

# AUTHORITY FOR COMMITTEES TO MEET

Mr. FLAKE. Mr. President, I have 5 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

## COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, December 14, 2017, at 10 a.m. to conduct a hearing.

## COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, December 14, 2017, at 10 a.m. to hold a hearing entitled "New Counterterrorism Guidance".

## COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Thursday, December 14, 2017, at 10 a.m., in room to conduct a hearing on the nomination of Margaret Weichert, of Georgia, to be Deputy Director for Management, Office of Management and Budget.

## COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, December 14, 2017, at 10 a.m., in room SD-226 to conduct a hearing on S. 2152, "Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2017" and on the following nominations: 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, Andrei Iancu, of California, to be Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, and Duane A. Kees, to be United States Attorney for the Western District of Arkansas, Stephen R. McAllister, to be United States Attorney for the District of Kansas, Ronald A. Parsons, Jr., to be United States Attorney for the District of South Dakota, Ryan K. Patrick, to be United States Attorney for the Southern District of Texas, and Michael B. Stuart, to be United States Attorney for the Southern District of West Virginia, all of the Department of Justice.

## SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Thursday, December 14, 2017, at 2 p.m. to conduct a closed hearing.

# PRIVILEGES OF THE FLOOR

Mr. FLAKE. Mr. President, I ask unanimous consent that JASON SMITH, a Coast Guard fellow from the Commerce, Science, and Transportation Committee, be granted floor privileges for the duration of the 115th Congress.

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

## PREVENTING ANIMAL CRUELTY AND TORTURE ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 654 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 (S. 654) to revise section 48 of title 18, United States Code, 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 bill 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 bill (S. 654) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 654

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

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Preventing Animal Cruelty and Torture Act" or the "PACT Act".

### SEC. 2. REVISION OF SECTION 48.

(a) IN GENERAL.—Section 48 of title 18, United States Code, is amended to read as follows:

#### "§ 48. Animal crushing

"(a) OFFENSES.—

"(1) CRUSHING.—It shall be unlawful for any person to purposely engage in animal crushing in or affecting interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.

"(2) CREATION OF ANIMAL CRUSH VIDEOS.—It shall be unlawful for any person to knowingly create an animal crush video, if—

"(A) the person intends or has reason to know that the animal crush video will be distributed in, or using a means or facility of, interstate or foreign commerce; or

"(B) the animal crush video is distributed in, or using a means or facility of, interstate or foreign commerce.

"(3) DISTRIBUTION OF ANIMAL CRUSH VIDEOS.—It shall be unlawful for any person to knowingly sell, market, advertise, exchange, or distribute an animal crush video in, or using a means or facility of, interstate or foreign commerce.

"(b) EXTRATERRITORIAL APPLICATION.—This section applies to the knowing sale, marketing, advertising, exchange, distribution, or creation of an animal crush video outside of the United States, if—

"(1) the person engaging in such conduct intends or has reason to know that the ani-

mal crush video will be transported into the United States or its territories or possessions; or

"(2) the animal crush video is transported into the United States or its territories or possessions.

"(c) PENALTIES.—Whoever violates this section shall be fined under this title, imprisoned for not more than 7 years, or both.

"(d) EXCEPTIONS.—

"(1) IN GENERAL.—This section does not apply with regard to any conduct, or a visual depiction of that conduct, that is—

"(A) a customary and normal veterinary, agricultural husbandry, or other animal management practice;

"(B) the slaughter of animals for food;

"(C) hunting, trapping, fishing, a sporting activity not otherwise prohibited by Federal law, predator control, or pest control;

"(D) medical or scientific research;

"(E) necessary to protect the life or property of a person; or

"(F) performed as part of euthanizing an animal.

"(2) GOOD-FAITH DISTRIBUTION.—This section does not apply to the good-faith distribution of an animal crush video to—

"(A) a law enforcement agency; or

"(B) a third party for the sole purpose of analysis to determine if referral to a law enforcement agency is appropriate.

"(3) UNINTENTIONAL CONDUCT.—This section does not apply to unintentional conduct that injures or kills an animal.

"(4) CONSISTENCY WITH RFRA.—This section shall be enforced in a manner that is consistent with section 3 of the Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb-1).

"(e) NO PREEMPTION.—Nothing in this section shall be construed to preempt the law of any State or local subdivision thereof to protect animals.

"(f) DEFINITIONS.—In this section—

"(1) the term 'animal crushing' means actual conduct in which one or more living non-human mammals, birds, reptiles, or amphibians is purposely crushed, burned, drowned, suffocated, impaled, or otherwise subjected to serious bodily injury (as defined in section 1365 and including conduct that, if committed against a person and in the special maritime and territorial jurisdiction of the United States, would violate section 2241 or 2242);

"(2) the term 'animal crush video' means any photograph, motion-picture film, video or digital recording, or electronic image that—

"(A) depicts animal crushing; and

"(B) is obscene; and

"(3) the term 'euthanizing an animal' means the humane destruction of an animal accomplished by a method that—

"(A) produces rapid unconsciousness and subsequent death without evidence of pain or distress; or

"(B) uses anesthesia produced by an agent that causes painless loss of consciousness and subsequent death."

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 3 of title 18, United States Code, is amended by striking the item relating to section 48 and inserting the following:

"48. Animal crushing."

## ORDERS FOR MONDAY, DECEMBER 18, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, December 18; 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; further, that following leader remarks, the Senate proceed to executive session and proceed to the consideration of Calendar Nos. 241 and 193 under the previous order, en bloc, with the debate time on the nominations to run concurrently; finally, that at 5:30 p.m., the Senate vote on confirmation of the nominations in the order listed with no intervening action or debate.

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

ADJOURNMENT UNTIL MONDAY,  
DECEMBER 18, 2017, AT 3 P.M.

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 5:19 p.m., adjourned until Monday, December 18, 2017, at 3 p.m.

## CONFIRMATIONS

### Executive nominations confirmed by the Senate December 14, 2017:

#### ENVIRONMENTAL PROTECTION AGENCY

MATTHEW Z. LEOPOLD, OF FLORIDA, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

DAVID ROSS, OF WISCONSIN, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

#### DEPARTMENT OF JUSTICE

SCOTT W. BRADY, OF PENNSYLVANIA, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF PENNSYLVANIA FOR THE TERM OF FOUR YEARS.

ANDREW E. LELLING, OF MASSACHUSETTS, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF MASSACHUSETTS FOR THE TERM OF FOUR YEARS.

#### THE JUDICIARY

JAMES C. HO, OF TEXAS, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIFTH CIRCUIT.

#### IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271(D):

#### *To be rear admiral*

REAR ADM. (LH) PAT DEQUATTRO  
REAR ADM. (LH) WILLIAM G. KELLY  
REAR ADM. (LH) JOHN P. NADEAU  
REAR ADM. (LH) JOANNA M. NUNAN  
REAR ADM. (LH) DAVID G. THROOP

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO SERVE AS THE DIRECTOR OF THE COAST GUARD RESERVE IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 53(B):

#### *To be rear admiral (lower half)*

REAR ADM. ANDREW S. MCKINLEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203(A):

#### *To be rear admiral (lower half)*

CAPT. JAMES M. KELLY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271(E):

#### *To be rear admiral (lower half)*

CAPT. THOMAS ALLAN  
CAPT. LAURA M. DICKEY  
CAPT. DOUGLAS M. FEARS  
CAPT. JOHN W. MAUGER  
CAPT. NATHAN A. MOORE  
CAPT. BRIAN K. PENOYER  
CAPT. MATTHEW W. SIBLEY

COAST GUARD NOMINATIONS BEGINNING WITH GEORGE BAMFORD AND ENDING WITH TABITHA A. SCHIRO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 16, 2017.

COAST GUARD NOMINATIONS BEGINNING WITH STEPHEN J. ADLER AND ENDING WITH TORRENCE B. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 16, 2017.

COAST GUARD NOMINATIONS BEGINNING WITH LAWRENCE F. AHLIN AND ENDING WITH RUSSELL R. ZUCKERMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 16, 2017.

COAST GUARD NOMINATION OF MEGHAN K. STEINHAUS, TO BE COMMANDER.