

S. 1152

At the request of Mr. MERKLEY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1152, a bill to create protections for depository institutions that provide financial services to cannabis-related businesses, and for other purposes.

S. 1690

At the request of Ms. DUCKWORTH, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1690, a bill to amend the Higher Education Act of 1965 to provide greater support to students with dependents, and for other purposes.

S. 1738

At the request of Mr. WARNER, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1738, a bill to amend title XVIII of the Social Security Act to provide for a home infusion therapy services temporary transitional payment under the Medicare program.

S. 1806

At the request of Mrs. MURRAY, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1806, a bill to amend the Child Care and Development Block Grant Act of 1990 and the Head Start Act to promote child care and early learning, and for other purposes.

S. 1842

At the request of Mr. WYDEN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1842, a bill to provide for wildfire suppression operations, and for other purposes.

S. 1989

At the request of Ms. KLOBUCHAR, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 1989, a bill to enhance transparency and accountability for online political advertisements by requiring those who purchase and publish such ads to disclose information about the advertisements to the public, and for other purposes.

S. 2029

At the request of Mr. REED, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2029, a bill to establish a National and Community Service Administration to carry out the national and volunteer service programs, to expand participation in such programs, and for other purposes.

S. 2086

At the request of Mrs. SHAHEEN, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 2086, a bill to amend the Federal Agriculture Improvement and Reform Act of 1996 to extend and modernize the sugar program, to extend and subsequently repeal the feedstock flexibility program for bioenergy producers, to extend and subsequently replace flexible marketing allotments for sugar, and for other purposes.

S. 2098

At the request of Mr. CORNYN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2098, a bill to modernize and strengthen the Committee on Foreign Investment in the United States to more effectively guard against the risk to the national security of the United States posed by certain types of foreign investment, and for other purposes.

S. 2127

At the request of Ms. MURKOWSKI, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 2127, a bill to award a Congressional Gold Medal, collectively, to the United States merchant mariners of World War II, in recognition of their dedicated and vital service during World War II.

S. 2324

At the request of Mr. HELLER, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 2324, a bill to amend the Investment Company Act of 1940 to change certain requirements relating to the capital structure of business development companies, to direct the Securities and Exchange Commission to revise certain rules relating to business development companies, and for other purposes.

S. 2339

At the request of Mr. PAUL, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 2339, a bill to amend title 31, United States Code, to provide for automatic continuing resolutions.

S. 2345

At the request of Mr. CORNYN, the names of the Senator from North Carolina (Mr. BURR), the Senator from Missouri (Mrs. McCASKILL) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 2345, a bill to amend the DNA Analysis Backlog Elimination Act of 2000 to provide additional resources to State and local prosecutors, and for other purposes.

S. 2353

At the request of Mr. COTTON, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 2353, a bill to require the Secretary of the Treasury to report on the estimated total assets under direct or indirect control by certain senior Iranian leaders and other figures, and for other purposes.

S. 2360

At the request of Ms. HEITKAMP, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2360, a bill to provide for the minimum size of crews of freight trains, and for other purposes.

S. 2364

At the request of Mr. BOOZMAN, the names of the Senator from Wyoming (Mr. BARRASSO) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 2364, a bill to

amend the Water Infrastructure Finance and Innovation Act of 2014 to provide to State infrastructure financing authorities additional opportunities to receive loans under that Act to support drinking water and clean water State revolving funds to deliver water infrastructure to communities across the United States, and for other purposes.

S. RES. 396

At the request of Mrs. SHAHEEN, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. Res. 396, a resolution to establish a special committee of the Senate to address sexual abuse within United States Olympic Gymnastics.

S. RES. 397

At the request of Mrs. MURRAY, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. Res. 397, a resolution designating the week of February 5 through February 9, 2018, as "National School Counseling Week".

## AMENDMENTS SUBMITTED AND PROPOSED

SA 1935. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1930 proposed by Mr. MCCONNELL to the bill H.R. 1892, to amend title 4, United States Code, to provide for the flying of the flag at half-staff in the event of the death of a first responder in the line of duty; which was ordered to lie on the table.

SA 1936. Mr. GRASSLEY (for himself and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 1930 proposed by Mr. MCCONNELL to the bill H.R. 1892, supra; which was ordered to lie on the table.

SA 1937. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 1930 proposed by Mr. MCCONNELL to the bill H.R. 1892, supra; which was ordered to lie on the table.

SA 1938. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1930 proposed by Mr. MCCONNELL to the bill H.R. 1892, supra; which was ordered to lie on the table.

SA 1939. Mr. MENENDEZ (for himself and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 1930 proposed by Mr. MCCONNELL to the bill H.R. 1892, supra; which was ordered to lie on the table.

SA 1940. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1930 proposed by Mr. MCCONNELL to the bill H.R. 1892, supra; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

SA 1935. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1930 proposed by Mr. MCCONNELL to the bill H.R. 1892, to amend title 4, United States Code, to provide for the flying of the flag at half-staff in the event of the death of a first responder in the line of duty; which was ordered to lie on the table; as follows:

On page 223, between lines 17 and 18, insert the following:

### Subtitle E—Additional Extensions Through 2018

#### SEC. 40601. EXTENSION OF CREDIT FOR ALTERNATIVE FUEL VEHICLE REFUELING PROPERTY.

(a) IN GENERAL.—Section 30C(g), as amended by section 40404, is amended by striking “December 31, 2017” and inserting “December 31, 2018”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2017.

#### SEC. 40602. EXTENSION OF SECOND GENERATION BIOFUEL PRODUCER CREDIT.

(a) IN GENERAL.—Section 40(b)(6)(J)(i), as amended by section 40406, is amended by striking “January 1, 2018” and inserting “January 1, 2019”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to qualified second generation biofuel production after December 31, 2017.

#### SEC. 40603. EXTENSION OF SPECIAL ALLOWANCE FOR SECOND GENERATION BIOFUEL PLANT PROPERTY.

(a) IN GENERAL.—Section 168(l)(2)(D), as amended by section 40412, is amended by striking “January 1, 2018” and inserting “January 1, 2019”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2017.

#### SEC. 40604. EXTENSION OF EXCISE TAX CREDITS RELATING TO ALTERNATIVE FUELS.

(a) EXTENSION OF ALTERNATIVE FUELS EXCISE TAX CREDITS.—

(1) IN GENERAL.—Sections 6426(d)(5) and 6426(e)(3), as amended by section 40415, are each amended by striking “December 31, 2017” and inserting “December 31, 2018”.

(2) OUTLAY PAYMENTS FOR ALTERNATIVE FUELS.—Section 6427(e)(6)(C), as amended by section 40414, is amended by striking “December 31, 2017” and inserting “December 31, 2018”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to fuel sold or used after December 31, 2017.

(b) SPECIAL RULE FOR 2018.—Notwithstanding any other provision of law, in the case of any alternative fuel credit properly determined under section 6426(d) of the Internal Revenue Code of 1986 for the period beginning on January 1, 2018, and ending on the date of the enactment of this Act, such credit shall be allowed, and any refund or payment attributable to such credit (including any payment under section 6427(e) of such Code) shall be made, only in such manner as the Secretary of the Treasury (or the Secretary's delegate) shall provide. Such Secretary shall issue guidance within 30 days after the date of the enactment of this Act providing for a one-time submission of claims covering periods described in the preceding sentence. Such guidance shall provide for a 180-day period for the submission of such claims (in such manner as prescribed by such Secretary) to begin not later than 30 days after such guidance is issued. Such claims shall be paid by such Secretary not later than 60 days after receipt. If such Secretary has not paid pursuant to a claim filed under this subsection within 60 days after the date of the filing of such claim, the claim shall be paid with interest from such date determined by using the overpayment rate and method under section 6621 of such Code.

**SA 1936.** Mr. GRASSLEY (for himself and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 1930 proposed by Mr. MCCONNELL to the bill H.R. 1892, to amend title 4, United States Code, to provide for the flying of the flag at

half-staff in the event of the death of a first responder in the line of duty; which was ordered to lie on the table; as follows:

On page 208, strike lines 3 through 19 and insert the following:

(a) INCOME TAX CREDIT.—

(1) IN GENERAL.—Subsection (g) of section 40A is amended by striking “December 31, 2016” and inserting “December 31, 2018”.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to fuel sold or used after December 31, 2016.

(b) EXCISE TAX INCENTIVES.—

(1) IN GENERAL.—Section 6426(c)(6) is amended by striking “December 31, 2016” and inserting “December 31, 2018”.

(2) PAYMENTS.—Section 6427(e)(6)(B) is amended by striking “December 31, 2016” and inserting “December 31, 2018”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to fuel sold or used after December 31, 2016.

(4) SPECIAL RULE.—Notwithstanding any other provision of law, in the case of any biodiesel mixture credit properly determined under section 6426(c) of the Internal Revenue Code of 1986 for the period beginning on January 1, 2017, and ending on the date of the enactment of this Act, such credit shall be allowed, and any refund or payment attributable to such credit (including any payment under section 6427(e) of such Code) shall be made, only in such manner as the Secretary of the Treasury (or the Secretary's delegate) shall provide. Such Secretary shall issue guidance within 30 days after the date of the enactment of this Act providing for a one-time submission of claims covering periods described in the preceding sentence. Such guidance shall provide for a 180-day period for the submission of such claims (in such manner as prescribed by such Secretary) to begin not later than 30 days after such guidance is issued. Such claims shall be paid by such Secretary not later than 60 days after receipt. If such Secretary has not paid pursuant to a claim filed under this subsection within 60 days after the date of the filing of such claim, the claim shall be paid with interest from such date determined by using the overpayment rate and method under section 6621 of such Code.

**SA 1937.** Mr. HELLER submitted an amendment intended to be proposed to amendment SA 1930 proposed by Mr. MCCONNELL to the bill H.R. 1892, to amend title 4, United States Code, to provide for the flying of the flag at half-staff in the event of the death of a first responder in the line of duty; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### TITLE \_\_\_\_—NO BUDGET, NO PAY

##### SEC. \_\_\_\_01. SHORT TITLE.

This title may be cited as the “No Budget, No Pay Act”.

##### SEC. \_\_\_\_02. DEFINITION.

In this title, the term “Member of Congress”—

(1) has the meaning given the term under section 2106 of title 5, United States Code; and

(2) does not include the Vice President.

##### SEC. \_\_\_\_03. TIMELY APPROVAL OF CONCURRENT RESOLUTION ON THE BUDGET AND THE APPROPRIATIONS BILLS.

If both Houses of Congress have not approved a concurrent resolution on the budget as described under section 301 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 632) for a fiscal year before

October 1 of that fiscal year and have not passed all the regular appropriations bills for the next fiscal year before October 1 of that fiscal year, the pay of each Member of Congress may not be paid for each day following that October 1 until the date on which both Houses of Congress approve a concurrent resolution on the budget for that fiscal year and all the regular appropriations bills.

#### SEC. \_\_\_\_04. NO PAY WITHOUT CONCURRENT RESOLUTION ON THE BUDGET AND THE APPROPRIATIONS BILLS.

(a) IN GENERAL.—Notwithstanding any other provision of law, no funds may be appropriated or otherwise made available from the United States Treasury for the pay of any Member of Congress during any period determined by the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate or the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives under section \_\_\_\_05.

(b) NO RETROACTIVE PAY.—A Member of Congress may not receive pay for any period determined by the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate or the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives under section \_\_\_\_05, at any time after the end of that period.

#### SEC. \_\_\_\_05. DETERMINATIONS.

(a) SENATE.—

(1) REQUEST FOR CERTIFICATIONS.—On October 1 of each year, the Secretary of the Senate shall submit a request to the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate for certification of determinations made under subparagraphs (A) and (B) of paragraph (2).

(2) DETERMINATIONS.—The Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate shall—

(A) on October 1 of each year, make a determination of whether Congress is in compliance with section \_\_\_\_03 and whether Senators may not be paid under that section;

(B) determine the period of days following each October 1 that Senators may not be paid under section \_\_\_\_03; and

(C) provide timely certification of the determinations under subparagraphs (A) and (B) upon the request of the Secretary of the Senate.

(b) HOUSE OF REPRESENTATIVES.—

(1) REQUEST FOR CERTIFICATIONS.—On October 1 of each year, the Chief Administrative Officer of the House of Representatives shall submit a request to the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives for certification of determinations made under subparagraphs (A) and (B) of paragraph (2).

(2) DETERMINATIONS.—The Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives shall—

(A) on October 1 of each year, make a determination of whether Congress is in compliance with section \_\_\_\_03 and whether Members of the House of Representatives may not be paid under that section;

(B) determine the period of days following each October 1 that Members of the House of Representatives may not be paid under section \_\_\_\_03; and

(C) provide timely certification of the determinations under subparagraphs (A) and (B) upon the request of the Chief Administrative Officer of the House of Representatives.

**SEC. 06. EFFECTIVE DATE.**

This title shall take effect on February 1, 2019.

**SA 1938.** Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1930 proposed by Mr. MCCONNELL to the bill H.R. 1892, to amend title 4, United States Code, to provide for the flying of the flag at half-staff in the event of the death of a first responder in the line of duty; which was ordered to lie on the table; as follows:

On page 93, line 25, insert “2012, 2013,” before “2014”.

**SA 1939.** Mr. MENENDEZ (for himself and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 1930 proposed by Mr. MCCONNELL to the bill H.R. 1892, to amend title 4, United States Code, to provide for the flying of the flag at half-staff in the event of the death of a first responder in the line of duty; which was ordered to lie on the table; as follows:

On page 260, between lines 6 and 7, insert the following:

**SEC. 4120. CREDIT AGAINST TAX ON INVESTMENT INCOME OF PRIVATE COLLEGES AND UNIVERSITIES.**

(a) IN GENERAL.—Subchapter B of chapter 65 is amended by adding at the end the following new section:

**“SEC. 6433. CREDIT AGAINST TAX ON INVESTMENT INCOME OF PRIVATE COLLEGES AND UNIVERSITIES.**

“(a) ALLOWANCE OF CREDIT.—There shall be allowed as a credit against the tax imposed by section 4968 an amount equal to so much of the qualified tuition waiver amount for the taxable year as does not exceed the amount of such tax for such taxable year.

“(b) QUALIFIED TUITION WAIVER AMOUNT.—For purposes of this section—

“(1) IN GENERAL.—The term ‘qualified tuition waiver amount’ means the product of—

“(A) the regular tuition for a full-time student at the applicable educational institution (as defined in section 4968(b)(1)) for academic periods during the taxable year, and

“(B) the number of qualified students attending the applicable educational institution full-time during such periods who do not pay any tuition.

“(2) QUALIFIED STUDENT.—The term ‘qualified student’ means any full-time student if the total income (as defined in section 480 of the Higher Education Act of 1965) for the student’s family, determined in accordance with part F of title IV of such Act, does not exceed \$150,000 for the taxable year.

“(3) EXCLUSION OF THIRD-PARTY SCHOLARSHIPS, ETC.—A qualified student shall not be taken into account under paragraph (1)(B) if the student’s tuition is paid by any person other than the applicable educational institution, including by scholarship, grant, or loan.

“(c) TUITION.—For purposes of this section, the term ‘tuition’ does not include—

“(1) expenses for room and board, and

“(2) expenses described in section 117(b)(2)(B).”

(b) CLERICAL AMENDMENT.—The table of sections for subchapter B of chapter 65 is amended by adding at the end the following new item:

“Sec. 6433. Credit against tax on investment income of private colleges and universities.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.

**SA 1940.** Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1930 proposed by Mr. MCCONNELL to the bill H.R. 1892, to amend title 4, United States Code, to provide for the flying of the flag at half-staff in the event of the death of a first responder in the line of duty; which was ordered to lie on the table; as follows:

On page 140, strike line 5 and all that follows through “YEAR 2027.—” on page 141, line 22.

**AUTHORITY FOR COMMITTEES TO MEET**

Mr. ROUNDS. Mr. President, I have 6 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, February 8, 2018, at 10:30 a.m., to conduct a hearing on the following nominations: Paul C. Ney, Jr., of Tennessee, to be General Counsel, Kevin Fahey, of Massachusetts, to be an Assistant Secretary, and Thomas E. Ayres, of Pennsylvania, to be General Counsel of the Department of the Air Force, all of the Department of Defense, and Lisa Gordon-Hagerty, of Virginia, to be Under Secretary for Nuclear Security, Department of Energy.

**COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS**

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, February 8, 2018, at 11 a.m., to conduct a hearing on subcommittee assignments and the following nominations: Jelena McWilliams, of Ohio, to be Chairperson of the Board of Directors, and to be a Member of the Board of Directors, Federal Deposit Insurance Corporation, Marvin Goodfriend, of Pennsylvania, to be a Member of the Board of Governors of the Federal Reserve System, and Thomas E. Workman, of New York, to be a Member of the Financial Stability Oversight Council.”

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, February 8, at 10 a.m. to conduct a hearing.

**COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS**

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Thursday, February 8, at 10 a.m. to conduct a hearing entitled “The Opioid Crisis: Impact on Children and Families.”

**COMMITTEE ON THE JUDICIARY**

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, February 8, at 10:30 a.m., to conduct a hearing on the following nominations: Kurt D. Engelhardt, of Louisiana, to be United States Circuit Judge for the Fifth Circuit, Michael B. Brennan, of Wisconsin, to be United States Circuit Judge for the Seventh Circuit, Barry W. Ashe, to be United States District Judge for the Eastern District of Louisiana, Howard C. Nielson, Jr., to be United States District Judge for the District of Utah, James R. Sweeney II, to be United States District Judge for the Southern District of Indiana, Susan Paradise Baxter, to be United States District Judge for the Western District of Pennsylvania, Daniel Desmond Domenico, to be United States District Judge for the District of Colorado, Marilyn Jean Horan, to be United States District Judge for the Western District of Pennsylvania, Adam I. Klein, of the District of Columbia, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board, and John C. Anderson, to be United States Attorney for the District of New Mexico, Brandon J. Fremin, to be United States Attorney for the Middle District of Louisiana, Joseph P. Kelly, to be United States Attorney for the District of Nebraska, Scott W. Murray, to be United States Attorney for the District of New Hampshire, David C. Weiss, to be United States Attorney for the District of Delaware, David G. Jolley, to be United States Marshal for the Eastern District of Tennessee, and Thomas M. Griffin, Jr., to be United States Marshal for the District of South Carolina, 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, February 8, 2018, at 2:30 p.m., to conduct a closed hearing.

**PRIVILEGES OF THE FLOOR**

Mr. CORNYN. Mr. President, I ask unanimous consent that Ramona McGee, a Department of Homeland Security fellow in my office, be granted privileges of the floor during the consideration of border security and immigration legislation.

I also ask unanimous consent that my military fellow Patrick Heiny be granted privileges of the floor for the remainder of this year.

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

**AUTHORIZING USE OF EMANCIPATION HALL**

Mr. TILLIS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 102, which was received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.