

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S6777–S6883*

**Measures Introduced:** Thirty-eight bills and twelve resolutions were introduced, as follows: S. 3572–3609, and S. Res. 673–684. **Pages S6815–16**

#### Measures Reported:

H.R. 2196, to amend title 5, United States Code, to allow whistleblowers to disclose information to certain recipients. (S. Rept. No. 115–346)

S. 2679, to provide access to and manage the distribution of excess or surplus property to veteran-owned small businesses, with an amendment in the nature of a substitute.

S. 3552, to amend the Small Business Act to adjust the real estate appraisal thresholds under the 7(a) program of the Small Business Administration to bring those thresholds into line with the thresholds used by the Federal banking regulators.

S. 3553, to amend the Small Business Act to adjust the real estate appraisal thresholds under the section 504 program of the Small Business Administration to bring those thresholds into line with the thresholds used by the Federal banking regulators.

S. 3554, to extend the effective date for the sunset for collateral requirements for Small Business Administration disaster loans.

S. 3561, to support entrepreneurs serving in the National Guard and Reserve, with amendments.

S. 3562, to amend the Small Business Act to modify the method for prescribing size standards for business concerns. **Pages S6814–15**

#### Measures Passed:

**United States Parole Commission Extension Act:** Committee on the Judiciary was discharged from further consideration of H.R. 6896, to provide for the continued performance of the functions of the United States Parole Commission, and the bill was then passed. **Pages S6802–03**

**National Emergency Medical Services Memorial Foundation:** Senate passed H.R. 1037, to authorize the National Emergency Medical Services Memorial Foundation to establish a commemorative work in the District of Columbia and its environs. **Page S6875**

**Gulf Islands National Seashore Land Exchange Act:** Senate passed H.R. 2615, to authorize the exchange of certain land located in Gulf Islands National Seashore, Jackson County, Mississippi, between the National Park Service and the Veterans of Foreign Wars, after agreeing to the committee amendment in the nature of a substitute. **Pages S6875–76**

**SUCCESS Act:** Senate passed H.R. 6758, to direct the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, in consultation with the Administrator of the Small Business Administration, to study and provide recommendations to promote the participation of women, minorities, and veterans in entrepreneurship activities and the patent system, to extend by 8 years the Patent and Trademark Office's authority to set the amounts for the fees it charges. **Page S6876**

**Iraq and Syria Genocide Emergency Relief and Accountability Act:** Senate passed H.R. 390, to provide relief for victims of genocide, crimes against humanity, and war crimes who are members of religious and ethnic minority groups in Iraq and Syria, for accountability for perpetrators of these crimes, after agreeing to the committee amendment in the nature of a substitute, and the following amendments proposed thereto: **Pages S6876–79**

McConnell (for Corker) Amendment No. 4055, in the nature of a substitute. **Page S6879**

McConnell (for Corker) Amendment No. 4056, to amend the title. **Page S6879**

**Representative Louise McIntosh Slaughter Stop Trading on Congressional Knowledge Act:** Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 6870, to rename the Stop Trading on Congressional Knowledge Act of 2012 in honor of Representative Louise McIntosh Slaughter, and the bill was then passed. **Pages S6879–80**

**Sickle Cell Disease Research, Surveillance, Prevention, and Treatment Act:** Senate passed S. 2465, to amend the Public Health Service Act to reauthorize a sickle cell disease prevention and treatment

demonstration program and to provide for sickle cell disease research, surveillance, prevention, and treatment, after agreeing to the committee amendment in the nature of a substitute. **Page S6880**

**Action for Dental Health Act:** Committee on Health, Education, Labor, and Pensions was discharged from further consideration of H.R. 2422, to amend the Public Health Service Act to improve essential oral health care for low-income and other underserved individuals by breaking down barriers to care, and the bill was then passed, after agreeing to the following amendment proposed thereto:

**Pages S6880–81**

McConnell (for Alexander) Amendment No. 4057, in the nature of a substitute. **Page S6881**

**National Dyslexia Awareness Month:** Senate agreed to S. Res. 680, calling on Congress, schools, and State and local educational agencies to recognize the significant educational implications of dyslexia that must be addressed, and designating October 2018 as “National Dyslexia Awareness Month”.

**Page S6881**

**National Character Counts Week:** Senate agreed to S. Res. 681, designating the week beginning October 21, 2018, as “National Character Counts Week”.

**Page S6881**

**Day of Remembrance for Nuclear Weapons Program Workers:** Senate agreed to S. Res. 682, designating October 30, 2018, as a national day of remembrance for nuclear weapons program workers.

**Page S6881**

**Bicentennial of the State of Illinois:** Senate agreed to S. Res. 683, recognizing and commemorating the bicentennial of the State of Illinois.

**Page S6881**

**Sanctioning Hizballah’s Illicit Use of Civilians as Defenseless Shields Act:** Committee on Foreign Relations was discharged from further consideration of H.R. 3342, to impose sanctions with respect to foreign persons that are responsible for using civilians as human shields, and the bill was then passed, after agreeing to the following amendments proposed thereto:

**Page S6881**

McConnell (for Corker) Amendment No. 4058, in the nature of a substitute. **Page S6881**

McConnell (for Corker) Amendment No. 4059, to amend the title. **Page S6881**

**RBIC Advisers Relief Act:** Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of S. 2765, to amend the Investment Advisers Act of 1940 to exempt investment advisers who solely advise certain rural business investment companies, and the bill was then passed. **Pages S6881–82**

**9/11 Heroes Medal of Valor Act:** Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of H.R. 3834, to provide that members of public safety agencies who died of 9/11-related health conditions are eligible for the Presidential 9/11 Heroes Medal of Valor, and the bill was then passed. **Page S6882**

**Relative to the death of the Honorable Joseph D. “Joe” Tydings:** Senate agreed to S. Res. 684, relative to the death of the Honorable Joseph D. “Joe” Tydings, former United States Senator for the State of Maryland. **Page S6882**

#### House Messages:

**Amending the White Mountain Apache Tribe Water Rights Quantification Act:** Senate began consideration of the amendment of the House of Representatives to 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, taking action of the following motions and amendments proposed thereto:

Withdrawn:

McConnell motion to concur in the amendment of the House to the bill. **Page S6803**

McConnell motion to concur in the amendment of the House to the bill, with McConnell Amendment No. 2232 (to the amendment of the House to the bill), in the nature of a substitute. **Page S6803**

McConnell motion to refer the message of the House on the bill to the Committee on Commerce, Science, and Transportation, with instructions, McConnell Amendment No. 2234, to change the enactment date. **Page S6803**

Pending:

McConnell motion to concur in the amendment of the House to the bill, with McConnell (for Thune) Amendment No. 4054, in the nature of a substitute. **Page S6803**

A motion was entered to close further debate on the motion to concur in the amendment of the House to the bill, with McConnell (for Thune) Amendment No. 4054 (listed above), and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, October 10, 2018, a vote on cloture will occur at 5:30 p.m., on Tuesday, November 13, 2018. **Page S6803**

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

Senate agreed to the motion to proceed to Legislative Session. **Page S6803**

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

McConnell Amendment No. 2233 (to Amendment No. 2232), to change the enactment date, fell

when McConnell motion to concur in the amendment of the House to the bill, with McConnell Amendment No. 2232 (to the amendment of the House to the bill) (listed above) was withdrawn.

**Page S6803**

McConnell Amendment No. 2235 (to (the instructions) Amendment No. 2234), of a perfecting nature, fell when McConnell motion to refer the message of the House on the bill to the Committee on Commerce, Science, and Transportation, with instructions, McConnell Amendment No. 2234 (listed above) was withdrawn.

**Page S6803**

McConnell Amendment No. 2236 (to Amendment No. 2235), of a perfecting nature, fell when McConnell Amendment No. 2235 (to (the instructions) Amendment No. 2234) (listed above) fell.

**Page S6803**

A unanimous-consent agreement was reached providing that notwithstanding rule XXII, the vote on the motion to invoke cloture occur at 5:30 p.m., on Tuesday, November 13, 2018; provided further that no further amendments or motions be in order and that if cloture is invoked, all post-cloture time expire at 2:15 p.m., on Wednesday, November 14, 2018.

**Page S6803**

A unanimous-consent agreement was reached providing that Senate resume consideration of the House amendment to the bill, with further amendment, at approximately 3 p.m., on Tuesday, November 13, 2018.

**Page S6882**

***Hizballah International Financing Prevention Amendments Act:*** Senate agreed to the motion to concur in the amendment of the House of Representatives to S. 1595, to amend the Hizballah International Financing Prevention Act of 2015 to impose additional sanctions with respect to Hizballah.

**Page S6880**

**Pro Forma Sessions—Agreement:** A unanimous-consent agreement was reached providing that the Senate adjourn, to then convene for pro forma sessions only, with no business being conducted on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, October 12, 2018 at 12 noon; Tuesday, October 16, 2018 at 12 noon; Friday, October 19, 2018 at 10 a.m.; Tuesday, October 23, 2018 at 4:30 p.m.; Friday, October 26, 2018 at 5 p.m.; Tuesday, October 30, 2018 at 1 p.m.; Friday, November 2, 2018 at 2:45 p.m.; Tuesday, November 6, 2018 at 4 p.m.; Friday, November 9, 2018 at 9 a.m.; and that when the Senate adjourns on Friday, November 9, 2018, it next convene at 3 p.m., on Tuesday, November 13, 2018.

**Page S6882**

**Bowman Nomination—Cloture:** Senate began consideration of the nomination of Michelle Bowman, of

Kansas, to be a Member of the Board of Governors of the Federal Reserve System.

**Pages S6803–05**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the motion to concur with respect to 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.

**Page S6803**

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

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

**Page S6803**

A unanimous-consent agreement was reached providing that this motion to invoke cloture ripen following disposition of the motion to concur with respect to 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.

**Page S6803**

**Nominations Confirmed:** Senate confirmed the following nominations:

By 52 yeas to 45 nays (Vote No. EX. 228), Jeffrey Bossert Clark, of Virginia, to be an Assistant Attorney General.

**Pages S6789, S6882**

By 50 yeas to 47 nays (Vote No. EX. 230), Eric S. Dreiband, of Maryland, to be an Assistant Attorney General.

**Pages S6792, S6882**

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

By 50 yeas to 47 nays (Vote No. EX. 229), Senate agreed to the motion to close further debate on the nomination.

**Pages S6789–90**

James N. Stewart, of North Carolina, to be an Assistant Secretary of Defense.

**Pages S6792, S6883**

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

A unanimous-consent agreement was reached providing that the motion to invoke cloture on the nomination, be withdrawn.

**Page S6792**

By 50 yeas to 45 nays (Vote No. EX. 231), David James Porter, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

**Pages S6799, S6883**

By 51 yeas to 44 nays (Vote No. EX. 232), Ryan Douglas Nelson, of Idaho, to be United States Circuit Judge for the Ninth Circuit.

**Pages S6799, S6883**

By 79 yeas to 16 nays (Vote No. EX. 233), Richard J. Sullivan, of New York, to be United States Circuit Judge for the Second Circuit.

**Pages S6799–S6800, S6883**

By 54 yeas to 41 nays (Vote No. EX. 234), William M. Ray II, of Georgia, to be United States District Judge for the Northern District of Georgia.

**Pages S6800, S6882**

By 55 yeas to 40 nays (Vote No. EX. 235), Liles Clifton Burke, of Alabama, to be United States District Judge for the Northern District of Alabama.

**Pages S6800, S6882**

By 54 yeas to 41 nays (Vote No. EX. 236), Michael Joseph Juneau, of Louisiana, to be United States District Judge for the Western District of Louisiana.

**Pages S6800–01, S6882**

By 51 yeas to 44 nays (Vote No. EX. 237), Mark Saalfeld Norris, Sr., of Tennessee, to be United States District Judge for the Western District of Tennessee.

**Pages S6801, S6882**

By 52 yeas to 43 nays (Vote No. EX. 238), Eli Jeremy Richardson, of Tennessee, to be United States District Judge for the Middle District of Tennessee.

**Pages S6801, S6882**

By 65 yeas to 30 nays (Vote No. EX. 239), Thomas S. Kleeh, of West Virginia, to be United States District Judge for the Northern District of West Virginia.

**Pages S6801–02, S6883**

Jeremy D. Kernodle, of Texas, to be United States District Judge for the Eastern District of Texas.

**Pages S6802, S6883**

Peter J. Phipps, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

**Pages S6802, S6883**

Susan Brnovich, of Arizona, to be United States District Judge for the District of Arizona.

**Pages S6802, S6883**

Chad F. Kenney, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

**Pages S6802, S6883**

James Patrick Hanlon, of Indiana, to be United States District Judge for the Southern District of Indiana.

**Pages S6802, S6883**

Lance E. Walker, of Maine, to be United States District Judge for the District of Maine.

**Pages S6802, S6883**

Adam I. Klein, of the District of Columbia, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2024.

Kimberly Breier, of Virginia, to be an Assistant Secretary of State (Western Hemisphere Affairs).

Dallas L. Carlson, of North Dakota, to be United States Marshal for the District of North Dakota for the term of four years.

Edward W. Felten, of New Jersey, to be a Member of the Privacy and Civil Liberties Oversight Board for the remainder of the term expiring January 29, 2019.

Jane Nitze, of the District of Columbia, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2023.

Denise Natali, of New Jersey, to be an Assistant Secretary of State (Conflict and Stabilization Operations).

Peter Gaynor, of Rhode Island, to be Deputy Administrator, Federal Emergency Management Agency, Department of Homeland Security.

Jason R. Dunn, of Colorado, to be United States Attorney for the District of Colorado for the term of four years.

John Cotton Richmond, of Virginia, to be Director of the Office to Monitor and Combat Trafficking, with the rank of Ambassador at Large.

Karen L. Williams, of Missouri, to be Ambassador to the Republic of Suriname.

James Morhard, of Virginia, to be Deputy Administrator of the National Aeronautics and Space Administration.

Kevin K. Sullivan, of Ohio, to be Ambassador to the Republic of Nicaragua.

Donald Y. Yamamoto, of Washington, to be Ambassador to the Federal Republic of Somalia.

Earl Robert Miller, of Michigan, to be Ambassador to the People's Republic of Bangladesh.

Harold B. Parker, of New Hampshire, to be Federal Cochairperson of the Northern Border Regional Commission.

Robert H. McMahon, of Georgia, to be an Assistant Secretary of Defense.

Mary Elizabeth Taylor, of the District of Columbia, to be an Assistant Secretary of State (Legislative Affairs).

1 Air Force nomination in the rank of general.

1 Army nomination in the rank of general.

2 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, and Navy.

**Pages S6803–05, S6882–83**

**Nomination Received:** Senate received the following nomination:

Douglas J. Strike, of Iowa, to be United States Marshal for the Northern District of Iowa for the term of four years.

**Page S6882**

**Executive Communications:** **Page S6814**

**Executive Reports of Committees:** **Page S6815**

**Additional Cosponsors:** **Pages S6816–18**

**Statements on Introduced Bills/Resolutions:** **Pages S6818–21**

**Additional Statements:** **Pages S6811–14**

**Amendments Submitted:** **Pages S6826–74**

**Authorities for Committees to Meet:** **Pages S6874–75**

**Record Votes:** Twelve record votes were taken today. (Total—239)

**Pages** SS6789–90, S6792, S6799–S6802

**Adjournment:** Senate convened at 10 a.m. and adjourned, as a further mark of respect to the memory of the late Joseph D. “Joe” Tydings, former Senator for the State of Maryland, in accordance with S. Res. 684, at 9:39 p.m., until 12 noon on Friday, October 12, 2018. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S6882.)

## Committee Meetings

(Committees not listed did not meet)

### MILITARY THREAT BY CHINA AND RUSSIA

*Committee on Armed Services:* Committee received a closed briefing on the military threat posed by near peer adversaries China and Russia from John C. Rood, Under Secretary for Policy, Lieutenant General Anthony R. Ierardi, USA, Director for Force Structure, Resources and Assessment (J8), Joint Chiefs of Staff, and Major General Michael Groen, all of the Department of Defense.

### CRYPTOCURRENCY AND BLOCKCHAIN ECOSYSTEM

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine the cryptocurrency and blockchain ecosystem, including S. 3179, to require the Comptroller General of the United States to carry out a study on how virtual currencies and online marketplaces are used to buy, sell, or facilitate the financing of goods or services associated with sex trafficking or drug trafficking, after receiving testimony from Nouriel Roubini, New York University Stern School of Business, New York, New York; and Peter Van Valkenburgh, Coin Center, Washington, D.C.

### FUTURE OF THE FLEETS

*Committee on Commerce, Science, and Transportation:* Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard concluded a hearing to examine the future of the fleets, focusing on Coast Guard and National Oceanic and Atmospheric Administration ship recapitalization, after receiving testimony from Rear Admiral Michael J. Haycock, Assistant Commandant for Acquisition and Chief Acquisition Officer, Coast Guard, Department of Homeland Security; Marie A. Mak, Director, Contracting and National Security Acquisitions, Government Accountability Office; and Ronald O’Rourke, Specialist in Naval Affairs, Congressional Research Service, Library of Congress.

### BLACKSTART

*Committee on Energy and Natural Resources:* Committee concluded a hearing to examine blackstart and other system restoration plans in the electric utility industry, after receiving testimony from David S. Ortiz, Acting Director, Office of Electric Reliability, Federal Energy Regulatory Commission; Juan Torres, Associate Laboratory Director for Energy Systems Integration, National Renewable Energy Laboratory, Department of Energy; Joy Ditto, Utilities Technology Council, Washington, D.C.; Thomas J. Galloway, Sr., North American Transmission Forum, Charlotte, North Carolina; Andrew L. Ott, PJM Interconnection, L.L.C., Norristown, Pennsylvania; and Timothy M. Yardley, University of Illinois at Urbana-Champaign Information Trust Institute, Urbana.

### NOMINATIONS

*Committee on Foreign Relations:* Committee concluded a hearing to examine the nominations of John Mark Pommersheim, of Florida, to be Ambassador to the Republic of Tajikistan, William H. Moser, of North Carolina, to be Ambassador to the Republic of Kazakhstan, and Donald Armin Blome, of Illinois, to be Ambassador to the Republic of Tunisia, all of the Department of State, after the nominees testified and answered questions in their own behalf.

### BUSINESS MEETING

*Committee on the Judiciary:* Committee ordered favorably reported the following business items:

S. 2785, to designate foreign persons who improperly interfere in United States elections as inadmissible aliens, with an amendment in the nature of a substitute;

S. 3178, to amend title 18, United States Code, to specify lynching as a deprivation of civil rights, with an amendment in the nature of a substitute; and

The nominations of Jonathan A. Kobes, of South Dakota, to be United States Circuit Judge for the Eighth Circuit, Kenneth D. Bell, to be United States District Judge for the Western District of North Carolina, Stephanie A. Gallagher, to be United States District Judge for the District of Maryland, Mary S. McElroy, to be United States District Judge for the District of Rhode Island, Carl J. Nichols, to be United States District Judge for the District of Columbia, and Martha Maria Pacold, Mary M. Rowland, and Steven C. Seeger, each to be a United States District Judge for the Northern District of Illinois.

**BUSINESS MEETING**

*Committee on Small Business and Entrepreneurship:* Committee ordered favorably reported the following business items:

S. 2679, to provide access to and manage the distribution of excess or surplus property to veteran-owned small businesses, with an amendment in the nature of a substitute;

S. 3552, to amend the Small Business Act to adjust the real estate appraisal thresholds under the 7(a) program of the Small Business Administration to bring those thresholds into line with the thresholds used by the Federal banking regulators;

S. 3553, to amend the Small Business Act to adjust the real estate appraisal thresholds under the section 504 program of the Small Business Adminis-

tration to bring those thresholds into line with the thresholds used by the Federal banking regulators;

S. 3554, to extend the effective date for the sunset for collateral requirements for Small Business Administration disaster loans;

S. 3561, to support entrepreneurs serving in the National Guard and Reserve; and

S. 3562, to amend the Small Business Act to modify the method for prescribing size standards for business concerns.

**INTELLIGENCE**

*Select Committee on Intelligence:* Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

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## House of Representatives

***Chamber Action***

The House was not in session today. The House is scheduled to meet in Pro Forma Session at 9:30 a.m. on Friday, October 12, 2018.

***Committee Meetings***

No hearings were held.

***Joint Meetings***

No joint committee meetings were held.

garding the prices for certain drugs and biologicals. Signed on October 10, 2018. (Public Law 115–262)

S. 2554, to ensure that health insurance issuers and group health plans do not prohibit pharmacy providers from providing certain information to enrollees. Signed on October 10, 2018. (Public Law 115–263)

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### COMMITTEE MEETINGS FOR FRIDAY, OCTOBER 12, 2018

*(Committee meetings are open unless otherwise indicated)*

**Senate**

No meetings/hearings scheduled.

**House**

No hearings are scheduled.

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### NEW PUBLIC LAWS

*(For last listing of Public Laws, see DAILY DIGEST, p. D1126)*

S. 2553, to amend title XVIII of the Social Security Act to prohibit Medicare part D plans from restricting pharmacies from informing individuals re-

*Next Meeting of the SENATE*

12 noon, Friday, October 12

*Next Meeting of the HOUSE OF REPRESENTATIVES*

9:30 a.m., Friday, October 12

## Senate Chamber

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

## House Chamber

**Program for Friday:** The House will meet in Pro Forma session at 9:30 a.m.



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