpart:

Subpart K—Recapture of Credits for Outsourcing Employers.

Sec. 54BB. Recapture of credits for outsourcing employers.

Sec. 54BB. Recapture of credits for outsourcing employers.

(a) In General.—Pursuant to regulations prescribed by the Secretary, in the case of a taxpayer which owns a facility for which the taxpayer is an outsourcing employer for the taxable year, the tax under this chapter for such taxable year shall be increased by the amount equal to the sum of—

(1) any credits allowed under this chapter relating to expenses for design, construction, operation, or maintenance of such facility during the 5 taxable years preceding such taxable year, and

(2) any grants provided by the Secretary in lieu of credits described in paragraph (1) during the 5 taxable years preceding such taxable year.

(b) Outsourcing Event.—For purposes of subsection (a), the term ‘outsourcing event’ means a plant closing or mass layoff (as defined in section 4980B(c)(1)) during the taxable year of the taxpayer which results in the employment loss of any part-time employees for positions which will be moved to a country outside of the United States, as determined pursuant to the outsourcing statement (as described in paragraph (1) of section 3(e) of such Act).

(c) Effective Date.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.
...

Conclusions and Special Rules—

(1) Possessions of the United States.—For purposes of this section, the term "possession of the United States" includes the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands.

(2) Mirror Code Tax System.—For purposes of this section, the term "mirror code tax system" means any insourcing expenses credit determined under section 45S(a).''.

(3) Clerical Amendment.—The table of sections for subpart D of part IV of subchapter A of chapter 1 of title 26 is amended by striking "(37) the insourcing expenses credit determined under section 45S(a).'' and inserting "(37) the insourcing expenses credit determined under section 45S(a).'' and inserting "(i) the amount paid or incurred in connection with an insourcing event that is treated in the same manner as a refund from sections referred to in such section 3323(b)(2)."

SEC. 895J. AUTHORITY FOR FEDERAL CONTRACTING OFFICERS TO TAKE THE OUTSOURCING OF JOBS FROM THE UNITED STATES INTO ACCOUNT IN AWARDING CONTRACTS.—

(a) Department of Defense and Related Agency Contracts.—

(1) Consideration of Outsourcing.—

(A) In General.—Chapter 137 of title 10, United States Code, is amended by inserting after section 2327 the following new section:


(1) Disclosures of Outsourcing of Jobs.—

(I) In General.—The head of an agency shall require a contractor to publicly disclose in a bid or proposal in response to a solicitation issued by the agency a bid or proposal that includes a disclosure pursuant to subsection (a) in the three-year period ending on the date of the submittal of the bid or proposal.

(II) Outsourcing Event Described in Paragraph (1).—For purposes of paragraph (1), the term 'outsourcing event' means a contract award to a person—

(A) to whom a credit is allowed against United States income taxes by reason of section 45S of the Internal Revenue Code if a mirror code tax system if the income tax system of such possession if the income tax system of such possession does not have a mirror code tax system in an insourcing event that is treated in the same manner as a refund from sections referred to in such section 3323(b)(2)."

(2) Coordination with Credit Allowed Against United States Income Taxes.—No credit shall be allowed against United States income taxes under section 45S of such Code if a mirror code tax system has been in effect in such possession. The preceding sentence shall not apply with respect to any possession of the United States unless such possession has a plan, which has been approved by the Secretary of the Treasury, under which such possession will promptly distribute such payment to the residents of such possession.

(3) Coordination with Credit Allowed Against United States Income Taxes.—No credit shall be allowed against United States income taxes under section 45S of such Code if a mirror code tax system has been in effect in such possession. The preceding sentence shall not apply with respect to any possession of the United States unless such possession has a plan, which has been approved by the Secretary of the Treasury, under which such possession will promptly distribute such payment to the residents of such possession.

(3) Sense of Congress.—It is the sense of Congress that agency contracting officers should, using section 2327a(b) of this title, exclude contractors making a disclosure pursuant to subsection (a) in response to solicitations issued by the agency from the bid- ing process in connection with such solicita tions on the grounds that the actions described in the disclosures are against the public interests of the United States.

(5) Annual Report.—The head of each agency shall submit to Congress each year a report on the following:

(1) The number of solicitations made by the agency during the preceding year for which disclosures were made pursuant to subsection (a) in responsive bids or proposals.

(2) The number of contracts awarded by the agency during the preceding year for which disclosures were made pursuant to subsection (a) in responsive bids or proposals.
3303a. Bidders outsourcing jobs: disclosure of outsourcing event during the three-year period ending on the date of the submittal of the bid or proposal.

2. Outsourcing event.—For purposes of paragraph (1), the term ‘outsourcing event’ means a plant closing or mass layoff (as described in section 2(a) of the Worker Adjustment and Retraining Notification Act) in which a contractor making a disclosure pursuant to section 2(a) may include the acquisition, construction, provision, improvement, maintenance, operation, or restoration (including environmentally related actions), or combination thereof, of any facility or infrastructure under the jurisdiction of the Secretary.

3. Conforming amendment.—Section 3301(a) of such title is amended by inserting after the item relating to section 3303 the following new item:

(a) Disclosure of outsourcing jobs.

(1) In general.—The head of an executive agency shall require a contractor that submits a bid or proposal in response to a solicitation issued by the executive agency to disclose in that bid or proposal if the contractor, or a subsidiary of the contractor, owns a facility for which there is an outsourcing event during the three-year period ending on the date of the submittal of the bid or proposal.

(b) Outsourcing event.—For purposes of paragraph (1), the term ‘outsourcing event’ means a plant closing or mass layoff (as described in section 3303 of title 41, United States Code).

(c) Annual report.—The head of each executive agency shall require a contractor that submits a bid or proposal in response to a solicitation issued by the executive agency from which a bid or proposal is received to disclose pursuant to subsection (a) in responsive bids or proposals.

(d) Clerical amendment.—The table of sections at the beginning of chapter 35 of such title is amended by inserting after the item relating to section 3303 the following new item:

(3) The head of an agency may provide for exclusion of firms from sources.

(c) Regulations.—Section 3301(b) of such title is amended by inserting after ‘3303a(c),’ after ‘3303,.’

(3) The number of contracts awarded to contractors making a disclosure pursuant to subsection (a) in response to a solicitation issued by the executive agency from which a bid or proposal is received to the Secretary for defense activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XXVIII, add the following:

SEC. 2826. LAND CONVEYANCE, MOUNTAIN HOME AIR FORCE BASE, IDAHO.

(a) Conveyance Authorized.—The Secretary of the Air Force may convey, without consideration, to the City of Mountain Home, Idaho (in this section referred to as the ‘City’), the property to which this title, and interest in the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 4.25 miles of railroad spur located near Mountain Home Air Force Base, Idaho, as further described in subsection (c), for the purpose of economic development.

(b) Consideration Required.—As consideration for the land conveyed under subsection (a), the City shall pay to the Secretary an amount equal to the fair market value of the land, as determined by an appraisal approved by the Secretary. The City shall provide an annual report to the Secretary whether by cash payment, in-kind consideration as described under paragraph (2), or a combination thereof.

(c) Additional terms and conditions.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.
of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

SEC. 573. AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR TO JAMES MEGELLAS FOR ACTS OF VALOR DURING BATTLE OF THE BULGE.

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 3744 of such title to James Megellas, formerly of Fond du Lac, Wisconsin, and currently of Colleyville, Texas, for the acts of valor during World War II described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the acts of James Megellas on January 29, 1945, in Herrnhut, Belgium, during the Battle of the Bulge when, as a first lieutenant in the 82d Airborne Division, he led a surprise and devastating attack on a much larger advancing enemy force, and captured a large number and causing others to flee, single-handedly destroying an attacking German tank with two hand-held grenades and then leading his men in clearing and seizing Herrnhut.

SA 738. Mr. BARRASSO (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 8302. EXPANSION OF PROHIBITION ON TRANSFER OF VETERANS MEMORIAL OBJECTS WITHOUT SPECIFIC AUTHORIZATION BY LAW.

Paragraph (3) of section 272(e) of title 10, United States Code, is amended to read as follows:

"(3) The prohibition imposed by paragraph (1) does not apply to a transfer of a veterans memorial object that is specifically authorized by law.".

SA 739. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 8302. LISTED ITEM OF ITEMS ACQUIRED FROM FOREIGN ENTITIES THROUGH BUY AMERICAN NON-AVAILABILITY WAIVERS.

Section 8302(b)(2) of title 41, United States Code, is amended by inserting "supplies; and" and inserting "supplies;"

(1) in subparagraph (C), by striking "supplies; and"; and

(2) in subparagraph (D), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following new subparagraph:

"(E) an itemized list of all articles, materials, and supplies acquired through waivers pursuant to subsection (a)(2)(B)."

SA 740. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1002. INTEGRITY IN BORDER AND IMMIGRATION ENFORCEMENT.

(a) SHORT TITLE.—This section may be cited as the "Integrity in Border and Immigration Enforcement Act".

(b) DEFINITIONS.—In this section:

(1) LAW ENFORCEMENT POSITION.—The term "law enforcement position" means any law enforcement position in U.S. Customs and Border Protection ("CBP") or U.S. Immigration and Customs Enforcement ("ICE").

(2) POLYGRAPH EXAMINATION.—The term "polygraph examination" means the Law Enforcement Pre-Employment Test certified by the National Center for Credibility Assessment.

(c) POLYGRAPH EXAMINATIONS FOR LAW ENFORCEMENT PERSONNEL.—

(1) APPLICANTS.—Beginning not later than 30 days after the date of the enactment of this Act, the Secretary of Homeland Security—

(A) shall require that polygraph examinations are conducted on all applicants for law enforcement positions; and

(B) may not hire any applicant for a law enforcement position who does not pass a polygraph examination.

(2) TARGETED POLYGRAPH REINVESTIGATIONS.—Beginning not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security shall conduct a targeted polygraph examination under paragraph (1)(B) to—

(A) randomly administer a polygraph examination each year to at least 5 percent of all CBP law enforcement employees who are undergoing background reinvestigations during that year and have not been selected for a targeted polygraph examination under paragraph (1)(B); and

(B) randomly administer a polygraph examination each year to at least 5 percent of all ICE law enforcement employees who are undergoing background reinvestigations during that year and have not been selected for a targeted polygraph examination under paragraph (1)(B).

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Executive Calendar Nos. 195 through 223, with the exception of COL John K. Muller, and all nominations placed on the Secretary's desk in the Air Force, Army, Foreign Service, and Navy; that the nominations be confirmed, the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the Record; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Steven L. Kwast

The following named officer for reappointment as the Vice Chairman of the Joint Chiefs of Staff and appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 154:

To be general

Gen. Paul J. Selva

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Bruce T. Crawford

IN THE ARMY

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be brigadier general

Col. John B. Dunlap, III
The following named Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 12203 and 12211:

Maj. Gen. Herman S. Clardy, III

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be brigadier general
Col. Donald R. Emerson

Col. David Fleming, III

Col. Ryan T. Pace

Col. Andrew M. Roman

The following named officer for appointment in the United States Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general
Col. Deborah Y. Howell

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general
Maj. Gen. Charles W. Hooper

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general
Maj. Gen. Edward M. Daly

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general
Col. Michelle M. Rose

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)
Capt. Daniel W. Dwyer

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 601:

To be rear admiral
Rear Adm. (l/h) Ross A. Myers

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general
Maj. Gen. John J. Broadmeadow

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general
Lt. Gen. Vincent R. Stewart

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general
Maj. Gen. Herman S. Clardy, III

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601 and for appointment as a Senior Member of the Military Staff Committee of the United Nations under title 10, U.S.C., section 711:

To be lieutenant general
Maj. Gen. Richard D. Clarke

IN THE NAVY

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral
Rear Adm. Frederick J. Roege

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general
Maj. Gen. Daniel J. O’Donohue

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general
Capt. Daniel W. Dwyer

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be major general
Brig. Gen. John D. Slocum

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be major general
Brig. Gen. Anthony J. Carrelli

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be major general
Brig. Gen. Sam C. Barrett

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general
Lt. Gen. Mark A. Brlakas

The following named Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be major general
Brig. Gen. John D. Slocum

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general
Lt. Gen. Vincent R. Stewart

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general
Maj. Gen. Herman S. Clardy, III

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601 and for appointment as a Senior Member of the Military Staff Committee of the United Nations under title 10, U.S.C., section 711:

To be lieutenant general
Maj. Gen. Richard D. Clarke

IN THE NAVY

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral
Rear Adm. Frederick J. Roege

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general
Maj. Gen. Daniel J. O’Donohue

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general
Capt. Daniel W. Dwyer

IN THE AIR FORCE

The following named Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be major general
Brig. Gen. John D. Slocum

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be major general
Brig. Gen. Anthony J. Carrelli

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be major general
Brig. Gen. Sam C. Barrett

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general
IN THE AIR FORCE

PN630 AIR FORCE nominations (2) beginning MICHAEL G. RHODE, and ending SCOTT D. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN632 AIR FORCE nominations (2) beginning KIRT L. STALLINGS, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN631 AIR FORCE nomination of Lisa E. DONOVAN, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN630 AIR FORCE nominations (2) beginning NAZANIN ACKMAN, and ending MICHAEL D. ZOLLARS, which nominations were received by the Senate and appeared in the Congressional Record of June 5, 2017.

PN630 AIR FORCE nominations (2) beginning NAZANIN ACKMAN, and ending MICHAEL D. ZOLLARS, which nominations were received by the Senate and appeared in the Congressional Record of June 5, 2017.

PN630 AIR FORCE nominations (2) beginning NAZANIN ACKMAN, and ending MICHAEL D. ZOLLARS, which nominations were received by the Senate and appeared in the Congressional Record of June 5, 2017.

PN630 AIR FORCE nominations (2) beginning NAZANIN ACKMAN, and ending MICHAEL D. ZOLLARS, which nominations were received by the Senate and appeared in the Congressional Record of June 5, 2017.

PN630 AIR FORCE nominations (2) beginning NAZANIN ACKMAN, and ending MICHAEL D. ZOLLARS, which nominations were received by the Senate and appeared in the Congressional Record of June 5, 2017.

PN630 AIR FORCE nominations (2) beginning NAZANIN ACKMAN, and ending MICHAEL D. ZOLLARS, which nominations were received by the Senate and appeared in the Congressional Record of June 5, 2017.

IN THE ARMY

PN634 ARMvI nominations (4) beginning JAMES C. BENSON, and ending JACOB S. LOPTICE, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN631 ARMY nominations (15) beginning TIMOTHY D. LIKTA, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN631 ARMY nomination of Scott D. Blackwell, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN631 ARMY nominations (15) beginning MICHAEL A. ADAMS, and ending D0I2118, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN631 ARMY nominations (15) beginning MICHAEL A. ADAMS, and ending D0I2118, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN631 ARMY nominations (15) beginning MICHAEL A. ADAMS, and ending D0I2118, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN631 ARMY nominations (15) beginning MICHAEL A. ADAMS, and ending D0I2118, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN631 ARMY nominations (15) beginning MICHAEL A. ADAMS, and ending D0I2118, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

IN THE FOREIGN SERVICE

PN676 ARMvI nominations (2) beginning FRANCIS K. AGYAPONG, and ending SASHI A. ZICKEFOOSE, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN676 ARMvI nominations (2) beginning FRANCIS K. AGYAPONG, and ending SASHI A. ZICKEFOOSE, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN676 ARMvI nominations (2) beginning FRANCIS K. AGYAPONG, and ending SASHI A. ZICKEFOOSE, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN676 ARMvI nominations (2) beginning FRANCIS K. AGYAPONG, and ending SASHI A. ZICKEFOOSE, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN676 ARMvI nominations (2) beginning FRANCIS K. AGYAPONG, and ending SASHI A. ZICKEFOOSE, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN676 ARMvI nominations (2) beginning FRANCIS K. AGYAPONG, and ending SASHI A. ZICKEFOOSE, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN676 ARMvI nominations (2) beginning FRANCIS K. AGYAPONG, and ending SASHI A. ZICKEFOOSE, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

IN THE NAVY

PN672 ARMvI nominations (49) beginning RYAN C. AGEE, and ending D0I1536, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN672 ARMvI nominations (49) beginning RYAN C. AGEE, and ending D0I1536, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN672 ARMvI nominations (49) beginning RYAN C. AGEE, and ending D0I1536, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN672 ARMvI nominations (49) beginning RYAN C. AGEE, and ending D0I1536, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN672 ARMvI nominations (49) beginning RYAN C. AGEE, and ending D0I1536, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN672 ARMvI nominations (49) beginning RYAN C. AGEE, and ending D0I1536, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN672 ARMvI nominations (49) beginning RYAN C. AGEE, and ending D0I1536, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.
C. TRESCHE, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.
PN667 NAVY nominations (13) beginning PATRICK P. DAVIS, and ending SEAN C. STEVENS, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.
PN704 NAVY nominations (42) beginning JEFFREY A. ALSUP, and ending TERRY N. TRAWEK, JR., which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.
PNT11 NAVY nomination of Linda C. Seymour, which was received by the Senate and appeared in the Congressional Record of June 17, 2017.
PNT12 NAVY nomination of Chad J. Trubilla, which was received by the Senate and appeared in the Congressional Record of June 26, 2017.
PNT76 NAVY nominations (49) beginning PATRICK R. ADAMS, and ending JAMES T. WATTERS, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2017.
PNT77 NAVY nomination of Randall G. Schimpf, which was received by the Senate and appeared in the Congressional Record of July 13, 2017.

LEGISLATIVE SESSION
The PRESIDING OFFICER. The Senate will now resume legislative session.

MEASURE READ THE FIRST TIME—H.R. 3219
Mr. McCONNELL. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.
The PRESIDING OFFICER. The clerk will read the bill by title for the first time.
The legislative clerk read as follows: A bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes.
Mr. McCONNELL. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.
The PRESIDING OFFICER. Objection is heard.
The bill will be read for the second time on the next legislative day.

ORDERS FOR TUESDAY, AUGUST 1, 2017
Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, August 1; further, 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; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Newsom nomination; finally, that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly conference meetings.
The PRESIDING OFFICER. Is there objection?
Without objection, it is so ordered.

ORDER FOR ADJOURNMENT
Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I move unanimous consent that it stand adjourned under the previous order, following the remarks of Senator BROWN.
The PRESIDING OFFICER. Without objection, it is so ordered.
The Senator from Ohio.

WELLS FARGO AND FORCED ARBITRATION
Mr. BROWN. Mr. President, a number of Wall Street banks, car title lenders, big corporations, and payday loan sharks have two things in common: They have a record of ripping off consumers, and they have armies of expensive lawyers—lawyers in Washington, in Columbus, and in State capitals all over this country who protect them from facing the consequences.
That is why it is so important that ordinary American consumers have their own cop on the beat—the Consumer Financial Protection Bureau. The recent abuses by Wells Fargo are the latest proof of how necessary the Consumer Financial Protection Bureau's work is.
Less than a year ago, we learned that Wells Fargo secretly opened millions of phony bank and credit card accounts without customers' permission. The CEO of Wells Fargo had to resign as a result. This was an outrageous abuse of American consumers. The sheer size and scope of this scam are breathtaking. In total, Wells Fargo may have opened as many as 3.5 million unauthorized accounts—meaning, it opened these accounts without the accountholders even necessarily knowing that they did it, without permission—costing customers some $2.5 million in fees.
The abuses are bad enough. To make matters worse, Wells Fargo tried to keep this scandal hidden from the public, and it used something called the “forced arbitration clauses,” which are buried in the fine print of customers' contracts, to deny them their day in court. There is hardly anybody in this country who has not confronted small print in a contract when signing that contract, especially with a financial institution. Customers first sued over these fake accounts back in 2013, but Wells Fargo then forced them into secret arbitration proceedings, keeping this scam under wraps and blocking consumers from obtaining any relief.
The Senate—backed by the Consumer Financial Protection Bureau and other watchdogs blew the lid off of this scandal. Customers sued once again, and, once again, the bank tried to block them from getting relief in court. This time, because of the Consumer Financial Protection Bureau, the LA Times, and others who shone a light on the scandal and on all of the bad press that went with it, Wells Fargo relented. So, after two congressional hearings and a flood of bad headlines, Wells Fargo is cutting a deal in its phony account scandal.
Yet now we have learned that this is not the only scam that one of America's largest banks has pulled off. Just last week, we learned that the bank forced unwanted insurance on 800,000 auto loan borrowers, potentially pushing tens of thousands into default and repossession, and it is still using these forced arbitration clauses in its contracts in order to cheat future consumers, including in the contracts in this auto loan scam.
The only thing more outrageous than the fact that Wells Fargo continues to cheat its customers is the fact that Members of Congress—a lot of Members of Congress in this body and down the hall—are trying to make it even harder for those customers to seek justice in their own cases, with arbitration. They think that forced arbitration and the fine print, which most people do not read and most people do not understand if they do read it, is legitimate. No wonder so many hard-working Americans believe that the system is rigged against them in Wall Street's favor.
These scams have caused real damage for hundreds of thousands of Americans and for 100,000 Wells Fargo customers who have been forced into delinquency by being charged for unnecessary insurance, and 20,000 vehicles have been unfairly repossessed because of this bank's behavior.
Wells Fargo is not alone. Santander has used forced arbitration clauses against servicemembers. It is a Spanish company that does business in the United States and uses forced arbitration clauses against American servicemembers—again, forcing repossession. In 2015, Santander used forced arbitration to block an Army National Guard sergeant from seeking justice after the bank illegally repossessed his car while he was serving our country overseas.
I see that kind of thing happening at Wright-Patterson Air Force Base in Dayton. Air Force men and women are not always making big salaries, to put it mildly, as they are serving their country. They do not make a lot of money, and a lot of these young families struggle. Yet predators—companies like Wells Fargo and payday lenders—continue to prey on them. The Consumer Financial Protection Bureau stands with them. The CFPB is looking out for folks like the Army National Guard sergeant, like those at the Wright-Patterson Air Force Base, and like those at the Air Force bases in Springfield and Mansfield and Toledo and Youngstown.
Yet, with all of this happening, some Members of Congress, again, are doing
the bidding of Wall Street lobbyists. The Bureau just finalized a new rule that limits the arbitration clauses that allow big corporations to get away with ripping off servicemembers, students, and other hard-working Americans, and the thanks is barely dry on this new consumer protection, and big banks and their allies in Congress—and God knows they have a lot of allies in Congress and allies in the administration—are already trying to overturn this rule.

Last week, Republicans in the House voted to overturn this rule that ensures that all Ohioans who have been ripped off by banks and payday lenders are able to have their day in court. Despite promising during his campaign to look out for the little guy, President Trump's Acting Comptroller of the Currency, who is also—alas—a former Wells Fargo lawyer, is trying to get the Consumer Financial Protection Bureau to back off that rule.

It is unconscionable that Washington politicians are undermining the rights of consumers to have their day in court when they are cheated by banks and payday lenders. It is unconscionable that those who want to dismantle the Consumer Financial Protection Bureau and gut its rules seem to have collective amnesia about the devastation that Wall Street greed has wreaked on communities across the country, but most Ohioans do not have that luxury. They are still recovering.

I and my wife, Connie, live in the city of Cleveland, with the ZIP Code 44105. It is a time 10 years ago. On the first half of 2007, there were more foreclosures in that ZIP Code than in any ZIP Code in the United States of America. So I have seen the aftermath. I have seen what has happened with Wall Street. Wall Street wants something, whenever the big banks want something, and Congress rushes in to gut its rules seem to have collective amnesia about the devastation that Wall Street greed has wreaked on communities across the country, but most Ohioans do not have that luxury. They are still recovering.

It is pretty simple. Gutting the Consumer Financial Protection Bureau’s arbitration rule means banks get away with cheating their customers.

So I ask Senators in this body to ask themselves: Whose side are you on? Are you on the side of the payday lenders and Wells Fargo when they defraud the public by putting their money on the side of service men and women and the side of people who have lost their cars, which were repossessed because of the unilateral actions by this bank?

Those are the same big banks that prey on working families before the crisis wrecked the economy and handed taxpayers the bill. Is that whose side we are on or are we on the side of consumers?

Mr. President, I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

THE PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.
IN THE ARMY

To be brigadier general

COL. MICHAEL N. ADAME
COL. JAMES B. BAKER
COL. THOMAS G. BEHRING
COL. KAREN A. BENDRICK
COL. ROBYN J. BLADER
COL. DAVID E. BURTT
COL. STEPHEN M. DOYLE
COL. JOHN J. DREISGALL
COL. LARRY J. DUGGER
COL. DAVID A. GAGNON
COL. TONI L. GILLESPIE
COL. HERMAN W. HOLT
COL. KATHY J. HULL
COL. JONATHAN S. HUSBARD
COL. MAY E. JAMES
COL. DAVID M. JENKINS
COL. JOHN T. KELLY
COL. STEVEN J. KREMER
COL. SCOTT M. MACLEOD
COL. ERIC T. MARSH
COL. BRIAN R. NEBICK
COL. DONALD B. O. PACE
COL. STEPHEN M. RADULSKI
COL. CARL T. REESE
COL. ROBERT K. RYAN
COL. LAWRENCE E. SCHNEEDEL
COL. GRANT T. SCHWARTZ
COL. TIMOTHY A. GLYNN
COL. CURTIS W. FAULK
COL. MARK D. DROWN
COL. JAKIE R. DAVIS, JR.
COL. CYNTHIA K. TINKHAM
COL. STEPHEN F. LOGAN
COL. JEFFREY L. COPELAND
COL. WILLIAM T. CONWAY
COL. JIMMIE L. COLE
COL. JOHN C. ANDONIE
COL. PATRICK C. THIBODEAU
COL. GRANT C. SLAYDEN
COL. ROBERT K. RYAN
COL. STEPHEN M. RADULSKI
COL. SCOTT M. MACLEOD
COL. STEVEN J. KREMER
COL. MANLEY JAMES
COL. TODD H. HUBBARD
COL. STEPHEN M. DOYLE
COL. ROBYN J. BLADER


To be brigadier general

COL. JOHN T. KELLY
COL. SCOTT M. MACLEOD
COL. ERIC T. MARSH
COL. BRIAN R. NEBICK
COL. DONALD B. O. PACE
COL. STEPHEN M. RADULSKI
COL. CARL T. REESE
COL. ROBERT K. RYAN
COL. LAWRENCE E. SCHNEEDEL
COL. GRANT T. SCHWARTZ
COL. TIMOTHY A. GLYNN
COL. CURTIS W. FAULK
COL. MARK D. DROWN
COL. JAKIE R. DAVIS, JR.
COL. CYNTHIA K. TINKHAM
COL. STEPHEN F. LOGAN
COL. JEFFREY L. COPELAND
COL. WILLIAM T. CONWAY
COL. JIMMIE L. COLE
COL. JOHN C. ANDONIE
COL. PATRICK C. THIBODEAU
COL. GRANT C. SLAYDEN
COL. ROBERT K. RYAN
COL. STEPHEN M. RADULSKI
COL. SCOTT M. MACLEOD
COL. STEVEN J. KREMER
COL. MANLEY JAMES
COL. TODD H. HUBBARD
COL. STEPHEN M. DOYLE
COL. ROBYN J. BLADER

IN THE ARMY
ARMY NOMINATIONS BEGINNING WITH JAMES C. BENSON AND ENDING WITH JACOB S. BOFTICE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

ARMY NOMINATION OF TIMOTHY D. LITKA, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF SCOTT D. BLACKWELL, TO BE COLONEL.


ARMY NOMINATION OF MAITA D. ANDERSON, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH KIMBERLY M. KUFFELSSON AND ENDING WITH KIM WINNIS C. PETERSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.

ARMY NOMINATIONS BEGINNING WITH CECILIA C. FLOREO AND ENDING WITH JOHN M. FLYES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 26, 2017.


ARMY NOMINATION OF JAY A. JOHANNINGMAN, TO BE COLONEL.

IN THE NAVY


NAVY NOMINATION OF LINWOOD O. LEWIS, TO BE COMMANDER.

NAVY NOMINATION OF BRIAN A. EVICK, TO BE COMMANDER.


NAVY NOMINATIONS BEGINNING WITH DEBRA D. ARBOTT AND ENDING WITH SHANE M. ZIMMERMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 15, 2017.


NAVY NOMINATION OF LINDA C. SEYMOUR, TO BE CAPTAIN.

NAVY NOMINATION OF CHAD J. TRUBILLA, TO BE COMMANDER.


NAVY NOMINATION OF JAMES T. WATTERS, TO BE COMMANDER.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH GARY J. ARBOLE AND ENDING WITH HAEKIM YOO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 6, 2017.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and any committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings or purpose.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, August 1, 2017 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

AUGUST 2

Time to be announced
Committee on Health, Education, Labor, and Pensions
Business meeting to consider the nominations of Lance Allen Robertson, of Oklahoma, to be Assistant Secretary for Aging, Brett Giroir, of Texas, and Robert P. Kadlec, of New York, both to be Deputy Secretaries in the Department of Health and Human Services, Jerome M. Adams, of Indiana, to be Medical Director in the Regular Corps of the Public Health Service, and to be Assistant Secretary for Preparedness and Response, and Elinore F. McCance-Katz, of Rhode Island, to be Assistant Secretary for Mental Health and Substance Use, all of the Department of Health and Human Services, Jerome M. Adams, of Indiana, to be Medical Director in the Regular Corps of the Public Health Service, and to be Surgeon General of the Public Health Service, Patrick Pizzola, of Virginia, to be Deputy Secretary of Labor, and Heather L. MacDougall, of Florida, and James J. Sullivan, Jr., of Pennsylvania, both to be Members of the Occupational Safety and Health Review Commission.

TBA
Committee on Small Business and Entrepreneurship
Business meeting to consider S. 154, to amend the Small Business Act to ensure small businesses affected by the onset of transmissible diseases are eligible for disaster relief, S. 650, to amend the Small Business Act to expand tax credit education and training for small businesses that engage in research and development, S. 690, to extend the eligibility of redesignated areas as HUBZones from 3 years to 7 years, S. 929, to improve the HUBZone program, S. 1038, to require the Administrator of the Small Business Administration to submit to Congress a report on the utilization of small businesses with respect to certain Federal contracts, and S. 1428, to amend section 21 of the Small Business Act to require cybercert small business development center counselors.

10 a.m.
Committee on Commerce, Science, and Transportation
Business meeting to consider S. 374, to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products, S. 754, to support meeting our Nation's growing cybersecurity workforce needs by expanding the cybersecurity education pipeline, S. 1222, to establish the American Fisheries Advisory Committee to assist in the awarding of fisheries research and development grants, S. 1425, to reauthorize the Integrated Coastal and Ocean Observation System Act of 2009, S. 1532, to disqualify from operating a commercial motor vehicle for life an individual who uses a commercial motor vehicle in committing a felony involving human trafficking, S. 1536, to designate a human trafficking prevention coordinator and to expand the scope of activities authorized under the Federal Motor Carrier Safety Administration's outreach and education program to include human trafficking prevention activities, S. 1586, to require the Under Secretary for Oceans and Atmosphere to update periodically the environmental sensitivity index products of the National Oceanic and Atmospheric Administration for each coastal area of the Great Lakes, S. 1621, to require the Federal Communications Commission to establish a methodology for the Commission of information about commercial mobile service and commercial mobile data service, and the nominations of Ajit Varadaraj Pai, of Kansas, Jessica Rosenworcel, of Connecticut, and Brendan Carr, of Virginia, each to be a Member of the Federal Communications Commission, David J. Redl, of New York, to be Assistant Secretary for Communications and Information, Peter B. Davidson, of Virginia, to be General Counsel, Karen Dunn Kelley, of Pennsylvania, to be Under Secretary for Economic Affairs, and Elizabeth Erin Walsh, of the District of Columbia, to be Assistant Secretary and Director General of the United States and Foreign Commercial Service, all of the Department of Commerce, Steven Gill Bradbury, of Virginia, to be General Counsel, Michael H. Buzby, of Virginia, to be Administrator of the Maritime Administration, and Ronald L. Batory, of New Jersey, to be Administrator of the Federal Railroad Administration, all of the Department of Transportation, and Robert L. Sumwalt III, of South Carolina, to be Chairman of the National Transportation Safety Board.

AUGUST 3

10 a.m.
Committee on Commerce, Science, and Transportation
To hold hearings to examine the Federal Motor Carrier Safety Administration's outreach and education program to include human trafficking prevention activities.

Committee on Energy and Natural Resources
Subcommittee on Water and Power
To hold hearings to examine increasing water security and drought preparedness through infrastructure, management, and innovation.

SD–366
Committee on Environment and Public Works
To hold hearings to examine the Federal Bureau of Investigation headquarters consolidation project.

SD–406
Committee on Foreign Relations
Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues
To hold hearings to examine the Colombia peace process, focusing on the way forward in United States-Colombia relations, to be immediately followed by a full committee hearing to examine the nomination of Doug Manchester, of California, to be Ambassador to the Commonwealth of The Bahamas, Department of State.

SD–419
Committee on Foreign Relations
To receive a closed briefing on the Authorizations for the Use of Military Force, focusing on Administration perspectives.

SV–217
Committee on Finance
Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security
To hold hearings to examine insurance fraud in America, focusing on current issues facing industry and consumers.

SR–253
Committee on Energy and Natural Resources
To hold hearings to examine Federal and nonfederal collaboration, including through the use of technology, to reduce wildland fire risk to communities and enhance firefighting safety and effectiveness.

SD–366
Committee on Finance
To hold hearings to examine the nominations of Gilbert B. Kaplan, of the District of Columbia, to be Under Secretary of Commerce for International Trade, and Matthew Bassett, of Tennessee, to be an Assistant Secretary of Health and Human Services.

SD–215
Committee on the Judiciary
Business meeting to consider S. 705, to amend the National Child Protection Act of 1993 to establish a national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and the nominations of Jeffrey Bossert Clark, of Virginia, to be an Assistant Attorney General, Peter E. Deegan, Jr., to be United

This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.
States Attorney for the Northern District of Iowa, D. Michael Dunavant, to be United States Attorney for the Western District of Tennessee, Louis V. Franklin, Sr., to be United States Attorney for the Middle District of Alabama, Marc Krickbaum, to be United States Attorney for the Southern District of Iowa, Jessie K. Liu, of Virginia, to be United States Attorney for the District of Columbia, and Richard W. Moore, to be United States Attorney for the Southern District of Alabama, all of the Department of Justice.
Monday, July 31, 2017

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S4609–S4631

Measures Introduced: Ten bills were introduced, as follows: S. 1672–1681.

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13441 with respect to Lebanon, received during adjournment of the Senate on July 28, 2017; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–15)

Newsom Nomination—Agreement: Senate resumed consideration of the nomination of Kevin Christopher Newsom, of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

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

By 68 yeas to 26 nays (Vote No. 180), Senate agreed to the motion to close further debate on the nomination.

A unanimous-consent agreement was reached providing for further consideration of the nomination, post-cloture, at approximately 10 a.m., on Tuesday, August 1, 2017, with all time during morning business, recess, adjournment and Leader remarks counting post-cloture on the nomination.

Kaplan Nomination—Cloture: Senate began consideration of the nomination of Marvin Kaplan, of Kansas, to be a Member of the National Labor Relations Board.

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Kevin Christopher Newsom, of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session.

Senate agreed to the motion to proceed to Executive Session to consider the nomination.

Nominations Confirmed: Senate confirmed the following nominations:

6 Air Force nominations in the rank of general.
86 Army nominations in the rank of general.
7 Marine Corps nominations in the rank of general.
4 Navy nominations in the rank of admiral.
Routine lists in the Air Force, Army, Navy, and Foreign Service.

Messages from the House:

Measures Referred:

Measures Read the First Time:

Executive Communications:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Amendments Submitted:

Record Votes: One record vote was taken today. (Total—180)

Adjournment: Senate convened at 4 p.m. and adjourned at 6:37 p.m., until 10 a.m. on Tuesday, August 1, 2017. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S4629.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.
House of Representatives

Chamber Action
The House was not in session today. The House is scheduled to meet in a Pro Forma session at 11 a.m. on Tuesday, August 1, 2017.

Committee Meetings
No hearings were held.

Joint Meetings
No joint committee meetings were held.

COMMITTEE MEETINGS FOR TUESDAY, AUGUST 1, 2017
(Committee meetings are open unless otherwise indicated)

Senate
Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard, to hold hearings to examine reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act, focusing on National Oceanic and Atmospheric Administration and Council perspectives, 10 a.m., SR–253.
Committee on Environment and Public Works: Subcommittee on Superfund, Waste Management, and Regulatory Oversight, to hold an oversight hearing to examine the Environmental Protection Agency’s Superfund program, 10 a.m., SD–406.
Committee on Finance: to hold hearings to examine America’s affordable housing crisis, focusing on challenges and solutions, 10 a.m., SD–215.
Committee on Foreign Relations: to hold hearings to examine the nomination of Stephen B. King, of Wisconsin, to be Ambassador to the Czech Republic, Department of State, 11 a.m., SD–419.
Committee on Health, Education, Labor, and Pensions: to hold hearings to examine the nominations of Lance Allen Robertson, of Oklahoma, to be Assistant Secretary for Aging, Brett Giroir, of Texas, and Robert P. Kadlec, of New York, both to be a Medical Director in the Regular Corps of the Public Health Service, and to be Assistant Secretary for Preparedness and Response, and Elinore F. McCance-Katz, of Rhode Island, to be Assistant Secretary for Mental Health and Substance Use, all of the Department of Health and Human Services, and Jerome M. Adams, of Indiana, to be Medical Director in the Regular Corps of the Public Health Service, and to be Surgeon General of the Public Health Service, 2:30 p.m., SD–430.

House
No hearings are scheduled.

CONGRESSIONAL PROGRAM AHEAD
Week of August 1 through August 4, 2017

Senate Chamber
On Tuesday, Senate will continue consideration of the nomination of Kevin Christopher Newsom, of Alabama, to be United States Circuit Judge for the Eleventh Circuit, post-cloture.
Upon disposition of the nomination of Kevin Christopher Newsom, of Alabama, to be United States Circuit Judge for the Eleventh Circuit, Senate will resume consideration of the nomination of Marvin Kaplan, of Kansas, to be a Member of the National Labor Relations Board, with a vote on the motion to invoke cloture thereon.
During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees
Committee on Commerce, Science, and Transportation: August 1, Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard, to hold hearings to examine reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act, focusing on National Oceanic and Atmospheric Administration and Council perspectives, 10 a.m., SR–253.
August 2, Full Committee, business meeting to consider S. 374, to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products, S. 754, to support meeting our Nation’s growing cybersecurity workforce needs by expanding the cybersecurity education pipeline, S. 1322, to establish the American Fisheries Advisory Committee to assist in the awarding of fisheries research and development grants, S. 1425, to reauthorize the Integrated Coastal and Ocean Observation System Act of 2009, S. 1532, to disqualify from operating a commercial motor vehicle for life an individual who uses a commercial motor vehicle in committing a felony involving human trafficking, S. 1536, to designate a human trafficking prevention coordinator and to expand the scope of activities authorized under the Federal Motor Carrier Safety Administration’s outreach and education program to include human trafficking prevention activities, S. 1586, to require the Under Secretary for Oceans and Atmosphere to update periodically the environmental sensitivity index products of the National Oceanic and Atmospheric Administration for each coastal area of the Great Lakes, S. 1621, to require the Federal Communications Commission to establish a methodology for the collection by the Commission of information about commercial mobile service and commercial mobile data service, and the nominations of Ajit Varadaraj Pai, of Kansas, Jessica Rosenworcel, of Connecticut, and
Brendan Carr, of Virginia, each to be a Member of the Federal Communications Commission, David J. Redl, of New York, to be Assistant Secretary for Communications and Information, Peter B. Davidson, of Virginia, to be General Counsel, Karen Dunn Kelley, of Pennsylvania, to be Under Secretary for Economic Affairs, and Elizabeth Erin Walsh, of the District of Columbia, to be Assistant Secretary and Director General of the United States and Foreign Commercial Service, all of the Department of Commerce, Steven Gill Bradbury, of Virginia, to be General Counsel, Mark H. Buzby, of Virginia, to be Administrator of the Maritime Administration, and Ronald L. Batory, of New Jersey, to be Administrator of the Federal Railroad Administration, all of the Department of Transportation, and Robert L. Sumwalt III, of South Carolina, to be Chairman of the National Transportation Safety Board, 10 a.m., SH–216.

August 3, Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security, to hold hearings to examine insurance fraud in America, focusing on current issues facing industry and consumers, 10 a.m., SR–253.

Committee on Energy and Natural Resources: August 2, Subcommittee on Water and Power, to hold hearings to examine increasing water security and drought preparedness through infrastructure, management, and innovation, 10 a.m., SD–366.

August 3, Full Committee, to hold hearings to examine Federal and nonfederal collaboration, including through the use of technology, to reduce wildland fire risk to communities and enhance firefighting safety and effectiveness, 10 a.m., SD–366.

Committee on Environment and Public Works: August 1, Subcommittee on Superfund, Waste Management, and Regulatory Oversight, to hold an oversight hearing to examine the Environmental Protection Agency’s Superfund program, 10 a.m., SD–406.

August 2, Full Committee, to hold hearings to examine the Federal Bureau of Investigation headquarters consolidation project, 10 a.m., SD–406.

Committee on Finance: August 1, to hold hearings to examine America’s affordable housing crisis, focusing on challenges and solutions, 10 a.m., SD–215.

August 3, Full Committee, to hold hearings to examine the nominations of Gilbert B. Kaplan, of the District of Columbia, to be Under Secretary of Commerce for International Trade, and Matthew Bessett, of Tennessee, to be an Assistant Secretary of Health and Human Services, 10 a.m., SD–215.

Committee on Foreign Relations: August 1, to hold hearings to examine the nomination of Stephen B. King, of Wisconsin, to be Ambassador to the Czech Republic, Department of State, 11 a.m., SD–419.

August 2, Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women’s Issues, to hold hearings to examine assessing the Colombia peace process, focusing on the way forward in United States-Colombia relations; to be immediately followed by a full committee hearing to examine the nomination of Doug Manchester, of California, to be Ambassador to the Commonwealth of The Bahamas, Department of State, 10 a.m., SD–419.

August 2, Full Committee, to receive a closed briefing on the Authorizations for the Use of Military Force, focusing on Administration perspectives, 2 p.m., SVC–217.

Committee on Health, Education, Labor, and Pensions: August 1, to hold hearings to examine the nominations of Lance Allen Robertson, of Oklahoma, to be Assistant Secretary for Aging, Brett Giroir, of Texas, and Robert P. Kadlec, of New York, both to be a Medical Director in the Regular Corps of the Public Health Service, and to be Assistant Secretary for Preparedness and Response, and Elinore F. McCance-Katz, of Rhode Island, to be Assistant Secretary for Mental Health and Substance Use, all of the Department of Health and Human Services, and Jerome M. Adams, of Indiana, to be Medical Director in the Regular Corps of the Public Health Service, and to be Surgeon General of the Public Health Service, 2:30 p.m., SD–430.

August 2, Full Committee, business meeting to consider the nominations of Lance Allen Robertson, of Oklahoma, to be Assistant Secretary for Aging, Brett Giroir, of Texas, and Robert P. Kadlec, of New York, both to be a Medical Director in the Regular Corps of the Public Health Service, and to be Assistant Secretary for Preparedness and Response, and Elinore F. McCance-Katz, of Rhode Island, to be Assistant Secretary for Mental Health and Substance Use, all of the Department of Health and Human Services, Jerome M. Adams, of Indiana, to be Medical Director in the Regular Corps of the Public Health Service, and to be Surgeon General of the Public Health Service, Patrick Pizzella, of Virginia, to be Deputy Secretary of Labor, and Heather L. MacDougall, of Florida, and James J. Sullivan, Jr., of Pennsylvania, both to be a Member of the Occupational Safety and Health Review Commission, Time to be announced, Room to be announced.

Committee on the Judiciary: August 3, business meeting to consider S. 705, to amend the National Child Protection Act of 1993 to establish a national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and the nominations of Jeffrey Bossert Clark, of Virginia, to be an Assistant Attorney General, Peter E. Deegan, Jr., to be United States Attorney for the Northern District of Iowa, D. Michael Dunavant, to be United States Attorney for the Western District of Tennessee, Louis V. Franklin, Sr., to be United States Attorney for the Middle District of Alabama, Marc Krickbaum, to be United States Attorney for the Southern District of Iowa, Jessie K. Liu, of Virginia, to be United States Attorney for the District of Columbia, and Richard W. Moore, to be United States Attorney for the Southern District of Alabama, all of the Department of Justice, 10 a.m., SD–226.

Committee on Small Business and Entrepreneurship: August 2, business meeting to consider S. 154, to amend the Small Business Act to ensure small businesses affected by the onset of transmissible diseases are eligible for disaster relief, S. 650, to amend the Small Business Act to expand
tax credit education and training for small businesses that engage in research and development, S. 690, to extend the eligibility of redesignated areas as HUBZones from 3 years to 7 years, S. 929, to improve the HUBZone program, S. 1038, to require the Administrator of the Small Business Administration to submit to Congress a report on the utilization of small businesses with respect to certain Federal contracts, and S. 1428, to amend section 21 of the Small Business Act to require cyber certification for small business development center counselors, Time to be announced, Room to be announced.

**House Committees**

No hearings are scheduled.
Next Meeting of the SENATE
10 a.m., Tuesday, August 1

Senate Chamber

Program for Tuesday: Senate will continue consideration of the nomination of Kevin Christopher Newsom, of Alabama, to be United States Circuit Judge for the Eleventh Circuit, post-cloture.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES
11 a.m., Tuesday, August 1

House Chamber

Program for Tuesday: House will meet in Pro Forma session at 11 a.m.