

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S113–S142

Measures Introduced: Eight bills and one resolution were introduced, as follows: S. 2285–2292, and S. Res. 371. **Page S138**

Measures Reported:

S. 1693, to amend the Communications Act of 1934 to clarify that section 230 of that Act does not prohibit the enforcement against providers and users of interactive computer services of Federal and State criminal and civil law relating to sex trafficking, with an amendment in the nature of a substitute. (S. Rept. No. 115–199) **Page S138**

Measures Passed:

Universal Service Fund Filing Requirements: Senate passed S. 875, to require the Comptroller General of the United States to conduct a study and submit a report on filing requirements under the Universal Service Fund programs, after agreeing to the committee amendment in the nature of a substitute. **Pages S141–42**

Brown Nomination—Agreement: Senate resumed consideration of the nomination of Michael Lawrence Brown, of Georgia, to be United States District Judge for the Northern District of Georgia. **Pages S124–42**

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

By 97 yeas to 1 nay (Vote No. 6), Senate agreed to the motion to close further debate on the nomination. **Page S124**

A unanimous-consent agreement was reached providing that at 12 noon, on Thursday, January 11, 2018, all post-cloture time on the nomination be considered expired, and Senate vote on confirmation of the nomination of Michael Lawrence Brown, with no intervening action or debate; and that if cloture is invoked on the nomination of Walter David Counts III, of Texas, to be United States District

Judge for the Western District of Texas, all post-cloture time be considered expired at 1:45 p.m., and Senate vote on confirmation of the nomination of Walter David Counts III, with no intervening action or debate. **Page S127**

A unanimous-consent agreement was reached providing for further consideration of the nomination, post-cloture, at approximately 10 a.m., on Thursday, January 11, 2018. **Page S142**

Nomination Confirmed: Senate confirmed the following nomination:

By a unanimous vote of 98 yeas (Vote No. EX. 5), Thomas Lee Robinson Parker, of Tennessee, to be United States District Judge for the Western District of Tennessee. **Pages S124, S142**

Nominations Received: Senate received the following nominations:

Paul C. Ney, Jr., of Tennessee, to be General Counsel of the Department of Defense.

Holly W. Greaves, of the District of Columbia, to be Chief Financial Officer, Environmental Protection Agency. **Page S142**

Messages from the House: **Page S138**

Measures Referred: **Page S138**

Additional Cosponsors: **Pages S138–39**

Statements on Introduced Bills/Resolutions: **Pages S139–41**

Additional Statements: **Page S137**

Authorities for Committees to Meet: **Page S141**

Privileges of the Floor: **Page S141**

Record Votes: Two record votes were taken today. (Total—6) **Page S124**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:42 p.m., until 10 a.m. on Thursday, January 11, 2018. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S142.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Armed Services: Committee announced the following subcommittee assignments:

Subcommittee on Airland: Senators Cotton (Chair), Inhofe, Wicker, Tillis, Sullivan, Cruz, Sasse, King, McCaskill, Blumenthal, Donnelly, Warren, and Peters.

Subcommittee on Cybersecurity: Senators Rounds (Chair), Fischer, Perdue, Graham, Sasse, Nelson, McCaskill, Gillibrand, and Blumenthal.

Subcommittee on Emerging Threats and Capabilities: Senators Ernst (Chair), Wicker, Fischer, Perdue, Cruz, Heinrich, Nelson, Shaheen, and Peters.

Subcommittee on Personnel: Senators Tillis (Chair), Ernst, Graham, Sasse, Gillibrand, McCaskill, and Warren.

Subcommittee on Readiness and Management Support: Senators Inhofe (Chair), Rounds, Ernst, Perdue, Scott, Kaine, Shaheen, and Hirono.

Subcommittee on SeaPower: Senators Wicker (Chair), Cotton, Rounds, Tillis, Sullivan, Scott, Hirono, Shaheen, Blumenthal, Kaine, and King.

Subcommittee on Strategic Forces: Senators Fischer (Chair), Inhofe, Cotton, Sullivan, Cruz, Graham, Donnelly, Heinrich, Warren, and Peters.

Senators McCain and Reed are ex-officio members of each subcommittee.

AMERICA'S WATER INFRASTRUCTURE

Committee on Environment and Public Works: Committee concluded a hearing to examine America's water infrastructure needs and challenges, after receiving testimony from Senator Cassidy; Nicole T. Carter, Specialist in Natural Resources Policy, Congressional Research Service, Library of Congress; Scott Robinson, Port of Muskogee, Fort Gibson, Oklahoma; Julie A. Ufner, National Association of Counties, and Steve Cochran, Restore the Mississippi River Delta, both of Washington, D.C.; and William D. Friedman, Cleveland-Cuyahoga County Port Authority, Alexandria, Virginia, on behalf of the American Association of Port Authorities.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Kurt D. Engelhardt, of Louisiana, to be United States Circuit Judge for the Fifth Circuit, and Barry W. Ashe, to be United States District Judge for the Eastern District of Louisiana, who were introduced by Senator Cassidy, Howard C. Nielson, Jr., to be United States District Judge for the District of Utah, and James R. Sweeney II, to be United States District Judge for the Southern District of Indiana, who was introduced by Senators Donnelly and Young, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 16 public bills, H.R. 4750–4765; and 1 resolution, H. Res. 683 were introduced. **Pages H131–32**

Additional Cosponsors: **Pages H132–33**

Reports Filed: Reports were filed today as follows:

H.R. 3548, to make certain improvements to the security of the international borders of the United States, and for other purposes, with an amendment (H. Rept. 115–505, Part 1);

H.R. 2504, to ensure fair treatment in licensing requirements for the export of certain echinoderms (H. Rept. 115–506, Part 1);

S. 1285, to allow the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, the Confederated Tribes of the Grand Ronde Community of

Oregon, the Confederated Tribes of Siletz Indians of Oregon, the Confederated Tribes of Warm Springs, and the Cow Creek Band of Umpqua Tribe of Indians to lease or transfer certain lands (H. Rept. 115–507);

H.R. 453, to deem the Step 2 compliance date for standards of performance for new residential wood heaters, new residential hydronic heaters, and forced-air furnaces to be May 15, 2023 (H. Rept. 115–508); and

H.R. 1917, to allow for judicial review of any final rule addressing national emission standards for hazardous air pollutants for brick and structural clay products or for clay ceramics manufacturing before requiring compliance with such rule (H. Rept. 115–509).

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Speaker: Read a letter from the Speaker wherein he appointed Representative Smith (NE) to act as Speaker pro tempore for today. **Page H85**

Recess: The House recessed at 10:51 a.m. and reconvened at 12 noon. **Page H90**

Journal: The House agreed to the Speaker's approval of the Journal by a ye-and-nay vote of 231 yeas to 178 nays with one answering "present", Roll No. 13. **Pages H91, H125–26**

Motion to Adjourn: Rejected the Espaillet motion to adjourn by a ye-and-nay vote of 51 yeas to 331 nays, Roll No. 5. **Page H92**

Motion to Adjourn: Rejected the Gutiérrez motion to adjourn by a ye-and-nay vote of 54 yeas to 311 nays, Roll No. 6. **Page H94**

Motion to Adjourn: Rejected the Grijalva motion to adjourn by a ye-and-nay vote of 62 yeas to 324 nays, Roll No. 7. **Page H95**

Rapid DNA Act—Rule for Consideration: The House agreed to H. Res. 682, providing for consideration of the bill (S. 139) to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, and to prevent DNA analysis backlogs, by a ye-and-nay vote of 233 yeas to 181 nays, Roll No. 8, after the previous question was ordered without objection. **Page H111**

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow, January 11th. **Page H114**

Amending the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund: The House passed S. 140, to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund, by a recorded vote of 239 yeas to 173 noes, Roll No. 11. **Pages H124–25**

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–54 shall be considered as adopted. **Page H114**

H. Res. 681, the rule providing for consideration of the bill (S. 140) was agreed to by a recorded vote of 227 yeas to 181 noes, Roll No. 10, after the previous question was ordered by a ye-and-nay vote of 234 yeas to 181 nays, Roll No. 9. **Pages H113–14**

Suspension—Proceedings Resumed: The House agreed to suspend the rules and pass the following measure. Consideration began Tuesday, January 9th.

Department of Homeland Security Overseas Personnel Enhancement Act: H.R. 4567, amended, to

require a Department of Homeland Security overseas personnel enhancement plan, by a $\frac{2}{3}$ ye-and-nay vote of 415 yeas with none voting "nay", Roll No. 12. **Page H125**

Quorum Calls—Votes: Seven ye-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H92, H94, H95, H111, H113, H113–14, H124–25, H125, and H125–26. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 6:55 p.m.

Committee Meetings

DEPARTMENT OF DEFENSE UPDATE ON THE FINANCIAL IMPROVEMENT AND AUDIT REMEDIATION (FIAR) PLAN

Committee on Armed Services: Full Committee held a hearing entitled "Department of Defense Update on the Financial Improvement and Audit Remediation (FIAR) Plan". Testimony was heard from David Norquist, Under Secretary of Defense (Comptroller) and Chief Financial Officer, Department of Defense.

A FURTHER EXAMINATION OF FEDERAL RESERVE REFORM PROPOSALS

Committee on Financial Services: Subcommittee on Monetary Policy and Trade held a hearing entitled "A Further Examination of Federal Reserve Reform Proposals". Testimony was heard from public witnesses.

SANCTIONS AND FINANCIAL PRESSURE: MAJOR NATIONAL SECURITY TOOLS

Committee on Foreign Affairs: Full Committee held a hearing entitled "Sanctions and Financial Pressure: Major National Security Tools". Testimony was heard from public witnesses.

UPCOMING ELECTIONS IN THE WESTERN HEMISPHERE: IMPLICATIONS FOR U.S. POLICY

Committee on Foreign Affairs: Subcommittee on the Western Hemisphere held a hearing entitled "Upcoming Elections in the Western Hemisphere: Implications for U.S. Policy". Testimony was heard from public witnesses.

MISCELLANEOUS MEASURE

Committee on the Judiciary: Full Committee held a markup on H.R. 506, the "Preventing Crimes Against Veterans Act of 2017"; and ratification of subcommittee assignments. Subcommittee assignments were ratified. H.R. 506 was ordered reported, as amended.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Full Committee held a markup on H.R. 219, the “Swan Lake Hydroelectric Project Boundary Correction Act”; H.R. 801, the “Route 66 National Historic Trail Designation Act”; H.R. 1220, to establish the Adams Memorial Commission to carry out the provisions of Public Law 107–62, and for other purposes; H.R. 2711, the “National Memorial to Fallen Educators Act”; H.R. 3133, the “Streamlining Environmental Approvals Act of 2017”; and S. 117, the “Alex Diekmann Peak Designation Act of 2017”. H.R. 219, H.R. 3133, and S. 117 were ordered reported, without amendment. H.R. 801, H.R. 1220, and H.R. 2711 were ordered reported, as amended.

MISCELLANEOUS MEASURE

Committee on Science, Space, and Technology: Full Committee held a markup on H.R. 4675, the “Low Dose Radiation Research Act of 2017”. H.R. 4675 was ordered reported, as amended.

HOME LOAN CHURNING PRACTICES AND HOW VETERAN HOMEBUYERS ARE BEING AFFECTED

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a hearing entitled “Home Loan Churning Practices and How Veteran Homebuyers are Being Affected”. Testimony was heard from Jeffrey London, Director, Loan Guaranty Service, Veterans Benefits Administration, Department of Veterans Affairs; and public witnesses.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D15)

H.R. 560, to amend the Delaware Water Gap National Recreation Area Improvement Act to provide access to certain vehicles serving residents of municipalities adjacent to the Delaware Water Gap National Recreation Area. Signed on January 8, 2018. (Public Law 115–101)

H.R. 1242, to establish the 400 Years of African-American History Commission. Signed on January 8, 2018. (Public Law 115–102)

H.R. 1306, to provide for the conveyance of certain Federal land in the State of Oregon. Signed on January 8, 2018. (Public Law 115–103)

H.R. 1927, to amend title 54, United States Code, to establish within the National Park Service the African American Civil Rights Network. Signed on January 8, 2018. (Public Law 115–104)

S. 1393, to streamline the process by which active duty military, reservists, and veterans receive commercial driver's licenses. Signed on January 8, 2018. (Public Law 115–105)

S. 1532, to disqualify from operating a commercial motor vehicle for life an individual who uses a commercial motor vehicle in committing a felony involving human trafficking. Signed on January 8, 2018. (Public Law 115–106)

S. 1766, to reauthorize the SAFER Act of 2013. Signed on January 8, 2018. (Public Law 115–107)

H.R. 267, to redesignate the Martin Luther King, Junior, National Historic Site in the State of Georgia. Signed on January 8, 2018. (Public Law 115–108)

COMMITTEE MEETINGS FOR THURSDAY, JANUARY 11, 2018

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Foreign Relations: to hold hearings to examine United States policy in Syria post-ISIS, 10 a.m., SD–419.

Committee on the Judiciary: business meeting to consider S. 2152, to amend title 18, United States Code, to provide for assistance for victims of child pornography, and the nominations of Stuart Kyle Duncan, of Louisiana, to be United States Circuit Judge for the Fifth Circuit, David Ryan Stras, of Minnesota, to be United States Circuit Judge for the Eighth Circuit, Fernando Rodriguez, Jr., to be United States District Judge for the Southern District of Texas, Elizabeth L. Branch, of Georgia, to be United States Circuit Judge for the Eleventh Circuit, Annemarie Carney Axon, to be United States District Judge for the Northern District of Alabama, R. Stan Baker, to be United States District Judge for the Southern District of Georgia, Jeffrey Uhlman Beaverstock, to be United States District Judge for the Southern District of Alabama, Liles Clifton Burke, to be United States District Judge for the Northern District of Alabama, Thomas Alvin Farr, to be United States District Judge for the Eastern District of North Carolina, Charles Barnes Goodwin, to be United States District Judge for the Western District of Oklahoma, Michael Joseph Juneau, to be United States District Judge for the Western District of Louisiana, Matthew J. Kacsmayrk, to be United States District Judge for the Northern District of Texas, Emily Coody Marks, to be United States District Judge for the Middle District of Alabama, Terry Fitzgerald Moorer, to be United States District Judge for the Southern District of Alabama, Mark Saalfield Norris, Sr., to be United States District Judge for the Western District of Tennessee, William M. Ray II, to be United States District Judge for the Northern District of Georgia, Eli Jeremy Richardson, to be United States District Judge for the Middle District of Tennessee, Holly Lou Teeter, to be United States District Judge for the District of Kansas,

and Brian Allen Benczkowski, of Virginia, Jeffrey Bossert Clark, of Virginia, and Eric S. Dreiband, of Maryland, each to be an Assistant Attorney General, Joseph D. Brown, to be United States Attorney for the Eastern District of Texas, Matthew D. Krueger, to be United States Attorney for the Eastern District of Wisconsin, Norman Euell Arflack, to be United States Marshal for the Eastern District of Kentucky, and Ted G. Kamatchus, to be

United States Marshal for the Southern District of Iowa, all of the Department of Justice, 10 a.m., SD-226.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters, 2 p.m., SH-219.

House

No hearings are scheduled.

Next Meeting of the SENATE

10 a.m., Thursday, January 11

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Thursday, January 11

Senate Chamber

Program for Thursday: Senate will continue consideration of the nomination of Michael Lawrence Brown, of Georgia, to be United States District Judge for the Northern District of Georgia, post-cloture, and vote on confirmation of the nomination at 12 noon.

Following disposition of the nomination of Michael Lawrence Brown, Senate will vote on the motion to invoke cloture on the nomination of Walter David Counts III, of Texas, to be United States District Judge for the Western District of Texas. If cloture is invoked on the nomination, Senate will vote on confirmation of the nomination at 1:45 p.m.

House Chamber

Program for Thursday: Consideration of S. 139—FISA Amendments Reauthorization Act.

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