

I congratulate Olivia on her accomplishments. I look forward to seeing her succeed as she continues to grow.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, August 1, 2018, she had presented to the President of the United States the following enrolled bill:

S. 2779. An act to amend the Zimbabwe Democracy and Economic Recovery Act of 2001.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-6133. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Mark C. Nowland, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-6134. A communication from the Acting Commissioner, Social Security Administration, transmitting, pursuant to law, the Administration's 2018 Annual Report of the Supplemental Security Income Program; to the Committee on Finance.

EC-6135. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Corinthian College and American Career Institutes Discharge of Indebtedness Private Student Loans" (Rev. Proc. 2018-39) received in the Office of the President of the Senate on July 31, 2018; to the Committee on Finance.

EC-6136. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance on Rollovers and Qualified Higher Education Expenses under Section 529" (Notice 2018-58) received in the Office of the President of the Senate on July 31, 2018; to the Committee on Finance.

EC-6137. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "United States Tobacco Product Exports That Do Not Conform to Tobacco Product Standards"; to the Committee on Health, Education, Labor, and Pensions.

EC-6138. A communication from the Assistant General Counsel for Regulatory Services, Office of General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Withdrawal of Guidance Documents" ((RIN1810-AB33) (Docket No. ED-2016-OESE-0056)) received in the Office of the President of the Senate on July 31, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC-6139. A communication from the Chief Privacy Officer, Department of Homeland Security, transmitting, pursuant to law, a report relative to the implementation of the recommendations of the 9/11 Commission for the period from October 1, 2018 through March 31, 2018; to the Committees on Homeland Security and Governmental Affairs; Select Committee on Intelligence; and the Judiciary.

EC-6140. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Uninformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; Third Quarter of Fiscal Year 2018"; to the Committee on Veterans' Affairs.

EC-6141. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Connect America Fund" ((RIN3060-AK57) (WC Docket No. 10-90)) received in the Office of the President of the Senate on July 31, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6142. A communication from the Program Analyst, Office of Managing Director, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Assessment and Collection of Regulatory Fees for Fiscal Year 2018" (FCC 18-65) received in the Office of the President of the Senate on July 31, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6143. A communication from the Chief, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "In the Matter of Expanding Flexible Use of the 3.7 to 4.2 GHz Band; Expanding Flexible Use in Mid-Band Spectrum Between 3.7 and 24 GHz; Petition for Rulemaking to Amend a Modernize Parts 25 and 101 of the Commission's Rules. . ." ((FCC 18-91) (GN Docket No. 18-122) (GN Docket No. 17-183) (RM-11791) (RM-11778)) received in the Office of the President of the Senate on July 31, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6144. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Island Pelagic Fisheries; False Killer Whale Take Reduction Plan; Closure of Southern Exclusion Zone" (RIN0648-XG334) received in the Office of the President of the Senate on July 31, 2018; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-280. A joint resolution adopted by the Legislature of the State of California urging the United States Congress to require, if necessary, a resolution between the federal Cen-

ters for Medicare and Medicaid Services and TRICARE to immediately restore data sharing and to waive the one-year timely filing restriction for all claims caught in this stoppage; to the Committee on Veterans' Affairs.

SENATE JOINT RESOLUTION NO. 23

Whereas, The federal Centers for Medicare and Medicaid Services (CMS), a part of the United States Department of Health and Human Services (HHS), works with the states to fund and implement the Medicaid program, which provides health coverage to millions of Americans, including eligible low-income adults, children, pregnant women, elderly adults, and people with disabilities; and

Whereas, TRICARE, which is managed by the United States Department of Defense Military Health System, provides civilian health benefits for active duty and reserve military members of the United States Armed Forces, military retirees, and their dependents, and which relies on the Defense Enrollment Eligibility Reporting System (DEERS) computerized database that contains TRICARE eligibility data for these individuals; and

Whereas, Approximately 1.75 million military veterans, their families, and active duty family members (nearly 1 in 10) have TRICARE and Medicaid coverage, including family members of active duty members who qualify under Medicaid income limits, veterans and their families who qualify under Medicaid income limits, disabled veterans and their families, and active duty family members that qualify for Medicaid due to disability; and

Whereas, For individuals who have both TRICARE and Medicaid coverage, TRICARE must pay as primary coverage; and

Whereas, Historically, identifying individuals with both TRICARE and Medicaid coverage has been a challenging, yet necessary, process, as acknowledged and documented in an HHS Inspector General report, "Medicaid Third Party Liability (TPL) Savings Have Increased, But Challenges Remain"; and

Whereas, Prior to 2017, TRICARE had matched their DEERS eligibility files and provided information back to the states about the individuals who had both TRICARE and Medicaid coverage; and

Whereas, The agreement to cross-match between CMS and TRICARE has expired and the parties have been unable to reestablish terms to coordinate benefits between the two programs; and

Whereas, In early 2017, TRICARE ceased its support in the data-match process in which states provide Medicaid enrollee eligibility information to TRICARE in order to identify those Members who have both TRICARE and Medicaid; and

Whereas, The expiration of the agreement has the effect of preventing the recovery of millions of payments annually where Medicaid erroneously paid, because TRICARE should have paid as primary coverage, resulting in a shift of additional costs from the federal government to the states; and

Whereas, TRICARE's timely filing limitation precludes Medicaid from billing a claim that should be TRICARE's responsibility if the service was rendered more than one year prior, resulting in additional annual costs shifting to California and other states; and

Whereas, TRICARE refuses to share data with, and process eligibility information from, Medicaid managed care organizations that provide care to more than 60 percent of all Medicaid members nationally. It is estimated that millions of dollars annually paid in claims should have been TRICARE's responsibility, not Medicaid managed care organizations resulting in even more cost shifting to the states and leading to improper Medicaid capitation payments; and

Whereas, Approximately 8.6 percent of TRICARE beneficiaries, or approximately 894,724 uniformed service members and their families, are located in California, and thus it is estimated that California could be paying millions of dollars it is not responsible for if this issue of data sharing between TRICARE and CMS is not resolved; Now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature of the State of California urges the United States Department of Defense and the United States Department of Health and Human Services to implement, and the United States Congress to require, if necessary, a resolution between the federal Centers for Medicare and Medicaid Services and TRICARE to immediately restore data sharing and to waive the one-year timely filing restriction for all claims caught in this stoppage; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the Majority Leader of the United States Senate, the Minority Leader of the United States Senate, and to each Senator and Representative from California in the Congress of the United States.

POM-281. A joint resolution adopted by the Legislature of the State of California urging the United States Congress to act favorably in regard to legislation to have the Mare Island Naval Cemetery transferred to the Department of Veterans Affairs and that the National Cemetery Administration restore the cemetery to national cemetery standards and provide for perpetual care of the facility as dictated by those standards; to the Committee on Veterans' Affairs.

SENATE JOINT RESOLUTION NO. 26

Whereas, The Mare Island Naval Cemetery is the oldest military cemetery on the West Coast, and the final resting place for over 900 veterans; and

Whereas, The cemetery is a national sanctuary and should be maintained to the highest standards in honor of the military heroes who are buried there; and

Whereas, The Navy was forced to close the Mare Island facility under the United States government's Base Realignment and Closure program in 1996 and deeded portions of Mare Island's physical property and facilities, including the Mare Island Naval Cemetery, to the City of Vallejo; and

Whereas, The Navy did not provide funds to maintain and provide for the perpetual care of the cemetery, and therefore the cemetery became the City of Vallejo's responsibility; and

Whereas, The City of Vallejo has experienced significant financial difficulties and has been unable to maintain the cemetery to the standards expected of a facility where veterans are laid to rest, which has resulted in a continual deterioration of the site since 1996; and

Whereas, The South Napa earthquake added to the physical deterioration of the cemetery by knocking down some headstones and breaking others; and

Whereas, The National Park Service, in May 1975, listed Mare Island Naval Shipyard as a National Historic Landmark, and a park with hiking paths has been established at the western end of the island where the cemetery is located; and

Whereas, A petition has been created by veterans and concerned visitors with over 54,000 signatures, encouraging United States Department of Veterans Affairs (VA) ownership and the restoration of the cemetery; and

Whereas, The City of Vallejo does not have the funds to restore the cemetery and has formally requested the federal government reassume ownership of the cemetery, without compensation to the city; and

Whereas, Representative Mike Thompson has introduced legislation (H.R. 5588) in the United States House of Representatives that will direct the United States Secretary of Veterans Affairs to seek an agreement with the City of Vallejo, under which the city would transfer control of the Mare Island Naval Cemetery to the VA; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature urges the Congress of the United States to act favorably in regard to legislation to have the Mare Island Naval Cemetery transferred to the United States Department of Veterans Affairs and that the National Cemetery Administration restore the cemetery to national cemetery standards and provide for perpetual care of the facility as dictated by those standards; and be it further

Resolved, That the National Cemetery Administration provide continuing care for those interned in the cemetery, including those who are not veterans or eligible family members; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, and to each Senator and Representative from California in the Congress of the United States.

POM-282. A resolution adopted by the Lauderdale Lakes City Commission, Lauderdale Lakes, Florida urging the rapid reunification of families separated as a result of the Administration's immigration policy; to the Committee on the Judiciary.

POM-283. A resolution adopted by the Lauderdale Lakes City Commission, Lauderdale Lakes, Florida expressing its concern, condemnation and outrage at and rejection of the implementation of the Administration's current immigration policies, particularly those which encourage and sanction the separation of families, and urging the United States Congress to forthwith take such steps as shall be appropriate to publicly condemn such policies and enact appropriate action to reverse the continuing application thereof; to the Committee on the Judiciary.

POM-284. A resolution adopted by the City Council of the City of Solana Beach, California memorializing its opposition to the Administration's zero tolerance policy, and any federal policy that removes children from families of immigrants who are seeking to enter our country; to the Committee on the Judiciary.

POM-285. A petition from a citizen of the State of Texas relative to constructing a physical barrier between the United States and foreign nations; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources:

Report to accompany S. 440, a bill to establish a procedure for the conveyance of certain Federal property around the Dickinson Reservoir in the State of North Dakota (Rept. No. 115-313).

Report to accompany S. 2074, a bill to establish a procedure for the conveyance of certain Federal property around the James-

town Reservoir in the State of North Dakota, and for other purposes (Rept. No. 115-314).

Report to accompany H.R. 2897, a bill to authorize the Mayor of the District of Columbia and the Director of the National Park Service to enter into cooperative management agreements for the operation, maintenance, and management of units of the National Park System in the District of Columbia, and for other purposes (Rept. No. 115-315).

Report to accompany H.R. 4609, a bill to provide for the conveyance of a Forest Service site in Dolores County, Colorado, to be used for a fire station (Rept. No. 115-316).

By Mr. BARRASSO, from the Committee on Environment and Public Works, without amendment:

S. 3021. A bill to designate the United States courthouse located at 300 South Fourth Street in Minneapolis, Minnesota, as the "Diana E. Murphy United States Courthouse".

H.R. 5772. A bill to designate the J. Marvin Jones Federal Building and Courthouse in Amarillo, Texas, as the "J. Marvin Jones Federal Building and Mary Lou Robinson United States Courthouse".

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. THUNE for the Committee on Commerce, Science, and Transportation.

*Martin J. Oberman, of Illinois, to be a Member of the Surface Transportation Board for the remainder of the term expiring December 31, 2018.

*Martin J. Oberman, of Illinois, to be a Member of the Surface Transportation Board for a term expiring December 31, 2023.

By Mr. BARRASSO for the Committee on Environment and Public Works.

*Peter C. Wright, of Michigan, to be Assistant Administrator, Office of Solid Waste, Environmental Protection Agency.

*William Charles McIntosh, of Michigan, to be an Assistant Administrator of the Environmental Protection Agency.

*Mary Bridget Neumayr, of Virginia, to be a Member of the Council on Environmental Quality.

*John Fleming, of Louisiana, to be Assistant Secretary of Commerce for Economic Development.

By Mr. HATCH for the Committee on Finance.

*Michael J. Desmond, of California, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel in the Department of the Treasury.

*Justin George Muzinich, of New York, to be Deputy Secretary of the Treasury.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. NELSON:

S. 3316. A bill to amend title XVIII of the Social Security Act to improve the affordability and enrollment procedures of the