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 Lord God, we bless Your Holy Name. Provide our lawmakers with the wisdom to obey You completely and receive Your guidance. May Your guiding presence inspire them so that they can find, even in troubles, opportunities for joy.
Lord, remind them of the blessings that come from being challenged, as they learn from experience that the things that test them produce endurance. When their endurance is fully developed, give them the satisfaction of possessing such integrity that their faith will not shrink, though pressed by many foes.
Lord, help our Senators to seek You repeatedly each day with their prayers, fully expecting You to answer their intercession and direct their lives.
We pray in Your mighty 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.

RESERVATION OF LEADER TIME
The PRESIDING OFFICER (Mrs. Ernst). 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 and resume consideration of the Gingrich nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Callista L. Gingrich, of Virginia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Holy See.

The PRESIDING OFFICER. Under the previous order, the time until 5:30 p.m. will be equally divided between the two leaders or their designees.
If no one yields time, the time will be equally divided.

RECOGNITION OF THE MAJORITY LEADER
The majority leader is recognized.

WORK BEFORE THE SENATE
Mr. MCCONNELL. Madam President, as I discussed with the President and the Vice President at our working lunch today, the Senate has a full schedule of important work ahead of us.

The Senate's fall agenda includes confirming more nominees to the judiciary, administration, and other important positions. Later today we will resume consideration of another nominee, Callista Gingrich, who has been nominated to serve as our Ambassador to the Vatican. That agenda includes providing continued assistance to communities affected by the recent hurricanes, and we will process the President's supplemental funding request to do just that. The Senate's agenda also includes completing work on the budget resolution and advancing tax reform—two things that are critical to helping our economy finally realize its true potential after the stagnation of the last decade.

This budget will be the next step to spurring growth in our economy. It provides a pathway to balance, it reins in Federal spending, and it honors our commitments to Social Security and provides for the national defense.

In addition to these important aspects of this budget, it will also provide the legislative tools to advance tax reform. As I have said before, tax reform is the single most important thing we can do today to get our economy moving again.

We think taxes should be lower, simpler, and fairer for middle-class workers so that Americans can keep more of their own hard-earned money in their paychecks. We think taxes should be reformed to end the perverse incentives that help keep American jobs and profits offshore and so it is easier to make and keep American jobs where they belong—right here at home.

We think it is time to take more money out of Washington's pockets and put more money in the pockets of the American middle class. That is why we know it is time for tax reform.

The tax reform goals I just mentioned are shared by many, including the President, his team, Chairman ORRIN HATCH, and Chairman MIKE ENZI. As I said, to get there, we first need to pass the budget before us. I want to thank Chairman Enzi and the members of the Senate Budget Committee for all of their work in getting us to this point. As we advance that budget on the Senate floor this week, Senators on both sides of the aisle will have the opportunity to offer their input.

I look forward to putting our finances on a better path with this budget, just as I look forward to continuing with the other important initiatives on the Senate's fall agenda.

The PRESIDING OFFICER. If no one yields time, the time will be charged equally.

RECOGNITION OF THE MINORITY LEADER
The Democratic leader is recognized.

Mr. SCHUMER. Madam President, first, on the issue of healthcare, last week, President Trump committed two
acts of pointless sabotage of our Nation’s healthcare system. He signed an Executive order that would give insurers more latitude to sell temporary, junk plans that are not only incredibly risky to the consumer but undermine the stability of the healthcare market by drawing healthy Americans out of the pool. Even worse, President Trump decided to stop the cost-sharing program, which reduces premiums, deductibles, and copays for 7 million Americans a year. There is literally no upside to the President’s decision to end the cost-sharing program.

Because of the President’s actions, premiums will go up between 20 and 25 percent, according to the CBO. Just today in Pennsylvania, we saw premiums rise by 30 percent as a direct result of the President’s actions. Deductibles and out-of-pocket costs will go up by thousands of dollars. Deficits will rise by $194 billion because the government will have to pay more in subsidies for the millions of Americans who will lose their employer-based insurance. The lack of marketplaces will become less stable because more people will go uninsured.

The Republican Governor of Nevada, Brian Sandoval, may have said it best: “It’s going to hurt people. It’s going to hurt families. It’s going to hurt individuals. It’s going to hurt people with mental health issues. It’s going to hurt veterans. It’s going to hurt everybody.”

That is from Republican Governor Brian Sandoval of Nevada.

Another point that the President should hear is that nearly 70 percent of the Americans who benefit from these cost-sharing payments live in States that Donald Trump won in the election.

Make no mistake about it—the President is deliberately undermining our healthcare system with these two actions. When premiums go up because of this action, the blame will fall on his shoulders.

There is a way out. The way out of all of this is for Congress to aggressively pursue a bipartisan healthcare bill that will take cost-sharing out of the President’s hands by locking in the payments. For many months, Democrats have been pushing to stabilize the markets and to work toward a bipartisan agreement that would keep premiums down for millions of Americans. Senators Alexander and Murray have been pushing for legislation that would include cost-sharing as well as some provisions that the Republicans want. These negotiations began long before the President’s decision to end cost-sharing last week. I am encouraged by the progress of the negotiations, and I am hopeful that we are nearing an agreement that makes clear that we have no intention of supporting the President’s reckless efforts at sabotage.

If President Trump is now supportive of an agreement that stabilizes and improves the existing system under the Affordable Care Act, we certainly welcome the change of heart. We have been asking for this for a long time. We hope that our colleagues on the other side of the aisle, in their realizing the damage the President has done, will join us in strengthening, not in sabotaging, the healthcare system.

President’s performance, and the budget.

Madam President, now a word on the Republican tax plan.

This week, the Republican majority will likely move to pass a budget resolution that includes reconciliation instructions to increase the deficit by $1.5 trillion. Amazingly, it also includes a total of $1.5 trillion in cuts to Medicare and Medicaid. Cutting taxes on the wealthy to be paid for by cutting Medicare and Medicaid? Now the White House is out with a new report today, which reads that a giant tax cut for big corporations will increase wages for middle-class Americans. President Trump complains about fake news. Well, this is fake news, both directly from the President and from the rest of the so-called fake news the President has complained about. This is a deliberate manipulation of numbers and facts that, quite frankly, is appalling. History shows that tax cuts like these benefit the wealthy and the powerful to the exclusion of the middle class. History shows that corporations will use tax cuts for CEO bonuses, stock buybacks, and dividends rather than for increasing worker pay or creating new jobs.

In fact, none other than Goldman Sachs concluded that shareholders, not workers, “typically get most of the benefits of tax cuts.” This is not a liberal think tank or Chuck Schumer talking; this is Goldman Sachs, which represents shareholders—a lot of them. The two authors of this plan, Gary Cohn and Steve Mnuchin, who are from Goldman Sachs, should heed what their former employer says. Even Goldman Sachs admitted that Trump tax cuts will not create massive growth or new jobs or higher wages. In fact, another recent report by Goldman Sachs predicts only the most minor growth effects from this tax cut, not more than 0.1 or 0.2 percent, not creating jobs; they are enriching their shareholders and enhancing their CEOs’ salaries with stock buybacks. It is proof positive that companies already have the cash reserves but do not use them to boost wages.

To assert the opposite, which is that giving corporations and the wealthy a tax cut leads to higher middle-class wages, belies the facts and the history, it is what their plan is all about. Rather than helping the biggest corporations avoid paying their fair share, tax reform ought to reward those companies that create jobs and raise wages here at home. Similarly, tax reform ought to reward those who pay their fair share and who work toward the middle class, but the Republican tax plan slashes a key middle-class deduction in the form of the State and local deductibility.

Now let’s talk about Vice President Pence. He is visiting Buffalo, NY—a city I love in my home State. Since Vice President Pence is traveling to Buffalo, I thought that I would share some numbers about how the elimination of the State and local deduction affects Western New Yorkers. In Representative Reed’s district, which stretches from East Buffalo toward Rochester, 29 percent of the residents claim the State and local deduction. They get an average deduction of $12,125. In Representative Higgins’ district, which is in the heart of Buffalo, 27 percent of the residents claim the State and local deduction, with an average deduction of $12,083. In Representative Reed’s district, which is in the heart of Buffalo, 22 percent of the residents claim the State and local deduction, with an average deduction of $11,716. Their constituents get clobbered, as do just about all New Yorkers and so many in the rest of the country, when you eliminate the State and local deductibility. It affects the middle class and the upper class. The State and local deduction elimination is a dagger to the heart, not just to Buffalo but to Rochester, Syracuse, Albany, and all of Upstate New York.

Will Vice President Pence have the courage to answer questions about this deduction elimination? Will he tell middle-class New Yorkers that they are going to get a huge tax increase under this bill? When the Vice President arrives in Buffalo tomorrow, I hope he is prepared to explain why he wants to hike taxes on thousands of middle-class families in the Buffalo area, in the Rochester area, in the Syracuse area, and in the Albany area.

Eliminating the State and local deduction hurts the middle class, and it hammers the New York economy. Businesses, if they do not have this State...
and local deduction, are not likely to relocate in Buffalo or Rochester or Syracuse or Albany. It also hurts homeowners. Make no mistake about it—if we get rid of the State and local deduction, the values of homes will go down. That is why the rector is so opposed to this elimination. It is not just true in New York or in California or in Connecticut or in New Jersey; it is true across the whole country.

As for my dear friend and chairman of the Finance Committee's State of Utah, because of the great charity of his people—and so many tithe—35 percent of the taxpayers will get a huge, huge increase in their taxes with the elimination of State and local deductibility. So many of them do not use the standard deduction because they are so charitable, but they are penalized for that charity.

Eliminating the State and local deduction, while slashing taxes for the wealthy and huge corporations, will hurt middle-class families.

Now there are some efforts to compromise State and local deductibility. They don't work. Some have proposed letting taxpayers make a choice between getting rid of the mortgage deduction and getting rid of the State and local deduction. That is like saying: Should I chop off my left hand or my right hand, Mr. Middle-Class Taxpayer?

Others have said: Let’s limit it to people who earn below $100,000. That still leaves lots of people at risk, particularly in high-priced areas like Long Island, and it doesn’t reduce the deficit by much. It is estimated that a large percentage of the deficit will still go up.

It makes no sense to eliminate State and local deductibility. Vice President Pence ought to go to western New York, but instead of going just to a small business—and we want to lower smaller businesses—he should go to a middle-class family in Amherst or in Orchard Park or in Tonawanda and tell them that he is there to raise their taxes.

**NOMINATION OF TOM MARINO**

Madam President, I want to address the President’s nominee to lead the Office of National Drug Control Policy, Representative MARINO.

An article in yesterday’s Washington Post described Representative MARINO’s advocacy for a law that may have prevented the DEA, the Drug Enforcement Agency, from going after the worst practices of drug distributors. It is a profoundly troubling revelation about the man who has been tapped to lead the primary agency in our government that focuses on stopping the opioid crisis.

The opioid crisis was in part fueled by wholesale drug distributors sending millions of unnecessary pills into communities. As my friend Senator MANCHIN has pointed out, one company shipped 20 million doses of opioids to pharmacies in his State of West Virginia over a 5-year period. That included 11 million doses sent to Mingo County, WV, where the population is 25,000. There were 11 million pills sent to a county of 25,000 people over a 5-year period. No wonder there is a crisis.

What the Washington Post revealed yesterday was that Representative MARINO worked to pass a bill in 2016 that made it “virtually impossible for the DEA to freeze suspicious narcotic shipments.” Confirming Representative MARINO’s advocacy, our Nation’s drug czar would be like putting a wolf in charge of the henhouse.

The American people deserve someone totally committed to fighting the opioid crisis, not someone who has labored on behalf of the drug industry. So tonight I am calling on President Trump to withdraw the nomination of Representative MARINO for the ONDCP. We can do better. Senator MANCHIN has made such a call, and he is right. President Trump ought to withdraw Representative MARINO’s nomination.

If the President presses forward with Representative MARINO, it will be another betrayal in a long line of betrayals on issues near and dear to rural America. The President’s healthcare proposals are working for the rich—not for the heart of rural America, decimating Medicaid and rural hospitals. The President’s tax plan lavishes the wealthy and big corporations but does little for the working man or woman in rural America. The President promised several months ago to label the opioid crisis a national emergency, yet he still hasn’t done it. He said this afternoon that he will finally do it next week. We will see.

By now, the idea that the President is sticking up for the forgotten man and woman in the forgotten parts of rural America should be dismissed. President Trump seems to have forgotten the forgotten parts of America, and his lack of action—we don’t need talk; we need action—on the opioid crisis and his nomination of Representative MARINO is just another example.

**CALIFORNIA WILDFIRES**

Madam President, over the weekend, several parts of California were swept by some of the most devastating wildfires the region has seen. At least 40 people have died, thousands of homes and businesses have been utterly destroyed, and at one point over 100,000 people were evacuated. As Governor Jerry Brown said, “The damage is truly one of the greatest, if not the greatest, tragedies that California has ever faced.”

Our thoughts are with everyone affected by these wildfires. We are enduringly grateful for the firefighters and all our first responders. Our response here in the Senate must be to send aid where aid is needed.

For our country, this has been a devasting few months of fires and floods. Hurricanes Harvey and Irma buffeted Texas, Louisiana, and Florida. Puerto Rico and the U.S. Virgin Islands are contending with a humanitarian crisis on an unprecedented scale in the wake of Hurricane Maria. Our job is to speedily send aid, and I am hopeful that we can pass another supplemental aid package this week as well as another comprehensive package later in the year.

I yield the floor.

The PRESIDING OFFICER. The majority whip is recognized.

**TAX REFORM AND THE BUDGET**

Mr. CORNYN. Madam President, today I want to talk to you about time and how little of it we have to accommodate incredibly important legislative priorities, one that is national in scope and potentially historic in impact. The first of those priorities is tax reform. We have a target date on the calendar, and now the clock is ticking. We have to get to work.

The budget resolution that we will consider this week sets November 13 as our deadline for the Finance Committee to report a bill, and of course the distinguished chairman of the Finance Committee, Mr. Hatch, is on the floor, and that is a commitment I know he takes very seriously.

This bill, I hope, will broadly cut taxes on individuals and businesses alike and put more money in the pocketbooks of working families across the country. What I like most about the plan I have seen so far is that it is bold. We are not trimming a little here and a tiny bit there. We are slashing rates, consolidating brackets, and eliminating the State and local deduction. That is like saying: Should I chop off my left hand or my right hand, Mr. Middle-Class Taxpayer?

Well, these resolutions from each Chamber are the first step in passing pro-growth tax reform. They authorize the use of a tool called budget reconciliation. That means when the tax reform legislation is considered, it can’t be stopped by less than a majority of the Senate. Of course, this isn’t our first choice.

I wish our colleagues across the aisle, our Democratic friends, would join us in this tax reform effort. A budget resolution in the Senate is a must because this is something we can hold in reserve if our friends across the aisle simply refuse to participate in the process of pro-growth tax reform. It is a key procedural step because we have to fundamentally change the Tax Code before the end of the year.

How well our economy does next year, how many jobs are created, and how much investment occurs here in the United States will depend largely upon our success in passing pro-growth tax reform this year. The clock is ticking, and we have to act with dispatch and with determination.
As the President said last week in Pennsylvania, “we want lower taxes, bigger paychecks, and more jobs for . . . American workers.” He is absolutely right. Lower taxes, bigger paychecks, and more jobs are the things we all ought to want, and they are worth the fight.

Under this administration we are already seeing results. The economy is bouncing back. Unemployment is at a 16-year low. Wages are rising and the stock market is soaring. The slumbering giant, which is the U.S. economy, is now slowly awakening. Our economy reached more than 3.1 percent growth last quarter. Confidence, as the President stressed in Pennsylvania, is back when it comes to our economy and our future, but that confidence will not last long if we let this opportunity pass.

We have to find ways to get companies to stay in America, to expand, and to hire in America. We have to find ways to take the money out of Washington’s pocket and put it back into the pockets of those who earned the money in the first place—American families.

We have to find ways to simplify the Tax Code, which, let’s remember, hits families multiple times each year by taking their earnings, by stealing their time through compliance, and by trying their patience with complexity. Each tax return feels like three.

I find it appalling that a majority of taxpayers are forced to pay someone else to do their taxes for them because they simply don’t have the time or expertise to do it themselves.

The unified framework released a few weeks ago will help. It calls for collapsing seven separate tax brackets down to three. That is what I call simplification. It expands the zero bracket so that if you are a married couple earning less than $24,000 a year, you will pay no taxes. It eliminates the child tax credit. It repeals the death tax and special interest tax breaks, and it reduces the uncompetitive corporate tax rate to 20 percent and cuts tax rates for small businesses to the lowest level in more than 80 years. So let’s make this happen before time runs out.

HURRICANE RECOVERY EFFORT

Madam President, the other item I can’t stop thinking about is one that has taken a great toll on my State and our patriotic neighbors, and that is Hurricane Harvey, the most extreme rain event in the history of the United States. Literally 50 inches of rain fell in 5 days in the Houston area.

Last week, I saw images of the Texas World Speedway in College Station that is being used as a processing lot. Here is a picture of that.

At its peak, tens of thousands of cars were parked there, awaiting damage assessments by insurance companies. A sea of them had filled the entire speedway, as can be seen on this chart, and it was starting to spill into surrounding areas, too—cars in all directions, as far as the eye could see.

How could Hurricane Harvey damage so many cars? Well, cars these days—the newer ones—are basically computers on wheels, and when they get wet, they essentially become a total loss, like these cars at the Texas World Speedway. It is an amazing picture. All the cars there, mind you, represent only a tiny percentage of all the vehicles damaged in the storm. Some of the estimates I have heard are as high as one-half million personal vehicles were damaged and even totaled.

The speedway is just one of the images that continue to keep me up at night. How are my constituents, these Texans, going to get to work? How are they going to take their kids to school? When will their car and their house be ready so they can live in their home? When will their highways and driveways be fixed? What is being done to ensure that this never repeats itself when, year after year, many parts of the Harris County-Houston area are flooded because many of the important Corps of Engineer projects have not been started, much less completed, which diverted the rain and saved many of these homes and many of these cars.

Last Thursday, the House passed a $36.5 billion hurricane and wildfire relief bill. The vote sends the measure over to the Senate, and I look forward to debating the supplemental appropriation in the days ahead.

The House’s emergency measure is intended to replenish the Federal Emergency Management Agency’s nearly depleted coffers with $38.7 billion to the Disaster Relief Fund. If we don’t act soon, I am told, FEMA could run out of money as early as October 23.

The House bill will also address the National Flood Insurance Program by forgiving $16 billion of its debt and allowing it to pay more claims for property owners in Texas, Florida, Puerto Rico, and the Virgin Islands.

Nevertheless, I must say I am more than a little bit disappointed by this piece of legislation. I share the frustrations of Gov. Greg Abbott and Members of the Houston area congressional delegation, who have pointed out that this bill doesn’t come close to fulfilling the very reasonable requests that have been made to the program regulator from Texas, to the Secretary, and to the Governor from Texas, to the Secretary, and to the people in the Virgin Islands when it comes to assisting them to recover from this terrible natural disaster.

I am here to say that speaking as one Senator, I intend to make sure the U.S. Government keeps its commitments to the people in Texas, to the people in Puerto Rico, and to the people in the Virgin Islands when it comes to assisting them to recover from this terrible natural disaster.

I want to continue to take the promises of the Office of Management and Budget or the administration or our friends in the leadership in the House, for that matter, that we are going to get to this later. There is an expression in my part of the country that when somebody asks you when are you going to do something, the response is manana—tomorrow. To every question of when, it is manana.
We demand that this problem be dealt with on a timely basis, and we are going to keep the feet to the fire of the administration and our friends in the House to make sure they follow up on their commitments to deal with the victims of Hurricanes Harvey, Irma, and Maria.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I ask unanimous consent that the Senator from Florida be granted the floor as soon as I finish.

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

ENSUING PATIENT ACCESS AND EFFECTIVE DRUG ENFORCEMENT ACT

Mr. HATCH. Madam President, over the weekend, the Washington Post ran an article about a piece of legislation I helped negotiate last Congress. It was entitled the ‘Ensuring Patient Access and Effective Drug Enforcement Act’ and was intended to encourage greater collaboration between DEA and the regulated community in the fight against opioid abuse. The Post article was sharply critical of this legislation, suggesting that it effectively gutted DEA’s ability to do its job. It also suggested the pharmaceutical industry put one over on Congress. I rise to set the record straight on these allegations and to provide a fuller account of how this legislation passed the Senate and became law.

First, some background. The Controlled Substances Act requires drug distributors to obtain a “registration” from DEA in order to distribute controlled substances, including prescription drugs. The act further authorizes DEA to suspend a distributor’s registration in certain circumstances, such as where a distributor has been convicted of a crime involving controlled substances or has a State license suspended. Before suspending a registration, DEA must issue a show cause order directing the distributor to explain why its registration should not be suspended. A court then decides whether DEA has met its burden to suspend the registration.

The Controlled Substances Act empowers DEA to bypass this standard suspension process in cases where DEA determines there is “an imminent danger to the public health or safety.” In such cases, DEA may issue an immediate suspension order that immediately and without court process terminates the distributor’s ability to distribute prescription drugs. Prior to last Congress, the Controlled Substances Act did not define what constitutes an imminent danger to the public health or safety. This left DEA’s ability to immediately suspend a party’s ability to distribute prescription drugs essentially unfettered. Such unfettered discretion concerned the patient advocacy and pain management communities because an immediate suspension order cuts off all drugs from a distributor, including those intended for legitimate users. A balance is needed to ensure that individuals who need prescription drugs for treatment receive them but that such drugs are not diverted for improper purposes.

So the bill I helped negotiate last Congress, for the first time, defined what constitutes an imminent danger to the public health or safety. In doing so, it created a standard for when DEA may suspend a party’s registration to distribute prescription drugs without any prior court process, and that standard tied into the concept of an “substantial likelihood of an immediate threat” that death, serious bodily harm, or abuse of a controlled substance will occur in the absence of an immediate suspension.

In both committee and floor statements, I made clear that this standard is intended to cover situations where evidence of diversion indicates there is a substantial likelihood that abuse of a controlled substance or of any controlled substance.

The Washington Post article glosses over much of this background. It does not explain that the immediate suspension order is intended to be an extraordinary measure. It does not explain that prior to the bill, DEA had basically carte blanche authority to impose this measure. It does not explain the DEA has other enforcement tools available, including show cause orders which are supposed to be the agency’s standard operating procedure. Equally problematic, the article barely even mentions the patient advocacy concerns that motivated the bill to begin with.

I want to quote from a letter that a coalition of patient and health advocacy groups sent to Congress in support of the legislation:

Federal agencies, law enforcement, pharmaceutical industry participants and prescribers each play a role in working diligently to prevent drug abuse and diversion. However, it is also imperative that legitimate patients are able to obtain their prescriptions without disruption. Your legislation addresses both goals by fostering greater collaboration, communication and transparency between industry stakeholders and regulators, leading to more effective efforts to combat abuse while protecting patients.

We commend you for including a report to congress, which will illuminate the issue and how benefits are being realized by pain patient advocacy groups in the process will ensure those involved in patient care will be able to identify challenges and will emphasize appropriate and workable policy approaches to preventing diversion and abuse of controlled substances.

Sincerely,

Alliance for Patient Access; American Academy of Pain Medicine; American Pharmacists Association; American Society of Consultant Pharmacists; American Society for Pain Management Nursing; Center for Patient Access to Prescriptions; Drug Free America Foundation, Inc.; Fibro Warriors Living Life; Fibro Friends of Tennessee; Fibromyalgia & Chronic Pain Support Network; Fibromyalgia Support Center; Florida Fibromyalgia & Chronic Pain Network; Hematology/Oncology Pharmacy Association; Interstitial Cystitis Association; Kentuckiana Fibromyalgia Support Group; Lake Oswego Health Center; National Association of Chain Drug Stores; National Community Pharmacists Association; National Fibromyalgia & Chronic Pain Foundation; The Pain Community; Pain Connection-Chronic Pain Outreach Center, Inc.; Project Lazarus; Richmond Fibromyalgia & Chronic Pain Association; Save Our Society From Drugs; U.S. Pain Foundation; Virginia Fibromyalgia & Chronic Pain Support Group.

Mr. HATCH. Madam President, the Washington Post article discusses virtually none of this. Rather, it baldly asserts that Congress cut out DEA’s legs from underneath it through a single, intransigence of deep-pocketed drug companies and their cunning allies in Congress. Nothing could be further from the truth.
To begin with, I have spent 40 years of my life in the Senate fighting the scourge of drug abuse. I stood side by side with Ronald Reagan in the War on Drugs. In 2000, I coauthored the Drug Addiction Treatment Act, or DATA 2000, one of the first efforts in Congress to address the opioid epidemic. That same year, I led conference negotiations on the Comprehensive Addiction Recovery Act, a landmark piece of legislation that is making a real difference in the fight against opioid and heroin abuse. Currently, I am working on legislation that is making a real difference in the veteran community. I am no patsy when it comes to address opioid addiction in the veteran community. I am no patsy when it comes to address opioid addiction in the veteran community. I am no patsy when it comes to address opioid addiction in the veteran community. I am no patsy when it comes to address opioid addiction in the veteran community. I am no patsy when it comes to address opioid addiction in the veteran community. I am no patsy when it comes to address opioid addiction in the veteran community. I am no patsy when it comes to address opioid addiction in the veteran community. I am no patsy when it comes to address opioid addiction in the veteran community. I am no patsy when it comes to address opioid addiction in the veteran community. I am no patsy when it comes to address opioid addiction in the veteran community. I am no patsy when it comes to address opioid addiction in the veteran community. I am no patsy when it comes to address opioid addiction in the veteran community. I am no patsy when it comes to address opioid addiction in the veteran community.

Indeed, forget me for a moment. Let’s take Senator WHITEHOUSE, who helped me negotiate the bill with DEA and DOJ. Are we to believe that Senator WHITEHOUSE, a former Rhode Island attorney general and a former U.S. senator against corporate interests, is somehow in the pocket of the drug companies? Of course not. The charge is laughable on its face.

How about the fact that this bill passed both Houses of Congress by unanimous consent? Did the entire U.S. Congress decide to shield its eyes to the true sinister intent of this legislation? Did the Senate Judiciary Committee, which approved the bill by voice vote, decide to look the other way? This is a committee that includes former prosecutors, state attorneys general, and U.S. attorneys who, at the time, included both the current Attorney General of the United States and the current Senate minority leader.

Are we seriously to believe that Jeff Sessions, the toughest foe of illegal drugs I have ever known in my entire life, sat on his hands while Congress eviscerated DEA’s enforcement authority? No, of course not.

To me, these statements are laughable. They really are. Not one Senator or Member of the House opposed this bill. Do you know why? Because DEA, the very agency the bill impacts, the very agency that supposedly can no longer evict the DEA’s enforcement authority—came from DEA and DOJ. And lest we forget, President Obama signed the bill into law on the advice of his own DEA Administrator.

I think we need to be candid about what is going on here. Opponents of the current administration are trying to derail the President’s nominee to be head of the Office of National Drug Control Policy, Representative Tom Marino, by mischaracterizing and trying to rewrite the history of a bill that he championed. They are being aided in their efforts by a group of former DEA employees who took an extremely hard line against drug companies when they were at the Agency and who are upset that the DEA chose to pursue a more collaborative approach after they left. I don’t fault these individuals for their passion, but I do reject the notion that there was some sort of sinister conspiracy at play. And I find it unconscionable that critics of the bill and of Representative Marino would flat-out ignore the very real patient concerns that motivated this bill and motivated my personal involvement with it. You think this bill was a sop to the drug industry? Tell that to the Fibromyalgia and Chronic Fatigue Society. Tell that to the American Academy of Pain Management. Tell that to the Drug Free America Foundation.

If we are going to make this bill a political football and try to use it to sink Representative Marino’s nomination, let’s tell the full story. Let’s be fair. Let’s at least be honest. Let’s not gin up the false narrative that the DEA and DOJ themselves generated the language that critics now claim is so problematic. Let’s remember that this bill passed by unanimous consent and that every single Member of this body and the House of Representatives supported it. Let’s remember, too, that the DEA and DOJ could have stopped this bill at any time if they had wanted to but instead chose to allow it to proceed. After all, they stopped an earlier version in 2014 that had different language. They could have stopped it again. And even after the bill passed Congress, they could have advised President Obama not to sign it. Don’t forget that the bill bears the signatures of both Houses of Congress, and the Obama White House all somehow winked under Representative Marino’s nefarious influences.

Proactive headlines and clever framing may drive page hits, but this body’s decisions should be based on the full story. It should be based on all the facts. A single news article that tells only one side of the story should not derail a nominee who has a long history of fighting illegal drug use and advocating for helping individuals with chronic conditions obtain treatment. Let’s not ignore the full story here in the rush to make political football.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

PURUETO RICO RECOVERY EFFORT

Mr. NELSON. Madam President, I want to talk about a matter of life and death. It is happening, as we speak, in our state of Puerto Rico. Let me say, yesterday, I didn’t want to have a flyover of the island, but at the invitation of Governor Rosselló, I got into a helicopter so that I could get up into the mountains and into the areas that have been closed because people hadn’t been able to get to the roads. That is what I wanted to see.

We have had colleagues come back and, because of a flyover in a helicopter, say that they say don’t see a lot of damage. Of course not, because they are flying over parts of towns in which most of the structures are concrete blocks. But if you get down there on the ground and go into the structure, then you will see a different story.

First of all, you will smell a different story because the water has accumulated, and now it is turning to mold and mildew—inhabitable conditions. But when you get up into the mountains, you see the places that were cut off. Not until a week ago did they have the roads cleared so that people could get up there. And as we speak, as of yesterday, they are still reconstructing the roads so that people can get on the narrow, winding, little dirt roads that go up through the mountains. So for the last two weeks, communities have been completely cut off, like the one that I saw yesterday, Utuado, which is way up in the mountains.

I want to show you some pictures, but I want you to realize that today is Monday. Next Wednesday will be 4 weeks since the hurricane hit. Can you imagine going into a State with 3.5 million people and 85 percent of the people do not have electricity? And by the way, these are American citizens; they are just in a territory. Can you imagine going into a State where a month after the hurricane, 50
percent of the people do not have potable water? It is an absolute outrage. And I don’t think the American people realize what is happening.

Let me be your eyes by what I saw yesterday. This is a river bottom in the little town of Utuado. This side of the river is cut off from this side of the river because the one bridge washed out. If you look at this structure, the question is, How long is this going to last? It is tilting to the left. Any major rush of water is going to take out this section.

I want you to see how creative these people are. It is hard to see at this distance, but they erected a cable system going over to the other side. They took the basket of a grocery cart, took the wheels and handles off, and this is on a pulley, and these guys are pulling it over here and then they pull it back.

This is how people on this side of the river are getting food and water and medicine if they can’t walk across. This is how people are surviving. If this section of the bridge goes—and it is just a matter of time—they are going to try to hook up a cable over here at the top of this riverbank over to the top of this riverbank and do the same kind of thing.

Here in the States, on the mainland, if something like this happened, the Corps of Engineers would be there. We would be rebuilding. The Department of Transportation would be rebuilding that bridge. These are our fellow American citizens, and they are going without.

Let me show you another picture. This is the bank of another river. Let me show you the church in a minute. I asked the pastor: Did the people survive? He said that one was trapped in the house. They were able to get that person out. The others had already fled. But you can see that with the force of the extra rain and the water coming down, houses like that are history.

Here is that same section of the river with the church in the background. The church survived. I talked to the pastor of the church. Here I am having a conversation with the people who live on this side. I asked the pastor whether he lost any parishioners. He did not. On the side of his church, he has a dish, and because he has a generator, he is the only person in this town who has any kind of communication—in this case, through the satellite dish for television. Everything else is being run on generators because there is no electricity. As you know, these generators are not powerful enough to run air-conditioners; therefore, the water accumulates.

Mold and mildew start to accumulate, with all the health effects as a result of that.

Does that look like something we would have in this country, or does this look like a third world country? Do the images in these photographs bring to mind other Caribbean nations that we have seen that have been devastated by earthquakes and hurricanes? Think about what happened to Haiti.

When people go to San Juan—by the way, 85 percent of San Juan is without power. You see these little pockets, and you see the generators going in the hospitals for obvious reasons. They need the generators to go to stations where people are getting their dialysis treatments. That is obvious. But what about the wear and tear on the generators and the replacements?

The Governor of Puerto Rico, Governor Rossello, has a very ambitious schedule: He wants to restore 95 percent of power by the middle of December. I hope the Governor is right. It has been turned over to the Army Corps of Engineers to get the electrical grid and structures up and running. I am afraid it is going to be a lot longer. I asked for estimates going to have the roads, especially rebuilding the grid. He said $4 billion. Are we going to be able to get that for them?

What are going to be the ultimate needs of Puerto Rico? We just heard the Senator from Texas talk about his State and the estimates that you heard out of Texas being as much as $100 billion. What about the needs of Puerto Rico? What about the needs of Florida? What about the needs of the Virgin Islands?

We have a supplemental coming up, but is that going to take care of the needs of all of those four areas that have been hit hard? If Texas is $100 billion and a long-term fix for Puerto Rico may well be $80 billion to $90 billion. And who knows what it is going to be for Florida and the Virgin Islands.

Therefore, are we in this Congress, with or without the leadership of the White House, going to have the stomach to help our fellow American citizens? I am sure we are going to help Texas, and I certainly hope we will help my State of Florida, but are we willing to help the American citizens in the Virgin Islands and Puerto Rico? It is not a rosy picture, but we hear some Members of Congress come back and say they didn’t see a lot of damage. It is people using a pulley they have jerry-rigged across a river to survive with daily supply of food and fuel and water. You can’t see that from the air.

If you have no power, you have no water, and you have no sewer systems, then, what you have is chaos.

It has been a month since Hurricane Maria hit Puerto Rico. The hospitals are rationing services while they struggle to get the medicines and the fuel they need to power the generators. The dialysis centers are struggling to get the water and fuel they need to operate.

Like many, I have written, in this case, to the U.S. Department of Health and Human Services, to urge the Department to do more to help these dialysis centers obtain the supplies they need.

I wanted to come to the floor of the Senate, having gotten back very late last night from Puerto Rico, and tell the Senate that more needs to be done, and it is going to have to be done for a very long period of time. We have to do more to ensure that the supplies that are reaching the island are getting to those who need them.

Senator, things got piled up in the ports in the first week, and they didn’t get out to be distributed. Senator Rubio and I were saying at the time that it is going to take the U.S. military, which is uniquely organized and capable of distribution on a long logistical line. It wasn’t until a week after the hurricane that three-star General Buchanan was put in charge. I met with him and the head of FEMA down in the Puerto Rico area. Finally, those supplies are getting out. These are supplies for survival.

We need to pass a disaster relief package that fully funds Puerto Rico’s recovery. We need to provide Puerto Rico with the community development block grant money. Governor Rossello has requested, just like we need the CDBGs for Texas and Florida and the Virgin Islands as well. We need to make Puerto Rico eligible for permanent work assistance so they can start to rebuild their infrastructure immediately.

I want to make something fairly clear. There should be absolutely no ambiguity about what is going on in Puerto Rico. It isn’t rosy. It isn’t that you sit in a conference room in a helicopter looking down from 1,500 or 2,000 feet on structures that look like they are intact, when, in fact, the reality on the ground below is completely different. Certainly, they didn’t go up there and see all those bridges washed out in the mountains. They didn’t see people scrambling for food. They didn’t see the Puerto Rican National Guard rebuilding that little narrow dirt road winding along the banks of that river. They didn’t see or walk through buildings you could almost be overwhelmed with the smells—the smells, particularly, of mold and mildew.

People have died as a result of this hurricane. People have died because of the lack of supplies and power. Our fellow Americans are dying, and they desperately need our help.

Ladies and gentlemen of the Senate, I have seen it with my own eyes on the ground, and I am here to urge this Congress and the administration that we have to act and act for a very long period of time.

Our citizens in Puerto Rico need our help. We have the responsibility to help fellow citizens in need.

Madam President, I yield the floor.

Mr. SHELBY. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays were ordered. The PRESIDING OFFICER. All time has expired.
The question is, Will the Senate advise and consent to the Gingrich nomination?

The yeas and nays have been previously ordered.

The clerk will call the roll.

The legislative clerk will call the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN), the Senator from South Carolina (Mr. GRAHAM), the Senator from Georgia (Mr. ISAKSON), the Senator from Arizona (Mr. MCCONNELL), the Senator from Kansas (Mr. MORAN), and the Senator from Ohio (Mr. PORTMAN).

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

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

The result was announced—yeas 70, nays 23, as follows:

Mr. BARRASSO. Mr. President, I ask unanimous consent that following my remarks, Senator WHITEHOUSE of Rhode Island be recognized.

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

NOMINATION OF TOM MARINO

Mr. BARRASSO. Mr. President, the ad

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

EXECUTIVE CALENDAR

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the Trachtenberg nomination.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Yeas and Nays were ordered to be printed in the Congressional Record.
that the drug epidemic is, at its heart, a public health emergency and an ill-
ess. A reversion to law enforcement harshness in dealing with this problem will simply not be effective.

CLIMATE CHANGE
Mr. President, now, if I may. I turn to my 182nd appearance to remind us of the global crisis of climate change, which has recently come so perilously close to our American shores.

This recent graphic from NOAA shows the temperature of our atmosphere, and it shows the warming of the oceans. Anything that is pink is above average; if it is reddish, it is much warmer than average; and if it is really red, like here, that is a record. That is the warmest record.

As one can see, from 2015, 2016, and 2017, the oceans have warmed significantly, and warmer oceans mean stronger storms. It is as simple as that. In this hurricane season, Hurricanes Harvey, Irma, and Maria have all struck the United States. It is the first time since the United States has been hit by three category 4 Atlantic storms in 1 year. Hurricane Ophelia, now out in the Atlantic, has become the 10th consecutive hurricane-strength storm. That ties a record that was set back in the 1800s. The United States has gone more than a century without having this kind of storm activity. It is a rarity, but it is going to be less and less of a rarity because the oceans are warmer. That powers up those big storms. A big storm brings damage to property and infrastructure. They destroy businesses and homes.

Away from the coastline, other aspects of climate change bring an array of other harms, like longer and fiercer wildfire seasons, as California is experiencing; depleted fish stocks, as our Rhode Island fishermen are experiencing; decreased agricultural yields, as the Midwest is experiencing; acidifying seas, as the northwest coast is experiencing; risks to human health from new disease vectors and hotter heat waves felt across our country. All of these harms carry costs. Together, these costs are known as the social cost of carbon pollution. It is the cost to people and to communities of carbon pollution and climate change.

During the Obama administration, by scientists and economists from across the Federal Government who relied on scientific literature and well-vetted models, the cost of carbon was put around $50 per ton of carbon dioxide. There is a new book out by a number of conservative economists and scientists that looks at the climate change problem and recommends a revenue-neutral, border-adjustable carbon fee as a solution. In that book, the exemplar carbon price also runs at about $50 per ton of emitted carbon. It tracks from the Obama administration to conservative analysts as well.

This social cost of carbon is well established. Over and over, courts have instructed Federal agencies to factor the social cost of carbon into their permits and regulations. States are using a social cost of carbon in their policy-making. Major American corporations—even ExxonMobil—factor a social cost of carbon into their planning and accounting, and the social cost of carbon is at the heart of the International Monetary Fund’s calculation that the United States needs an annual subsidy in the United States of $700 billion—that is “bilion” with a “b.”

The point of this particular speech is that we need to be challenged, not just of the harm of carbon pollution, but of how individual fossil fuel companies have contributed to that harm. This was not just some op-ed, nor was it the phony hack science that the fossil fuel industry cranks out to propagate climate denial on the talk show circuit. This is a peer-reviewed study that was published in the scientific journal Climatic Change.

The study tells us that major fossil fuel producers are responsible for as much as half of the increase in surface temperature increase. Then it dives down into the data for individual companies and demonstrates a method for attributing the real, observable effects of climate change to the likes of ExxonMobil, Chevron, Peabody, Arch, and Devon—just for 2010. That is a 1-year calculation. We all bear for allowing these polluters to pollute our air and oceans for free. That is why the IMF said that the subsidy was $700 billion.

As nature has so powerfully shown us this year, taxpayers, communities, and local businesses, especially those in vulnerable coastal areas, bear the cost of the irresponsible choices these big polluters have made. This is the cost these companies transferred to us by spending millions of dollars in deceiving the public about climate science and in using millions more in political spending in order to block sensible limits on carbon emissions. They spent millions to dodge billions, and we let them get away with it.

Perhaps judges and juries will be less manipulable. After all, one of the reasons that the Founding Fathers set up an independent judiciary and independent juries is that, in their being experienced politicians, they had seen judges turned political and in the government could be captured by special interests—what the Founders would have called factions—just as we now are captured by the fossil fuel industry here in Congress.

The average number of billion-dollar weather disasters is about five per year. That is the average in any given year, about five over the long term. Here we are, and it is only October, and 2017 has already seen 15 billion-dollar weather disasters—15 of them just this year, so far.

But the real multibillion-dollar disaster is a captured Congress. We actually have a remedy right before us that ought to be a bipartisan remedy: a carbon fee like the one Senator SCHATZ and I introduced in our American Opportunity Carbon Fee Act. Virtually every Republican who has thought the climate change problem through to a solution comes to the same place. They all come to the same place: Put a price on carbon emissions. They spent millions to dodge billions, and we let them get away with it.
economics correct by virtually everybody's economic principles, and take the revenue that is collected from that price on carbon and return it all to the American people. It is a border-adjustable, revenue-neutral carbon fee. Former Republican Treasury Secretaries Baker, Schultz, and Paulson, and former Republican EPA Administrators Ruckelshaus, Thomas, Reilly, and Whitman and leading Republican conservative economists and former Republican presidential advisers Arthur Laffer, Gregory Mankiw, and Douglas Holtz-Eakin, among many, many others, support a revenue-neutral, border-adjustable carbon fee. It is the market approach of properly pricing this pollution to eliminate that negative externality and to put the cost into the price of the product in the way that Economics 101 suggests it should be to avoid giving this industry this massive subsidy. That is where the Republicans who thought this through want us to be.

On my side, our answer is yes, but here in Congress, are we there yet? We just took the first step. We just will not do it because the shadow of the fossil fuel industry's millions of dollars in deception and political muscle power falls too darkly on this supposedly august institution.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeds to call the roll.

Mr. MCCONNELL. Mr. 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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nomination: Executive Calendar No. 164.

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

The clerk will report nomination.

The senior assistant legislative clerk read the nomination of Henry Kerner, of California, to be Special Counsel, Office of Special Counsel, for the term of five years.

Thereupon, the Senate proceeded to consider the nomination.

Mr. MCCONNELL. I ask unanimous consent that the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nomination be printed in the RECORD.

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

Is there any further debate? Hearing none, the question is, Will the Senate advise and consent to the Kerner nomination?

The nomination was confirmed.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and 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.

VOTE EXPLANATION

Mr. MENENDEZ. Mr. President, I was unavailable for rollov call vote No. 217, on the nomination of Callista Gingrich to be Ambassador to the Holy See. Had I been present, I would have voted yea.

ARMs SALES NOTIFICATION

Mr. CORKER. Mr. President, section 360(c) of the Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute.

On 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 are the subject of today's vote.

DEFENSE SECURITY

COOPERATION AGENCY


Hon. Bob Corker
Chairman, Committee on Foreign Relations.
U.S. Senate, Washington, DC.

Dear Mr. Chairman: Pursuant to the reporting requirements of Section 360(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17–26, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Kuwait for defense articles and services estimated to cost $342.6 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

Charles W. Hooper,
Lieutenant General, USA, Director.

Transmittal No. 17–26

Notice of Proposed Issuance of Letter of Offer and Acceptance (360(b)(1) of the Arms Export Control Act, as amended:

(i) Prospective Purchaser: Government of Kuwait.

(ii) Total Estimated Value: Major Defense Equipment $0.0 million. Other $342.6 million.

Total $342.6 million.

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

Major Defense Equipment (MDE): None.
Non-MDE: Non-MDE items and services for three years (with option for two additional years) of follow-on support of C-17 aircraft includes participation in the Globemaster III Integrated Sustainment Program (GISP), contract logistic support, modifications and related support, in-country contractor support, alternate mission equipment, major modification and retrofit, software support, aircraft maintenance and technical support, personnel training and training equipment, additional spare and repair parts, technical orders and publications, airworthiness certification support, engine spare, engine maintenance and logistics support, inspection support, on-site COMSEC support, Quality Assurance and other U.S. Government and contractor engineering, logistics and program support. Required upgrades will include fixed installation satellite antenna, Mode S, plus installation and sustainment, Automatic Dependent Surveillance-Broadcast Out, and other related elements of logistics and program support.


(v) Prior Related Cases, if any: KU–D–QAR.

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


*As defined in Section 45(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Kuwait—Continuation of C-17 Logistics Support Services and Equipment

The Government of Kuwait has requested three years (with option for two additional years) of follow-on support of two (2) C-17 aircraft, which includes participation in the Globemaster III Integrated Sustainment Program (GISP), contract logistic support, Class I modifications and kits support, in-country contractor support, alternate mission equipment, major modification and retrofit, software support, airworthiness certification and technical support, support equipment, personnel training and training equipment, additional spare and repair parts, technical orders and publications, airworthiness certification support, engine spare, engine maintenance and logistics support, inspections support, on-site COMSEC support, Quality Assurance and other U.S. Government and contractor engineering, logistics, and program support. Required upgrades will include fixed installation satellite antenna, Mode S, plus installation and sustainment, Automatic Dependent Surveillance-Broadcast Out, and other related elements of logistics and program support. The estimated cost is $342.6 million.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to increase the security of a friendly country. Kuwait plays a large role in U.S. efforts to advance stability in the Middle East, providing basing, access, and transit for U.S. forces in the region.

This proposed sale is required to maintain the operational readiness of the Kuwaiti Air Force C-17 aircraft. Kuwait's current FMS contract support funding will expire in September of 2017. Kuwait will have no difficulty absorbing this support.
The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractor will be the Boeing Company. The purchaser typically requests offsets. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

The Foreign Commercial Sale (FCS) case providing C-17 sustainment services. There are currently nine (9) contractors from Boeing Company (aircraft) in-country provides Engineering Technical Services (CETS) on a continuing basis.

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

TRANSMITTAL NO. 17-28
Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii
(Sensitivity of Technology:
1. This sale will involve the release of sensitive technology to the Government of Kuwait in the performance of services to maintain two (2) Kuwaiti C-17 aircraft. While much of the below equipment supporting the C-17 is not new to the country, there will be replenishment spares of these following sensitive technologies purchased to support the fleet.

2. The Force 524D is a 24-channel Selective Availability Anti-Spoofing Module (SAASM) which is a part of the Global Positioning System (GPS) receiver with Precise Positioning Service (PPS) capability built upon Trimble’s next generation GPS technology. The Force 524D retains backward compatibility with the proven Force 5G5 while adding new functionality to interface with digital antenna electronics which is able to recognize multiple sources of deliberate jamming and other electrical interference allowing the radio to operate more accurately and efficiently in the presence of multiple jammers. The hardware is UNCLASSIFIED.

3. The C-17 aircraft will be equipped with the GPS Anti-Jam System (GAS–1) antenna which consists of a multi-element Controlled Reception Pattern Antenna (CRPA) and a separate antenna electronics which is able to recognize multiple sources of deliberate jamming and other electrical interference allowing the radio to operate more accurately and efficiently in the presence of multiple jammers. The hardware is UNCLASSIFIED.

4. The GPS Inertial Reference Unit (IRU) is a type of inertial sensor which uses only gyroscopes to determine a moving aircraft’s change in angular direction over a period of time, unlike the inertial measurement unit. IRUs are generally not equipped with accelerometers, which measure acceleration forces.

IRUs are used for altitude control and navigation of vehicles with relatively constant acceleration rates, such as larger aircraft as well as geosynchronous satellites and deep space probes. The GPS IRU is UNCLASSIFIED.

5. Crypto equipment for Mode 5 Identification Friend or Foe (IFF) which includes hardware that is UNCLASSIFIED.

6. Software, hardware, and other data/information, which is sensitive, is reviewed prior to release to protect system vulnerabilities, design data, and performance parameters. Potential compromise of these systems is controlled through management of the programs of highly sensitive systems and software-controlled weapon systems on a case-by-case basis.

7. Kuwait is both willing and able to protect United States Classified Military Information (CMI). Kuwaiti physical and documentary security standards are equivalent to U.S. standards. Kuwait has demonstrated its willingness and capability to protect sensitive military technology and information released to its military in the past. Kuwait is firmly committed to providing military equipment, spare engine containers, and support equipment, tools and test equipment, technical data and publications, personnel training and training equipment, U.S. government, and contractor maintenance, training, technical, and logistics support services, and other related elements of logistics and support programs.

IV. End User and End Use

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

The principal contractors will be Bell Helicopter, Textron, Fort Worth, Texas; and General Electric Company, Lynn, Massachusetts. There are no known offset agreements proposed in conjunction with this potential sale.

Implementation of this proposed sale will require multiple trips by U.S. Government and contractor representatives to participate in program and technical reviews plus training and maintenance in-country, on a temporary basis, for a period of twenty-four (24) months. It will also require three (3) Contractor Engineering Technical Service representatives to reside in the country for a period of two (2) years to support this program.

POLICY JUSTIFICATION

Czech Republic—UH-1Y Utility Helicopters

The Government of the Czech Republic has requested the possible sale of twelve (12) UH-1Y utility helicopters, twenty-five (25) T-700 GE 401C engines (twenty-four (24) installed, one (1) spare), thirteen (13) Honeywell Embedded GPS/INS (EGI) (twelve (12) installed, one (1) spare), and twelve (12) 7.62mm M240 Machine Guns. This request also includes Honeywell FLIR, Joint FLIR and Survivability Equipment (AABSE) (includes the AN/AAR-47 Missile Warning and Laser Detection System, AN/ALE-47 Counter Measure Dispensing System, AN/ASQ-132 Electronic Warfare System), Identification Friend or Foe (IFF) Mode 4/5 transponder, support equipment, spare engine containers, and repair parts, tools and test equipment, technical data and publications, personnel training and training equipment, U.S. government and contractor engineering, technical, and logistics support services, and other related elements of logistics and program support. The estimated cost is $757 million.

This proposed sale will support the foreign policy and national security of the United States by helping to improve the security of a NATO partner that is an important force for promoting regional prosperity and stability in Europe. The proposed sale will support the Czech Republic’s needs for its own self-defense and support NATO defense goals.

The Czech Republic intends to use these helicopters to modernize its armed forces and strengthen its homeland defense and deter threats. This will contribute to the Czech Republic’s military goal of upgrading its capabilities while further enhancing interoperability with the United States and other NATO allies. The Czech Republic will have no difficulty absorbing these helicopters into its armed forces.

This proposed sale of equipment and support will not alter the basic military balance in the region.

The principal contractors will be Bell Helicopter, Textron, Fort Worth, Texas; and General Electric Company, Lynn, Massachusetts. There are no known offset agreements proposed in conjunction with this potential sale.

Implementation of this proposed sale will require multiple trips by U.S. Government and contractor representatives to participate in program and technical reviews plus training and maintenance in-country, on a temporary basis, for a period of twenty-four (24) months. It will also require three (3) Contractor Engineering Technical Service representatives to reside in the country for a period of two (2) years to support this program.

CONGRESSIONAL RECORD — SENATE S6393
October 16, 2017

Charles W. Hooper, Director, Contractor Engineering Technical Services, General Electric Company, Lynn, Massachusetts.

DEFENSE SECURITY COOPERATION AGENCY, Arlington, VA, October 11, 2017.

Hon. Bob Cocker, Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR Mr. Chairman: In response to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 15-37, concerning proposed Letter(s) of Offer and Acceptance to the Government of the Czech Republic for defense articles and services estimated to cost $757 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

Charles W. Hooper, Lieutenant General, USA, Director, Contractor Engineering Technical Services.
There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 17–47
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) Sensitivity of Technology:
1. The following components and technical documentation for the program are classified as listed below:
   a. The UH-1Y-model has an Integrated Avionics System (IAS) which includes two (2) mission computers and an automatic flight control system. Each crew station has two (2) 8 x 6-inch multifunction liquid crystal displays (LCD) and one (1) 4.2 x 4.2-inch dual function LCD display. The communication suite will have COMSEC ARC-210 Ultra High Frequency Very High Frequency (UHF/VHF) radios with associated communications equipment. The navigation suite includes Honeywell Embedded Global Positioning System (GPS) Inertial Navigation System (INS) (EGI) w/Precision Positioning Service (PPS), a digital map system, a low-altitude air data subsystem, and an AN/APX-123(A(V) IFP Transponder.
   b. The crew is equipped with the Optimized Top Owl (OTO) helmet-mounted sight and display system. The OTO has a Day Display Module (DDM) and a Night Display Module (NDM). The UH-1Y also has survivability equipment including the AH/AAR-47 Missile Warning Laser Detection System, AN/ALE-47 Counter Measure Dispensing System (CMDS) and the AN/APR-39 Radar Warning Receiver (RWR) to cover countermeasure dispensers, radar warning, incoming/on-way missile warning and on-fuselage laser-spot warning systems.
   c. The following performance data and technical characteristics are classified as follows for the UH-1Y Airframe: countermeasure capability—up to SECRET, counter-countermeasures capability—SECRET, vulnerability to countermeasures—SECRET, vulnerability to electromagnetic pulse from nuclear environmental effects—SECRET.
   2. 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 weapon system effectiveness.
   3. The consequences of the loss of this technology to a technologically advanced or competent adversary could result in the compromise of equivalent systems, which in turn could reduce those weapons systems’ effectiveness, or be used in the development of a system with similar or advanced capabilities.
   4. A determination has been made that the Czech Republic can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This rule of the UH-1Y helicopter and associated weapons will further U.S. foreign policy and national security objectives.
   5. All defense articles and services estimated to cost $53 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,
Lieutenant General, USA, Director,
Enclosures.

TRANSMITTAL NO. 17–46
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) Sensitivity of Technology:
1. AIM-120C Advanced Medium Range Air-to-Air Missile (AMRAAM) is a radar-guided missile featuring digital technology and micro-miniature solid-state electronics. AMRAAM case articles include look-down/ shoot-down, multiple launches against multiple targets, resistance to electronic counter measures, and interception of high flying, low flying, and maneuvering targets. The AMRAAM is classified CONFIDENTIAL, major components and subsystems range from UNCLASSIFIED to CONFIDENTIAL, and technical data and other documentation are classified up to SECRET.
2. If a technologically advanced adversary obtains knowledge of the specific hardware and software elements, the information could be used to develop countermeasures or equivalent systems that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.
3. A determination has been made that the Government of the Netherlands 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. AMRAAM case articles include look-down/ shoot-down, multiple launches against multiple targets, resistance to electronic counter measures, and interception of high flying, low flying, and maneuvering targets. The AMRAAM is classified CONFIDENTIAL, major components and subsystems range from UNCLASSIFIED to CONFIDENTIAL, and technical data and other documentation are classified up to SECRET.

DEFENSE SECURITY
COOPERATION AGENCY

Hon. Bob Corker,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

Dear Mr. Chairman: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17–28, concerning the Missile Defense Agency’s letter of intent to the Kingdom of Saudi Arabia for defense articles and services estimated to cost $15 billion. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,
Lieutenant General, USA Director,
Enclosure.

TRANSMITTAL NO. 17–28
Notice of Proposed Issuance of Letter of Offer Pursuant to the Specific Hardware and Software Elements Listed in Annex Item No. vii (iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

DEFENSE SECURITY
COOPERATION AGENCY

Hon. Bob Corker,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

Dear Mr. Chairman: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17–28, concerning the Missile Defense Agency’s letter of intent to the Kingdom of Saudi Arabia for defense articles and services estimated to cost $15 billion. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,
Lieutenant General, USA Director,
Enclosure.
Major Defense Equipment (MDE):
Forty-four (44) Terminal High Altitude Air Defense (THAAD) Launchers.
Three hundred sixty (360) THAAD Interceptors.
Sixteen (16) THAAD Fire Control and Communications Mobile Tactical Station Group.
Seven (7) AN/TPY-2 THAAD Radars.
Non-MDE:
Also included are THAAD Battery maintenance equipment, forty-three (43) prime movers, trailers, communications equipment, tools, test and maintenance equipment, repair and return, system integration and checkout parts, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor technical and logistics personnel support services, facilities construction, studies, and other related elements of logistics and program support.

Military Departments: Missile Defense Agency (XX-I-WIB, XX-I-WIC), Mobile B-TFP, XX-B-BDP, XX-B-ZAO, XX-B-DAH, XX-B-ZAQ, XX-B-OZY, XX-B-HFA; NSA (XX-M-AAG).

For Related Cases, if any: SR-I-WIA Basic, 2 February 2015; Amendment 1, 25 August 2016.

Sales Commission, Fee, etc., Paid, Offered, Paid: None.

Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

Date Report Delivered to Congress: October 6, 2017.

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

Policy Justification

Saudi Arabia—Terminal High Altitude Area Defense and Related Support Equipment and Services

The Government of Saudi Arabia has requested a possible sale of forty-four (44) Terminal High Altitude Area Defense (THAAD) launchers, three hundred sixty (360) THAAD Interceptor Missiles, sixteen (16) THAAD Fire Control and Communications Mobile Tactical Station Group, seven (7) AN/TPY-2 THAAD radars. Also included are THAAD Battery maintenance equipment, forty-three (43) prime movers (trucks), generators, electrical power units, trailers, communications equipment, tools, test and maintenance equipment, repair and return, system integration and checkout parts, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor technical and logistics personnel support services, facilities construction, studies, and other related elements of logistics and program support. The estimated cost is $15 billion.

This proposed sale will support the foreign policy and national security objectives of the United States by improving the security of a friendly country. This sale furthers U.S. national security and foreign policy interests, and supports the long-term security of Saudi Arabia and the Gulf region in the face of Iranian and other regional threats. This potential sale will substantially increase Saudi Arabia’s capability to defend itself against the growing ballistic missile threat in the region. THAAD’s exo-atmospheric, hit-to-kill capability will add an upper-tier capability to Saudi Arabia’s layered missile defense architecture and will support modernization of the Royal Saudi Air Defense Force (RSADF). Saudi Arabia has no difficulty in absorbing this equipment into its armed forces.

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

The principal contractors for the THAAD system are Lockheed Martin Space Systems Corporation, Dallas, TX; Camden, AR; Troy, AL and Huntsville, AL; and Raytheon Corporation, Andover, MA. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require one hundred eleven (111) contractor representatives and eighteen (18) U.S. Government representatives in the country for an extended period of time.

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

TRANSMITTAL NO. 17–28

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

UNCLASSIFIED

Sensitivity of Technology:

1. The Terminal High Altitude Area Defense System (THAAD) Ballistic Missile Defense (BMD) System contains classified CONFIDENTIAL/SECRET components and critical/sensitive technology. The THAAD Fire Unit is a ground-based, forward deployable terminal missile defense system that represents significant technological advances. The THAAD system continues to hold a technology lead over other terminal ballistic missile interceptor systems. THAAD is the first weapon system with both endo- and exo-atmospheric capability developed specifically to defend against ballistic missiles. The higher altitude and assessment forerunners provided by THAAD provides more protection of larger areas than lower-tier systems alone. THAAD is designed to defend against short, medium, and intermediate range ballistic missiles. The THAAD system consists of four major components: Fire Control/Communications, Radar, Launchers, and Interceptor Missiles.

2. The THAAD system contains sensitive/critical technology, primarily in the area of defense and production know-how and primarily inherent in the design, development and/or manufacturing data related to certain critical components. Information on operational effectiveness with respect to countermeasures and counter-countermeasures, low observable technologies, select software documentation and test data are classified up to and including SECRET.

3. The THAAD BMD System contains Control, Data Encryptors, #1 (CCI) that are used for both system internal links and for external communications. These items contain cryptographic keys to encrypt network, secure telephones, voice radios, tactical data radios, and mission data radios. Specific CCI used for the Saudi Arabia case will be determined through USCENTCOM once an interoperability agreement has been made with the Joint Staff. The Committee for National Security Systems (CNSS) has provided final approval of the items and quantities.

4. AN/VCR-90, AN/VCR-91, AN/VCR-92 are different configurations of the Single Channel Ground and Airborne Radiation System (SINCGARS) family. SINCGARS is a tactical radio providing secure jam-resistant secure communications for exchange of command, control, and targeting information. The SAASM capability within the DAGR is sensitive but UNCLASSIFIED. The SAASM capabilities are sensitive due to the system’s ability to access recipients’ PPS signals and the benefit of preventing potential adversaries from spoofing the system to display incorrect location information. The SAASM capability within the DAGR is sensitive but UNCLASSIFIED. The SAAAM capabilities are sensitive due to the system’s ability to access recipients’ PPS signals and the benefit of preventing potential adversaries from spoofing the system to display incorrect location information. The SAASM capability within the DAGR is sensitive but UNCLASSIFIED. The SAAAM capabilities are sensitive due to the system’s ability to access recipients’ PPS signals and the benefit of preventing potential adversaries from spoofing the system to display incorrect location information. The SAASM capability within the DAGR is sensitive but UNCLASSIFIED. The SAAAM capabilities are sensitive due to the system’s ability to access recipients’ PPS signals and the benefit of preventing potential adversaries from spoofing the system to display incorrect location information. The SAASM capability within the DAGR is sensitive but UNCLASSIFIED. The SAAAM capabilities are sensitive due to the system’s ability to access recipients’ PPS signals and the benefit of preventing potential adversaries from spoofing the system to display incorrect location information. The SAASM capability within the DAGR is sensitive but UNCLASSIFIED. The SAAAM capabilities are sensitive due to the system’s ability to access recipients’ PPS signals and the benefit of preventing potential adversaries from spoofing the system to display incorrect location information.
I want to ensure that these opportunities abound, in Delaware and around the country. A small annual investment in the refugee system volunteer and partnerships program goes a long way. Every $1 appropriated to coordinate these volunteer translates to $10 worth of volunteer hours.

These appropriations also help cut government costs. In fiscal year 2016, 40,000 volunteers donated 1.4 million hours, with donated time equaling that of 648 full-time employees.

I want to thank Senator BARRASSO for cosponsoring this commonsense legislation. I look forward to working with him and our colleagues in the House to pass the Keep America's Refuges Operational Act and enact it into law.

Thank you.

CONFIRMATION OF AJIT PAI

Mr. VAN HOLLEN. Mr. President, I do not believe Chairman Pai should have been confirmed to serve a full 5-year term as Chairman of the Federal Communications Commission, FCC. Since assuming the leadership role at the Commission, Chairman Pai has systematically advanced policies that advance corporate interests at the expense of American consumers.

Chairman Pai's decision to open an NPRM that will eventually reverse the 2015 open Internet order is an egregious example of his misplaced priorities. In 2016, the U.S. Court of Appeals for the D.C. Circuit confirmed that the open internet order was a lawful exercise of the Commission's regulatory authority. Broadband service providers must provide fair and equal access to all users, regardless of socioeconomic status. Over 18 million Americans submitted comments urging the Commission to maintain regulations that impose transparency and prevent ISPs from throttling or discriminating against certain data. Numerous polls have shown that Americans, across the political spectrum, overwhelmingly support regulations that would prevent broadband companies from discriminating against certain data.

Chairman Pai claims that the 2015 order caused a decrease in broadband investment, but the evidence suggests otherwise. I wrote to Chairman Pai about the evidence that he frequently cites to support his allegations of depressed investment—evidence, which I believe, is incomplete and inconclusive. As technology develops and consumers become even more dependent upon Internet access, it is imperative that the FCC ensures that the Internet is not divided between the have and the have-nots.

I was also disappointed by Chairman Pai's support for Congress's actions to repeal the Federal Communications Commission's broadband privacy rules. These rules were important in the context of America's rich history of transparency, and even the content of communications is sensitive and highly personal data to the highest bidder without consumer's consent or knowledge. The Commission's rules empowered consumers and gave them tools to protect their privacy through transparency, choice, and data security. In supporting the rule's repeal, Chairman Pai demonstrated that he does not believe that Americans should have control over their data.

The rise of the Internet of Things, telehealth, and smart agriculture means that American consumers need an FCC that is on watch and committed to protecting their interests. I hope that Chairman Pai will reverse course and will stop putting the interests of big corporations ahead of the interests of American consumers.

REMEMBERING LIEUTENANT THOMAS F. BURKHART AND VETERANS OF THE WAR IN THE PACIFIC

Mr. VAN HOLLEN. Mr. President, this week my constituent Caroline Burkhart of Baltimore, MD, is on a historic trip to Japan of remembrance and reconciliation. A guest of the Japanese Government, she will follow the journey of her father, Thomas F. Burkhart, who was a prisoner of war of imperial Japan. Her trip will include a visit to the site of the camp in which her father was held as a POW.

At the start of WWII, Lieutenant Burkhart served in the Philippines with the Headquarters Company of the 45th Infantry, Philippine Scouts, an elite U.S. Army unit composed of American officers and Filipino enlisted men. After Japan's December 8, 1941, invasion of the Philippines, his battalion helped defend the island of Luzon to the Bataan Peninsula. Barely a month after being promoted to first lieutenant, on January 24, 1942, Lieutenant Burkhart earned a Silver Star for ‘‘Gallantry in Action’’ at the Battle of Abucay Hacienda, January 15 to 25, 1942, which maintained the first battle position on Bataan.

Sick with malaria, Lieutenant Burkhart was in the open-air general hospital No. 1 near the tip of Bataan when Major General Edward King surrendered the peninsula to Japanese forces on April 9, 1942. Soon thereafter, the patients were taken by truck, boxcar, and foot up to Camp O'Donnell, an internment camp. In early June, the Japanese, fearing the deaths of the prisoners from horrific conditions in the camp, began to release their Filipino POWs and transferred the others to a new facility at Cabanatuan. It is estimated that 1,550 Americans and 22,000 Filipinos died at Camp O'Donnell, the overwhelming majority in the first 8 weeks.
On November 6, 1942, Lieutenant Burkhart was among 1,500 prisoners packed into the coal bunker of the unmarked “hell ship” Nagato Maru to Japan. It took three torturous weeks for the ship to make its way from the tropics to the shores of Northeast Asia. Lieutenant Burkhart, nearly blind from malnutrition, was used as a slave laborer for the construction company Toshiba Group—today’s Tobishima Corporation. He was soon moved to the Hiroshima No. 1-B Zentsuji POW Camp on the island of Shikoku. The enlisted men at Zentsuji were slave stavedores for Nippon Express Co.—Nippon Tsuun—at Sakaide Rail Yards and the Port of Takamatsu. As an officer, Lieutenant Burkhart worked in the camp garden. On June 23, 1945, he and 334 officers were transferred to POW Camp 11-B Rokuroshi, deep in the Japanese Alps. Food was scarce, conditions were overcrowded, and winter clothes were unavailable, leading many to fear that they would not survive the harsh winter. Burkhart was liberated from this camp in early September.

Lieutenant Burkhart remained in the Army and had a distinguished career with the quartermaster corps, retiring in 1967 as a lieutenant colonel in the U.S. Army Reserve. Throughout his life, he was plagued by health problems most likely caused by the illnesses and hardships of being a POW. In 1972, at age 57, he passed away and was buried in Arlington National Cemetery.

Thomas F. Burkhart’s daughter Caroline has honored his memory by working tirelessly to preserve the history of the POW experience and to teach its lessons of American perseverance and grit. Ms. Burkhart is an active member of the American Defenders of Bataan and Corregidor Memorial Society. In this year, the 75th anniversary of the fall of the Philippines, we appreciate the effort by Japan to reach out to Ms. Burkhart and the American POWs in the spirit of reconciliation and healing. I ask my colleagues to join me in wishing Caroline Burkhart a safe and meaningful journey and in expressing our gratitude and appreciation to Thomas F. Burkhart and all veterans of the war in the Pacific for their heroic service and sacrifice.

TRIBUTE TO GEORGE JAMES WRIGHT

Mr. TESTER. Mr. President, today I wish to honor George James Wright, a resident of Laurel, MT, and a veteran of the Second World War.

George, I would like to thank you and your family on behalf of Montana and the United States of America for your service to our Nation in times of war.

George was born on June 14, 1923, in Hinsdale, MT. Like many Montanans from Valley County, he made a living off the land farming and ranching. He worked hard alongside his older brother, where he remembers driving the tractor and looking up into the big blue Montana sky.

Also, like many Montanans, he did not back down from answering the call to serve his Nation when we needed him most.

In 1943, George enlisted in the Army, making him the first in his family to serve in the military.

He spent over 2 years fighting in the jungles and on the beaches of the Philippines and New Guinea as a proud member of the 32nd Infantry Division.

He braved the rain. He braved the bullets. He saw the unimaginable, as Japanese kamikaze pilots slammed their airplanes into American ships.

He did the unbelievable, driving Army bulldozers into the unknown, making sure our soldiers got the supplies and food they desperately needed.

He served our Nation with bravery, courage, and dignity, working his way up to the rank of TS.

After America’s victory, George came home, and returned to those same Montana fields and skies.

After seeing the war’s destruction firsthand, he knew that the world needed to be rebuilt, and he knew he was the person for the job. He took what he learned on the battlefield and spent his next years doing construction work.

He married the love of his life, Vivian, who we remember today, and they had two children, Roland and Sharon.

At the time, he did not receive the recognition that he was due for his service to our Nation, but we are here today to make that right.

Now, a proud father, grandfather of two, and great-grandfather of seven, he will get that long overdue acknowledgement.

I have the proud honor of presenting him with the following: Bronze Star Medal with one Bronze Service Star, Good Conduct Medal—Army, American Campaign Medal with three Bronze Service Stars, World War II Victory Medal, Philippine Liberation Ribbon with one Bronze Service Star, and Honorable Service Lapel Pin—WWII.

George, you are a Montana farmer through and through, whether feeding Americans at home or soldiers in the field.

I am proud to call myself a farmer, if only because it means I have something in common with a man like George Wright.

George, you have spent your life providing for Montanans at home and protecting Americans overseas. These medals serve as a small token of our Nation’s appreciation for your service and your sacrifice. You are an American hero and one of Montana’s best. Thank you for your service.

TRIBUTE TO GERALD ROBERT ZELMER

Mr. TESTER. Mr. President, today I wish to honor Gerald Robert Zelmer, a veteran of the Vietnam war.

Gerald, I would like to thank you, on behalf of the State of Montana, and the United States of America, for your service to this Nation.

Gerald, known by his friends and family as Gerry, was born in Bismarck, ND, on June 25, 1947.

He married the love of his life, Dora Jean or D.J., on October 12, 1968, in Worden, MT, at the height of the Vietnam conflict.

Two months later, Gerry was off to war.

He attended boot camp in Fort Lewis, WA, and then moved on to advanced infantryman training in Fort Eustis, VA.

He deployed soon thereafter, serving proudly with the 101st Airborne Division out of Camp Eagle.

Gerry served as a helicopter crew chief, ensuring that pilots and crews were safe as they flew aerial missions. His skills on the battlefield ensured that rotary-wing aircraft were fine-tuned and ready to take off for their missions.

Gerry is a fixer and a problem solver. In Vietnam, he fixed helicopters and kept our birds in the air, covering our soldiers on the ground.

When he returned from war, he worked as a maintenance foreman at Montana Sulphur and Chemical.

It is his skills on the battlefield, his bravery and courage, and his service to our Nation that earned him these commendations decades ago. It is my honor to finally deliver them today.

As a father to Carrie and Cody and grandpa to two grandchildren, Sienna and Aden, he will get that long overdue acknowledgement.

I have the proud honor of presenting you, Gerry, with the Bronze Star Medal for your meritorious service in connection with ground operations against a hostile force.

I am also presenting you with copies of your previous awards: Army Commendation Medal, National Defense Service Medal, Vietnam Service Medal, Vietnam Campaign Medal, Sharpshooter badge with rifle bar, Expert Badge with Auto Rifle Bar, and sharpshooter badge with rifle bar.

Gerry, these medals are but a small token of our Nation’s appreciation for your service and your sacrifice. You are an American hero, and Montana is proud to call you one of our own.

NATIONAL FOREST PRODUCTS WEEK

Mr. BOOZMAN. Mr. President, in support of National Forest Products Week and in my role as a cochair of the Senate Paper and Packaging Caucus, I would like to recognize the almost 20,000 hard-working men and women employed by the forest products industry in the great State of Arkansas.

Arkansas is home to over 90 wood products, paper, and packaging manufacturing facilities that make over $8 billion in products and contribute over $1.2 billion to the State and local economies through wages and compensation.
The forest products industry plays a valuable role in the life of every American, every day. From paper and packaging to wood products, tissue, and other personal care items, paper and wood products are at the heart of modern life. In 2017, the total industry employs about 900,000 Americans nationwide and manufactures over $380 billion in products every year. That is nearly 4 percent of the current U.S. manufacturing GDP.

In addition to cochairing the Paper and Packaging Caucus, I am also a co-chair of the Senate Recycling Caucus. In this dual capacity, I have seen the success the forest products industry has had in pairing economic growth with respect for the environment. Be it through the use of carbon-neutral bio mass energy or the successful implementation of voluntary recycling programs that now reach 96 percent of Americans, the forest products industry is an example.

Last year, I had the opportunity to see firsthand how the forest industry contributes to the economy of my State. Congressman Bruce Westerman and I visited timber-rich southern Arkansas on our “Seed to Sawmill” tour. We learned about proper forest management and the positive environmental impacts achieved through conservation efforts. We also visited a seedling nursery, working private forests, state-of-the-art processing facilities, and the U.S. Forest Service’s Experimental Forest in Crossett.

It is clear that the forest products industry contributes a great deal to Arkansas and to the U.S. economy overall. That is why it is important for us to highlight how forest products improve our lives, help grow our economy, and promote healthy environmental practices.

I urge my colleagues to join me in celebrating National Forest Products Week and reflect on the many ways this recyclable and renewable resource improves our lives, but not Mr. Lorentzen. He never left behind by our trade policy.

Mr. Lorentzen will be remembered for his compassion, work ethic, and integrity. I ask my Senate colleagues to join me in thanking him for his service and wishing him all the best on his retirement.

125TH ANNIVERSARY OF ASHER’S CHOCOLATES

Mr. CASEY, Mr. President, I wish to recognize and honor Chester Asher Candy Co., Inc., “Asher’s Chocolates,” as it celebrates the 125th anniversary of its founding in Pennsylvania.

In 1892, Chester A. Asher founded Asher’s Chocolates in the city of Philadelphia, near Independence Hall. A farm boy from Scotland, who had previously lived in Canada, Chester had a “passion for chocolates” and a “knack for getting to the heart of a sugar craving.” In 1899, he moved the company to the historical area of Germantown Avenue, Philadelphia. Chester worked tirelessly to perfect his candies and chocolates and was constantly searching for innovative ways to please his customers.

Following World War II, Chester’s four sons took over the business, and they subsequently passed the company on to their sons in their retirement. After their father’s passing in 1968, the third generation of Ashers, brothers John “Jack” and Bob Asher, assumed leadership of the company. Asher’s Chocolates quickly grew from the
brothers producing each piece of candy individually with just two candy-making machines to building a warehouse and being regarded throughout the East Coast as a well-known candy company. While both of the third-generation brothers remain family owned, Asher's Chocolates remains family-run. Asher's Chocolates is rich in both diversity and tradition, of 2017, his legacy will undoubtedly continue through the life of Asher's Chocolates. While over a century has passed since its founding, Asher's Chocolates still remains family-owned. Currently, Jeff, a fourth-generation Asher, serves as the CEO of Asher's Chocolates and believes it is his family's “stubborn, common commitment to providing excellent chocolate at an affordable price” that has allowed Asher's Chocolates to remain in business for so long. Today, Asher's Chocolates has expanded its business, selling over 3 million pounds of candy each year, employing over 100 people, and supplying delicious treats on a national and worldwide level to Canada, Mexico, Japan, China, South America, and Europe.

Asher’s Chocolates has reached global success, I am honored it calls Pennsylvania home. Founded by a Scottish man who emigrated from Canada and was devoted to operating a family-run business, Asher’s Chocolates is rich in both diversity and tradition. While their impact is great and long-standing, Asher’s Chocolates hasn’t lost sight of what is important: family and “one of life’s sweetest pleasures . . . [is] a simple box of chocolate.” Asher’s Chocolates serves as a symbol of success, history, and family, and I commend the Asher family and the company’s employees on the 125th anniversary of its founding.

TRIBUTE TO DAN KNOTSON

Mr. THUNE. Mr. President, today I recognize Dan Knutson, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Dan is a graduate of Lincoln High School in Sioux Falls, SD, and a recent graduate of Augustana University, having earned a degree in psychology. He is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Dan Knutson for all of the fine work he has done and wish him continued success in the years to come.

MESSAGES FROM THE HOUSE

At 4:04 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 585. An act to provide greater whistleblower protections for Federal employees, increased awareness of Federal whistleblower protections, and increased accountability and required discipline for the Federal supervisors who retaliate against whistleblowers, and for other purposes.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 294. An act to designate the facility of the United States Postal Service located at 2700 Cullen Boulevard in Pearland, Texas, as the “Endy NdIIdobong Ekpanya Post Office Building”.

H.R. 378. An act to amend title 5, United States Code, to enhance the authority under which Federal agencies may pay cash awards to employees for making cost saving disclosures, and for other purposes.

H.R. 452. An act to designate the facility of the United States Postal Service located at 324 West Saint Louis Street in Pacific, Missouri, as the “Specialist Jeffrey L. White, Jr. Post Office”.

H.R. 1554. An act to designate the facility of the United States Postal Service located at 5314 Williamson Trail in Liberty, Pennsylvania, as the “Staff Sergeant Ryan Scott Ostrom Post Office”.

H.R. 2105. An act to require the Director of the National Institute of Standards and Technology to disseminate guidance to help reduce small business cybersecurity risks, and for other purposes.

H.R. 2196. An act to amend title 5, United States Code, to allow whistleblowers to disclose information to certain Merit System Protection Board employees for law enforcement purposes, and for other purposes.

H.R. 2229. An act to amend title 5, United States Code, to provide permanent authority for judicial review of certain Merit System Protection Board decisions for whistleblower retaliation claims, and for other purposes.

H.R. 2254. An act to designate the facility of the United States Postal Service located at 2635 Napa Street in Vallejo, California, as the “Janet Capello Post Office Building”.

H.R. 2362. An act to designate the facility of the United States Postal Service located at 2699 Nassau Street, in Princeton, New Jersey, as the “Dr. John F. Nash, Jr. Post Office”.

H.R. 2464. An act to designate the facility of the United States Postal Service located at 25 New Chardon Street Lobby in Boston, Massachusetts, as the “John Fitzgerald Kennedy Post Office”.

H.R. 2763. An act to amend the Small Business Act to improve the Small Business Innovation Research program and Small Business Technology Transfer program, and for other purposes.

H.R. 2869. An act to establish the Frederick Douglass Bicentennial Commission.

H.R. 3031. An act to amend title 5, United States Code, to provide priority in making withdrawals from a Thrift Savings Plan account, and for other purposes.
H. R. 3243. An act to amend title 40, United States Code, to eliminate the sunset of certain provisions relating to information technology, to amend the National Defense Authorization Act for fiscal year 2015 to extend the sunset relating to the Federal Data Center Consolidation Initiative, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 71. Concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and appropriate budgetary levels for fiscal years 2019 through 2027.


The message further announced that the President has signed into law the following acts:

H. R. 1616 to amend the Homeland Security Act of 2002 to authorize the National Commission for the Prevention of Terrorism, and for other purposes.

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, and for a conference with the Senate on the disagreeing votes of the two Houses thereon, and that the following Members be the managers of the conference on the part of the House:

From the Committee on Armed Services, for consideration of the House bill, and section 4 of the Senate amendment, and modifications committed to conference: Messrs. JOHNSON of Ohio, BERGMAN, and YARMUTH.

From the Committee on Education and the Workforce, for consideration of sections 221, 551, 555, and 3509 of the House bill, and sections 236, 551–53, 3116, 3508, and 3511 of the Senate amendment, and modifications committed to conference: Messrs. FOXX, Messrs. BYRNE, and SCOTT of Virginia.

From the Committee on Energy and Commerce, for consideration of sections 310, 601, 1232, 732, 7318, and 3122 of the House bill, and sections 601, 701, 725, 732, 1089A, 1625, and 3114 of the Senate amendment, and modifications committed to conference: Messrs. WALDEN, BARTON, and PALLONE.

From the Committee on Financial Services, for consideration of section 862 of the Senate amendment, and modifications committed to conference: Messrs. BARR, WILLIAMS, and Ms. MAXINE WATERS of California.

From the Committee on Foreign Affairs, for consideration of sections 804, 1032, 1039, 1040, 1058, 1201, 1203–05, 1211, 1222, 1223, 1231, 1223, 1234, 1243, 1244, 1246, 1247, 1265, 1270A, 1272, 1276, 1278, 1280, 1301, 1302, 1521, 1522, 1687, 2841, and 3117 of the House bill, and sections 521, 601, 801, 1011, 1013–05, 1215, 1215–33, 1241–45, 1250, 1261–63, 1270B, 1270C, 1282, 1283, 1301, 1302, 1531, and 1651 of the Senate amendment, and modifications committed to conference: Messrs. ROYCE of California, DONOVAN, and ENGEL.

From the Committee on the Judiciary, for consideration of sections 515, 1062, 1063, 1067, 1080, 1695, 2843, and 3510 of the House bill, and sections 520A, 529, 1035, 1081, 1083, 1217, 1264, and 14103 of the Senate amendment, and modifications committed to conference: Messrs. GOODLATTE, ISSA, and CONyers.

From the Committee on Natural Resources, for consideration of sections 601, 1062, 1265, 2827, 2828, 2831, 2832, 2834, 2863, subtitie F of title XXVIII, and sections 410, 412, 414, and paragraphs (a) and (b) of section 411 of the House bill, and sections 311, 338, 601, 1263, 1264, 2850, and 12801 of the Senate amendment, and modifications committed to conference: Mr. WESTerman, Ms. CHENey, and Mr. GRIJALVA.

From the Committee on Oversight and Government Reform, for consideration of sections 323, 501, 801, 803, 859–860A, 873, and 1101–09 of the House bill, and sections 218, 544, 557, 801, 812, 821, 822, 829, 832, 902, 931, 938, 1045, 1093, 1094, 1111, 1194, 2921, 2922, 2605, 6002, 10804, 11023–25, and 11603 of the Senate amendment, and modifications committed to conference: Messrs. MEADOWS, ROSS, and LYNCH.

From the Committee on Science, Space, and Technology, for consideration of sections 222 of the House bill and sections 897, 898, 1662–64, and 6002 of the Senate amendment, and modifications committed to conference: Messrs. SMITH of Texas, LUCAS, and Ms. EDDIE BERNICE JOHNSON of Texas.

From the Committee on Small Business, for consideration of sections 801, 860B, 867, 1701–04, 1711–13, 1721–23, 1731–37, and 1741 of the House bill, and sections 854, 862, 897, 898, 899C, 10801, and 10802 of the Senate amendment, and modifications committed to conference: Messrs. CHABOT, KELLY of Mississippi, and Ms. VELAZQUEZ.

From the Committee on Transportation and Infrastructure, for consideration of sections 122, 311, 546, 601, 1092, 1617, 1695, 3501, 3502, 3505, and 3507–10 of the House bill, and sections 331, 601, 1048, 6002, 13501, 13508, 13513, 13607, and 14013 of the Senate amendment, and modifications committed to conference: Messrs. GRAVES of Missouri, HUNTER, and Mrs. BUSTOS.

From the Committee on Veterans’ Affairs, for consideration of section 572, 573, 576, 577, 1077, 2841 of the House bill, and sections 731, 1094, 1098, 1264, 11001, 11008, and 14004 of the Senate amendment, and modifications committed to conference: Messrs. ROE of Tennessee, BILLRAKIS, and WALZ.

From the Committee on Ways and Means, for consideration of section 701 of the Senate amendment, and modifications committed to conference: Mr. TIBERI, Mrs. WALORSKI, and Mr. NEAL.

MEASURES REFERRED

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

H. R. 294. An act to designate the facility of the United States Postal Service located at 2700 Cullen Boulevard in Pearland, Texas, as the “Enzy Nådïbông Ekpanya Post Office Building’’; to the Committee on Homeland Security and Governmental Affairs.

H. R. 378. An act to amend title 5, United States Code, to enhance the authority under which Federal agencies may pay cash awards to employees for making cost saving disclosures, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H. R. 632. An act to designate the facility of the United States Postal Service located at 324 West Saint Louis Street in Pacific, Missouri, as the ‘‘Specialist Jeffrey L. White, Jr. Post Office’’; to the Committee on Homeland Security and Governmental Affairs.

H. R. 1588. An act to designate the facility of the United States Postal Service located at 4514 Williamson Trail in Liberty, Pennsylvania, as the ‘‘Staff Sergeant Ryan Scott Ostrom Post Office’’; to the Committee on Homeland Security and Governmental Affairs.

H. R. 2105. An act to require the Director of the National Institute of Standards and Technology to disseminate guidance to help reduce small business cybersecurity risks, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H. R. 2106. An act to codify the Whistleblower Protection Act of 1989, as amended, and the United States Code, to allow whistleblowers to disclose information to certain recipients; to the Committee on Homeland Security and Governmental Affairs.

H. R. 2229. An act to amend title 5, United States Code, to provide permanent authority for review of certain Merit Systems Protection Board decisions relating to whistleblowers, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H. R. 2254. An act to designate the facility of the United States Postal Service located at 2635 Napa Street in Vallejo, California, as the “Larnell Ostrom Post Office’’; to the Committee on Homeland Security and Governmental Affairs.
H. R. 2302. An act to designate the facility of the United States Postal Service located at 259 Nassau Street, Suite 2 in Princeton, New Jersey, as the "John F. Nash, Jr. Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H. R. 2464. An act to designate the facility of the United States Postal Service located at 25 North Lobby, Boston, Massachusetts, as the "John Fitzgerald Kennedy Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H. R. 2763. An act to amend the Small Business Act to improve the Small Business Innovation Research program and Small Business Technology Transfer program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

MEASURES PLACED ON THE CALENDAR

The following concurrent resolution was read, and placed on the calendar:

H. Con. Res. 71. Concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on October 6, 2017, she had presented to the President of the United States the following enrolled bills:

S. 178. An act to prevent elder abuse and exploitation, and for other purposes; to the Committee on Aging.

S. 622. An act to amend the Public Health Service Act to authorize a program for early detection, diagnosis, and treatment regarding deaf and hard-of-hearing newborns, infants, and young children.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–3021. A communication from the Acting Director of Program Development and Regulatory Analysis, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Water and Waste Loans and Grants" (RIN0572–AC36) (7 CFR Part 1780) received in the Office of the President of the Senate on September 27, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3013. A communication from the Director of the Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fluoxastin; Pesticide Tolerances" (FRL–9666–69–OCSP) received in the Office of the President of the Senator on September 27, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3014. A communication from the Director of the Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pesticide Tolerances" (FRL–9668–68–OCSP) received in the Office of the President of the Senate on September 27, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3015. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fluoxastin; Pesticide Tolerances" (FRL–9666–69–OCSP) received in the Office of the President of the Senate on September 27, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3016. A communication from the Congressman’s Office; Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Fresh Perennials From New Zealand Into the United States" (RIN0579–AE26) received in the Office of the President of the Senator on October 4, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3017. 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 "Pecans Grown in the States of Alabama, Arkansas, Arizona, California, Florida, Georgia, Kansas, Louisiana, Missouri, Mississippi, North Carolina, New Mexico, Oklahoma, South Carolina, and Texas: Establishment of Assessment Plates" (RIN–SC–17–0027) received in the Office of the President of the Senate on October 5, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3018. A communication from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, a report to the Administrator’s 2017 compensation program adjustments; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3019. A communication from the Secretary of Agriculture, transmitting, pursuant to law, a report relative to violations of the Antideficiency Act that occurred in the Department of Agriculture, Forest Service; to the Committee on Appropriations.

EC–3020. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Frederick S. Rudesheim, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–3021. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report entitled "Failure of Contractors, Participating under the DoD Test Program for a Comprehensive Subcontractor Financial and Performance Program, to meet Negotiated Goals"; to the Committee on Armed Services.

EC–3022. A communication from the Senior Official performing the duties of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report entitled "Assessment of the Recommendations of the National Commission on the Future of the Army"; to the Committee on Armed Services.

EC–3023. A communication from the Under Secretary of Commerce for Export Administration, transmitting, pursuant to law, a report of a rule entitled "Negotiated Noncompetitive Agreements for the Use of Sand, Gravel, and/or Shell Resources on the Outer Continental Shelf" (RIN1010–AD90) received in the Office of the President of the Senator on October 4, 2017; to the Committee on Appropriations.

EC–3024. A communication from the Assistant Secretary for Export Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Removal of Certain Entities from the Entity List; and Revisions of Entries on the Entity List" (RIN0694–AH41) received in the Office of the President of the Senate on September 27, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC–3025. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Wassenar Arrangement 2016 Flennial Update to the Export Administration Regulations Implementation Regulations" (RIN0994–AH35) received in the Office of the President of the Senator on October 4, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC–3026. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Updated Statements of Legal Authority for the Export Administration Regulations that Include the Continuation of Emergency Declared in Executive Order 13222" (RIN0994–AH38) received in the Office of the President of the Senate on October 4, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC–3027. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the situation in or in relation to the Democratic Republic of Congo that was declared in Executive Order 13067 of November 3, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC–3028. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the situation in Afghanistan that was declared in Executive Order 13664 of April 3, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–3030. A communication from the Chair of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, a report relative to credit availability for small businesses; to the Committee on Banking, Housing, and Urban Affairs.

EC–3031. A communication from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting, pursuant to law, three (3) reports relative to vacancies in the Department of Housing and Urban Development, respectively, to the Committee on Banking, Housing, and Urban Affairs.

EC–3032. A communication from the Acting Assistant Secretary for Land and Minerals Management, Bureau of Ocean Energy Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Nevada Competition for the Demonstration of a New Vessel Acquisition Program for Fiscal Year 2016"; to the Committee on Energy and Natural Resources.

EC–3033. A communication from the Director of the Office of Management, Department of Energy, transmitting, pursuant to law, a report of a rule entitled "Alternative Fuel Vehicular Acquisition Report for Fiscal Year 2017"; to the Committee on Energy and Natural Resources.

EC–3034. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Removal of Certain Entities from the Entity List; and Revisions of Entries on the Entity List" (RIN0694–AH41) received in the Office of the President of the Senate on September 27, 2017; to the Committee on Environment and Public Works.
EC–3035. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Proclamation of Air Quality Implementation Plans; Elements of the Infrastructure SIP Requirements for the 2012 Annual Fine Particulate Matter (PM2.5) National Ambient Air Quality Standard (NAQS)” (FRL No. 9968–66–Region 7) received in the Office of the President of the Senate on September 27, 2017; to the Committee onEnvironment and Public Works.

EC–3037. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Proclamation of Air Quality Implementation Plans; State of Iowa; Elements of the Infrastructure SIP Requirements for the 2010 Sulfur Dioxide National Ambient Air Quality Standard (NAQS)” (FRL No. 9968–62–Region 7) received in the Office of the President of the Senate on September 27, 2017; to the Committee on Environment and Public Works.

EC–3038. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Proclamation of Implementation Plans; New York; Regional Haze Five-Year Progress Report State Implementation Plan” (FRL No. 9968–64–Region 2) received in the Office of the President of the Senate on September 27, 2017; to the Committee on Environment and Public Works.

EC–3039. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Proclamation of Implementation Plans; New Jersey; Regional Haze Five-Year Progress Report State Implementation Plan” (FRL No. 9968–63–Region 2) received in the Office of the President of the Senate on September 27, 2017; to the Committee on Environment and Public Works.

EC–3040. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Proclamation of Air Quality Implementation Plans; Virginia; Removal of Clean Air Interstate Rule (CAIR) Trading Programs” (FRL No. 9968–34–Region 3) received in the Office of the President of the Senate on September 27, 2017; to the Committee on Environment and Public Works.

EC–3041. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Proclamation of Air Quality Implementation Plans; State of Utah; Revisions to Ozone Offset Requirements in Davis and Salt Lake Counties” (FRL No. 9968–74–Region 8) received in the Office of the President of the Senate on September 27, 2017; to the Committee on Environment and Public Works.

EC–3043. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Proclamation of Air Quality Implementation Plans; Maryland; Nonattainment New Source Review Requirements for the 2008 8-Hour Ozone National Ambient Air Quality Standard for the Baltimore Maryland Nonattainment area” (FRL No. 9968–51–Region 3) received in the Office of the President of the Senate on September 27, 2017; to the Committee on Environment and Public Works.

EC–3044. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Proclamation of Air Quality Implementation Plans; Maryland; 2011 Base Year Inventory for the 2008 8-Hour Ozone National Ambient Air Quality Standard for the Maryland Nonattainment area” (FRL No. 9968–54–Region 3) received in the Office of the President of the Senate on September 27, 2017; to the Committee on Environment and Public Works.

EC–3045. A communication from the Deputy Assistant Secretary for Policy, Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “State Implementation Plan for New Jersey; Final Rule To List the Maui Dolphin as Endangered and the South Island Hector’s Dolphin as Threatened Under the Endangered Species Act” (FRL No. 9968–55–Region 3) received in the Office of the President of the Senate on September 27, 2017; to the Committee on Environment and Public Works.

EC–3046. A communication from the Chief of the Branch of Foreign Species, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Technical Correction for ‘Tonkin Snub-Nosed Monkey’ (RIN1018–BC04) received in the Office of the President of the Senate on October 4, 2017; to the Committee on Environment and Public Works.

EC–3047. A communication from the Office of the Branch of Foreign Species, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Threatened Species Status for Pearl Darter” (RIN1018–BB55) received in the Office of the President of the Senate on October 4, 2017; to the Committee on Environment and Public Works.

EC–3048. A communication from the Acting Branch Chief of the Unified Listing Team, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Threatened Species Status for Sonoyta Mud Turtle” (RIN1018–A262) received in the Office of the President of the Senate on October 4, 2017; to the Committee on Environment and Public Works.

EC–3049. A communication from the Acting Branch Chief of the Unified Listing Team, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Threatened Species Status for Pearl Darter” (RIN1018–BB55) received in the Office of the President of the Senate on October 4, 2017; to the Committee on Environment and Public Works.

EC–3050. A communication from the Acting Manager of the Species Assessment Team, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Endangered Species Status for Guadalupe Fescue; Designation of Critical Habitat for Guadalupe Fescue” (RIN1018–BA14) received in the Office of the President of the Senate on October 4, 2017; to the Committee on Environment and Public Works.

EC–3051. A communication from the Director of the Regulations Branch, Office of Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Service Provider Licenses” (NUREG–1556, Volume 18, Revision 1) received in the Office of the President of the Senate on October 5, 2017; to the Committee on Environment and Public Works.

EC–3052. 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 “Pilot Program for Section 335 PLR procedures” (Rev. Proc. 2017–52) received in the Office of the President of the Senate on September 27, 2017; to the Committee on Finance.

EC–3053. 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 “Pilot Program for Section 335 PLR procedures” (Rev. Proc. 2017–52) received in the Office of the President of the Senate on October 5, 2017; to the Committee on Finance.

EC–3054. 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 “Pilot Program for Section 335 PLR procedures” (Rev. Proc. 2017–52) received in the Office of the President of the Senate on October 5, 2017; to the Committee on Finance.

EC–3055. 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 “Pilot Program for Section 335 PLR procedures” (Rev. Proc. 2017–52) received in the Office of the President of the Senate on October 5, 2017; to the Committee on Finance.

EC–3056. 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 “Pilot Program for Section 335 PLR procedures” (Rev. Proc. 2017–52) received in the Office of the President of the Senate on October 5, 2017; to the Committee on Finance.

EC–3057. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of Health and Human Services for Financial Resources, received in the Office of the President of the Senate on September 27, 2017; to the Committee on Finance.

EC–3058. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of Health and Human Services for Financial Resources, received in the Office of the President of the Senate on September 27, 2017; to the Committee on Finance.
EC–3059. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of Health and Human Services for Children and Families, received in the Office of the President of the Senate on September 27, 2017; to the Committee on Finance.

EC–3060. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of Health and Human Services for Children and Families, received in the Office of the President of the Senate on September 28, 2017; to the Committee on Finance.

EC–3061. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of Health and Human Services for Planning and Evaluation, received during adjournment of the Senate in the Office of the President of the Senate on September 29, 2017; to the Committee on Finance.

EC–3062. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of Health and Human Services for Planning and Evaluation, received during adjournment of the Senate in the Office of the President of the Senate on September 29, 2017; to the Committee on Finance.

EC–3063. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of Health and Human Services for Planning and Evaluation, received during adjournment of the Senate in the Office of the President of the Senate on September 29, 2017; to the Committee on Finance.

EC–3064. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of Health and Human Services for Planning and Evaluation, received during adjournment of the Senate in the Office of the President of the Senate on September 29, 2017; to the Committee on Finance.

EC–3065. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of Health and Human Services for Planning and Evaluation, received during adjournment of the Senate in the Office of the President of the Senate on September 29, 2017; to the Committee on Finance.

EC–3066. A communication from the Acting General Counsel, Department of Health and Human Services, transmitting, pursuant to law, a report entitled “Evaluation of the Graduate Nurse Education Demonstration Project: Report to Congress”; to the Committee on Finance.

EC–3067. A communication from the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, a report entitled “Medicare Payments for Clinical Diagnostic Laboratory Tests in 2016: A 3 of Baseline Data”; to the Committee on Finance.

REPORTS OF COMMITTEES DURING ADJOURNMENT

Under the authority of the order of the Senate of October 5, 2017, the following reports of committees were submitted on October 13, 2017:

By Mr. ENZI, from the Committee on the Budget, without amendment:

S. Con. Res. 25. An original concurrent resolution to rescind the budget resolution for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with amendments:

S. 21. A bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law (Rept. No. 115–169). By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:


By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with amendments:

S. 1238. A bill to direct the Secretary of Homeland Security to provide for an option under the Secure Mail Initiative under which a person to whom a document is sent under that initiative may elect to have the United States Postal Service hold for pick-up service or the Signature Confirmation service in delivering the document, and for other purposes (Rept. No. 115–171).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 1584. A bill to amend the Ethics in Government Act of 1978 to reauthorize the Judicial Conference of the United States to react sensitive information contained in financial disclosure reports of judicial officers and employees, and for other purposes (Rept. No. 115–172).

By Mr. CORKER, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 211. A resolution condemning the violence and persecution in Chechnya.

By Mr. CORKER, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 245. A resolution calling on the Government of Iran to release unjustly detained United States citizens and legal permanent resident aliens, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. CRUZ (for himself and Mr. CAYETANO):

S. Res. 291. A resolution affirming the historical connection of the people to the ancient and sacred city of Jerusalem and condemning efforts at the United Nations Educational, Scientific, and Cultural Organization (UNESCO) to tie the millennium-old historical, religious, and cultural ties to Jerusalem; to the Committee on Foreign Relations.

By Mr. HELLER (for himself, Mr. CORTez MASTO, Mr. MCCONNELL, Mr. SCHUMER, Mr. ALEXANDER, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLOMQUIST, Mr. BOOZMAN, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Ms. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Mr. CRAINER, Mr. COLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. DONNELLY, Ms. DUCKWORTH, Mr. DURBIN, Mr. ENZI, Mr. FEINSTEIN, Mr. FISCHLER, Mr. FLAKE, Mr. FRANKEN, Mr. GARDNER, Ms. GILLIBRAND, Mr. GRAHAM, Mr. GLEASON, Ms. HARRIS, Ms. HASSAN, Mr. HATCH, Mr. HENRICH, Ms. HIRAKAMURA, Ms. IHRONO, Mr. HOEVEN, Mr. INHOE, Mr. ISAKSON, Mr. JOHNSON, Mr. KENNEDY, Mr. KING, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCLAIN, Mr. MERRILL, Mr. MURAKOSKI, Mr. MURPHY, Mrs. MURRAY,

S. 599. A bill to designate certain Federal land in the State of California as wilderness, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. MCCASKILL (for herself, Mr. MANCHIN, and Ms. HASSAN):

S. 660. A bill to repeal the amendments made to the Controlled Substances Act by the Ensuring Patient Access and Effective Drug Enforcement Act of 2016; to the Committee on the Judiciary.

By Mr. HIRSCH (for himself and Mrs. SMITH):

S. 691. A bill to amend the Small Business Act to temporarily reauthorize certain pilot programs under the Small Business Innovation Research Program and the Small Business Technology Transfer Program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. ROUNDS (for himself and Mr. BLUNT):

S. 692. A bill to provide relief to community banks, to promote access to capital for community banks, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MANCHIN:

S. 693. A bill to amend title 11, United States Code, to include certain pension administrative expenses in bankruptcy, and for other purposes; to the Committee on the Judiciary.

By Mr. HATCH (for himself and Mr. DODD):

S. 694. A bill to encourage kinship guardianship placements and support payment rate equity for such placements, to improve oversight of State child welfare programs funded under the Social Security Act, to strengthen national data on child fatalities from maltreatment, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CRUZ:

S. Res. 291. A resolution affirming the historical connection of the people to the ancient and sacred city of Jerusalem and condemning efforts at the United Nations Educational, Scientific, and Cultural Organization (UNESCO) to tie the millennium-old historical, religious, and cultural ties to Jerusalem; to the Committee on Foreign Relations.

By Mr. HELLER (for himself, Mr. CORTEZ MASTO, Mr. MCCONNELL, Mr. SCHUMER, Mr. ALEXANDER, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLOMQUIST, Mr. BOOZMAN, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Ms. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Mr. CRAINER, Mr. COLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. DONNELLY, Ms. DUCKWORTH, Mr. DURBIN, Mr. ENZI, Mr. FEINSTEIN, Mr. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mr. GARDNER, Ms. GILLIBRAND, Mr. GRAHAM, Mr. GLEASON, Ms. HARRIS, Ms. HASSAN, Mr. HATCH, Mr. HENRICH, Ms. HIRAKAMURA, Ms. IHRONO, Mr. HOEVEN, Mr. INHOE, Mr. ISAKSON, Mr. JOHNSON, Mr. KENNEDY, Mr. KING, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCLAIN, Mr. MERRILL, Mr. MURAKOSKI, Mr. MURPHY, Mrs. MURRAY,
Mr. NELSON, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCOTT, Mrs. SHEEHEN, Mr. SHELBY, Ms. STABENOW, Mr. STRANGE, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOYNECK, Mr. UDALL, Mr. VAN HOLLEN, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, Mr. WYDEN, and Mr. YOUNG.

S. Res. 292. A resolution condemning the brutal and senseless attack at a country music festival in Las Vegas, Nevada, honoring the memory of the victims of the deadly shooting, offering condolences to, and expressing support for, the families and friends of the victims and all of the individuals who were affected by the attack, and applauding the dedication and bravery of law enforcement officers, firefighters, paramedics, emergency medical technicians, medical professionals, hotel security and staff, and community members who responded to the attack; considered and agreed to.

By Ms. WARREN (for herself, Mr. RUBIO, Ms. KLOBUCAR, Mr. TILLIS, Mr. SCHATZ, Mr. WARNER, Mrs. SHEEHEN, Mrs. MCCASKILL, Ms. DUCKWORTH, Mr. MARKY, Mr. BROWN, Mr. MENENDEZ, and Ms. CORTEZ MASTO):

S. Con. Res. 26. A concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for the unveiling of the American Patriots of War Missing in Action (POW/MIA) Chair of Honor; considered and agreed to.

ADDITIONAL COSPONSORS

S. 58

At the request of Mr. HELLER, the names of the Senator from New Hampshire (Ms. HASSAN), the Senator from Ohio (Mr. BROWN), the Senator from Mississippi (Mr. WICKER) and the Senator from Washington (Mr. BOOZMAN) were added as cosponsors of S. 58, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage.

S. 322

At the request of Mr. PETERS, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 322, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 652

At the request of Mr. Kaine, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 652, a bill to amend the Public Health Service Act to reauthorize a program for early detection, diagnosis, and treatment regarding deaf and hard-of-hearing newborns, infants, and young children.

S. 872

At the request of Mr. GRASSLEY, the name of the Senator from Missouri (Mr. BLUMENTHAL) was added as a cosponsor of S. 872, a bill to amend title XVIII of the Social Security Act to make permanent the extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 948

At the request of Mr. DURBIN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 948, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 1014

At the request of Mrs. FISCHER, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1014, a bill to direct the Secretary of Veterans Affairs to make grants to eligible organizations to provide service dogs to veterans with severe post-traumatic stress disorder, and for other purposes.

S. 1064

At the request of Mr. UDALL, the names of the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Virginia (Mr. Kaine) were added as cosponsors of S. 1064, a bill to amend the Richard B. Russell National School Lunch Act to prohibit the stigmatization of children who are unable to pay for meals.

S. 1132

At the request of Mrs. FEINSTEIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1113, a bill to amend the Federal Food, Drug, and Cosmetic Act to ensure the safety of cosmetics.

S. 1157

At the request of Mr. DURBIN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor 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 treat substance use disorders at certain facilities, and for other purposes.

S. 1168

At the request of Mr. DONNELLY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1453, a bill to allow the Secretary of Health and Human Services to designate certain substance use disorder treatment facilities as eligible for National Health Service Corps service.

S. 1498

At the request of Ms. COLLINS, the names of the Senator from New York (Mr. SCHUMER) and the Senator from California (Ms. HARRIS) were added as cosponsors of S. 1498, a bill to establish in the Smithsonian Institution a comprehensive American women's history museum, and for other purposes.

S. 1568

At the request of Mr. MARKET, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 1568, a bill to require the Secretary of the Treasury to mint coins in commemoration of President John F. Kennedy.

S. 1595

At the request of Mrs. SHAHEEN, the names of the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors 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. 1696

At the request of Ms. DUCKWORTH, the name of the Senator from Massachusetts (Ms. WARRICK) was added as a cosponsor of S. 1696, a bill to amend the Higher Education Act of 1965 to provide greater support to students with dependents, and for other purposes.

S. 1753

At the request of Mr. WARRNER, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 1753, a bill to provide minimal cybersecurity operational standards for Internet-connected devices purchased by Federal agencies, and for other purposes.

S. 1763

At the request of Ms. DUCKWORTH, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1783, a bill to amend the National Voter Registration Act of 1993 to require each State to implement a process under which individuals who are 16 years of age may apply to register to vote in elections for Federal office in the State, to direct the Election Assistance Commission to make grants to States to increase the involvement of minors in public election activities, and for other purposes.

S. 1806

At the request of Mrs. MURRAY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1806, a bill to amend the Child Care and Development Block Grant Act of 1990 and the Head Start Act to promote child care and early learning, and for other purposes.

S. 1823

At the request of Mr. BLUMENTHAL, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 1823, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to clarify that houses of worship are eligible for certain disaster relief and emergency assistance on terms equal to other eligible private nonprofit facilities, and for other purposes.
At the request of Mr. HATCH, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1827, a bill to extend funding for the Children’s Health Insurance Program, and for other purposes.

At the request of Mr. WYDEN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1827, supra.

At the request of Mr. GRASSLEY, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 1842, a bill to provide for wildfire suppression operations, and for other purposes.

At the request of Mr. GARDNER, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 1859, a bill to extend the moratorium on the annual fee on health insurance providers.

At the request of Mr. MANCHIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1911, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the 1974 United Mine Workers of America Pension Plan, and for other purposes.

At the request of Mr. HELLER, his name was added as a cosponsor of S. 1922, a joint resolution removing the deadline for the ratification of the equal rights amendment.

At the request of Mr. CARDDN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S.J. Res. 5, a joint resolution removing the deadline for the ratification of the equal rights amendment.

At the request of Mr. CORNYN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. Res. 278, a resolution expressing condolences to the victims of Hurricane Harvey, Hurricane Irma, and Hurricane Maria, commending the resiliency of the people of Texas, Louisiana, Florida, Puerto Rico, and the United States Virgin Islands, and expressing gratitude to other neighboring States willing to stand by the people of the affected areas during the relief and recovery efforts.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS DURING ADJOURNMENT

On October 13, 2017, under the authority of the order of the Senate of October 5, 2017, the following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ENZI:
S. Con. Res. 25. An original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, from the Committee on the Budget; placed on the calendar.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 291—AFFIRMING THE HISTORICAL CONNECTION OF THE JEWISH PEOPLE TO THE ANCIENT AND SACRED CITY OF JERUSALEM, AND CONDEMNING EFFORTS AT THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION (UNESCO) TO DENY JUDAISM’S MILLENNIUM-OLD HISTORICAL, RELIGIOUS, AND CULTURAL TIES TO JERUSALEM

Mr. CRUZ submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. Res. 291

Whereas for over 3,000 years, Jerusalem has played a central role in the history and identity of the Jewish people;

Whereas Jerusalem is the location of the holiest site for the Jewish people, the Temple Mount, as well as the Western Wall, where Jews from across the world come to pray;

Whereas Jerusalem has been a Christian pilgrimage site for over 2,000 years, and holds considerable religious significance for Christians;

Whereas Jerusalem is home to the third holiest site in Islam, and holds considerable religious significance for Muslims;

Whereas Jerusalem serves as a cultural and religious inspiration to billions of people around the world;

Whereas the United Nations Educational, Scientific, and Cultural Organization (UNESCO) has passed a series of anti-Israel resolutions in recent years regarding Jerusalem, both at the Committee level and by the Executive Board—a governing body of UNESCO;

Whereas these biased resolutions are attempts to erase or minimize the Jewish as well as Christian historical and religious ties to Jerusalem, and unjustly single out our close ally Israel with false accusations and criticism;

Whereas numerous archaeological excavations, such as those taking place in the City of David, Israel’s most archaeologically excavated site, have uncovered a myriad of antiquities which scientifically reaffirm Jerusalem’s historical significance to Judaism as well as Christianity;

Whereas the City of David is the archaeological site of ancient Jerusalem, and is believed to be the very site recorded in the Bible upon which King David established the capital of ancient Israel;

Whereas since 1867, there have been archaeological excavations at the site of the City of David, including international delegations of archaeologists from the United States, England, France, and Germany;

Whereas these excavations have unearthed antiquities from over 10 different civilizations, including Canaanite, Israelite, Roman, Byzantine, and Persian;

Whereas the current excavations of the City of David are carried out under the auspices of the Israel Antiquities Authority, and are held to the highest scientific standards;

Whereas among the most significant archaeological discoveries unearthed from the City of David include the Siloam Inscription (8th century B.C.E.), which recounts the preparations made by King Hezekiah of Judah for the impending Assyrian siege against Jerusalem, consistent with the Biblical account from 2 Kings; clay seal impressions/bullae (6th century B.C.E.) bearing the names of two Judean Government officials who are mentioned in the very same verse in the Bible; Jeremiah 38:1; the Pool of Siloam (1st century B.C.E.), which served during the Second Temple period as a ritual bath for the hundreds of thousands of Jewish pilgrims ascending annually to the Temple, which stood atop the Temple Mount; and the Second Temple Pilgrimage Road (1st century C.E.), which began at the Pool of Siloam and served as the main thoroughfare of Second Temple period Jerusalem that carried hundreds of thousands of people on their annual pilgrimage to the Holy Land;

Whereas the Pilgrimage Road located within the City of David, which stretches 600 meters from the Pool of Siloam to the footsteps of the Western Wall, will be open to visitors upon completion of the excavation; and

Whereas these discoveries affirm the undeniable truth that the City of David, the Western Wall, and the Temple Mount are inextricably linked together—physically, historically, and symbolically—as the bedrock of the connection between the Jewish people and Jerusalem, and have been for millennia: Now, therefore, be it

Resolved. That the Senate—

(1) recognizes and affirms the historical connection of the Jewish people to the ancient and sacred city of Jerusalem;

(2) recognizes and affirms that the archaeological discoveries from the City of David, the site of ancient Jerusalem, present undeniable scientific evidence of the millennia-old connection of Jerusalem to the Jewish people, and, by extension, to Christianity;

(3) commends the Government of Israel for protecting the freedoms of all faiths in Jerusalem including Jews, Christians, and Muslims, ensuring their access to holy sites so that they may worship freely;

(4) condemns any past, present, or future efforts at UNESCO to delegitimize Israel through attempts to rewrite and deny the history of Jerusalem; and

(5) encourages the United States to continue working with allies to prevent UNESCO from passing biased and unjust anti-Israel resolutions in the future.

Mr. HILLER (for himself, Ms. CORTEZ MASTO, Mr. MCCONNELL, Mr. SCHUMER, Mr. ALEXANDER, Ms. BIDEN, Mr. BARRASSO, Ms. BLUMENTHAL, Mr. BURNT, Ms. BISHOP, Mr. BOOZMAN, Mr. BROWN, Mr. BURRE, Ms. CANTWELL, Mr. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Mr. COCHRAN, Mr. COLLINS, Mr. CONNERS, Mr. COOPER, Mr. CORrea, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. DONNELLY, Ms. DUCKWORTH, Mr. DURBIN, Mr. ENZI, Ms. EINSTEIN, Mrs. FEINSTEIN, Mr. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mr. GARLAND, Ms. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Ms. HARRIS, Ms. HASSAN, Mr. HATCH, Mr. HENRICH, Ms. HKTTPAK, Ms. HRONO, Mr. HOEVEN, Mr. HINOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. Kaine, Mr. Kennedy, Mr. King, Ms. KLOBUCAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. McCaIN, Mrs. McCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Mr. MORAN, Ms. MORUKOSKI, Mr. MURPHY, Mrs. MURPHY, Mr. PALIN, Mr. PERRY, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCOTT, Mr. SHERAKEN, Ms. SHELBY, Ms. STABENOW, Mr. SULLIVAN, Mr. Tester, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. VAN HOLLEN, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, Mr. WYDEN, and Mr. YOUNG) submitted the following resolution; which was considered and agreed to:

S. Res. 292

Whereas, in the late hours of Sunday, October 1, 2017, a 64-year-old man from Mesquite, Nevada, opened fire and wounded more than 500 innocent individuals in a horrific attack at the Route 91 Harvest festival in Las Vegas, Nevada, with more than 22,000 individuals in attendance;

Whereas President Donald Trump called the attack an act of pure evil and said that unity cannot be shattered by evil and that the brave men and women of the United States cannot be broken by violence;

Whereas the attack is the deadliest mass shooting in the modern history of the United States;

Whereas the Las Vegas Metropolitan Police Department and other law enforcement professionals within the city of Las Vegas and Clark County, Nevada, including emergency response teams from Henderson and North Las Vegas, the Nevada Department of Public Safety, the Nevada Bureau of Investigation, the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Department of Justice, the Department of Homeland Security, military and veterans’ health care professionals, and other emergency and health care professionals responded to the attack bravely, admirably, and in a coordinated manner, saving many lives; Whereas doctors, nurses, paramedics, and other medical professionals worked around the clock under harrowing circumstances to provide life-saving care for hundreds of victims; Whereas, during the attack, countless civilians selflessly assisted victims and, following this:

(1) hundreds of individuals stood in long lines to donate blood for those who were injured in the attack; and

(2) the people of Las Vegas, the State of Nevada, and the United States expressed overwhelming financial, physical, and emotional support for the victims and the families of the victims;

Whereas local organizations, businesses, and caregivers came together with Federal, State, and local governments and emergency services to support the victims and help the community heal; and

Whereas Nevada has a vibrant and renowned tourism economy that will continue to thrive, attracting and welcoming millions of visitors from across the United States and internationally, and emergency management officials will diligently dedicate local and Federal resources to boost public safety and security in Las Vegas, Nevada; Now, therefore, be it

Resolved, That the Senate—

(1) condemns the horrific attack at the Route 91 Harvest festival in Las Vegas, Nevada, on October 1, 2017, in which 58 innocent individuals were killed and more than 500 innocent individuals were injured; and

(2) honors the memory of the victims killed in the attack and offers heartfelt condolences and deepest sympathies to the families, loved ones, and friends of the victims;

(3) expresses hope for a full and speedy recovery by, and pledges continued support for, those who were injured in the attack;

(4) offers compassion to those who attended the event, but were not physically injured, and are dealing with symptoms of post-traumatic stress or seeking grief counseling;

(5) recognizes the spirit and resilience of the Las Vegas and Nevada communities; and

(6) applauds the dedication and bravery of local, State, and Federal law enforcement and counterterrorism officials and emergency response teams, and those who were injured in the attack, and for their coordinated efforts in responding to the attack, securing the community, and providing treatment.

SENATE CONCURRENT RESOLUTION 26—AUTHORIZING THE USE OF THE EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR THE UNVEILING OF THE AMERICAN PRISONERS OF WAR/MISSING IN ACTION (POW/MIA) CHAIR OF HONOR

Ms. WARREN (for herself, Mr. RUBIO, Ms. KLOBUCAR, Mr. TILLIS, Ms. ROUNDS, Mr. WARNER, Mrs. SHAHEEN, Mrs. MCCASKILL, Mr. DUCKWORTH, Mr. MARKEY, Mr. Menendez, and Ms. CORTEZ MASTO) submitted the following concurrent resolution; which was considered and agreed to:

S. Con. Res. 26

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR UNVEILING OF THE AMERICAN PRISONERS OF WAR/MISSING IN ACTION (POW/MIA) CHAIR OF HONOR.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used for an event on November 8, 2017, to unveil the American Prisoners of War/Missing in Action (POW-MIA) Chair of Honor.

(b) PREPARATIONS.—Physical preparations for the conduct of the ceremony described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1111. Mr. Kaine submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 25, setting forth the congressional budget for the United States Government for fiscal year 2018 and any subsequent fiscal years, that the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table.

SA 1112. Mr. McConor (for Mr. Hatch) proposed an amendment to the bill S. 785, to amend the National Child Protection Act of 1993 to establish a voluntary 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 for other purposes; which was ordered to lie on the table.

SA 1113. Mr. McConor (for Mr. Hatch) proposed an amendment to the bill S. 705, supra.

SA 1114. Mr. McConor (for Mr. Hatch) proposed an amendment to the bill H.R. 695, to amend the National Child Protection Act of 1993 to establish a voluntary 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 for other purposes; which was ordered to lie on the table.

SA 1115. Mr. McConor (for Mr. Hatch) proposed an amendment to the bill H.R. 695, supra.

TEXT OF AMENDMENTS

SA 1111. Mr. Kaine submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 25, setting forth the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027; which was ordered to lie on the table; as follows:

On page 83, line 19, strike “Sections 3205 and 3205” and insert “Section”. On page 83, line 19, strike “are” and insert “is”.

At the end of subtitle A of title IV, add the following:

SEC. 4114. PROHIBITION ON AGREEING TO CERTAIN LEGISLATION WITHOUT A SCORING IN THE SENATE.

(a) In General.—In the Senate, it shall not be in order to vote on the adoption of a covered amendment to a bill or resolution that requires an estimate under section 402 of the
SA 1112. Mr. MCCONNELL (for Mr. HATCH) proposed an amendment to the bill S. 705, to amend the National Child Protection Act of 1989 to establish a voluntary 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 for other purposes; as follows:

The National Child Protection Act of 1993 (34 U.S.C. 1001 et seq.) is amended—

(1) in section 3 (34 U.S.C. 3002)—

(A) by amending paragraph (9) to read as follows:

(9) the term ‘covered individual’ means an individual—

(i) through which the State or designated entity, as the case may be, may determine that a covered individual who is the subject of a background check under subsection (a) is disqualified for a crime specified in subsection (f)(2), (f)(3), or (f)(4); (ii) which shall be consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.); (iii) in paragraph (3), by inserting after ‘authorized agency’ the following: ‘or designated entity, as applicable’; and (iv) in paragraph (4), by inserting after ‘authorized agency’ the following: ‘or designated entity, as applicable.’

(2) Federal program.—In the case of a national criminal history background check and criminal history review conducted pursuant to the procedures established pursuant to subsection (a)(3), the fees collected by authorized State agencies and the Federal Bureau of Investigation may not exceed the actual cost of the background check conducted with fingerprints.

(3) Ensuring Fees Do Not Discourage Volunteers.—A fee system under this subsection shall be designed in a manner that ensures that fees to qualified entities for background checks do not discourage volunteers from participating in programs to care for children, the elderly, or individuals with disabilities. A fee charged to a qualified entity that is not organized under section 501(c)(3) of the Internal Revenue Code of 1986 may not be less than the total sum of the costs of the Federal Bureau of Investigation and the designated entity, as applicable.

The term ‘covered individual means an individual—

(i) who seeks to have, or may have access to, the elderly or individuals with disabilities; and

(ii) in the case of a covered individual who has, seeks to have, or may have access to the elderly or individuals with disabilities; has been convicted of any criminal offense relating to the abuse, exploitation, or neglect (as those terms are defined in section 2011 of the Social Security Act (42 U.S.C. 1395b)) of an elder or an individual with disabilities; and

(2) in section 5 (34 U.S.C. 4004)—

(A) by amending paragraph (9) to read as follows:

(9) in the case of a covered individual who has, seeks to have, or may have access to the elderly or individuals with disabilities, has been convicted of any criminal offense relating to the abuse, exploitation, or neglect of an elder or an individual with disabilities; and

(B) the State or in a State that does not have in effect procedures described in subsection (a)(1), the designated entity, as applicable, shall ensure the recovery of the full costs of the background check conducted pursuant to the Federal Bureau of Investigation.

(2) Criminal History Review.—

(A) designated entities.—The Attorney General shall designate procedures described in paragraph (1), make a determination of fitness described in subsection (b)(4), using the criteria described in subparagraph (C).

(B) Determinations.—A designated entity shall, upon the receipt of the information described in paragraph (1), make a determination of fitness described in subsection (b)(4), using the criteria described in subparagraph (C).

(C) Criminal History Review Criteria.—A covered individual may be determined to be unfit under subsection (b)(4) if the covered individual—

(i) refuses to consent to a criminal background check under this section;

(ii) knowingly makes a materially false statement in connection with a criminal background check under this section;

(iii) is registered, or is required to be registered, on a State sex offender registry or repository or the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (34 U.S.C. 20901 et seq.);

(iv) has been convicted of a felony consisting of—

(I) murder, as described in section 1111 of title 18, United States Code;

(II) child abuse or neglect;

(III) a crime against children, including child pornography;

(IV) spousal abuse;

(V) a crime involving rape or sexual assault;

(VI) kidnapping;

(VII) arson;

(VIII) pollution or the unlawful discharge of pollutants into water;

(IX) a drug-related offense committed during the preceding 5 years;

(X) has been convicted of a violent misdemeanor committed as an adult against a child, including—

(i) child abuse;

(ii) child endangerment;

(iii) sexual assault; or

(iv) of a misdemeanor involving a child;

(v) in the case of a covered individual who has, seeks to have, or may have access to the elderly or individuals with disabilities, has been convicted of any criminal offense relating to the abuse, exploitation, or neglect (as those terms are defined in section 2011 of the Social Security Act (42 U.S.C. 1395b)) of an elder or an individual with disabilities; and

(2) in paragraph (3), by striking paragraph (2) and inserting—

(ii) knowingly makes a materially false statement in connection with a criminal background check under this section;

(iii) has been convicted of a violent misdemeanor committed as an adult against a child, including—

(I) murder, as described in section 1111 of title 18, United States Code;

(II) child abuse or neglect;

(III) a crime against children, including child pornography;

(IV) spousal abuse;

(V) a crime involving rape or sexual assault;

(VI) kidnapping;

(VII) pollution or the unlawful discharge of pollutants into water;

(VIII) a drug-related offense committed during the preceding 5 years;

(X) has been convicted of a violent misdemeanor committed as an adult against a child, including—

(i) child abuse;

(ii) child endangerment;

(iii) sexual assault; or

(iv) of a misdemeanor involving a child;

(v) in the case of a covered individual who has, seeks to have, or may have access to the elderly or individuals with disabilities, has been convicted of any criminal offense relating to the abuse, exploitation, or neglect (as those terms are defined in section 2011 of the Social Security Act (42 U.S.C. 1395b)) of an elder or an individual with disabilities; and
"(i) is employed by or volunteers with, or seeks to be employed by or volunteer with, a qualified entity; or

(ii) owns or operates, or seeks to own or operate, a qualified entity.";

(B) in paragraph (10), by striking "and" at the end;

(C) in paragraph (11), by striking the period at the end and inserting "; and"

(D) by inserting after paragraph (11) the following:

"(12) the term ‘designated entity’ means an entity designated by the Attorney General under section 3(f)(2)(A)."

SEC. 3. EFFECTIVE DATE.

This Act and the amendments made by this Act shall be implemented by not later than 1 year after the date of enactment of this Act.

SA 1113. Mr. MCCONNELL (for Mr. HATCH) proposed an amendment to the bill S. 705, to amend the National Child Protection Act of 1993 to establish a voluntary 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 for other purposes; as follows:

Amend the title so as to read: "A bill to amend the National Child Protection Act of 1993 to establish a voluntary 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 for other purposes;--"

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Child Protection Act of 2017."

SEC. 2. NATIONAL CRIMINAL HISTORY BACKGROUND CHECK AND CRIMINAL HISTORY REVIEW PROGRAM.

The National Child Protection Act of 1993 (31 U.S.C. 40101 et seq.) is amended—

(1) in section 3 (31 U.S.C. 40102)—

(A) by striking "provider" each place it appears in "background individual";

(B) by striking "provider’s" each place it appears and inserting "covered individual’s";

(C) by amending subsection (a)(3) to read as follows:

"(3)(A) The Attorney General shall establish a program, in accordance with this section, to provide qualified entities located in States that do not have in effect criminal history background checks on, and criminal history reviews of, covered individuals.

(B) A qualified entity described in subparagraph (A) may submit to the appropriate designated entity a request for a national criminal history background check on, and a criminal history review of, a covered individual. Qualified entities making a request under this paragraph shall comply with the guidelines set forth in subsection (b), and procedures set forth by the Attorney General or by the State in which the entity is located.

(C) In subsection (b) —

(i) in paragraph (1)(A), by striking "unsupervised";

(ii) by striking paragraph (2) and inserting the following:

"(2)(A) The State, or a State in which a background check conducted pursuant to this section is required to be conducted, shall be subject to a fingerprint-based check of the national criminal history background check system, upon request from a qualified entity, and provide the information received in response to such national criminal history background check to the appropriate designated entity. The designated entity may, upon request from a qualified entity, complete a check of a State criminal history database.

(D) in subsection (b) —

(i) by striking paragraph (2) and inserting the following:

"(2) The Attorney General may not designate an entity that has not in effect procedures described in subsection (a)(1), the designated entity, may allow for a review process—

(i) through which the State or designated entity, as the case may be, may determine that a covered individual who is the subject of a background check under subsection (a) is disqualified for a crime specified in subsection (f)(2)(C); and

(ii) the appeals process is completed in a timely manner for each covered individual described in clause (i); and

(B) the State, or in a State that does not have in effect procedures described in subsection (a)(1), the designated entity, may allow for a review process—

(i) through which the State or designated entity, as the case may be, may determine that a covered individual who is the subject of a background check under subsection (a) is disqualified for a crime specified in subsection (f)(2)(C); and

(ii) the appeals process is completed in a timely manner for each covered individual described in clause (i); and

(C) by amending subsection (a)(3) to read as follows:

"(3)(A) Designated entities.—The Attorney General shall designate, and enter into an agreement with, one or more entities to make determinations described in subsection (b)(4), using the criteria described in subparagraph (C).

(D) in subsection (b) —

(i) by striking paragraph (2) and inserting the following:

"(2) The Attorney General may not designate an entity that has not in effect procedures described in subsection (a)(1), the designated entity, may allow for a review process—

(i) through which the State or designated entity, as the case may be, may determine that a covered individual who is the subject of a background check under subsection (a) is disqualified for a crime specified in subsection (f)(2)(C); and

(ii) the appeals process is completed in a timely manner for each covered individual described in clause (i); and

(B) the State, or in a State that does not have in effect procedures described in subsection (a)(1), the designated entity, may allow for a review process—

(i) through which the State or designated entity, as the case may be, may determine that a covered individual who is the subject of a background check under subsection (a) is disqualified for a crime specified in subsection (f)(2)(C); and

(ii) the appeals process is completed in a timely manner for each covered individual described in clause (i); and

(C) by amending subsection (a)(3) to read as follows:

"(3)(A) The Attorney General shall establish a program, in accordance with this section, to provide qualified entities located in States that do not have in effect criminal history background checks on, and criminal history reviews of, covered individuals.

(B) A qualified entity described in subparagraph (A) may submit to the appropriate designated entity a request for a national criminal history background check on, and a criminal history review of, a covered individual. Qualified entities making a request under this paragraph shall comply with the guidelines set forth in subsection (b), and procedures set forth by the Attorney General or by the State in which the entity is located.

(C) In subsection (b) —

(i) in paragraph (1)(A), by striking "unsupervised";

(ii) by striking paragraph (2) and inserting the following:

"(2)(A) The State, or in a State that does not have in effect procedures described in subsection (a)(1), the designated entity, may allow for a review process—

(i) through which the State or designated entity, as the case may be, may determine that a covered individual who is the subject of a background check under subsection (a) is disqualified for a crime specified in subsection (f)(2)(C); and

(ii) the appeals process is completed in a timely manner for each covered individual described in clause (i); and

(C) by amending subsection (a)(3) to read as follows:

"(3)(A) Designated entities.—The Attorney General shall designate, and enter into an agreement with, one or more entities to make determinations described in subsection (b)(4), using the criteria described in subparagraph (C).
HATCH) proposed an amendment to the
follows:

their employment, have access to chil-
certain individuals who, related to
criminal history review program for
crime background check system and
lish a voluntary national criminal his-
Child Protection Act of 1993 to estab-
ish. This Act and the amendments made by
this Act shall be fully implemented by not
later than 1 year after the date of enactment of
this Act.

SA 1115. Mr. McConnell (for Mr. Hatch) proposed an amendment to the bill H.R. 695, to amend the National Child Protection Act of 1993 to estab-
lish a voluntary national criminal his-
tory background check system and criminal history review program for
certain individuals who, related to
their employment, have access to chil-
dren, the elderly, or individuals with disabil-
ities, and for other purposes; as follows:

Amend the title so as to read: ‘‘A bill to amend the National Child Protection Act of 1993 to estab-
lish a voluntary national criminal his-
tory 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 for other purposes.’’

NOTICE: REGISTRATION OF MASS
MAILINGS

The filing date for the 2017 third
quarter Mass Mailing report is Wednes-
day, October 25, 2017. An electronic op-
tion is available on Webster that will
allow forms to be submitted via a fillable
pdf document. If your office did
not receive these forms during this period, please submit a form that states ‘‘none.’’

Mass mailing registrations or nega-
tive reports can be submitted elec-
tronically or delivered to the Senate
Office of Public Records, 222 Hart
Building, Washington, DC 20510-7116.

The Senate Office of Public Records is open from 9:00 a.m. to 6:00 p.m. For
further information, please contact the
Senate Office of Public Records at (202)
224-0322.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the majority leader,
pursuant to Public Law 96-114, as
amended, appoints the following indi-
vidual to the Congressional Award
Board: Laura O’Conner of Utah.

RECONCILING THE 11 AFRICAN-
AMERICAN SOLDIERS OF THE
333RD FIELD ARTILLERY BAT-
TALION WHO WERE MASSACRED
IN WERTH, BELGIUM, DURING THE
BATTLE OF THE BULGE

Mr. McConnell. Mr. President, I
ask unanimous consent that the Sen-
ate Armed Services Committee be dis-
charged from further consideration of
S. Res. 99 and the Senate proceed to its
immediate consideration.

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

The clerk will report the resolution
by title.

The senior assistant legislative clerk
read as follows:

A resolution (S. Res. 99) recognizing the 11
African-American soldiers of the 333rd Field
Artillery Battalion who were massacred in
Wereth, Belgium, during the Battle of the
Bulge in December 1944.

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

Mr. McConnell. Mr. President, I
further ask unanimous consent that
the resolution be agreed to, the pre-
amble be agreed to, and the motions to
reconsider be considered made and laid
upon the table with no intervening ac-
tion or debate.

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

The resolution (S. Res. 99) was agreed
to.

The preamble was agreed to.

(The resolution, with its preamble, is
printed in the RECORD of March 27, 2017,
under ‘‘Submitted Resolutions.’’)

CONDEMNING THE BRUTAL AND
SENSELESS ATTACK AT A COUNTRY
MUSIC FESTIVAL IN LAS VEGAS, NEVADA

Mr. McConnell. Mr. President, I
ask unanimous consent that the Sen-
ate proceed to the consideration of S.
Res. 292, submitted earlier today.

The PRESIDING OFFICER. The
clerk will report the resolution by

The senior assistant legislative clerk
read as follows:

A resolution (S. Res. 292) condemning the
brutal and senseless attack at a country
music festival in Las Vegas, Nevada, hon-
oring the memory of the victims of the dead-
ly shooting, offering condolences to, and
expressing support for, the families and friends of
the victims and all of the individuals who
were affected by the attack, and applauding
the dedication and bravery of law enforce-
ment officers, firefighters, paramedics, emer-
gency medical technicians, medical profes-
sionals, hotel security and staff, and commu-
nity members in responding to the attack.

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

Mr. McConnell. Mr. President, I
ask unanimous consent that the reso-

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

The resolution (S. Res. 292) was agreed
to.

The preamble was agreed to.

(Submitted Resolutions.’’)

AUTHORIZING USE OF
EMANCIPATION HALL

Mr. McConnell. Mr. President, I
ask unanimous consent that the Sen-
ate proceed to the immediate consider-

The resolution (S. Res. 292) was

The senior assistant legislative clerk
read as follows:

A concurrent resolution (S. Con. Res. 26)
authorizing the use of Emancipation Hall in
the Capitol Visitor Center for the unveiling of
the American Prisoners of War/Missing in
Action (POW/MIA) Chair of Honor.

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

Mr. McConnell. Mr. President, I
further ask unanimous consent that
the concurrent resolution be agreed to
and the motion to reconsider be consid-
ered made and laid upon the table with
no intervening action or debate.

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

The concurrent resolution (S. Con.
Res. 26) was agreed to.

(Submitted Resolutions.’’)

CHILD PROTECTION
IMPROVEMENTS ACT OF 2017

Mr. McConnell. Mr. President, I
ask unanimous consent that the Senate
proceed to the immediate consider-

The resolution (S. Con. Res. 26) was

The senior assistant legislative clerk
read as follows:

A bill (S. 705) to amend the National Child
Protection Act of 1993 to establish a national
criminal history background check system and

There being no objection, the Senate
proceeded to consider the bill, which
had been reported from the Committee
SEC. 2. NATIONAL CRIMINAL HISTORY BACKGROUND CHECK AND CRIMINAL HISTORY REVIEW PROGRAM.

The National Child Protection Act of 1993 (42 U.S.C. 5119 et seq.) is amended—

(1) in section 3 (42 U.S.C. 5119a)—

(A) by striking “provider” each place it appears and inserting “covered individual”;

(B) by striking “provider’s” each place it appears and inserting “covered individual’s”;

(C) by amending subsection (a)(3) to read as follows:

“(3) The Attorney General shall establish a program, in accordance with this section, to provide qualified entities located in States that do not have in effect procedures described in paragraph (1), or qualified entities located in States that do not prohibit the use of the program established under this paragraph, with access to national criminal history background checks on, and criminal history reviews of, covered individuals.

“(B) A qualified entity described in subparagraph (A) may submit to the appropriate designated entity a request for a national criminal history background check on, and a criminal history review of, a covered individual. Qualified entities making a request under this paragraph shall comply with the guidelines set forth in subsection (b), and with any additional applicable procedures set forth by the Attorney General or by the State in which the entity is located.”;

(D) in subsection (b)—

(i) in paragraph (1)(E), by striking “unsupervised”;

(ii) in paragraph (2)—

(A) by redesignating subparagraphs (A) and (B) as (A) and (B), respectively;

(B) in the matter preceding clause (i), as so redesignated, by striking “that each covered individual who is the subject of a background check conducted pursuant to the procedures established pursuant to subsection (a)(3), or any successor thereto.”;

(iii) in paragraph (3), insert after “authorized agency” the following: “or designated entity”;

(iv) in paragraph (4), insert after “authorized agency” the following: “or designated entity, as applicable.”;

(E) in subsection (c), insert after “officer or employee thereof,” the following: “; nor shall any designated entity or any officer or employee thereof.”;

(F) in subsection (d)(3), insert after “application or in a manner” the following:

“(e) FEES.—

“(1) STATE PROGRAM.—In the case of a background check conducted pursuant to a State requirement adopted after December 20, 1993, conducted with fingerprints on a qualified entity by authorized State agencies and the Federal Bureau of Investigation may not exceed eight dollars, respectively, or the actual cost, whichever is less, of the background check conducted with fingerprints.

“(2) FEDERAL PROGRAM.—In the case of a national criminal history background check and criminal history review conducted pursuant to the procedures established pursuant to subsection (a)(3), the designated entity shall be set at a level that will ensure the recovery of the full costs of providing all such services. The designated entity shall retain the appropriate portion of any such fee pursuant to the Attorney General, which amount is in accordance with the amount published in the Federal Register to be collected for the provision of a criminal history background check by the Federal Bureau of Investigation.

“(3) ENSURING FEES DO NOT DISCOURAGE VOLUNTARY VIGILANCE.—A fee system under this subsection shall be established in a manner that ensures that fees to qualified entities for background checks do not discourage volunteers from providing services to care for children, the elderly, or individuals with disabilities. A fee charged to a qualified entity that is not organized under section 501(c)(3) of the Internal Revenue Code of 1986 may not be less than the total sum of the costs of the Federal Bureau of Investigation and the designated entity;”;

(G) by inserting after subsection (e) the following:

“(f) NATIONAL CRIMINAL HISTORY BACKGROUND CHECK AND CRIMINAL HISTORY REVIEW PROGRAM.—Upon a designated entity receiving notice of a request submitted by a qualified entity pursuant to subsection (a)(3), the designated entity shall forward the request to the Attorney General, who shall, acting through the Director of the Federal Bureau of Investigation, complete a fingerprint-based check of the national criminal history background check system, and provide the information received in response to a request for a criminal history background check to the designated entity. The designated entity may, upon request from a qualified entity, complete a check of a State criminal history database.

“(g) CRIMINAL HISTORY REVIEW.—

“(A) DESIGNATED ENTITIES.—The Attorney General shall, and enter into an agreement with, one or more entities to make determinations described in paragraph (2). The Attorney General may not designate more than one entity to operate, a qualified entity. * * * * * * *;

“(B) DETERMINATIONS.—A designated entity shall, upon the receipt of the information described in paragraph (1), make a determination of fitness described in subsection (b)(4), using the criteria described in subparagraph (C).

“(C) CRIMINAL HISTORY REVIEW CRITERIA.—The Attorney General shall, by rule, establish the criteria for use by designated entities in making a determination of fitness described in subsection (b)(4). Such criteria shall be based on the criteria established pursuant to section 108(a)(3)(G)(i) of the Prosectorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (42 U.S.C. 5119a note).”;

(2) in section 5 (42 U.S.C. 5119c) —

(A) by amending paragraph (9) to read as follows:

“(9) the term ‘covered individual’ means an individual who has, seeks to have, or may have access to children, the elderly, or individuals with disabilities, served by a qualified entity;

(B) in paragraph (10), by striking “and” at the end;

(C) in paragraph (11), by striking the period at the end and inserting “; and”;

(D) by inserting after paragraph (11) the following:

“(12) the term ‘designated entity’ means an entity designated by the Attorney General under section 3(f)(2)(A).”;

SEC. 3. EFFECTIVE DATE.

This Act shall be fully implemented by not later than 1 year after the date of enactment of this Act.

Mr. McConnell. Mr. President, I ask unanimous consent that the committee-reported amendments be withdrawn, the Hatch substitute amendment be considered and agreed to, the bill, as amended, be considered read a third time and passed, the title amended so as to do, and the motions to reconsider be considered made and laid upon the table.

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

The committee-reported amendments were withdrawn.

The amendment (No. 1112) in the nature of a substitute was agreed to.

The amendment (printed in today’s RECORD under “Text of Amendments.”) was agreed to. Amendment (No. 1113) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: “A bill to amend the National Child Protection Act of 1993 to establish a voluntary 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 for other purposes.”.

CHILD PROTECTION IMPROVEMENTS ACT OF 2017

Mr. McConnel. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 695 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 695) to amend the National Child Protection Act of 1993 to establish a voluntary 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 for other purposes.

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

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Hatch substitute amendment at the desk be considered and agreed to, the bill, as amended, be considered read a third time and passed, the title amendment be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The amendment (No. 1114) in the nature of a substitute was agreed to.

(The amendment is printed in today’s Record under “Text of Amendments.”)

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 695), as amended, was passed.

The amendment (No. 1155) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: “A bill to amend the National Child Protection Act of 1993 to authorize a voluntary 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 for other purposes.”

ORDERS FOR TUESDAY, OCTOBER 17, 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, October 17; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to the 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 Trachtenberg nomination under the previous order; finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:44 p.m., adjourned until Tuesday, October 17, 2017, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:
To be rear admiral (lower half) 

**IN THE AIR FORCE**

The following named officers for appointment in the grade indicated in the regular air force under title 10, u.s.c., section 624:

Christopher M. Parker
Wayne A. Perrell
Kyle N. Perry
Angela K. Phillips
Elizabeth R. Phillips
Shannon D. Pirczek
David D. Poneky
Mark J. Pommerleau
Kimberly Ann Pooler
John W. Powell
Krisha A. Pretorius
Christofferson A. Price
Tiffany J. Frochowska
Maj. Harold J. Rehfeld
Michelle L. Rennu
Rachel Dallaire Rhodes
Cathy A. Riholt
Jenifer L. Roberts
Paige L. Ross
Kerrin A. Sanders
Jesica M. Sand
Christopher A. Schaefer
Stacey J. Schneid
Jesica M. Schreiber
Donald W. Sklar, Jr.
Andrew R. Severns
Jonathan Shin
Danielle L. Shiffler
Michelle A. Atwood
Tobias K. Stennis
Thomas A. Stallworth
Brendon A. Taylor
Jennifer L. Terrebonne
John J. Thompson
Daniel C. Thero
Kevin J. Thyssen
Brad S. Thiery
Hedda L. Tian
Malchik B. Traore
Shahidofy Udarte
Christian V. Valls
Kasandra M. Van Meter
Peter B. Verner
Jonathan Paul Virgini
Catherine A. Volenrek
Michael A. Volkmer
Carol D. Walker
Latasha A. Westfall
Joshua V. Williams
Samuel B. Williams
Lawrence J. Wilson
Naomi L. Winterheild
Bart D. Winters
Sarah M. Womack
Mandee Lou Yates
June J. Yi
Erik M. Young
Shenika A. Zarobeh
Kristina M. Zucakensi

To be lieutenant colonel

**IN THE ARMY**

The following named officers for appointment in the grade indicated in the regular army under title 10, u.s.c., section 624:

Edward T. Chang
Michael T. Cavender
Christopher L. Case, Jr.
Rudolph A. Cartier III
Ebonee B. Carter
Robert C. Candelario
Ryan V. B. Burchard
Matthew E. Bryant
Alaina M. Brelin
Cyrus C. Bowers
John F. Bonner
Bart L. Borns
Rafiq Benabda
Jesse W. Belling
P. J. Belling
Erica T. Belling
Tiffani J. Prochaska
Kristoffer A. Price
Josh T. Powell
Kimberly Ann Pooler
John W. Powell
Krisha A. Pretorius
Christofferson A. Price
Tiffany J. Frochowska
Maj. Harold J. Rehfeld
Michelle L. Rennu
Rachel Dallaire Rhodes
Cathy A. Riholt
Jenifer L. Roberts
Paige L. Ross
Kerrin A. Sanders
Jesica M. Sand
Christopher A. Schaefer
Stacey J. Schneid
Jesica M. Schreiber
Donald W. Sklar, Jr.
Andrew R. Severns
Jonathan Shin
Danielle L. Shiffler
Michelle A. Atwood
Tobias K. Stennis
Thomas A. Stallworth
Brendon A. Taylor
Jennifer L. Terrebonne
John J. Thompson
Daniel C. Thero
Kevin J. Thyssen
Brad S. Thiery
Hedda L. Tian
Malchik B. Traore
Shahidofy Udarte
Christian V. Valls
Kasandra M. Van Meter
Peter B. Verner
Jonathan Paul Virgini
Catherine A. Volenrek
Michael A. Volkmer
Carol D. Walker
Latasha A. Westfall
Joshua V. Williams
Samuel B. Williams
Lawrence J. Wilson
Naomi L. Winterheild
Bart D. Winters
Sarah M. Womack
Mandee Lou Yates
June J. Yi
Erik M. Young
Shenika A. Zarobeh
Kristina M. Zucakensi

**CONGRESSIONAL RECORD — SENATE**

October 16, 2017
To be colonel

KATHERINE M. LEONARD
MUO Y. LIM
ADAHANNA N. LONG
TRACY V. LOVE
QUAN M. LOWNIC
ALEXANDER D. MARLEY
JOHANNA G. MAROWSKY
ERIC J. MARSHALL
DAVID W. MARTELL
JENNIFER H. MASEL
JASON MATTHEW, JR.
KIMBERLEY A. MAXWELL
DANIEL R. MAY
PATRICIA S. MCADAMS
JOHN G. MCCARTY
JASON C. MCCARTT
BENJAMIN J. McCOLLUM
IAN S. McDOUGALL
MEGHAN J. MCHENRY
CHRISTIAN J. MCKINNIS
TYLER S. MCMIKAN
ALLEN A. MEBER
AYEISHA M. MEGJ
LINDA Y. MELZERS
ALICE E. MILLER
ELIZABETH A. MILLER
KEITH D. MOPPITT
AMINA MOGHUL
GORDON MOK
MARIO A. MORALES
ROBERT L. MORGAN
MATT W. MORESBY
KATHRYN M. MOREY
MELISSA A. MYERS
JASON J. NAM
ZACHARY S. NEUBRITZ
JILLIAN K. NEWSOME
MATTWATH P. NILAN
FAITH A. NIBER
MARY A. NOEL
CHRISTOPHER J. OCHIENG
JORDAN T. OCHIENG
ANDREW W. OSETT
RICHARD S. OTTO
ERIKA A. OVEBEKKWAGER
DAVID T. PADRO
BRANTON P.
RYAN M. PAOLINO
GRACE E. PARK
MELANIE V. PARM
BRANDON M. PENIX
KIPSTON M. PETERS
KEITH F. PETRUSEN
BRIAN M. FETTI
CHRISTOPHER K. T. PHAM
NGAC P. PHAM
FRANCO D. PHAN
JONATHAN H. PICCKETT
SARAH B. PLACER
TOM K. POLLINGER
BRIAN C. POMERANTZ
BRIAN D. POMEROY
ROBERT A. POWELL
TYLER A. POWELL
ZACHARY A. FOTHER
LYNN A. FRENTZ
VICTORIA M. FRIEDSTICK
RICHARD L. FURBELL
NATHASIA J. FUTURE
REBROCA J. RADCLIFFE
FRANK J. RAGUINSON, JR.
JONATHAN H. RAMVUSSON
JOHN M. RAWLINGS
NIPHA P. REED
MATT W. REECE
JASON L. REED
BRADY W. REESE
ERIKA S. REESE
CHRISTINA F. REMMER
SHANNON P. RENTFROW
AARON D. ROBERTS
BENJAMIN C. ROBERTS
AMANDA L. RODRIGUEZ
MANTOE ROGERIO
JASON J. ROSS
ANN A. ROMAGNOLI
CESAR J. ROSA
ASHLEY A. ROSELLI
JASON E. ROBSTEDT
ERIC J. ROBYTTON
WILLIAM D. RUMBAUGH
RAY R. SABRELL
ADRIAN M. SALAZAR
CAROLYN A. SALTER
JOHN S. SAUNDERS
KURT R. SCHAPERA
WAYNE C. SCHMIDT, JR.
DAVID F. SCHMITT
ALICIA N. SCHMIDT
KAY R. SIDARSKY
FRANCIS J. SEIGER
NIHL J. SHAH
BRIAN J. SHIGEWA
JULIAN B. SHILBEY
DOBOROTH SHUM
SAMUH N. SILOPOLO
JENNIA L. SILAKOSKI
NICOLE M. SILVA
NICOLA S. SILVERSTEIN
BRAD D. SIMONELLA
MAXWELL R. SHERIN
DR. R. SLAGER
BRITT L. SMITH
LAPORITA J. SMITH
STEPHANIE S. SMITH
ZACHARY D. SMITH

CHARLES P. SMOOT
SARAH B. SNYDER
KYLE SONOL
CHRISTOPHER C. SQUIRES
STEPHEN K. STACY
GREGORY J. STEVENS
JAY S. STEWART
JAMES A. STEWART
RODGER R. STITT
GEORGE W. STITFORD
ADAM G. STRAIT
SCOTT SULLIVAN
VICTORIA F. SULLIVAN
RICHARD C. SWEDESKA
MICHAEL C. SWIFT
MICHAEL S. SWITZER
CHRISTOPHER M. TARNY
DAVID J. TENSEN
CONNIE L. THOMPSON
RICHARD L. THOMAS
DAVID P. TOLMAN
THOMAS A. TOKARZ
ANTHONY M. TOLISANO
THOMAS H. TONKIN
DANIEL J. TSANG
ERIC K. TURNER
REBECCA E. VAUTERBROOK
TREASCH C. VARGO
CHRISTOPHER P. VAUGHNS
KEVIN M. KEATH
JENNIFER L. VIDA
JAYE R. VOLZ
ALANA M. WADW
BRIAN S. WALLIN
LOREN E. WALKENTRUBS
LIN C. WANG
AUBREY B. WATERS
SEBASTIAN K. WELCH
PAUL J. WELTEN
BRADY W. WHITMORE
LUKE M. WICKER
MERRICK C. WILLIS
KELLY E. WILSON
SARA M. WILSON
JONATHAN T. WINGAT
KIN Y. WONG
BRIAN C. TRABRIO
STEVEN R. YO
DAVID H. YU
JASON M. ZACK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

JANETTA R. BLACKMORE
GAIL A. BREITZLLE
MICHAEL G. BRANCO
DAVID L. BROMPTON
JEFFREY D. OLIVER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

STEVEN A. BAY
JON C. BEACH
DWAYNE C. BICHEL
MICHAEL E. BIRCH
AMMON W. BROWN
CLAYTON D. CHIOLATO
ANNE E. BESSENGER
ALISA R. BILMA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

WIDLSLY J. ANDERSON
SANDRA J. BAIRD
JOYD L. DEUGAI
MARC A. FRY
RONALD G. GERSAMAN
SEAN F. PERRET
HERM L. RAFTON
DAVID HERNANDEZ
ROBERT A. HOLCE
JOSEPH A. HULSE
PAUL A. JOHNSON
STEVEN A. KNAPP
FRANK LEE
VINCENT L. LIZDO
HINMO Y. MCCALL
BRETAN L. MOTHOMO
GINNIE A. MELLER
KATHY C. PAL
VANNA A. RASAJIS
KATHLEEN G. SPAGLIER
LINDSAY A. TAYLOR
DANIEL B. THOMPSON
COHOLSTUS R. TIPLE
TANYA L. WAHLBERG
HOPES M. WILLIAMSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SHORES CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:
To be colonel

MICHAEL W. CHUNG

To be major

REBECCA J. COOPER
MATT THOMAS L. DANIELS

To be colonel

CHRISTINA M. CLAY
JOHN C. HUBBARD

To be colonel

CHARLES K. ERBOMAN

To be colonel

JASON P. AFFOLDLER
KEVIN J. AGEN

To be lieutenant colonel

SAMUEL A. REDDING

To be colonel


To be major

ALBERTO A. CHECCHI

To be lieutenant colonel

STEVEN R. HUBBARD

To be major

CHRISTOPHER E. KEESHAN
CHRISTOPHER G. JOHNSON

To be colonel

MATTHEW J. DANIELS
REBECCA J. COOPER
The following named officers for appointment to the grade indicated in the United States Navy under Title 10, U.S.C., Section 624:

To be lieutenant commander

ROBERT A. ADUENA
MATTHEW A. ALLEN
CHRISTOPHER L. AMBROSI
PAUL M. ALLISON
GREGORIO V. FAMILIA
LEONARD J. GAZAFY
DAMON C. GILBERT
LAWRENCE J. GAZAFY
DOMINIC R. FRANK
MICHAEL R. FOUGHT
JAVIER CASTROMARTINEZ
ALOYSIUS V. ELZIE
ALAN R. DUNLAP
MATTHEW W. CRANDALL
WILLIAM J. CORRIGAN, JR.
RALPH S. COOK
DARRELL L. COOK
JEROD L. COLE
KEITH A. CLARK
JAVIER CASTROMARTINEZ
BRANDON D. CARVER
MICHAEL J. CARR
JOSHUA W. BUNTE
JOEL B. BROVERO
CHRISTOPHER W. BRANDT
BEAU J. BLANCHARD
CORY S. BENFIELD
COREY A. BELL
MICHAEL P. BAUTISTA
RICHARD F. BAIER
BLAIR W. ASHBY
ALDEN Y. ARGANTE
CHRISTOPHER L. AMBROSI
PAUL M. ALLEN
QUENTIN ALBEA
ROY A. ADUNA
TO THE GRADE INDICATED IN THE UNITED STATES NAVY

Laura C. Yoon

To be lieutenant commander

TO THE GRADE INDICATED IN THE UNITED STATES NAVY

To be lieutenant commander

To be lieutenant commander

To be lieutenant commander

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To be lieutenant commanded
To the Grade Indicated in the United States Navy

To the Grade Indicated in the Regular Navy

Under Title 10, U.S.C., Section 531:

To the Grade Indicated in the United States Navy

Under Title 10, U.S.C., Section 624:

The Following Named Officers for Appointment

To be lieutenant commander

To be lieutenant commander

To be lieutenant commander

The Following Named Officer for Appointment in the Grade Indicated in the Regular Navy

Under Title 10, U.S.C., Section 342:

To be lieutenant commander

The Following Named Officers for Appointment in the Grade Indicated in the United States Navy

Under Title 10, U.S.C., Section 434:

To be lieutenant commander

The Following Named Officers for Appointment in the Grade Indicated in the United States Navy

Under Title 10, U.S.C., Section 426:

The Following Named Officer for Appointment in the Grade Indicated in the Regular Navy

Under Title 10, U.S.C., Section 351:

The Following Named Officers for Appointment in the Grade Indicated in the United States Navy

Under Title 10, U.S.C., Section 424:

To be lieutenant commander

The Following Named Officers for Appointment in the Grade Indicated in the United States Navy

Under Title 10, U.S.C., Section 426:

The Following Named Officer for Appointment in the Grade Indicated in the Regular Navy

Under Title 10, U.S.C., Section 351:

The Following Named Officers for Appointment in the Grade Indicated in the United States Navy

Under Title 10, U.S.C., Section 424:

To be lieutenant commander

The Following Named Officers for Appointment in the Grade Indicated in the United States Navy

Under Title 10, U.S.C., Section 434:

To be lieutenant commander

The Following Named Officer for Appointment in the Grade Indicated in the Regular Navy

Under Title 10, U.S.C., Section 342:

To be lieutenant commander

The Following Named Officers for Appointment in the Grade Indicated in the United States Navy

Under Title 10, U.S.C., Section 426:

The Following Named Officer for Appointment in the Grade Indicated in the Regular Navy

Under Title 10, U.S.C., Section 351:

The Following Named Officers for Appointment in the Grade Indicated in the United States Navy

Under Title 10, U.S.C., Section 424:
IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JOHN J. STRAUB

CONFIRMATIONS

Executive nominations confirmed by the Senate October 16, 2017:

OFFICE OF SPECIAL COUNSEL

HENRY KERNER, OF CALIFORNIA, TO BE SPECIAL COUNSEL, OFFICE OF SPECIAL COUNSEL, FOR THE TERM OF FIVE YEARS.

DEPARTMENT OF STATE

CALLISTA L. GINGRICH, OF VIRGINIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE HOLY SEE.