



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 115<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 164

WASHINGTON, MONDAY, AUGUST 20, 2018

No. 138

## House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, August 21, 2018, at 12:30 p.m.

## Senate

MONDAY, AUGUST 20, 2018

The Senate met at 3 p.m. and was called to order by the Honorable TODD YOUNG, a Senator from the State of Indiana.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, Your never failing providence sets in order all things both in Heaven and Earth. Thank You for providing comfort to all who seek You. We are grateful for Your promises to supply all our needs and to keep us from stumbling or slipping.

Lord, bless our lawmakers, inspiring them to trust in Your mighty power. Remind them that righteousness is the only true national defense and that those who walk in integrity travel securely.

Eternal God, we place our future in Your hands. Help us to live by faith so that our actions will receive Your approval. And, Lord, we ask You to comfort those who mourn Aretha Franklin's death. We are also grateful to You for the life and legacy of Kofi Annan.

We pray in Your gracious Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, August 20, 2018.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TODD YOUNG, a Senator from the State of Indiana, to perform the duties of the Chair.

ORRIN G. HATCH,  
President pro tempore.

Mr. YOUNG thereupon assumed the Chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### APPROPRIATIONS BILLS

Mr. McCONNELL. Mr. President, last week the Senate turned to a critically important pair of appropriations bills—those which encompass the Departments of Defense, Labor, Health and Human Services, and Education. And we proceeded to this legislation by unanimous consent. That may seem like a small detail in the scheme of things, but it underscores a fact that should be a real source of pride for this Senate: Bill by bill, we are rebuilding a

regular process for responsibly appropriating taxpayers' money. We are achieving what we set out to do, and we are doing it together.

Because of the leadership of Chairman SHELBY, Senator LEAHY, and our subcommittee chairs and ranking members, all 12 appropriations bills for this fiscal year were reported out prior to the July 4th recess. The process was so bipartisan that, cumulatively across all 12 bills, the committee votes were 363 to 9.

Here on the floor, we have already approved—with bipartisan support—measures to fund Energy and Water Development, Military Construction, Veterans Affairs, Transportation, Housing and Urban Development, Interior, Environment, Agriculture, and other priorities.

We have had a normal committee process. We have had amendment votes here on the floor of the Senate. We have considered these bills thoroughly but efficiently and then passed each of them with bipartisan majorities. That is exactly the momentum we need to keep up right now.

The legislation now before us will be a major milestone. It addresses vital priorities: a pay raise for our troops, plus funding for their missions and work to restore combat readiness, training programs for American workers, and new tools for combating the opioid epidemic. These bills will bring billions of dollars and resources and relief to the families and communities that are fighting every day against the crisis of drug abuse and addiction that has inflicted so much pain on our country. I will have more to say this week

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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on the important things this legislation will accomplish, but first I want to pause and take stock of our progress.

When we finish and pass the legislation before us, we will have approved 9 of the 12 bills to appropriate money for the government. Together, they will account for more than 87 percent of the discretionary spending for next year, and it will be the first time in 15 years that the Senate will have passed the Labor-HHS-Education appropriations bill before the start of the fiscal year.

I am glad we will be voting on a pair of amendments later this afternoon, and I hope that, with consent, we will be able to vote on more amendments this week. Then I will look forward to passing this legislation for our servicemembers and for middle-class families across our country.

#### ECONOMIC GROWTH

Mr. McCONNELL. Mr. President, now on another matter, if I sound like a broken record discussing the pro-growth, pro-worker trend in our Nation's economy, it is because the headlines continue to roll in faster than I can relate them.

Here is one headline from last week: "Small-business confidence hits another record high." And one industry survey reports more optimism among small business owners this month than at any time in the past 35 years.

Another headline: "U.S. jobless claims fall for a second straight week." That one comes not long after the number of Americans filing for unemployment benefits hit a 49-year low last month.

And another: "U.S. retail sales increase strongly in July." In fact, they are up 6.4 percent over 1 year ago.

An economy that is expanding, bringing more people into the workforce, and encouraging investment at all levels—reports like these are exactly what Republicans had in mind when we began implementing our pro-growth, pro-opportunity agenda last year.

But while we worked to pass the historic tax reform and regulatory reforms that are helping create these conditions, our Democratic colleagues offered up a different set of predictions. They shared our belief that 2018 would be a headline-making year for the U.S. economy, but they insisted the headlines would be catastrophic. The House Democratic leader talked about "Armageddon." My friend, the Senate Democratic leader, proclaimed that "nothing"—nothing—in tax reform was "suited to the needs of the American worker."

I don't think I have heard my friends revisit those arguments recently.

I haven't heard too many Democrats eager to remind middle-class American families and small business owners that every single Democrat in the House and in the Senate tried to kill their tax cuts with completely partisan opposition.

But Republicans were undeterred. We pressed on and got tax reform and so many other pro-growth policies accomplished for the American people.

And now, unlike our friends across the aisle, we are talking about these victories practically every day. American enterprise, American ingenuity, and the talent and work ethic of our people are what made these headlines happen. Republicans are just proud we could play a part by getting Washington's foot off the brake and leaving them more free to build their lives and pursue their happiness.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

#### NOMINATION OF BRETT KAVANAUGH

Mr. SCHUMER. Mr. President, as we continue the review of the nomination of Brett Kavanaugh to the Supreme Court, let's recap what we already know about the judge.

Judge Kavanaugh's judicial opinions reveal a man skeptical about our healthcare laws, reproductive rights, contraceptive coverage, and the basic powers and independence of Federal agencies. His public speeches and writings reveal a man with a nearly unbounded, almost monarchical view of Executive power, and yet an incredibly limited interpretation of Executive accountability. Those beliefs are profoundly troubling at any moment in time, but they are particularly troubling at this moment in time as the President of the United States routinely belittles the rule of law and as his lawyers pronounce that they will fight a duly authorized subpoena—a subpoena that has been obeyed in the past by previous Presidents.

There is still much about Judge Kavanaugh we don't know because Senate Republicans have engaged in a blatant, historic obstruction of a large portion of his record.

First, Chairman GRASSLEY broke with tradition and fired off a one-sided, partisan request for documents. Senator FEINSTEIN is known as the most reasonable of Members, and if she couldn't join with Senator GRASSLEY in a request for documents, clearly, it indicates how biased that request was.

Chairman GRASSLEY unilaterally declared papers from Judge Kavanaugh's time as Staff Secretary irrelevant,

even though those documents constitute the bulk of Judge Kavanaugh's record, and Judge Kavanaugh himself has said those years were among the most instructive as to his work as a judge.

They keep chipping away at what we are allowed to see, what the American public is allowed to see about Judge Kavanaugh. Then it was revealed that a small percentage of the documents we will receive are being prescreened by a political operative named Bill Burck, a longtime Republican lawyer and former deputy to Brett Kavanaugh—a man who has counted among his clients Steve Bannon, Reince Priebus, and Don McGahn. This man is hardly a fount of impartiality. He is a partisan. Mr. Burck also refuses to provide us with a log of the documents he has withheld.

Why are you withholding this one but not this one? No one is going to know.

Could it be that some of the information being withheld would be embarrassing to Judge Kavanaugh or, at the very least, harmful to his quest to become a Supreme Court Justice? Possibly. The American people have a right to know.

We have been denied the opportunity to evaluate whether the documents are being withheld for legitimate or self-interested purposes by a lawyer who is clearly a partisan.

That is two layers of obfuscation already. First, we are not allowed to see the most important documents of Judge Kavanaugh's time as Secretary. Second, of the counsel documents, which are a small percentage of his total documents, those are being prescreened by a Republican lawyer, not an impartial observer, who tells us which ones we can have and which ones we can't, without giving us any reason as to why one is OK and one isn't.

To make matters worse, Chairman GRASSLEY has added a third level of withholding documents. He has declared that one-third of the small prescreened universe of documents only from the counsel's office, only prescreened by Burck—that wasn't good enough for people who want to avoid Judge Kavanaugh's record coming out in full. So those are now deemed "committee confidential," meaning no one outside of the Judiciary Committee, not even other Senators, can see those documents, at least by Chairman GRASSLEY's determination. It is outrageous.

Chairman GRASSLEY is usually a fair-minded man. I have enjoyed working with him on many issues. We are the two Charles E's of the Senate. We carry, for instance, rural hospital legislation all the time and help our rural hospitals. When it comes to this area, Chairman GRASSLEY's actions are manifestly unfair, not typical of his character. I understand the pressures he is under, but that doesn't forgive the result.

Withholding documents from the Senate and the American people under

the bogus label of “committee confidential” is a dark development for the Senate. “Committee confidential,” by the way, means that Senators on the Judiciary Committee can see the documents, but they can’t tell anyone about it—not their fellow Senators, not the American people. Why shouldn’t the American people see them? There are key issues here that we need to understand better.

On Friday, three of my colleagues raised questions about Judge Kavanaugh’s truthfulness regarding testimony he gave about the Bush administration’s post 9/11 terrorism policies in 2006. We need to understand the issue better, and we also need to know what he thought about the Bush administration’s efforts on warrantless wiretapping, efforts to curtail reproductive rights, and more. He testified in 2006, when he was nominated to join the DC Circuit, and we have to see if he was being truthful. This is such an important position, the Supreme Court. We should see those. The American people should.

Locking up documents in committee, even on those important issues, is an affront to transparency, openness, and to the basic integrity of the confirmation process. We have been given no reason—no legitimate reason—why the committee confidential documents are acceptable for some Senators but not others to see.

My understanding of the Senate rules is that every Senator has the right to access documents in the possession of a Senate committee, any Senate committee. I am now going to ask the Chair to confirm that understanding.

Mr. President, am I correct that under Rule 26.10(a) of the Standing Rules of the Senate, all committee records are the property of the Senate as a whole and that all Senators “shall have access to such records”?

The ACTING PRESIDENT pro tempore. That is, in fact, in part how the rule reads.

Mr. SCHUMER. Thank you. The words say “shall have access to those records.”

Is there anything that undoes those words in the rules?

The ACTING PRESIDENT pro tempore. Will the Senator restate the question?

Mr. SCHUMER. Yes. I asked if, under the rules, all committee Senate records are the property of the Senate as a whole and that all Senators shall have access to those records—shall have access.

The Presiding Officer said: Yes, those are, in part, the rules. Of course, those are not all of the rules.

Is there anything the Presiding Officer knows in the rules that would undercut that ruling in the Senate rules?

The ACTING PRESIDENT pro tempore. Rule 10(a) reads as follows:

All committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Member serving as chairman

of the committee; and such records shall be the property of the Senate and all members of the committee and the Senate shall have access to such records. Each committee is authorized to have printed and bound such testimony and other data presented at hearings held by the committee.

Mr. SCHUMER. Fine. Then it is clear there is nothing that undercuts—I appreciate the Chair’s reading of the entire rule. Nothing in the rest of the rule undercuts what I have said, obviously.

Based on your ruling—the ruling of the Chair—I will therefore be submitting a request to the chairman and the ranking member of the Judiciary Committee for access by all Senators to all of the Kavanaugh documents in the possession of the committee. This request will include approximately 81,000 pages of documents that have been deemed “committee confidential” by the private lawyer, Mr. Burck, and by the chairman of the committee, Senator GRASSLEY. My colleagues should do the same.

Again, the purpose here isn’t dilatory. We will work hard, day and night, to go through these documents to see if anything worth questioning Judge Kavanaugh arises in them. We certainly have that right, by the rules of the Senate, and I am glad the Chair so interpreted it.

This is not just about rules or about having more reading material. This is about the Senate, and by extension the American people, understanding the stakes and consequences of elevating Judge Kavanaugh to a lifetime appointment on our Nation’s highest Court. This is about our constitutional duty to advise and consent on a Supreme Court nominee. Senators cannot do that in an informed manner without fair and full access to a nominee’s record. And, of course, the Constitution assigns this duty to Senators on behalf of the American people. Without access to the nominee’s record, the American people will be in the dark. That is unacceptable.

#### REVOKING SECURITY CLEARANCES

Mr. SCHUMER. Finally, on another matter—I see that my colleague from Vermont, who, incidentally, is doing an excellent job on the appropriations bills, which I believe he will want to discuss—is waiting. One more matter: Last week, the Trump administration announced it was revoking the security clearance of a former Director of the CIA. The action was taken not after a thorough review of the security clearance process. It did not affect a new policy. The revocation of the former CIA Director’s security clearance was a gratuitous act of political retribution taken out of spite and malice—sometimes, unfortunately, attributes the President shows. It was an attempt to silence critics of the President—something the President regularly tries to do, usually unsuccessfully.

My Republican colleague, Senator CORKER, said this in July about the

possibility of President Trump’s revoking security clearances. This is Republican Senator BOB CORKER, a well-respected man in America. He said:

When you’re going to start taking retribution against people who are your political enemies . . . that’s the kind of thing that happens in Venezuela. . . . it’s a banana republic kind of thing.

Senator CORKER is right. The abuse of the powers of public office to silence critics and punish political enemies is exactly what goes on in dictatorships, in banana republics. We are not one of those, thank God.

Then we found out on Saturday that the President is openly considering reaching into the Justice Department to revoke security clearances of a current career professional—this professional that the President mentioned works drug cases, anti-gang cases—based solely on rumors and innuendo spread by the chairman of the House Intelligence Committee—hardly a credible source—and spurious other sources. Revoking the clearance of current Justice Department officials without cause is so far out of bounds for what can be considered the proper use of Presidential power that it is appalling. The words of Senator CORKER are even more strongly felt.

What is next? Will President Trump decide to revoke the security clearance of everyone working for Special Counsel Mueller because he thinks it is in his craven political interest? There is enormous potential for gross abuse of Presidential power.

Congress, on a bipartisan basis, ought to make sure the President does not politicize the security clearance policy. Revoking a security clearance is a decision that should be done for national security reasons and national security reasons alone.

I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

#### DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2019

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 6157, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 6157) making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

Pending:

Shelby amendment No. 3695, in the nature of a substitute.

McConnell (for Shelby) amendment No. 3699 (to amendment No. 3695), of a perfecting nature.

McConnell (for Menendez/Murkowski) amendment No. 3705 (to amendment No. 3695), to provide funding for the Firefighter Cancer Registry Act of 2018.

McConnell (for Fischer) amendment No. 3706 (to amendment No. 3695), to appropriate an additional \$10,000,000 for Operation and Maintenance, Defense-Wide for POW/MIA identification within the Defense Personnel Accounting Agency, and to provide an offset.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. LEAHY. Mr. President, I know that Senator SHELBY has spoken before and is going to speak again. I also know we are coming up on the time for some votes. Let me speak in my capacity as vice chairman of the Senate Appropriations Committee.

Today, as you know, the Senate begins consideration of the Defense and Labor, Health and Human Services, Education, and Related Agencies omnibus appropriations bill. This will actually be the third appropriations package brought to the Senate floor this year. Once we complete action, the Senate will have passed 9 of the 12 committee-reported appropriations bills for the fiscal year 2019. It is certainly much faster than has been done in years.

I want to thank Chairman SHELBY for his commitment to a bipartisan process. That and the fact we have been friends for decades have made this progress possible. I also want to thank Senators BLUNT, MURRAY, and DURBIN for their work on these bills—again, a bipartisan effort. I think the bipartisan progress is due to the Shelby-Leahy-McConnell-Schumer commitment to move forward on appropriations bills that have bipartisan support, are at spending levels agreed to in the bipartisan budget deal, and reject poison pill riders and controversial authorizing language. The two bills in this package meet this test.

The omnibus before us represents 65 percent of all discretionary spending, but it also demonstrates the importance of the bipartisan budget agreement reached earlier this year. In this package, we see the priorities outlined in that agreement made into real policy to improve the lives of Americans.

It is no secret that the Budget Control Act of 2011 and the resulting sequestration cuts damaged our military readiness, resulting in canceled deployments and deferred maintenance.

It was in July of last year, I remind my fellow Senators, that Secretary Mattis testified before the Senate Appropriations Committee, and he said that “for all the heartache caused by the loss of our troops during these wars, no enemy in the field has done more to harm the readiness of our military than sequestration.”

But damage to our military readiness was not the only consequence of the Budget Control Act. Sequestration has led to schools that fail to prepare students for a challenging world, a steep decline in Federal investment for job training and employment services, healthcare crises left unaddressed, and childcare services eroded.

In fact, when thinking of the defense budget, it was reported in 2017 that 7 out of 10 people—7 out of 10—ages 17 to 24 in America would not qualify for military service because of reasons related to their physical health or education. That means that 24 million out of 34 million young adults are ineligible due to obesity and other health problems or criminal backgrounds or lack of education.

Now, if you want to talk about national security, that strikes at it. This statistic should make it alarmingly clear that investments in our domestic priorities, such as healthcare and education, are also national security investments, and the military agrees with that. That is why we fought so hard for a budget deal to reverse the cuts on both defense and nondefense programs.

But now we have reached a bipartisan budget deal, and because of it, the defense appropriations bill before us gives the men and women of our Armed Services the resources they need to carry out the missions effectively and safely. That is a goal that both Republicans and Democrats have shared throughout this process.

The LHHS bill makes important new investments in healthcare and education. It increases funding for the National Institutes of Health by \$5 billion over fiscal year 2017 so they can aggressively pursue cures for diseases like cancer, diabetes, and Alzheimer’s. It backs our commitment to increase access to higher education by increasing college affordability spending by \$2.3 billion over fiscal year 2017. By increasing access to childcare by \$3.2 billion over fiscal year 2017, it supports working families and communities in every part of our country.

In doing this, we have rejected the President’s shortsighted budget proposals, which would have cut important programs in the LHHS bill by \$12.5 billion from fiscal year 2018 funding level.

Now, we take into consideration our immediate national security needs, but you can’t just stop there, you have to think about the future of the country. The deep ties that run between defense and nondefense priorities make it fitting that we take up these two bills together, and I applaud the chairman for doing that. By combining these bills into one package, we increase the certainty that they will be enacted into law on time and will avoid the devastating effect of long-term continuing resolutions.

I urge our House counterparts, when they come back to Washington, to commit, as we have, to producing a conference report that contains both bills so that we can move swiftly toward final passage.

Finally, I wish to highlight the new funding in this bill that helps our country address the scourge of opioids.

Every Member in this Chamber has seen the toll this epidemic has taken on their States. In 2017, 72,000 people—

a 10-percent increase over 2016—lost their lives to drug overdoses in the opioid epidemic. In that 1 year, more lives were lost than in the entirety of the Vietnam War. Just think of that: 72,000 people in the opioid scourge.

Now, I know Marcelle and I hear frequently from Vermonters recovering from opioid abuse, but we also hear in the grocery stores, at our church, or on the streets of Vermont from families talking about a member who did not recover and talking about their funeral.

Marcelle is a nurse, and I am a former prosecutor.

Some of these tales have brought us to tears because these are men and women with the same hopes and dreams shared by all Americans. That is why I say that mothers and fathers see us and say: We want to talk to you. They have tears streaming from their eyes. We know what we are going to hear—that they have lost children to this epidemic.

This has touched the lives of every American: Black, White, rich, poor, urban, and rural. It is an American problem. It affects all of us. This package represents a second installment in investing in serious solutions.

We invest \$3 billion in new resources over fiscal year 2017 to address this crisis. This is on top of roughly \$500 million in additional funding contained in other appropriations bills and similar funding levels in the fiscal year 2018 omnibus. But it is because of the bipartisan budget deal that these new investments will surpass \$6 billion over 2 years.

Of course there is more we can do to help those Americans who are trying to pull themselves out of addiction and turn their lives around or to keep their children alive, but this is a good start. I think it is a start the American people can be proud of. It is not a Democratic plan, and it is not a Republican plan. It is an American plan, and that should unite us all.

Mr. President, I see my dear friend from Alabama, the distinguished chairman, on the floor, and I yield to him.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SHELBY. Mr. President, this afternoon, as most of us realize now, the Senate has begun debate on amendments to the fiscal year 2019 Defense-Labor-HHS appropriations bill. These are the two largest bills to come out of the Appropriations Committee as a whole. Both of them together make up a great part of all of the appropriations process and the numbers.

At the end of last week here, I offered a more detailed outline of the critical funding of this bill for America’s military. So I will not repeat myself on that. Today, I simply wish to remind my colleagues of what is at stake with this legislation and our path to success, hopefully, this week.

First and foremost, our national security is at stake. Earlier this year, the President signed into law the largest increase in military spending in 15

years. This legislation accelerates that increase and provides our men and women in uniform with the largest pay raise they have seen in nearly a decade. So the No. 1 thing at stake here is rebuilding our military and taking care of our troops.

This bill also provides for a wide range of critical domestic priorities, including education, medical research, and funding to combat the opioid epidemic. All are very important to America.

Recent history suggests that we face a tall task in passing these bills on the Senate floor. The Senate has not passed a Labor-HHS appropriations bill in more than 10 years. It has been even longer since the President was able to sign a Defense appropriations bill into law before the end of the fiscal year, which ends September 30.

Why? Because in the past, poison pills have blown up the process or foreclosed it altogether. I appreciate that one Senator's poison pill is often another Senator's priority, but I strongly urge my colleagues today to focus on accomplishing the big picture priorities that I have underscored here. We know where the fault lines run, and I hope we can avoid them.

There are reasons to believe that this year will be a different year and that we will produce a different outcome. First among them, there is a unified desire to avoid another omnibus spending bill. Second, we come to the floor this week on the heels of a string of recent successes in passing appropriation bills. Third, each of the bills in this package passed the Appropriations Committee by a vote of 30-1.

These factors paved the way for the full Senate to consider this package, and I want to take a minute to thank the leaders on both sides, Senator MCCONNELL and Senator SCHUMER, for agreeing to bring this bill to the floor.

I also want to thank the vice chairman of the Appropriations Committee, Senator LEAHY, for sticking to the agreement he and I made to move these bills in a bipartisan manner.

Mr. Vice Chairman, you are here on the floor. We would not be in this position without your efforts. I want you to know how much I appreciate that. I want you to know how much I believe that most of the Senate appreciates that.

I say to my colleagues, we collectively call for regular order in the appropriations process, and now we have it. I am optimistic that we will continue to show the American people that we are here to work, and that means debating and disposing of amendments, passing appropriation bills, and accomplishing the job they sent us here to do.

I hope my optimism is not misplaced. The stakes are simply too high. We have a lot to do this week, but we can do it.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### EARLY VOTING IN FLORIDA

Mr. NELSON. Mr. President, folks are voting today in Florida. As a matter of fact, they have been voting for some weeks since Florida started voting by mail, which started a couple of weeks ago. They are voting in early voting—a period of time of up to 2 weeks prior to the August 28 primary. They are voting early in these elections. They are exercising their most fundamental right, which is to vote.

Of course, there is so much at stake for Florida and our country in this year's elections. Last month, a Federal judge in Florida overturned a 2014 ban on early voting, and it was a ban on college campuses. Back in 2014, the legislature passed and the Governor signed into law a series of restrictions to make it harder to vote instead of easier. One of them, which was then implemented by the Division of Elections—secretary of state—was that there could not be a voting place on a college campus. Well, we have State universities, just as other States do, that have huge numbers of students. Of course, if you want to make it easier for students to vote, instead of their having to go out in the community, it is quite logical to have a place for them to vote on the campus.

Well, there was an attempt in the past to ban the voting. The particular case I weighed in on a few years ago was one in which they were banning voting from the student union building at the University of Florida in Gainesville—a campus, by the way, that enrolls some tens of thousands of students. In a scathing opinion, a Federal judge overturned that ruling, saying that the ban by Florida law was unconstitutional and that it seemed to put in place a prohibition on a geographical location for voting as a means by which to hinder younger voters—specifically, students—from casting their ballots.

Because of the Federal judge's ruling, there will now be an early voting location on the campus of the University of Florida for the upcoming general election this coming November. According to press reports, it doesn't look as though that is going to be the case in all places around Florida's colleges and universities. We just read a newspaper report that said that the supervisor of elections in Duval County—that is Jacksonville—says he might not be able to set up an early voting location on the campus of the University of Florida in time for the general election due to logistical and financial concerns. I hope that the Federal judge's ruling in this case makes very clear his displeasure about not making it convenient for students to vote by refusing

to set up a precinct on the university campus location. I am hopeful that the logistical and other issues can be resolved as quickly as possible and that Florida's universities can host early voting during the general election.

Early voting is key to ensuring access to the ballot for all voters. We have found that with early voting and voting by mail, increasingly larger percentages of the voting electorate are utilizing that opportunity to vote instead of waiting until the last day, election day, November 6. Unfortunately, we have seen some efforts in Florida over the last decade to curb access to early voting, particularly among young, low-income, and minority voters. We ought to make it easier to vote, not harder.

I hope that in the multiplicity of universities and colleges all around Florida, that the supervisors of elections will pay attention to the Federal judge's ruling and act accordingly.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. ERNST). The clerk will call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. CORNYN. Madam President, it is August, and the Senate is in session getting the people's work done. As the majority leader said last week, the reason we can't afford to take this time off is because we have so much to do.

Of course, one of the things we could do is agree to an expedited confirmation of noncontroversial nominations—something our Democratic friends have not been willing to do to this point. Indeed, they engaged in unprecedented obstruction of some of President Trump's nominees, even those who are not controversial. For example, we just confirmed two Federal appellate court judges in a strong bipartisan manner last week. These, of course, were both highly distinguished lawyers, and I am sure they will do a great job on the Fourth Circuit. When we see nominations get overwhelmingly bipartisan votes, we wonder why we had to delay these nominations not only for the judiciary but also other important nominations, such as at the State Department and in other areas. Frankly, because of the delay, the vacancies impair the ability of government to be responsive to the needs of the American people. It is a shame we have seen that kind of mindless obstruction to President Trump's nominees who, again, are not even controversial.

While we focus sometimes on how divided we are—and I know the American people sometimes feel like we are unwilling to find common ground—it is not true that we don't occasionally come together and do important things. This week marks the continued collaboration between Republicans and Democrats that started last week when we agreed to address two important

funding bills. One is for the Department of Defense, which is my personal priority, and I know the Presiding Officer would agree with that. The other involves Labor, Health and Human Services, and Education, which I will mention in just a moment.

Working together to do both of these appropriations bills is something the *New York Times* described as a bipartisan breakthrough because, in the past, we lurched from continuing resolution to Omnibus appropriations bills, much to the frustration of not only our constituents but many of us in the Senate.

We have seen continuing resolutions underfund our national security, for example. We have seen gargantuan Omnibus appropriations bills that basically four Members of Congress negotiate and then present to the rest of us as a fait accompli, which is obviously a terrible way to spend the people's money, but I believe we are doing something good here this week.

These appropriations bills are the two largest of all the appropriations bills. After we pass them this week, we will have passed 9 of the 12 appropriations bills, which fund 87 percent of discretionary spending. Doing this with more than a month before the end of the fiscal year is something we haven't done in a long time. We are ahead of the House, which usually moves at a fast clip—although, we are here working, and the House is taking a little time off, I might add.

I offer my appreciation to Chairman SHELBY, chairman of the Appropriations Committee, and Ranking Member Vice Chairman LEAHY, whom I was just talking to. He was telling me about how pretty the weather is in Vermont and how much he would like to be there instead of here, perhaps, after we finish this bill. I told him if he helped us work on some of this backlog of nominations, maybe that was something we could discuss.

I would like to congratulate both Chairman SHELBY and Vice Chairman LEAHY for their good work, on a bipartisan basis, facilitating a smooth process so far. As I said, there have been seven of them, and the chairman managed to mark up each prior to the Fourth of July State work period. They have done a good job of managing the bills on the floor and avoiding a quagmire—which, if encountered, would only kill the process.

I would like to highlight a few of the aspects of each appropriations bill we will be working on this week. In the Defense bill, we will be including a provision requiring the Department of Defense to issue two reports to Congress on the implementation of a bill called Fix NICS. To refresh everybody's memory, this was a piece of legislation we passed with broad bipartisan support that went to the President. I introduced it in light of the shooting last fall in Sutherland Springs, TX, that killed 26 people and wounded about 20 more. The gunman in that case had

been in the Air Force and was discharged, but his criminal convictions while he served in the Air Force were not uploaded into the relevant FBI databases. That is how he got his hands on a gun that he was already legally prohibited from purchasing or possessing and committed this mayhem and inflicted this misery.

That is why this report from the Department of Defense is so important. Hopefully, they have remedied this failure to upload derogatory and disqualifying information for people who cannot legally purchase or possess firearms. We want to make sure—in light of this legislative change—that the right changes are being implemented and that lives will be saved as a consequence.

The Defense bill will also greatly benefit the Nation by providing additional funding for the F-35 Joint Strike Fighters and the V-22 Osprey aircraft, which are both made in Texas. This is important not only to make sure our warfighters have the most advanced airframes and aircraft available but also to make sure the jobs that go along with it are secured as well.

The F-35 Joint Strike Fighter is the latest and greatest warplane in the American arsenal, and we have put, literally, all of our eggs in that basket. As the saying goes, when you put all your eggs in one basket, you better take care of that basket. We need to make sure these Joint Strike Fighters are being produced in a responsible sort of way and that both of these aircraft are being provided so our warfighters can have the very best equipment they need in order to do the job we asked them to do.

This bill also provides \$30 billion for local school districts that provide education to military children. Sometimes this is called impact aid because our military bases aren't taxed by local school districts when they are then called upon to provide education to the children of Active-Duty military or military dependents. It is important the Federal Government make sure they have the financial resources they need in order to make that happen. Indeed, \$30 million in impact aid will be provided for local school districts.

Finally, this includes a 2.6-percent increase in military pay and increases Active-Duty troop levels by more than 7,000. Both of those are really important. Obviously, in an all-volunteer military, it is important that we compensate our servicemembers appropriately. This isn't about the money for them, but we have to make sure they can provide for their families while they serve our Nation and help keep us safe.

In terms of troop levels, it is important the troop levels match the commitments we have made around the world to help stabilize unstable regions and to provide safety not only for ourselves but for our friends and allies around the world. Unfortunately, because of extensive and lengthy com-

mitments we made with a small force, our Active-Duty servicemembers are likely to be deployed over and over again, with a lot of stress not only on their families but on the force effectiveness in general. Both of these are very important—a 2.6-percent increase in pay for Active-Duty military and increasing troop levels by about 7,000.

In the second bill we will be passing, in addition to the Defense appropriations bill, this will fund the Department of Labor, Health and Human Services, and provide more funds for biomedical facilities to expand, remodel, and renovate their existing research capabilities that will benefit a multitude of institutions. Those include the Texas Biomedical Research Institute in San Antonio. We know that in the healthcare field, nurses are always in short supply. This bill will also benefit nursing programs, like the one at Texas Tech University, which will assist veterans in making the transition from military life to civilian life. Finally, in the education sphere, it will provide more than \$475 million for charter school programs.

#### NOMINATION OF BRETT KAVANAUGH

Madam President, at the same time, we are continuing our work on the nomination of Judge Brett Kavanaugh, who will succeed Justice Anthony Kennedy as Associate Justice on the U.S. Supreme Court. His hearing is set for the first week of September—September 4. I hope we will move quickly thereafter to vote on his confirmation.

I have perhaps benefited from my familiarity and my acquaintance with Judge Kavanaugh, dating back to 2000. Many of our colleagues are just now meeting him for the first time and becoming acquainted with his outstanding record as a lawyer for the White House and as a judge.

Late last week, the Senate Judiciary Committee received another production of documents on Judge Kavanaugh. This batch amounted to about 64,000 pages. Just so everybody can keep count of all the documents that are being produced as part of his confirmation hearing, the committee now has more than 248,000 pages of executive branch material related to the nominee. The reason I mention that number is because it really dwarfs the previous record for Judge Gorsuch, which was roughly 180,000 documents.

The committee was also handed a list of documents that were withheld on grounds that they are personal records as opposed to government records under the Presidential Records Act. Chairman GRASSLEY has appropriately—and I think wisely—asked the National Archives to review those withheld documents and confirm this determination by making their own determination as to whether they are responsive or should be withheld. I think this speaks volumes to the transparency of the process since day one.

I am particularly grateful to Chairman GRASSLEY for his leadership, as

well as for the efficiency and thoroughness the committee has so far displayed in reviewing the documents. We worked hard to accommodate our Democratic colleagues' requests all along the way. Let's not forget that for nearly 2 weeks before issuing the committee's request to the George W. Bush Presidential Library, Chairman GRASSLEY attempted to seek a good-faith agreement from the ranking member to jointly request documents relating to Judge Kavanaugh's legal work at the White House. These efforts at goodwill collaboration, unfortunately, were to no avail. The chairman received, instead, unprecedented counterproposals designed to unnecessarily draw out the process.

Although the chairman is right to prioritize review of some of the documents coming from President George W. Bush's administration, we all know the best evidence of how Judge Kavanaugh will perform as a member of the Supreme Court is how he has already performed as a judge during the last 12 years on the DC Circuit Court of Appeals. He has written more than 300 opinions during that time. Of course, his work as a judge is the best lens for how he will evaluate real cases in the future. Our friends on the other side used to agree with that.

Back during Justice Sotomayor's hearings, they made this identical comment that her judicial record was far more important than any comments or speeches she may have made outside of that context. Maybe belatedly for them, we now agree with them that this is the best evidence. It is just common sense.

In Judge Kavanaugh's case, reviewing his judicial record, I think what the record reveals is, he is diligent and thoughtful in his reasoning. His rulings are clear, impartial, and just.

In the recent questionnaire he returned to the Judiciary Committee—which is a standard part of the vetting process. Nominees are sent a questionnaire, and they respond and attach copies of speeches, law review articles, and other things they have spoken on or written. Judge Kavanaugh listed what he saw as his most significant cases. I want to mention a couple of those. I think they are illustrative of the work he has done not only on the DC Circuit Court of Appeals but the kind of work he will do as a member of the Supreme Court and his standing in the Federal Judiciary.

First is a case called Free Enterprise Fund. Judge Kavanaugh found himself in dissent. In other words, he didn't join the majority decision, finding that the structure of an independent agency in the executive branch violated the Constitution. Interestingly, when the case was appealed thereafter to the Supreme Court, a majority of the Justices on the Court cited Judge Kavanaugh's dissent in reversing the panel's decision on the District of Columbia Circuit Court. When the Supreme Court agrees with a lower court judge and

cites that author's opinion, that is a pretty good sign that he or she deserves to be taken seriously. In Judge Kavanaugh's case, it didn't just happen once.

Consider a second case, Bluman, which involved a Federal ban on election contributions made by foreign nationals. Judge Kavanaugh authored the majority opinion, which rejected the plaintiff's challenge. When the Supreme Court took the case thereafter, it unanimously agreed with Judge Kavanaugh. All nine members of the Court sided with Judge Kavanaugh's position.

In a third case, Wesby, Judge Kavanaugh filed a dissenting opinion on a question of qualified immunity afforded to law enforcement officers. Even though Judge Kavanaugh's views did not win the day in the DC Circuit, the Supreme Court took the case and reversed the panel decision and embraced Judge Kavanaugh's position in the end. Once again, it bears repeating that the decision was unanimous—9 to 0. Judge Kavanaugh's view was vindicated.

These are just a few of the 307 opinions he authored while he was on the DC Circuit, and, of course, there are many more. In the coming weeks, I know the lawyers on the Judiciary Committee, as well as my colleagues, will have a chance to thoroughly delve into each of them and then ask the nominee probing questions about them when he testifies before the committee during the first week of September.

For now, we will continue with the great paper chase, which includes the largest production of documents ever in the Senate's consideration of a Supreme Court nominee. Unfortunately, as I have said before, many of our Democratic colleagues aren't likely to ever be satisfied with the boxes upon boxes of written materials. It will never be enough. In some cases, it is because they have already decided to vote no against the nominee even before having met the nominee or having reviewed any documents whatsoever.

Emblematic of this phenomenon is one of our colleagues on the Senate Judiciary Committee who has threatened to sue to obtain even more records. The problem for that Senator is, on the night Judge Kavanaugh was nominated by President Trump, he said he had done enough due diligence to have reached a conclusion on whether the nominee should be confirmed and had said he would not vote for the nominee. Yet this is the same Senator who is now saying we ought to file a suit to get more documents. I think the American people are smart enough to figure out what is going on. It is gamesmanship, plain and simple.

So my question is, If our colleagues have done enough due diligence to make a decision to not support the nomination, why do they need more paper? To what avail? Why should we extend this process that will cost the taxpayers more money and create a lot

of confusion when they have already made their decision?

Despite these games, the truth is, Judge Kavanaugh is eminently qualified and well respected by all who know him, and I look forward to confirming him as Justice Kavanaugh early this fall, following the Judiciary Committee's hearings during the first week of September.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MENENDEZ. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 3705

Mr. MENENDEZ. Madam President, I rise today to call on my colleagues to vote in favor of the Menendez-Murkowski amendment No. 3705, which I understand we will be shortly voting on on the floor, to provide implementation funding for the Firefighter Cancer Registry Act. Many of our colleagues supported the authorizing bill when it was before the Senate earlier this year, and it was subsequently passed and signed into law by President Trump.

There are many words that come to mind when we think of firefighters—"courage," "heroism," and "compassion"—but tragically there is another word all too often associated with firefighters, and that word is "cancer."

According to the International Association of Firefighters, cancer is now the leading cause of death among firefighters. We know that firefighters confront more than smoke and flames while on the job; they also encounter dangerous fumes and toxins and known carcinogens that pose serious health risks.

The Firefighter Cancer Registry Act we created is the first ever national cancer registry for firefighters, and the law directs the Centers for Disease Control and Prevention to study the relationship between career-long exposure to dangerous fumes and toxins and cancer. Our Nation's first responders put their lives on the line every day, whether it was charging into a burning building on September 11 or fighting wildfires out West today. Every day, our firefighters strive to protect us. This is the least we can do as a nation to protect them.

I hope all of us can unite in support of this amendment, which will enable the Centers for Disease Control and Prevention to carry out its mission in the Firefighter Cancer Registry Act.

I thank my colleague from Alaska, Senator MURKOWSKI, for her stalwart commitment to this effort, both on the legislation that became law and in the process of trying to get this appropriation.

Madam President, I yield the floor.

The PRESIDING OFFICER (Mr. ROUNDS). The Senator from Nebraska.



## DPAA FUNDING AMENDMENT

Mrs. FISCHER. Mr. President, I rise today to offer a bipartisan amendment with my colleague, the junior Senator from Wisconsin. Our measure would provide much needed funding for the Defense POW/MIA Accounting Agency, or the DPAA, so they can continue the important work of identifying and accounting for our missing servicemembers from conflicts around the globe.

Tragically, more than 83,000 Americans remain missing from World War II, the Korean war, the Cold War, and the Vietnam war. Many more remain unaccounted for as a result of more recent conflicts. The Defense POW/MIA Accounting Agency is an agency within the Department of Defense whose mission is to recover personnel listed as prisoners of war or missing in action. Their core task is to provide the fullest possible accounting for these personnel to their families and to this Nation. The value of the work being done by DPAA cannot be overstated. No matter when an American servicemember goes missing, our commitment to fully investigating what happened and bringing closure to their family should never waver.

I am honored to represent one of DPAA's forensic laboratories, located at Offutt Air Force Base. There, they are currently working to identify the sailors lost in the sinking of the USS Oklahoma during World War II and conducting forensic identification of the Tuskegee Airmen who remain listed as missing in action.

As a result of North Korea's recent agreement with the United States, DPAA's work has taken on added significance. In July, North Korea turned over 55 boxes containing the possible remains of DOD personnel lost during the Korean war, who must now be processed and identified. On several occasions, North Korean officials have indicated they possess as many as 200 sets of remains they have recovered over the years. To this day, there are still 5,300 U.S. military personnel who remain listed as missing in action and are presumed deceased during the Korean war, their remains still located in North Korea.

For the families of those lost, this is a long-awaited opportunity to gain closure and to give their loved ones the respectful, dignified remembrance they deserve. For that to happen, we must ensure that DPAA has the resources it needs to conduct the forensic analysis of these new remains and continue working to locate and account for American servicemembers. That is why I am offering this amendment, which will provide \$10 million in fully offset funding to allow DPAA to cover this additional workload. By supporting this amendment, we can ensure that this influx of new work can be handled without delay and that the talented men and women of DPAA have the support necessary to continue this important task.

For the families of those lost in service, it is never too late to offer closure,

and for our heroes in uniform, it is never too late to remember and to honor their sacrifice.

I thank the junior Senator from Wisconsin, the junior Senator from Massachusetts, and all of our cosponsors who have aided in this effort. I urge all of my colleagues to join me in supporting this amendment and lending our voice to the memory of our missing and fallen servicemembers.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

## ORDER OF PROCEDURE

Mrs. FISCHER. Mr. President, I ask unanimous consent that the 5:30 votes take place immediately.

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

## VOTE ON AMENDMENT NO. 3705

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3705.

Mrs. FISCHER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Nevada (Mr. HELLER), the Senator from North Dakota (Mr. HOEVEN), the Senator from Mississippi (Mrs. HYDE-SMITH), the Senator from Oklahoma (Mr. INHOFE), the Senator from Utah (Mr. LEE), the Senator from Arizona (Mr. MCCAIN), the Senator from Kansas (Mr. MORAN), the Senator from Idaho (Mr. RISCH), and the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted "yea".

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from North Dakota (Ms. HEITKAMP), the Senator from Oregon (Mr. MERKLEY), the Senator from Washington (Mrs. MURRAY), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

The PRESIDING OFFICER (Mr. DAINES). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 85, nays 0, as follows:

## [Rollcall Vote No. 186 Leg.]

## YEAS—85

|            |              |           |
|------------|--------------|-----------|
| Alexander  | Corker       | Grassley  |
| Baldwin    | Cornyn       | Harris    |
| Barrasso   | Cortez Masto | Hassan    |
| Blumenthal | Cotton       | Hatch     |
| Blunt      | Crapo        | Heinrich  |
| Booker     | Daines       | Hirono    |
| Boozman    | Donnelly     | Isakson   |
| Brown      | Duckworth    | Johnson   |
| Burr       | Durbin       | Jones     |
| Cantwell   | Enzi         | Kaine     |
| Capito     | Ernst        | Kennedy   |
| Cardin     | Feinstein    | King      |
| Carper     | Fischer      | Klobuchar |
| Casey      | Flake        | Lankford  |
| Cassidy    | Gardner      | Leahy     |
| Collins    | Gillibrand   | Manchin   |
| Coons      | Graham       | Markey    |

|           |          |            |
|-----------|----------|------------|
| McCaskill | Rounds   | Thune      |
| McConnell | Rubio    | Tillis     |
| Menendez  | Sanders  | Udall      |
| Murkowski | Sasse    | Van Hollen |
| Murphy    | Schumer  | Warner     |
| Nelson    | Scott    | Warren     |
| Paul      | Shaheen  | Whitehouse |
| Perdue    | Shelby   | Wicker     |
| Peters    | Smith    | Wyden      |
| Portman   | Stabenow | Young      |
| Reed      | Sullivan |            |
| Roberts   | Tester   |            |

## NOT VOTING—15

|          |            |        |
|----------|------------|--------|
| Bennet   | Hyde-Smith | Moran  |
| Cruz     | Inhofe     | Murray |
| Heitkamp | Lee        | Risch  |
| Heller   | McCain     | Schatz |
| Hoeben   | Merkley    | Toomey |

Amendment (No. 3705) was agreed to.

## VOTE ON AMENDMENT NO. 3706

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3706.

Mr. BLUNT. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Nevada (Mr. HELLER), the Senator from North Dakota (Mr. HOEVEN), the Senator from Mississippi (Mrs. HYDE-SMITH), the Senator from Oklahoma (Mr. INHOFE), the Senator from Utah (Mr. LEE), the Senator from Arizona (Mr. MCCAIN), the Senator from Kansas (Mr. MORAN), the Senator from Idaho (Mr. RISCH), and the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from North Dakota (Ms. HEITKAMP), the Senator from Oregon (Mr. MERKLEY), the Senator from Washington (Mrs. MURRAY), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 85, nays 0, as follows:

## [Rollcall Vote No. 187 Leg.]

## YEAS—85

|              |            |           |
|--------------|------------|-----------|
| Alexander    | Daines     | Kennedy   |
| Baldwin      | Donnelly   | King      |
| Barrasso     | Duckworth  | Klobuchar |
| Blumenthal   | Durbin     | Lankford  |
| Blunt        | Enzi       | Leahy     |
| Booker       | Ernst      | Manchin   |
| Boozman      | Feinstein  | Markey    |
| Brown        | Fischer    | McCaskill |
| Burr         | Flake      | McConnell |
| Cantwell     | Gardner    | Menendez  |
| Capito       | Gillibrand | Murkowski |
| Cardin       | Graham     | Murphy    |
| Carper       | Grassley   | Nelson    |
| Casey        | Harris     | Paul      |
| Cassidy      | Hassan     | Perdue    |
| Collins      | Hatch      | Peters    |
| Coons        | Heinrich   | Portman   |
| Corker       | Hirono     | Reed      |
| Cornyn       | Isakson    | Roberts   |
| Cortez Masto | Johnson    | Rounds    |
| Cotton       | Jones      | Rubio     |
| Crapo        | Kaine      | Sanders   |



|          |            |            |
|----------|------------|------------|
| Sasse    | Sullivan   | Warren     |
| Schumer  | Tester     | Whitehouse |
| Scott    | Thune      | Wicker     |
| Shaheen  | Tillis     | Wyden      |
| Shelby   | Udall      | Young      |
| Smith    | Van Hollen |            |
| Stabenow | Warner     |            |

NOT VOTING—15

|          |            |        |
|----------|------------|--------|
| Bennet   | Hyde-Smith | Moran  |
| Cruz     | Inhofe     | Murray |
| Heitkamp | Lee        | Risch  |
| Heller   | McCain     | Schatz |
| Hoeven   | Merkley    | Toomey |

The amendment (No. 3706) was agreed to.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NOS. 3773 AND 3703

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the following amendments be called up en bloc and reported by number: Nelson No. 3773, Kennedy No. 3703. I further ask consent that at 12:10 p.m. on Tuesday, August 21, the Senate vote in relation to the amendments in the order listed and that there be no second-degree amendments in order to the amendments prior to the votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments en bloc by number.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for others, proposes amendments numbered 3773 and 3703.

The amendments are as follows:

AMENDMENT NO. 3773

(Purpose: To require a Comptroller General of the United States report on the implementation of the Military Health System Genesis electronic health record)

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. (a) Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Appropriations of the Senate and the House of Representatives a report on a study, conducted by the Comptroller General for purposes of the report, on the implementation of the Military Health System (MHS) Genesis electronic health record at the four currently active sites.

(b) The report shall include the following:

(1) A description and assessment of the manner in which the Military Health System Genesis electronic health record is addressing the concerns raised by the partial Initial Operational Test and Evaluation (IOT&E) report on the implementation of the record.

(2) A description and assessment of the performance of Military Health System Genesis in meeting the demands of the four currently active sites.

(3) A description and assessment of underlying issues in connection with the implementation of Military Health System Genesis.

(4) A description and assessment of any anticipated delays in the implementation of Military Health System Genesis, including the effect of such delays on the execution of funds.

(5) Any other matters in connection with the implementation of Military Health System Genesis that the Comptroller General considers appropriate.

AMENDMENT NO. 3703

(Purpose: To increase funding for the National Suicide Prevention Lifeline)

At the appropriate place in title II of division B, insert the following:

SEC. \_\_\_\_\_. (a) There are appropriated under the heading "Mental Health" under the heading "Substance Abuse and Mental Health Services", in addition to any other amounts made available under such heading and in order to provide additional funding for the National Suicide Prevention Lifeline, \$2,802,000.

(b) Notwithstanding any other provision of this Act, the total amount appropriated under the heading "Substance Abuse Treatment" under the heading "Substance Abuse and Mental Health Services" is hereby reduced by \$2,802,000.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Calendar Nos. 1033 through 1038; that the nominations be confirmed, the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the Record; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

The nominations considered and confirmed are as follows:

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Christopher P. Weggeman

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. John M. Murray

IN THE AIR FORCE

The following named officer for appointment in the Reserve of the Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. Maryanne Miller

The following named officer for appointment as the Chief of Chaplains, United States Air Force, and appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 8039:

To be major general

Brig. Gen. Steven A. Schaick

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Ronald M. Harvell

IN THE ARMY

The following named Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Charles L. Knowles

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

REMEMBERING EARL FIELDS

Mr. MCCONNELL. Mr. President, the Commonwealth of Kentucky recently lost a remarkable man and a longtime public servant, Earl Fields. At the age of 96, Earl passed away earlier this month. My friend and fellow Kentuckian, Congressman HAL ROGERS, called Earl, "one of our region's greatest treasures." I couldn't agree more, and today it is my privilege to honor his memory.

A member of the Greatest Generation, Earl left his position as a school teacher in 1942 to join the U.S. Navy. During his 4 years of service aboard the U.S.S. *Nicholson*, Earl served in 10 major conflicts and engaged both German and Japanese enemy forces. As a Navy radioman, he was tasked with copying incoming coded messages. Among his many experiences during his service, Earl remembered receiving the fateful news of President Franklin D. Roosevelt's death in 1945.

After the war, Earl returned home and married Gloria, the love of his life. Together, they raised six children and built a life together in eastern Kentucky. In subsequent years, Earl once again felt called to public service, and he ran to become the Leslie County clerk. He won his race and served his community in the role for 24 years.

When Earl left the clerk's office, he moved to Laurel County to enjoy his retirement. That doesn't mean he slowed down, however. Earl kept a number of hobbies, including hunting, fishing, and beekeeping, throughout the rest of his life.

Elaine and I would like to extend our condolences to Earl's wonderful family and his many devoted friends. His life impacted our country and so many communities in eastern Kentucky, and he will surely be missed. I ask my Senate colleagues to join me in remembering the life of a great man, Earl Fields.

## TRIBUTE TO MARIE RADER

Mr. McCONNELL. Mr. President, for two decades, Representative Marie Rader from Mckee was a powerful voice for her constituents in Kentucky's House of Representatives. It is my privilege today to pay tribute to a dedicated public servant and a dear friend who retired from her legislative career at the end of last year.

A graduate of Berea College in Madison County, Marie was a passionate advocate for the causes important to Kentuckians, and she spent her career helping guide the public policies of our State. As the chair of house transportation committee, she proved her leadership for Kentucky and was a strong supporter of our Commonwealth's infrastructure. Her work to encourage economic development provided a wonderful service to Marie's constituents and to families throughout our State.

Even after her retirement from the general assembly last year, Marie has continued to remain active in the Jackson County community. She serves as the executive director of the public housing authority and employs her many talents with the Jackson County Development Association and the Jackson County Industrial Authority. Earlier this year, she helped organize a Memorial Day event to honor the service and sacrifice of local Vietnam veterans. The community gathered to celebrate more than 100 brave Kentuckians, and Marie was crucial to making the event a success. Her selfless work for the residents of Jackson County and the Commonwealth continues to inspire others.

When the Kentucky State House came into session at the beginning of this year, its members recognized the absence of their former colleague with gratitude and respect. Representative Robert Goforth, Marie's successor, sponsored a resolution honoring her lasting impact in that body and throughout Kentucky. It is my privilege today to join with the members of the Kentucky State House in sharing those sentiments and wishing her a wonderful retirement. I urge each of my Senate colleagues to help me honor Marie Rader, a remarkable individual and my friend.

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 RECOGNIZING THE STUDENTS OF ASHLAND MIDDLE SCHOOL

Mr. McCONNELL. Mr. President, today it is my privilege to congratulate the students of Ashland Middle School, in Boyd County, who recently won the national "Solve for Tomorrow" competition for their work to help communities and emergency responders address our Nation's opioid epidemic. This prestigious award, presented live on national television, comes after months of hard work, collaboration, and a drive to help their community face this pressing issue.

The competition, which promotes science, technology, engineering, art,

and math—STEAM—disciplines, challenges students to identify an important cause and to create change in their school. After speaking with Ashland Middle School's public resource officer, these bright innovators chose to develop a technological solution to help first responders safely collect hazardous needles discarded by drug users, which often carry and can transmit dangerous diseases. Employing a 3-D printer and working through multiple prototypes, the students created a hollow, molded plastic box, which can allow first responders to pick up the needles without putting themselves in danger.

As a prize for their innovation, these students won \$150,000 of technology for their school. They also won a trip to our Nation's Capital, where I had the privilege to meet with them and personally congratulate them on their successes.

Our Nation is gripped by a worsening opioid crisis, and we all have a responsibility to help keep our communities safe. These young students are using their creativity and technological ingenuity to do just that. I join with the entire Ashland community in congratulating the following inspirational students: Caleb Campbell, James Campbell, Aubree Hay, Eric Billups, Connor Calhoun, Ethan Goodrich, Liam Ferguson, Cade Parlato, and Shaela Taylor. I would also like to express my gratitude to their advisers who provided guidance throughout this process: Michael Polley, Linda Calhoun, William Ferguson, Mark Harmon, and John Leistner.

The Daily Independent in Ashland, KY, recently published an article about these students, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Daily Independent, Apr. 12, 2018]

## ASHLAND WELCOMES WINNING TECHNOLOGY STUDENTS WITH PARADE

(By Mike James)

The Ashland Middle School students who won tens of thousands of dollars' worth of high-tech equipment for their school capped their triumphant return Thursday with a parade and the acclaim of other students throughout the district.

The students, whose first-prize winnings included \$150,000 worth of hardware and software for their school courtesy of competition sponsor Samsung Inc., also learned they'd won the community choice portion of the competition, which brings another \$20,000 worth of technology to the school.

And a corporate representative told the students after the parade each of them would receive a computer tablet of their own.

The parade, organized on the fly after Samsung made the Big Reveal Wednesday on national TV, took the students in a bus escorted by police and firefighters past each school in the district, where students turned out with banners and applause.

The students, members of the Student Technology Leadership Program and a 3D design and modeling class, were among three first-prize winners in the Samsung Solve for

Tomorrow competition, which challenges teams from middle schools around the country to identify and find solutions for community problems.

The Ashland students invented and built prototypes of a device police and emergency workers can use to pick up potentially dangerous hypodermic syringes, and developed a website and database of information about discarded hypodermics first responders and the public can use.

The community choice award was based on social media voting. Ashland supporters took the AMS team to an early lead in Facebook votes, a lead it maintained throughout the competition.

Samsung representatives made the snap decision to fly to Ashland for the parade after seeing the community support, said corporate citizenship director Ann Woo. "We saw the power of your community in the voting . . . when we heard they'd organized a parade for you, we thought what better place to announce the community support award," she said.

"We wanted to see the community that rallied behind you all year . . . we wanted to see that and thank them," she said.

The parade was a fitting celebration because the competition was a community project, said Mike Polley, who teaches the 3D design and modeling class. The community gets behind sports; why should this be different . . . the community got behind them when they saw the drive and the compassion and the commitment of the kids.

"I hope it's a ripple effect and more and more kids want to have that kind of drive."

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 HINTON MILLS CENTENNIAL

Mr. McCONNELL. Mr. President, as we continue to discuss the farm bill, I would like to take a moment to congratulate a prominent member of the agricultural community in north-eastern Kentucky. Hinton Mills in Fleming County is a family-owned and operated business celebrating 100 years of serving farm communities in our State.

Founded in 1918 by Frank L. Hinton in Goddard, KY, Hinton Mills began as a small general store for the rural community and was the first retailer in the area to recognize the need for a one-stop, full-service farm supply store. Since its doors opened, it has grown and transformed into a major feed supplier in the area. Under the family's constant care, Hinton Mills continued to expand and today has five locations in three counties. They also make deliveries to farm families in Kentucky and Ohio, providing important services to communities throughout the region.

Today, the family business is led by Bud Hinton of the third generation. As the president and CEO, Bud has reaffirmed Hinton Mills' commitment to the many small towns and rural communities it serves.

Continuing the tradition in the family, Bud's three sons joined the business and are currently vice presidents. Representing the fourth generation, Matt, Adam, and Nathan were all raised in Fleming County, and each of them brings unique skills and experiences to Hinton Mills. They are helping Frank Hinton's business and legacy

continue to thrive. For example, Matt brings a manufacturing background and has received his MBA. In 2015, Adam became Kentucky's first graduate of the American Farm Bureau Federation's Partners in Agricultural Leadership program, which is a national training program for advocates of agriculture. Nathan joined the family business directly out of college, earning a wealth of institutional knowledge. Their new perspectives help Hinton Mills embrace innovation as a way to better serve its customers, but they also maintain the bedrock traditions on which the company was built.

During its centennial celebration, Hinton Mills will showcase both its history and its potential for the future. Hosting 2 days of events, the family has invited members of the community to join them at their Plummers Landing location to visit exhibitions commemorating their company's history, while enjoying kids' games and even a cane pole fishing tournament. On the second day, they will host a tractor parade and a 1918-themed fair to reflect on how far they have come and to signal hope for their future. To top it off, the night will conclude with a fireworks spectacle. I think these festivities are a perfect way to mark 100 years of serving Kentucky farm communities.

I am honored to call the Hinton family my friends, and I admire their remarkable success in Kentucky. Our home State has a rich heritage of agriculture, and family-owned businesses like Hinton Mills are a great example of that tradition. It is my pleasure to congratulate the Hinton family on their many successes and to express my gratitude for all they do for Kentucky's farm communities. As they celebrate their centennial, I would like to wish them all the best, and I urge my Senate colleagues to join me.

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

DEPARTMENT OF DEFENSE  
APPROPRIATIONS ACT, 2019

• Mrs. MURRAY. Mr. President, I am very pleased that the Senate is now considering legislation to fund the Departments of Defense, Labor, Health and Human Services, and Education for the coming fiscal year.

Both bills have been supported by broad bipartisan majorities. The Defense and Labor-HHS appropriations subcommittees are the largest of the committee's 12 subcommittees, with 19 members each, almost one-fifth of the Senate.

Despite the diversity of views on our committee, each was reported out of subcommittee and committee with strong bipartisan support.

As my colleagues know, these are the two biggest appropriations bills, which together comprise almost two-thirds of Federal discretionary spending.

I note that the last time the Labor-HHS appropriations bill was on the

Senate floor was more than a decade ago, so it is an especially welcome development that we are debating this bill here today.

It is a testament to the work we have been able to do to push aside the partisanship and reject President Trump's budget requests and poison pill riders, and I am hopeful that this will continue.

I would like to congratulate Chairman SHELBY and Vice Chairman LEAHY, as well as Senator BLUNT, for their commitment to working in a bipartisan fashion to restore regular order to the appropriations process.

This isn't the bill I would have written on my own, and it is not the bill Senator BLUNT—or any other member of the committee—would have written on their own, but it is a good bipartisan compromise, and it would help so many workers, children, students, families, and communities if enacted.

Overall, we rejected the President's push for massive cuts to investments we know are so important, in education, public health, research, and workforce training, to programs that affect workers, seniors, students, women, and so much more.

I am particularly proud that Democrats and Republicans stood together to roundly reject Secretary DeVos's budget requests, from her attempts to privatize and voucherize public schools, to her massive cuts to education funding that would have hurt so many students.

Earlier this year, we reviewed this harmful budget just as we saw teachers and parents around the country organizing and standing up for public education after years of budgets for education not keeping up with needs—because our kids shouldn't be forced to learn in crumbling classrooms with shabby textbooks and our teachers should be paid fairly for the important work they do.

Secretary DeVos wasn't listening to these parents and teachers, and her budget calls for more cuts.

It would eliminate afterschool programs for almost 2 million students, need-based financial aid that helps make college more affordable for millions of students, options for repayment and student loan forgiveness for millions of borrowers and their families, and grants that can be used to keep students safe and healthy through school-based mental health services.

Despite proposing a discretionary budget that would cut \$7.7 billion in Federal investments in education, the request includes \$1 billion for programs aligned with Secretary DeVos's personal privatization agenda, but are not authorized by the bipartisan Every Student Succeeds Act.

By contrast, the bill we are considering today chooses to invest in public schools and progress for all students, no matter where they live, how they learn, or how much money their parents make.

Our bipartisan bill increases funding for the core Federal elementary and

secondary education program, title I-A grants to school districts, by \$125 million.

This critical program reaches almost 90 percent of school districts and half of all schools. I would have preferred to invest even more, but this is a good step in the right direction, and I am glad we were able to get this done.

Funding for meeting the 40 percent promise under I-D-E-A, our special education law, also goes up by \$125 million. In the most recent fiscal year, Congress provided just 15 percent of special education funding, meaning State and local taxpayers are making up the \$20 billion shortfall. While I would have invested even more, I am glad we were at least able to meet our commitment in this budget and take a good step in the right direction.

Finally, I am glad that I was able to work with Senator BLUNT to include \$93.5 million for meeting the education needs of homeless children and youth.

This increase will help school districts address the barriers homeless children and youth face, and if enacted, this would be the third year in a row of increased funding.

Almost 41,000 public school students were homeless during the 2016–2017 school year in my home State of Washington alone. That is an increase of almost 88 percent since the 2009–2010 school year. That is unacceptable, and this bill would take an important step to help address their needs.

Making college more affordable is another priority in this bill.

We were able to do this by rejecting the administration's proposals to eliminate grant assistance, cut work-study funding, and slash student loan relief that help make college more affordable for millions of college students and borrowers.

The bill also addresses college affordability by increasing the Pell Grant maximum award by \$100, to a new level of \$6,195, for almost 8 million low-income students.

When combined with the \$175 increase in the maximum award included in the fiscal year 2018 omnibus bill, we are sustaining the inflationary increases that had been provided with mandatory funding that expired at the end of fiscal year 2017.

These increases build on the bipartisan reinstatement of the year-round Pell Grant authority that Senator BLUNT and I worked together to include in the fiscal year 2017 appropriations bill, which allows eligible students to receive up to 150 percent of the maximum award level for additional classes they take during the summer term—it is enabling students to complete their program of study more quickly and with less loan debt—and, in my home State of Washington, has already helped make college more affordable for an estimated 15,000 students.

Finally, I am glad Senator BLUNT and I were able to work together to provide an additional \$8 million for the Department of Education's Office for Civil

Rights, despite Secretary DeVos's attempts to cut funding and erode civil rights protection.

This office addresses title IX enforcement on college campuses, among other important civil rights workloads, and is more important now than ever before.

The bill also continues and builds on the massive and historic investments in childcare and early learning across the country.

It maintains the increase in the Child Care and Development Block Grant that was provided in the fiscal year 2018 omnibus bill, the largest increase in Federal child care spending ever.

States are already starting to increase childcare provider rates, improve quality to comply with the bipartisan CCDBG reauthorization law, improve services for special populations, and address long wait lists. I look forward to seeing the continued progress towards addressing our Nation's childcare crisis.

Our bill also provides an additional \$250 million for Head Start, providing grantees with a cost-of-living adjustment so they can keep up with the cost of inflation and providing additional funds for expanding programs' hours of operation.

Investing in our youngest learners and dedicated early childhood workers is one of the smartest investments we can make.

I consider these investments to be another important step forward and down payment on my Child Care for Working Families Act, which would help make childcare truly affordable, high quality, and accessible to all.

The bill also rejects the President's proposal to eliminate crucial safety net programs. Instead of eliminations, it provides increases for the Community Services Block Grant, which helps fund community action agencies in every county in my home of State of Washington, and for the Low Income Home Energy Assistance Program, an indispensable lifeline for households struggling to pay their energy bills.

Our bill rejects proposed cuts and continues to invest in the title X family planning program, and I am going to keep fighting against this administration's attempts to sabotage this critical source of healthcare for vulnerable women and families.

I am especially pleased that this bill includes significant new resources to address the truly alarming issue of maternal mortality in the United States.

An American woman is three times as likely to die from childbirth as is a woman in Canada and six times as likely to die as a woman in Finland, and this disparity impacts women of color disproportionately.

This is simply unacceptable, so I am very pleased that this bill includes \$50 million at HHS for a new initiative to help understand why mothers are dying as a result of childbirth and pregnancy and prevent this from happening.

We have included \$12 million to expand data collection and surveillance

at State maternal mortality review boards, consistent with a bill that Senators HEITKAMP and CAPITO have been working on to help support these boards, and \$38 million to expand evidence-based programs to prevent maternal mortality and advance maternal health equity.

This is far from the last step we need to take to address this crisis, but it is an important step.

This bill continues the major investments we included in the 2018 omnibus to address the opioid crisis, including over \$3.7 billion to increase access to medication assisted treatment, mental health services, and provider training for substance use disorders, especially focusing on rural area, and an increase of \$50 million for certified community mental health clinics and \$25 million more for the Mental Health Block Grant.

We all know the opioid epidemic is having a tremendous effect on millions of children and families, so this bill continues the fiscal year 2018 investments in child welfare services to help respond to the impacts of substance use on children and families.

It provides additional funds to States to improve plans of safe care to help ensure infants with prenatal substance exposure and their families have access to the treatment they need.

For the fourth year in a row, the bill makes significant new investments in the National Institutes of Health to support researchers' efforts to take full advantage of opportunities to make progress against human disease and disability.

This includes the largest increase to date for Alzheimer's disease research, as well as more than \$500 million to address the opioid addiction epidemic, and increased resources to combat the growing threat posed by antimicrobial resistance.

The bill also includes important investments in high-quality workforce training programs that help workers get good jobs, improve the efficiency of businesses, and grow our economy.

This includes \$3 billion for the Workforce Innovation and Opportunity Act State grants to provide support for our national workforce system and help approximately 20 million people each year train for in-demand careers.

The bill includes \$160 million for registered apprenticeship grants, an increase of \$15 million, to expand support for the registered apprenticeship program that the Committees on Appropriations first established dedicated funding for in fiscal year 2016, and reject the President's proposal to create a duplicative nonregistered apprenticeship program that would open the door for any employer, for-profit school, or association to develop a lower-quality program.

This focuses Federal dollars where there is strong evidence and a return on investment rather than on duplicative systems that do not guarantee quality training and provide fewer safeguards for workers and employers.

The bill also includes \$300 million for veterans training programs to help ensure our veterans have the supportive services they need to re-enter the labor force, including job training and placement.

The Department of Labor's other important role is enforcing laws that protect worker health, safety, and rights in the workplace. The bill before us includes modest increases for the Occupational Safety and Health Administration and Wage and Hour Division for the first time in years.

These are important investments for workers at a time when they need the support. Last year, wage and hour investigations recovered \$270 million in back wages that employers owed their workers, money that is now back in the pockets of more than 240,000 workers across the country.

The bill also rejects the cuts to the Women's Bureau and International Labor Affairs Bureau proposed in the President's budget.

These proposals would have curtailed important work on eliminating the wage gap for women and deficiencies in labor standards implementation in trading partner countries.

The bill rejects the President's proposal to reduce the budget for the National Labor Relations Board, which safeguards workers' ability to organize and collectively negotiate for better pay and working conditions.

Finally, so many of us have been horrified by what we are seeing on the southern border, and many of us are hoping for even more action from this administration to address it right away and without any additional action from Congress.

I was glad we took some action in this bill to restore the cuts President Trump proposed to the Office of Refugee Resettlement and that we took important steps to increase transparency and hold the administration accountable for its policies and actions, including requiring HHS to finally respond to the committee's requests for information on the resources ORR needs to appropriately care for every child in its custody.

In summary, this bill offers a different direction than the one proposed by the administration. It focuses on helping people—on our workers, our students, our children, our families, and our economy. It will help our country compete in the 21st century, and it will help our communities to thrive.

It is a good bill. It helps educate the next generation, protects our workers' rights and prepares them for good-paying jobs, cares for the sick and most vulnerable in society, and supports medical research that will heal the sick and extend life.

I urge all Senators to support this bill and move us rapidly to final passage.

Thank you.●

THE JOHN S. MCCAIN NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2019

Mr. VAN HOLLEN. Mr. President, the John S. McCain National Defense Authorization Act of 2019, NDAA, provides crucial resources to our Armed Forces and our national defense. Although I have serious concerns with this law, many of its provisions play a vital role in strengthening our national security.

I championed numerous initiatives in this law that directly benefit the people of Maryland and our nation as a whole. The NDAA increases pay for our brave men and women in uniform by 2.6 percent. It authorizes essential funding for Federal agencies in Maryland, including the National Security Agency and U.S. Cyber Command. It includes resources for important infrastructure projects in Maryland, such as cleanup efforts in Edgewood and Aberdeen Proving Ground and road improvements at Fort Meade. It also ensures that the mission of the Defense Information Systems Agency and those working on it at Fort Meade will continue and protects thousands of jobs from potential loss.

I also support the NDAA's reforms to the Committee on Foreign Investment in the United States. These reforms, which I debated and supported in the Senate Banking Committee, balance our ability to maintain an open environment for foreign direct investment and to protect our national security. The reforms are essential in responding to foreign nations that strive to gain a strategic advantage over the United States through the acquisition of our advanced technologies.

However, I find several elements of this law detrimental to our national security. For instance, the law eliminates the requirement for congressional authorization for the development of low-yield nuclear weapons. It also authorizes \$65 million in funding for a new low-yield submarine-launched ballistic missile, an unnecessary new weapon that increases the risk of miscalculation and unintended escalation.

In addition, the NDAA authorizes over \$716 billion in defense funding for fiscal year 2019, a \$133 billion increase in the defense budget since President Trump assumed office. I look forward to working with the Defense Department to ensure additional funds are prioritized to improve readiness, enhance training, and focus our procurements on tomorrow's challenges—particularly those in the information space—but this steep expansion in military spending may reduce the Pentagon's incentives to address cost overruns of weapons systems. This dramatic increase in defense spending follows massive tax cuts for the wealthy and proposals from the administration to slash healthcare and other basic needs for middle-class families, which sets a fiscal course that weakens the Nation's long-term prosperity and security.

Furthermore, in his fiscal year 2019 budget request for the Defense Department, President Trump elevated the possibility of great power conflict with China. Secretary of Defense Mattis reiterated this in the 2019 National Defense Strategy, asserting that China was a "revisionist power" and "strategic competitor using predatory economics" to its advantage. Despite this, Republican conferees stripped a bipartisan provision that imposed tough sanctions on ZTE—a Chinese telecommunications company that has stolen U.S. technology, repeatedly violated our laws, and poses an espionage threat. Republicans removed this critical provision at the request of President Trump, who tweeted his intention to provide ZTE with sanctions relief because "Too many jobs in China lost." I remain deeply disappointed that Republican conferees caved to White House pressure and ZTE's lobbying efforts at the expense of the American people and our national security. I will continue to work with like-minded colleagues in the Senate to hold ZTE accountable.

Ultimately, however, the benefits of this law—for our country, for our security, and for the American people—outweigh my concerns; therefore, I voted in support of the fiscal year 2019 NDAA.

#### TRIBUTE TO CHARLES DOWD

Mr. DAINES. Mr. President, this week I have the honor of recognizing Charles Dowd of Deer Lodge County, MT for his honorable service in uniform at a pivotal time in our Nation's history and as a leader in his community.

In January of 1941, at the age of 17, Charles volunteered for service at sea in the U.S. Navy. He completed boot camp in Newport, RI, and later communications school in San Diego. In September, as a basically trained radio operator, he was transferred to his first permanent duty station: Pearl Harbor, HI. Three months later, he would take his place in history.

On Sunday morning, December 7, just after completing a night shift, he and his fellow shipmates came under attack by more than 300 enemy aircraft. The Imperial Japanese Navy Air Service conducted a successful military strike on the heart of the U.S. Pacific Fleet—destroying or severely damaging 21 ships and claiming the lives of 2,400 Americans. In only a t-shirt and trousers, he sprinted from the barracks to the armory, where he climbed to the roof with a .30-06 Springfield rifle and began firing at the pilots of low-flying torpedo bombers. He suffered burns on his arms and neck from the nearby USS *California*, which was engulfed in flames.

Following the attacks on Pearl Harbor, Charles volunteered for duty in Solomon Islands during the bloody Guadalcanal campaign, where he earned the nickname "Devil Dog Dowd," harkening to the marines of

Belleau Wood in World War One. Once U.S. forces secured the islands, Dowd would climb a signal tower on the island of Tulagi and message a nearby destroyer that he was willing to exchange duties with any willing radioman. The ship's commodore, CAPT Arleigh Burke, accepted his request. Burke would later reach the rank of four-star admiral and serve as Chief of Naval Operations. In Burke's stateroom, Dowd shared his experiences at Pearl Harbor and Tulagi. Burke was so impressed by Dowd's fighting spirit, that he assigned Dowd as his flag radioman.

During the course of his service, Dowd was awarded seven Bronze Star medals. After the war, Charles and his wife returned stateside, where he worked in masonry and carpentry construction, before completing his degree at the University of Florida. After graduation, he spent the next 18 years passing on his knowledge of industrial arts and drafting to high school students. An avid sportsman with a passion for the outdoors, Dowd later relocated to Anaconda, MT. He has been an active member of the Pearl Harbor Survivors Association, dedicated to preserving the memory of the events of World War II and those who paid the ultimate sacrifice for their country. Charles continues to speak for civic groups and museums around the State.

It is my privilege to honor the life of this esteemed Montanan, who contributed so much to the preservation of freedom and improving the lives of others. On behalf of a grateful nation, I want to thank Charles, whose courage and selfless dedication to others are a hallmark for generations to come.

#### TRIBUTE TO RICKY RALEY

Mr. YOUNG. Mr. President, I wish to recognize Purple Heart recipient Mr. Ricky Raley for his valiant service in the Indiana National Guard Alpha Company, Task Force 1-151. Also known as the Avengers, Task Force 1-151 covered more than 250,000 miles in convoy escorts and were continuously involved in combat operations during Operation Iraqi Freedom.

Ricky served in Iraq from 2007 to 2008 and was stationed near Tikrit at COB Speicher. He served as a lead gun truckdriver for various patrols and security missions. In 2008, Ricky's truck activated an improvised explosive device, leaving Ricky with sustained traumatic brain injuries.

On April 17, 2009, Ricky was involved in a car accident causing paralysis from the waist down. Since then, Ricky has joined the Boot Campaign, a non-profit organization providing life-improving programs for veterans and military families. He also works with the Paralyzed Veterans of America, serving on the board of directors for the Kentucky-Indiana Chapter.

To remain active, Ricky has become a devoted handcyclist, training up to 6 days a week. Currently, Ricky is

handbiking from New York to Florida, covering 1,500 miles in 14 days to raise awareness for veterans across the Nation.

As a marine, it is with overwhelming pride that I recognize Ricky for his service to this country. As his journey progresses, I wish him the best of luck, and I look forward to his further contributions to our veterans and the great Hoosier State.

#### TRIBUTE TO GENERAL DARREN W. McDEW

Mr. SCOTT. Mr. President, it is my honor and privilege to pay tribute to an outstanding leader and warrior, Air Force Gen. Darren W. McDew, commander of U.S. Transportation Command. General McDew is retiring this month, having served this great Nation for 36 years and completing a most distinguished career.

General McDew graduated from the Virginia Military Institute in 1982, where he was regimental commander and received a degree in civil engineering. A command pilot in both the KC-135 and C-17, General McDew held assignments from Maine to California, while accumulating over 3,300 hours in 10 different types of aircraft.

His desire to serve grew from the example set by his father who achieved the rank of master sergeant in the Air Force. General McDew has commanded at virtually every level that the Air Force has to offer: squadron, group, wing, numbered Air Force, and major command. His first command was of the 14th Airlift Squadron at Charleston Air Force Base. He often speaks of his time leading the mighty Pelicans in the great State of South Carolina as being one of his most rewarding assignments.

A constant voice of reason, motivation, and inspiration, General McDew has devoted his life to this Nation. He has provided counsel to three Presidents, served as the Air Force liaison to the U.S. Senate, and built trust with the American people as the Air Force's Director of Public Affairs. I personally have sought his advice, as have my colleagues. The Members of this Chamber and workers across many parts of the Federal Government will miss his leadership and candor.

General McDew's illustrious career is culminating with his current position, where he leads the 144,000 men and women of U.S. Transportation Command. He is responsible for coordinating the Department of Defense's global deployment and distribution enterprise. His transformational leadership has bolstered readiness, increased cyber awareness and security, and prepared the Department of Defense for challenging transportation and logistics missions in the future. He challenged old ways of thinking and compelled the Joint Force to adapt and evolve for the dynamic and uncertain security environment of tomorrow.

For 36 years, his wife, Evelyn, has selflessly cared for the families under

his command and in their community. I cannot overstate the importance of the support the spouses and families provide to their servicemember in our Armed Forces. Service and sacrifice are not limited to just the servicemember, but often extends to the entire family. On behalf of the Senate, we thank Evelyn and their children, Keisha and Keith, for their dedicated service to our military and our Nation. The Air Force will not lose just General McDew, but an exceptional family as well upon his retirement.

I would like to help close out the final chapter of this inspiring airman and Joint Force leader's career with a heartfelt thank you from all the men and women of the U.S. Senate, the Congress, and Nation. General McDew, Godspeed. We thank you, Evelyn, and the entire McDew family, for their service over a remarkable 36-year career. We wish you well in your future endeavors, and we pray that those who follow in your footsteps do so in the same spirit of selfless service to our great Nation that you have so ably shown.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO RAYMOND G. HUNTHAUSEN

• Mr. TESTER. Mr. President, Today I wish to honor the memory of a Montana native who, through his faith and devotion to justice, touched the lives of thousands.

Raymond G. Hunthausen was born in the mining town of Anaconda.

Over the next two decades, he developed a strong faith in God, a devotion to humanity and peace, and a heart of compassion and advocacy.

He was ordained a priest for the diocese of Helena in 1946. He took over as president of Carroll College at the age of 35, where he taught, coached, and served as athletic director. In 1962, he was appointed bishop of Helena by Pope John XXIII. He attended the Second Vatican Council, which was convened by Pope John XXIII in the early 1960s to reconcile church teachings and practices with the modern world. He described the experience as transformative, and after, he set about making his mark on the church and on society.

In 1975, Pope Paul VI appointed Father Hunthausen archbishop of Seattle. Archbishop Hunthausen led reform efforts in the church. He led protests against nuclear weapons stockpiling, let a group of gay Catholics use a cathedral for mass, gave women leadership roles in the parish far before it was common, and defended the use of birth control. He wrote what is believed to be the first letter from an American bishop calling for the church to value the gifts of women equally with those of men.

He stood for peace and justice in all matters, even when it meant risking

condemnation from the church, and he advocated strongly for conservation and human rights, all while remaining a humble servant of his religion and his diocese.

Above all, Archbishop Hunthausen stood for those who couldn't stand for themselves.

His legacy is one of peace and compassion and unrelenting devotion to others. I stand here today to honor that legacy and to implore us all to reflect on the lessons he had to offer during his remarkable lifetime.●

#### 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-286. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing its support of the right of American citizens to keep and bear arms; to the Committee on the Judiciary.

##### HOUSE CONCURRENT RESOLUTION No. 87

Whereas, the Second Amendment of the United States Constitution and Article I, Section 11 of the Constitution of Louisiana guarantees the right of Louisiana citizens to keep and bear arms; and

Whereas, in recent years, Congress as well as certain states have passed laws which have eroded or attempted to erode the right of the citizens of this country to keep and bear arms; and

Whereas, Americans have the right to protect themselves at home with a firearm; and

Whereas, the United States Constitution recognizes that the right to keep and bear arms is necessary to the security of a free nation and for its citizens to protect themselves and their families; and

Whereas, there are some who would repeal or impair the right to keep and bear arms. Therefore, be it

*Resolved*, That the Legislature of Louisiana does hereby express support of the right of American citizens to keep and bear arms and does not support any actions that would impair or erode that right, including but not limited to the right of citizens to protect themselves and their families in their home; and be it further

*Resolved*, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-287. A resolution adopted by the City Council of the City of Palm Springs, California memorializing its opposition to the separation of children from their families at the border, detaining immigrants and their children indefinitely, and criminally prosecuting immigrants lawfully seeking asylum, and calling on the United States Congress to immediately enact fair and humane comprehensive immigration reform; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:



S. 3273. A bill to improve the safety, efficiency, and reliability of the movement of goods through ports and intermodal connections to ports, and for other purposes (Rept. No. 115-324).

#### ADDITIONAL COSPONSORS

S. 266

At the request of Mr. HATCH, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 266, a bill to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East.

S. 384

At the request of Mr. BLUNT, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 384, a bill to amend the Internal Revenue Code of 1986 to permanently extend the new markets tax credit, and for other purposes.

S. 732

At the request of Mr. BOOZMAN, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 732, a bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit against income tax for the purchase of qualified access technology for the blind.

S. 817

At the request of Mr. CASEY, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 817, a bill to amend the Internal Revenue Code of 1986 to increase the age requirement with respect to eligibility for qualified ABLE programs.

S. 946

At the request of Mr. FLAKE, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 946, a bill to require the Secretary of Veterans Affairs to hire additional Veterans Justice Outreach Specialists to provide treatment court services to justice-involved veterans, and for other purposes.

S. 1503

At the request of Ms. WARREN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 1503, a bill to require the Secretary of the Treasury to mint coins in recognition of the 60th anniversary of the Naismith Memorial Basketball Hall of Fame.

S. 2076

At the request of Ms. COLLINS, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2076, a bill to amend the Public Health Service Act to authorize the expansion of activities related to Alzheimer's disease, cognitive decline, and brain health under the Alzheimer's Disease and Healthy Aging Program, and for other purposes.

S. 2205

At the request of Mr. HEINRICH, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2205, a bill to improve ac-

cess by Indian tribes to support from the Schools and Libraries Universal Service Support program (E-rate) of the Federal Communications Commission, and for other purposes.

S. 2252

At the request of Mr. TESTER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2252, a bill to amend the Animal Health Protection Act to support State and Tribal efforts to develop and implement management strategies to address chronic wasting disease among deer, elk, and moose populations, to support research regarding the causes of chronic wasting disease and methods to control the further spread of the disease, and for other purposes.

S. 2690

At the request of Mr. RUBIO, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 2690, a bill to amend title XVIII of the Social Security Act to permit review of certain Medicare payment determinations for disproportionate share hospitals, and for other purposes.

S. 2715

At the request of Mr. HATCH, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 2715, a bill to require the President to develop a national strategy to combat the financial networks of transnational organized criminals, and for other purposes.

S. 2823

At the request of Mr. HATCH, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 2823, a bill to modernize copyright law, and for other purposes.

S. 2845

At the request of Ms. BALDWIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2845, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 2961

At the request of Mr. BLUNT, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 2961, a bill to reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

S. 3049

At the request of Mr. WYDEN, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 3049, a bill to amend the Help America Vote Act of 2002 to require paper ballots and risk-limiting audits in all Federal elections, and for other purposes.

S. 3057

At the request of Mr. PORTMAN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 3057, a bill to provide for the processing

by U.S. Customs and Border Protection of certain international mail shipments and to require the provision of advance electronic information on international mail shipments of mail.

S. 3116

At the request of Mr. MENENDEZ, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 3116, a bill to establish an Election Security grant program.

S. 3174

At the request of Mr. SCHUMER, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 3174, a bill to decriminalize marijuana, and for other purposes.

S. 3185

At the request of Ms. SMITH, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 3185, a bill to support the preparation and retention of outstanding educators in all fields to ensure a bright future for children and youth in under-resourced and underserved communities in the United States, and for other purposes.

S. 3196

At the request of Mr. PORTMAN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 3196, a bill to defend economic livelihoods and threatened animals in the greater Okavango River Basin, and for other purposes.

S. 3254

At the request of Mr. RUBIO, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 3254, a bill to amend title 18, United States Code, to establish criminal penalties for unlawful payments for referrals to recovery homes and clinical treatment facilities.

S. 3354

At the request of Mr. GRASSLEY, the names of the Senator from Nevada (Mr. HELLER) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 3354, a bill to amend the Missing Children's Assistance Act, and for other purposes.

S. RES. 525

At the request of Mr. GRASSLEY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. Res. 525, a resolution designating September 2018 as National Democracy Month as a time to reflect on the contributions of the system of government of the United States to a more free and stable world.

S. RES. 606

At the request of Mr. BOOZMAN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Res. 606, a resolution expressing the sense of the Senate that the United States condemns all forms of violence against children globally and recognizes the harmful impacts of violence against children.

S. RES. 607

At the request of Mr. SCHATZ, the name of the Senator from Vermont



(Mr. LEAHY) was added as a cosponsor of S. Res. 607, a resolution reaffirming the vital and indispensable role the free press serves.

## AMENDMENT NO. 3705

At the request of Mr. MENENDEZ, the names of the Senator from Maine (Mr. KING), the Senator from Ohio (Mr. BROWN), the Senator from Rhode Island (Mr. REED), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Florida (Mr. NELSON) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of amendment No. 3705 proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

## AMENDMENT NO. 3706

At the request of Ms. BALDWIN, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of amendment No. 3706 proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

At the request of Mrs. FISCHER, the names of the Senator from Maine (Ms. COLLINS), the Senator from Indiana (Mr. DONNELLY) and the Senator from Indiana (Mr. YOUNG) were added as cosponsors of amendment No. 3706 proposed to H.R. 6157, supra.

## AMENDMENT NO. 3720

At the request of Ms. WARREN, the names of the Senator from Ohio (Mr. BROWN), the Senator from Alabama (Mr. JONES) and the Senator from Florida (Mr. NELSON) were added as cosponsors of amendment No. 3720 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 3733. Ms. HIRONO (for herself, Mr. COTTON, and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table.

SA 3734. Mr. MENENDEZ (for himself, Mr. CARPER, Mr. BOOKER, Mr. COONS, Mr. WHITEHOUSE, and Mr. REED) submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3735. Mr. MENENDEZ (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3736. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3737. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3738. Mr. MENENDEZ submitted an amendment intended to be proposed by him

to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3739. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3740. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3741. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3742. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3743. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3744. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3745. Mr. PORTMAN (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3746. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3747. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3748. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3749. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3750. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3751. Mr. REED (for himself and Mrs. CAPITO) submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3752. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3753. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3754. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3755. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3756. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3757. Mr. CASSIDY (for himself and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3758. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3759. Mr. SCHUMER (for himself and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3760. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3761. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3762. Mr. WHITEHOUSE (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3763. Mr. WARNER (for himself, Mrs. CAPITO, Mr. MANCHIN, Mr. BROWN, and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3764. Mr. WARNER (for himself, Mr. JONES, and Ms. CORTEZ MASTO) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3765. Mr. WHITEHOUSE (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3766. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3767. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3768. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3769. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3770. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3771. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3772. Mr. HEINRICH submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3773. Mr. MCCONNELL (for Mr. NELSON (for himself and Mrs. CAPITO)) proposed an amendment to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra.

SA 3774. Mr. ISAKSON (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3775. Mr. ISAKSON (for himself and Mr. MURPHY) submitted an amendment intended

to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3776. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3777. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3778. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3779. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3780. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3781. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3782. Mr. CARDIN (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3783. Mr. CARDIN (for himself, Mr. VAN HOLLEN, and Mr. JONES) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3784. Mr. JONES (for himself, Mr. SCOTT, Mr. KAINE, Mr. WARNER, Mr. BOOZMAN, and Mr. TILLIS) submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3785. Mr. JONES (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3786. Mr. JONES submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3787. Mr. DURBIN (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3788. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3789. Mr. JONES submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3790. Mr. MURPHY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3791. Mr. MURPHY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3792. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3793. Mr. MURPHY (for himself, Mr. SCHATZ, Ms. WARREN, Mrs. FEINSTEIN, Mr. CARPER, Mr. BLUMENTHAL, and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3794. Mr. MURPHY (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3795. Mr. MURPHY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 3733.** Ms. HIRONO (for herself, Mr. COTTON, and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. From amounts appropriated or otherwise made available by title II of this division under the heading "OPERATION AND MAINTENANCE, AIR FORCE", the Secretary of Defense may reimburse the Government of the Republic of Palau in an amount not to exceed \$9,700,000 for land acquisition costs for defense sites.

**SA 3734.** Mr. MENENDEZ (for himself, Mr. CARPER, Mr. BOOKER, Mr. COONS, Mr. WHITEHOUSE, and Mr. REED) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

#### SEC. \_\_\_\_\_. PERMANENT EXTENSION OF MEDICARE WAGE IMPUTED FLOOR POLICY.

Notwithstanding the final rule of the Centers for Medicare and Medicaid Services entitled "Medicare Program: Hospital Inpatient Prospective Payment Systems for Acute Care Hospitals and the Long Term Care Hospital Prospective Payment System and Policy Changes and Fiscal Year 2019 Rates; Quality Reporting Requirements for Specific Providers; Medicare and Medicaid Electronic Health Record (EHR) Incentive Programs (Promoting Interoperability Programs) Requirements for Eligible Hospitals, Critical Access Hospitals, and Eligible Professionals; Medicare Cost Reporting Requirements; and Physician Certification and Recertification of Claims" or any other provision of law, the Secretary of Health and Human Services shall extend the imputed floor policy under section 412.64(h) (including the policy under clause (vi) of such section), as in effect with respect to discharges during fiscal year 2018, to discharges occurring on or after October 1, 2018. The Secretary of Health and Human Services shall implement the preceding sentence in a budget-neutral manner under section 1886(d) of the Social Security Act (42 U.S.C. 1395ww(d)).

**SA 3735.** Mr. MENENDEZ (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes;

which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B insert the following:

SEC. \_\_\_\_\_. Notwithstanding any other provision of this Act, of the amounts made available under this title, \$30,000,000 shall be available for the peer-reviewed ovarian cancer research program.

**SA 3736.** Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B insert the following:

SEC. \_\_\_\_\_. There are appropriated, in addition to any other amounts made available under this title, \$2,000,000 for the Leadership Education in Neurodevelopmental and Related Disabilities (LEND) programs.

**SA 3737.** Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B insert the following:

SEC. \_\_\_\_\_. The Secretary shall publish a report on the impact of any policy change made by the Secretary related to prescription drug pricing to ensure savings go to patients and not to special interest groups. Such report shall include an assessment of the direct monetary impact of such policy change on health insurance issuers, prescription drug manufacturers, pharmacy benefit managers, and consumers (including seniors).

**SA 3738.** Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

#### SEC. \_\_\_\_\_. HHS REVIEW OF THE EXTRAORDINARY CIRCUMSTANCE RELOCATION EXEMPTION FOR OFF-CAMPUS PROVIDER-BASED DEPARTMENTS.

(a) REVIEW.—The Secretary of Health and Human Services (in this section referred to as the "Secretary") shall conduct a review of the extraordinary circumstance relocation exemption for off-campus provider-based departments under section 1833(t)(21) of the Social Security Act (42 U.S.C. 1395l(t)(21)), including whether such exemption should be expanded to include additional extraordinary circumstances.

(b) REPORT.—Not later than 6 months after the date of enactment of this Act, the Secretary shall submit to Congress a report on the review conducted under subsection (a), together with recommendations for such legislation and administrative action as the Secretary determines appropriate.

**SA 3739.** Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes;

which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B insert the following:

SEC. \_\_\_\_\_. The Secretary shall provide a full accounting of the funds diverted in 2018 to the Office of Refugee Resettlement of the Administration for Children and Families, including an accounting of—

- (1) the programs and accounts from which such funds were diverted; and
- (2) if any such programs were negatively impacted by the diversion of such funds.

**SA 3740.** Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

**SEC. \_\_\_\_\_. FAIRNESS IN MEDICARE HOSPITAL PAYMENTS.**

(a) IN GENERAL.—For discharges occurring on or after October 1, 2018, the Secretary of Health and Human Services shall (for purposes of determining the area wage index under section 1886(d) of the Social Security Act (42 U.S.C. 1395ww(d))) reclassify any hospital located in New Jersey whose area wage index increased for discharges in fiscal year 2018 by reason of the imputed floor policy under section 412.64(h) of title 42, Code of Federal Regulations (including the policy under clause (vi) of such section) to a core-based statistical area (CBSA) that has the same area wage index that would have applied to the hospital if such imputed floor policy had been permanently extended.

(b) BUDGET-NEUTRAL.—The Secretary of Health and Human Services shall implement subsection (a) in a budget-neutral manner under section 1886(d) of the Social Security Act (42 U.S.C. 1395ww(d)).

**SA 3741.** Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report estimating the portion of the of the Department of Defense's advertising budget that is spent on advertising and public relations contracts with socially and economically disadvantaged small businesses and women, low-income, veteran (as that term is defined in section 3(q) of the Small Business Act (15 U.S.C. 632(q)), and minority entrepreneurs and business owners at the prime and subcontracting levels.

**SA 3742.** Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. \_\_\_\_\_. There are appropriated, in addition to any other amounts made available under the heading "Substance Abuse and Mental Health Services Administration" \$2,000,000 for purposes of targeted mental health services for the Commonwealth of Puerto Rico and the United States Virgin Islands post-hurricane Maria.

**SA 3743.** Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. (a) PILOT PROGRAM REQUIRED.—The Secretary of Defense, the Secretary of Veterans Affairs, and the Secretary of Labor shall jointly carry out a pilot program to assess the feasibility and advisability of an online portal for the Transition Assistance Program (TAP) under section 1144 of title 10, United States Code, to assist members of the Armed Forces participating in the Program in the transition from military life to civilian life.

(b) LOCATIONS.—The Secretaries shall carry out the pilot program for members of the Armed Forces stationed at the military installations as follows:

- (1) Camp Pendleton, California.
- (2) MacDill Air Force Base, Florida.
- (3) Fort Benning, Georgia.
- (4) Scott Air Force Base, Illinois.
- (5) Fort Campbell, Kentucky.
- (6) Joint Base McGurie-Dix-Lakehurst, New Jersey.
- (7) Camp Lejeune, North Carolina.
- (8) Fort Bragg, North Carolina.
- (9) Fort Hood, Texas.
- (10) Naval Station Norfolk, Virginia.
- (11) Joint Base Lewis-McChord, Washington.

(c) ELEMENTS FOR MEMBERS.—The online portal under the pilot program shall meet the following requirements:

(1) The online portal shall be accessible through mobile app technology, and shall be mobile-ready with responsive design and available through so-called "app stores".

(2) The version of the online portal accessible through a desktop computer shall be compatible with various Internet browsers, including Google Chrome, Mozilla Firefox, and Internet Explorer version 9.0 or later.

(3) The online portal shall include a map of all current Military Occupation Specialties (MOS), and their codes, that are, to the extent practicable, aligned with current industries and jobs.

(4) The online portal shall permit the generation, for each member of the Armed Forces who uses the portal, of a personalized transition data dashboard that includes the information as follows:

(A) A current list of employment opportunities in the geographic area in which such member intends to reside after military service that are available from employers that employ not fewer than 1,000 employers nationwide.

(B) A current list of educational opportunities in such geographic area.

(C) A list of the benefits available to such member under the laws administered by the Secretary of Veterans Affairs, including educational assistance benefits, and of the Department of Veterans Affairs facilities in such geographic area.

(5) The personalized transition data dashboard for a member under paragraph (4) shall continuously notify the member of any time remaining before the expiration of the following:

(A) Any career certification waiver based on the member's Military Occupational Specialty.

(B) Any active security clearance.

(C) Any other benefits to which the member is entitled.

(6) The online portal shall permit job searches based on Military Occupational Specialty and career interest, and shall have the capability to maintain a history of job searches and submitted job applications and provide electronic mail alerts about job opportunities based on particularized military backgrounds, job interests, and search criteria.

(7) The online portal shall include a resume generator that is compliant with industry-standard Applicant Tracking Systems (ATS).

(8) The online portal shall provide for career training through the use of Learning Management Software, including training courses with a minimum of 100 soft skills and business courses.

(9) The online portal shall include a career mentorship system, using the ability to communicate online through text chat, video calling, and electronic mail, which system shall permit mentors to store information on the jobs mentees have applied for, the training mentees have undertaken, and any other appropriate mentorship matters.

(d) ELEMENTS FOR EMPLOYERS.—The online portal under the pilot program shall meet the following requirements:

(1) The online portal shall include a mechanism (to be known as a "military skills translator") for use by employers that connects Military Occupational Specialty codes to job titles.

(2) The online portal shall include a mechanism for use by employers to search for members seeking employment by Military Occupational Specialty code, other keyword, civilian career category, and location.

(3) The online portal shall provide online training for employers on military life and on specific military job descriptions related to particular industries.

(e) ASSESSMENTS.—

(1) INTERIM ASSESSMENTS.—Not later than each of one year and two years after the date of the commencement of the pilot program, the Secretary of Defense, the Secretary of Veterans Affairs, and the Secretary of Labor shall jointly carry out an interim assessment of the pilot program.

(2) FINAL ASSESSMENT.—Not later than three years after the date of the enactment of the pilot program, the Secretaries shall jointly carry out a final assessment of the pilot program.

(3) ELEMENTS.—

(A) IN GENERAL.—The general objective of each assessment under this subsection shall be to determine if the online portal under the pilot program assists participants in the Transition Program in the accomplishing the goals of the Program in a manner that takes into account the individual profiles of participants, including military experience and geographic location.

(B) PARTICULAR MATTERS.—In meeting the general objective under this paragraph, each assessment shall include a determination of the following:

(i) The aggregate number of profiles created on the online portal by members of the Armed Forces and veterans since the commencement of the pilot program.

(ii) Demographic information on such members and veterans.

(iii) The average amount time logged into the online portal of members, veterans, employers, and community-based services providers, by month, since the commencement of the pilot program.

(iv) A current ranking of most frequently-used features of the online portal.

(v) The current satisfaction of members and veterans with the online portal as of each of 30 days and 180 days after separation from military service.

(vi) The number of connections made through the online portal between employers and applicants for employment.

(vii) The number of individuals hired as a result of applications or identifications through the online portal.

**SA 3744.** Mr. COTTON submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. (a) The amount appropriated by title III of this division under the heading "Aircraft Procurement, Air Force" is hereby increased by \$12,675,000, with the amount of the increase to be available for F-35A aircraft for DCA excess growth.

(b) The amount appropriated by title III of this division under the heading "Aircraft Procurement, Air Force" is hereby decreased by \$12,675,000, with the amount of the decrease to be applied against amounts available under that heading for Combat Aircraft for C-135B aircraft.

**SA 3745.** Mr. PORTMAN (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

**SEC. \_\_\_\_\_. SENSE OF THE SENATE ON RESEARCH REGARDING BLAST EXPOSURE ON THE CELLULAR LEVEL OF THE BRAIN.**

It is the sense of the Senate that—

(1) further research is necessary regarding blast exposure on the cellular level of the brain;

(2) such research is needed to develop blast protection requirements for helmets and other personal protective equipment; and

(3) the Office of Naval Research should increase ongoing efforts, to the maximum extent possible, to develop a predictive traumatic brain injury model for blast, in order to better understand the cellular response to blast impulses and the interaction of the human brain and protective equipment related to blast exposure.

**SA 3746.** Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division A under the heading "Shipbuilding and Conversion, Navy" strike the matter relating to the Littoral Combat Ship and insert the following:

Littoral Combat Ship, \$1,558,505,000.

**SA 3747.** Mr. JOHNSON submitted an amendment intended to be proposed to

amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. The amount appropriated by title III of this division under the heading "Other Procurement, Army" is hereby increased by \$16,963,000, with the amount of the increase to be available for the Joint Light Tactical Vehicle.

**SA 3748.** Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. Using amounts appropriated or otherwise made available by title III of this division under the heading "Aircraft Procurement, Air Force" and available for the KC-46 aircraft, the Secretary of the Air Force shall submit to the Committees on Appropriations of the Senate and the House of Representatives a report setting forth such modifications to the analytical model for basing of KC-46 aircraft as the Secretary considers appropriate in order to ensure that the model addresses changes in refueling requirements associated with the conventional and nuclear missions of the Global Strike Command, including other current or emerging missions of the Global Strike Command (including missions in support of counterterrorism activities as a result of the 2018 National Defense Strategy and associated mobility capability requirements).

**SA 3749.** Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V of division B, insert the following:

SEC. \_\_\_\_\_. (a) Section 1886 of the Social Security Act (42 U.S.C. 1395ww) is amended by adding at the end the following new subsection:

"(u) ALTERNATIVE NATIONAL PER RESIDENT PAYMENT AMOUNT FOR RESIDENTS TRAINING IN RURAL TRAINING LOCATIONS.—

"(1) IN GENERAL.—

"(A) ESTABLISHMENT.—The Secretary shall establish a national per resident payment (NPRP) amount for time spent by residents training in rural training locations in accordance with paragraph (2).

"(B) ELECTION.—For cost reporting periods beginning on or after the date that is 1 year after the date of enactment of this subsection, an applicable hospital (as defined in paragraph (6)(A)), may elect to receive the payment amount under this subsection for each full-time-equivalent resident in an approved medical residency training program that receives training in a rural training location in accordance with paragraph (2). An applicable hospital may make an election under the preceding sentence regardless of

whether the applicable hospital is otherwise eligible for a payment or adjustment for indirect and direct graduate medical education costs under subsections (d)(5)(B) and (h) or section 1814(l), as applicable, with respect to such residents. If the applicable hospital is otherwise eligible for such a payment or adjustment, the national per resident payment amount under this subsection shall be in lieu of such payment or adjustment.

"(C) APPLICATION.—The provisions of this subsection, or the application of such provisions to an applicable hospital, shall not result in or otherwise effect the following:

"(i) The establishment of a limitation on the number of residents in allopathic or osteopathic medicine for purposes of subsections (d)(5)(B) and (h) with respect to an approved medical residency training program of an applicable hospital (or be taken into account in determining such a limitation during the cap building period of an applicable hospital).

"(ii) The determination of—

"(I) the additional payment amount under subsection (d)(5)(B); or

"(II) hospital-specific approved FTE resident amounts under subsection (h).

"(iii) The counting of any resident with respect to which the applicable hospital receives a national per resident payment under this subsection towards the application of the limitation described in clause (i) for purposes of subsections (d)(5)(B) and (h).

"(2) PAYMENT AMOUNT.—

"(A) BASE AMOUNT.—The national per resident payment amount, with respect to full-time equivalent residents training in rural training locations, for cost reporting periods beginning during the first year beginning on or after the date of enactment of this subsection shall be, based on the most recently available data with respect to cost reporting periods beginning during a preceding year (referred to in this subparagraph as the "base cost reporting period"), equal to the sum of the following:

"(i) DIRECT GME.—The amount that, out of all of the payment amounts (determined on a per resident basis) received by hospitals under subsection (h) for such base cost reporting period, is equal to the national 85th percentile of such payment amounts.

"(ii) INDIRECT GME.—The amount that, out of all of the additional payment amounts (determined on a per resident basis) received by hospitals under subsection (d)(5)(B) for such base cost reporting period, is equal to the national 85th percentile of such payment amounts.

"(B) UPDATING FOR SUBSEQUENT COST REPORTING PERIODS.—For each subsequent cost reporting period, the national per resident payment amount is equal to such amount determined under this paragraph for the previous cost reporting period updated, through the midpoint of the period, by projecting the estimated percentage change in the consumer price index during the 12-month period ending at that midpoint, with appropriate adjustments to reflect previous under- or over-estimations under this subparagraph in the projected percentage change in the consumer price index.

"(C) CLARIFICATION.—The national per resident payment amount shall not be discounted or otherwise adjusted based on the Medicare patient load (as defined in subsection (h)(3)(C)) of an applicable hospital or discharges in a diagnosis-related group.

"(3) ALLOCATION OF PAYMENTS.—In providing for payments under this subsection, the Secretary shall provide for an allocation of such payments between parts A and part B (and the trust funds established under the respective parts) as reasonably reflects the proportion of such costs associated with the

provision of services under each respective part.

“(4) ELIGIBILITY FOR PAYMENT.—

“(A) IN GENERAL.—An applicable hospital shall be eligible for payment of the national per resident payment amount under this subsection for time spent by a resident training in a rural training location if the following requirements are met:

“(i) The resident spends the equivalent of at least 8 weeks over the course of their training in a rural training location.

“(ii) The hospital pays the salary and benefits of the resident for the time spent training in a rural training location.

“(B) TREATMENT OF TIME SPENT IN RURAL TRACKS.—An applicable hospital shall be eligible for payment of the national per resident payment amount under this subsection for all time spent by residents in an approved medical residency program (or separately defined track within a program) that provides 50 percent or more of the total residency training time in rural training locations (as defined in paragraph (6)(C)), regardless of where the training occurs and regardless of specialty.

“(5) DETERMINATION OF FULL-TIME-EQUIVALENT RESIDENTS.—The determination of full-time-equivalent residents for purposes of this subsection shall be made in the same manner as the determination of full-time-equivalent residents under subsection (h)(4).

“(6) DEFINITIONS.—In this subsection:

“(A) APPLICABLE HOSPITAL.—The term ‘applicable hospital’ means a hospital or critical access hospital.

“(B) APPROVED MEDICAL RESIDENCY TRAINING PROGRAM; DIRECT GRADUATE MEDICAL EDUCATION COSTS; RESIDENT.—The terms ‘approved medical residency training program’, ‘direct graduate medical education costs’, and ‘resident’ have the meanings given those terms in subsection (h)(5).

“(C) RURAL TRAINING LOCATION.—The term ‘rural training location’ means a location in which training occurs that, based on the 2010 census or any subsequent census adjustment, meets one or more of the following criteria:

“(i) The training occurs in a location that is a rural area (as defined in section 1886(d)(2)(D)).

“(ii) The training occurs in a location that has a rural-urban commuting area code equal to or greater than 4.0.

“(iii) The training occurs in a location that is within 10 miles of a sole community hospital (as defined in subsection (d)(5)(D)(iii)).

“(7) BUDGET NEUTRALITY REQUIREMENT.—The Secretary shall ensure that aggregate payments for direct medical education costs and indirect medical education costs under this title, including any payments under this subsection, for each year (effective beginning on or after the date that is 1 year after the date of enactment of this subsection) are not greater than the aggregate payments for such costs that would have been made under this title for the year without the application of this subsection. For purposes of carrying out the budget neutrality requirement under the preceding sentence, the Secretary may make appropriate adjustments to the amount of such payments for direct graduate medical education costs and indirect medical education costs under subsections (h) and (d)(5)(B), respectively.”

(b)(1) Section 1814(l) of the Social Security Act (42 U.S.C. 1395f(1)) is amended by adding at the end the following new paragraph:

“(6) For cost reporting periods beginning on or after the date that is 1 year after the date of enactment of this paragraph, the following shall apply:

“(A) A critical access hospital may elect to be treated as a hospital or as a non-provider setting for purposes of counting resident

time for indirect medical education costs and direct graduate medical education costs for the time spent by the resident in that setting under subsections (d)(5)(B) and (h), respectively, of section 1886.

“(B) Medical education costs shall not be considered reasonable costs of a critical access hospital for purposes of payment under paragraph (1), to the extent that the critical access hospital or another hospital receives payment for such costs for the time spent by the resident in that setting pursuant to subsection (d)(5)(B), subsection (h), or subsection (u) of section 1886.”

(2) Section 1886(d)(5)(D) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(D)) is amended by adding at the end the following new clause:

“(vi) For cost reporting periods beginning on or after the date that is 1 year after the date of enactment of this paragraph, the hospital-specific payment amount determined under clause (i)(I) with respect to a sole community hospital shall not include medical education costs, to the extent that the sole community hospital receives payment for such costs for the time spent by the resident in that setting pursuant to subsection (u).”

(c) Section 1886 of the Social Security Act (42 U.S.C. 1395ww) is amended—

(1) in subsection (d)(5)(B), in the matter preceding clause (i), by striking “The Secretary” and inserting “Subject to subsection (u), the Secretary”; and

(2) in subsection (h)—

(A) in paragraph (1), by inserting “subject to subsection (u)” after “1861(v),”; and

(B) in paragraph (3), in the flush matter at the end, by striking “subsection (k)” and inserting “subsection (k) or subsection (u).”

SEC. \_\_\_\_ (a) Section 1886(h) of the Social Security Act (42 U.S.C. 1395ww(h)) is amended—

(1) in paragraph (4)—

(A) in subparagraph (F)(i)—

(i) by striking “130 percent” and inserting “for cost reporting periods beginning on or after October 1, 1997, and before the date that is 1 year after the date of enactment of the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019, 130 percent”; and

(ii) by adding at the end the following: “For cost reporting periods beginning on or after the date that is 1 year after the date of enactment of the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019, such rules shall provide that any full-time-equivalent resident in an approved medical residency program (or separately defined track within a program) that provides 50 percent or more of the total residency training time in rural training locations (as defined in subsection (u)(6)(C)), regardless of where the training occurs and regardless of specialty, shall not be taken into account for purposes of applying the limitation under this subparagraph.”; and

(iii) in subparagraph (H)—

(I) in clause (i), in the second sentence, by inserting the following before the period: “, in accordance with the second sentence of clause (i) of such subparagraph”; and

(II) in clause (iv), by inserting the following before the period: “, in accordance with the second sentence of clause (i) of such subparagraph”; and

(iv) in paragraph (5), by adding at the end the following new subparagraph:

“(L) SPECIAL RULES REGARDING APPLICATION OF NATIONAL PER RESIDENT PAYMENT AMOUNT.—For special rules regarding application of the national per resident payment amount under subsection (u), see paragraph (1)(C) of such subsection.”

(b) Section 1886(d)(5)(B)(v) is amended—

(1) by striking “130 percent” and inserting “for cost reporting periods beginning on or

after October 1, 1997, and before the date that is 1 year after the date of enactment of the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019, 130 percent”; and

(2) by adding at the end the following: “For cost reporting periods beginning on or after the date that is 1 year after the date of enactment of the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019, such rules shall provide that any full-time-equivalent resident in an approved medical residency program (or separately defined track within a program) that provides 50 percent or more of the total residency training time in rural training locations (as defined in subsection (u)(6)(C)), regardless of where the training occurs and regardless of specialty, shall not be taken into account for purposes of applying the limitation under this subparagraph. For special rules regarding application of the national per resident payment amount under subsection (u), see paragraph (1)(C) of such subsection.”

**SA 3750.** Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_ . Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall, acting through the Under Secretary of Defense for Research and Engineering, submit to the congressional defense committees a report on current investments of the Armed Forces in research on energetics. The report shall include the following:

(1) A comparison between current investments of the Navy in research on energetics and current investments of the other military departments in such research.

(2) Recommendations for the most appropriate investments by the Armed Forces in research on energetics in the future, and a strategic roadmap for such investments.

**SA 3751.** Mr. REED (for himself and Mrs. CAPITO) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. \_\_\_\_ . Using amounts appropriated under this division, the Comptroller General of the United States shall, not later than 18 months after the date of enactment of this Act, conduct a review and submit a report to Congress on barriers to obtaining and paying for adequate medical care for survivors of childhood cancer. Such report shall identify existing barriers to the availability of complete and coordinated survivorship care for survivors of childhood cancer and of expert pediatric palliative care, and recommendations to provide improved access and payment plans for childhood cancer survivorship programs and palliative care, including psychosocial services and coverage of such services.

**SA 3752.** Mr. CASSIDY submitted an amendment intended to be proposed to

amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. \_\_\_\_\_. Whenever the Commissioner of the Bureau of Labor Statistics periodically publishes data about the employment of veterans, the Commissioner shall disaggregate such data by officer or enlisted status and by whether a veteran served as a member of the Armed Forces in an overseas contingency operation.

**SA 3753.** Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

**SEC. \_\_\_\_\_. QUARTERLY REPORTS ON RESPONSIVENESS OF DEPARTMENT OF VETERANS AFFAIRS TO CONGRESSIONAL INQUIRIES REGARDING PROCESSING AND DELIVERY OF BENEFITS.**

(a) **REPORTS REQUIRED.**—Not later than 60 days after the date of the enactment of this Act and not less frequently than once every three months thereafter until the date that is two years after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report on the timeliness of responses by the Department of Veterans Affairs to inquiries by members of Congress regarding the processing and delivery of benefits by the Veterans Benefits Administration to members of the Armed Forces and veterans.

(b) **DISAGGREGATION.**—Each report submitted under subsection (a) shall disaggregate information, when appropriate, by benefit and regional office.

**SA 3754.** Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees an addendum to the 30-year shipbuilding plan of the Navy that sets forth in detail the manner in which the Department of the Navy will take into account in such plan each of the following:

(1) Appropriate diversification among small-sized and medium-sized surface ships.

(2) Capacity in the shipbuilding industry as of the date of the report.

**SA 3755.** Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending Sep-

tember 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. \_\_\_\_\_. (a) The Secretary of Defense shall, through the Joint Trauma Education and Training Directorate established under section 708 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 10 U.S.C. 1071 note), develop partnerships with civilian academic medical centers and large metropolitan teaching hospitals to improve combat casualty care for personnel of the Armed Forces.

(b) In carrying out partnerships under subsection (a), trauma surgeons and physicians of the Department of Defense shall partner with level I civilian trauma centers to provide adequate training and readiness for the next generation of medical providers to treat critically injured burn patients.

(c) The Secretary of Defense shall make every effort to support partnerships under the Joint Trauma Education and Training Directorate with academic institutions that have level I civilian trauma centers, specifically those centers with a burn center, that offer burn rotations and clinical experience to provide adequate training and readiness for the next generation of medical providers to treat critically injured burn patients.

(d) In this section, the term “level I civilian trauma center” has the meaning given that term in section 708 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 10 U.S.C. 1071 note).

**SA 3756.** Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division B, insert the following:

SEC. \_\_\_\_\_. None of the funds appropriated or made available by this Act or by previous appropriations Acts may be used to process a claim for payment under title XIX of the Social Security Act to a State that imposes a health care-related tax on a provider of items or services under the State Medicaid program that exceeds 4 percent of net patient revenue. In this section, the terms “health care-related tax” and “net patient revenue” have the meaning given those terms for purposes of section 433.68 of title 14, Code of Federal Regulations.

**SA 3757.** Mr. CASSIDY (for himself and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to support the maintenance of chimpanzees at any Federal or non-Federal research facility registered pursuant to section 6 of the Animal Welfare Act (7 U.S.C. 2136) unless, not later than November 1, 2018, the Director of the National Institutes of Health establishes, in accordance with the purposes of section 404K of the

Public Health Service Act (42 U.S.C. 283m), a plan to retire to the sanctuary system established under section 404K of the Public Health Service Act (42 U.S.C. 283m) by December 31, 2021—

(1) all chimpanzees categorized as Class I, II, or III on the American Society of Anesthesiologists physical status classification system, as adapted by the Academy of Veterinary Technicians in Anesthesia and Analgesia; and

(2) all chimpanzees—

(A) categorized as Class IV or V on the classification system described in paragraph (1); and

(B) determined to be eligible for transfer to that sanctuary system by an independent team—

(i) consisting of—

(I) 2 veterinarians with experience in treating apes in a sanctuary, a zoo, or the wild;

(II) a behaviorist with experience working with apes in a sanctuary, a zoo, or the wild;

(III) an anesthesiologist; and

(IV) a bioethicist; and

(ii) none of whom is currently, or has recently been, employed by a laboratory.

**SA 3758.** Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

**SEC. \_\_\_\_\_. EXPOSURE TO OPEN BURN PITS AND TOXIC AIRBORNE CHEMICALS AS PART OF PERIODIC HEALTH ASSESSMENTS AND OTHER PHYSICAL EXAMINATIONS.**

(a) **PERIODIC HEALTH ASSESSMENT.**—The Secretary of Defense shall ensure that any periodic health assessment provided to members of the Armed Forces includes an evaluation of whether the member has been—

(1) based or stationed at a location where an open burn pit was used; or

(2) exposed to toxic airborne chemicals, including any information recorded as part of the Airborne Hazards and Open Burn Pit Registry.

(b) **SEPARATION HISTORY AND PHYSICAL EXAMINATIONS.**—Section 1145(a)(5) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(C) The Secretary concerned shall ensure that each physical examination of a member under subparagraph (A) includes an assessment of whether the member was—

“(i) based or stationed at a location where an open burn pit, as defined in subsection (c) of section 201 of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note), was used; or

“(ii) exposed to toxic airborne chemicals, including any information recorded as part of the registry established by the Secretary of Veterans Affairs under such section 201.”.

(c) **DEPLOYMENT ASSESSMENTS.**—Section 1074f(b)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(D) An assessment of whether the member was—

“(i) based or stationed at a location where an open burn pit, as defined in subsection (c) of section 201 of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note), was used; or

“(ii) exposed to toxic airborne chemicals, including any information recorded as part



of the registry established by the Secretary of Veterans Affairs under such section 201.”.

(d) SHARING OF INFORMATION.—

(1) DOD-VA.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly enter into a memorandum of understanding providing for the sharing by the Department of Defense with the Department of Veterans Affairs of the results of covered evaluations regarding the exposure by a member of the Armed Forces to toxic airborne chemicals.

(2) REGISTRY.—If a covered evaluation of a member of the Armed Forces establishes that the member was based or stationed at a location where an open burn pit was used, or the member was exposed to toxic airborne chemicals, the member shall be enrolled in the Airborne Hazards and Open Burn Pit Registry, unless the member elects to not so enroll.

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed to preclude eligibility for benefits under the laws administered by the Secretary of Veterans Affairs by reason of the open burn pit exposure history of a veteran not being recorded in a covered evaluation.

(f) DEFINITIONS.—In this section:

(1) The term “Airborne Hazards and Open Burn Pit Registry” means the registry established by the Secretary of Veterans Affairs under section 201 of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note).

(2) The term “covered evaluation” means—

(A) a periodic health assessment conducted in accordance with subsection (a);

(B) a separation history and physical examination conducted under section 1145(a)(5) of title 10, United States Code, as amended by this section; and

(C) a deployment assessment conducted under section 1074f(b)(2) of such title, as amended by this section.

(3) The term “open burn pit” has the meaning given that term in section 201(c) of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note).

**SA 3759.** Mr. SCHUMER (for himself and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. \_\_\_\_ (a) There are appropriated under the heading “Emerging and Zoonotic Infectious Diseases” under the heading “Centers for Disease Control and Prevention”, in addition to any other amounts made available under such heading and in order to provide additional funding for Lyme disease activities, \$1,300,000.

(b) Notwithstanding any other provision of this Act, the total amount appropriated under the heading “Chronic Disease Prevention and Health Promotion” under the heading “Centers for Disease Control and Prevention” is hereby reduced by \$1,300,000.

**SA 3760.** Mr. WARNER submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes;

which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_ Amounts appropriated or otherwise made available by this Act for obligation and expenditure for the processing of security clearances shall be treated as a congressional special interest item.

**SA 3761.** Mr. WARNER submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_ None of the amounts appropriated or otherwise made available by this division may be used to grant, deny, or revoke access, or eligibility for access, to classified information except in accordance with the processes and procedures under the following:

(1) Executive Orders 12968 and 13467, as such Executive Orders were in effect on August 15, 2018.

(2) Part 147 of title 32, Code of Federal Regulations, as such part was in effect on August 15, 2018.

(3) Applicable department and agency regulations that govern access to classified information and due process requirements.

**SA 3762.** Mr. WHITEHOUSE (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B insert the following:

SEC. \_\_\_\_ Not less than 10 percent of the amount appropriated to State Opioid Response Grants under the heading “Substance Abuse Treatment” under the heading “Substance Abuse and Mental Health Services Administration” shall be used by the States receiving such grants to carry out the activities described in section 547(d) of the PHS Act.

**SA 3763.** Mr. WARNER (for himself, Mrs. CAPITO, Mr. MANCHIN, Mr. BROWN, and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. \_\_\_\_ Not later than 180 days after the enactment of this Act, and using funds appropriated under this title, the Director of the National Institute for Occupational Safety and Health shall submit to Congress a report that—

(1) includes a description of those active and non-active coal miner populations that are currently covered by the Coal Workers’ Health Surveillance program;

(2) identifies and describes potential barriers that limit active and non-active coal miner participation in such program; and

(3) describes existing or planned outreach efforts to improve the participation of active and non-active coal miners in periodic health surveillance.

**SA 3764.** Mr. WARNER (for himself, Mr. JONES, and Ms. CORTEZ MASTO) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_ Of the amount appropriated by title II of this Act under the heading “Operation and Maintenance, Defense-Wide”, up to \$7,000,000 may be available for the Office of the Secretary of Defense for the Information Assurance Scholarship Program.

**SA 3765.** Mr. WHITEHOUSE (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B insert the following:

SEC. \_\_\_\_ Not later than November 1, 2018, the Secretary shall provide, to the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Energy and Commerce of the House of Representatives, a status update on the rulemaking required under sections 3001(c)(5)(D), and 3022(a)(3), of the PHS Act.

**SA 3766.** Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I of division B insert the following:

SEC. \_\_\_\_ None of the funds made available under this Act shall be used to repeal or alter the effectiveness of the rule submitted by the Department of Labor relating to “Lowering Miners’ Exposure to Respirable Coal Mine Dust, Including Continuous Personal Dust Monitors” (79 Fed. Reg. 24814 (May 1, 2014)).

**SA 3767.** Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. \_\_\_\_ The Secretary of Health and Human Services shall conduct a study of the potential benefits of providing opioid prescribers information about the opioid overdose deaths of their patients to whom they prescribed an opioid medication.



**SA 3768.** Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B insert the following:

**SEC. \_\_\_\_ . BUDGETING FOR OPIOID ADDICTION TREATMENT.**

(a) **SHORT TITLE.**—This section may be cited as the “Budgeting for Opioid Addiction Treatment Act”.

(b) **STEWARDSHIP FEE ON OPIOID PAIN RELIEVERS.**—

(1) **IN GENERAL.**—Subchapter E of chapter 32 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

**“SEC. 4192. OPIOID PAIN RELIEVERS.**

“(a) **IN GENERAL.**—There is hereby imposed on the sale of any active opioid by the manufacturer, producer, or importer a fee equal to 1 cent per milligram so sold.

“(b) **ACTIVE OPIOID.**—For purposes of this section—

“(1) **IN GENERAL.**—The term ‘active opioid’ means any controlled substance (as defined in section 102 of the Controlled Substances Act, as in effect on the date of the enactment of this section) which is opium, an opiate, or any derivative thereof.

“(2) **EXCLUSION FOR CERTAIN PRESCRIPTION MEDICATIONS.**—Such term shall not include any prescribed drug which is used exclusively for the treatment of opioid addiction as part of a medically assisted treatment effort.

“(3) **EXCLUSION OF OTHER INGREDIENTS.**—In the case of a product that includes an active opioid and another ingredient, subsection (a) shall apply only to the portion of such product that is an active opioid.”

(c) **CLERICAL AMENDMENTS.**—

(A) The heading of subchapter E of chapter 32 of the Internal Revenue Code of 1986 is amended by striking “**Medical Devices**” and inserting “**Other Medical Products**”.

(B) The table of subchapters for chapter 32 of such Code is amended by striking the item relating to subchapter E and inserting the following new item:

“SUBCHAPTER E. OTHER MEDICAL PRODUCTS”.

(C) The table of sections for subchapter E of chapter 32 of such Code is amended by adding at the end the following new item:

“Sec. 4192. Opioid pain relievers.”.

(3) **EFFECTIVE DATE.**—The amendments made by this subsection shall apply to sales on or after the date that is 1 year after the date of the enactment of this Act.

(4) **REBATE OR DISCOUNT PROGRAM FOR CERTAIN CANCER AND HOSPICE PATIENTS.**—

(A) **IN GENERAL.**—The Secretary of Health and Human Services, in consultation with patient advocacy groups and other relevant stakeholders as determined by such Secretary, shall establish a mechanism by which—

(i) any amount paid by an eligible patient in connection with the stewardship fee under section 4192 of the Internal Revenue Code of 1986 (as added by this subsection) shall be rebated to such patient in as timely a manner as possible, or

(ii) amounts paid by an eligible patient for active opioids (as defined in section 4192(b) of such Code) are discounted at time of payment or purchase to ensure that such patient does not pay any amount attributable to such fee, with as little burden on the patient as possible. The Secretary shall choose whichever of the options described in clause

(i) or (ii) is, in the Secretary’s determination, most effective and efficient in ensuring eligible patients face no economic burden from such fee.

(B) **ELIGIBLE PATIENT.**—For purposes of this subsection, the term “eligible patient” means—

(i) a patient for whom any active opioid (as so defined) is prescribed to treat pain relating to cancer or cancer treatment;

(ii) a patient participating in hospice care; and

(iii) in the case of the death or incapacity of a patient described in clause (i) or (ii) or any similar situation as determined by the Secretary of Health and Human Services, the appropriate family member, medical proxy, or similar representative or the estate of such patient.

(c) **BLOCK GRANTS FOR PREVENTION AND TREATMENT OF SUBSTANCE ABUSE.**—

(1) **GRANTS TO STATES.**—Section 1921(b) of the Public Health Service Act (42 U.S.C. 300x–21(b)) is amended by inserting “, and, as applicable, for carrying out section 1923A” before the period.

(2) **NONAPPLICABILITY OF PREVENTION PROGRAM PROVISION.**—Section 1922(a)(1) of the Public Health Service Act (42 U.S.C. 300x–22(a)(1)) is amended by inserting “except with respect to amounts made available as described in section 1923A,” before “will expend”.

(3) **OPIOID TREATMENT PROGRAMS.**—Subpart II of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x–21 et seq.) is amended by inserting after section 1923 the following:

**“SEC. 1923A. ADDITIONAL SUBSTANCE ABUSE TREATMENT PROGRAMS.**

“A funding agreement for a grant under section 1921 is that the State involved shall provide that any amounts made available by any increase in revenues to the Treasury in the previous fiscal year resulting from the enactment of section 4192 of the Internal Revenue Code of 1986, reduced by any amounts rebated or discounted under subsection (b)(4) of the Budgeting for Opioid Addiction Treatment Act (as described in section 1933(a)(1)(B)(i)) be used exclusively for substance abuse (including opioid abuse) treatment efforts in the State, including—

“(1) treatment programs—

“(A) establishing new addiction treatment facilities, residential and outpatient, including covering capital costs;

“(B) establishing sober living facilities;

“(C) recruiting and increasing reimbursement for certified mental health providers providing substance abuse treatment in medically underserved communities or communities with high rates of prescription drug abuse;

“(D) expanding access to long-term, residential treatment programs for opioid addicts (including 30-, 60-, and 90-day programs);

“(E) establishing or operating support programs that offer employment services, housing, and other support services to help recovering addicts transition back into society;

“(F) establishing or operating housing for children whose parents are participating in substance abuse treatment programs, including capital costs;

“(G) establishing or operating facilities to provide care for babies born with neonatal abstinence syndrome, including capital costs; and

“(H) other treatment programs, as the Secretary determines appropriate; and

“(2) recruitment and training of substance use disorder professionals to work in rural and medically underserved communities.”.

(4) **ADDITIONAL FUNDING.**—Section 1933(a)(1)(B)(i) of the Public Health Service Act (42 U.S.C. 300x–33(a)(1)(B)(i)) is amended

by inserting “, plus any increase in revenues to the Treasury in the previous fiscal year resulting from the enactment of section 4192 of the Internal Revenue Code of 1986, reduced by any amounts rebated or discounted under subsection (b)(4) of the Budgeting for Opioid Addiction Treatment Act” before the period.

(d) **REPORT.**—Not later than 2 years after the date described in subsection (b)(3), the Secretary of Health and Human Services shall submit to Congress a report on the impact of the amendments made by subsections (b) and (c) on—

(1) the retail cost of active opioids (as defined in section 4192 of the Internal Revenue Code of 1986, as added by subsection (b));

(2) patient access to such opioids, particularly cancer and hospice patients, including the effect of the discount or rebate on such opioids for cancer and hospice patients under section (b)(4);

(3) how the increase in revenue to the Treasury resulting from the enactment of section 4192 of the Internal Revenue Code of 1986 is used to improve substance abuse treatment efforts in accordance with section 1923A of the Public Health Service Act (as added by subsection (c)); and

(4) suggestions for improving—

(A) access to opioids for cancer and hospice patients; and

(B) substance abuse treatment efforts under such section 1923A.

**SA 3769.** Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

**SEC. \_\_\_\_ .** (a) Using amounts appropriated under title IV, the Secretary of Defense shall use commercial space launch providers and spaceports licensed by the Federal Aviation Administration, when appropriate, for launches into mid-to-low inclination orbits in support of national security space priorities.

(b) It is the sense of Congress that—

(1) there are a number of spaceports that, as of the date of the enactment of this Act, are already developed or under development, including in New Mexico, Alaska, Oklahoma, Virginia, Texas, Georgia, and Arizona; and

(2) the Secretary should use those spaceports to the extent practicable.

**SA 3770.** Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

**SEC. \_\_\_\_ .** It is the sense of Congress that the Secretary of Defense should ensure that the budget request for fiscal year 2020 submitted to Congress pursuant to section 1105(a) of title 31, United States Code, reflects the need for modernization of testing and evaluation instrumentation as identified in appendix C of the report submitted to Congress by the Department of Defense that was dated June, 2018, on the proposed Joint Directed Energy Test Center and an update on the High Energy Laser Systems Test Facility (HELSTF).

**SA 3771.** Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. Of the funds appropriated or otherwise made available by title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE", \$10,000,000 shall be available for research on high-powered microwaves at the Joint Directed Energy Transition Office.

**SA 3772.** Mr. HEINRICH submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. It is the sense of Congress that—

(1) the Secretary of Defense should use funds appropriated or otherwise made available by this division to make grants, conclude cooperative agreements, or supplement other Federal funds in order to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools;

(2) in awarding such funds, priority consideration should be given to military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary; and

(3) as a condition of receiving such funds, the local educational agency or State concerned should continue to provide a matching share as described in the notice titled "Department of Defense Program for Construction, Renovation, Repair or Expansion of Public Schools Located on Military Installations" published by the Department of Defense in the Federal Register on September 9, 2011 (76 Fed. Reg. 55883 et seq.).

**SA 3773.** Mr. MCCONNELL (for Mr. NELSON (for himself and Mrs. CAPITO)) proposed an amendment to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. (a) Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Appropriations of the Senate and the House of Representatives a report on a study, conducted by the Comptroller General for purposes of the report, on the implementation of the Military Health System (MHS) Genesis electronic health record at the four currently active sites.

(b) The report shall include the following:

(1) A description and assessment of the manner in which the Military Health System Genesis electronic health record is addressing the concerns raised by the partial Initial Operational Test and Evaluation (IOT&E) report on the implementation of the record.

(2) A description and assessment of the performance of Military Health System Genesis in meeting the demands of the four currently active sites.

(3) A description and assessment of underlying issues in connection with the implementation of Military Health System Genesis.

(4) A description and assessment of any anticipated delays in the implementation of Military Health System Genesis, including the effect of such delays on the execution of funds.

(5) Any other matters in connection with the implementation of Military Health System Genesis that the Comptroller General considers appropriate.

**SA 3774.** Mr. ISAKSON (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 202, line 4, insert before the period the following "of which \$5,000,000 shall remain available until expended to be used for the establishment of the National Neurological Conditions Surveillance System as authorized in the 21st Century Cures Act (Public Law 114-255)".

**SA 3775.** Mr. ISAKSON (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 202, line 4, insert before the period the following "of which \$5,000,000 shall remain available until expended to be used for the establishment of the National Neurological Conditions Surveillance System as authorized in the 21st Century Cures Act (Public Law 114-255)".

**SA 3776.** Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. \_\_\_\_\_. (a) None of the funds appropriated or otherwise made available by this Act, whether by division A or division B, may be obligated or expended to house 1 or more alien subject to removal under section 212 or 237 of the Immigration and Nationality Act (8 U.S.C. 1182, 1227), for purposes of detention or imprisonment within the custody or control of the Department of Defense, unless specifically authorized by an Act of Congress enacted after the date of the enactment of this Act

(b) In this section, the term "alien" has the meaning given that term in section 101(3) of the Immigration and Nationality Act (8 U.S.C. 1101(3)).

**SA 3777.** Mr. BLUMENTHAL submitted an amendment intended to be

proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. (a) FINDINGS.—Congress finds that—

(1) Gold Star mothers and fathers and families are true national heroes, who deserve our deepest gratitude and respect; and

(2) the extraordinary contribution of Gold Star mothers and fathers and families is beyond measure, not merely for their loss, but the comfort they selflessly provide others and their model of service and sacrifice.

(b) IN GENERAL.—In order to continue to honor the sacrifices of families who have lost a loved one who was a member of the Armed Forces in combat, the Postmaster General shall provide for the issuance of a forever stamp suitable for that purpose.

(c) DEFINITION.—In this section, the term "forever stamp" means a definitive stamp that—

(1) meets the postage required for first-class mail up to 1 ounce in weight; and

(2) retains full validity for the purpose described in paragraph (1) even if the rate of that postage is later increased.

(d) EFFECTIVE DATE.—The stamp described in subsection (b) shall be issued beginning as soon as practicable after the date of enactment of this Act and shall not thereafter be discontinued.

**SA 3778.** Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. **ENHANCEMENT OF MONITORING AND INVESTIGATION OF TRAFFICKING IN PERSONS.**

Section 1704 of the National Defense Authorization Act for Fiscal Year 2013 (22 U.S.C. 7104b) is amended by adding at the end the following new subsection:

"(e) SUPPLY CHAIN TRANSPARENCY.—

"(1) IN GENERAL.—To facilitate monitoring and investigation of human trafficking, the Office of Management and Budget shall ensure that the searchable public website established pursuant to the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282) includes the following information on Federal awards at each tier to both domestic and foreign awardees:

"(A) The location of the entity receiving the award and the location of performance and production facilities under the award, including the name of a facility, street address, city, State if applicable, congressional district if applicable, and country.

"(B) Notice of whether a contractor must provide a compliance plan to prevent human trafficking under section 1703 of the National Defense Authorization Act for Fiscal Year 2013 (22 U.S.C. 1704a).

"(C) Notice of whether the location of performance or production facilities is within a country ranked at tier 2 or tier 3 in the most recent Human Trafficking Report of the Department of State.

"(D) Additional information that facilitates monitoring and investigation of human trafficking.

"(2) PHASE-IN PERIOD FOR REPORTING SUBCONTRACTS AND SUBGRANTS.—Pursuant to

paragraph (1), the Director of the Office of Management and Budget shall—

“(A) issue a time-bound plan to phase in the new reporting not later than January 1, 2020;

“(B) require reporting of subcontract and subgrant data at tier one not later than January 1, 2020;

“(C) require reporting of subcontract and subgrant data at tier two not later than January 1, 2022; and

“(D) include in the annual report required by section 2(g) of the Federal Funding Accountability and Transparency Act (Public Law 109-282; 31 U.S.C. 6101 note), progress on these stages and options for transparency at lower stages starting in fiscal year 2023.

“(3) EXCEPTIONS.—

“(A) MINIMUM THRESHOLD.—Consistent with the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282; 31 U.S.C. 6101 note), executive agencies need not disclose contracts, subcontracts, grants, subgrants, or cooperative agreements less than \$25,000 or contractors with gross income less than \$300,000 in the previous tax year.

“(B) SECURITY RISKS.—An awarding agency need not disclose the identity of a foreign awardee if the awarding agency certifies that disclosure of the contractor’s identity would pose a security risk to the contractor or its contractual mission.

“(C) WAIVERS.—

“(i) GUIDANCE.—Not later than one year after the date of enactment of this subsection, the Office of Management and Budget shall issue guidance to establish a process by which a contractor, subcontractor, grantee, subgrantee, or parties to cooperative agreements may request a waiver from any of the requirements set forth in the section.

“(ii) CRITERIA.—To receive a waiver, the contractor, subcontractor, grantee, subgrantee, or party to a cooperative agreement must demonstrate why it cannot currently meet the requirements and must explain the steps it will take to meet the requirements once the waiver expires.

“(iii) EXPIRATION.—This waiver option will expire on January 1, 2021.

“(iv) WAIVER LIST.—The Office of Management and Budget shall maintain a public list of all contractors, subcontractors, grantees, subgrantees, or parties to cooperative agreements that have received a waiver.

“(4) SCOPE.—For purposes of this section—

“(A) awards include contracts and subcontracts, grants and subgrants, and cooperative agreements; and

“(B) subcontracts include—

“(i) all tiers of the supply chain, not just those to which the prime contractor is a party; and

“(ii) supplier agreements with vendors, such as long-term arrangements for materials or supplies that benefit multiple contracts or with respect to which costs are normally applied to a contractor’s general and administrative expenses or indirect costs.”

**SA 3779.** Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

**SEC. \_\_\_\_ . REQUIRING DISCLOSURE OF CREDIT VERIFICATION VALUE AS CONDITION OF ACCEPTANCE OF ONLINE CONTRIBUTIONS TO FEDERAL ELECTION.**

(a) IN GENERAL.—Section 302 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30102) is amended by adding at the end the following:

“(j)(1) No political committee shall accept any Internet credit card contribution unless—

“(A) the individual or entity making such contribution is required, at the time such individual makes such contribution, to disclose the credit verification value of such credit card; and

“(B)(i) the billing address associated with such credit card is located in the United States; or

“(ii) in the case of a contribution made by an individual who is a United States citizen living outside of the United States, the individual provides the committee with the United States mailing address the individual uses for voter registration purposes.

“(2) Notwithstanding subsection (b) or (c), in the case of an Internet credit card contribution—

“(A) no later than 10 days after receiving the contribution, the person who receives the contribution shall forward to the treasurer such contribution, the name and address of the person making the contribution, and the date of receipt; and

“(B) the treasurer of a political committee shall keep an account of the name and address of any person making any such contribution, together with the date and amount of such contribution by any person.

“(3) In this subsection, the term ‘Internet credit card contribution’ means a contribution that—

“(A) is made using a credit card; and

“(B) is received through an Internet website.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to contributions made after the expiration of the 180-day period which begins on the date of the enactment of this Act.

**SA 3780.** Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

**SEC. \_\_\_\_ . RESIDENCE OF SPOUSES OF SERVICEMEMBERS FOR TAX PURPOSES.**

(a) RESIDENCE FOR TAX PURPOSES.—Section 511(a)(2) of the Servicemembers Civil Relief Act (50 U.S.C. 4001(a)(2)) is amended by adding at the end the following new sentence: “The spouse of a servicemember may elect to use the same residence for purposes of taxation as the servicemember regardless of the date on which the marriage of the spouse and the servicemember occurred.”

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to any return of State or local income tax filed for any taxable year beginning with the taxable year that includes the date of the enactment of this Act.

**SEC. \_\_\_\_ . RESIDENCE OF SPOUSES OF SERVICEMEMBERS FOR VOTING.**

(a) IN GENERAL.—Section 705(b) of the Servicemembers Civil Relief Act (50 U.S.C. 4025(b)) is amended—

(1) by striking “State or local office” and all that follows through the period at the

end of paragraph (3) and inserting “State or local office”; and

(2) by adding at the end the following new paragraphs:

“(1) a person who is absent from a State because the person is accompanying the person’s spouse who is absent from that same State in compliance with military or naval orders shall not, solely by reason of that absence—

“(A) be deemed to have lost a residence or domicile in that State, without regard to whether or not the person intends to return to that State;

“(B) be deemed to have acquired a residence or domicile in any other State; or

“(C) be deemed to have become a resident in or a resident of any other State; and

“(2) the spouse of a servicemember may elect to use the same residence as the servicemember regardless of the date on which the marriage of the spouse and the servicemember occurred.”

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is 90 days after the date of the enactment of this Act.

**SA 3781.** Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

**SEC. \_\_\_\_ . HHS STUDY ON DRUG PRICING.**

(a) STUDY.—The Secretary of Health and Human Services (in this section referred to as the “Secretary”) shall conduct a study on the changes in prices of prescription drugs since 2008. Such study shall include the following:

(1) A comparison of prescription drug prices (net of rebates) paid by the following programs for the 10 most frequently prescribed drugs and the 10 highest-cost drugs for each of the following:

(A) The Medicare program under part B of title XVIII of the Social Security Act.

(B) The Medicare prescription drug program under part D of title XVIII of such Act.

(C) The Medicaid program under title XIX of such Act.

(D) The Department of Veterans Affairs.

(2) A breakdown of the comparative prices (net of rebates) for each of the 10 most frequently prescribed drugs and the 10 highest-cost drugs between ambulatory settings and retail settings.

(3) Under the Medicare prescription drug program under such part D, a description of the gross drug costs and net drug costs and the direct and indirect remuneration for the 10 most frequently prescribed drugs and the 10 highest-cost drugs.

(4) A description of the total annual costs due to prescription drugs under the Medicare program under such part B, such part D, and the Medicaid program.

(5) A list the drugs that have been registered for sale by the Food and Drug Administration in the past 5 years that have benefited significantly from government grants or research subsidies in either the pre-clinical or clinical stages of development, as well as the price (net of rebates) and total spending under the Medicare and Medicaid programs for each of those drugs.

(6) Other items determined appropriate by the Secretary.

(b) REPORT.—Not later than 120 days after the date of enactment of this Act, the Secretary shall submit to Congress a report on

the study conducted under subsection (a), together with recommendations for such legislation and administrative action as the Secretary determines appropriate.

**SA 3782.** Mr. CARDIN (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division B, insert the following:

SEC. \_\_\_\_\_. (a) In addition to amounts otherwise made available under this Act, there are appropriated—

(1) \$1,000,000 for the American History and Civics Academies established under section 2232 of the Elementary and Secondary Education Act of 1965; and

(2) \$1,000,000 for the American History and Civics National Activities under section 2233 of the Elementary and Secondary Education Act of 1965.

(b) Notwithstanding any other provision of this Act, the total amount appropriated under the heading “PROGRAM ADMINISTRATION” under the heading “DEPARTMENTAL MANAGEMENT” for the Department of Education is hereby reduced by \$2,000,000.

**SA 3783.** Mr. CARDIN (for himself, Mr. VAN HOLLEN, and Mr. JONES) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division B, insert the following:

SEC. \_\_\_\_\_. (a) In addition to amounts otherwise made available under this Act, there are appropriated \$1,300,000 for the Minority Science and Engineering Improvement Program under part E of title III of the Higher Education Act of 1965.

(b) Notwithstanding any other provision of this Act, the total amount appropriated under the heading “PROGRAM ADMINISTRATION” under the heading “DEPARTMENTAL MANAGEMENT” for the Department of Education is hereby reduced by \$1,300,000.

**SA 3784.** Mr. JONES (for himself, Mr. SCOTT, Mr. KAINE, Mr. WARNER, Mr. BOZZMAN, and Mr. TILLIS) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division B, insert the following:

SEC. \_\_\_\_\_. (a) In addition, \$10,000,000 shall be made available to provide for the deferment of loans made under part D of title III of the Higher Education Act of 1965 to eligible institutions that are private Historically Black Colleges and Universities that applied for, were denied, and were eligible for a deferment in fiscal year 2018 of such a loan under the terms and conditions of the second paragraph under the heading “Historically Black College and University Cap-

ital Financing Program Account” under the Department of Education Appropriations Act, 2018.

(b) Notwithstanding any other provision of this Act, the total amount appropriated under the heading “PROGRAM ADMINISTRATION” under the heading “DEPARTMENTAL MANAGEMENT” for the Department of Education is hereby reduced by \$10,000,000.

**SA 3785.** Mr. JONES (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. (a) There are appropriated, in addition to amounts otherwise made available under this Act for such purpose, \$15,000,000 to provide for the deferment of loans made under part D of title III of the Higher Education Act of 1965 to eligible Historically Black Colleges and Universities, which apply for the deferment of such a loan. The Secretary of Education shall establish the criteria to determine an eligible applicant’s need based on such factors as, including but not limited to, a score of 2.6 or less on the Department of Education’s financial responsibility test for private HBCUs or the ratio of an institution’s debt service relative to their revenue for public HBCUs. Provided, however, that during the period of deferment of such a loan, interest on the loan will not accrue or be capitalized, and the period of deferment shall be for at least a period of 3 fiscal years and not more than 6 fiscal years.

(b) Notwithstanding any other provision of this Act, the total amount appropriated under the heading “PROGRAM ADMINISTRATION” under the heading “DEPARTMENTAL MANAGEMENT” for the Department of Education is hereby reduced by \$15,000,000.

**SA 3786.** Mr. JONES submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and the House of Representatives, and make available to other members of Congress, a report on the following:

(1) Anticipated decisions during fiscal year 2019 relating to the relocation of simulators for KC-135 aircraft and KC-46 aircraft.

(2) Decisions during the five fiscal years ending with fiscal year 2018 relating to the relocation of simulators for KC-135 aircraft and KC-46 aircraft.

(3) The costs incurred by the Department of Defense in transfers of simulators for KC-135 aircraft and KC-46 aircraft pursuant to decisions of relocation described in paragraph (2).

**SA 3787.** Mr. DURBIN (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making

appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. \_\_\_\_\_. Of the funds made available under this Act, not more than \$1,000,000 shall be used by the Secretary of Health and Human Services in furtherance of the existing statutory authority of the Secretary to issue a regulation requiring that direct-to-consumer prescription drug and biological product advertisements include an appropriate disclosure of pricing information with respect to such products.

**SA 3788.** Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. (a) Section 62(a)(2)(E) of the Internal Revenue Code of 1986 is amended by striking “100 miles” and inserting “50 miles”.

(b) The amendment made by this section shall apply to taxable years beginning after December 31, 2017.

**SA 3789.** Mr. JONES submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. \_\_\_\_\_. Section 330A(d)(2)(B) of the Public Health Service Act (42 U.S.C. 254c(d)(2)(B)) is amended—

(1) in clause (ii), by striking “and” at the end;

(2) in clause (iii), by striking the period and inserting “; and”; and

(3) by adding at the end the following: “(iv) to allow for the development of infrastructure to advance the integration of oral health into primary care.”.

**SA 3790.** Mr. MURPHY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title IV of division A, insert the following:

SEC. \_\_\_\_\_. (a) The amount appropriated or otherwise made by this title under the heading “Research, Development, Test and Evaluation, Air Force” and available for Advanced Engine Development is hereby increased by \$139,000,000.

(b) The amount appropriated by title III of this division under the “Aircraft Procurement, Air Force” is hereby decreased by \$139,000,000, with the amount of the decrease to be applied against amounts appropriated by that heading and available for procurement of O/A-X Light Attack Aircraft.

**SA 3791.** Mr. MURPHY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. (a) The amount appropriated by title IV of this division under the heading "Research, Development, Test and Evaluation, Navy" is hereby increased by \$161,000,000, with the amount of the increase to be available for research, development, test and evaluation on CH-53K (Heavy Lift) rotary aircraft.

(b) The amount appropriated by title III of this division under the "Aircraft Procurement, Air Force" is hereby decreased by \$161,000,000, with the amount of the decrease to be applied against amounts appropriated by that heading and available for procurement of O/A-X Light Attack Aircraft.

**SA 3792.** Mr. MURPHY submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title IX of division A under the heading "Operation and Maintenance, Army" strike the end period and insert the following: "": *Provided further*, That of the amount appropriated under this heading and available for the European Deterrence Initiative, \$25,000,000 shall, pursuant to section 385 of title 10, United States Code, be transferred to and distributed between the Administrator of the United States Agency for International Development and the President of the National Endowment for Democracy for the purpose of supporting fair and transparent elections in Southeastern and Eastern Europe."

**SA 3793.** Mr. MURPHY (for himself, Mr. SCHATZ, Ms. WARREN, Mrs. FEINSTEIN, Mr. CARPER, Mr. BLUMENTHAL, and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. None of the funds appropriated or otherwise made available by this division may be used for United States support of the Saudi Arabia-led intervention in Yemen until the Secretary of Defense certifies, in writing, to Congress that the Saudi Arabia-

led coalition air campaign does not violate the principles of distinction and proportionality within the rules for the protection of civilians: *Provided*, That nothing in this section shall apply to ongoing support for counterterrorism operations against al Qaeda or the Islamic State of Iraq and Syria (ISIS).

**SA 3794.** Mr. MURPHY (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. (a) From amounts appropriated or otherwise made available by this division, the Secretary of Defense shall transfer to the Secretary of State under section 385 of title 10, United States Code, \$40,000,000 for support by the Department of State of security cooperation objectives of the Department of Defense as authorized by that section: *Provided*, That amounts transferred pursuant to this section shall remain available for obligation and expenditure until September 30, 2020.

(b) Section 8125 shall have no force or effect.

**SA 3795.** Mr. MURPHY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. \_\_\_\_\_. (a) The amount appropriated by title IV of this division under the heading "Research, Development, Test and Evaluation, Air Force" is hereby increased by \$73,000,000, with the amount of the increase to be available for the Combat Rescue Helicopter.

(b) The amount appropriated by title III of this division under the "Aircraft Procurement, Air Force" is hereby decreased by \$73,000,000, with the amount of the decrease to be applied against amounts appropriated by that heading and available for procurement of O/A-X Light Attack Aircraft.

#### ORDERS FOR TUESDAY, AUGUST 21, 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, August 21; 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, and that following leader remarks, the Senate resume consideration of H.R. 6157; further, that the Senate recess, following disposition of the Kennedy amendment, until 2:15 to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

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 6:34 p.m., adjourned until Tuesday, August 21, 2018, at 10 a.m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate August 20, 2018:

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be lieutenant general*

MAJ. GEN. CHRISTOPHER P. WEGGEMAN

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be general*

LT. GEN. JOHN M. MURRAY

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### *To be general*

LT. GEN. MARYANNE MILLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE CHIEF OF CHAPLAINS, UNITED STATES AIR FORCE, AND APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 8039:

##### *To be major general*

BRIG. GEN. STEVEN A. SCHAICK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

##### *To be brigadier general*

COL. RONALD M. HARVELL

##### IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

##### *To be brigadier general*

COL. CHARLES L. KNOWLES