

The senior assistant legislative clerk read as follows:

A bill (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.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. STUDY AND REPORT ON FILING REQUIREMENTS UNDER UNIVERSAL SERVICE FUND PROGRAMS.

(a) **DEFINITIONS.**—In this section—

(1) the term “Administrative Procedure Act” means subchapter II of chapter 5 of title 5, United States Code;

(2) the term “Commission” means the Federal Communications Commission;

(3) the term “covered carrier” means an eligible telecommunications carrier or service provider that receives universal service support under sections 214(e) and 254 of the Communications Act of 1934 (47 U.S.C. 214(e) and 254) for the provision of service under a Universal Service Fund program; and

(4) the term “Universal Service Fund program” means each program of the Commission set forth under part 54 of title 47, Code of Federal Regulations, or any successor thereto, including—

(A) the Connect America Fund set forth under subpart D of that part;

(B) the Lifeline program set forth under subpart E of that part;

(C) the E-Rate program set forth under subpart F of that part;

(D) the Rural Health Care program set forth under subpart G of that part;

(E) the Remote Areas Fund set forth under subpart J of that part;

(F) the Connect America Fund Broadband Loop Support program set forth under subpart K of that part;

(G) the Mobility Fund set forth under subpart L of that part; and

(H) the High Cost Loop Support for Rate-of-Return Carriers program set forth under subpart M of that part.

(b) **STUDY AND REPORT.**—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit to the Commission, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Energy and Commerce of the House of Representatives a report, which shall include—

(1) an analysis of the filing requirements for covered carriers participating in a Universal Service Fund program, including any filings re-

quired by the Universal Service Administrative Company;

(2) an analysis of the financial impact of those filing requirements on covered carriers participating in a Universal Service Fund program; and

(3) recommendations, if any, on how to consolidate redundant filing requirements for covered carriers participating in a Universal Service Fund program.

(c) **RULEMAKING.**—

(1) **NEW OR ONGOING RULEMAKING.**—Except as provided in paragraph (3), not later than 60 days after the date on which the report is submitted under subsection (b), the Commission shall—

(A)(i) initiate a rulemaking to consolidate redundant filing requirements for covered carriers participating in a Universal Service Fund program; and

(ii) incorporate into the rulemaking under clause (i), and as part of that rulemaking seek comment on, the recommendations described in subsection (b)(3), if any, except to the extent that doing so would violate the requirements of the Administrative Procedure Act; or

(B) incorporate into an ongoing rulemaking relating to consolidating redundant filing requirements of the Commission, and as part of that rulemaking seek comment on, the recommendations described in subsection (b)(3), if any, except to the extent that doing so would violate the requirements of the Administrative Procedure Act.

(2) **WASTE, FRAUD, AND ABUSE.**—In a rulemaking in which the Commission is required under paragraph (1) to seek comment on the recommendations described in subsection (b)(3), if any, the Commission shall also seek comment on and consider whether the benefit of each recommendation is outweighed by any potential increased risk of waste, fraud, and abuse in the Universal Service Fund program affected by the recommendation.

(3) **PREVIOUS RULEMAKING.**—Paragraph (1) shall not apply if, on or before the date on which the report is submitted under subsection (b), the Commission completes a rulemaking to consolidate redundant filing requirements for covered carriers participating in a Universal Service Fund program.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 875), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

**ORDERS FOR THURSDAY,
JANUARY 11, 2018**

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Thursday, January 11; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; finally, that following leader remarks, the Senate proceed to executive session and resume consideration of the Brown nomination.

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 6:42 p.m., adjourned until Thursday, January 11, 2018, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

PAUL C. NEY, JR., OF TENNESSEE, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE, VICE JENNIFER M. O'CONNOR.

ENVIRONMENTAL PROTECTION AGENCY

HOLLY W. GREAVES, OF THE DISTRICT OF COLUMBIA, TO BE CHIEF FINANCIAL OFFICER, ENVIRONMENTAL PROTECTION AGENCY, VICE BARBARA J. BENNETT, RESIGNED.

CONFIRMATION

Executive nomination confirmed by the Senate January 10, 2018:

THE JUDICIARY

THOMAS LEE ROBINSON PARKER, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TENNESSEE.