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of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, FIRST SESSION

Vol. 163

WASHINGTON, FRIDAY, DECEMBER 22, 2017

No. 210

Senate

The Senate was not in session today. Its next meeting will be held on Saturday, December 23, 2017, at 11 a.m.

House of Representatives

FRIDAY, DECEMBER 22, 2017

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. GALLAGHER).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
December 22, 2017.

I hereby appoint the Honorable MIKE GALLAGHER to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

Reverend Paul D. Holland, S.J., Jesuit Conference, Washington, D.C., offered the following prayer:

Gracious God, winter has come, with its long nights and cold days.

The holidays bring both hectic demands and the promise of reunions and recreation.

War and dissension continue to plague our world and our own hearts, even as heavenly voices cry out for peace on Earth; so we pause and seek Your presence, Your light, Your peace.

Bless each Member of Congress. Through their faithful service to our Nation, make them witnesses to hope in the midst of confusion, beacons of light in the midst of the dark, and channels of peace amidst turmoil.

Give them safe journeys home, joyful family gatherings, and renewal of strength in body, mind, and spirit.

And most of all, fill their hearts with gratitude and humble recognition that You are the source of all hope, all light, and all peace.

We pray this in Your most holy name.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 3(a) of House Resolution 670, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. CULBERSON) come forward and lead the House in the Pledge of Allegiance.

Mr. CULBERSON 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.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 21, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of

the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 21, 2017, at 7:23 p.m.:

That the Senate agree to House of Representatives amendment to Senate amendment to the bill H.R. 1370.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by Speaker pro tempore UPTON on Thursday, December 21, 2017:

H.R. 1370, to amend the Homeland Security Act of 2002 to require the Secretary of Homeland Security to issue Department of Homeland Security-wide guidance and develop training programs as part of the Department of Homeland Security Blue Campaign, and for other purposes.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 22, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H10423

the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 22, 2017, at 11:34 a.m.:

That the Senate passed S. 35.
 That the Senate passed S. 167.
 That the Senate passed S. 432.
 That the Senate passed S. 466.
 That the Senate passed S. 1208.
 That the Senate passed S. 1438.
 That the Senate passed S. 2030.
 That the Senate passed S. 2070.
 That the Senate passed S. 2273.
 That the Senate passed with an amendment H.R. 195.
 That the Senate passed without an amendment H.R. 267.
 That the Senate passed without an amendment H.R. 381.
 That the Senate passed without an amendment H.R. 518.
 That the Senate passed without an amendment H.R. 560.
 That the Senate passed without an amendment H.R. 699.
 That the Senate passed without an amendment H.R. 863.
 That the Senate passed without an amendment H.R. 954.
 That the Senate passed without an amendment H.R. 1242.
 That the Senate passed without an amendment H.R. 1306.
 That the Senate passed without an amendment H.R. 1927.
 That the Senate passed without an amendment H.R. 2142.
 That the Senate passed without an amendment H.R. 2228.
 That the Senate passed without an amendment H.R. 2331.
 That the Senate passed without an amendment H.R. 2611.
 That the Senate passed without an amendment H.R. 4661.
 Appointment:
 United States-China Economic Security Review Commission (Maj. Leader).
 United States-China Economic Security Review Commission (Dem. Leader).
 With best wishes, I am
 Sincerely,

KAREN L. HAAS.

EXTENDING THE PERIOD DURING WHICH VESSELS THAT ARE SHORTER THAN 79 FEET IN LENGTH AND FISHING VESSELS ARE NOT REQUIRED TO HAVE A PERMIT FOR DISCHARGES INCIDENTAL TO THE NORMAL OPERATION OF THE VESSEL

Mr. CULBERSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2273) to extend the period during which vessels that are shorter than 79 feet in length and fishing vessels are not required to have a permit for discharges incidental to the normal operation of the vessel, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The text of the bill is as follows:

S. 2273

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

SECTION 1. EXTENSION OF MORATORIUM.

Section 2(a) of Public Law 110-299 (33 U.S.C. 1342 note) is amended by striking "De-

ember 18, 2017" and inserting "January 19, 2018".

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 167. An act to designate a National Memorial to Fallen Educators at the National Teachers Hall of Fame in Emporia, Kansas; to the Committee on Natural Resources.

S. 432. An act to designate the Cerro del Yuta and Río San Antonio Wilderness Areas in the State of New Mexico, and for other purposes; to the Committee on Natural Resources.

S. 466. An act to clarify the description of certain Federal land under the Northern Arizona Land Exchange and Verde River Basin Partnership Act of 2005 to include additional land in the Kaibab National Forest; to the Committee on Natural Resources.

S. 1438. An act to redesignate the Jefferson National Expansion Memorial in the State of Missouri as the "Gateway Arch National Park"; to the Committee on Natural Resources.

S. 2030. An act to deem the compliance date for amended energy conservation standards for ceiling fan light kits to be January 21, 2020, and for other purposes; to the Committee on Energy and Commerce.

S. 2070. An act to amend the Violent Crime Control and Law Enforcement Act of 1994, to reauthorize the Missing Alzheimer's Disease Patient Alert Program, and to promote initiatives that will reduce the risk of injury and death relating to the wandering characteristics of some children with autism; to the Committee on the Judiciary; in addition, to the Committee on Education and the Workforce; to the Committee on Oversight and Government Reform; and to the Committee on House Administration for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker pro tempore, Mr. UPTON, on Thursday, December 21, 2017:

H.R. 1370. An act to amend the Homeland Security Act of 2002 to require the Secretary of Homeland Security to issue Department of Homeland Security-wide guidance and develop training programs as part of the Department of Homeland Security Blue Campaign, and for other purposes.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 3(b) of House Resolution 670, the House stands adjourned until 4:30 p.m. on Tuesday, December 26, 2017.

Thereupon (at 2 o'clock and 6 minutes p.m.), under its previous order, the House adjourned until Tuesday, December 26, 2017, at 4:30 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3539. A communication from the President of the United States, transmitting a memorandum enumerating accounts in the Further Additional Continuing Appropriations Act, 2018, as emergency requirements, pursuant to additional Continuing Appropriations Act, 2018 (H. Doc. No. 115-85); to the Committee on Appropriations and ordered to be printed.

3540. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility (New Jersey: Beverly, City of, Burlington County, et al.) [Docket ID: FEMA-2017-0002; Internal Agency Docket No.: FEMA-8509] received December 18, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3541. A letter from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting The Commission's final rule — Bridging the Digital Divide for Low-Income Consumers [WC Docket No.: 17-287]; Lifeline and Link Up Reform and Modernization [WC Docket No.: 11-42]; Telecommunications Carriers Eligible for Universal Service Support [WC Docket No.: 09-197] received December 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3542. A letter from the Director, Office of Strategic Planning and Management, Department of Housing and Urban Development, transmitting the Department's FY 2016 FAIR Act Inventory, pursuant to 31 U.S.C. 501 note; Public Law 105-270, Sec. 2(c)(1)(A); (112 Stat. 2382); to the Committee on Oversight and Government Reform.

3543. A letter from the Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting the Department's summary of the inventories of commercial and inherently governmental activities for fiscal year 2016, pursuant to 31 U.S.C. 501 note; Public Law 105-270, Sec. 2(c)(1)(A); (112 Stat. 2382); to the Committee on Oversight and Government Reform.

3544. A communication from the President of the United States, transmitting a notification of the intention to end the suspension of Argentina's designation as a beneficiary developing country under the Generalized System of Preferences program, pursuant to 19 U.S.C. 2462(f)(1); Public Law 93-618, Sec. 502 (as added by Public Law 104-188, Sec. 1952(a); (110 Stat. 1920) and 19 U.S.C. 2462(d)(3); Public Law 93-618, Sec. 502(d)(3) (as added by Public Law 104-188, Sec. 1952(a)); (110 Stat. 1917) (H. Doc. No. 115-84); to the Committee on Ways and Means and ordered to be printed.

3545. A letter from the Chair, Office of Compliance, transmitting a letter asking Congress to make anti-discrimination and anti-harassment training mandatory as recommended in the Office's December 2016 report; jointly to the Committees on House Administration and Education and the Workforce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 242: Mr. LANGEVIN.
 H.R. 435: Mr. MESSER.
 H.R. 667: Mr. DELANEY.

H.R. 1291: Mr. BEN RAY LUJÁN of New Mexico.	MOORE, Mr. RUSSELL, Mr. COFFMAN, and Mr. UPTON.	H.R. 4253: Mr. CARTWRIGHT.
H.R. 2740: Mr. CASTRO of Texas, Mr. AL GREEN of Texas, Mrs. BROOKS of Indiana, Mr. SHUSTER, Mr. SCOTT of Virginia, Ms. STEFANK, Ms. ESTY of Connecticut, Mr. PRICE of North Carolina, Mrs. TORRES, Ms.	H.R. 2871: Mr. CALVERT. H.R. 2996: Mr. LAHOOD and Mr. HOLDING. H.R. 3635: Mr. MCNERNEY. H.R. 3948: Mr. GOTTHEIMER. H.R. 3978: Mr. GOTTHEIMER. H.R. 4143: Mr. DONOVAN, Mr. TROTT, and Mr. LAHOOD.	H.R. 4319: Mr. GOTTHEIMER. H.R. 4382: Mr. MOONEY of West Virginia and Mr. YARMUTH. H.R. 4541: Ms. TSONGAS and Mr. RUSH. H.R. 4653: Mr. GROTHMAN. H. Res. 31: Mr. DELANEY. H. Res. 672: Mrs. BUSTOS.

EXTENSIONS OF REMARKS

RECOGNIZING THE COMMISSIONING OF THE USS "LITTLE ROCK"

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 22, 2017

Mr. REED. Mr. Speaker, I rise to today to recognize the commissioning of the newest combat ship to be added to the United States Navy, the USS *Little Rock* (LCS-9).

This three hundred and eighty-nine foot littoral combat ship is named in honor of the previous USS *Little Rock*, which began service in 1944 and was taken out of service in 1976, subsequently being converted into a floating museum.

This commissioning ceremony in Buffalo, New York, is the first time in the history of the United States Navy that a ship has been commissioned next to its namesake. It serves as a moment to remember the proud history of the United States Navy as well as the brave men and women who have served, and continue to serve our country at sea.

I ask my colleagues to join me in recognizing the commissioning of the USS *Little Rock* and wishing success and safety to all of her future crew members as they serve and protect our great nation and advance the cause of liberty around the world.

MOTION TO CONCUR IN THE SENATE AMENDMENT WITH AN AMENDMENT TO H.R. 1370—FURTHER CONTINUING RESOLUTION FOR FY2018 AND H.R. 4667—MAKING FURTHER SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2018, FOR DISASTER ASSISTANCE FOR HURRICANES HARVEY, IRMA, AND MARIA, AND CALENDAR YEAR 2017 WILDFIRES

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 22, 2017

Ms. MCCOLLUM. Mr. Speaker, it is no secret that the Republican majority has utterly failed to govern responsibly and has neglected the needs of the American people. The federal government's fiscal year started three months ago, and since then House Republicans have accomplished nothing except to pass their deficit busting tax-scam for big corporations and billionaires. In the meantime, they have held hostage a full year of funding for our government and failed to extend critical healthcare programs like the Children's Health Insurance Program (CHIP). So here we are debating H.R. 1370, a third continuing resolution that attempts to paper over the failures of this Re-

publican Congress. Mr. Speaker, this is simply intolerable to my constituents.

H.R. 1370 contains billions in defense "anomalies" that are not subject to the discretionary spending caps and have not had a single hearing in the House Appropriations Subcommittee on Defense. Democrats have been ready for months to strike a bipartisan agreement to raise the caps for defense and non-defense spending with parity. Bypassing the defense cap with new spending in H.R. 1370 is unacceptable.

H.R. 1370 fails to include a bipartisan reauthorization of the Children's Health Insurance Program, continuing the uncertainty and fear that 9 million children and their families who depend on the program face. The funding provided for CHIP in this bill would only fund the program through March, 2018, and would be offset with cuts to other critical healthcare programs like the Prevention and Public Health Fund. Every American should be offended that Republicans have spent their time passing tax cuts for the rich while the medical needs of children are cast aside.

H.R. 1370 also temporarily extends surveillance authorities under the Foreign Intelligence Surveillance Act, including FISA Section 702. In 2012, I did not vote to extend these authorities when they were reauthorized out of a concern for how the privacy of the American people would be impacted. Since 2012, there has been no effort to address my concerns, so I cannot support an extension of FISA in the current form.

Finally, while I am glad to see that a serious conversation has begun on separate legislation that would provide additional emergency disaster relief for areas impacted by this year's hurricane season (H.R. 4667), I am deeply concerned that the bill fails to fix a Medicaid funding shortfall in Puerto Rico and the U.S. Virgin Islands. If this is not addressed early in the next session of Congress, thousands of Americans will be at risk of losing access to critical healthcare programs in 2018. The federal government has a responsibility to provide the same standard of federal assistance to the American citizens living in Puerto Rico and the U.S. Virgin Islands as it does to states. As we debate this today, the Senate has already indicated they will not take up H.R. 4667 due to these same concerns.

Mr. Speaker, Republicans need to stop lurching from crisis to crisis. These problems require bipartisan solutions, and we know from history that the only way appropriations bills are enacted into law is when Republicans and Democrats reach an agreement on funding levels. So I urge my Republican colleagues to put forward appropriate funding levels for all twelve appropriations bills and finally work with Democrats to meet the challenges our nation faces.

APPLICABILITY OF THE FEDERAL EXCISE TAX ON AIR TRANSPORTATION TO AIRCRAFT MANAGEMENT SERVICES COMPANIES

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, December 22, 2017

Mr. RENACCI. Mr. Speaker, as a member of the Ways and Means Committee, I rise today to speak on the Congressional intent behind the exemption for aircraft management services (AMS) companies from the federal excise tax (FET) on air transportation included in Section 13822 of H.R. 1. This provision is based on H.R. 896, sponsored by Congressman TIBERI and co-sponsored by myself.

AMS companies are paid to manage and maintain fleets of private aircraft, a service that is non-commercial. The FET on air transportation, on the other hand, is considered an airline ticket tax which commercial airline customers pay when they purchase a commercial airline ticket. Congress is exempting AMS companies from the FET on air transportation because fees paid for the maintenance and management of private aircraft are not analogous to the purchase of a commercial airline ticket. Likewise, Federal Aviation Regulation (FAR) Part 91 recognizes that AMS companies provide non-commercial aircraft operations and thus are generally only subject to federal fuel taxes, and not the FET on air transportation.

We included Sec. 13822 in H.R. 1 because the IRS has pursued a number of AMS companies for collection of the FET on air transportation. The result has been inconsistent outcomes, creating winners and losers among similarly situated AMS companies. To clarify the law, which has become quite muddled in this area, H.R. 1 seeks to set the record straight regarding the applicability of the FET on air transportation to AMS companies.

In conjunction with prior legislation, H.R. 1 makes clear that the FET on air transportation is not applicable to payments for the management of aircraft that are wholly-owned, fractionally owned, or that belong to a fractional program. As such, with the enactment of H.R. 1, the IRS should cease its efforts to collect the FET on air transportation from AMS companies.

The IRS should not infer that Congress believes the FET on air transportation did apply to management fees paid to AMS companies prior to enactment of H.R. 1. On the contrary, Congress is finally clarifying an area of law that has become muddled, resulted in inconsistent enforcement, and created winners and losers among similarly situated AMS companies.

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

HONORING THE LEGACY AND LIFE
OF MRS. GIRLIA E. WHITE SAND-
ERS

HON. CEDRIC L. RICHMOND

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 22, 2017

Mr. RICHMOND. Mr. Speaker, I rise today to honor the life and legacy of Mrs. Girlia E. White Sanders, a native of New Orleans, Louisiana, who passed away on December 19, 2017, at the age of 79.

Mrs. Sanders loved the city and the people of New Orleans. Her legacy will forever be a

part of the city and her dedication to community embodies the spirit of New Orleans. We cannot match the sacrifices made by Mrs. Sanders, but surely we can try to match her sense of service. We cannot match her courage, but we can strive to match her devotion.

Mrs. Girlia E. White Sander's survivors include her husband of sixty years, Pastor Leroy Sanders, Sr.; six children, Janice S. Bennett, Connie S. Bridger, Leroy, Jr. (Treva) Sanders, Diana S. (Eugene, Jr.) Barnes, Leslie S (Rahman) Martin and Pastor Dale J. Sr. (Kimberly) Sanders; seventeen grandchildren, Clarence Bennett, Jr., Rev. Lorenzo (Carrie) Bennett, Antoine Bennett, Sr., Jazmm (Kendrick,

Sr.) White, Monika Arceneaux, Leroy Regis Sanders, Javalyn Session, Ashley Bridger, Geræe Vallery, Christian Booker, Eugene, III and Jaren Barnes, Destiny Estean, Jordan and Dale Sanders II, Kwinci Martin and Jericho Ehsha Sanders; one honorary grandson, Minister Clyde Davis, Jr.; nine great-grandchildren and one great-great grandchild; five sisters, two brothers, four brothers-in-law, four sisters-in-law, and a host of nieces, nephews, relatives and friends.

Mr. Speaker, I celebrate the life and legacy of Mrs. Girha E. White Sanders a beloved wife, mother, grandmother, aunt, and daughter.

Daily Digest

Senate

Chamber Action

The Senate was not in session and stands adjourned until 11 a.m., on Saturday, December 23, 2017.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: There were no public bills or resolutions introduced today.

Additional Cosponsors: **Pages H10424–25**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Gallagher to act as Speaker pro tempore for today. **Page H10423**

Guest Chaplain: The prayer was offered by the Guest Chaplain, Rev. Paul D. Holland, S.J., Jesuit Conference, Washington, DC. **Page H10423**

Extending the period during which vessels that are shorter than 79 feet in length and fishing vessels are not required to have a permit for discharges incidental to the normal operation of the vessel: The House agreed to take from the Speaker's table and pass S. 2273, to extend the period during which vessels that are shorter than 79 feet in length and fishing vessels are not required to have a permit for discharges incidental to the normal operation of the vessel. **Page H10424**

Senate Referrals: S. 35 was held at the desk. S. 167 was referred to the Committee on Natural Resources. S. 432 was referred to the Committee on Natural Resources. S. 466 was referred to the Committee on Natural Resources. S. 1208 was held at the desk. S. 1438 was referred to the Committee on Natural Resources. S. 2030 was referred to the Committee on Energy and Commerce. S. 2070 was referred to the

Committee on the Judiciary, the Committee on Education and the Workforce, the Committee on Oversight and Government Reform, and the Committee on House Administration. **Page H10424**

Senate Messages: Messages received from the Senate by the Clerk and subsequently presented to the House today appear on pages H10423–24.

Quorum Calls—Votes: There were no yea-and-nay votes, and there were no recorded votes. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 2:06 p.m.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR SATURDAY, DECEMBER 23, 2017

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No hearings are scheduled.

Next Meeting of the SENATE

11 a.m., Saturday, December 23

Next Meeting of the HOUSE OF REPRESENTATIVES

4:30 p.m., Tuesday, December 26

Senate Chamber

Program for Saturday: Senate will meet in a pro forma session.

House Chamber

Program for Tuesday: House will meet in Pro Forma session at 4:30 p.m.

Extensions of Remarks, as inserted in this issue

HOUSE

McCollum, Betty, Minn., E1757
 Reed, Tom, N.Y., E1757
 Renacci, James B., Ohio, E1757
 Richmond, Cedric L., La., E1758



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