

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S7071–S7123*

**Measures Introduced:** Thirteen bills and two resolutions were introduced, as follows: S. 2094–2106, and S. Res. 324–325. **Pages S7109–10**

#### Measures Reported:

S. 873, to amend section 8433 of title 5, United States Code, to provide for flexibility in making withdrawals from the Thrift Savings Fund, with an amendment. (S. Rept. No. 115–183)

H.R. 195, to amend title 44, United States Code, to restrict the distribution of free printed copies of the Federal Register to Members of Congress and other officers and employees of the United States. (S. Rept. No. 115–184) **Page S7109**

#### Measures Passed:

**National Diabetes Heart Health Awareness Day:** Senate agreed to S. Res. 324, designating November 9, 2017, as “National Diabetes Heart Health Awareness Day”, coinciding with American Diabetes Month. **Pages S7120–21**

**National Obesity Care Week:** Senate agreed to S. Res. 325, expressing support for designation of the week of October 29 through November 4, 2017, as “National Obesity Care Week”. **Page S7121**

**FITARA Enhancement Act:** Senate passed H.R. 3243, to amend title 40, United States Code, to eliminate the sunset of certain provisions relating to information technology, to amend the National Defense Authorization Act for Fiscal Year 2015 to extend the sunset relating to the Federal Data Center Consolidation Initiative. **Page S7121**

**Federal Agency Mail Management Act:** Senate passed H.R. 194, to ensure the effective processing of mail by Federal agencies. **Page S7121**

**Wehrum Nomination—Agreement:** Senate resumed consideration of the nomination of William L. Wehrum, of Delaware, to be an Assistant Administrator of the Environmental Protection Agency.

**Pages S7098–S7106**

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

By 49 yeas to 46 nays (Vote No. 267), Senate agreed to the motion to close further debate on the nomination. **Pages S7097–98**

A unanimous-consent agreement was reached providing for further consideration of the nomination, post-cloture, at approximately 9:30 a.m., on Thursday, November 9, 2017. **Page S7121**

**Nominations—Agreement:** A unanimous-consent-time agreement was reached providing that notwithstanding Rule XXII, at 11 a.m., on Thursday, November 9, 2017, there be 30 minutes of post-cloture time remaining on the nomination of William L. Wehrum, of Delaware, to be an Assistant Administrator of the Environmental Protection Agency, equally divided between the two Leaders or their designees, and that following the use or yielding back of that time, Senate vote on confirmation of the nomination; and that following disposition of the Wehrum nomination, Senate stand in recess until 1:45 p.m.; and that at 1:45 p.m., Senate vote on the motion to invoke cloture on the nomination of Derek Kan, of California, to be Under Secretary of Transportation for Policy, with no intervening action or debate. **Page S7121**

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

By 49 yeas to 46 nays (Vote No. EX. 266), Peter B. Robb, of Vermont, to be General Counsel of the National Labor Relations Board for a term of four years. **Pages S7072–97, S7123**

Melissa Sue Glynn, of the District of Columbia, to be an Assistant Secretary of Veterans Affairs (Enterprise Integration).

Cheryl L. Mason, of Virginia, to be Chairman of the Board of Veterans’ Appeals for a term of six years.

Randy Reeves, of Mississippi, to be Under Secretary of Veterans Affairs for Memorial Affairs.

**Pages S7106, S7123**

**Messages from the House:** **Pages S7107–08**

**Measures Referred:** **Page S7108**

**Executive Communications:** **Page S7108**

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Executive Reports of Committees:	Page S7109
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Privileges of the Floor:	Page S7120
Record Votes: Two record votes were taken today. (Total—267)	Pages S7097, S7098

**Adjournment:** Senate convened at 10 a.m. and adjourned at 7:03 p.m., until 9:30 a.m. on Thursday, November 9, 2017. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S7121.)

## Committee Meetings

(Committees not listed did not meet)

### BUSINESS MEETING

*Committee on Commerce, Science, and Transportation:* Committee ordered favorably reported the following business items:

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. 1668, to rename a waterway in the State of New York as the "Joseph Sanford Jr. Channel"; and

The nominations of Dana Baiocco, of Ohio, to be a Commissioner of the Consumer Product Safety Commission, James Bridenstine, of Oklahoma, to be Administrator of the National Aeronautics and Space Administration, Neil Jacobs, of North Carolina, and Nazakhtar Nikakhtar, of Maryland, both to be an Assistant Secretary of Commerce, Bruce Landsberg, of South Carolina, to be a Member of the National Transportation Safety Board, Raymond Martinez, of New Jersey, to be Administrator of the Federal Motor Carrier Safety Administration, and Diana Furchtgott-Roth, of Maryland, to be an Assistant Secretary, both of the Department of Transportation, and Leon A. Westmoreland, of Georgia, to be a Director of the Amtrak Board of Directors.

### DATA BREACHES

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine protecting consumers in the era of major data breaches, after receiving testimony from Paulino do Rego Barros, Jr., Atlanta, Georgia, and Richard F. Smith, Los Angeles, California, both of Equifax; Marissa

Mayer, Yahoo, San Francisco, California; Karen Zacharia, Verizon, New York, New York; and Todd Wilkinson, Entrust Datacard, Shakopee, Minnesota.

### NOMINATIONS

*Committee on Environment and Public Works:* Committee concluded a hearing to examine the nominations of Kathleen Hartnett White, of Texas, to be a Member of the Council on Environmental Quality, and Andrew Wheeler, of Virginia, to be Deputy Administrator of the Environmental Protection Agency, who was introduced by Representative Stivers, after the nominees testified and answered questions in their own behalf.

### AFRICA

*Committee on Foreign Relations:* Subcommittee on Africa and Global Health Policy received a closed briefing on a readout of Ambassador Haley's recent trip to Africa from Nikki R. Haley, Permanent Representative to the United Nations, Department of State.

### NOMINATION

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine the nomination of Kirstjen Nielsen, of Virginia, to be Secretary of Homeland Security, after the nominee, who was introduced by Senators Portman and Rubio, testified and answered questions in their own behalf.

### INDIAN AFFAIRS LEGISLATION

*Committee on Indian Affairs:* Committee concluded a hearing to examine S. 1400, to amend title 18, United States Code, to enhance protections of Native American tangible cultural heritage, and S. 465, to provide for an independent outside audit of the Indian Health Service, after receiving testimony from John Tahsuda III, Acting Assistant Secretary—Indian Affairs, Department of the Interior; Elizabeth A. Fowler, Deputy Director for Management Operations, Indian Health Service, Department of Health and Human Services; David Flute, Sisseton-Wahpeton Sioux Tribe, Agency Village, South Dakota; and Kurt Riley, Pueblo of Acoma, Acoma, New Mexico.

### LAWSUIT ABUSE ON AMERICAN SMALL BUSINESSES

*Committee on the Judiciary:* Committee concluded a hearing to examine the impact of lawsuit abuse on American small businesses and job creators, including S. 237, to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, after receiving testimony from Elizabeth Milito, National Federation of Independent Business Small Business Legal Center, and John H. Beisner,