

to the bill H.R. 6147, supra; which was ordered to lie on the table.

SA 3529. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 6147, supra; which was ordered to lie on the table.

SA 3530. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, supra; which was ordered to lie on the table.

SA 3531. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, supra; which was ordered to lie on the table.

SA 3532. Mr. MENENDEZ (for himself, Mr. MERKLEY, Mr. TESTER, Mr. VAN HOLLEN, Ms. WARREN, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, supra; which was ordered to lie on the table.

SA 3533. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, supra; which was ordered to lie on the table.

SA 3534. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 6147, supra; which was ordered to lie on the table.

SA 3535. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, supra; which was ordered to lie on the table.

SA 3536. Ms. CORTEZ MASTO (for herself and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, supra; which was ordered to lie on the table.

SA 3537. Mr. WARNER (for himself, Mr. HOEVEN, and Ms. CORTEZ MASTO) submitted an amendment intended to be proposed by him to the bill H.R. 6147, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3409. Mr. SCHATZ (for himself, Ms. HIRONO, and Mr. YOUNG) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 D, insert the following:

SEC. _____. Of the funds made available for the Department of Housing and Urban Development under the heading "RESEARCH AND TECHNOLOGY" under the heading "POLICY DEVELOPMENT AND RESEARCH", \$1,000,000 shall be available to provide technical assistance for temporary and permanent housing assistance to communities impacted by a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) resulting from flooding, an earthquake, or a volcanic event in 2018.

SA 3410. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 D, insert the following:

SEC. _____. In carrying out a land management activity on Federal land under the jurisdiction of the Secretary of Agriculture, including maintenance and restoration in response to degradation caused by human activity or natural events (such as fire, flood, or infestation), to the extent practicable, the Secretary of Agriculture shall give preference to the use of locally adapted native plant materials.

SA 3411. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 IV of division A, add the following:

USE OF LOCALLY ADAPTED NATIVE PLANT MATERIALS IN LAND MANAGEMENT ACTIVITIES ON FEDERAL LAND

SEC. 43 _____. To complement the implementation by the Bureau of Land Management of a National Seed Strategy to improve seed supplies for restoring healthy and productive native plant communities, the Secretary of the Interior shall give preference, to the maximum extent practicable, to the use of locally adapted native plant materials in carrying out a land management activity on Federal land, including maintenance and restoration activities carried out in response to degradation caused by human activity or natural events, such as fire, flood, or infestation.

SA 3412. Mr. JONES submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 17, line 4, strike "\$88,910,000" and insert "\$91,910,000".

On page 17, line 14, strike "\$5,000,000" and insert "\$8,000,000".

On page 40, line 7, strike "\$134,673,000" and insert "\$137,673,000".

SA 3413. Mr. UDALL (for himself, Mr. ROBERTS, Mr. BENNET, Mr. MORAN, Mr. HEINRICH, and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 464, line 24, strike "regulation." and insert the following: "regulation: *Provided further*, That not less than \$50,000,000 of the amount provided under this heading shall be available for capital expenses related to safety improvements, maintenance, and the non-Federal match for discretionary

Federal grant programs to enable continued passenger rail operations on long-distance routes (as defined in section 24102 of title 49, United States Code) on which Amtrak is the sole tenant of the host railroad and positive train control systems are not required by law (including regulations): *Provided further*, That prior to altering or canceling Amtrak rail service on the National Network (as defined in section 24102 of title 49, United States Code), Amtrak shall thoroughly consult with affected communities with the goal of maintaining rail connectivity and service as intended by Congress, including offering opportunities for public input through a notice and comment process."

SA 3414. Mr. UDALL (for himself, Mr. ROBERTS, Mr. BENNET, Mr. MORAN, Mr. HEINRICH, and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 D, insert the following:

SEC. 1 _____. It is the sense of Congress that—

(1) long-distance passenger rail routes provide much-needed transportation access for 4,700,000 riders in 325 communities in 40 States and are particularly important in rural areas; and

(2) long-distance passenger rail routes and services should be sustained to ensure connectivity throughout the National Network (as defined in section 24102 of title 49, United States Code).

SA 3415. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, lines 17 and 18, strike "and conducting an international program as authorized, \$333,990,000" and insert "\$324,990,000".

On page 93, strike lines 7 through 23.

SA 3416. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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. _____. It is the sense of the Senate that the Administrator of the Small Business Administration should increase the loan limit for the Community Advantage Pilot Program of the Small Business Administration, which helps to provide loans under section 7(a) of the Small Business Act (15 U.S.C. 636(a)) to underserved markets, from \$250,000 to \$350,000.

SA 3417. Mr. CARDIN (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to

amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

In section 531, strike “10” and insert “15”.

SA 3418. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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. _____. The Administrator of the Small Business Administration shall—

(1) work with Federal agencies to ensure that each Office of Small and Disadvantaged Business Utilization achieves compliance with the requirements under section 15(k) of the Small Business Act (15 U.S.C. 644(k)); and

(2) not later than 180 days after the date of enactment of this Act—

(A) submit to the Committee on Small Business and Entrepreneurship and the Committee on Appropriations of the Senate and the Committee on Small Business and the Committee on Appropriations of the House of Representatives a report on Federal agency compliance with the requirements under such section 15(k); and

(B) issue detailed guidance for the peer review process of the Small Business Procurement Advisory Council in order to facilitate a more in depth review of Federal agency compliance with the requirements under such section 15(k).

SA 3419. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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) In this section, the terms “agency” and “small entity” have the meanings given those terms in section 211 of the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note).

(b) Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit to the Committee on Small Business and Entrepreneurship and the Committee on Appropriations of the Senate and the Committee on Small Business and the Committee on Appropriations of the House of Representatives a report assessing the quality of agency compliance with sections 212 and 213 of the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note), which shall include—

(1) the extent to which agencies comply with each of the requirements under such section 212;

(2) the extent to which agencies comply with each of the requirements under such section 213, including a summary of the scope of compliance programs of agencies to assist small entities, the number of small entities using each such program, and the achievements of each such program in assist-

ing small entity compliance with agency regulations; and

(3) recommendations for best practices for agencies to address small business regulatory concerns and improve customer service.

SA 3420. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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. _____. **SIZE STANDARDS FOR SMALL BUSINESS CONCERNS.**

(a) **CALCULATION ON THE BASIS OF ANNUAL AVERAGE GROSS RECEIPTS.**—Section 3(a)(2)(C)(ii)(II) of the Small Business Act (15 U.S.C. 632(a)(2)(C)(ii)(II)) is amended by striking “over a period of not less than 3 years” and inserting “; which shall be calculated by using the 3 lowest annual average gross receipts of the business concern during the preceding 5-year period”.

(b) **REGULATIONS.**—Not later than 18 months after the date of enactment of this Act, the Administrator of the Small Business Administration shall promulgate regulations as necessary to implement the amendment made by subsection (a).

SA 3421. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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. _____. Not later than 180 days after the date of enactment of this Act, the Financial Crimes Enforcement Network and the appropriate divisions of the Department of the Treasury shall submit to Congress a report on any Geographic Targeting Orders issued since 2016, including—

(1) the type of data collected;

(2) how the Financial Crimes Enforcement Network uses the data;

(3) whether the Financial Crimes Enforcement Network needs more authority to combat money laundering through high-end real estate; and

(4) how a record of beneficial ownership would improve and assist law enforcement efforts to investigate and prosecute criminal activity and prevent the use of shell companies to facilitate money laundering, tax evasion, terrorism financing, election fraud, and other illegal activity.

SA 3422. Ms. COLLINS (for Mr. DURBIN (for himself and Mr. WICKER)) proposed an amendment to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; as follows:

In the matter under the heading “SALARIES AND EXPENSES” under the heading “OFFICE OF INSPECTOR GENERAL” under the heading “NATIONAL RAILROAD PASSENGER CORPORATION” in title III of division D, in the fourth proviso, strike “Government.” and insert the

following: “Government: *Provided further*, That not later than 240 days after the date of enactment of this Act, the Inspector General shall update the report entitled ‘Effects of Amtrak’s Poor On-Time Performance’, numbered CR-2008-047, and dated March 28, 2008, and make the updated report publicly available.”.

SA 3423. Mr. GARDNER (for himself and Mr. DAINES) submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 IV of division A, add the following:

EXPANSION OF CERTAIN AUTHORITIES OF THE HEALTHY FORESTS RESTORATION ACT OF 2003 TO FIRE REGIME IV AND FIRE REGIME V

SEC. 43 _____. (a) Section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511) is amended—

(1) by redesignating paragraphs (11) through (16) as paragraphs (13) through (18), respectively; and

(2) by inserting after paragraph (10) the following:

“(11) **FIRE REGIME IV.**—The term ‘fire regime IV’ means an area—

“(A) in which historically there are stand replacement severity fires with a frequency of 35 through 100 years; and

“(B) that may be located in any vegetation type.

“(12) **FIRE REGIME V.**—The term ‘fire regime V’ means an area—

“(A) in which historically there are stand replacement severity fires with a frequency of 200 years; and

“(B) that may be located in any vegetation type.”.

(b) Section 102(a)(3) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6512(a)(3)) is amended by striking “or fire regime III” and inserting “fire regime III, fire regime IV, or fire regime V”.

(c) Section 603(c) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591b(c)) is amended by striking paragraph (2) and inserting the following:

“(2) **LOCATION.**—

“(A) **DEFINITIONS.**—In this paragraph, the terms ‘condition class 2’, ‘condition class 3’, ‘fire regime I’, ‘fire regime II’, ‘fire regime III’, ‘fire regime IV’, ‘fire regime V’, and ‘wildland-urban interface’ have the meanings given those terms in section 101.

“(B) **LOCATION.**—A project under this section shall be—

“(i) limited to areas in the wildland-urban interface; or

“(ii) for projects located outside the wildland-urban interface, limited to areas within condition class 2 or condition class 3 in fire regime I, fire regime II, fire regime III, fire regime IV, or fire regime V.”.

(d) Section 605 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591d) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “Hazardous fuels reduction projects, as defined in the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511(2))” and inserting “Authorized hazardous fuel reduction projects (as defined in section 101)”;

(B) in paragraph (1), by striking “and sections 104 and 105”; and

(C) in paragraph (2), by inserting “subject to section 106.” before “considered”;

(2) in subsection (b)(1)(A), by striking “to the extent” and all that follows through “disease.”; and

(3) in subsection (c)(2)—

(A) in subparagraph (A), by striking “‘Prioritized’” and inserting “‘prioritized’”;

(B) in subparagraph (B), by striking “‘If located outside the wildland-urban interface, limited to areas within Condition Classes 2 or 3 in Fire Regime Groups I, II, or III’” and inserting “‘if located outside the wildland-urban interface, limited to areas within condition class 2 or condition class 3 in fire regime I, fire regime II, fire regime III, fire regime IV, or fire regime V (as those terms are defined in section 101)’”; and

(C) in subparagraph (C), by striking “‘Limited’” and inserting “‘limited’”.

SA 3424. Mr. GARDNER (for himself, Mr. BURR, Mr. BENNETT, and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 I of division A, add the following:

PERMANENT REAUTHORIZATION OF LAND AND WATER CONSERVATION FUND

SEC. 1. (a) Section 200302 of title 54, United States Code, is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking “‘During the period ending September 30, 2018, there’” and inserting “‘There’”; and

(2) in subsection (c)(1), by striking “‘through September 30, 2018’”.

(b) Section 200306 of title 54, United States Code, is amended by adding at the end the following:

“(c) PUBLIC ACCESS.—Not less than 1.5 percent of amounts made available for expenditure in any fiscal year under section 200303, or \$10,000,000, whichever is greater, shall be used for projects that secure recreational public access to existing Federal public land for hunting, fishing, and other recreational purposes.”.

SA 3425. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 IV of division A, add the following:

ESTABLISHMENT OF SKI AREA FEE RETENTION ACCOUNT

SEC. 43. (a) Section 701 of division I of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 497c) is amended by adding at the end the following:

“(k) SKI AREA FEE RETENTION ACCOUNT.—

“(1) DEFINITIONS.—In this subsection:

“(A) ACCOUNT.—The term ‘Account’ means the Ski Area Fee Retention Account established under paragraph (2).

“(B) COVERED UNIT.—The term ‘covered unit’ means a National Forest which collects a rental charge under this section.

“(C) REGION.—The term ‘Region’ means a Forest Service Region.

“(D) RENTAL CHARGE.—The term ‘rental charge’ means a permit rental charge that is charged under subsection (a).

“(E) SECRETARY.—The term ‘Secretary’ means the Secretary of Agriculture.

“(2) ESTABLISHMENT.—The Secretary of the Treasury shall establish in the Treasury a

special account, to be known as the ‘Ski Area Fee Retention Account’, into which there shall be deposited—

“(A) in the case of a covered unit at which not less than \$15,000,000 is collected by the covered unit from rental charges in a fiscal year, an amount equal to 50 percent of the rental charges collected at the covered unit in the fiscal year; or

“(B) in the case of any other covered unit, an amount equal to 65 percent of the rental charges collected at the covered unit in a fiscal year.

“(3) AVAILABILITY.—Subject to paragraphs (4), (5), and (6), any amounts deposited in the Account under paragraph (2) shall remain available for expenditure, without further appropriation, until expended.

“(4) LOCAL DISTRIBUTION OF AMOUNTS IN THE ACCOUNT.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), 100 percent of the amounts deposited in the Account from a specific covered unit shall remain available for expenditure at the covered unit at which the rental charges were collected.

“(B) REDUCTION.—

“(i) IN GENERAL.—Subject to clause (ii), the Secretary may reduce the percentage of amounts available to a covered unit under subparagraph (A) if the Secretary determines that the rental charges collected at the covered unit exceed the reasonable needs of the covered unit for that fiscal year for authorized expenditures described in paragraph (5)(A).

“(ii) LIMITATION.—The Secretary may not reduce the percentage of amounts available under clause (i)—

“(I) in the case of a covered unit described in paragraph (2)(A), to less than 35 percent of the amount of rental charges deposited in the Account from the covered unit in a fiscal year; or

“(II) in the case of any other covered unit, to less than 50 percent of the amount of rental charges deposited in the Account from the covered unit in a fiscal year.

“(C) TRANSFER TO OTHER COVERED UNITS.—

“(i) DISTRIBUTION.—If the Secretary determines that the percentage of amounts otherwise available to a covered unit under subparagraph (A) should be reduced under subparagraph (B), the Secretary may transfer to other covered units, for allocation in accordance with clause (ii), the percentage of the amounts withheld from the covered unit under subparagraph (B), to be expended by the other covered units in accordance with paragraph (5).

“(ii) CRITERIA.—In determining the allocation of amounts to be transferred under clause (i) among other covered units, the Secretary shall consider—

“(I) the number of proposals for ski area improvements in the other covered units;

“(II) any backlog in ski area permit administration or the processing of ski area proposals in the other covered units; and

“(III) any need for services, training, staffing, or streamlining programs in the other covered units or the Region in which they are located that would improve the administration of the Forest Service Ski Area Program.

“(5) AUTHORIZED EXPENDITURES.—

“(A) IN GENERAL.—Amounts distributed from the Account to a covered unit under this subsection may be used for—

“(i) ski area special use permit administration and processing of proposals for ski area improvement projects in the covered unit, including staffing and contracting for such administration, process, or services through the unit or the Region;

“(ii) any expenses that the Forest Service would have otherwise applied to ski area permittees through cost recovery pursuant to

part 251 of title 36, Code of Federal Regulations (or successor regulations);

“(iii) training programs on processing ski area applications, administering ski area permits, or ski area process streamlining in the covered unit or the Region in which the unit is located; and

“(iv) interpretation activities, visitor information, visitor services, and signage in the covered unit to enhance—

“(I) the ski area visitor experience on National Forest System land; and

“(II) avalanche information and education activities carried out by the Forest Service.

“(B) OTHER USES.—If any amounts are still available in the Account after all ski area permit-related expenditures under subparagraph (A) are made, including amounts transferred to other covered units pursuant to paragraph (4)(C), such remaining amounts in the Account may be applied to permit administration for other (non-ski area) Forest Service recreation special use permits at the discretion of the Secretary. The Secretary shall first determine that all ski area-related permit administration, processing and interpretation needs have been met in all covered units and Regions before applying any remaining amounts in the Account to non-ski area uses.

“(C) LIMITATION.—Amounts in the Account may not be used for—

“(i) the conduct of wildfire suppression or preparedness activities;

“(ii) the conduct of biological monitoring on National Forest System land under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) for listed species or candidate species, except as required by law for environmental review of ski area projects;

“(iii) the acquisition of land for inclusion in the National Forest System; or

“(iv) Forest Service administrative sites.

“(6) SAVINGS PROVISIONS.—

“(A) IN GENERAL.—Nothing in this subsection affects the applicability of section 7 of the Act of April 24, 1950 (commonly known as the ‘Granger-Thye Act’) (16 U.S.C. 580d), to ski areas on National Forest System land.

“(B) REVENUE ALLOCATION PAYMENTS.—Rental charges deposited in the Account under paragraph (2) shall be considered to be amounts received from the National Forest System for purposes of calculating amounts to be paid under—

“(i) the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7101 et seq.);

“(ii) the sixth paragraph under the heading ‘forest service’ in the Act of May 23, 1908 (35 Stat. 260; 16 U.S.C. 500);

“(iii) section 13 of the Act of March 1, 1911 (36 Stat. 963; 16 U.S.C. 500); and

“(iv) chapter 69 of title 31, United States Code.

“(C) SUPPLEMENTAL FUNDING.—Rental charges retained and expended under this subsection shall supplement (and not supplant) appropriated funding for the operation and maintenance of each covered unit.”.

(b) This section (including the amendments made by this section) shall take effect on the date that is 60 days after the date of enactment of this Act.

(c) The Secretary of Agriculture shall not be required to issue regulations or policy guidance to implement this section (including the amendments made by this section).

SA 3426. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 D, insert the following:

SEC. _____. None of the funds made available under this title may be used to provide housing assistance benefits for an individual who is convicted of—

(1) aggravated sexual abuse under section 2241 of title 18, United States Code;

(2) murder under section 1111 of title 18, United States Code; or

(3) any other Federal or State offense involving—

(A) severe forms of trafficking in persons or sex trafficking, as those terms are defined in paragraphs (9) and (10), respectively, of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102); or

(B) child pornography, as defined in section 2256 of title 18, United States Code.

SA 3427. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 D, insert the following:

SEC. 1 _____. **ELECTRIC VEHICLE WEIGHT LIMITATION.**

Section 127 of title 23, United States Code, is amended by adding at the end the following:

“(v) **ELECTRIC VEHICLES.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), a vehicle propelled exclusively by means of electric battery power may exceed any vehicle weight limit under this section by an amount that is equal to the difference between—

“(A) the weight of the electric batteries and wiring system of the vehicle; and

“(B) the weight of a comparable diesel tank and fueling system.

“(2) **MAXIMUM WEIGHT.**—A vehicle propelled exclusively by means of electric battery power may exceed any vehicle weight limit under this section up to a maximum gross vehicle weight of 82,000 pounds.”.

SA 3428. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 ____, insert the following:

SEC. 1 _____. Not later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committees on Appropriations and Commerce, Science, and Transportation of the Senate and the Committees on Appropriations and Transportation and Infrastructure of the House of Representatives a report on efforts by the Department of Transportation to engage with local communities, metropolitan planning organizations, and regional transportation commissions on advancing data and intelligent transportation systems technologies and other smart cities solutions.

SA 3429. Mr. HELLER submitted an amendment intended to be proposed to

amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 436, line 22, strike the period and insert “: *Provided further*, That in distributing funds made available for grants under section 117 of title 23, United States Code, the Secretary shall take into consideration the needs of projects of regional or national significance.”.

SA 3430. Mr. KENNEDY (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 370, line 20, insert “. of which no less than \$15,000,000 shall be used for inspections of foreign seafood manufacturers and field examinations of imported seafood” after “Affairs”.

SA 3431. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 D, insert the following:

SEC. _____. (a) The Secretary of Housing and Urban Development, in consultation with the head of each Federal agency that administers a Federal housing assistance program, shall conduct an interdepartmental review of each Federal housing assistance program in order to—

(1) develop a plan for the elimination of programmatic fragmentation, duplication, and overlap among Federal housing assistance programs, as identified by those Federal agencies in consultation with the Government Accountability Office; and

(2) make recommendations to Congress for streamlining Federal housing assistance programs for efficiency to increase the quality of services provided to people in the United States who are the most in need of assistance.

(b) Not later than 1 year after the date of enactment of this Act, the Secretary of Housing and Urban Development, in consultation with the head of each Federal agency that administers a Federal housing assistance program, shall submit to the Committee on Appropriations and the Committee on the Budget of the Senate and the Committee on Appropriations and the Committee on the Budget of the House of Representatives a detailed report that outlines the efficiencies that can be achieved by, and specific recommendations for, eliminating overlap, duplication, and fragmentation among Federal housing assistance programs.

SA 3432. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr.

SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 VII of division C, insert the following:

SEC. 7 _____. (a) The Secretary of Agriculture shall conduct an inventory and evaluation of certain land, as generally depicted on the map entitled “Flatside Wilderness Adjacent Inventory Areas” and dated November 30, 2017, to determine the suitability of that land for inclusion in the National Wilderness Preservation System.

(b) The inventory and evaluation required under subsection (a) shall be completed not later than 1 year after the date of enactment of this Act.

SA 3433. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 C, insert the following:

SEC. _____. None of the funds made available by this Act may be used to revoke an exception made—

(1) pursuant to the final rule of the Department of Agriculture entitled “Exceptions to Geographic Areas for Official Agencies Under the USGSA” (68 Fed. Reg. 19137 (April 18, 2003)); and

(2) on a date before April 14, 2017.

SA 3434. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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. _____. **AIR TRAFFIC SERVICES AT AVIATION EVENTS.**

(a) **REQUIREMENT TO PROVIDE SERVICES AND RELATED SUPPORT.**—The Administrator of the Federal Aviation Administration shall provide air traffic services and aviation safety support for aviation events, including airshows and fly-ins, without the imposition or collection of any fee, tax, or other charge for that purpose. Amounts for the provision of such services and support shall be derived from amounts appropriated or otherwise available for the Federal Aviation Administration.

(b) **DETERMINATION OF SERVICES AND SUPPORT TO BE PROVIDED.**—In determining the services and support to be provided for an aviation event for purposes of subsection (a), the Administrator shall take into account the following:

(1) The services and support required to meet levels of activity at prior events, if any, similar to the event.

(2) The anticipated need for services and support at the event.

SA 3435. Mr. JOHNSON submitted an amendment intended to be proposed to

amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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. 4 _____. (a) This subsection and the final rule entitled “Endangered and Threatened Wildlife and Plants; Removal of the Gray Wolf in Wyoming From the Federal List of Endangered and Threatened Wildlife and Removal of the Wyoming Wolf Population’s Status as an Experimental Population” (77 Fed. Reg. 55530 (September 10, 2012)) that was reinstated on March 3, 2017, by the United States Court of Appeals for the District of Columbia Circuit (No. 14-5300) and republished in the final rule entitled “Endangered and Threatened Wildlife and Plants; Reinstatement of Removal of Federal Protections for Gray Wolves in Wyoming” (82 Fed. Reg. 20284 (May 1, 2017)), that reinstates the removal of Federal protections under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) of the gray wolf in the State of Wyoming, shall not be subject to judicial review.

(b)(1) Not later than 60 days after the date of enactment of this Act and notwithstanding any other provision of law that applies to the issuance of a rule, the Secretary of the Interior shall reissue the final rule entitled “Endangered and Threatened Wildlife and Plants; Revising the Listing of the Gray Wolf (*Canis lupus*) in the Western Great Lakes” (76 Fed. Reg. 81666 (December 28, 2011)).

(2) This subsection and the rule reissued under paragraph (1) shall not be subject to judicial review.

SA 3436. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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. _____. REPORT ON NEXTGEN IMPLEMENTATION.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to Congress a report on the implementation of NextGen at commercial service airports in the United States.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) The number and percentage of commercial service airports in the United States that have fully implemented NextGen.

(2) The percentage completion of NextGen implementation at each commercial service airport in the United States.

(c) DEVELOPMENT OF STANDARD TO DETERMINE PERCENTAGE IMPLEMENTATION OF NEXTGEN.—

(1) IN GENERAL.—The Administrator shall develop a standard for determining under subsection (b)(2) the percentage completion of NextGen implementation at commercial service airports in the United States based on factors that may include an accounting of efficiency benefits achieved, the degree of NextGen technology and infrastructure installed, and the extent of controller training on NextGen.

(2) INCLUSION IN REPORT.—The Administrator shall include in the report submitted

under subsection (a) the standard developed under paragraph (1).

(d) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Federal Aviation Administration.

(2) NEXTGEN.—The term “NextGen” means the Next Generation Air Transportation System.

SA 3437. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 315, line 13, insert “of which not less than \$2,000,000 shall be available to carry out the dryland agriculture research program;” before “and of which”.

SA 3438. Mr. RISCH submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 531.

SA 3439. Mr. RISCH submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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) Section 7(a)(29) of the Small Business Act (15 U.S.C. 636(a)(29)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and adjusting the margins accordingly;

(2) by striking “With respect to” and inserting the following:

“(A) IN GENERAL.—With respect to”;

(3) in clause (i), as so redesignated, by striking “for more than \$250,000” and inserting “, if such loan is in an amount greater than the Federal banking regulator appraisal threshold”;

(4) in clause (ii), as so redesignated, by striking “for \$250,000 or less” and inserting “, if such loan is in an amount equal to or less than the Federal banking regulator appraisal threshold”;

(5) by adding at the end the following:

“(B) FEDERAL BANKING REGULATOR APPRAISAL THRESHOLD DEFINED.—For purposes of this paragraph, the term ‘Federal banking regulator appraisal threshold’ means the lesser of the threshold amounts set by the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation for when a federally related transaction that is a commercial real estate transaction requires an appraisal prepared by a State licensed or certified appraiser.”

(b) Section 502(3)(E)(ii) of the Small Business Investment Act of 1958 (15 U.S.C. 696(3)(E)(ii)) is amended—

(1) by redesignating subclauses (I) and (II) as items (aa) and (bb), respectively, and adjusting the margins accordingly;

(2) by striking “With respect to” and inserting the following:

“(I) IN GENERAL.—With respect to”;

(3) in item (aa), as so redesignated, by striking “is more than \$250,000” and inserting “is more than the Federal banking regulator appraisal threshold”;

(4) in item (bb), as so redesignated, by striking “is \$250,000 or less” and inserting “is equal to or less than the Federal banking regulator appraisal threshold”; and

(5) by adding at the end the following:

“(II) FEDERAL BANKING REGULATOR APPRAISAL THRESHOLD DEFINED.—For purposes of this clause, the term ‘Federal banking regulator appraisal threshold’ means the lesser of the threshold amounts set by the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation for when a federally related transaction that is a commercial real estate transaction requires an appraisal prepared by a State licensed or certified appraiser.”

SA 3440. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 C, insert the following:

SEC. _____. None of the funds made available by this Act may be used to support the development of insect-based foods for human consumption, including cricket farming and taste-testing of insect-based foods.

SA 3441. Mr. THUNE (for himself, Mr. NELSON, Mrs. FISCHER, Mrs. MCCASKILL, Ms. HEITKAMP, Mr. DONNELLY, Ms. SMITH, Mr. GARDNER, Mr. COTTON, Mr. CRAPO, Mr. RISCH, Mr. MORAN, Mr. HOEVEN, Mr. JOHNSON, Mr. DAINES, Mr. RUBIO, Mr. ENZI, and Mr. ROUNDS) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 455, between lines 18 and 19, insert the following:

SEC. 13 _____. None of the funds appropriated or otherwise made available to the Secretary of Transportation by this Act or any other Act for fiscal year 2019 or any fiscal year thereafter may be used to implement, administer, or enforce sections 31136 and 31502 of title 49, United States Code, or regulations prescribed under those sections, regarding maximum driving and on-duty time for drivers used by motor carriers to transport agricultural commodities or farm supplies for agricultural purposes (as those terms are defined in section 229(e) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31136 note)) from the sources and to the locations described in subparagraphs (A), (B), and (C) of section 229(a)(1) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31136 note) at any time of the year or, for drivers used by motor carriers to transport agricultural commodities, within 150

air-miles of the destination of such commodities until—

(1) the Secretary of Transportation has promulgated a regulation to extend the hours of service exemption for drivers transporting agricultural commodities or farm supplies for agricultural purposes from the planting and harvesting periods (as determined by each State) to a year-round exemption; and

(2) the Secretary of Transportation has promulgated a regulation to extend the hours of service exemption for drivers transporting agricultural commodities to such transportation within a 150 air-mile radius from the destination of the agricultural commodities.

SA 3442. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

In the matter under the heading “CHILD NUTRITION PROGRAMS (INCLUDING TRANSFERS OF FUNDS)” under the heading “FOOD AND NUTRITION SERVICE” under the heading “DOMESTIC FOOD PROGRAMS” in title IV of division C, strike “\$23,184,012,000” and insert “\$23,199,012,000”.

In the matter under the heading “CHILD NUTRITION PROGRAMS (INCLUDING TRANSFERS OF FUNDS)” under the heading “FOOD AND NUTRITION SERVICE” under the heading “DOMESTIC FOOD PROGRAMS” in title IV of division C, in the fourth proviso, strike “That section 26(d)” and insert “That \$15,000,000 shall be available to carry out section 18(g) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769(g)): *Provided further*, That section 26(d)”.

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

FARMERS’ MARKET AND LOCAL FOOD PROMOTION PROGRAM

SEC. _____. For necessary expenses to carry out the Farmers’ Market and Local Food Promotion Program as authorized by section 6 of the Farmer-to-Consumer Direct Marketing Act of 1976 (7 U.S.C. 3005), \$10,000,000, to remain available until September 30, 2020.

SA 3443. Ms. SMITH (for herself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 I, add the following:
SEC. _____. (a) DEFINITIONS.—In this section:

(1) PRAIRIE ISLAND RESERVATION.—The term “Prairie Island Reservation” means the Prairie Island Indian Community Reservation in Goodhue County, Minnesota.

(2) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(3) TRIBE.—The term “Tribe” means the Prairie Island Indian Community, a federally recognized Indian tribe.

(b) STUDY OF FEDERAL LANDS.—

(1) IN GENERAL.—The Secretary shall carry out an analysis to determine whether land within the Federal domain is suitable for addition to the Prairie Island Reservation.

(2) CONSIDERATIONS.—Land shall not be considered suitable for addition to the Prairie Island Reservation unless such land—

(A) consists of contiguous acres of land suitable for housing and economic development;

(B) is located within Minnesota and within 100 miles of the Prairie Island Reservation;

(C) is not subject to compatible use or wildlife-dependent recreational use restrictions pursuant to the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.); and

(D) is not administered by the National Park Service.

(3) REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to Congress and the Tribe a report detailing the results of the analysis conducted pursuant to paragraph (1).

SA 3444. Mr. NELSON submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 D, insert the following:

SEC. _____. Of the funds made available under this Act for the Self-Help Homeownership Opportunity Program of the Department of Housing and Urban Development, not less than \$540,000 shall be made available for low-income and very low-income families affected by any State-mandated fire.

SA 3445. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 VII of division C, insert the following:

SEC. _____. Section 19(a)(2)(B) of the Food and Nutrition Act of 2008 (7 U.S.C. 2028(a)(2)(B)) is amended by adding at the end the following:

“(iii) ADDITIONAL ASSISTANCE FOR DISASTER RECOVERY EFFORTS IN THE COMMONWEALTH OF PUERTO RICO FOR FISCAL YEAR 2019.—

“(I) AUTHORIZATION OF APPROPRIATIONS.—Due to the needs associated with disaster recovery efforts in the Commonwealth of Puerto Rico, in addition to amounts made available under clause (i), there is authorized to be appropriated not more than \$400,000,000 for fiscal year 2019 to make additional payments to the Commonwealth of Puerto Rico for the expenditures and expenses described in clause (i).

“(II) APPROPRIATION IN ADVANCE.—Except as provided in subclause (III), only amounts appropriated under subclause (I) in advance specifically for the expenditures and expenses described in clause (i) shall be available for payment to the Commonwealth of Puerto Rico for the expenditures and expenses described in that clause.

“(III) OTHER FUNDS.—Funds appropriated under subclause (I) shall be in addition to funds made available under clause (i).”.

SA 3446. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill H.R. 6147,

making appropriations for the Department of the Interior, environment, and related agencies 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 C, insert the following:

DIRECT PAYMENTS FOR DAIRY FARMERS

SEC. _____. Subtitle D of title I of the Agricultural Act of 2014 (7 U.S.C. 9051 et seq.) is amended by adding at the end the following:

“PART IV—DIRECT PAYMENTS FOR DAIRY FARMERS

“SEC. 1441. DIRECT PAYMENTS FOR DAIRY FARMERS.

“(a) IN GENERAL.—Not later than 30 days after the date of enactment of this part, the Secretary shall provide a 1-time payment to each eligible dairy farmer described in subsection (b) in accordance with this section.

“(b) ELIGIBILITY.—To be eligible to receive a payment under this section, a dairy farmer shall—

“(1) be licensed by the Secretary; and
“(2) have had a production history during the 1-year period ending on the date of enactment of this part.

“(c) AMOUNT OF PAYMENT.—

“(1) IN GENERAL.—The amount of a payment under this section shall be, as determined by the report of the Economic Research Service entitled ‘Milk Cost of Production by Size of Operation Report’ and dated May 1, 2018, equal to the quotient obtained by dividing—

“(A) the product obtained by multiplying—
“(i) the quantity (in pounds) of the national average milk production of a dairy cow;

“(ii) the average number of cows per farm, as determined under paragraph (2);

“(iii) the value of production less total costs, as determined under paragraph (3); and

“(iv) $\frac{1}{2}$; and

“(B) 100.

“(2) AVERAGE NUMBER OF COWS PER FARM.—

The average number of cows per farm under paragraph (1)(A)(ii) shall be determined based on the report described in paragraph (1) as follows:

“(A) In the case of a farm with fewer than 50 cows, the national average number of cows per farm in farms with fewer than 50 cows.

“(B) In the case of a farm with not fewer than 50 cows and not greater than 199 cows, the national average number of cows per farm in farms with not fewer than 50 cows and not greater than 199 cows.

“(C) In the case of a farm with not fewer than 200 cows and not greater than 499 cows, the national average number of cows per farm in farms with not fewer than 200 cows and not greater than 499 cows.

“(D) In the case of a farm with not fewer than 500 cows, the national average number of cows per farm in farms with not fewer than 500 cows.

“(3) VALUE OF PRODUCTION LESS TOTAL COSTS.—The value of production less total costs under paragraph (1)(A)(iii) shall be determined based on the report described in paragraph (1) as follows:

“(A) In the case of a farm with fewer than 50 cows, the national value of production less total costs in farms with fewer than 50 cows.

“(B) In the case of a farm with not fewer than 50 cows and not greater than 199 cows, the national value of production less total costs in farms with not fewer than 50 cows and not greater than 199 cows.

“(C) In the case of a farm with not fewer than 200 cows and not greater than 499 cows, the national value of production less total costs in farms with not fewer than 200 cows and not greater than 499 cows.

“(D) In the case of a farm with not fewer than 500 cows, the national value of production less total costs in farms with not fewer than 500 cows.

“(d) PAYMENT LIMITATION.—The amount of a payment under this section to an eligible dairy farmer described in subsection (b) shall not be greater than \$15,000.

“(e) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section \$50,000,000.”.

SA 3447. Mr. JONES submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 17, line 4, strike “\$88,910,000” and insert “\$91,910,000”.

On page 17, line 14, strike “\$5,000,000” and insert “\$8,000,000”.

On page 40, line 7, strike “\$134,673,000” and insert “\$131,673,000”.

SA 3448. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

In section 737 of division C, in the proviso, strike “entities” and insert “entities, or comparable entities that provide energy efficiency services using their own billing mechanism,”.

SA 3449. Mr. CASEY submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

In the matter under the heading “SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)” under the heading “FOOD AND NUTRITION SERVICE” under the heading “DOMESTIC FOOD PROGRAMS” in title IV of division C, in the first proviso, strike “\$60,000,000” and insert “\$80,000,000”.

SA 3450. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 VII of division C, insert the following:

SEC. _____. (a) There is appropriated \$7,000,000 to the Secretary of Agriculture for marketing activities authorized under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)) to provide to State departments of agriculture, State coopera-

tive extension services, institutions of higher education, and nonprofit organizations grants to carry out programs and provide technical assistance to promote innovation, process improvement, and marketing relating to dairy products, and the amount made available under the heading “AGRICULTURE BUILDINGS AND FACILITIES (INCLUDING TRANSFERS OF FUNDS)” in title I of division C shall be \$51,330,000.

SA 3451. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 VII of division C, insert the following:

SEC. _____. Section 750 of division A of the Consolidated Appropriations Act, 2018 (Public Law 115-141), is amended by striking “That for” and inserting “That any fee for switching or routing of benefits imposed by a nonaffiliated subcontractor of any contractor of a State shall not be prohibited if no portion of that fee is shared with or otherwise received by the State or the State’s contractor (or any affiliate of that contractor): *Provided further*, That for”.

SA 3452. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 VII of division D, insert the following:

SEC. _____. None of the funds made available by this Act may be used to implement, administer, or enforce the final rule entitled “Food Labeling: Revision of the Nutrition and Supplement Facts Labels” (81 Fed. Reg. 33742 (May 27, 2016)) to the extent that the rule requires that the nutrition facts panel on the labeling of a single-ingredient food that does not contain any added sugars or sweeteners (such as honey or maple syrup) include a statement that the food contains added sugars.

SA 3453. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 142, between lines 16 and 17, insert the following:

STUDY OF PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES IN GROUND-WATER

SEC. 433. (a) Not later than 1 year after the date of enactment of this Act, the Director of the United States Geological Survey (referred to in this section as the “Director”), in consultation with the Administrator of the Environmental Protection Agency (referred to in this section as the “Administrator”), shall complete a study to monitor the flow of perfluoroalkyl and

polyfluoroalkyl substances in groundwater flows in not less than 5 regions.

(b) The Director, in consultation with the Administrator, is encouraged to develop a public information campaign to inform impacted communities and the general public of potential exposure to perfluoroalkyl and polyfluoroalkyl substances resulting from releases in groundwater.

(c) Not later than 15 months after the date of enactment of this Act and annually thereafter, the Director, in consultation with the Administrator, shall submit to the Committee on Environment and Public Works of the Senate, the Committee on Energy and Natural Resources of the Senate, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Natural Resources of the House of Representatives a report that describes the findings of the study completed under subsection (a).

SA 3454. Mr. WHITEHOUSE (for himself, Ms. MURKOWSKI, and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 C, insert the following:

RESEARCH ON OCEAN AGRICULTURE

SEC. _____. (a) The Secretary of Agriculture, in coordination with the Administrator of the National Oceanic and Atmospheric Administration, shall establish a working group (referred to in this section as the “working group”)—

(1) to study how mangroves, kelp forests, tidal marshes, and seagrass meadows could help deacidify the oceans;

(2) to study emerging ocean farming practices that use kelp and seagrass to deacidify the oceans while providing feedstock for agriculture and other commercial and industrial inputs; and

(3) to coordinate and conduct research to develop and enhance pilot-scale research for farming of kelp and seagrass in order—

(A) to deacidify ocean environments;

(B) to produce a feedstock for agriculture; and

(C) to develop other scalable commercial applications for kelp, seagrass, or products derived from kelp or seagrass.

(b) The working group shall include—

(1) the Secretary of Agriculture;

(2) the Administrator of the National Oceanic and Atmospheric Administration;

(3) representatives of any relevant offices within the National Oceanic and Atmospheric Administration; and

(4) the Assistant Secretary of Energy for Energy Efficiency and Renewable Energy.

(c) Not later than 2 years after the date of enactment of this Act, the working group shall submit to Congress a report that includes—

(1) the findings of the research described in subsection (a);

(2) the results of the pilot-scale research described in subsection (a)(3); and

(3) any policy recommendations based on those findings and results.

SA 3455. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of

the Interior, environment, and related agencies 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 VII of division B, insert the following:

SEC. _____. None of the funds appropriated or otherwise made available by this Act or any other Act may be used—

(1) to prevent a Member of Congress from entering, for the purpose of conducting oversight, any facility located in the United States at which alien minors are housed or otherwise detained;

(2) to require any Member of Congress to coordinate through a Congressional entity for their entry into, for the purpose of conducting oversight, any facility described in paragraph (1); or

(3) to make any temporary modification at a facility described in paragraph (1) that in any way alters what is observed by a visiting Member of Congress, compared to what would be observed in the absence of such modification.

SA 3456. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 151, line 13, strike “\$250,000,000” and insert “\$255,000,000”.

On page 211, line 16, strike “\$9,633,450,000” and insert “\$9,628,450,000”.

SA 3457. Mr. JONES submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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. _____. The Office of Advocacy of the Small Business Administration shall conduct a study on the best practices in and benefits of matchmaking programs for small business concerns owned and controlled by veterans that utilize industry data and business leads provided by entities, such as chambers of commerce, to match those veterans with business opportunities in their industry of interest or geographic location.

SA 3458. Mr. WHITEHOUSE (for himself, Mrs. SHAHEEN, Mr. BLUMENTHAL, Mr. REED, Ms. HASSAN, Mr. MARKEY, Mr. MURPHY, Ms. WARREN, Mr. KING, and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 I of division A, add the following:

SEC. 1 _____. None of the funds made available by this Act may be used to issue a lease

for exploration, development, or production of oil or natural gas in any area of the outer Continental Shelf off the coasts of the States of Maine, New Hampshire, Massachusetts, Rhode Island, or Connecticut.

SA 3459. Ms. HEITKAMP (for herself and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 239, line 19, insert before the period at the end the following: “: *Provided further*, That none of the funds made available under this Act or any other Act may be used to take any action that would impair the fulfillment of the universal service obligation of the United States Postal Service or lead toward the privatization of the United States Postal Service”.

SA 3460. Mr. MERKLEY (for himself and Mr. SANDERS) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 A, insert the following:

SEC. 2 _____. None of the funds made available by this Act shall be used to rescind, revoke, or otherwise modify the document of the Administrator of the Environmental Protection Agency entitled “Endangerment and Cause or Contributing Findings for Greenhouse Gases under Section 202(a) of the Clean Air Act” and dated December 7, 2009.

SA 3461. Mrs. GILLIBRAND (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 142, between lines 16 and 17, insert the following:

FORT ONTARIO SPECIAL RESOURCE STUDY

SEC. 433. (a) In this section:

(1) The term “Secretary” means the Secretary of the Interior.

(2) The term “study area” means Fort Ontario in Oswego, New York.

(b) The Secretary shall conduct a special resource study of the study area.

(c) In conducting the study under subsection (b), the Secretary shall—

(1) evaluate the national significance of the study area;

(2) determine the suitability and feasibility of designating the study area as a unit of the National Park System;

(3) consider other alternatives for preservation, protection, and interpretation of the study area by the Federal Government, State or local government entities, or private and nonprofit organizations;

(4) consult with interested Federal agencies, State or local governmental entities,

private and nonprofit organizations, or any other interested individuals; and

(5) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives.

(d) The study required under subsection (b) shall be conducted in accordance with section 100507 of title 54, United States Code.

(e) Not later than 3 years after the date on which funds are first made available to carry out the study under subsection (b), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(1) the results of the study; and

(2) any conclusions and recommendations of the Secretary.

SA 3462. Mrs. GILLIBRAND (for herself, Mr. BLUMENTHAL, Mr. MURPHY, and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 division B, add the following:

SEC. _____. None of the funds contained in this Act may be used to enforce section 540 of Public Law 110-329 (122 Stat. 3688) or section 538 of Public Law 112-74 (125 Stat. 976; 6 U.S.C. 190 note).

SA 3463. Mr. CARPER (for himself and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 division B (before the short title), add the following:

TITLE IX—POSTAL SERVICE REFORM

SECTION 901. SHORT TITLE.

This title may be cited as the “Postal Service Reform Act of 2018”.

SEC. 902. TABLE OF CONTENTS.

The table of contents for this title is as follows:

- Sec. 901. Short title.
- Sec. 902. Table of contents.
- Sec. 903. Definitions.

SUBTITLE A—POSTAL PERSONNEL

- Sec. 921. Postal Service Health Benefits Program.
- Sec. 922. Postal Service retiree health care benefit funding reform.
- Sec. 923. Medicare part B premium subsidy for newly enrolling Postal Service annuitants and family members.
- Sec. 924. Postal Service pension funding reform.
- Sec. 925. Supervisory and other managerial organizations.
- Sec. 926. Right of appeal to Merit Systems Protection Board.

SUBTITLE B—POSTAL SERVICE OPERATIONS REFORM

- Sec. 941. Governance reform.
- Sec. 942. Modernizing postal rates.
- Sec. 943. Nonpostal services.
- Sec. 944. Shipping of wine, beer, and distilled spirits.

- Sec. 945. Efficient and flexible universal postal service.
- Sec. 946. Fair stamp-evidencing competition.
- Sec. 947. Market-dominant rates.
- Sec. 948. Review of Postal Service cost attribution guidelines.
- Sec. 949. Aviation security for parcels.
- Sec. 950. Long-term solvency plan; annual financial plan and budget.
- Sec. 951. Service standards, performance targets, and performance measurements.
- Sec. 952. Postal Service Chief Innovation Officer.
- Sec. 953. Emergency suspensions of post offices.
- Sec. 954. Mailing address requirements.

SUBTITLE C—POSTAL CONTRACTING REFORM

- Sec. 961. Contracting provisions.
- Sec. 962. Technical amendment to definition.

SUBTITLE D—POSTAL REGULATORY COMMISSION, INSPECTOR GENERAL, RELATED PROVISIONS, AND MISCELLANEOUS

- Sec. 981. Postal Regulatory Commission.
- Sec. 982. Inspector General of the United States Postal Service and the Postal Regulatory Commission.
- Sec. 983. GAO report on fragmentation, overlap, and duplication in Federal programs and activities.

SEC. 903. DEFINITIONS.

In this title, the following definitions shall apply:

(1) COMMISSION.—The term “Commission” means the Postal Regulatory Commission.

(2) POSTAL RETAIL FACILITY.—The term “postal retail facility”—

(A) means a post office, post office branch, post office classified station, or other facility that is operated by the Postal Service, the primary function of which is to provide retail postal services; and

(B) does not include a contractor-operated facility offering postal services.

(3) POSTAL SERVICE.—The term “Postal Service” means the United States Postal Service.

Subtitle A—Postal Personnel

SEC. 921. POSTAL SERVICE HEALTH BENEFITS PROGRAM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Chapter 89 of title 5, United States Code, is amended by inserting after section 8903b the following:

“§ 8903c. Postal Service Health Benefits Program

“(a) DEFINITIONS.—In this section—

“(1) the term ‘initial contract year’ means the contract year beginning in January of the first full year that begins not less than 7 months after the date of enactment of this section;

“(2) the term ‘initial participating carrier’ means a carrier that enters into a contract with the Office to participate in the Postal Service Health Benefits Program during the initial contract year;

“(3) the term ‘Medicare eligible individual’ means an individual who—

“(A) is entitled to Medicare part A, but excluding an individual who is eligible to enroll under such part under section 1818 of the Social Security Act (42 U.S.C. 1395i-2); and

“(B) is eligible to enroll in Medicare part B;

“(4) the term ‘Medicare part A’ means the Medicare program for hospital insurance benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.);

“(5) the term ‘Medicare part B’ means the Medicare program for supplementary med-

ical insurance benefits under part B of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.);

“(6) the term ‘Medicare part D’ means the Medicare insurance program established under part D of title XVIII of the Social Security Act (42 U.S.C. 1395w-101 et seq.);

“(7) the term ‘Office’ means the Office of Personnel Management;

“(8) the term ‘Postal Service’ means the United States Postal Service;

“(9) the term ‘Postal Service annuitant’ means an annuitant enrolled in a health benefits plan under this chapter whose Government contribution is paid by the Postal Service or the Postal Service Retiree Health Benefits Fund under section 8906(g)(2);

“(10) the term ‘Postal Service employee’ means an employee of the Postal Service enrolled in a health benefits plan under this chapter;

“(11) the term ‘Postal Service Health Benefits Program’ means the program of health benefits plans established under subsection (c) within the Federal Employees Health Benefits Program under this chapter;

“(12) the term ‘Postal Service Medicare eligible annuitant’ means an individual who—

“(A) is a Postal Service annuitant; and

“(B) is a Medicare eligible individual;

“(13) the term ‘PSHBP plan’ means a health benefits plan offered under the Postal Service Health Benefits Program; and

“(14) the term ‘qualified carrier’ means a carrier for which the total enrollment in the plans provided under this chapter includes, in the contract year beginning in January of the year before the initial contract year, a combined total of 1,500 or more enrollees who are—

“(A) Postal Service employees; or

“(B) Postal Service annuitants.

“(b) APPLICATION OF SECTION.—The requirements under this section shall—

“(1) apply to the initial contract year, and each contract year thereafter; and

“(2) supersede other provisions of this chapter to the extent of any specific inconsistency, as determined by the Office.

“(c) ESTABLISHMENT OF THE POSTAL SERVICE HEALTH BENEFITS PROGRAM.—

“(1) IN GENERAL.—The Office shall establish the Postal Service Health Benefits Program, which shall—

“(A) consist of health benefits plans offered under this chapter;

“(B) include plans offered by—

“(i) each qualified carrier; and

“(ii) any other carrier determined appropriate by the Office;

“(C) be available for participation by all Postal Service employees, in accordance with subsection (d);

“(D) be available for participation by all Postal Service annuitants, in accordance with subsection (d);

“(E) not be available for participation by an individual who is not a Postal Service employee or Postal Service annuitant (except as a family member of such an employee or annuitant); and

“(F) be implemented and administered by the Office.

“(2) SEPARATE POSTAL SERVICE RISK POOL.—

The Office shall ensure that each PSHBP plan includes rates, one for enrollment as an individual, one for enrollment for self plus one, and one for enrollment for self and family within each option in the PSHBP plan, that reasonably and equitably reflect the cost of benefits provided to a risk pool consisting solely of Postal Service employees and Postal Service annuitants (and family members of such employees and annuitants), taking into specific account the reduction in benefits cost for the PSHBP plan due to the Medicare enrollment requirements under

subsection (e) and any savings or subsidies resulting from subsection (f).

“(3) ACTUARIALLY EQUIVALENT COVERAGE.—The Office shall ensure that each carrier participating in the Postal Service Health Benefits Program provides coverage under the PSHBP plans offered by the carrier that is actuarially equivalent, as determined by the Director of the Office, to the coverage that the carrier provides under the health benefits plans offered by the carrier under the Federal Employee Health Benefits Program that are not PSHBP plans.

“(4) APPLICABILITY OF FEDERAL EMPLOYEE HEALTH BENEFITS PROGRAM REQUIREMENTS.—Except as otherwise set forth in this section, all provisions of this chapter applicable to health benefits plans offered by a carrier under section 8903 or 8903a shall apply to PSHBP plans.

“(5) APPLICATION OF CONTINUATION COVERAGE.—In accordance with rules established by the Office, section 8905a shall apply to PSHBP plans in the same manner as that section applies to other health benefits plans offered under this chapter.

“(d) ELECTION OF COVERAGE.—

“(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), each Postal Service employee and Postal Service annuitant who elects to receive health benefits coverage under this chapter—

“(A) shall be subject to the requirements under this section; and

“(B) may only enroll in a PSHBP plan.

“(2) ANNUITANTS.—A Postal Service annuitant shall not be subject to this section if the Postal Service annuitant—

“(A) is enrolled in a health benefits plan under this chapter for the contract year before the initial contract year that is not a health benefits plan offered by an initial participating carrier, unless the Postal Service annuitant voluntarily enrolls in a PSHBP plan;

“(B) resides in a geographic area—

“(i) for which there is not a PSHBP plan in which the Postal Service annuitant may enroll; or

“(ii) in which there is a lack of participating Medicare part B providers; or

“(C) would not derive benefit from enrolling in Medicare part B because of comprehensive medical coverage provided by the Department of Veterans Affairs or other programs.

“(3) EMPLOYEES.—A Postal Service employee who is enrolled in a health benefits plan under this chapter for the contract year immediately preceding the initial contract year that is not a health benefits plan offered by an initial participating carrier shall not be subject to the requirements under this section, except that—

“(A) if the Postal Service employee changes enrollment to a different health benefits plan under this chapter during the open season for the initial contract year, or after the start of the initial contract year, the Postal Service employee may only enroll in a PSHBP plan;

“(B) if the health benefits plan in which the Postal Service employee is enrolled for such contract year becomes available as a PSHBP plan, the Postal Service employee may only enroll in a PSHBP plan;

“(C) upon becoming a Postal Service annuitant, if the Postal Service employee elects to continue coverage under this chapter, the Postal Service employee shall enroll in a PSHBP plan during—

“(i) the open season that is being held when the Postal Service employee becomes a Postal Service annuitant; or

“(ii) if the date on which the Postal Service employee becomes a Postal Service annuitant falls outside of an open season, the first open season following that date; and

“(D) subparagraphs (A), (B), and (C) shall not apply to an employee who resides in a geographic area for which there is not a PSHBP plan in which the employee may enroll.

“(e) REQUIREMENT OF MEDICARE ENROLLMENT.—

“(1) POSTAL SERVICE MEDICARE ELIGIBLE ANNUITANTS.—A Postal Service Medicare eligible annuitant subject to this section may not continue coverage under the Postal Service Health Benefits Program unless the Postal Service Medicare eligible annuitant enrolls in Medicare part A, Medicare part B, and Medicare part D (as part of a prescription drug plan described in subsection (f)(2)).

“(2) MEDICARE ELIGIBLE FAMILY MEMBERS.—If a family member of a Postal Service annuitant who is subject to this section is a Medicare eligible individual, the family member may not be covered under the Postal Service Health Benefits Program as a family member of the Postal Service annuitant unless the family member enrolls in Medicare part A, Medicare part B, and Medicare part D (as part of a prescription drug plan described in subsection (f)(2)).

“(3) PROCESS FOR COORDINATED ELECTION OF ENROLLMENT UNDER MEDICARE PART B.—The Office shall establish a process under which—

“(A) Postal Service annuitants and family members who are subject to the requirements of paragraph (1) or (2)—

“(i) are informed, at the time of enrollment under this chapter, of such requirement; and

“(ii) except as provided in paragraph (4), as a consequence of such enrollment are deemed to have elected to be enrolled under Medicare part B (under subsection (m)(1) of section 1837 of the Social Security Act (42 U.S.C. 1395p)) in connection with the enrollment in a PSHBP plan under this chapter; and

“(B) the Office provides the Secretary of Health and Human Services and the Commissioner of Social Security in a timely manner with such information respecting such annuitants and family members and such election as may be required to effect their enrollment and coverage under Medicare part B and this section in a timely manner.

“(4) WAIVER FOR EXTREME FINANCIAL HARDSHIP.—

“(A) IN GENERAL.—The Postal Service, in consultation with recognized labor organizations and management organizations, shall establish a waiver program under which the requirement to enroll in Medicare part B under paragraph (1) or (2), as applicable, is waived for Postal Service annuitants and family members who demonstrate extreme financial hardship.

“(B) EFFECT OF WAIVER.—If the applicable requirement described in subparagraph (A) is waived for a Postal Service annuitant or family member—

“(i) the Postal Service shall notify the Office of the waiver; and

“(ii) the annuitant or family member shall not be deemed to have elected to be enrolled under Medicare part B as described in paragraph (3)(A)(i).

“(f) MEDICARE COORDINATION.—

“(1) IN GENERAL.—The Office shall require each PSHBP plan to provide benefits for Medicare eligible individuals pursuant to the standard coordination of benefits method used under this chapter, rather than the exclusion method or the carve-out method.

“(2) MEDICARE PART D PRESCRIPTION DRUG BENEFITS.—The Office shall require each PSHBP plan to provide qualified prescription drug coverage for Postal Service annuitants and family members who are part D eligible individuals (as defined in section 1860D-1(a)(3)(A) of the Social Security Act (42 U.S.C. 1395w-101(a)(3)(A)) under a prescrip-

tion drug plan under Medicare part D pursuant to the provisions of section 1860D-22(b) (commonly referred to as an ‘employer group waiver plan’). For purposes of the preceding sentence, the carrier offering the PSHBP plan shall be deemed to be the sponsor of the plan for purposes of Medicare part D.

“(g) POSTAL SERVICE CONTRIBUTION.—

“(1) IN GENERAL.—Subject to subsection (i), for purposes of applying section 8906(b) to the Postal Service, the weighted average shall be calculated in accordance with paragraphs (2) and (3).

“(2) WEIGHTED AVERAGE CALCULATION.—Not later than October 1 of each year (beginning with the year before the initial contract year), the Office shall determine the weighted average of the rates established pursuant to subsection (c)(2) for PSHBP plans that will be in effect during the following contract year with respect to—

“(A) enrollments for self only;

“(B) enrollments for self plus one; and

“(C) enrollments for self and family.

“(3) WEIGHTING IN COMPUTING RATES FOR INITIAL CONTRACT YEAR.—In determining such weighted average of the rates for the initial contract year, the Office shall take into account (for purposes of section 8906(a)(2)) the enrollment of Postal Service employees and annuitants in the health benefits plans offered by the initial participating carriers as of March 31 of the year before the initial contract year.

“(h) RESERVES.—

“(1) SEPARATE RESERVES.—

“(A) IN GENERAL.—The Office shall ensure that each PSHBP plan maintains separate reserves (including a separate contingency reserve) with respect to the enrollees in the PSHBP plan in accordance with section 8909.

“(B) REFERENCES.—For purposes of the Postal Service Health Benefits Program, each reference to ‘the Government’ in section 8909 shall be deemed to be a reference to the Postal Service.

“(C) AMOUNTS TO BE CREDITED.—The reserves (including the separate contingency reserve) maintained by each PSHBP plan shall be credited with a proportionate amount of the funds in the existing reserves for health benefits plans offered by an initial participating carrier.

“(2) DISCONTINUATION OF PSHBP PLAN.—In applying section 8909(e) relating to a PSHBP plan that is discontinued, the Office shall credit the separate Postal Service contingency reserve maintained under paragraph (1) for that plan only to the separate Postal Service contingency reserves of the PSHBP plans continuing under this chapter.

“(i) NO EFFECT ON EXISTING LAW.—Nothing in this section shall be construed as affecting section 1005(f) of title 39 regarding variations, additions, or substitutions to the provisions of this chapter.

“(j) MEDICARE EDUCATION PROGRAM.—Not later than 180 days after the date of enactment of this section, the Postal Service shall establish a Medicare Education Program, under which the Postal Service shall—

“(1) notify annuitants and employees of the Postal Service about the Postal Service Health Benefits Program;

“(2) provide information regarding the Postal Service Health Benefits Program to such annuitants and employees, including—

“(A) a description of the health care options available under the Postal Service Health Benefits Program;

“(B) the requirement that annuitants be enrolled in Medicare under subsection (e)(1); and

“(C) the premium subsidies under section 923 of the Postal Service Reform Act of 2018; and

“(3) respond and provide answers to any inquiry from such annuitants and employees

about the Postal Service Health Benefits Program or Medicare enrollment.”.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) Section 8903(1) of title 5, United States Code, is amended by striking “two levels of benefits” and inserting “2 levels of benefits for enrollees under this chapter generally and 2 levels of benefits for enrollees under the Postal Service Health Benefits Program established under section 8903c”.

(B) The table of sections for chapter 89 of title 5, United States Code, is amended by inserting after the item relating to section 8903b the following:

“8903c. Postal Service Health Benefits Program.”.

(b) COORDINATION WITH MEDICARE.—

(1) MEDICARE ENROLLMENT AND COVERAGE.—Section 1837 of the Social Security Act (42 U.S.C. 1395p) is amended by adding at the end the following new subsection:

“(m)(1) In the case of an individual who—

“(A) is (i) a Postal Service Medicare eligible annuitant, or (ii) an individual who is a family member of such an annuitant and is a Medicare eligible individual;

“(B) enrolls in a PSHBP plan under section 8903c of title 5, United States Code; and

“(C) is not enrolled under this part, the individual is deemed, in accordance with section 8903c(e)(3) of such title, to have elected to be enrolled under this part.

“(2) In the case of an individual who is deemed to have elected to be enrolled under paragraph (1), the coverage period under this part shall begin on the date that the individual first has coverage under the PSHBP plan pursuant to the enrollment described in paragraph (1)(B).

“(3) The provisions of section 1838(b) shall apply to an individual who is deemed to have elected to be enrolled under paragraph (1).

“(4) The Secretary, the Commissioner of Social Security, the United States Postal Service, and the Office of Personnel Management shall coordinate to monitor premiums paid by individuals who are deemed to have elected to be enrolled under paragraph (1) for purposes of determining whether those individuals are in compliance with the applicable requirements under section 8903c(e) of title 5, United States Code.

“(5) The definitions in section 8903c(a) of title 5, United States Code, shall apply for purposes of this subsection.”.

(2) WAIVER OF INCREASE OF PREMIUM.—Section 1839(b) of the Social Security Act (42 U.S.C. 1395r(b)) is amended by inserting after “section 1837,” the following: “and not pursuant to a deemed enrollment under subsection (m) of such section during the open season for the initial contract year (as defined in section 8903c(a) of title 5, United States Code) of the Postal Service Health Benefits Program.”.

(3) CONFORMING COORDINATION OF BENEFIT RULES.—Section 1862(b) of the Social Security Act (42 U.S.C. 1395y(b)) is amended by adding at the end the following:

“(10) COORDINATION OF BENEFITS WITH POSTAL SERVICE HEALTH BENEFITS PLANS.—Paragraphs (1) through (9) shall apply except to the extent that the Secretary, in consultation with the Office of Personnel Management, determines those paragraphs to be inconsistent with section 8903c(f) of title 5, United States Code.”.

SEC. 922. POSTAL SERVICE RETIREE HEALTH CARE BENEFIT FUNDING REFORM.

(a) CONTRIBUTIONS.—Section 8906(g) of title 5, United States Code, is amended—

(1) by striking “(2)(A) The Government” and inserting “(2)(A)(i) The Government”; and

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) in clause (i), as added by paragraph (1), by striking “shall through September 30, 2016, be paid” and all that follows and inserting the following: “shall be paid as provided in clause (ii).”; and

(ii) by adding at the end the following:

“(ii) With respect to the Government contributions required to be paid under clause (i)—

“(I) the portion of the contributions that is equal to the amount of the net claims costs under the enrollment of the individuals described in clause (i) shall be paid from the Postal Service Retiree Health Benefits Fund up to the amount contained in the Fund; and

“(II) any remaining amount shall be paid by the United States Postal Service.”;

(B) by adding at the end the following:

“(C) For purposes of this paragraph, the amount of the net claims costs under the enrollment of an individual described in subparagraph (A)(i) shall be the amount, as determined by the Office over any particular period of time, equal to the difference between—

“(i) the sum of—

“(I) the costs incurred by a carrier in providing health services to, paying for health services provided to, or reimbursing expenses for health services provided to, the individual and any other person covered under the enrollment of the individual; and

“(II) an amount of indirect expenses reasonably allocable to the provision, payment, or reimbursement described in subclause (I), as determined by the Office; and

“(ii) the amount withheld from the annuity of the individual or otherwise paid by the individual under this section.

“(D) Any computation by the Office under this section that relates to an individual described in subparagraph (A)(i) of this paragraph shall be made in consultation with the United States Postal Service.”.

(b) POSTAL SERVICE RETIREE HEALTH BENEFITS FUND.—Section 8909a(d) of title 5, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking “Office” and inserting “United States Postal Service”; and

(B) by striking “required under section 8906(g)(2)(A)” and inserting the following: “required to be paid from the Postal Service Retiree Health Benefits Fund under section 8906(g)(2)(A)(ii)(I).”; and

(2) by striking paragraphs (2) and (4);

(3) by redesignating paragraph (3) as paragraph (4);

(4) by inserting after paragraph (1) the following:

“(2) The United States Postal Service shall make sufficient payments into the Fund, in accordance with paragraphs (4) and (5)(B), so that the value of the assets of the Fund is equal to the Postal Service actuarial liability.”.

“(3)(A) Not later than June 30, 2020, the United States Postal Service shall compute, and by June 30 of each succeeding year, the United States Postal Service shall recompute, a schedule including a series of annual installments that provide for the liquidation of the amount described under subparagraph (B) (regardless of whether the amount is a liability or surplus) by September 30 of the first fiscal year that begins 40 years after the date of enactment of the Postal Service Reform Act of 2018 (unless the schedule is extended as provided in paragraph (4)(C)(ii)(II)), including interest at the rate used in the computations under this subsection.

“(B) The amount described in this subparagraph is the amount, as of the date on which the applicable computation or recomputation under subparagraph (A) is made, that is equal to the difference between—

“(i) 80 percent of the Postal Service actuarial liability as of September 30 of the preceding fiscal year; and

“(ii) the value of the assets of the Postal Service Retiree Health Benefits Fund as of September 30 of the preceding fiscal year.”;

(5) in paragraph (4), as so redesignated—

(A) in subparagraph (A)—

(i) in clause (iii), by adding “and” at the end;

(ii) in clause (iv), by striking the semicolon at the end and inserting a period; and

(iii) by striking clauses (v) through (x);

(B) in subparagraph (B)—

(i) in clause (i), by striking “paragraph (1)” and inserting “paragraph (1), except to the extent the payment would cause the value of the assets in the Fund to exceed the Postal Service actuarial liability”; and

(ii) in clause (ii)—

(I) by inserting “except as provided in subparagraph (C),” before “any”; and

(II) by striking “paragraph (2)(B).” and inserting “paragraph (3).”; and

(C) by adding at the end the following:

“(C)(i) Upon request by the United States Postal Service, the Postal Regulatory Commission may waive the annual installment payment required to be made in a fiscal year under subparagraph (B)(ii) if the United States Postal Service meets conditions established by the Postal Regulatory Commission related to—

“(I) financial stability and retained earnings; and

“(II) the capability to maintain a high level of service.

“(ii) If the Postal Regulatory Commission waives the annual installment payment required to be made in a fiscal year under subparagraph (B)(ii)—

“(I) for purposes of any financial reporting by the United States Postal Service, the payment shall be deemed to have been made; and

“(II) the United States Postal Service shall extend the liquidation schedule under paragraph (3)(A) by 1 year.

“(iii) If the United States Postal Service does not request a waiver of the annual installment payment required to be made in a fiscal year under subparagraph (B)(ii) and does not make the payment, the United States Postal Service may not increase rates for market-dominant products under section 3622 of title 39 during the following fiscal year.”;

(6) by redesignating paragraph (6) as paragraph (8);

(7) by striking paragraph (5) and inserting the following:

“(5)(A) Concurrently with each computation or recomputation under paragraph (3), the United States Postal Service shall compute the amount, as of the date of the computation, that is equal to the difference between—

“(i) the Postal Service actuarial liability as of September 30 of the preceding fiscal year; and

“(ii) the value of the assets of the Postal Service Retiree Health Benefits Fund as of September 30 of the preceding fiscal year.

“(B) If the United States Postal Service disposes of any property owned or leased by the United States Postal Service, and, based on the most recent computation under subparagraph (A), the amount described in clause (i) of that subparagraph is greater than the amount described in clause (ii) of that subparagraph, the United States Postal Service shall pay into the Fund the lesser of—

“(i) the amount of net profit to the United States Postal Service resulting from the disposal of property (as determined by the Postal Regulatory Commission); or

“(ii) the amount computed under subparagraph (A).

“(C) The United States Postal Service shall make each payment required under subparagraph (B) without regard to whether the United States Postal Service has completed the annual installment payments required under paragraph (4)(B)(ii), as scheduled under paragraph (3)(A).

“(6) Computations under this subsection shall be based on—

“(A) economic and actuarial methods and assumptions consistent with the methods and assumptions used in determining the Postal surplus or supplemental liability under section 8348(h); and

“(B) any other methods and assumptions, including a health care cost trend rate, that the Director of the Office determines to be appropriate.

“(7)(A) The Office shall provide to the United States Postal Service any data necessary for computations under this subsection.

“(B) Upon computing an amount or schedule under this subsection for a fiscal year, the United States Postal Service shall provide the data used for the computation to the Postal Regulatory Commission for review of the computation.

“(C) Not later than 30 days after receiving data from the United States Postal Service under subparagraph (B), the Postal Regulatory Commission, in consultation with the United States Postal Service, shall—

“(i) determine whether the amount or schedule was computed in accordance with this subsection;

“(ii) if the amount or schedule was computed in accordance with this subsection, submit to the Office a certification that the amount or schedule is the definitive amount or schedule for that fiscal year; and

“(iii) if the amount or schedule was not computed in accordance with this subsection, request that the Office recompute the amount or schedule.

“(D)(i) Not later than 30 days after receiving a request from the Postal Regulatory Commission under subparagraph (C)(iii), the Office shall recompute the amount or schedule.

“(ii) If the Office recomputes an amount or schedule under clause (i), the recomputed amount or schedule shall be the definitive amount or schedule for that fiscal year for purposes of this subsection.”; and

(8) by adding at the end the following:

“(9) In this subsection, the term ‘Postal Service actuarial liability’ means the difference between—

“(A) the net present value of future payments required to be paid from the Postal Service Retiree Health Benefits Fund under section 8906(g)(2)(A)(ii)(I) for current and future United States Postal Service annuitants; and

“(B) the net present value as computed under paragraph (1) attributable to the future service of United States Postal Service employees.

“(10) For purposes of computing an amount under paragraph (1) or (9)(A), section 8906(g)(2)(A)(ii)(I) shall be applied as though ‘up to the amount contained in the Fund’ were struck.”.

(c) CANCELLATION OF CERTAIN UNPAID OBLIGATIONS OF THE POSTAL SERVICE.—Any obligation of the Postal Service under section 8909a(d)(3)(A) of title 5, United States Code, as in effect on the day before the date of enactment of this Act, that remains unpaid as of such date of enactment is canceled.

(d) ONE-TIME TRANSFER TO MEDICARE FUNDS.—

(1) DEFINITIONS.—In this subsection—

(A) the term “applicable fiscal year” means the first fiscal year beginning on or after October 1, 2021, in which the amount computed under paragraph (3)(B) of section

8909a(d) of title 5, United States Code (as amended by subsection (b)) is a surplus; and

(B) the term “Medicare fund” means—

(i) the Federal Hospital Insurance Trust Fund under section 1817 of the Social Security Act (42 U.S.C. 1395i);

(ii) the Federal Supplementary Medical Insurance Trust Fund under section 1841 of such Act (42 U.S.C. 1395t); and

(iii) the Medicare Prescription Drug Account under section 1860D–16 of such Act (42 U.S.C. 1395w–116).

(2) **TRANSFER REQUIRED.**—Not later than 30 days after the date on which the schedule under paragraph (3)(A) of section 8909a(d) of title 5, United States Code (as amended by subsection (b)) in the applicable fiscal year is certified by the Commission or recomputed by the Office of Personnel Management, as applicable under paragraph (6) of such section 8909a(d)—

(A) the Secretary of Health and Human Services shall—

(i) estimate the amount of the increased expenditures required from the Medicare funds, including the amount required from each such fund, by reason of the requirements under section 8903c(e) of title 5, United States Code (as added by section 921(a)(1) of this title) for the 10-year period beginning on the date of enactment of this Act; and

(ii) notify the Secretary of the Treasury and the Postal Service of the amount estimated under clause (i); and

(B) the Secretary of the Treasury shall transfer from the Postal Service Retiree Health Benefits Fund to the Medicare funds an amount equal to the amount estimated by the Secretary of Health and Human Services under subparagraph (A)(i), in accordance with paragraph (3) of this subsection.

(3) **DISTRIBUTION.**—An amount transferred under subparagraph (B) of paragraph (2) shall be divided among the Medicare funds in proportion to the increased expenditures required from each such fund, as estimated by the Secretary of Health and Human Services under subparagraph (A)(i) of that paragraph.

(e) **TECHNICAL AND CONFORMING AMENDMENT.**—The heading of section 8909a of title 5, United States Code, is amended by striking “Benefit” and inserting “Benefits”.

(f) **SENSE OF CONGRESS.**—It is the sense of Congress that nothing in this section or the amendments made by this section is intended to establish a precedent with respect to Federal employees at large, given that the Postal Service is a unique entity within the Federal Government and benefits for employees of the Postal Service are only partially integrated with benefits for Federal employees at large.

SEC. 923. MEDICARE PART B PREMIUM SUBSIDY FOR NEWLY ENROLLING POSTAL SERVICE ANNUITANTS AND FAMILY MEMBERS.

(a) **DEFINITIONS.**—In this section—

(1) the term “eligible individual” means a Postal Service annuitant, or a family member of a Postal Service annuitant, who—

(A) newly enrolls in Medicare part B during the open season for the initial contract year pursuant to a deemed enrollment under subsection (m) of section 1837 of the Social Security Act (42 U.S.C. 1395p), as added by section 921 of this title; and

(B) is not eligible for Medicare cost-sharing or any other subsidies for Medicare part B premium payments;

(2) the term “initial contract year” has the meaning given the term in section 8903c(a) of title 5, United States Code, as added by section 921 of this title;

(3) the term “Medicare cost-sharing” means Medicare cost-sharing described in section 1905(p)(3)(A)(ii) of the Social Security Act (42 U.S.C. 1396d(p)(3)(A)(ii)) under a State

plan under title XIX of that Act (42 U.S.C. 1396 et seq.);

(4) the term “Medicare part B” means the Medicare program for supplementary medical insurance benefits under part B of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.); and

(5) the term “Postal Service annuitant” has the meaning given the term in section 8903c(a) of title 5, United States Code, as added by section 921 of this title.

(b) **SUBSIDIES.**—With respect to the monthly Medicare part B premium payments of eligible individuals (taking into account any adjustments, including those under subsections (b) and (i) of section 1839 of the Social Security Act (42 U.S.C. 1395r)), the Postal Service—

(1) in the initial contract year, shall subsidize 75 percent of the Medicare part B premium payments;

(2) in the first year after the initial contract year, shall subsidize 50 percent of the Medicare part B premium payments; and

(3) in the second year after the initial contract year, shall subsidize 25 percent of the Medicare part B premium payments.

(c) **FUND.**—The Postal Service shall establish a fund to provide the subsidies required under subsection (b).

SEC. 924. POSTAL SERVICE PENSION FUNDING REFORM.

(a) **CIVIL SERVICE RETIREMENT SYSTEM.**—Section 8348(h) of title 5, United States Code, is amended—

(1) in paragraph (2), by striking subparagraphs (B) and (C) and inserting the following:

“(B) The Office shall redetermine the Postal surplus or supplemental liability as of the close of the fiscal year, for each fiscal year beginning after September 30, 2016. Subject to subparagraph (C), beginning June 15, 2019, if the result is a surplus or a supplemental liability, the Office shall establish an amortization schedule, including a series of annual installments commencing on September 30 of the subsequent fiscal year, which provides for the liquidation of the surplus or liability to the Postal Service or the Fund (as the case may be) by September 30, 2044.

“(C) Not later than June 30, 2034, the Office shall determine, and thereafter shall redetermine as necessary, but not more frequently than once per year, the appropriate date by which to complete the liquidation of any remaining surplus or liability determined under this paragraph. The appropriate date shall be determined in accordance with generally accepted actuarial practices and principles and shall not be later than 15 years after the date on which the determination is made.”; and

(2) by adding at the end the following:

“(4) For the purpose of carrying out paragraph (1), for fiscal year 2018 and each fiscal year thereafter, the Office shall use—

“(A) demographic factors specific to current and former employees of the United States Postal Service, unless such data cannot be generated; and

“(B) economic assumptions regarding wage and salary growth that reflect the specific past, and likely future, pay for current employees of the United States Postal Service.”.

(b) **FEDERAL EMPLOYEES RETIREMENT SYSTEM LIABILITY ASSUMPTION REFORM.**—Section 8423 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) in clause (i), by striking “subparagraph (B),” and inserting “subparagraph (B) or (C),”; and

(II) in clause (ii), by striking “and” at the end;

(ii) in subparagraph (B)(ii), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(C) the product of—

“(i) the normal-cost percentage, as determined for employees (other than employees covered by subparagraph (B)) of the United States Postal Service under paragraph (5), multiplied by

“(ii) the aggregate amount of basic pay payable by the United States Postal Service, for the period involved, to employees of the United States Postal Service.”; and

(B) by adding at the end the following:

“(5)(A) In determining the normal-cost percentage for employees of the United States Postal Service for purposes of paragraph (1)(C), the Office shall use—

“(i) demographic factors specific to such employees, unless such data cannot be generated; and

“(ii) economic assumptions regarding wage and salary growth that reflect the specific past, and likely future, pay for such employees.

“(B) The United States Postal Service shall provide any data or projections the Office requires in order to determine the normal-cost percentage for employees of the United States Postal Service, consistent with subparagraph (A).

“(C) The Office shall review the determination of the normal-cost percentage for employees of the United States Postal Service and make such adjustments as the Office considers necessary—

“(i) upon request of the United States Postal Service, but not more frequently than once each fiscal year; and

“(ii) at such other times as the Office considers appropriate.

“(6) For the purpose of carrying out subsection (b)(1)(B), and consistent with paragraph (5), for fiscal year 2018, and each fiscal year thereafter, the Office shall use—

“(A) demographic factors specific to current and former employees of the United States Postal Service, unless such data cannot be generated; and

“(B) economic assumptions regarding wage and salary growth that reflect the specific past, and likely future, pay for current employees of the United States Postal Service.”; and

(2) in subsection (b)—

(A) by redesignating paragraph (5) as paragraph (6); and

(B) by inserting after paragraph (4) the following:

“(5)(A) In this paragraph, the term ‘postal funding surplus’ means the amount by which the amount of the supplemental liability computed under paragraph (1)(B) is less than zero.

“(B) If the amount of supplemental liability computed under paragraph (1)(B) as of the close of any fiscal year after the date of enactment of the Postal Service Reform Act of 2018 is less than zero, the Office shall establish an amortization schedule, including a series of equal annual installments that—

“(i) provide for the liquidation of the postal funding surplus in 30 years, commencing on September 30 of the subsequent fiscal year; and

“(ii) shall be transferred to the Postal Service Fund.”.

SEC. 925. SUPERVISORY AND OTHER MANAGERIAL ORGANIZATIONS.

Not later than 3 years after the date of enactment of this Act, the Inspector General of the Postal Service shall submit to Congress a report on compliance by the Postal Service with outcomes of consultative discussions under section 1004(e) of title 39, United States Code, held with postal management organizations on changes in, or termination of, pay policies and schedules and fringe benefit programs for members of the postal

management organization, including changes in, or termination of, policies governing pay-for-performance systems covering supervisory and management employees.

SEC. 926. RIGHT OF APPEAL TO MERIT SYSTEMS PROTECTION BOARD.

Section 1005(a)(4)(A)(ii)(I) of title 39, United States Code, is amended to read as follows:

“(I) is an employee of the Postal Service or the Office of the Inspector General who is not represented by a bargaining representative recognized under section 1203; and”.

Subtitle B—Postal Service Operations Reform

SEC. 941. GOVERNANCE REFORM.

(a) BOARD OF GOVERNORS.—

(1) IN GENERAL.—Section 202 of title 39, United States Code, is amended to read as follows:

“§ 202. Board of Governors

“(a) IN GENERAL.—There is established in the Postal Service a Board of Governors composed of 5 Governors, a Postmaster General, and a Deputy Postmaster General, all of whom shall be appointed in accordance with this section. The Governors shall have the power to—

“(1) exercise the powers of the Postal Service, consistent with section 203(c);

“(2) appoint, fix the term of service of, and remove the Postmaster General;

“(3) in consultation with the Postmaster General, appoint, fix the term of service of, and remove the Deputy Postmaster General;

“(4) set the strategic direction of postal operations and approve the pricing and product strategy for the Postal Service;

“(5) set the compensation of the Postmaster General and the Deputy Postmaster General in accordance with private sector best practices, as determined by the Governors pursuant to section 3686; and

“(6) carry out any other duties specifically provided for in this title.

“(b) APPOINTMENT; PAY.—

(1) IN GENERAL.—The Governors shall be appointed by the President, by and with the advice and consent of the Senate, not more than 3 of whom may be adherents of the same political party. The Governors shall elect a Chair from among their members. The Governors shall represent the public interest generally, and shall be chosen solely on the basis of their experience in the field of public administration, law, or accounting, or on their demonstrated ability in managing organizations or corporations (in either the public or private sector) of substantial size, except that at least 3 of the Governors shall be chosen solely on the basis of their demonstrated ability in managing organizations or corporations (in either the public or private sector) that employ at least 10,000 employees. The Governors shall not be representatives of specific interests using the Postal Service, and may be removed only for cause.

(2) COMPENSATION.—Each Governor shall receive a salary of \$30,000 a year plus \$300 a day for not more than 42 days of meetings each year and shall be reimbursed for travel and reasonable expenses incurred in attending meetings of the Board. Nothing in the preceding sentence shall be construed to limit the number of days of meetings each year to 42 days.

(3) CONSULTATION.—In selecting the individuals described in paragraph (1) for nomination for appointment to the position of Governor, the President should consult with the Speaker of the House of Representatives, the minority leader of the House of Representatives, the majority leader of the Senate, and the minority leader of the Senate.

“(c) TERMS OF GOVERNORS.—

“(1) IN GENERAL.—The terms of the 5 Governors shall be 7 years, except that the terms of the 5 Governors first taking office shall expire as designated by the President at the time of appointment, 1 at the end of 1 year, 1 at the end of 2 years, 1 at the end of 3 years, 1 at the end of 4 years, and 1 at the end of 5 years, following the appointment of the first of them. Any Governor appointed to fill a vacancy before the expiration of the term for which the Governor's predecessor was appointed shall serve for the remainder of such term. A Governor may continue to serve after the expiration of the Governor's term until such Governor's successor has qualified, but not to exceed one year.

“(2) LIMITATION.—No individual may serve more than 2 terms as a Governor.

“(d) STAFF.—The Chair of the Board of Governors shall ensure that the Board has appropriate independent staff to carry out the roles and responsibilities of the Board and the Governors.”.

(2) APPLICATION.—Any individual serving as a Governor on the Board of Governors of the Postal Service on the date of enactment of this Act shall continue to serve as a Governor until the term applicable to such individual expires (as determined under section 202(b) of title 39, United States Code, as in effect before the amendments made by this section take effect pursuant to subsection (g)).

(b) POSTMASTER GENERAL.—

(1) IN GENERAL.—Section 203 of title 39, United States Code, is amended to read as follows:

“§ 203. Postmaster General

“(a) IN GENERAL.—The chief executive officer of the Postal Service is the Postmaster General, appointed pursuant to section 202(a)(2). The alternate chief executive officer of the Postal Service is the Deputy Postmaster General, appointed pursuant to section 202(a)(3).

“(b) POWERS.—Consistent with the requirements of this title, the exercise of the power of the Postal Service shall be vested in the Governors and carried out by the Postmaster General in a manner consistent with the strategic direction and pricing and product strategy approved by the Governors. The Postmaster General shall, in accordance with bylaws determined appropriate by the Board, consult with the Governors and the Deputy Postmaster General in carrying out such power.”.

(2) CONFORMING AMENDMENT.—The item relating to section 203 in the table of sections for chapter 2 of title 39, United States Code, is amended to read as follows:

“203. Postmaster General.”.

(c) PROCEDURES OF THE BOARD.—Section 205 of title 39, United States Code, is amended to read as follows:

“§ 205. Procedures of the Board of Governors and the Governors

“(a) VACANCIES.—Vacancies in the Board shall not impair the powers of the Board or the Governors under this title.

“(b) VOTE.—The Board and the Governors shall act upon majority vote of those members who are present, subject to such quorum requirements as the Board and the Governors may respectively establish.

“(c) LIMITATION.—No officer or employee of the United States may serve concurrently as a Governor. A Governor may hold any other office or employment not inconsistent or in conflict with the Governor's duties, responsibilities, and powers as an officer of the Government of the United States in the Postal Service.”.

(d) DELEGATION OF AUTHORITY.—Section 402 of title 39, United States Code, is amended to read as follows:

“§ 402. Delegation of authority

“(a) POSTMASTER GENERAL.—The Postmaster General may delegate his or her authority under such terms, conditions, and limitations, including the power of redelegation, as he or she determines desirable. The Postmaster General may establish such committees of officers and employees of the Postal Service, and delegate such powers to any committee, as the Postmaster General determines appropriate to carry out his or her functions and duties. Delegations under this section shall be consistent with other provisions of this title, shall not relieve the Postmaster General of full responsibility for the carrying out the Postmaster General's duties and functions, and shall be revocable by the Postmaster General.

“(b) BOARD OF GOVERNORS.—The Board may establish such committees of the Board, and delegate such powers to any committee, as the Board determines appropriate to carry out its functions and duties. Delegations to committees shall be consistent with other provisions of this title, shall not relieve the Board of full responsibility for the carrying out of its duties and functions, and shall be revocable by the Board in its exclusive judgment.”.

(e) INTERNATIONAL POSTAL ARRANGEMENTS.—

(1) IN GENERAL.—Section 407 of title 39, United States Code, is amended by adding at the end the following:

“(f) After submission to the Postal Regulatory Commission by the Department of State of the budget detailing the estimated costs of carrying out the activities under this section, and the Commission's review and approval of such submission, the Postal Service shall transfer to the Department of State, from any funds available to the Postal Service, such sums as may be reasonable, documented, and auditable for the Department of State to carry out such activities.”.

(2) APPLICATION.—The amendment made by paragraph (1) shall take effect on October 1 of the first fiscal year beginning after the date of enactment of this Act.

(3) CONFORMING AMENDMENT.—Section 633 of title VI of the Treasury and General Government Appropriations Act, 1999 (Public Law 105-277; 39 U.S.C. 407 note) is amended by striking subsection (d).

(f) TECHNICAL AND CONFORMING AMENDMENTS.—Title 39, United States Code, is amended—

(1) in section 102(3)—

(A) by striking “9 members” and inserting “5 members”; and

(B) by striking “section 202(a)” and inserting “section 202(b)(1)”;

(2) in section 204—

(A) by striking “the Board” and inserting “the Postmaster General”; and

(B) by striking “the Governors and”;

(3) in section 207, by striking “the Board” and inserting “the Postal Service”;

(4) in section 414(b)(2), by striking “the Governors” each place the term appears and inserting “the Postal Service”;

(5) in section 416(c)—

(A) by striking “the Governors” and inserting “the Postal Service”; and

(B) by striking “they” and inserting “the Postal Service”;

(6) in section 1011, by striking “the Board” and inserting “the Postal Service”;

(7) by striking section 2402 and inserting the following:

“§ 2402. Annual report

“The Postmaster General shall render an annual report concerning the operations of the Postal Service under this title to the President and Congress.”;

(8) in section 3632—

(A) by striking the section heading, and inserting “**Establishment of rates and classes of competitive products**”;

(B) by striking subsection (a) and redesignating subsections (b) and (c) as subsections (a) and (b), respectively;

(C) in paragraph (a)(2) (as redesignated by subparagraph (B)), by striking “and the record of the Governors’ proceedings in connection with such decision”;

(D) in paragraph (a)(3) (as redesignated by subparagraph (B))—

(i) by striking “and the record of the proceedings in connection with such decision”; and

(ii) by striking “the Governors consider” and inserting “the Postal Service considers”; and

(E) by striking “the Governors” each place the term appears and inserting “the Postal Service”; and

(9) in the table of sections for chapter 36, by striking the item relating to section 3632 and inserting the following:

“3632. Establishment of rates and classes of competitive products.”

(g) DELAYED EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 30 days after the date of enactment of this Act.

SEC. 942. MODERNIZING POSTAL RATES.

(a) ADEQUACY, EFFICIENCY, AND FAIRNESS OF POSTAL RATES.—

(1) OBJECTIVES.—Section 3622(b) of title 39, United States Code, is amended—

(A) in paragraph (2), by inserting “and ensure” after “create”;

(B) in paragraph (3)—

(i) by inserting “and meet” after “maintain”; and

(ii) by inserting “, with a focus on achieving predictable and consistent delivery” before the period at the end;

(C) in paragraph (5), by inserting “establish and” before “maintain”;

(D) in paragraph (6), by striking “process” and inserting “and cost attribution processes”; and

(E) in paragraph (9), by inserting “(and to ensure appropriate levels of transparency)” before the period at the end.

(2) FACTORS.—Section 3622(c) of title 39, United States Code, is amended to read as follows:

“(c) FACTORS.—In establishing or revising such system, the Postal Regulatory Commission shall take into account the following factors:

“(1) The effect of rate increases upon the general public and business mail users.

“(2) The available alternative means of sending and receiving written communications, information, and letters and other mail matter at reasonable costs.

“(3) The reliability of delivery timelines and the extent to which the Postal Service is meeting its service standard obligations.

“(4) The need to ensure that the Postal Service has adequate revenues and has taken appropriate cost-cutting measures to maintain financial stability and meet all legal obligations.

“(5) The extent to which the Postal Service has taken actions to increase its efficiency and reduce its costs.

“(6) The value of the mail service actually provided by each class or type of mail service to both the sender and the recipient, including the collection, mode of transportation, and priority of delivery.

“(7) The requirement that each class of mail or type of mail service bear the direct and indirect postal costs attributable to each class or type of mail service through reliably identified causal relationships plus that portion of all other costs of the Postal Service reasonably assignable to such class or type.

“(8) The degree of preparation of mail for delivery into the postal system performed by the mailer and its effect upon improving efficiency and reducing costs to the Postal Service.

“(9) Simplicity of structure for the entire schedule and simple, identifiable relationships between the rates or fees charged the various classes of mail for postal services.

“(10) The importance of pricing flexibility to encourage increased mail volume and operational efficiency.

“(11) The relative value to postal users of the kinds of mail matter entered into the postal system and the desirability and justification for special classifications and services of mail.

“(12) The importance of providing classifications with extremely high degrees of reliability and speed of delivery and of providing those that do not require high degrees of reliability and speed of delivery.

“(13) The desirability of special classifications for both postal users and the Postal Service in accordance with the policies of this title, including agreements between the Postal Service and postal users, when available on public and reasonable terms to similarly situated mailers, that—

“(A) improve the net financial position of the Postal Service by reducing Postal Service costs or increasing the overall contribution to the institutional costs of the Postal Service; and

“(B) do not cause—

(i) unfair competitive advantage for the Postal Service or postal users eligible for the agreements; or

(ii) unreasonable disruption to the volume or revenues of other postal users.

“(14) The educational, cultural, scientific, and informational value to the recipient of mail matter.

“(15) The need for the Postal Service to increase its efficiency and reduce its costs, including infrastructure costs, to help maintain high quality, affordable postal services.

“(16) The value to the Postal Service and postal users of promoting intelligent mail and of secure, sender-identified mail.

“(17) The importance of stability and predictability of rates to ratepayers.

“(18) The policies of this title as well as such other factors as the Commission determines appropriate.”

(3) REQUIREMENTS.—Section 3622(d) of title 39, United States Code, is amended—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (B) through (E) as subparagraphs (C) through (F), respectively;

(ii) in subparagraph (F) (as redesignated by clause (i)) by striking “subparagraphs (A) and (C)” and inserting “subparagraphs (A) and (D)”; and

(iii) by inserting after subparagraph (A) the following:

“(B) subject to paragraph (4), establish postal rates for each group of functionally equivalent agreements between the Postal Service and users of the mail that—

“(i) cover attributable cost;

“(ii) improve the net financial position of the Postal Service; and

“(iii) do not cause unreasonable disruption in the marketplace, consistent with subsection (c)(13)(B);”;

(B) by adding at the end the following:

“(4) GROUP OF FUNCTIONALLY EQUIVALENT AGREEMENTS DEFINED.—For purposes of paragraph (1)(B), a group of functionally equivalent agreements shall consist of all service agreements that are functionally equivalent to each other within the same market-dominant product, but shall not include agreements within an experimental product.”

(4) TECHNICAL AND CONFORMING AMENDMENTS.—Section 3622 of title 39, United States Code, is amended—

(A) in subsection (a), by striking “, within 18 months after the date of enactment of this section.”; and

(B) in subsection (d)(1)(D) (as redesignated by paragraph (3)(A)), by striking “(c)(10)” and inserting “(c)(13)”.

(b) USE OF NEGOTIATED SERVICE AGREEMENTS.—

(1) STREAMLINED REVIEW OF QUALIFYING SERVICE AGREEMENTS FOR COMPETITIVE PRODUCTS.—Section 3633 of title 39, United States Code, is amended by adding at the end the following:

“(c) STREAMLINED REVIEW.—Not later than 90 days after the date of enactment of this subsection, after notice and opportunity for comment, the Postal Regulatory Commission shall promulgate (and may from time to time thereafter revise) regulations for streamlined after-the-fact review of newly proposed agreements between the Postal Service and users of the mail that provide rates not of general applicability for competitive products. Streamlined review shall apply only if agreements are functionally equivalent to existing agreements that have collectively covered attributable costs and collectively improved the net financial position of the Postal Service. The regulations issued under this subsection shall provide that streamlined review shall be concluded not later than 5 business days after the date on which the agreement is filed with the Commission and shall be limited to approval or disapproval of the agreement as a whole based on the Commission’s determination of its functional equivalence. Agreements not approved may be resubmitted without prejudice under section 3632.”

(2) SUBMISSION OF SERVICE AGREEMENTS FOR STREAMLINED REVIEW.—Section 3632(b) of title 39, United States Code, is amended—

(A) by redesignating paragraph (4) as paragraph (5); and

(B) by inserting after paragraph (3) the following:

“(4) RATES FOR STREAMLINED REVIEW.—In the case of rates not of general applicability for competitive products that the Postal Service considers eligible for streamlined review under section 3633(c), the Postal Service shall cause the agreement to be filed with the Postal Regulatory Commission by a date that is on or before the effective date of any new rate established under the agreement, as the Postal Service considers appropriate.”

(3) TRANSPARENCY AND ACCOUNTABILITY FOR SERVICE AGREEMENTS.—

(A) CERTAIN INFORMATION REQUIRED TO BE INCLUDED IN DETERMINATIONS OF COMPLIANCE.—Section 3653 of title 39, United States Code, is amended—

(i) by redesignating subsections (c), (d), and (e) as subsections (d), (e), and (f), respectively; and

(ii) by inserting after subsection (b) the following:

“(c) WRITTEN DETERMINATION.—Each annual written determination of the Commission under this section shall include the following:

“(1) REQUIREMENTS.—For each group of functionally equivalent agreements between the Postal Service and users of the mail, whether such group fulfilled requirements to—

“(A) cover costs attributable; and

“(B) improve the net financial position of the Postal Service.

“(2) NONCOMPLIANCE.—Any group of functionally equivalent agreements not meeting the requirements under subparagraphs (A) and (B) of paragraph (1) shall be determined to be in noncompliance under this subsection.

“(3) DEFINITION.—For purposes of this subsection, a group of functionally equivalent agreements shall consist of 1 or more service agreements that are functionally equivalent to each other within the same market-dominant or competitive product, but shall not include agreements within an experimental product.”.

(B) TECHNICAL AMENDMENT.—Section 3653(d) of title 39, United States Code (as redesignated by subparagraph (A)), is amended by striking “subsections (c) and (e)” and inserting “subsections (c) and (d)”.

SEC. 943. NONPOSTAL SERVICES.

(a) NONPOSTAL SERVICES.—

(1) IN GENERAL.—Part IV of title 39, United States Code, is amended by inserting after chapter 36 the following:

“CHAPTER 37—NONPOSTAL SERVICES

“Sec.

“3701. Purpose.

“3702. Definitions.

“3703. Postal Service program for State governments.

“3704. Postal Service program for other Government agencies.

“3705. Transparency and accountability for nonpostal services.

“§ 3701. Purpose

“The purpose of this chapter is to enable the Postal Service to increase its net revenues through specific nonpostal products and services that are expressly authorized by this chapter. Postal Service revenues and expenses under this chapter shall be funded through the Postal Service Fund.

“§ 3702. Definitions

“In this chapter—

“(1) the term ‘attributable costs’ has the meaning given the term ‘costs attributable’ in section 3631;

“(2) the term ‘nonpostal service’ means a service offered by the Postal Service that—

“(A) is expressly authorized under this chapter; and

“(B) is not a postal product or service; and

“(3) the term ‘year’ means a fiscal year.

“§ 3703. Postal Service program for State governments

“(a) IN GENERAL.—Notwithstanding any other provision of this title, the Postal Service may establish a program to enter into agreements with an agency of any State government, local government, or tribal government to provide property and services on behalf of such agencies for non-commercial products and services (referred to in this section as the ‘program’), but only if such property and services—

“(1) provide enhanced value to the public, such as by lowering the cost or raising the quality of such services or by making such services more accessible;

“(2) do not interfere with or detract from the value of postal services, including—

“(A) the cost and efficiency of postal services; and

“(B) unreasonably restricting access to postal retail service, such as customer waiting time and access to parking; and

“(3) provide a reasonable contribution to the institutional costs of the Postal Service, defined as reimbursement that covers at least 100 percent of attributable costs of all property and services provided under each relevant agreement in each year.

“(b) PUBLIC NOTICE.—At least 90 days before offering a service under the program, the Postal Service shall make available to the public on its website—

“(1) the agreement with the agency regarding such service; and

“(2) a business plan that describes the specific service to be provided, the enhanced value to the public, terms of reimbursement,

the estimated annual reimbursement to the Postal Service, and the estimated percentage of attributable Postal Service costs that will be covered by reimbursement (with documentation to support the estimates).

“(c) PUBLIC COMMENT.—Before offering a service under the program, the Postal Service shall provide for a public comment period of at least 30 days that allows the public to post comments relating to the provision of such services on the Postal Service website. The Postal Service shall make reasonable efforts to provide written responses to the comments on such website at least 30 days before offering such services.

“(d) APPROVAL REQUIRED.—The Postal Service may not establish the program unless a majority of the Governors in office vote to approve the program by a recorded vote that is publicly disclosed on the Postal Service website.

“(e) APPLICATION OF REPORTING REQUIREMENTS.—For purposes of the reporting requirements under section 3705, the Postal Service shall submit a separate report for each agreement with an agency entered into under subsection (a) of this section analyzing the costs, revenues, rates, and quality of service for the provision of all services under such agreement, including information demonstrating that the agreement satisfies the requirements of paragraphs (1) through (3) of such subsection (a).

“(f) REGULATIONS REQUIRED.—The Postal Regulatory Commission shall issue such regulations as are necessary to carry out this section.

“(g) DEFINITIONS.—For the purpose of this section—

“(1) the term ‘local government’ means a county, municipality, city, town, township, local public authority, school district, special district, intrastate district, council of governments, or regional or interstate government entity;

“(2) the term ‘State government’ includes the government of the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States;

“(3) the term ‘tribal government’ means the government of an Indian tribe, as that term is defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304); and

“(4) the term ‘United States’, when used in a geographical sense, means the States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.

“(h) CONFIDENTIAL INFORMATION.—Subsection (b) or (c) shall not be construed as requiring the Postal Service to disclose to the public any information—

“(1) described in section 410(c); or

“(2) exempt from public disclosure under section 552(b) of title 5.

“§ 3704. Postal Service program for other Government agencies

“(a) IN GENERAL.—The Postal Service may establish a program to provide property and services to other Government agencies within the meaning of section 411, but only if the program provides a reasonable contribution to the institutional costs of the Postal Service, defined as reimbursement by each agency that covers at least 100 percent of the attributable costs of all property and service provided by the Postal Service in each year to such agency.

“(b) APPLICATION OF REPORTING REQUIREMENTS.—For purposes of the reporting re-

quirements under section 3705, the Postal Service shall submit a separate report for each agreement with an agency entered into under subsection (a) of this section analyzing the costs, revenues, rates, and quality of service for the provision of all services under such agreement, including information demonstrating that the agreement satisfies the requirements of such subsection (a).

“§ 3705. Transparency and accountability for nonpostal services

“(a) ANNUAL REPORT TO THE COMMISSION.—

“(1) IN GENERAL.—Not later than 90 days after the last day of each year, the Postal Service shall submit to the Postal Regulatory Commission a report that analyzes costs, revenues, rates, and quality of service for each agreement for the provision of property and services under this chapter, using such methodologies as the Commission may prescribe, and in sufficient detail to demonstrate compliance with the requirements of this chapter.

“(2) SUPPORTING MATTER.—A report submitted under paragraph (1) shall include any nonpublic annex, the working papers, and any other supporting matter of the Postal Service and the Inspector General related to the information submitted in such report.

“(b) CONTENT AND FORM OF REPORT.—

“(1) IN GENERAL.—The Postal Regulatory Commission shall, by regulation, prescribe the content and form of the report required under subsection (a). In prescribing such regulations, the Commission shall give due consideration to—

“(A) providing the public with timely, adequate information to assess compliance;

“(B) avoiding unnecessary or unwarranted administrative effort and expense on the part of the Postal Service; and

“(C) protecting the confidentiality of information that is commercially sensitive or is exempt from public disclosure under section 552(b) of title 5.

“(2) REVISED REQUIREMENTS.—The Commission may, on its own motion or on request of any interested party, initiate proceedings to improve the quality, accuracy, or completeness of Postal Service data required by the Commission if—

“(A) the attribution of costs or revenues to property or services under this chapter has become significantly inaccurate or can be significantly improved;

“(B) the quality of service data provided to the Commission for a report under this chapter has become significantly inaccurate or can be significantly improved; or

“(C) such revisions are, in the judgment of the Commission, otherwise necessitated by the public interest.

“(c) AUDITS.—The Inspector General shall regularly audit the data collection systems and procedures used in collecting information and preparing the report required under subsection (a). The results of any such audit shall be submitted to the Postal Service and the Postal Regulatory Commission.

“(d) CONFIDENTIAL INFORMATION.—

“(1) IN GENERAL.—If the Postal Service determines that any document or portion of a document, or other matter, which it provides to the Postal Regulatory Commission in a nonpublic annex under this section contains information that is described in section 410(c) or exempt from public disclosure under section 552(b) of title 5, the Postal Service shall, at the time of providing such matter to the Commission, notify the Commission of its determination, in writing, and describe with particularity the documents (or portions of documents) or other matter for which confidentiality is sought and the reasons therefor.

“(2) TREATMENT.—Any information or other matter described in paragraph (1) to

which the Commission gains access under this section shall be subject to paragraphs (2) and (3) of section 504(g) in the same manner as if the Commission had received notification with respect to such matter under section 504(g)(1).

“(e) ANNUAL COMPLIANCE DETERMINATION.—

“(1) OPPORTUNITY FOR PUBLIC COMMENT.—Upon receiving a report required under subsection (a), the Postal Regulatory Commission shall promptly—

“(A) provide an opportunity for comment on such report by any interested party; and

“(B) appoint an officer of the Commission to represent the interests of the general public.

“(2) DETERMINATION OF COMPLIANCE OR NONCOMPLIANCE.—Not later than 90 days after receiving a report required under subsection (a), the Postal Regulatory Commission shall make a written determination as to whether the nonpostal activities carried out during the applicable year were or were not in compliance with the provisions of this chapter. For purposes of this paragraph, any case in which the requirements for coverage of attributable costs have not been met shall be considered to be a case of noncompliance. If, with respect to a year, no instance of noncompliance is found to have occurred, the determination shall be to that effect. Such determination of noncompliance shall be included with the annual compliance determination required under section 3653.

“(3) NONCOMPLIANCE.—If a timely written determination of noncompliance is made under paragraph (2), the Postal Regulatory Commission shall take appropriate action. If the requirements for coverage of attributable costs specified by this chapter are not met, the Commission shall, within 60 days after the determination, prescribe remedial action to restore compliance as soon as practicable, including the full restoration of revenue shortfalls during the following year. The Commission may order the Postal Service to discontinue a nonpostal service under section 3703 that persistently fails to meet cost coverage requirements.

“(4) DELIBERATE NONCOMPLIANCE.—In the case of deliberate noncompliance by the Postal Service with the requirements of this chapter, the Postal Regulatory Commission may order, based on the nature, circumstances, extent, and seriousness of the noncompliance, a fine (in the amount specified by the Commission in its order) for each incidence of such noncompliance. All receipts from fines imposed under this subsection shall be deposited in the general fund of the Treasury.

“(f) REGULATIONS REQUIRED.—The Postal Regulatory Commission shall issue such regulations as are necessary to carry out this section.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part IV of title 39, United States Code, is amended by inserting after the item relating to chapter 36 the following:

“37. Nonpostal services 3701”.

(b) CONFORMING AMENDMENTS.—

(1) SECTION 404.—Section 404(e) of title 39, United States Code, is amended—

(A) in paragraph (2), by inserting after “subsection” the following: “, or any nonpostal products or services authorized by chapter 37”; and

(B) by adding at the end the following:

“(6) Licensing which, before the date of enactment of this paragraph, has been authorized by the Postal Regulatory Commission for continuation as a nonpostal service may not be used for any purpose other than—

“(A) to continue to provide licensed mailing, shipping, or stationery supplies offered as of June 23, 2011; or

“(B) to license other goods, products, or services, the primary purpose of which is to promote and enhance the image or brand of the Postal Service.

“(7) Nothing in this section shall be construed to prevent the Postal Service from establishing nonpostal products and services that are expressly authorized by chapter 37.”.

(2) SECTION 411.—The last sentence of section 411 of title 39, United States Code, is amended by striking “including reimbursability” and inserting “including reimbursability within the limitations of chapter 37”.

(3) TREATMENT OF EXISTING NONPOSTAL SERVICES.—All individual nonpostal services, provided directly or through licensing, that are continued pursuant to section 404(e) of title 39, United States Code, shall be considered to be expressly authorized by chapter 37 of such title (as added by subsection (a)(1)) and shall be subject to the requirements of such chapter.

SEC. 944. SHIPPING OF WINE, BEER, AND DISTILLED SPIRITS.

(a) MAILABILITY.—

(1) NONMAILABLE ARTICLES.—Section 1716(f) of title 18, United States Code, is amended by striking “mails” and inserting “mails, except to the extent that the mailing is allowable under section 3001(p) of title 39”.

(2) APPLICATION OF LAWS.—Section 1161 of title 18, United States Code, is amended by inserting “, and, with respect to the mailing of distilled spirits, wine, or malt beverages (as those terms are defined in section 117 of the Federal Alcohol Administration Act (27 U.S.C. 211)), is in conformity with section 3001(p) of title 39” after “Register”.

(b) REGULATIONS.—Section 3001 of title 39, United States Code, is amended by adding at the end the following:

“(p)(1) In this subsection, the terms ‘distilled spirits’, ‘wine’, and ‘malt beverage’ have the same meanings as in section 117 of the Federal Alcohol Administration Act (27 U.S.C. 211).

“(2) Distilled spirits, wine, or malt beverages shall be considered mailable if mailed—

“(A) in accordance with the laws and regulations of—

“(i) the State, territory, or district of the United States where the sender or duly authorized agent initiates the mailing; and

“(ii) the State, territory, or district of the United States where the addressee or duly authorized agent takes delivery; and

“(B) to an addressee who is at least 21 years of age—

“(i) who provides a signature and presents a valid, government-issued photo identification upon delivery; or

“(ii) the duly authorized agent of whom—

“(I) is at least 21 years of age; and

“(II) provides a signature and presents a valid, government-issued photo identification upon delivery.

“(3) The Postal Service shall prescribe such regulations as may be necessary to carry out this subsection.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the earlier of—

(1) the date on which the Postal Service issues regulations under section 3001(p) of title 39, United States Code, as amended by this section; and

(2) the date that is 120 days after the date of enactment of this Act.

(d) NO PREEMPTION OF STATE, LOCAL, OR TRIBAL LAWS PROHIBITING DELIVERIES, SHIPMENTS, OR SALES.—Nothing in this section, the amendments made by this section, or any regulation promulgated under this section or the amendments made by this section shall be construed to preempt, supersede, or

otherwise limit or restrict any State, local, or tribal law that prohibits or regulates the delivery, shipment, or sale of distilled spirits, wine, or malt beverages (as those terms are defined in section 117 of the Federal Alcohol Administration Act (27 U.S.C. 211)).

SEC. 945. EFFICIENT AND FLEXIBLE UNIVERSAL POSTAL SERVICE.

(a) CONDITIONS REGARDING DETERMINATIONS FOR POST OFFICE CLOSINGS.—Clause (i) of section 404(d)(2)(A) of title 39, United States Code, is amended to read as follows:

“(i) the effect of such closing or consolidation on the community served by such post office, including through an analysis of—

“(I) the distance (as measured by public roads) to the closest postal retail facility not proposed for closing or consolidation under the determination;

“(II) the characteristics of such location, including weather and terrain;

“(III) whether commercial mobile service (as defined in section 332 of the Communications Act of 1934) and commercial mobile data service (as defined in section 6001 of the Middle Class Tax Relief and Job Creation Act of 2012) are available in at least 80 percent of the total geographic area of the ZIP codes served by the postal retail facility proposed for closing or consolidation; and

“(IV) whether fixed broadband Internet access service is available to households in at least 80 percent of such geographic area at speeds not less than those sufficient for service to be considered broadband for purposes of the most recent report of the Federal Communications Commission under section 706 of the Telecommunications Act of 1996 (47 U.S.C. 1302);”.

(b) PRC REVIEW OF DETERMINATIONS TO CLOSE OR CONSOLIDATE A POST OFFICE.—

(1) DEADLINE FOR REVIEW.—Section 404(d)(5) of title 39, United States Code, is amended by striking “120 days” and inserting “60 days, or a longer period for good cause shown but in no event longer than 120 days.”.

(2) APPLICABILITY.—The amendment made by paragraph (1) shall not apply with respect to an appeal received by the Commission before the date of enactment of this Act (as determined by applying the rules set forth in section 404(d)(6) of such title).

(c) EXPEDITED PROCEDURES.—

(1) IN GENERAL.—Section 3661 of title 39, United States Code, is amended by adding at the end the following:

“(d)(1) The Commission shall issue its opinion within 90 days, or a longer period for good cause shown but in no event longer than 120 days, after the receipt of any proposal (as referred to in subsection (b)) concerning an identical or substantially identical proposal on which the Commission has issued an opinion within the preceding 5 years.

“(2) If necessary in order to comply with the 90-day requirement under paragraph (1), the Commission may apply expedited procedures which the Commission shall by regulation prescribe.”.

(2) REGULATIONS.—The Commission shall prescribe any regulations necessary to carry out the amendment made by paragraph (1) within 90 days after the date of enactment of this Act.

(3) APPLICABILITY.—The amendment made by this subsection shall apply with respect to any proposal received by the Commission on or after the earlier of—

(A) the date that is 90 days after the date of enactment of this Act; or

(B) the effective date of the regulations prescribed under paragraph (2).

(d) ALTERNATE POSTAL ACCESS CHOICE.—Section 404(d) of title 39, United States Code, is amended by striking paragraph (1) and inserting the following:

“(1) Prior to making a determination under subsection (a)(3) as to the necessity for the closing or consolidation of a post office—

“(A) the Postal Service shall provide adequate notice of its intention to close or consolidate the post office not later than 60 days before the proposed date of the closing or consolidation to postal patrons served by the post office;

“(B) the Postal Service shall conduct a nonbinding survey on the proposed closing or consolidation to allow postal patrons served by the post office an opportunity to indicate their preference between or among—

“(i) the closing or consolidation; and

“(ii) 1 or more alternative options; and

“(C) if the Postal Service determines that closing or consolidating the post office is necessary—

“(i) the Postal Service shall endeavor to provide alternative access to postal services to the postal patrons served by the post office by the option chosen by the highest number of survey respondents under subparagraph (B)(ii); and

“(ii) if the Postal Service is unable to provide alternative access through the option identified under clause (i), or if that option is cost prohibitive—

“(I) the Postal Service may provide alternative access through a different method; and

“(II) upon selecting an alternative access method other than the option identified under clause (i), the Postal Service shall provide written notice to the postal patrons served by the post office identifying the alternative access method and explaining why the option identified under clause (i) was not possible or was cost prohibitive.”

(e) **APPLICABILITY OF PROCEDURES RELATING TO CLOSINGS AND CONSOLIDATIONS.**—

(1) **IN GENERAL.**—Section 404(d) of title 39, United States Code, as amended by this section, is amended by adding at the end the following:

“(7) For purposes of this subsection, the term ‘post office’ means a post office and any other postal retail facility, as defined in section 903 of the Postal Service Reform Act of 2018.”

(2) **EFFECTIVE DATE.**—In the case of any post office, as defined in subsection (d) of section 404 of title 39, United States Code, as amended by paragraph (1), that, but for that amendment, would not otherwise be subject to such subsection (d), the amendments made by subsections (a) and (d) of this section shall be effective with respect to any closure or consolidation, the proposed effective date of which occurs on or after the date that is 60 days after the date of enactment of this Act.

(f) **ENHANCED REPORTING ON POSTAL SERVICE EFFICIENCY.**—Section 3652(a) of title 39, United States Code, is amended—

(1) in paragraph (1), by striking “and” at the end;

(2) in paragraph (2), by striking the period at the end and inserting “; and”; and

(3) by inserting after paragraph (2) the following:

“(3) which shall provide the overall change in Postal Service productivity and the resulting effect of such change on overall Postal Service costs during such year, using such methodologies as the Commission shall by regulation prescribe, if necessary.”

(g) **POSTPLAN STUDY.**—

(1) **IN GENERAL.**—Beginning not later than 30 days after the date of enactment of this Act, the Inspector General of the Postal Service shall conduct a 1-year review of the impacts of the POSTPlan post office restructuring plan on Postal Service expenses, revenue, and retail service provision.

(2) **CONTENT.**—In conducting the review under paragraph (1), the Inspector General shall examine—

(A) changes in the costs for the provision of Postal Service operated retail service, both nationwide and in the aggregate for each of the Level 2, Level 4, Level 6, and Level 18 post offices for which the hours, functions, or responsibilities changed as a result of the POSTPlan initiative before and after the implementation of the POSTPlan initiative;

(B) changes in revenue received by Postal Service operated retail service, both nationwide and in the aggregate for each of the Level 2, Level 4, Level 6, and Level 18 post offices for which the hours, functions, or responsibilities changed as a result of the POSTPlan initiative before and after the implementation of the POSTPlan initiative;

(C) a determination of the relative cost savings, taking into account any changes in revenue earned, realized on an annual basis for Level 2, Level 4, Level 6, and Level 18 offices each in the aggregate and any trends in such cost savings;

(D) the relative impact on retail access to postal services for individuals served by Level 2, Level 4, Level 6, and Level 18 offices each in the aggregate; and

(E) any other factors the Inspector General determines appropriate.

(3) **REPORT AND RECOMMENDATIONS.**—Upon completion of the review required under paragraph (1), the Inspector General shall submit to the Postal Service, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Government Reform of the House of Representatives a report containing—

(A) the results of the review; and

(B) any recommendations resulting from such review.

(4) **POSTAL SERVICE REVIEW.**—Prior to any hour changes or consolidation decisions related to POSTPlan initiative-impacted post offices, the Postal Service shall—

(A) review the report and any recommendations submitted pursuant to paragraph (3); and

(B) revise any planned efforts regarding the POSTPlan initiative, as appropriate.

SEC. 946. FAIR STAMP-EVIDENCING COMPETITION.

Section 404a(a) of title 39, United States Code, is amended—

(1) in paragraph (2), by striking “or” at the end;

(2) in paragraph (3), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(4) offer to the public any postage-evidencing product or service that does not comply with any rule or regulation that would be applicable to such product or service if the product or service were offered by a private company.”

SEC. 947. MARKET-DOMINANT RATES.

(a) **ESTABLISHMENT OF RATE BASELINE.**—Notwithstanding any order of the Commission to the contrary—

(1) not earlier than the first Sunday after the date of enactment of this Act, on a date selected by the Postmaster General in the exercise of the Postmaster General’s unreviewable discretion, the Postal Service shall reinstate, as nearly as is practicable, 50 percent of the rate surcharge implemented under section 3622(d)(1)(F) (as redesignated by this title) that was in effect on April 9, 2016; and

(2) the partially reinstated surcharge reinstated pursuant to paragraph (1) shall be considered a part of the rate base for purposes of determining the percentage changes in rates when the Postal Service files a notice of rate adjustment.

(b) **SUBSEQUENT RATE INCREASES.**—The reinstatement described under subsection (a)(1) may not affect the calculation of the Postal Service’s maximum rate adjustment authority under subpart C of part 3010 of title 39, Code of Federal Regulations (or any successor regulation), for purposes of any rate increase that occurs following such reinstatement.

(c) **COMMISSION REVIEW OF SYSTEM FOR REGULATING RATES AND CLASSES FOR MARKET-DOMINANT PRODUCTS.**—

(1) **DEFINITIONS.**—In this subsection—

(A) the term “initial rate regulation review” means the proceeding conducted under the order of the Commission entitled, “Statutory Review of the System for Regulating Market Dominant Rates and Classifications” (81 Fed. Reg. 9507 (December 20, 2016)); and

(B) the term “underwater product” means a market-dominant class, product, or type of mail service that does not bear the direct and indirect costs attributable to that class, product, or type of mail service under current costing procedures.

(2) **UNDERWATER PRODUCTS STUDY.**—Not later than 120 days after the date of enactment of this Act, the Commission, without delaying completion of the initial rate regulation review, shall begin a study, in conjunction with the Inspector General of the Postal Service and including notice and opportunity for public comment, to—

(A) determine whether and to what extent any market-dominant classes, products, or types of mail service are underwater products;

(B) quantify the impact of any operational decisions of the Postal Service on the direct and indirect costs attributable to any underwater products identified under subparagraph (A); and

(C) determine whether any operational decisions of the Postal Service have caused any direct or indirect costs to be inappropriately attributed to any underwater product identified under subparagraph (A).

(3) **ADDITIONAL CONSIDERATIONS.**—

(A) **IN GENERAL.**—Except as provided in paragraph (4), the Commission shall supplement and modify, as appropriate, the record of proceedings in the initial rate regulation review, taking into account the provisions of this title and the amendments made by this title, before making a determination to—

(i) modify the system for regulating rates and classes for market-dominant products established under section 3622 of title 39, United States Code; or

(ii) adopt an alternative system for regulating rates and classes for market-dominant products.

(B) **MINIMUM CONSIDERATIONS.**—In supplementing or modifying the record under subparagraph (A)—

(i) the Commission shall, at a minimum, recalculate the projected liabilities of the Postal Service by reason of the requirements under section 8903c(e) of title 5, United States Code (as added by section 921(a)(1) of this title) (requiring Medicare-eligible postal annuitants enrolled in the Postal Service Health Benefits Program to also enroll in Medicare); and

(ii) if the Commission determines that other provisions of this title or the amendments made by this title reduce liabilities or increase revenues of the Postal Service, the Commission shall incorporate those changes into the calculations of the Commission.

(C) **CONSIDERATION OF UNDERWATER PRODUCTS STUDY.**—After completing any supplementation and modification of the record under subparagraph (A) of this paragraph and quantifying the impact of operational decisions under paragraph (2)(B), the Commission shall—

(i) take into account the impact quantified under paragraph (2)(B) and modify, if appropriate, the record under subparagraph (A) of this paragraph;

(ii) incorporate the findings of the study under paragraph (2) into any subsequent adjustment to rates for underwater products identified under subparagraph (A) of that paragraph; and

(iii)(I) account for the cultural and informational value that underwater products identified under paragraph (2)(A) have to the mail; and

(II) recognize that—

(aa) the services provided by the Postal Service have changed over time; and

(bb) the timely delivery of the underwater products identified under paragraph (2)(A) impacts the overall value of those products.

(4) SUBSEQUENT REVIEW REQUIRED IF INITIAL REVIEW COMPLETED BEFORE ENACTMENT.—If, on or before the date of enactment of this Act, the Commission completes the initial rate regulation review, the Commission—

(A) shall determine whether to—

(i) further modify the system for regulating rates and classes for market-dominant products established under section 3622 of title 39, United States Code; or

(ii) adopt an alternative system for regulating rates and classes for market-dominant products; and

(B) in making the determination under subparagraph (A), shall—

(i) take into account the provisions of this title and the amendments made by this title;

(ii) comply with the requirements under clauses (i) and (ii) of paragraph (3)(B); and

(iii) take into account, and incorporate into any adjustment to rates for underwater products identified under subparagraph (A) of paragraph (2), the impact quantified under subparagraph (B) of that paragraph.

(5) APPLICATION OF NEW RATES TO UNDERWATER PRODUCTS.—

(A) IN GENERAL.—If the Commission modifies the system for regulating rates and classes for market-dominant products established under section 3622 of title 39, United States Code, or adopts an alternative system for regulating rates and classes for market-dominant products, the Commission—

(i) may not apply any new rates under the modified or alternative system to underwater products until the Commission has—

(I) completed the study under paragraph (2); and

(II) complied with subparagraph (C) of paragraph (3); and

(ii) in order to offer as many underwater products as possible for as long as possible, shall establish a process to gradually phase in the application of any new rates to underwater products.

(B) RETROACTIVE APPLICABILITY.—If, before the date of enactment of this Act, the Commission modifies the system for regulating rates and classes for market-dominant products established under section 3622 of title 39, United States Code, or adopts an alternative system for regulating rates and classes for market-dominant products, the Commission—

(i) shall, effective 90 days after the date of enactment of this Act, apply the rates for underwater products that were in effect on the day before the date on which the modified or alternative system took effect; and

(ii) before applying the rates under the modified or alternative system to underwater products, shall comply with subparagraph (A).

(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to affect the requirement under subsection (a) relating to reinstatement of the rate surcharge that was in effect on April 9, 2016, including with respect to underwater products.

(d) POSTAL REGULATORY COMMISSION AUTHORITY NOT AFFECTED.—Nothing in this section (other than subsection (c)) shall be construed as affecting the authority of the Commission to, by regulation, make such modification or adopt such alternative system for regulating rates and classes for market-dominant products as provided under section 3622 of title 39, United States Code.

SEC. 948. REVIEW OF POSTAL SERVICE COST ATTRIBUTION GUIDELINES.

Not later than April 1, 2020, the Commission shall initiate a review of the regulations issued pursuant to sections 3633(a) and 3652(a)(1) of title 39, United States Code, to determine whether revisions are appropriate to ensure that all direct and indirect costs attributable to competitive and market-dominant products are properly attributed to those products, including by considering the underlying methodologies in determining cost attribution and considering options to revise such methodologies. If the Commission determines, after notice and opportunity for public comment, that revisions are appropriate, the Commission shall make modifications or adopt alternative methodologies as necessary.

SEC. 949. AVIATION SECURITY FOR PARCELS.

Not later than 18 months after the date of enactment of this Act, the Inspector General of the Postal Service shall transmit to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate the results of a review of the security measures in place for parcels carried on air carriers to domestic and international destinations for which audit trails are generated. The review required under this subsection shall assess, at a minimum—

(1) the effectiveness of the audit trail created by postage evidencing systems that have been validated under the Federal Information Processing Standards in accurately and consistently identifying the senders of parcels carried on air carriers;

(2) the effectiveness of the Postal Service's in-person identity verification procedures in accurately and consistently identifying the senders of parcels carried on air carriers; and

(3) the effectiveness of the audit trail generated by customs declarations in accurately and consistently identifying the senders of parcels carried on air carriers to international destinations.

SEC. 950. LONG-TERM SOLVENCY PLAN; ANNUAL FINANCIAL PLAN AND BUDGET.

(a) DEFINITIONS.—In this section—

(1) the term “Board of Governors” means the Board of Governors of the Postal Service;

(2) the term “long-term solvency plan” means the plan required to be submitted by the Postmaster General under subsection (b)(1); and

(3) the term “solvency” means the ability of the Postal Service to pay debts and meet expenses, including the ability to perform maintenance and repairs, make investments, and maintain financial reserves, as necessary to fulfill the requirements under, and comply with the policies of, title 39, United States Code, and other obligations of the Postal Service.

(b) PLAN FOR THE LONG-TERM SOLVENCY OF THE POSTAL SERVICE.—

(1) SOLVENCY PLAN REQUIRED.—

(A) IN GENERAL.—Not later than the date described in subparagraph (B), the Postmaster General shall submit to the Board of Governors a plan describing the actions the Postal Service intends to take to achieve long-term solvency.

(B) DATE.—The date described in this subparagraph is the later of—

(i) the date that is 90 days after the date of enactment of this Act; and

(ii) the earliest date as of which the Board of Governors has the number of members required for a quorum.

(2) CONSIDERATIONS.—The long-term solvency plan shall take into account—

(A) the legal authority of the Postal Service;

(B) changes in the legal authority and responsibilities of the Postal Service under this title and the amendments made by this title;

(C) projected changes in mail volume;

(D) the impact of any regulations that the Postal Service is required to promulgate under Federal law;

(E) projected changes in the number of employees needed to carry out the responsibilities of the Postal Service;

(F) the long-term capital needs of the Postal Service, including the need to maintain, repair, and replace facilities and equipment; and

(G) the distinctions between market-dominant and competitive products.

(3) REVIEW AND SUBMISSION TO CONGRESS AND COMMISSION.—

(A) REVIEW.—Upon receipt of the long-term solvency plan, the Board of Governors shall review the long-term solvency plan and may request that the Postmaster General make changes to the long-term solvency plan.

(B) SUBMISSION TO CONGRESS AND COMMISSION.—Not later than 60 days after initial receipt of the long-term solvency plan, the Board of Governors shall provide a copy of the long-term solvency plan, together with a letter indicating whether and in what respects the Board of Governors agrees or disagrees with the measures set out in the long-term solvency plan, to—

(i) the Committee on Homeland Security and Governmental Affairs of the Senate;

(ii) the Committee on Oversight and Government Reform of the House of Representatives; and

(iii) the Commission.

(4) UPDATES.—

(A) ANNUAL UPDATES REQUIRED.—The Postmaster General shall update and submit to the Board of Governors the long-term solvency plan not less frequently than annually for 5 years after the date of enactment of this Act.

(B) REVIEW BY BOARD OF GOVERNORS.—The Board of Governors shall review and submit to Congress and the Commission the updates under this paragraph in accordance with paragraph (3).

(c) ANNUAL FINANCIAL PLAN AND BUDGET.—

(1) IN GENERAL.—For each of the first 5 full fiscal years after the date of enactment of this Act, not later than August 1 of the preceding fiscal year, the Postmaster General shall submit to the Board of Governors a financial plan and budget for the fiscal year that is consistent with the goal of achieving the long-term solvency of the Postal Service.

(2) CONTENTS OF FINANCIAL PLAN AND BUDGET.—The financial plan and budget for a fiscal year shall—

(A) promote the financial stability of the Postal Service and provide for progress towards the long-term solvency of the Postal Service;

(B) include the annual budget program of the Postal Service under section 2009 of title 39, United States Code, and the plan of the Postal Service commonly referred to as the “Integrated Financial Plan”;

(C) describe lump-sum expenditures by all categories traditionally used by the Postal Service;

(D) describe capital expenditures, together with a schedule of projected capital commitments and cash outlays of the Postal Service, and proposed sources of funding;

(E) contain estimates of overall debt (both outstanding and expected to be incurred);

(F) contain cash flow and liquidity forecasts for the Postal Service at such intervals as the Board of Governors may require;

(G) include a statement describing methods of estimations and significant assumptions;

(H) distinguish between market-dominant and competitive products, as practicable; and

(I) address any other issues that the Board of Governors considers appropriate.

(3) PROCESS FOR SUBMISSION AND APPROVAL OF FINANCIAL PLAN AND BUDGET.—

(A) DEFINITION.—In this paragraph, the term “covered recipient” means—

- (i) the Postmaster General;
- (ii) the President;
- (iii) the Committee on Homeland Security and Governmental Affairs of the Senate; and
- (iv) the Committee on Oversight and Government Reform of the House of Representatives.

(B) REVIEW BY THE BOARD OF GOVERNORS.—

(i) IN GENERAL.—Upon receipt of a financial plan and budget under paragraph (1), the Board of Governors shall promptly review the financial plan and budget.

(ii) ADDITIONAL INFORMATION.—In conducting the review under this subparagraph, the Board of Governors may request any additional information it considers necessary and appropriate to carry out the duties of the Board of Governors.

(C) APPROVAL OF FINANCIAL PLAN AND BUDGET SUBMITTED BY THE POSTMASTER GENERAL.—

If the Board of Governors determines that the financial plan and budget for a fiscal year received under paragraph (1) meets the requirements under paragraph (2) and otherwise adequately addresses the financial situation of the Postal Service—

(i) the Board of Governors shall approve the financial plan and budget and submit a notice of approval to each covered recipient; and

(ii) the Postmaster General shall submit the annual budget program for the relevant fiscal year to the Office of Management and Budget in accordance with section 2009 of title 39, United States Code.

(D) DISAPPROVAL OF FINANCIAL PLAN AND BUDGET SUBMITTED BY THE POSTMASTER GENERAL.—

(i) IN GENERAL.—If the Board of Governors determines that the financial plan and budget for a fiscal year under paragraph (1) does not meet the requirements under paragraph (2) or is otherwise inadequate in addressing the financial situation of the Postal Service, the Board of Governors shall—

(I) disapprove the financial plan and budget;

(II) submit to each covered recipient a statement that describes the reasons for the disapproval;

(III) direct the Postmaster General to appropriately revise the financial plan and budget for the Postal Service; and

(IV) submit the revised financial plan and budget to each covered recipient.

(ii) SUBMISSION TO OFFICE OF MANAGEMENT AND BUDGET.—Upon receipt of a revised financial plan and budget under clause (i)(IV), the Postmaster General shall submit the annual budget program for the relevant fiscal year to the Office of Management and Budget in accordance with section 2009 of title 39, United States Code.

(E) DEADLINE FOR TRANSMISSION OF FINANCIAL PLAN AND BUDGET BY BOARD OF GOVERNORS.—Notwithstanding any other provision of this paragraph, not later than September 30 of the fiscal year that precedes each fiscal year for which a financial plan and budget is required under paragraph (1), the Board of Governors shall submit to each covered recipient—

(i) a notice of approval under subparagraph (C)(i); or

(ii) an approved financial plan and budget for the fiscal year under subparagraph (D)(i)(IV).

(F) REVISIONS TO FINANCIAL PLAN AND BUDGET.—

(i) PERMITTING POSTMASTER GENERAL TO SUBMIT REVISIONS.—The Postmaster General may submit proposed revisions to the financial plan and budget for a fiscal year to the Board of Governors at any time during that fiscal year.

(ii) PROCESS FOR REVIEW, APPROVAL, DISAPPROVAL, AND POSTMASTER GENERAL ACTION.—The procedures described in subparagraphs (B) through (E) shall apply with respect to a proposed revision to a financial plan and budget in the same manner as such procedures apply with respect to the original financial plan and budget.

(d) ASSUMPTIONS BASED ON CURRENT LAW.—In preparing the long-term solvency plan or an annual financial plan and budget required under this section, the Postal Service shall base estimates of revenues and expenditures on Federal law as in effect at the time of the preparation of the long-term solvency plan or the financial plan and budget.

(e) THIRD-PARTY ANALYSIS OF POSTAL SERVICE FINANCES.—The Commission shall enter into a contract with 1 or more independent third parties under which the third party or parties, in not less than 2 years, shall—

(1) complete a study that analyzes—

- (A) the finances of the Postal Service;
- (B) the finances of, and business trends in, the overall mailing industry;
- (C) the demand for market-dominant and competitive products and services in rural, urban, and suburban communities; and
- (D) revenue changes and cost savings of the Postal Service attributable to recent—

(i) closings and consolidations of processing plants, post offices, and other facilities;

(ii) changes to service standards; and

(iii) service performance; and

(2) submit to the Commission a report on the study conducted under paragraph (1) that includes recommendations on affordable options and timetables for improving postal operations and services, including—

(A) how rural service measurement can be made more accurate to ensure that the Postal Service comprehensively measures the mail service provided to each region of the United States, regardless of population size and geographic location;

(B) the feasibility of restoring overnight service standards for market-dominant products similar to the service standards that were in effect on July 1, 2012, including an examination of the resources needed, structural and operational changes needed, and market demand for such a change; and

(C) recommended definitions for the terms “rural” and “urban” for purposes of measuring the performance of the Postal Service relative to service standards under section 3691 of title 39, United States Code, as amended by section 950 of this title.

SEC. 951. SERVICE STANDARDS, PERFORMANCE TARGETS, AND PERFORMANCE MEASUREMENTS.

(a) SERVICE STANDARDS, PERFORMANCE TARGETS, AND PERFORMANCE MEASUREMENTS.—

(1) IN GENERAL.—Section 3691 of title 39, United States Code, is amended to read as follows:

“§3691. Modern service standards, performance targets, and performance measurements

“(a) DEFINITIONS.—In this section—

“(1) the terms ‘Area’ and ‘District’ mean the administrative field units established

and given those designations by the Postal Service;

“(2) the term ‘Commission’ means the Postal Regulatory Commission;

“(3) the term ‘performance targets’ means the targets established by the Postal Service under subsection (e)(1)(A);

“(4) the terms ‘rural’ and ‘urban’ have the meanings given those terms under regulations promulgated by the Commission under subsection (e)(2)(A); and

“(5) the term ‘service standards’ means the service standards established by the Postal Service under subsection (b).

“(b) AUTHORITY GENERALLY.—

“(1) ESTABLISHMENT; REVISION.—The Postal Service shall by regulation establish (and may from time to time thereafter by regulation revise) a set of service standards for market-dominant products based on—

“(A) the finances of the Postal Service;

“(B) the ability of the Postal Service to meet the service standards; and

“(C) the ability of Postal Service customers to receive fair and reliable service.

“(2) NOTICE TO CONGRESS.—On the date on which the Postal Service requests an advisory opinion under section 3661 with respect to any regulation promulgated or revised under paragraph (1), the Postal Service shall notify Congress of the request and the proposed regulation or revision of a regulation.

“(c) OBJECTIVES.—The service standards shall be designed to achieve the following objectives:

“(1) To ensure that the Postal Service meets the universal service obligation, including the obligation to preserve regular and effective access to postal services in all communities, including those in rural areas or where post offices are not self-sustaining.

“(2) To enhance the value of postal services to both senders and recipients.

“(3) To assure Postal Service customers delivery reliability, speed, and frequency consistent with reasonable rates and best business practices.

“(4) To provide a system of objective performance measurements for each market-dominant product as a basis for measurement of Postal Service performance, in accordance with subsection (e).

“(d) FACTORS.—In establishing or revising the service standards, the Postal Service shall take into account—

“(1) the actual level of service that Postal Service customers receive under any service guidelines previously established by the Postal Service or service standards established under this section;

“(2) the degree of customer satisfaction with Postal Service performance in the acceptance, processing, and delivery of mail;

“(3) the needs of all Postal Service customers;

“(4) mail volume and revenues projected for future years;

“(5) the projected growth in the number of addresses the Postal Service will be required to serve in future years;

“(6) the current and projected future cost of serving Postal Service customers;

“(7) the effect of changes in technology, demographics, and population distribution on the efficient and reliable operation of the postal delivery system;

“(8) the financial status of the Postal Service, including the status of any accrued unfunded liabilities or obligations;

“(9) ensuring that the performance of the Postal Service is as strong as reasonably possible under the applicable circumstances, including the factors described in paragraphs (1) through (8); and

“(10) the policies of this title and such other factors as the Postal Service determines appropriate.

“(e) PERFORMANCE TARGETS, MEASUREMENTS, AND PUBLICATION.—

“(1) PERFORMANCE TARGETS.—

“(A) ESTABLISHMENT.—Each year, the Postal Service shall establish reasonable targets for performance to ensure that mail service for postal customers meets the service standards for market-dominant products.

“(B) COMPLIANCE DETERMINATION.—For purposes of section 3653(b)(2), the Commission shall evaluate the compliance of the Postal Service with the service standards for market-dominant products by reference to the performance targets.

“(2) PERFORMANCE MEASUREMENT.—

“(A) DEFINITIONS OF URBAN AND RURAL.—For purposes of measuring performance under the performance targets, the Commission, in consultation with the Postal Service—

“(i) shall promulgate regulations defining the terms—

“(I) rural; and

“(II) urban, which shall be defined by the Commission as any geographic area that is not defined as rural under subclause (I); and

“(ii) in defining the terms under clause (i), shall consider—

“(I) the recommendations of the report submitted to the Commission under section 950(e) of the Postal Service Reform Act of 2018;

“(II) existing definitions of those terms that are in use by the Postal Service, the Federal Government, and other sources; and

“(III) stakeholder input.

“(B) PERFORMANCE REPORTING.—

“(i) IN GENERAL.—The Postal Service shall measure and report to the Commission on the performance of the Postal Service with respect to market-dominant products on a nationwide, Area, and District basis based on the performance targets, taking into consideration the Commission’s opinion on any proposed target, and in a manner that reflects separate consideration of performance with respect to—

“(I) rural customers; and

“(II) urban customers.

“(ii) COMMISSION REVIEW.—The Commission shall review and comment upon the performance of the Postal Service as reported under clause (i).

“(3) PUBLICATION.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Postal Service shall publish on the website of the Postal Service the performance targets, the actual measurements under those targets, and the comments of the Commission under paragraph (2)—

“(i) covering a period designated by the Commission, the length of which shall be not less than 2 years; and

“(ii) categorized in accordance with that paragraph.

“(B) COMMERCIALLY SENSITIVE OR PROPRIETARY INFORMATION.—To the extent that the Postal Service considers any information required to be reported under subparagraph (A) to be commercially sensitive or proprietary in nature, the Commission shall determine the level of information that shall be publicly disclosed in accordance with section 504(g)(3)(A).

“(f) REVIEW UPON COMPLAINT.—The regulations promulgated pursuant to this section (and any revisions thereto), and any violations thereof, shall be subject to review upon complaint under sections 3662 and 3663.

“(g) NONCOMPLIANCE WITH PERFORMANCE TARGETS.—

“(1) IN GENERAL.—If the Postal Service fails to meet 1 or more performance targets—

“(A) subject to subparagraph (B), the Postal Service shall develop a plan to make specific operational corrections under the control of the Postal Service that will cause the

performance targets to be met as soon as is reasonably practicable, as determined by the Postal Service; and

“(B) if the Postal Service makes best efforts to develop a plan described in subparagraph (A) and determines that achieving compliance with the performance targets through such a plan would be impractical, would not be cost effective, and would not be in the best long-term interest of the Postal Service and its customers, the Postal Service shall make adjustments to the service standards or performance targets.

“(2) POSTAL SERVICE SUBMISSION OF PLAN.—Not later than 180 days after the date of non-compliance with a performance target, the Postal Service shall submit to the Commission—

“(A) the plan required under paragraph (1)(A); or

“(B) a report explaining why the Postal Service is making an adjustment described in paragraph (1)(B).

“(3) COMMISSION CONSIDERATION OF POSTAL SERVICE PLAN.—

“(A) IN GENERAL.—The Commission—

“(i) shall review each plan or report submitted by the Postal Service under paragraph (2); and

“(ii) may make such recommendations as the Commission considers appropriate.

“(B) POSTAL SERVICE RESPONSE.—If the Commission provides recommendations regarding a plan or report to the Postal Service under subparagraph (A)(ii), the Postal Service shall—

“(i) consider the recommendations; and

“(ii) not later than 90 days after the date on which the Postal Service receives the recommendations, submit a response to the Commission explaining the bases for any decision to accept or reject a recommendation.

“(4) POSTAL SERVICE IMPLEMENTATION OF PLAN.—After developing a plan under paragraph (1)(A), the Postal Service shall—

“(A) implement the plan; and

“(B) in each report provided under section 3652, discuss—

“(i) the implementation of the plan;

“(ii) the extent to which the Postal Service is improving performance to meet the performance targets; and

“(iii) if the performance targets subject to the plan are still not being met, whether—

“(I) the plan remains sufficient to achieve compliance within a reasonably practicable period of time, and is therefore being maintained;

“(II) the plan is being revised; or

“(III) the Postal Service has determined to make adjustments described in paragraph (1)(B) rather than continue with the plan.

“(5) COMMISSION REVIEW OF IMPLEMENTATION.—

“(A) IN GENERAL.—In making the determination required under section 3653, the Commission shall—

“(i) review the implementation of each plan developed under paragraph (1)(A); and

“(ii) make such recommendations as the Commission considers appropriate.

“(B) CONSIDERATION.—The Postal Service shall consider any recommendations under subparagraph (A)(ii) in the same manner as provided under paragraph (3).

“(h) PERIODIC REVIEW OF SERVICE STANDARDS.—The Commission shall periodically—

“(1) review the appropriateness of the service standards; and

“(2) submit to Congress and the Postal Service a report on the review conducted under paragraph (1).”

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 36 of title 39, United States Code, is amended by striking the item relating to section 3691 and inserting the following:

“3691. Modern service standards, performance targets, and performance measurements.”

(b) REVIEW OF NATIONWIDE SERVICE STANDARD CHANGES.—Section 3661 of title 39, United States Code, as amended by section 945 of this title, is amended by adding at the end the following:

“(e) CHANGES RELATING TO MARKET-DOMINANT PRODUCTS.—

“(1) INSPECTOR GENERAL REVIEW.—Upon a request by the Postal Service for an advisory opinion from the Commission under subsection (b) relating to a nationwide or substantially nationwide change in service standards for the delivery of market-dominant products, including when the Postal Service establishes new performance targets under section 3691(e), the Inspector General shall, not later than 90 days after the submission of the request—

“(A) conduct a review of the proposal to determine whether—

“(i) the Postal Service formulated the proposal based on accurate data;

“(ii) the Postal Service followed appropriate policies and procedures of the Postal Service in formulating the proposal; and

“(iii) the proposal prioritizes the needs of the postal customer; and

“(B) submit a report on the review conducted under subparagraph (A) to—

“(i) the Postal Service;

“(ii) the Commission;

“(iii) the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(iv) the Committee on Oversight and Government Reform of the House of Representatives.

“(2) COMMISSION REVIEW.—Not earlier than 30 days after the date on which the Inspector General submits a report on a proposal to the Commission under paragraph (1), the Commission shall issue its opinion on the proposal.”

(c) REPORT TO CONGRESS.—Not later than 180 days after the date on which the report is submitted to the Commission under section 950(e)(2) of this title, the Commission shall submit to Congress a report that includes—

(1) a determination as to whether the service standards for market-dominant products in effect on the day before the date of enactment of this Act achieve the objectives and factors set forth under section 3691 of title 39, United States Code, as amended by this section; and

(2) recommendations as to how delivery service to postal customers could be improved based on the financial condition of the Postal Service.

(d) TEMPORARY FLOOR FOR SERVICE STANDARDS.—The Postal Service may not revise the service standards for market-dominant products in effect on the day before the date of enactment of this Act in a manner that lengthens delivery times before the date on which the report is submitted to the Commission under section 950(e)(2) of this title.

SEC. 952. POSTAL SERVICE CHIEF INNOVATION OFFICER.

(a) IN GENERAL.—Chapter 2 of title 39, United States Code, is amended by adding at the end the following:

“§ 209. Chief Innovation Officer

“(a) IN GENERAL.—There is established within the Postal Service the position of Chief Innovation Officer, appointed by the Postmaster General, who shall manage the Postal Service’s development and implementation of innovative postal and nonpostal products and services.

“(b) DUTIES.—The primary duties of the Chief Innovation Officer are as follows:

“(1) Leading the development of innovative nonpostal products and services that will maximize revenue to the Postal Service.

“(2) Developing innovative postal products and services, specifically those that utilize emerging information technologies, to maximize revenue to the Postal Service.

“(3) Implementing the innovation strategy described under subsection (d).

“(4) Monitoring the performance of innovative products and services and revising them as needed to meet changing market trends.

“(5) Taking into consideration comments or advisory opinions, if applicable, issued by the Postal Regulatory Commission prior to the initial sale of innovative postal or non-postal products and services.

“(C) APPOINTMENT.—

“(1) DEADLINE.—As soon as practicable after the date of enactment of the Postal Service Reform Act of 2018, but not later than 6 months after such date, the Postmaster General shall appoint a Chief Innovation Officer.

“(2) REQUIREMENTS.—Any individual appointed to serve as the Chief Innovation Officer shall have proven expertise and a record of success in at least 1 of the following:

“(A) Postal and shipping industry.

“(B) Innovation product research and development.

“(C) Marketing brand strategy.

“(D) Emerging communications technology.

“(E) Business process management.

“(3) CURRENT OFFICER OR EMPLOYEE ELIGIBLE.—An officer or employee of the Postal Service may be appointed to the position of Chief Innovation Officer under this chapter. Upon appointment to such position, such officer or employee may not concurrently hold any other position in the Postal Service.

“(d) INNOVATION STRATEGY.—

“(1) IN GENERAL.—Not later than 12 months after the date on which the Chief Innovation Officer is appointed under subsection (c)(1), the Postmaster General shall submit to the Committee on Oversight and Government Reform of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Postal Regulatory Commission a comprehensive strategy for maximizing revenues through innovative postal and nonpostal products and services.

“(2) MATTERS TO BE ADDRESSED.—The strategy submitted under paragraph (1) shall address—

“(A) the specific innovative postal and nonpostal products and services to be developed and offered by the Postal Service, including the nature of the market to be filled by each product and service and the likely date by which each product and service will be introduced;

“(B) the cost of developing and offering each product or service;

“(C) the anticipated sales volume of each product and service;

“(D) the anticipated revenues and profits expected to be generated by each product and service;

“(E) the likelihood of success of each product and service as well as the risks associated with the development and sale of each product and service;

“(F) the trends anticipated in market conditions that may affect the success of each product and service over the 5-year period beginning on the date such strategy or update is submitted;

“(G) the metrics that will be utilized to assess the effectiveness of the innovation strategy; and

“(H) the specific methods by which mailpiece design analysis may be improved to speed the approval process and promote the increased use of innovative mailpiece design.

“(3) STRATEGY UPDATES.—On January 1, 2020, and every 3 years thereafter, the Postal

Service shall submit an update to the innovation strategy submitted under paragraph (1) to the Committee on Oversight and Government Reform of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Postal Regulatory Commission.

“(e) REPORT.—

“(1) IN GENERAL.—On the date of submission of the President's annual budget under section 1105(a) of title 31, the Postmaster General shall submit to the Committee on Oversight and Government Reform of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Postal Regulatory Commission a report that details the Postal Service's progress in implementing the innovation strategy described under subsection (d).

“(2) MATTERS TO BE ADDRESSED.—The report required under paragraph (1) shall address—

“(A) the revenue generated by each product and service developed through the innovation strategy and the costs of developing and offering each such product and service for the most recent fiscal year;

“(B) the total sales volume and revenue generated by each product and service on a monthly basis for the preceding year;

“(C) trends in the markets filled by each product and service;

“(D) products and services identified in the innovation strategy that are to be discontinued, the date on which the discontinuance will occur, and the reasons for the discontinuance;

“(E) alterations in products and services identified in the innovation strategy that will be made to meet changing market conditions, and an explanation of how these alterations will ensure the success of the products and services; and

“(F) the performance of the innovation strategy according to the metrics identified in subsection (d)(2)(G).

“(f) COMPTROLLER GENERAL STUDY.—

“(1) IN GENERAL.—The Comptroller General shall conduct a study on the implementation of the innovation strategy described under subsection (d) not later than 4 years after the date of enactment of the Postal Service Reform Act of 2018.

“(2) CONTENTS.—The study required under paragraph (1) shall assess the effectiveness of the Postal Service in identifying, developing, and selling innovative postal and nonpostal products and services. The study shall also include—

“(A) an audit of the costs of developing each innovative postal and nonpostal product and service developed or offered by the Postal Service during the period beginning on the date of enactment of the Postal Service Reform Act of 2018 and ending 4 years after such date;

“(B) the sales volume of each such product and service;

“(C) the revenues and profits generated by each such product and service; and

“(D) the likelihood of continued success of each such product and service.

“(3) SUBMISSION.—The results of the study required under this subsection shall be submitted to the Committee on Oversight and Government Reform of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Postal Regulatory Commission.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 2 of title 39, United States Code, is amended by adding at the end the following:

“209. Chief Innovation Officer.”.

SEC. 953. EMERGENCY SUSPENSIONS OF POST OFFICES.

(a) IN GENERAL.—Section 404 of title 39, United States Code, is amended by adding at the end the following:

“(f) EMERGENCY SUSPENSIONS.—

“(1) DEFINITIONS.—In this subsection—

“(A) the terms ‘alternate service’ and ‘temporary location’ include a location at which customers affected by an emergency suspension of a post office, or the expiration of the lease or rental agreement for a post office, may send and receive mail, which may include the provision and regular servicing of a Cluster Box Unit (commonly known as a ‘CBU’) by the Postal Service;

“(B) the term ‘discontinuance procedures’ means the procedures required for the discontinuance of a post office under subsection (d) and any regulations promulgated under that subsection;

“(C) the term ‘emergency suspension’ means the temporary suspension of retail operations at a post office, without following discontinuance procedures for the post office, because of—

“(i) a natural disaster;

“(ii) the termination of a lease or rental agreement by the lessor;

“(iii) a lack of qualified personnel to operate the post office;

“(iv) severe or irreparable damage to, or destruction of, the post office when alternate quarters acceptable to the Postal Service for use as a post office are not immediately available in the community;

“(v) a challenge to the sanctity of the mail; or

“(vi) a lack of adequate measures to safeguard the post office or its revenues; and

“(D) the term ‘post office’—

“(i) means a Post Office, as that term is defined in section 241.1 of title 39, Code of Federal Regulations, or any successor regulation; and

“(ii) includes a post office branch or post office station.

“(2) AUTHORITY.—The Postal Service may implement an emergency suspension of a post office in accordance with the requirements under paragraphs (3) through (7).

“(3) NOTIFICATION.—If the Postal Service implements an emergency suspension of a post office, the Postal Service shall provide immediate notice of the suspension to—

“(A) the relevant local, regional, State, and Federal officials, including—

“(i) each Member of Congress who represents the area in which the affected post office is located; and

“(ii) the chief executive of each relevant unit of local government; and

“(B) customers, notification to whom shall include—

“(i) the effective date of the suspension;

“(ii) the reason for the suspension;

“(iii) any alternate service available;

“(iv) the nearest postal retail facility (as defined in section 903 of the Postal Service Reform Act of 2018) and hours of service; and

“(v) the name and contact information of an individual to contact for more information.

“(4) ALTERNATE SERVICE.—If the Postal Service implements an emergency suspension of a post office, the Postal Service shall provide alternate drop-off, pick-up, and post office box services at 1 or more locations that are as close as feasible to the suspended post office.

“(5) EMPLOYEE REASSIGNMENT.—If the Postal Service implements an emergency suspension of a post office, the Postal Service shall temporarily reassign each employee of the post office in accordance with each applicable Federal statute, Federal regulation, and collective bargaining agreement.

“(6) SUSPENSION REVIEW.—

“(A) IN GENERAL.—Within a reasonable period of time after the date on which the Postal Service implements an emergency suspension of a post office, the Postal Service shall review the emergency suspension and determine whether to—

“(i) reopen the post office; or

“(ii) continue the emergency suspension.

“(B) REOPENING.—

“(i) NOTIFICATION.—If the Postal Service makes a determination under subparagraph (A) to reopen a post office, the Postal Service shall provide notice to the persons described in paragraph (3) of the date by which the Postal Service expects to reopen the post office.

“(ii) DELAY.—If the Postal Service does not reopen a post office by the date specified under clause (i), not later than the next business day after that date, the Postal Service shall provide notice of the delay to the persons described in paragraph (3), including a new date by which the Postal Service expects to reopen the post office, if such a date is known.

“(iii) SUBSEQUENT DELAYS.—If the Postal Service does not reopen a post office by a new date specified under clause (ii), the Postal Service shall provide to the persons described in paragraph (3) notice, and a new date in the same manner as under clause (ii) of this subparagraph, and shall continue to do so at regular intervals until the Postal Service reopens the post office or initiates discontinuance procedures for the post office.

“(C) CONTINUED SUSPENSION.—

“(i) IN GENERAL.—If the Postal Service makes a determination under subparagraph (A) to continue the emergency suspension of a post office, the Postal Service—

“(I) not later than 30 days after making the determination, shall—

“(aa) provide alternate services that are the same or substantially similar to the services provided at the suspended post office on a temporary basis at a location within a reasonable distance of the suspended post office, which may be at the nearest postal facility; and

“(bb)(AA) initiate discontinuance procedures for the post office;

“(BB) publish a plan to restore service to the affected community within a reasonable period of time; or

“(CC) provide notice to the persons described in paragraph (3) of the date on which the Postal Service expects to publish a plan to restore the same or substantially similar service to the affected community within a reasonable period of time; and

“(II) if the Postal Service elects to provide notice under subclause (I)(bb)(CC), shall, not later than 90 days after the date of the initial determination to implement the emergency suspension, publish the plan described in that subclause.

“(ii) DELAY IN RESTORATION OF SERVICE.—If the Postal Service publishes a plan to restore service to an affected community under subclause (I)(bb)(BB) or (II) of clause (i) and such service to the affected community is not restored within 180 days of the date on which the emergency suspension was implemented, the Postal Service shall—

“(I)(aa) publish notice of the continued suspension, including—

“(AA) a reason for the delay; and

“(BB) an anticipated date of restoration of service; and

“(bb) not later than 30 days after publishing the notice under item (aa), host a question-and-answer forum—

“(AA) that members of the community may attend, at a location accessible to the affected community; or

“(BB) in which members of the affected community may participate by teleconference or videoconference; or

“(II) initiate discontinuance procedures for the post office.

“(iii) 1-YEAR DELAY.—If, as of the date that is 1 year after the date on which an emergency suspension of a post office was implemented, service to the affected community has not been restored and the Postal Service has not initiated discontinuance procedures for the post office, the Postal Service—

“(I) shall publish notice of the continued suspension, including—

“(aa) a reason for the delay; and

“(bb) an anticipated date of restoration of such service;

“(II) shall host—

“(aa) not later than 30 days after publishing the notice under subclause (I), a second question-and-answer forum described in clause (ii)(I)(bb); and

“(bb) additional question-and-answer fora described in clause (ii)(I)(bb) every subsequent 180 days until—

“(AA) such service is restored; or

“(BB) the Postal Service initiates discontinuance procedures for the post office; and

“(III) if services similar to those that have not been restored are not located within a reasonable distance of the post office, not later than 60 days after the date that is 1 year after the date on which the emergency suspension was implemented, shall develop and publish a plan to provide essential services, including alternate retail and post office box services, on a temporary basis at a location within a reasonable distance of the suspended post office.

“(7) RESTORATION OF SERVICE.—Upon the restoration of service under paragraph (6)(C), the Postal Service shall immediately notify—

“(A) the affected community; and

“(B) the Headquarters Review Coordinator.

“(8) LEASE OR RENTAL AGREEMENT EXPIRATION.—

“(A) IN GENERAL.—

“(i) PROHIBITION ON EMERGENCY SUSPENSIONS.—The Postal Service may not implement an emergency suspension of a post office based on the expiration of the lease or rental agreement for the post office.

“(ii) ALTERNATIVE PROCESS.—The Postal Service shall establish an alternative process for the suspension of postal services to a community based on the expiration of a lease or rental agreement for a post office in accordance with subparagraphs (B) through (G) of this paragraph.

“(B) FAILURE TO REACH AGREEMENT.—If, as of 30 days before the expiration of a lease or rental agreement for a post office, the Postal Service does not expect to reach an agreement with the lessor to extend the lease or rental agreement or to sell the property to the Postal Service, the Postal Service shall—

“(i) notify the affected community of a possible disruption in service due to the possible expiration of the lease or rental agreement; and

“(ii) include in the notification under clause (i)—

“(I) the expiration date of the lease or rental agreement;

“(II) alternate services available if the lease or rental agreement expires;

“(III) the nearest post offices and hours of service; and

“(IV) the name, telephone number, and email address of an individual to contact for more information.

“(C) RESTORATION OF SERVICE.—Not later than 5 days after the date on which a lease or rental agreement for a post office expires, the Postal Service shall make best efforts to commence actions required to restore the

same or substantially similar service to the community in which the post office that was the subject of the expired lease or rental agreement is located.

“(D) FAILURE TO RESTORE SERVICE.—If, within 30 days after the expiration of a lease or rental agreement for a post office, the Postal Service is unable to restore service at the same location or at another location in the affected community, the Postal Service shall publish notice of intent to restore the same or substantially similar service to the affected community—

“(i) within a reasonable period of time; and

“(ii) in any event, not later than 180 days after the date on which the lease or rental agreement expired.

“(E) DELAY IN RESTORATION OF SERVICE.—If the Postal Service publishes notice of intent to restore the same or substantially similar service to an affected community under subparagraph (D) and such service to the affected community is not restored within 180 days of the date on which the lease or rental agreement for the post office expired, the Postal Service shall—

“(i) publish notice of the delay, including—

“(I) a reason for the delay; and

“(II) an anticipated date of restoration of such service; and

“(ii) within a reasonable period of time after publishing the notice under clause (i), host a question-and-answer forum—

“(I) that members of the community may attend, at a location accessible to the affected community; or

“(II) in which members of the affected community may participate by teleconference or videoconference.

“(F) FURTHER DELAYS IN RESTORATION OF SERVICE.—Upon the expiration of each 30-day period after the date on which the Postal Service publishes notice of a delay under subparagraph (E)(i), if the same or substantially similar service to the affected community has not been restored, the Postal Service shall publish an updated notice of the delay that includes the anticipated date of restoration of such service.

“(G) 1-YEAR DELAY.—If the same or substantially similar service to the affected community is not restored within 1 year of the date on which the lease or rental agreement for the post office expired, the Postal Service—

“(i) shall host—

“(I) a second question-and-answer forum described in subparagraph (E)(ii); and

“(II) additional question-and-answer fora described in subparagraph (E)(ii) in the affected community as determined necessary by the Postal Service until—

“(aa) such service is restored; or

“(bb) the Postal Service initiates discontinuance procedures for the post office; and

“(ii) if no alternate services are located within a reasonable distance of the post office, not later than 60 days after the date that is 1 year after the date on which the lease or rental agreement for the post office expired, shall develop and publish a plan to provide essential services, including alternate retail and post office box services, on a temporary basis at a location within a reasonable distance of the post office.”

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply to any emergency suspension of a post office that is implemented on or after the date that is 1 year after the date of enactment of this Act.

SEC. 954. MAILING ADDRESS REQUIREMENTS.

(a) IN GENERAL.—Subchapter VI of chapter 36 of title 39, United States Code, is amended by adding at the end the following:

“§ 3687. Mailing address requirements

“(a) DEFINITIONS.—In this section—

“(1) the term ‘municipality’ means a city, town, borough, county, parish, district, association, or other public entity established by, or pursuant to, applicable State law; and

“(2) the term ‘State’ means each of the several States, territories, and possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

“(b) REQUIREMENT FOR PHYSICAL AND MAILING ADDRESSES TO CORRESPOND.—The State and municipality used by the Postal Service for the delivery address for purposes of mail matter shall correspond with the State and municipality of the physical address of the location for the delivery of such mail matter.”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 36 of title 39, United States Code, is amended by inserting after the item relating to section 3686 the following:

“3687. Mailing address requirements.”

Subtitle C—Postal Contracting Reform
SEC. 961. CONTRACTING PROVISIONS.

(a) IN GENERAL.—Part I of title 39, United States Code, is amended by adding at the end the following:

“CHAPTER 7—CONTRACTING PROVISIONS

“Sec.

“701. Definitions.

“702. Delegation of contracting authority.

“703. Posting of noncompetitive purchase requests for noncompetitive contracts.

“704. Review of ethical issues.

“705. Ethical restrictions on participation in certain contracting activity.

“§ 701. Definitions

“In this chapter—

“(1) the term ‘contracting officer’ means an employee of a covered postal entity who has authority to enter into a postal contract;

“(2) the term ‘covered postal entity’ means—

“(A) the Postal Service; or

“(B) the Postal Regulatory Commission;

“(3) the term ‘head of a covered postal entity’ means—

“(A) in the case of the Postal Service, the Postmaster General; or

“(B) in the case of the Postal Regulatory Commission, the Chairman of the Postal Regulatory Commission;

“(4) the term ‘postal contract’ means—

“(A) in the case of the Postal Service, any contract (including any agreement or memorandum of understanding) entered into by the Postal Service for the procurement of goods or services; or

“(B) in the case of the Postal Regulatory Commission, any contract (including any agreement or memorandum of understanding) in an amount exceeding the simplified acquisition threshold (as defined in section 134 of title 41) entered into by the Postal Regulatory Commission for the procurement of goods or services; and

“(5) the term ‘senior procurement executive’ means the senior procurement executive of a covered postal entity.

“§ 702. Delegation of contracting authority

“(a) IN GENERAL.—

“(1) POLICY.—Not later than 60 days after the date of enactment of this chapter, the head of each covered postal entity shall issue a policy on contracting officer delegations of authority for postal contracts for the covered postal entity.

“(2) CONTENTS.—The policy issued under paragraph (1) shall require that—

“(A) notwithstanding any delegation of authority with respect to postal contracts, the ultimate responsibility and accountability for the award and administration of postal contracts resides with the senior procurement executive; and

“(B) a contracting officer shall maintain an awareness of, and engagement in, the activities being performed on postal contracts of which that officer has cognizance, notwithstanding any delegation of authority that may have been executed.

“(b) POSTING OF DELEGATIONS.—

“(1) IN GENERAL.—The head of each covered postal entity shall make any delegation of authority for postal contracts outside the functional contracting unit readily available and accessible on the website of the covered postal entity.

“(2) EFFECTIVE DATE.—This paragraph shall apply to any delegation of authority made on or after the date that is 30 days after the date of enactment of this chapter.

“§ 703. Posting of noncompetitive purchase requests for noncompetitive contracts

“(a) POSTING REQUIRED.—

“(1) POSTAL REGULATORY COMMISSION.—The Postal Regulatory Commission shall make the noncompetitive purchase request for any noncompetitive award for any contract (including any agreement or memorandum of understanding) entered into by the Postal Regulatory Commission for the procurement of goods and services in an amount of \$20,000 or more, including the rationale supporting the noncompetitive award, publicly available on the website of the Postal Regulatory Commission—

“(A) not later than 14 days after the date of the award of the noncompetitive contract; or

“(B) not later than 30 days after the date of the award of the noncompetitive contract, if the basis for the award was a compelling business interest.

“(2) POSTAL SERVICE.—The Postal Service shall make the noncompetitive purchase request for any noncompetitive award of a postal contract in an amount of \$250,000 or more, including the rationale supporting the noncompetitive award, publicly available on the website of the Postal Service—

“(A) not later than 14 days after the date of the award; or

“(B) not later than 30 days after the date of the award, if the basis for the award was a compelling business interest.

“(3) ADJUSTMENTS TO THE POSTING THRESHOLD.—

“(A) REVIEW AND DETERMINATION.—Not later than January 31 of each year, the Postal Service and the Postal Regulatory Commission shall—

“(i) review the applicable threshold established under paragraph (1) or (2); and

“(ii) based on any change in the Consumer Price Index for All Urban Consumers of the Department of Labor, determine whether an adjustment to the threshold shall be made.

“(B) AMOUNT OF ADJUSTMENTS.—An adjustment under subparagraph (A) shall be made in increments of \$5,000. If the covered postal entity determines that a change in the Consumer Price Index for a year would require an adjustment in an amount that is less than \$5,000, the covered postal entity may not make an adjustment to the threshold for the year.

“(4) EFFECTIVE DATE.—This subsection shall apply to any noncompetitive contract awarded on or after the date that is 90 days after the date of enactment of this chapter.

“(b) PUBLIC AVAILABILITY.—

“(1) IN GENERAL.—Subject to paragraph (2), the information required to be made publicly available by a covered postal entity under subsection (a) shall be readily accessible on the website of the covered postal entity.

“(2) PROTECTION OF PROPRIETARY INFORMATION.—A covered postal entity shall—

“(A) carefully screen any description of the rationale supporting a noncompetitive award required to be made publicly available under

subsection (a) to determine whether the description includes proprietary data (including any reference or citation to the proprietary data) or security-related information; and

“(B) remove any proprietary data or security-related information before making publicly available a description of the rationale supporting a noncompetitive award.

“(c) WAIVERS.—

“(1) WAIVER PERMITTED.—If the Postal Service determines that making a noncompetitive purchase request for a postal contract of the Postal Service under subsection (a)(2) publicly available would risk placing the Postal Service at a competitive disadvantage relative to a private sector competitor, the senior procurement executive, in consultation with the advocate for competition of the Postal Service, may waive the requirements under subsection (a).

“(2) FORM AND CONTENT OF WAIVER.—

“(A) FORM.—A waiver under paragraph (1) shall be in the form of a written determination placed in the file of the contract to which the noncompetitive purchase request relates.

“(B) CONTENT.—A waiver under paragraph (1) shall include—

“(i) a description of the risk associated with making the noncompetitive purchase request publicly available; and

“(ii) a statement that redaction of sensitive information in the noncompetitive purchase request would not be sufficient to protect the Postal Service from being placed at a competitive disadvantage relative to a private sector competitor.

“(3) DELEGATION OF WAIVER AUTHORITY.—The Postal Service may not delegate the authority to approve a waiver under paragraph (1) to any employee having less authority than the senior procurement executive.

“§ 704. Review of ethical issues

“If a contracting officer identifies any ethical issues relating to a proposed contract and submits those issues and that proposed contract to the designated ethics official for the covered postal entity before the awarding of that contract, that ethics official shall—

“(1) review the proposed contract; and

“(2) advise the contracting officer on the appropriate resolution of ethical issues.

“§ 705. Ethical restrictions on participation in certain contracting activity

“(a) DEFINITIONS.—In this section—

“(1) the term ‘covered employee’ means—

“(A) a contracting officer; or

“(B) any employee of a covered postal entity whose decisionmaking affects a postal contract as determined by regulations prescribed by the head of a covered postal entity;

“(2) the term ‘final conviction’ means a conviction entered by a court, regardless of whether such conviction was entered on a verdict or pursuant to a plea (including a plea of nolo contendere), and with regard to which no further appeal may be taken or is pending; and

“(3) the term ‘covered relationship’ means a covered relationship described in section 2635.502(b)(1) of title 5, Code of Federal Regulations, or any successor thereto.

“(b) IN GENERAL.—

“(1) REGULATIONS.—The head of each covered postal entity shall prescribe regulations that—

“(A) require a covered employee to include in the file of any noncompetitive purchase request for a noncompetitive postal contract a written certification that—

“(i) discloses any covered relationship of the covered employee; and

“(ii) states that the covered employee will not take any action with respect to the non-competitive purchase request that affects the financial interests of any person with which the covered employee has a covered relationship, or otherwise gives rise to an appearance of the use of public office for private gain, as described in section 2635.702 of title 5, Code of Federal Regulations, or any successor thereto;

“(B) require a contracting officer to consult with the ethics counsel for the covered postal entity regarding any disclosure made by a covered employee under subparagraph (A)(i), to determine whether participation by the covered employee in the noncompetitive purchase request would give rise to a violation of part 2635 of title 5, Code of Federal Regulations (commonly referred to as the Standards of Ethical Conduct for Employees of the Executive Branch), or any successor thereto;

“(C) require the ethics counsel for a covered postal entity to review any disclosure made by a contracting officer under subparagraph (A)(i) to determine whether participation by the contracting officer in the non-competitive purchase request would give rise to a violation of part 2635 of title 5, Code of Federal Regulations (commonly referred to as the Standards of Ethical Conduct for Employees of the Executive Branch), or any successor thereto;

“(D) under subsections (d) and (e) of section 2635.502 of title 5, Code of Federal Regulations, or any successor thereto, require the ethics counsel for a covered postal entity to—

“(i) authorize a covered employee that makes a disclosure under subparagraph (A)(i) to participate in the noncompetitive postal contract; or

“(ii) disqualify a covered employee that makes a disclosure under subparagraph (A)(i) from participating in the noncompetitive postal contract;

“(E) require a contractor to timely disclose to the contracting officer in a bid, solicitation, award, or performance of a postal contract any conflict of interest with a covered employee; and

“(F) include authority for the head of the covered postal entity to grant a waiver or otherwise mitigate any organizational or personal conflict of interest, if the head of the covered postal entity determines that the waiver or mitigation is in the best interests of the covered postal entity.

“(2) POSTING OF WAIVERS.—Not later than 30 days after the head of a covered postal entity grants a waiver described in paragraph (1)(F), the head of the covered postal entity shall make the waiver publicly available on the website of the covered postal entity.

“(c) CONTRACT VOIDANCE AND RECOVERY.—

“(1) UNLAWFUL CONDUCT.—In any case in which there is a final conviction for a violation of any provision of chapter 11 of title 18 relating to a postal contract, the head of a covered postal entity may—

“(A) void that contract; and

“(B) recover the amounts expended and property transferred by the covered postal entity under that contract.

“(2) OBTAINING OR DISCLOSING PROCUREMENT INFORMATION.—

“(A) IN GENERAL.—In any case in which a contractor under a postal contract fails to timely disclose a conflict of interest to the appropriate contracting officer as required under the regulations promulgated under subsection (b)(1)(E), the head of a covered postal entity may—

“(i) void that contract; and

“(ii) recover the amounts expended and property transferred by the covered postal entity under that contract.

“(B) CONVICTION OR ADMINISTRATIVE DETERMINATION.—A case described under subparagraph (A) is any case in which—

“(i) there is a final conviction for an offense punishable under section 2105 of title 41; or

“(ii) the head of a covered postal entity determines, based upon a preponderance of the evidence, that the contractor or someone acting for the contractor has engaged in conduct constituting an offense punishable under section 2105 of such title.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters at the beginning of part I is amended by adding at the end the following:

“7. Contracting Provisions 701”.
SEC. 962. TECHNICAL AMENDMENT TO DEFINITION.

Section 7101(8) of title 41, United States Code, is amended—

(1) by striking “and” at the end of subparagraph (C);

(2) by striking the period at the end of subparagraph (D) and inserting “; and”; and

(3) by adding at the end the following:

“(E) the United States Postal Service and the Postal Regulatory Commission.”.

Subtitle D—Postal Regulatory Commission, Inspector General, Related Provisions, and Miscellaneous

SEC. 981. POSTAL REGULATORY COMMISSION.

Section 502 of title 39, United States Code, is amended—

(1) in subsection (c), by striking “subsection (f)” and inserting “subsections (f) and (g)”; and

(2) by adding at the end the following:

“(g) A Commissioner may serve for not more than 2 full terms as a Commissioner.”.

SEC. 982. INSPECTOR GENERAL OF THE UNITED STATES POSTAL SERVICE AND THE POSTAL REGULATORY COMMISSION.

(a) APPOINTMENT OF INSPECTOR GENERAL OF THE UNITED STATES POSTAL SERVICE AND THE POSTAL REGULATORY COMMISSION BY PRESIDENT.—Section 8G of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking “the United States International Trade Commission, the Postal Regulatory Commission, and the United States Postal Service” and inserting “the United States International Trade Commission, and the United States Postal Service and the Postal Regulatory Commission”; and

(B) in paragraph (4), by striking subparagraph (B) and inserting the following:

“(B) with respect to the United States Postal Service and the Postal Regulatory Commission, such term, for purposes of oversight of—

“(i) the United States Postal Service, means the Governors (as defined in section 102(3) of title 39, United States Code); and

“(ii) the Postal Regulatory Commission, means the Chairman of the Postal Regulatory Commission;”;

(2) in subsection (d)(1), by inserting “or subsection (f)(3)” after “Except as provided in paragraph (2)”; and

(3) in subsection (f)—

(A) by striking paragraph (1) and inserting the following:

“(1)(A) There is established in the United States Postal Service the Office of the Inspector General of the United States Postal Service and the Postal Regulatory Commission.

“(B) There shall be at the head of the Office of the Inspector General of the United States Postal Service and the Postal Regulatory Commission an Inspector General (referred to in this subsection as the ‘Inspector General’) who shall be appointed by the President, by and with the advice and con-

sent of the Senate, without regard to political affiliation and solely on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations.

“(C) The Inspector General may be removed from office by the President. If the Inspector General is removed from office or is transferred to another position or location within the United States Postal Service, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer. Nothing in this subparagraph shall prohibit a personnel action otherwise authorized by law, other than transfer or removal.

“(D) For the purposes of section 7324 of title 5, United States Code, the Inspector General shall not be considered to be an employee who determines policies to be pursued by the United States in the nationwide administration of Federal laws.

“(E) The Inspector General shall have all of the authorities and responsibilities provided by this Act with respect to the Postal Regulatory Commission, as if the Postal Regulatory Commission were part of the United States Postal Service.”;

(B) in paragraph (2), by striking “of the United States Postal Service (hereinafter in this subsection referred to as the ‘Inspector General’)”;

(C) in paragraph (3)—

(i) in subparagraph (A)—

(I) in clause (i), in the matter preceding subclause (I), by inserting “relating to the United States Postal Service” before “which require access to sensitive information”; and

(II) in clause (iii), by striking “Committee on Governmental Affairs of the Senate” and inserting “Committee on Homeland Security and Governmental Affairs of the Senate”;

(ii) in subparagraph (B)(i), by inserting “and the Postal Regulatory Commission” after “United States Postal Service”; and

(iii) in subparagraph (C), by striking “Committee on Governmental Affairs of the Senate” and inserting “Committee on Homeland Security and Governmental Affairs of the Senate”;

(D) in paragraph (4), by adding at the end the following: “Nothing in this paragraph may be invoked by the United States Postal Service to restrict or limit any audit or investigation that the Inspector General considers appropriate.”; and

(E) in paragraph (6), by inserting “and the Postal Regulatory Commission” after “United States Postal Service”.

(b) INTERIM POWER OF INSPECTOR GENERAL OF THE UNITED STATES POSTAL SERVICE.—During the period beginning on the date of enactment of this Act and ending on the date on which the first individual is appointed as Inspector General of the United States Postal Service and the Postal Regulatory Commission after the date of enactment of this Act, the Inspector General of the United States Postal Service shall have all of the authorities and responsibilities provided by the Inspector General Act of 1978 (5 U.S.C. App.) with respect to the Postal Regulatory Commission on the day before the date of enactment of this Act, as if the Postal Regulatory Commission were part of the United States Postal Service.

(c) TRANSFER OF PERSONNEL.—

(1) OFFICE OF THE INSPECTOR GENERAL OF THE UNITED STATES POSTAL SERVICE.—The personnel employed in the Office of the Inspector General of the United States Postal Service are transferred to the Office of the Inspector General of the United States Postal Service and the Postal Regulatory Commission.

(2) OFFICE OF THE INSPECTOR GENERAL OF THE POSTAL REGULATORY COMMISSION.—The

personnel employed in the Office of the Inspector General of the Postal Regulatory Commission may be transferred to the other offices of the Postal Regulatory Commission.

(3) MODERN SERVICE AND PERFORMANCE STANDARDS.—Any unobligated amounts made available to carry out the functions of the Office of the Inspector General of the Postal Regulatory Commission before the date of enactment of this Act shall be used to establish and revise modern service standards and measure performance under section 3691 of title 39, United States Code, as amended by section 950(a) of this title.

(4) EFFECT.—During the 1-year period beginning on the date of enactment of this Act, any full-time or part-time employee who, on the day before such date of enactment, was employed in a permanent position in the Office of the Inspector General of the Postal Regulatory Commission, shall not be separated or reduced in grade or compensation because of the transfer under an amendment made by this section.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TITLE 39, UNITED STATES CODE.—Title 39, United States Code, is amended—

(A) in section 102(4), by striking “section 202(e) of this title” and inserting “section 8G(f)(1)(B) of the Inspector General Act of 1978 (5 U.S.C. App.)”;

(B) in section 202, by striking subsection (e);

(C) in section 504, by striking subsection (h);

(D) in section 1001(b), in the first sentence, by inserting “, and section 8G(f)(1)(B) of the Inspector General Act of 1978 (5 U.S.C. App.)” after “1001(c) of this title”;

(E) in section 1003(b), by striking “11(2)” and inserting “12(2)”;

(F) in section 1005(a)(3), by inserting “, and section 8G(f)(1)(B) of the Inspector General Act of 1978 (5 U.S.C. App.)” after “1001(c) of this title”;

(G) in section 2009, by inserting “and the Postal Regulatory Commission” after “United States Postal Service”; and

(H) in section 2011(h)(2)(D), by inserting “and the Postal Regulatory Commission” after “United States Postal Service”.

(2) OMNIBUS CONSOLIDATED APPROPRIATIONS ACT, 1997.—Section 662(d) of the Omnibus Consolidated Appropriations Act, 1997 (39 U.S.C. 2802 note) is amended—

(A) in paragraph (1)—

(i) in the paragraph heading, by inserting “AND THE POSTAL REGULATORY COMMISSION” after “POSTAL SERVICE”;

(ii) in subparagraph (A), by inserting “and the Postal Regulatory Commission” after “Postal Service”; and

(iii) in subparagraph (B)(i), by inserting “and the Postal Regulatory Commission” after “Postal Service”; and

(B) in the first sentence of paragraph (2), by inserting “and the Postal Regulatory Commission” after “Postal Service”.

(e) SAVINGS PROVISIONS.—

(1) SUITS.—The provisions of this title shall not affect suits commenced before the effective date of this title, and in all such suits, proceeding shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this title had not been enacted.

(2) NONABATEMENT OF ACTIONS.—No suit, action, or other proceeding commenced by or against the Inspector General of the United States Postal Service or the Inspector General of the Postal Regulatory Commission, or by or against any individual in the official capacity of such individual as an officer of the Office of the Inspector General of the United States Postal Service or the Office of the Inspector General of the Postal Regu-

latory Commission shall abate by reason of the enactment of this title.

(3) CONTINUANCE OF SUITS.—If, before the effective date of this title, the Office of the Inspector General of the United States Postal Service or the Office of the Inspector General of the Postal Regulatory Commission or officer thereof in the official capacity of such officer, is party to a suit, and under this title any function of the Office of the Inspector General of the United States Postal Service or the Office of the Inspector General of the Postal Regulatory Commission or officer is transferred to the Inspector General of the United States Postal Service and the Postal Regulatory Commission or any other official of the Office of the Inspector General of the United States Postal Service and the Postal Regulatory Commission, then such suit shall be continued with the Inspector General of the United States Postal Service and the Postal Regulatory Commission or other appropriate official of the Office of the Inspector General of the United States Postal Service and the Postal Regulatory Commission substituted or added as a party.

(f) APPLICABILITY.—

(1) IN GENERAL.—Except with respect to the amendment made by subsection (a)(1)(A) relating to the Postal Regulatory Commission and the amendment made by subsection (d)(1)(C), the amendments made by this section shall apply with respect to the first individual appointed as Inspector General of the United States Postal Service and the Postal Regulatory Commission after the date of enactment of this Act.

(2) RULE OF CONSTRUCTION.—Nothing in this title may be construed to alter the authority or the length of the term of the individual serving as Inspector General of the United States Postal Service on the date of enactment of this Act.

(g) REFERENCES IN THIS TITLE TO THE INSPECTOR GENERAL OF THE UNITED STATES POSTAL SERVICE.—On and after the date on which the first individual is appointed as Inspector General of the United States Postal Service and the Postal Regulatory Commission after the date of enactment of this Act, each reference in this title to the Inspector General of the Postal Service shall be deemed to be a reference to the Inspector General of the United States Postal Service and the Postal Regulatory Commission.

(h) RESOURCES FOR WASTE, FRAUD, AND ABUSE INVESTIGATIONS.—

(1) IN GENERAL.—Chapter 4 of title 39, United States Code, is amended by adding at the end the following:

“§ 417. Waste, fraud, and abuse investigations

“The Postal Service may transfer such resources to the Inspector General for waste, fraud, and abuse investigations as the Postal Service determines necessary.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 4 of title 39, United States Code, is amended by adding at the end the following:

“417. Waste, fraud, and abuse investigations.”.

SEC. 983. GAO REPORT ON FRAGMENTATION, OVERLAP, AND DUPLICATION IN FEDERAL PROGRAMS AND ACTIVITIES.

The Comptroller General of the United States shall include in the annual report to Congress required under section 21 of the Joint Resolution entitled “Joint Resolution increasing the statutory limit on the public debt”, approved February 12, 2010 (31 U.S.C. 712 note), that is applicable to the first year beginning after the date of enactment of this Act a review of the duplication of services and functions between the Office of the Inspector General of the Postal Service, the Postal Inspection Service, and any other Federal agency.

SA 3464. Mr. LEAHY (for himself, Ms. KLOBUCHAR, Mr. COONS, Ms. HIRONO, Mr. WARNER, Mr. REED) submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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. ____ In addition to amounts made available for the Election Assistance Commission, \$250,000,000 shall be made available for election security grants: *Provided*, That, of the unobligated balances available under the heading “Treasury Forfeiture Fund”, \$380,000,000 are hereby permanently rescinded not later than September 30, 2019.

SA 3465. Ms. HEITKAMP submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 VII of division C, insert the following:

SEC. ____ (a) The Secretary of Agriculture may provide debt forgiveness to an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) for a direct loan provided under the Community Facilities Direct Loan and Grant program under subpart A of part 1942 of title 7, Code of Federal Regulations (or successor regulations), if—

(1) the Indian tribe is designated as a Promise Zone under the Promise Zones Initiative; and

(2) the land of the Indian tribe is partly or wholly located in an area designated as a qualified opportunity zone under subchapter Z of chapter 1 of subtitle A of the Internal Revenue Code of 1986.

(b) Nothing in this section adversely affects the ability of an Indian tribe that receives debt forgiveness under subsection (a) to apply for or receive any other Federal loan.

SA 3466. Mr. MURPHY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 D, insert the following:

SEC. ____ (a) In this section—

(1) the term “covered State” means a State that administers a crumbling foundations assistance fund;

(2) the term “crumbling foundations assistance fund” means a fund established by a State the purpose of which is to receive public or private contributions to provide financial assistance to owners of residential buildings in the State to repair or replace the concrete foundations of those residential buildings that have deteriorated due to the presence of pyrrhotite;

(3) the term “residential building” means a 1-family, 2-family, 3-family or 4-family

dwelling, including a condominium unit or dwelling in a planned unit development; and

(4) the term “Secretary” means the Secretary of Housing and Urban Development.

(b) Not later than 90 days after the date of enactment of this Act, the Secretary shall establish and implement a program to make grants to covered States to assist owners of residential buildings with concrete foundations that have deteriorated due to the presence of pyrrhotite.

(c) A covered State desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

(d) A covered State receiving a grant under this section shall deposit any grant amounts into the crumbling foundations assistance fund of the State for the purpose of carrying out the activities described in subsection (e).

(e) A covered State receiving a grant under this section shall—

(1) develop a single, unified application for owners of residential buildings to apply for all financial assistance from the crumbling foundations assistance fund of the covered State;

(2) provide financial assistance to approved owners of residential buildings for the repair or replacement of concrete foundations that have deteriorated due to the presence of pyrrhotite, including financial reimbursement to owners who have had such repair or replacement performed before the date of enactment of this Act;

(3) assist approved owners of residential buildings to obtain additional financing necessary to fully fund the repair or replacement of concrete foundations that have deteriorated due to the presence of pyrrhotite;

(4) approve contractors or other vendors for eligibility to perform foundation repairs or replacements on behalf of approved owners;

(5) ensure that the financial assistance is used solely for costs of repairing and replacing concrete foundations that have deteriorated due to the presence of pyrrhotite; and

(6) require the disclosure of the amount of all financial compensation received by an owner of the residential building, if any, arising out of a claim for coverage under the property coverage provisions of the homeowners policy for foundation deterioration due to the presence of pyrrhotite and ensure that the amount is considered when determining the amount of financial assistance offered to the owner.

(f)(1) Each grant awarded to a covered State under this section in a fiscal year shall be in an amount of not more than \$20,000,000.

(2) A grant awarded under this section shall be for a period of 5 years.

(g) The Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives an annual report on the grant program established under this section, including a summary of the use of funds by covered States receiving a grant under this section.

SA 3467. Mr. MURPHY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

In the matter under the heading “SALARIES AND EXPENSES” under the heading “DEPARTMENTAL OFFICES” under the heading “DE-

PARTMENT OF THE TREASURY” in title I of division B, strike paragraphs (2) and (3) and insert the following:

(2) not to exceed \$258,000 is for unforeseen emergencies of a confidential nature to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on the Secretary’s certificate;

(3) not to exceed \$24,000,000 shall remain available until September 30, 2020, for—

(A) the Treasury-wide Financial Statement Audit and Internal Control Program;

(B) information technology modernization requirements;

(C) the audit, oversight, and administration of the Gulf Coast Restoration Trust Fund;

(D) the development and implementation of programs within the Office of Critical Infrastructure Protection and Compliance Policy, including entering into cooperative agreements;

(E) operations and maintenance of facilities; and

(F) international operations; and

(4) not to exceed \$100,000 is for a study, led by the Secretary of the Treasury, in consultation with relevant regulators, that—

(A) examines the financial impact of the mineral pyrrhotite in concrete home foundations; and

(B) provides recommendations on regulatory and legislative actions needed to help mitigate the financial impact described in subparagraph (A) on banks, mortgage lenders, tax revenues, and homeowners.

SA 3468. Mr. MURPHY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 21, line 23, insert after “2020;” the following: “of which \$100,000 shall be made available to the United States Geological Survey Mineral Resources Program for the development of a map depicting pyrrhotite occurrences throughout the United States;”.

SA 3469. Mr. MARKEY (for himself, Mr. MERKLEY, Mr. CARPER, Mr. BOOKER, Mr. MENENDEZ, Mr. REED, Mr. WHITEHOUSE, Mr. WYDEN, Ms. HASSAN, Mrs. SHAHEEN, Mr. VAN HOLLEN, Mr. NELSON, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 I, add the following:

SAFETY IN OFFSHORE DRILLING ACTIVITIES

SEC. 117. None of the funds made available by this or any other Act may be used to carry out a termination or diminishment of effectiveness of any rule or rulemaking, if the termination or diminishment of effectiveness would reduce safety in offshore drilling activities.

SA 3470. Mr. MARKEY (for himself, Mr. MERKLEY, Mr. CARPER, Mr. BOOKER, Mr. MENENDEZ, Mr. REED, Mr.

WHITEHOUSE, Mr. WYDEN, Ms. HASSAN, Mrs. SHAHEEN, Mr. VAN HOLLEN, and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 I, add the following:

PROPOSED OIL AND GAS LEASING PROGRAMS

SEC. 117. None of the funds made available by this or any other Act may be used by the Secretary of the Interior—

(1) to approve or carry out the 2019–2024 National Outer Continental Shelf Oil and Gas Leasing Draft Proposed Program issued by the Secretary of the Interior in January 2018 under section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344); or

(2) to prepare, approve, or carry out any other proposed oil and gas leasing program under that section that would open up new areas of the outer Continental Shelf to oil and gas exploration, development, production, or leasing.

SA 3471. Mr. WYDEN (for himself, Mr. RISCH, Mr. CRAPO, and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 D, insert the following:

SEC. 1. Section 3112(c) of title 49, United States Code, is amended—

(1) in the subsection heading, by striking “AND KANSAS” and inserting “KANSAS, AND OREGON”;

(2) in paragraph (4), by striking “and” at the end;

(3) in paragraph (5), by striking “state.” and inserting “State; and”; and

(4) by adding at the end the following:

“(6) Oregon may allow the operation of a truck tractor and 2 property-carrying units not in actual lawful operation on a regular or periodic basis on June 1, 1991, if—

“(A) the length of the property-carrying units does not exceed 82 feet 8 inches;

“(B) the combination is used only to transport sugar beets; and

“(C) the operation occurs on United States Route 20, United States Route 26, United States Route 30, or Oregon Route 201 in the vicinity, or between any, of—

“(i) Vale, Oregon;

“(ii) Ontario, Oregon; or

“(iii) Nyssa, Oregon.”.

SA 3472. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 A, insert the following:

SEC. 1. Section 6(d)(2)(A) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(d)(2)(A)) is amended—

(1) in clause (i), by striking “and” at the end;

(2) in clause (ii), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(iii) any new information (within the meaning of subsection (b) of section 402.16 of title 50, Code of Federal Regulations (or a successor regulation)).”.

SA 3473. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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. ____ For businesses and residents impacted by a major disaster declared by the President under section 401 of Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) in 2018 with respect to a volcano eruption or related earthquakes, the Administrator of the Small Business Administration shall extend the application deadline—

(1) for physical damage disaster loans under section 7(b)(1)(A) of the Small Business Act (15 U.S.C. 636(b)(1)(A)) to 60 days following the date on which the property damage occurred; and

(2) for economic injury disaster loans under section 7(b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)) on a case-by-case basis, taking into account the ongoing nature of the major disaster.

SA 3474. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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. ____ NATIONAL GUARD AND RESERVE ENTREPRENEURSHIP SUPPORTS.

(a) **SHORT TITLE.**—This section may be cited as the “National Guard and Reserve Entrepreneurship Support Act”.

(b) **EXTENSION OF LOAN ASSISTANCE AND DEFERRAL ELIGIBILITY TO RESERVISTS BEYOND PERIODS OF MILITARY CONFLICT.**—

(1) **SMALL BUSINESS ACT AMENDMENTS.**—Section 7 of the Small Business Act (15 U.S.C. 636) is amended—

(A) in subsection (b)(3)—

(i) in subparagraph (A)—

(I) by striking clause (ii);

(II) by redesignating clause (i) as clause (ii);

(III) by inserting before clause (ii), as so redesignated, the following:

“(i) the term ‘active service’ has the meaning given that term in section 101(d)(3) of title 10, United States Code;”;

(IV) in clause (ii), as so redesignated, by adding “and” at the end;

(ii) in subparagraph (B), by striking “being ordered to active military duty during a period of military conflict” and inserting “being ordered to perform active service for a period of more than 30 consecutive days”;

(iii) in subparagraph (C), by striking “active duty” each place it appears and inserting “active service”; and

(iv) in subparagraph (G)(ii)(II), by striking “active duty” and inserting “active service”; and

(B) in subsection (n)—

(i) in the subsection heading, by striking “ACTIVE DUTY” and inserting “ACTIVE SERVICE”;

(ii) in paragraph (1)—

(I) by striking subparagraph (C);

(II) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively;

(III) by inserting before subparagraph (B), as so redesignated, the following:

“(A) **ACTIVE SERVICE.**—The term ‘active service’ has the meaning given that term in section 101(d)(3) of title 10, United States Code.”;

(IV) in subparagraph (B), as so redesignated, by striking “ordered to active duty during a period of military conflict” and inserting “ordered to perform active service for a period of more than 30 consecutive days”; and

(V) in subparagraph (D), by striking “active duty” each place it appears and inserting “active service”; and

(iii) in paragraph (2)(B), by striking “active duty” each place it appears and inserting “active service”.

(2) **APPLICABILITY.**—The amendments made by paragraph (1)(A) shall apply to an economic injury suffered or likely to be suffered as the result of an essential employee being ordered to perform active service (as defined in section 101(d)(3) of title 10, United States Code) for a period of more than 30 consecutive days who is discharged or released from such active service on or after the date of enactment of this Act.

(3) **SEMIANNUAL REPORT.**—Not later than 180 days after the date of enactment of this Act, and semiannually thereafter, the President shall submit to the Committee on Small Business and Entrepreneurship and the Committee on Appropriations of the Senate and the Committee on Small Business and the Committee on Appropriations of the House of Representatives a report on the number of loans made under the Military Reservist Economic Injury Disaster Loan program and the dollar volume of those loans. The report shall contain the subsidy rate of the disaster loan program as authorized under section 7(b) of the Small Business Act (15 U.S.C. 636(b)) with the loans made under the Military Reservist Economic Injury Disaster Loan program and without those loans included.

(4) **TECHNICAL AND CONFORMING AMENDMENT.**—Section 8(1) of the Small Business Act (15 U.S.C. 637(1)) is amended—

(A) by striking “The Administration” and inserting the following:

“(1) **IN GENERAL.**—The Administration”;

(B) by striking “(as defined in section 7(n)(1))”; and

(C) by adding at the end the following:

“(2) **DEFINITION OF PERIOD OF MILITARY CONFLICT.**—In this subsection, the term ‘period of military conflict’ means—

“(A) a period of war declared by the Congress;

“(B) a period of national emergency declared by the Congress or by the President; or

“(C) a period of a contingency operation, as defined in section 101(a) of title 10, United States Code.”.

(c) **NATIONAL GUARD AND RESERVE DEPLOYMENT SUPPORT AND BUSINESS TRAINING PROGRAM.**—

(1) **EXPANSION OF SMALL BUSINESS ADMINISTRATION OUTREACH PROGRAMS.**—Section 8(b)(17) of the Small Business Act (15 U.S.C. 637(b)(17)) is amended by striking “and members of a reserve component of the Armed Forces” and inserting “members of a reserve component of the Armed Forces, and the spouses of veterans and members of a reserve component of the Armed Forces”.

(2) **ESTABLISHMENT OF PROGRAM.**—Section 32 of the Small Business Act (15 U.S.C. 657) is amended by adding at the end the following: “(g) **NATIONAL GUARD AND RESERVE DEPLOYMENT SUPPORT AND BUSINESS TRAINING.**—

“(1) **IN GENERAL.**—In making grants carried out under section 8(b)(17), the Associate Administrator shall establish a program, to be known as the ‘National Guard and Reserve Deployment Support and Business Training Program’, to provide training, counseling and other assistance to support members of a reserve component of the Armed Forces and their spouses.

“(2) **AUTHORITIES.**—In carrying out this subsection, the Associate Administrator may—

“(A) modify programs and resources made available through section 8(b)(17) to provide pre-deployment and other information specific to members of a reserve component of the Armed Forces and their spouses;

“(B) collaborate with the Chief of the National Guard Bureau or the Chief’s designee, State Adjunct Generals or their designees, and other public and private partners; and

“(C) provide training, information and other resources to the Chief of the National Guard Bureau or the Chief’s designee and State Adjunct Generals or their designees for the purpose of supporting members of a reserve component of the Armed Forces and the spouses of veterans and members of a reserve component of the Armed Forces.”.

SA 3475. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 223, between lines 2 and 3, insert the following

SEC. 527. Not later than 90 days after the date of enactment of this Act, the Administrator of General Services shall submit to Congress a report that describes the ways in which the General Services Administration ensures equal public access to Federal buildings in the New England region, including—

(1) an analysis of each occasion during the 18-month period ending on the date of enactment of this Act in which a Federal agency has limited, prevented, or permanently denied access to a Federal building in the region to any individual or group;

(2) a description of the 1 or more specific justifications of the applicable Federal agency with respect to each limitation, prevention, or denial of access analyzed under paragraph (1); and

(3) an analysis of whether each justification described under paragraph (2) complies with Federal law (including regulations).

SA 3476. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 D, insert the following:

SEC. ____ (a) The Secretary of Housing and Urban Development shall continue to engage in efforts authorized by the Violence Against

Women Reauthorization Act of 2013 (Public Law 113-4; 127 Stat. 54) to ensure that survivors of domestic violence and sexual assault are not unlawfully evicted or denied housing by certain landlords based on their experience as survivors.

(b) Not later than 180 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall submit to Congress a report on the efforts described in subsection (a).

SA 3477. Mr. WICKER submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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) None of the funds made available under this Act for the Mobility Fund Phase II auction may be used to conduct such an auction until the Federal Communications Commission completes a rulemaking that reassesses the data collection procedures that were used to develop the initial eligible areas map for Mobility Fund Phase II, including by examining whether different factors should be used to create a more accurate map that lessens the burden on persons engaging in the challenge process.

(b) For purposes of this section—
(1) the term “challenge process” means the process established by the Federal Communications Commission under which a person may challenge the initial determination that an area is ineligible for universal service support provided under Mobility Fund Phase II; and

(2) the term “Mobility Fund Phase II” means the second phase of the proceeding to provide universal service support from the Mobility Fund (WC Docket No. 10-90; WT Docket No. 10-208).

SA 3478. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 VII of division C, insert the following:

SEC. _____. Notwithstanding any other provision of law, the City of Sand Springs, Oklahoma, shall be eligible for loans and grants provided under the rural community advancement program under subtitle E of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009 et seq.).

SA 3479. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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) In this section—
(1) the terms “depository institution” and “State” have the meanings given those

terms in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813); and

(2) the term “major disaster” has the meaning given the term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(b)(1) Not later than 15 days after the date on which a designated point of contact within the Federal Deposit Insurance Corporation receives notice from the President or the Governor of a State that the President has declared a major disaster under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) or the Governor has declared a state of disaster for all or part of that State, as applicable, the Federal Deposit Insurance Corporation shall issue guidance to depository institutions located in the area for which the President declared the major disaster or the Governor declared a state of disaster, as applicable, for reducing regulatory burdens for borrowers and communities in order to facilitate recovery from the disaster.

(2) The guidance issued under paragraph (1) shall include instructions from the Federal Deposit Insurance Corporation consistent with existing flexibility for a major disaster declared under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

(c) Not later than 180 days of the date of enactment of this Act, the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the National Credit Union Administration shall jointly issue guidance for depository institutions affected by a state of disaster that is comparable to the guidance issued by those entities in December 2017 entitled “Interagency Supervisory Examiner Guidance for Institutions Affected by a Major Disaster”.

SA 3480. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 D, insert the following:

SEC. 1 _____. The Secretary of Transportation shall consult with the Assistant Secretary of the Army for Civil Works to identify any existing authorities and any additional authorities that may be needed to leverage funds from Department of Transportation programs for purposes of inland waterway project costs.

SA 3481. Mr. GARDNER (for himself and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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. _____. None of the funds made available by this Act may be used by any Department or agency to carry out activities that prevent or interfere with the implementation of State laws that authorize the use, distribution, possession, or cultivation of marijuana, unless such activities directly implicate 1 or more of the Federal enforce-

ment priorities described in the memoranda by James M. Cole, entitled “Guidance Regarding Marijuana Enforcement” dated August 29, 2013, and entitled “Guidance Regarding Marijuana Financial Crimes” dated February 14, 2014.

SA 3482. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, line 5, insert after “2022” the following: “, of which not less than \$500,000 shall be made available for wood utilization research to develop woody and agricultural biomass conversion of low-value woody biomass using microwave-assisted liquefaction”.

SA 3483. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 IV of division A, add the following:

PROHIBITION OF FUNDS TO CLOSE THE SOUTHERN RESEARCH STATION ALEXANDRIA FORESTRY CENTER

SEC. 43 _____. (a) None of the funds made available by this Act may be used by the Secretary of Agriculture to relocate activities, resources, or personnel from, or permanently close, the Southern Research Station Alexandria Forestry Center in Pineville, Louisiana.

(b) The Secretary shall—

(1) reach out to stakeholders of the Utilization of Southern Forest Resources research work unit (RWU-4704) to gather feedback from the stakeholders relating to the best ways to ensure the maintenance of a viable research program at the research station referred to in subsection (a); and

(2) based on the feedback provided under paragraph (1), develop a strategy for maintaining that research program.

SA 3484. Ms. WARREN (for herself and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 497, line 6, insert “(including enhanced vouchers for projects that have received or are receiving State-funded interest reduction payments), HOPE VI vouchers” after “Act”.

SA 3485. Mrs. MURRAY (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related

agencies 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 C, insert the following:

SEC. _____. In administering the pilot program established by section 779 of division A of the Consolidated Appropriations Act, 2018 (Public Law 115-141), the Secretary of Agriculture shall—

(1) ensure that rural areas that are determined to be ineligible for the pilot program have a means of appealing or otherwise challenging that determination in a timely fashion; and

(2) in determining whether an entity may overbuild or duplicate broadband expansion efforts made by any entity that has received a broadband loan from the Rural Utilities Service, not consider loans that were rescinded or defaulted on, or loans the terms and conditions of which were not met, if the entity under consideration has not previously defaulted on, or failed to meet the terms and conditions of, a Rural Utilities Service loan or had a Rural Utilities Service loan rescinded.

SA 3486. Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

In title I of division D, insert the following after section 119F:

SEC. _____. IMPROVING THE ESSENTIAL AIR SERVICE PROGRAM.—Section 41731 of title 49, United States Code, is amended by adding at the end the following new subsection:

“(g) EXCEPTION FOR CERTAIN LOCATIONS WITH HIGH MILITARY USE.—Subparagraph (D) of subsection (a)(1) shall not apply with respect to any location that—

“(1) is certified under part 139 of title 14, Code of Federal Regulations;

“(2) is not owned by the Federal government; and

“(3) for which not less than 10 percent of airport operations in 2017 were by aircraft of the Armed Forces.”.

SA 3487. Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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. _____. REFORMS AND OVERSIGHT TO U.S. FOREST SERVICE CONTRACTING.

(a) DEFINITIONS.—In this section:

(1) H-2B NONIMMIGRANT.—The term “H-2B nonimmigrant” means a nonimmigrant described in section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)).

(2) PROSPECTIVE H-2B EMPLOYER.—The term “prospective H-2B employer” means a United States business that is considering employing 1 or more H-2B nonimmigrants.

(3) STATE WORKFORCE AGENCY.—Except as used in subsection (b), the term “State work-

force agency” means the workforce agency of the State in which the prospective H-2B employer intends to employ H-2B nonimmigrants.

(b) DEPARTMENT OF LABOR.—

(1) RECRUITMENT.—As a component of the labor certification process required before H-2B nonimmigrants are offered employment through United States Forest Service timber or service contracts in the United States, the Secretary of Labor shall require all prospective H-2B employers, before submitting a petition to hire H-2B nonimmigrants, to conduct a robust effort to recruit United States workers, including—

(A) advertising at employment or job-placement events, such as job fairs;

(B) advertising with State or local workforce agencies, nonprofit organizations, or other appropriate entities, and working with such entities to identify potential employees;

(C) advertising in appropriate media, including local radio stations and commonly used, reputable Internet job-search sites;

(D) provide potential United States workers at least 30 days from the date on which a job announcement is posted (or such longer period as the State workforce considers appropriate) to apply for such employment in person, by mail, by email, or by facsimile machine;

(E) include a valid phone number that potential United States workers may call to get additional information about such employment opportunity; and

(F) such other recruitment strategies as the State workforce agency considers appropriate for the sector or positions for which H-2B nonimmigrants would be considered.

(2) SEPARATE PETITIONS.—A prospective H-2B employer shall submit a separate petition for each State in which the employer plans to employ H-2B nonimmigrants as part of a United States Forest Service timber or service contract for a period of 7 days or longer.

(c) STATE WORKFORCE AGENCIES.—The Secretary of Labor may not grant a temporary labor certification to a prospective H-2B employer seeking to employ H-2B nonimmigrants as part of a United States Forest Service timber or service contract until after the Director of the State workforce agency—

(1) has provided United States workers who may be interested in the position with application instructions;

(2) has formally consulted with the workforce agency director of each contiguous State listed on the prospective H-2B employer’s application and determined that—

(A) the employer has complied with all recruitment requirements set forth in subsection (b) and there is a legitimate demand for the employment of H-2B nonimmigrants in each of those States; or

(B) the employer has amended the application by removing or making appropriate modifications with respect to the States in which the criteria set forth in subparagraph (A) have not been met;

(3) certifies that the prospective H-2B employer has complied with all recruitment requirements set forth in subsection (b) or any other applicable provision of law; and

(4) makes a formal determination and certifies to the Secretary of Labor that nationals of the United States are not qualified or available to fill the employment opportunities offered by the prospective H-2B employer.

(d) SUPPLEMENTAL FEE.—

(1) ESTABLISHMENT.—Except as provided in paragraph (3), the Administrator of the Wage and Hour Division of the Department of Labor shall collect a supplemental fee from each prospective H-2B employer in conjunction with each petition for labor certifi-

cation under section 212(a)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(5)).

(2) AMOUNT.—The Secretary of Labor shall determine the amount of the fee collected under paragraph (1) based on the estimated costs to carry out this section.

(3) WAIVER.—The fee authorized under paragraph (1) shall be waived on behalf of any prospective H-2B employer that, during the 3 fiscal years immediately preceding the filing of a petition for labor certification, did not commit a major violation of—

(A) the Immigration and Nationality Act (8 U.S.C. 1101 et seq.);

(B) the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.); or

(C) the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.).

(4) EFFECTIVE DATE.—The fee authorized under paragraph (1) shall be collected beginning on the first day of the first fiscal year beginning after the date of the enactment of this Act.

SA 3488. Mr. DONNELLY submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 C, insert the following:

RURAL HEALTH AND SAFETY EDUCATION PROGRAMS

Any funds provided by this Act for rural health and safety education programs authorized under section 502(i) of the Rural Development Act of 1972 (7 U.S.C. 2662(i)) shall be used under those programs to address the opioid abuse epidemic and to combat opioid abuse in rural communities.

SA 3489. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 187, line 19, insert “: Provided, That funds appropriated under this heading shall be used to submit to Congress, not later than a year after the date of enactment of this Act, a report that identifies jurisdictions that have a high number of civil jury trials and the practices and methods those jurisdictions use to encourage jury trials, including docket management techniques, discovery practices, and other methods to make jury trials a cost efficient and effective option in civil litigation” before the period at the end.

SA 3490. Mr. UDALL submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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. _____. NATIVE AMERICAN HOUSING REAUTHORIZATIONS.

(a) NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT OF 1996.—Funds authorized to be appropriated under sections 108, 605(b), and 824 of the Native American Housing Assistance and Self-determination Act of 1996 (25 U.S.C. 4117; 4195(b); 4243) shall be so authorized for each of fiscal years 2019 through 2025.

(b) HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1992.—Funds authorized to be appropriated under paragraphs (5)(C) and (7) of section 184(i) and paragraphs (5)(C) and (7) of section 184A(j) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a(i); 1715z–13b(j)) shall be so authorized for each of fiscal years 2019 through 2025.

SA 3491. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 D, insert the following:

SEC. 1 ____. Section 207(n)(1) of title 23, United States Code, is amended—

(1) in subparagraph (B), by striking “21 months after such date of enactment” and inserting “June 4, 2019”; and

(2) in subparagraph (C), by striking “30 months after such date of enactment” and inserting “on December 3, 2019”.

SA 3492. Mrs. FISCHER submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 455, between lines 18 and 19, insert the following:

SEC. 13 ____. To the maximum extent practicable, the Federal Motor Carrier Safety Administration shall ensure the safe and timely completion of the flexible sleeper berth pilot program of the Administration.

SA 3493. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 VII of division C, insert the following:

SEC. ____. Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall submit to Congress a report describing the ways in which conservation programs administered by the Natural Resources Conservation Service may be better used for the conservation of ocelots (*Leopardus pardalis*) and any action taken by the Chief of the Natural Resources Conservation Service relating to the conservation of ocelots.

SA 3494. Mr. CORNYN submitted an amendment intended to be proposed to

amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 10, line 18, strike the period at the end and insert “: *Provided further*, That, of the amounts made available under this heading, not less than \$1,000,000 shall be used for breeding and recovery activities for ocelots (*Leopardus pardalis*).”.

SA 3495. Mr. CORNYN (for himself and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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. _____. INCREASE NATIONAL LIMITATION AMOUNT FOR QUALIFIED HIGHWAY OR SURFACE FREIGHT TRANSFER FACILITY BONDS.

(a) IN GENERAL.—Section 142(m)(2)(A) of the Internal Revenue Code of 1986 is amended by striking “\$15,000,000,000” and inserting “\$20,000,000,000”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to bonds issued after the date of the enactment of this Act.

SA 3496. Mr. CORNYN (for himself, Ms. BALDWIN, Mr. CASSIDY, Mr. PETERS, Mr. ROBERTS, and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 D, insert the following:

SEC. ____. (a) None of the funds appropriated or otherwise made available to the Federal Transit Administration under this title may be used in awarding a contract or subcontract to an entity on or after the date of enactment of this Act for the procurement of an asset within the mass transit and passenger rail or freight rail subsectors included within the transportation systems sector defined by President Policy Directive 21 (Critical Infrastructure Security and Resilience) including rolling stock, and the ensuing regulations, if the entity is owned, directed, or subsidized by a country that—

(1) is identified as a nonmarket economy country (as defined in section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18))) as of the date of enactment of this Act;

(2) was identified by the United States Trade Representative in the most recent report required by section 182 of the Trade Act of 1974 (19 U.S.C. 2242) as a priority foreign country under subsection (a)(2) of that section; and

(3) is subject to monitoring by the Trade Representative under section 306 of the Trade Act of 1974 (19 U.S.C. 2416).

(b) This section shall be applied in a manner consistent with the obligations of the

United States under international agreements.

SA 3497. Mr. JOHNSON (for himself, Mrs. ERNST, and Mr. BLUNT) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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. _____. PUBLICATION OF GUIDANCE DOCUMENTS IN THE INTERNET.

(a) DEFINITIONS.—In this section:

(1) AGENCY.—The term “agency” has the meaning given that term in section 551 of title 5, United States Code.

(2) GUIDANCE DOCUMENT.—

(A) DEFINITION.—The term “guidance document”—

(i) means an agency statement of general applicability, other than a rule promulgated under section 553 of title 5, United States Code, that—

(I) does not have the force and effect of law; and

(II) is designated by an agency official as setting forth—

(aa) a policy on a statutory, regulatory, or technical issue; or

(bb) an interpretation of a statutory or regulatory issue; and

(ii) may include—

(I) a memorandum;

(II) a notice;

(III) a bulletin;

(IV) a directive;

(V) a news release;

(VI) a letter;

(VII) a blog post;

(VIII) a no-action letter;

(IX) a speech by an agency official; and

(X) any combination of the items described in subclauses (I) through (IX).

(B) RULE OF CONSTRUCTION.—The term “guidance document”—

(i) shall be construed broadly to effectuate the purpose and intent of this Act; and

(ii) shall not be limited to the items described in subparagraph (A)(ii).

(b) PUBLICATION OF GUIDANCE DOCUMENTS ON THE INTERNET.—

(1) IN GENERAL.—On the date on which an agency issues a guidance document, the agency shall publish the guidance document in accordance with the requirements under paragraph (3).

(2) PREVIOUSLY ISSUED GUIDANCE DOCUMENTS.—Not later than 180 days after the date of enactment of this Act, each agency shall publish, in accordance with the requirements under paragraph (3), any guidance document issued by that agency that is in effect on that date.

(3) SINGLE LOCATION.—

(A) IN GENERAL.—All guidance documents published under paragraphs (1) and (2) by an agency shall be published in a single location on the Internet website under section 206(d) of the E-Government Act of 2002 (44 U.S.C. 3501 note) (commonly known as regulations.gov).

(B) AGENCY INTERNET WEBSITES.—Each agency shall, for guidance documents published by the agency under paragraphs (1) and (2), publish a hyperlink on the Internet website of the agency that provides access to the guidance documents at the location described in subparagraph (A).

(C) ORGANIZATION.—

(i) IN GENERAL.—The guidance documents described in subparagraph (A) shall be—

(I) categorized as guidance documents; and
(II) further divided into subcategories as appropriate.

(ii) AGENCY INTERNET WEBSITES.—The hyperlinks described in subparagraph (B) shall be prominently displayed on the Internet website of the agency.

(4) RESCINDED GUIDANCE DOCUMENTS.—On the date on which a guidance document issued by an agency is rescinded, the agency shall, at the location described in paragraph (3)(A)—

(A) maintain the rescinded guidance document; and

(B) indicate—

(i) that the guidance document is rescinded; and

(ii) the date on which the guidance document was rescinded.

(5) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to compel or authorize the disclosure of information that is prohibited from disclosure by law.

SA 3498. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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. ____ . REPORTING REQUIREMENT.

(a) IN GENERAL.—Section 7131 of title 5, United States Code, is amended by adding at the end the following:

“(e)(1)(A) Not later than March 31 of each calendar year, the Office of Personnel Management, in consultation with the Office of Management and Budget, shall submit to each House of Congress a report on the operation of this section during the fiscal year last ending before the start of such calendar year.

“(B) Not later than December 31 of each calendar year, each agency (as defined by section 7103(a)(3)) shall furnish to the Office of Personnel Management the information which such Office requires, with respect to such agency, for purposes of the report which is next due under subparagraph (A).

“(2) Each report by the Office of Personnel Management under this subsection shall include, with respect to the fiscal year described in paragraph (1)(A), at least the following information:

“(A) The total amount of official time granted to employees.

“(B) The average amount of official time expended per bargaining unit employee.

“(C) The specific types of activities or purposes for which official time was granted, and the impact which the granting of such official time for such activities or purposes had on agency operations.

“(D) The total number of employees to whom official time was granted, and, of that total, the number who were not engaged in any activities or purposes except activities or purposes involving the use of official time.

“(E) The total amount of compensation (including fringe benefits) afforded to employees in connection with activities or purposes for which they were granted official time.

“(F) The total amount of official time spent by employees representing Federal employees who are not union members in matters authorized by this chapter.

“(G) A description of any room or space designated at the agency (or its subcomponent) where official time activities will be

conducted, including the square footage of any such room or space.

“(3) All information included in a report by the Office of Personnel Management under this subsection with respect to a fiscal year—

“(A) shall be shown both agency-by-agency and for all agencies; and

“(B) shall be accompanied by the corresponding information (submitted by the Office in its report under this subsection) for the fiscal year before the fiscal year to which such report pertains, together with appropriate comparisons and analyses.

“(4) For purposes of this subsection, the term ‘official time’ means any period of time, regardless of agency nomenclature—

“(A) which may be granted to an employee under this chapter (including a collective bargaining agreement entered into under this chapter) to perform representational or consultative functions; and

“(B) during which the employee would otherwise be in a duty status.”

(b) APPLICABILITY.—The amendment made by subsection (a) shall be effective beginning with the report which, under the provisions of such amendment, is first required to be submitted by the Office of Personnel Management to each House of Congress by a date which occurs at least 6 months after the date of the enactment of this Act.

SA 3499. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 604 and 608.

On page 188, line 14, strike “transfers:” and all that follows through line 18 and insert “transfers.”

On page 238, line 9, strike “transfers:” and all that follows through line 13 and insert “transfers.”

SA 3500. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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) No funds made available under this Act may be used for taxpayer funded union time under section 7131 of title 5 of the United States Code, unless—

(1) the time is authorized for an employee to represent an exclusive representative in the negotiation of a collective bargaining agreement under section 7131(a) of title 5, United States Code;

(2) the time is authorized for an employee to conduct activities described in section 4(a)(v)(2) of Executive Order 13837 (83 Fed. Reg. 25335; relating to ensuring transparency, accountability, and efficiency in taxpayer-funded union time use); or

(3) the Director of the Office of Management and Budget has submitted to Congress, with respect to fiscal year 2018, a report that includes, both agency-by-agency and for all agencies, the following:

(A) The total amount of taxpayer funded union time granted to employees.

(B) The average amount of taxpayer funded union time expended per bargaining unit employee.

(C) The specific types of activities or purposes for which taxpayer funded union time was granted, and the impact which the granting of such taxpayer funded union time for such activities or purposes had on agency operations.

(D) The total number of employees to whom taxpayer funded union time was granted, and, of that total, the number who were not engaged in any activities or purposes except activities or purposes involving the use of taxpayer funded union time.

(E) The total amount of compensation (including fringe benefits) afforded to employees in connection with activities or purposes for which they were granted taxpayer funded union time.

(F) The total amount of taxpayer funded union time spent by employees representing Federal employees who are not union members in matters authorized by chapter 71 of title 5, United States Code.

(G) A description of any room or space designated at the agency (or its subcomponent) where taxpayer funded union time activities are conducted, including the square footage of any such room or space.

(b) In this section, the term “taxpayer funded union time” means any period of time, regardless of agency nomenclature—

(1) which may be granted to an employee under chapter 71 of title 5, United States Code, to perform representational or consultative functions; and

(2) during which the employee would otherwise be in a duty status.

SA 3501. Mr. RUBIO (for himself, Mr. NELSON, Mr. KENNEDY, Mr. COTTON, Mr. INHOFE, Mr. CASEY, Mrs. ERNST, and Mr. HELLER) submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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. ____ . None of the funds appropriated or otherwise made available by this Act or any other Act with respect to any fiscal year may be used to implement, administer, or enforce the final rule with the regulation identifier number 0910-AG38 published by the Food and Drug Administration in the Federal Register on May 10, 2016 (81 Fed. Reg. 28974) with respect to traditional large and premium cigars. For the purposes of this section, the term “traditional large and premium cigar” means—

(1) any roll of tobacco that is wrapped in 100 percent leaf tobacco, is bunched with 100 percent tobacco filler, contains no filter, tip, or non-tobacco mouthpiece, weighs at least 6 pounds per 1,000 count; and

(A) has a 100 percent leaf tobacco binder and is hand rolled;

(B) has a 100 percent leaf tobacco binder and is made using human hands to lay the leaf tobacco wrapper or binder onto only one machine that bunches, wraps, and caps each individual cigar; or

(C) has a homogenized tobacco leaf binder and is made in the United States using human hands to lay each 100 percent leaf tobacco wrapper individually onto a single machine that bunches, wraps, and caps each individual cigar on such single machine and makes no more than 15 cigars per minute; and

(2) is not a cigarette or a little cigar (as such terms are defined in paragraphs (3) and

(11), respectively, of section 900 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387)).

SA 3502. Mr. HOEVEN (for himself, Mr. BENNET, Mrs. ERNST, Mr. ROUNDS, Ms. SMITH, and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 D, insert the following:

SEC. . WORKING GROUP ON IMPROVING THE LIVESTOCK, INSECT, AND AGRICULTURAL COMMODITIES TRANSPORT INDUSTRIES.

(a) DEFINITIONS.—In this section:

(1) AGRICULTURAL COMMODITY.—The term “agricultural commodity” means—

(A) an agricultural commodity as defined in section 518 of the Federal Crop Insurance Act (7 U.S.C. 1518); and

(B) an agricultural commodity as defined in section 395.2 of title 49, Code of Federal Regulations (or successor regulations).

(2) LIVESTOCK.—The term “livestock” has the meaning given the term in section 602 of the Emergency Livestock Feed Assistance Act of 1988 (7 U.S.C. 1471).

(3) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

(4) WORKING GROUP.—The term “working group” means the working group established by the Secretary under subsection (b).

(b) ESTABLISHMENT.—Not later than 120 days after the date of enactment of this Act, the Secretary shall establish a working group—

(1) to identify obstacles to safe, humane, and market-efficient transport of livestock, insects, and agricultural commodities; and

(2) to develop guidelines and recommended regulatory or legislative actions to improve the safe, humane, and efficient transport of livestock, insects, and agricultural commodities.

(c) OUTREACH.—In carrying out the duties of the working group under subsection (b), the working group shall consult with—

(1) interested Governors;

(2) representatives of State and local agricultural and highway safety agencies;

(3) other representatives of relevant State and local agencies;

(4) members of the public with experience in—

(A) the livestock, insect, and agricultural commodities industries;

(B) the livestock trucking industry; or

(C) transportation safety; and

(5) any other groups or stakeholders that the working group determines to be appropriate.

(d) CONSIDERATIONS.—In carrying out the duties of the working group under subsection (b), the working group shall—

(1) consider the impact of the existing hours of service regulations under subpart A of part 395 of title 49, Code of Federal Regulations (or successor regulations), on the commercial transport of livestock, insects, and agricultural commodities;

(2) identify incompatibilities and other challenges and concerns caused by the hours of service regulations described in paragraph (1) and electronic logging device regulations under subpart B of part 395 of title 49, Code of Federal Regulations (or successor regulations), on the transport of livestock, insects, and agricultural commodities;

(3) identify initiatives and regulatory changes that maintain and protect the safe-

ty of highways and allow for the safe, efficient, and productive marketplace transport of livestock, insects, and agricultural commodities; and

(4) consider such other issues as the Secretary considers appropriate.

(e) COMPOSITION.—

(1) IN GENERAL.—The Secretary (or a designee) shall serve as the chair of the working group.

(2) MEMBERSHIP.—

(A) IN GENERAL.—The working group shall be composed of members appointed by the Secretary, including individuals with knowledge and expertise that includes highway safety, the commercial motor vehicle and transportation industries, animal husbandry, and the transportation of livestock, insects, and agricultural commodities.

(B) REQUIREMENT.—The working group shall include, at a minimum, representatives of—

(i) the Department of Agriculture;

(ii) State agencies, including State departments of agriculture and transportation;

(iii) highway and commercial motor vehicle safety organizations;

(iv) agricultural producers including producers of livestock, insects, and agricultural commodities; and

(v) commercial motor vehicle operators, including small business operators and operators who haul livestock, insects, and agricultural commodities.

(f) WORKING GROUP REPORT AND REGULATORY ACTION.—

(1) REPORT.—Not later than 1 year after the date on which the working group is established, the working group shall submit to the Secretary a report that includes—

(A) the findings of the working group, including a summary of the views expressed by individuals and entities consulted under subsection (c); and

(B) the initiatives and regulatory and legislative changes that the working group identifies as necessary to protect the safety of highways and allow for the safe, efficient, and productive marketplace transport of livestock, insects, and agricultural commodities.

(2) REGULATORY CHANGES.—Not later than 120 days after the date on which the Secretary receives the report under paragraph (1), the Secretary shall propose regulatory changes that take into account the findings and recommendations of the working group, including—

(A) changes to the hours of service regulations under subpart A of part 395 of title 49, Code of Federal Regulations (or successor regulations);

(B) changes to the electronic logging device regulations under subpart B of part 395 of title 49, Code of Federal Regulations (or successor regulations), including changes to regulations relating to the performance and design of electronic logging devices; and

(C) any other changes that the working group recommends.

(3) APPLICATION.—Subsections (a) through (f) of section 31137 of title 49, United States Code (including any regulations promulgated to carry out those subsections), shall not apply to commercial motor vehicles hauling livestock, insects, or agricultural commodities until the date on which the Secretary proposes regulatory changes under paragraph (2).

(g) REPORT AND RECOMMENDATIONS BY SECRETARY.—Not later than 30 days after the date on which the Secretary receives the report of the working group under subsection (f)(1), the Secretary shall submit to the appropriate committees of Congress a report, including—

(1) a summary of the views expressed by the individuals and entities consulted under subsection (c);

(2) a description of the findings of the working group, including the identification of any areas of general consensus among the non-Federal participants in the consultation under subsection (c); and

(3) any recommendations for legislative or regulatory action that would assist in maintaining and improving the safe, humane, and market-efficient transport of livestock, insects, and agricultural commodities.

SA 3503. Mr. WYDEN (for himself, Mrs. GILLIBRAND, Mrs. MURRAY, Mr. BOOKER, Mr. MARKEY, Ms. WARREN, and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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:

TITLE .—PROTECTING AMERICAN VOTES AND ELECTIONS

SEC. 1. SHORT TITLE.

This title may be cited as the “Protecting American Votes and Elections Act of 2018”.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Access to the ballot, free and fair elections, and a trustworthy election process are at the core of American Democracy. Just as the Founding Fathers signed their names to paper supporting their views for a government by and for the people, access to the paper ballot is the best way to ensure elections stay by and for the American people. Using paper provides an easily auditable, tamper proof, and simple way for citizens to access their ballot. It is for these reasons and more that using paper ballots to ensure resilient and fair elections should be the priority of this Nation.

(2) Risk-limiting audits will help to protect our elections from cyberattacks, by ensuring that if the electoral outcome is incorrect, for instance because someone tampered with the electronic counts or reporting, the audit has a large, known probability of correcting the outcome by requiring a full hand count. Paper ballots are vital to the audit process since, other than through manual inspection of a sample of paper ballots, there is currently no reliable way to determine whether an election was hacked or the outcome was miscalculated.

(3) Risk-limiting audits are a cost effective way of auditing election results. They generally require inspecting only a small percentage of the ballots cast in an election, and proceed to a full hand count only when sampling does not provide strong evidence that the reported outcome is correct. This will ensure that Americans have confidence in their election results, without the cost of a full recount of every ballot in the country.

SEC. 3. PAPER BALLOT AND MANUAL COUNTING REQUIREMENTS.

(a) IN GENERAL.—Section 301(a)(2) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)(2)) is amended to read as follows:

“(2) PAPER BALLOT REQUIREMENT.—

“(A) VOTER-VERIFIED PAPER BALLOTS.—

“(i) PAPER BALLOT REQUIREMENT.—(I) The voting system shall require the use of an individual, durable, voter-verified, paper ballot of the voter’s vote that shall be marked and made available for inspection and

verification by the voter before the voter's vote is cast and counted, and which shall be counted by hand or read by an optical character recognition device or other counting device. For purposes of this subclause, the term 'individual, durable, voter-verified, paper ballot' means a paper ballot marked by the voter by hand or a paper ballot marked through the use of a nontabulating ballot marking device or system, so long as the voter shall have the option to mark his or her ballot by hand.

“(II) Except as required to meet the accessibility requirements under paragraph (3), the printed or marked vote selections on any ballot marked through the use of a ballot marking device or system that are used for vote counting or auditing shall allow inspection and verification by the voter under subclause (I) without the aid of any machine or other equipment.

“(III) The voting system shall provide the voter with an opportunity to correct any error on the paper ballot before the permanent voter-verified paper ballot is preserved in accordance with clause (ii).

“(IV) The voting system shall not preserve the voter-verified paper ballots in any manner that makes it possible, at any time after the ballot has been cast, to associate a voter with the record of the voter's vote without the voter's consent.

“(ii) PRESERVATION AS OFFICIAL RECORD.—The individual, durable, voter-verified, paper ballot used in accordance with clause (i) shall constitute the official ballot and shall be preserved and used as the official ballot for purposes of any recount or audit conducted with respect to any election for Federal office in which the voting system is used.

“(iii) MANUAL COUNTING REQUIREMENTS FOR RECOUNTS AND AUDITS.—(I) Each paper ballot used pursuant to clause (i) shall be suitable for a manual audit, and shall be counted by hand in any recount or audit conducted with respect to any election for Federal office.

“(II) In the event of any inconsistencies or irregularities between any electronic vote tallies and the vote tallies determined by counting by hand the individual, durable, voter-verified, paper ballots used pursuant to clause (i), and subject to subparagraph (B), the individual, durable, voter-verified, paper ballots shall be the true and correct record of the votes cast.

“(iv) APPLICATION TO ALL BALLOTS.—The requirements of this subparagraph shall apply to all ballots cast in elections for Federal office, including ballots cast by absent uniformed services voters and overseas voters under the Uniformed and Overseas Citizens Absentee Voting Act and other absentee voters.

“(B) SPECIAL RULE FOR TREATMENT OF DISPUTES WHEN PAPER BALLOTS HAVE BEEN SHOWN TO BE COMPROMISED.—

“(i) IN GENERAL.—In the event that—
“(I) there is any inconsistency between any electronic vote tallies and the vote tallies determined by counting by hand the individual, durable, voter-verified, paper ballots used pursuant to subparagraph (A)(i) with respect to any election for Federal office; and

“(II) it is demonstrated by clear and convincing evidence (as determined in accordance with the applicable standards in the jurisdiction involved) in any recount, audit, or contest of the result of the election that the paper ballots have been compromised (by damage or mischief or otherwise) and that a sufficient number of the ballots have been so compromised that the result of the election could be changed,

the determination of the appropriate remedy with respect to the election shall be made in

accordance with applicable State law, except that the electronic tally shall not be used as the exclusive basis for determining the official certified result.

“(ii) RULE FOR CONSIDERATION OF BALLOTS ASSOCIATED WITH EACH VOTING MACHINE.—For purposes of clause (i), only the paper ballots deemed compromised, if any, shall be considered in the calculation of whether or not the result of the election could be changed due to the compromised paper ballots.”

(b) CONFORMING AMENDMENT CLARIFYING APPLICABILITY OF ALTERNATIVE LANGUAGE ACCESSIBILITY.—Section 301(a)(4) of such Act (52 U.S.C. 21081(a)(4)) is amended by inserting “(including the paper ballots required to be used under paragraph (2))” after “voting system”.

(c) OTHER CONFORMING AMENDMENTS.—Section 301(a)(1) of such Act (52 U.S.C. 21081(a)(1)) is amended—

(1) in subparagraph (A)(i), by striking “counted” and inserting “counted, in accordance with paragraphs (2) and (3)”;

(2) in subparagraph (A)(ii), by striking “counted” and inserting “counted, in accordance with paragraphs (2) and (3)”;

(3) in subparagraph (A)(iii), by striking “counted” each place it appears and inserting “counted, in accordance with paragraphs (2) and (3)”;

(4) in subparagraph (B)(ii), by striking “counted” and inserting “counted, in accordance with paragraphs (2) and (3)”.

(d) EFFECTIVE DATE.—Notwithstanding section 301(d) of the Help America Vote Act of 2002 (52 U.S.C. 21081(d)), each State and jurisdiction shall be required to comply with the amendments made by this section for the regularly scheduled election for Federal office in November 2020, and for each subsequent election for Federal office.

SEC. 4. ACCESSIBILITY AND BALLOT VERIFICATION FOR INDIVIDUALS WITH DISABILITIES.

(a) IN GENERAL.—Section 301(a)(3)(B) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)(3)(B)) is amended to read as follows:

“(B)(i) satisfy the requirement of subparagraph (A) through the use of at least 1 voting system equipped for individuals with disabilities, including nonvisual and enhanced visual accessibility for the blind and visually impaired, and nonmanual and enhanced manual accessibility for the mobility and dexterity impaired, at each polling place; and

“(ii) meet the requirements of subparagraph (A) and paragraph (2)(A) by using a system that allows the voter to privately and independently verify the permanent paper ballot through the presentation, in accessible form, of the printed or marked vote selections from the same printed or marked information that would be used for any vote counting or auditing; and”.

(b) SPECIFIC REQUIREMENT OF STUDY, TESTING, AND DEVELOPMENT OF ACCESSIBLE PAPER BALLOT VERIFICATION MECHANISMS.—

(1) STUDY AND REPORTING.—Subtitle C of title II of such Act (52 U.S.C. 21081 et seq.) is amended by inserting after section 246 the following new section:

“SEC. 246A. STUDY AND REPORT ON ACCESSIBLE PAPER BALLOT VERIFICATION MECHANISMS.

“(a) STUDY AND REPORT.—The Director of the National Science Foundation shall make grants to not fewer than 3 eligible entities to study, test, and develop accessible paper ballot voting, verification, and casting mechanisms and devices and best practices to enhance the accessibility of paper ballot voting and verification mechanisms for individuals with disabilities, for voters whose primary language is not English, and for voters with difficulties in literacy, including best practices for the mechanisms themselves and the processes through which the mechanisms are used.

“(b) ELIGIBILITY.—An entity is eligible to receive a grant under this part if it submits to the Director (at such time and in such form as the Director may require) an application containing—

“(1) certifications that the entity shall specifically investigate enhanced methods or devices, including non-electronic devices, that will assist such individuals and voters in marking voter-verified paper ballots and presenting or transmitting the information printed or marked on such ballots back to such individuals and voters, and casting such ballots;

“(2) a certification that the entity shall complete the activities carried out with the grant not later than December 31, 2020; and

“(3) such other information and certifications as the Director may require.

“(c) AVAILABILITY OF TECHNOLOGY.—Any technology developed with the grants made under this section shall be treated as nonproprietary and shall be made available to the public, including to manufacturers of voting systems.

“(d) COORDINATION WITH GRANTS FOR TECHNOLOGY IMPROVEMENTS.—The Director shall carry out this section so that the activities carried out with the grants made under subsection (a) are coordinated with the research conducted under the grant program carried out by the Commission under section 271, to the extent that the Director and Commission determine necessary to provide for the advancement of accessible voting technology.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (a) \$10,000,000, to remain available until expended.”

(2) CLERICAL AMENDMENT.—The table of contents of such Act is amended by inserting after the item relating to section 246 the following new item:

“Sec. 246A. Study and report on accessible paper ballot verification mechanisms.”.

SEC. 5. RISK-LIMITING AUDITS.

(a) IN GENERAL.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended by inserting after section 303 the following new section:

“SEC. 303A. RISK-LIMITING AUDITS.

“(a) DEFINITIONS.—In this section:

“(1) RISK-LIMITING AUDIT.—

“(A) IN GENERAL.—The term ‘risk-limiting audit’ means a post-election process such that, if the reported outcome of the contest is incorrect, there is at least a 95 percent chance that the audit will replace the incorrect outcome with the correct outcome as determined by a full, hand-to-eye tabulation of all votes validly cast in that election contest that ascertains voter intent manually and directly from voter-verifiable paper records.

“(B) REPORTED OUTCOME.—The term ‘reported outcome’ means the outcome of an election contest which is determined according to the canvass and which will become the official, certified outcome unless it is revised by an audit, recount, or other legal process.

“(C) INCORRECT OUTCOME.—The term ‘incorrect outcome’ means an outcome that differs from the outcome that would be determined by a full tabulation of all votes validly cast in that election contest, determining voter intent manually, directly from voter-verifiable paper records.

“(D) OUTCOME.—The term ‘outcome’ means the winner or set of winners of an election contest, which might be candidates or positions.

“(2) BALLOT MANIFEST.—The term ‘ballot manifest’ means a record maintained by each county that—

“(A) is created without reliance on any part of the voting system used to tabulate votes;

“(B) functions as a sampling frame for conducting a risk-limiting audit; and

“(C) contains the following information about ballots cast and counted:

“(i) The total number of ballots cast and counted in the election (including undervotes, overvotes, and other invalid votes).

“(ii) The total number of ballots cast in each contest in the election (including undervotes, overvotes, and other invalid votes).

“(iii) A precise description of the manner in which the ballots are physically stored, including the total number of physical groups of ballots, the numbering system for each group, a unique label for each group, and the number of ballots in each such group.

“(b) REQUIREMENT.—

“(1) IN GENERAL.—

“(A) AUDITS.—Each State and jurisdiction shall administer risk-limiting audits of the results of all elections for Federal office held in the State in accordance with the requirements of paragraph (2).

“(B) FULL MANUAL TALLY.—If a risk-limiting audit conducted under subparagraph (A) leads to a full manual tally of an election contest, the State or jurisdiction shall use the results of the full manual tally as the official results of the election contest.

“(2) AUDIT REQUIREMENTS.—

“(A) RULES AND PROCEDURES.—

“(i) IN GENERAL.—Risk-limiting audits shall be conducted in accordance with the rules and procedures established by the chief State election official of the State not later than 1 year after the date of the enactment of this section.

“(ii) MATTERS INCLUDED.—The rules and procedures established under clause (i) may include the following:

“(I) Rules for ensuring the security of ballots and documenting that prescribed procedures were followed.

“(II) Rules and procedures for ensuring the accuracy of ballot manifests produced by jurisdictions.

“(III) Rules and procedures for governing the format of ballot manifests, cast vote records, and other data involved in risk-limiting audits.

“(IV) Methods to ensure that any cast vote records used in a risk-limiting audit are those used by the voting system to tally the election results sent to the Secretary of State and made public.

“(V) Procedures for the random selection of ballots to be inspected manually during each audit.

“(VI) Rules for the calculations and other methods to be used in the audit and to determine whether and when the audit of each contest is complete.

“(VII) Procedures and requirements for testing any software used to conduct risk-limiting audits.

“(B) TIMING.—The risk-limiting audit shall be completed not later than the date that the result of the election is certified by the State.

“(C) PUBLIC REPORT.—After the completion of the risk-limiting audit, the State shall publish a report on the results of the audit, together with such information as necessary to confirm that the audit was conducted properly.

“(c) EFFECTIVE DATE.—Each State and jurisdiction shall be required to comply with the requirements of this section for the regularly scheduled election for Federal office in November 2020, and for each subsequent election for Federal office.”

(b) CONFORMING AMENDMENTS RELATED TO ENFORCEMENT.—Section 401 of such Act (52 U.S.C. 21111) is amended by striking “and 303” and inserting “303, and 303A”.

(c) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 303 the following new item:

“Sec. 303A. Risk-limiting audits.”.

SA 3504. Mr. PETERS (for himself, Mr. SULLIVAN, and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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. _____. Not later than 2 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, using the latest version of National Fire Protection Association 403, “Standard for Aircraft Rescue and Fire-Fighting Services at Airports”, and in coordination with the Administrator of the Environmental Protection Agency, aircraft manufacturers and airports, shall not require the use of fluorinated chemicals to meet the performance standards referenced in chapter 6 of AC No: 150/5210-6D and acceptable under 139.319(1) of title 14, Code of Federal Regulations.

SA 3505. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 148, line 25, strike “\$17,500,000” and insert “\$28,800,000”.

SA 3506. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 D, insert the following:

SEC. _____. (a)(1) None of the funds appropriated or otherwise made available by this Act or any other Act for the National Security Multi-Mission Vessel Program may be used on or after the date of the enactment of this Act to enter into a contract related to the acquisition, construction, or conversion of a vessel unless—

(A) the vessel is to be constructed or converted in the United States; and

(B) the steel, iron, aluminum, and manufactured products to be used in the construction or conversion of the vessel are produced in the United States.

(2) The head of the agency responsible for a contract described under paragraph (1) may waive the restriction under such paragraph on a case-by-case basis by certifying in writing to the Committees on Appropriations of the Senate and the House of Representatives that adequate domestic supplies are not available on a timely and cost-competitive basis.

(b)(1) None of the funds appropriated or otherwise made available by this Act or any other Act for the National Security Multi-Mission Vessel Program may be used to procure any of the following components for vessels unless the items are manufactured in the United States:

(A) Circuit breakers.

(B) Welded shipboard anchor and mooring chain with a diameter of four inches or less.

(C) Power conversion equipment.

(D) Electric generators and alternators.

(E) Auxiliary equipment, including pumps, for all shipboard services.

(F) Propulsion system components (engines, reduction gears, and propellers).

(G) Shipboard cranes.

(H) Spreaders for shipboard cranes.

(I) Capstans.

(J) Winches.

(K) Hoists.

(L) Outboard motors.

(M) Windlasses.

(N) To the extent they are unique to marine applications, gyrocompasses, electronic navigation chart systems, steering controls, pumps, propulsion and machinery control systems, and totally enclosed lifeboats.

(O) Powered and non-powered valves in Federal Supply Classes 4810 and 4820.

(P) Machine tools in the Federal Supply Classes for metal-working machinery numbered 3405, 3408, 3410 through 3419, 3426, 3433, 3438, 3441 through 3443, 3445, 3446, 3448, 3449, 3460, and 3461.

(2) The head of the agency responsible for a procurement described in paragraph (1) may waive the restrictions under such paragraph on a case-by-case basis by certifying in writing to the Committees on Appropriations of the Senate and the House of Representatives that adequate domestic supplies are not available on a timely and cost-competitive basis.

(3) The restrictions under paragraph (1) shall not apply to contracts in effect as of the date of the enactment of this Act or to a procurement of spare or repair parts needed to support components for vessels produced or manufactured outside of the United States.

SA 3507. Ms. DUCKWORTH submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 223, line 21, strike “\$44,490,000” and insert “49,490,000”.

SA 3508. Ms. DUCKWORTH submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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. _____. (a) Not later than 30 days after the date on which the Administrator of the Environmental Protection Agency makes an appointment under section 11(b) of the Safe Drinking Water Act Amendments of 1977 (42 U.S.C. 300j-10), the Administrator shall provide notification of the appointment to—

(1) the Committee on Appropriations of the Senate;

(2) the Committee on Appropriations of the House of Representatives;

(3) the Committee on Environment and Public Works of the Senate;

(4) the Committee on Homeland Security and Governmental Affairs of the Senate;

(5) the Committee on Energy and Commerce of the House of Representatives; and

(6) the Committee on Oversight and Government Reform of the House of Representatives.

(b) The notification under subsection (a) shall include the following information about the appointment:

(1) The name of the appointee.

(2) The title of the appointee.

(3) The salary of the appointee.

(4) A detailed justification explaining why the Administrator of the Environmental Protection Agency deemed the appointment necessary to appropriately discharge the functions of the Administrator under the Safe Drinking Water Act (42 U.S.C. 300f et seq.) and other provisions of law.

SA 3509. Mr. DURBIN (for himself, Ms. WARREN, Mr. WHITEHOUSE, Mrs. GILLIBRAND, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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) **UNDUE HARDSHIP.**—No funds made available in this or any other appropriations Act may be used, including by any contractor of the Federal Government, to contest a claim that is made—

(1) in any proceeding under section 523(a)(8) of title 11, United States Code, that excepting a debt from discharge would constitute an undue hardship; ; and

(2) by a debtor who—

(A) is receiving benefits under title II of the Social Security Act (42 U.S.C. 401 et seq.) or title XVI of that Act (42 U.S.C. 1381 et seq.) on the basis of disability;

(B) has been determined by the Secretary of Veterans Affairs to be unemployable due to a service-connected disability;

(C) is a family caregiver of an eligible veteran pursuant to section 1720G of title 38;

(D) is a member of a household that has a gross income that is less than 200 percent of the poverty line, and provides for the care and support of an elderly, disabled, or chronically ill member of the household of the debtor or member of the immediate family of the debtor;

(E) is a member of a household that has a gross income that is less than 200 percent of the poverty line, and the income of the debtor or is solely derived from benefit payments under section 202 of the Social Security Act (42 U.S.C. 402); or

(F) during the 5-year period preceding the filing of the petition (exclusive of any applicable suspension of the repayment period), was not enrolled in an education program and had a gross income that was less than 200 percent of the poverty line during each year during that period.

(b) **DEFINITION.**—In this section, the term “poverty line” means the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a household of the size involved.

(c) **85/15 RULE.**—Notwithstanding any other provision of law, for fiscal years 2019 through

2028, no funds made available in this or any other appropriations Act shall be provided, directly or indirectly, to any proprietary institution of higher education (as defined in section 102(b) of the Higher Education Act of 1965 (20 U.S.C. 1002(b))) that derives less than 15 percent of the institution’s revenue from sources other than Federal financial assistance provided under this or any other appropriations Act or any other Federal law, through a grant, contract, subsidy, loan, guarantee, insurance, or other means, including Federal financial assistance that is disbursed or delivered to an institution or on behalf of a student or to a student to be used to attend the institution, except that such assistance shall not include any monthly housing stipend provided under the Post-9/11 Educational Assistance Program under chapter 33 of title 38, United States Code.

SA 3510. Mr. DURBIN (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 VII of division C, insert the following:

SEC. _____. The authority of the Secretary of Health and Human Services to regulate direct-to-consumer advertising of prescription drugs, pursuant to the authorities under sections 502(n) and 503C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352(n), 353c), shall include the authority to require such advertising to include an appropriate disclosure of pricing information with respect to such drugs.

SA 3511. Mr. BROWN (for himself, Mr. INHOFE, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 D, insert the following:

SEC. 1 _____. (a) Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation (referred to in this section as the “Secretary”) shall submit to Congress a report on the need for repair or replacement of bridges on public roads (including Tribal roads) that—

(1) have been rated as “poor” in the National Bridge Inventory pursuant to section 144 of title 23, United States Code;

(2) have features that do not meet applicable engineering standards for the present use of the bridges, if the entity with responsibility for repair or replacement of the applicable bridge, in responding to the Secretary under subsection (b), states that the bridge is prioritized for repair or replacement; or

(3) have structural elements the failure of which would cause the bridge or a portion of the bridge to collapse, if the entity with responsibility for repair or replacement of the applicable bridge, in responding to the Secretary under subsection (b), states that the bridge is prioritized for repair or replacement.

(b) In preparing the report under subsection (a), the Secretary shall solicit from State departments of transportation and

other entities with responsibility for the repair or replacement of bridges described in subsection (a) information on the readiness of those projects to commence construction and the cost of the project if Federal grant assistance was available to pay not less than 50 percent of the project costs eligible for assistance under title 23, United States Code, not including the proceeds from credit assistance under the TIFIA program (as defined in section 601(a) of that title).

(c) In preparing the report under subsection (a), a bridge shall be included only if the entity with responsibility for repair or replacement of the applicable bridge—

(1) responds to the solicitation made by the Secretary under subsection (b);

(2) identifies each bridge project or category of smaller bridge projects, consistent with subsection (d), that the entity requests to include in the report; and

(3) provides to the Secretary information necessary to complete the report, as described by the Secretary in the solicitation under subsection (b).

(d) In the report under subsection (a), the Secretary shall—

(1) identify—

(A) each bridge project with total eligible project costs greater than \$10,000,000; and

(B) categories of smaller bridge projects identified by responsible entities for other bridge projects;

(2) collect from entities with responsibility for repair or replacement of an applicable bridge—

(A) the timing and budget for each bridge project or category of smaller bridge projects as reported in the applicable transportation plans under sections 134 or 135 of title 23, United States Code; or

(B) an explanation from those entities as to why such projects or categories of smaller bridge projects are not included in those applicable transportation plans; and

(3) distinguish between urban and rural bridge projects and categories of smaller bridge projects identified by responsible entities.

SA 3512. Mrs. GILLIBRAND (for herself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 17, line 4, strike “\$88,910,000” and insert “\$96,910,000”.

On page 40, line 7, strike “\$134,673,000” and insert “\$126,673,000”.

SA 3513. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 437, line 22, strike “133(b)(1)(A)” and insert “133(b)”.

On page 438, line 12, strike “133(b)(1)(A)” and insert “133(b)”.

On page 438, line 18, strike “133(b)(1)(A)” and insert “133(b)”.

On page 438, line 25, strike “133(b)(1)(A)” and insert “133(b)”.

SA 3514. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 414, line 24, strike the period and insert the following: “: *Provided further*, That in distributing funds made available under this heading, the Secretary shall ensure that each State receives not less than \$2 per capita, except in a case in which such a distribution would require the provision of funds to a project without an acceptable technical rating.”.

SA 3515. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 414, line 24, strike the period and insert the following: “: *Provided further*, That not less than 30 days before making grants with funds made available under this heading, the Secretary shall make publicly available a list of the merit-based technical ratings of the Department of Transportation for each application for a grant under this heading.”.

SA 3516. Mr. GARDNER (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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. ____ . PROHIBITION.

(a) AMENDMENT.—Chapter 2 of title 18, United States Code, is amended by adding at the end the following:

“§40A. Operation of unauthorized unmanned aircraft over wildfires

“(a) IN GENERAL.—Except as provided in subsection (b), an individual who operates an unmanned aircraft and in so doing knowingly or recklessly interferes with a wildfire suppression, or law enforcement or emergency response efforts related to a wildfire suppression, shall be fined under this title, imprisoned for not less than 1 year, or both.

“(b) EXCEPTIONS.—This section does not apply to the operation of an unmanned aircraft conducted by a unit or agency of the United States Government or of a State, tribal, or local government (including any individual conducting such operation pursuant to a contract or other agreement entered into with the unit or agency) for the purpose of protecting the public safety and welfare, including firefighting, law enforcement, or emergency response.

“(c) DEFINITIONS.—In this section, the following definitions shall apply:

“(1) UNMANNED AIRCRAFT.—The term ‘unmanned aircraft’ has the meaning given the term in section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).

“(2) WILDFIRE.—The term ‘wildfire’ has the meaning given that term in section 2 of the Emergency Wildfire Suppression Act (42 U.S.C. 1856m).

“(3) WILDFIRE SUPPRESSION.—The term ‘wildfire suppression’ means an effort to contain, extinguish, or suppress a wildfire.”.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 2 of title 18, United States Code, is amended by inserting after the item relating to section 40 the following:

“40A. Operation of unauthorized unmanned aircraft over wildfires.”.

SA 3517. Mr. HELLER (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 5, line 5, strike the period and insert the following: “: *Provided*, That of the amounts made available under this heading, \$2,000,000 shall be made available to carry out the Colorado River Basin salinity control program.”.

SA 3518. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 D, insert the following:

SEC. ____ . STOP DANGEROUS SANCTUARY CITIES ACT.

(a) SHORT TITLE.—This section may be cited as the “Stop Dangerous Sanctuary Cities Act”.

(b) ENSURING THAT LOCAL AND FEDERAL LAW ENFORCEMENT OFFICERS MAY COOPERATE TO SAFEGUARD OUR COMMUNITIES.—

(1) AUTHORITY TO COOPERATE WITH FEDERAL OFFICIALS.—A State, a political subdivision of a State, or an officer, employee, or agent of such State or political subdivision that complies with a detainer issued by the Department of Homeland Security under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357)—

(A) shall be deemed to be acting as an agent of the Department of Homeland Security; and

(B) with regard to actions taken to comply with the detainer, shall have all authority available to officers and employees of the Department of Homeland Security.

(2) LEGAL PROCEEDINGS.—In any legal proceeding brought against a State, a political subdivision of a State, or an officer, employee, or agent of such State or political subdivision, which challenges the legality of the seizure or detention of an individual pursuant to a detainer issued by the Department of Homeland Security under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357)—

(A) no liability shall lie against the State or political subdivision of a State for actions taken in compliance with the detainer; and

(B) if the actions of the officer, employee, or agent of the State or political subdivision were taken in compliance with the detainer—

(i) the officer, employee, or agent shall be deemed—

(I) to be an employee of the Federal Government and an investigative or law enforcement officer; and

(II) to have been acting within the scope of his or her employment under section 1346(b) and chapter 171 of title 28, United States Code;

(ii) section 1346(b) of title 28, United States Code, shall provide the exclusive remedy for the plaintiff; and

(iii) the United States shall be substituted as defendant in the proceeding.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to provide immunity to any person who knowingly violates the civil or constitutional rights of an individual.

(c) SANCTUARY JURISDICTION DEFINED.—

(1) IN GENERAL.—Except as provided under paragraph (2), for purposes of this section the term “sanctuary jurisdiction” means any State or political subdivision of a State that has in effect a statute, ordinance, policy, or practice that prohibits or restricts any government entity or official from—

(A) sending, receiving, maintaining, or exchanging with any Federal, State, or local government entity information regarding the citizenship or immigration status (lawful or unlawful) of any individual; or

(B) complying with a request lawfully made by the Department of Homeland Security under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357) to comply with a detainer for, or notify about the release of, an individual.

(2) EXCEPTION.—A State or political subdivision of a State shall not be deemed a sanctuary jurisdiction based solely on its having a policy whereby its officials will not share information regarding, or comply with a request made by the Department of Homeland Security under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357) to comply with a detainer regarding, an individual who comes forward as a victim or a witness to a criminal offense.

(d) SANCTUARY JURISDICTIONS INELIGIBLE FOR CERTAIN FEDERAL FUNDS.—

(1) ECONOMIC DEVELOPMENT ADMINISTRATION GRANTS.—

(A) GRANTS FOR PUBLIC WORKS AND ECONOMIC DEVELOPMENT.—Section 201(b) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141(b)) is amended—

(i) in paragraph (2), by striking “and” at the end;

(ii) in paragraph (3)(B), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(4) the area in which the project is to be carried out is not a sanctuary jurisdiction (as defined in subsection (c) of the Stop Dangerous Sanctuary Cities Act).”.

(B) GRANTS FOR PLANNING AND ADMINISTRATION.—Section 203(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3143(a)) is amended by adding at the end the following: “A sanctuary jurisdiction (as defined in subsection (c) of the Stop Dangerous Sanctuary Cities Act) may not be deemed an eligible recipient under this subsection.”.

(C) SUPPLEMENTARY GRANTS.—Section 205(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3145(a)) is amended—

(i) in paragraph (2), by striking “and” at the end;

(ii) in paragraph (3)(B), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(4) will be carried out in an area that does not contain a sanctuary jurisdiction (as defined in subsection (c) of the Stop Dangerous Sanctuary Cities Act).”.

(D) GRANTS FOR TRAINING, RESEARCH, AND TECHNICAL ASSISTANCE.—Section 207 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3147) is amended by adding at the end the following:

“(C) INELIGIBILITY OF SANCTUARY JURISDICTIONS.—Grants funds under this section may not be used to provide assistance to a sanctuary jurisdiction (as defined in subsection (c) of the Stop Dangerous Sanctuary Cities Act).”.

(2) COMMUNITY DEVELOPMENT BLOCK GRANTS.—Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) is amended—

(A) in section 102(a) (42 U.S.C. 5302(a)), by adding at the end the following:

“(25) The term ‘sanctuary jurisdiction’ has the meaning provided in subsection (c) of the Stop Dangerous Sanctuary Cities Act.”.

(B) in section 104 (42 U.S.C. 5304)—

(i) in subsection (b)—

(I) in paragraph (5), by striking “and” at the end;

(II) by redesignating paragraph (6) as paragraph (7); and

(III) by inserting after paragraph (5) the following:

“(6) the grantee is not a sanctuary jurisdiction and will not become a sanctuary jurisdiction during the period for which the grantee receives a grant under this title; and”.

(ii) by adding at the end the following:

“(n) PROTECTION OF INDIVIDUALS AGAINST CRIME.—

“(1) IN GENERAL.—No funds authorized to be appropriated to carry out this title may be obligated or expended for any State or unit of general local government that is a sanctuary jurisdiction.

“(2) RETURNED AMOUNTS.—

“(A) STATE.—If a State is a sanctuary jurisdiction during the period for which it receives amounts under this title, the Secretary—

“(i) shall direct the State to immediately return to the Secretary any such amounts that the State received for that period; and

“(ii) shall reallocate amounts returned under clause (i) for grants under this title to other States that are not sanctuary jurisdictions.

“(B) UNIT OF GENERAL LOCAL GOVERNMENT.—If a unit of general local government is a sanctuary jurisdiction during the period for which it receives amounts under this title, any such amounts that the unit of general local government received for that period—

“(i) in the case of a unit of general local government that is not in a nonentitlement area, shall be returned to the Secretary for grants under this title to States and other units of general local government that are not sanctuary jurisdictions; and

“(ii) in the case of a unit of general local government that is in a nonentitlement area, shall be returned to the Governor of the State for grants under this title to other units of general local government in the State that are not sanctuary jurisdictions.

“(C) REALLOCATION RULES.—In reallocating amounts under subparagraphs (A) and (B), the Secretary shall—

“(i) apply the relevant allocation formula under subsection (b), with all sanctuary jurisdictions excluded; and

“(ii) shall not be subject to the rules for allocation under subsection (c).”.

(3) EFFECTIVE DATE.—This subsection and the amendments made by this subsection shall take effect on October 1, 2018.

SA 3519. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 6147, making ap-

propriations for the Department of the Interior, environment, and related agencies 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. 1____. None of the funds made available by this Act shall be used to administer, apply, or enforce requirements under subchapter IV of chapter 31 of part A of subtitle II of title 40, United States Code, or section 113 of title 23, United States Code, with respect to a project eligible under title 23, United States Code.

SA 3520. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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. _____. None of the funds made available by this Act may be used to carry out the final rule of the Department of Housing and Urban Development entitled “Affirmatively Furthering Fair Housing” (80 Fed. Reg. 42272 (July 16, 2015)) or to carry out the notice of the Department of Housing and Urban Development entitled “Affirmatively Furthering Fair Housing Assessment Tool” (79 Fed. Reg. 57949 (September 26, 2014)).

SA 3521. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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:

INCREASE IN FUNDING FOR NATIONAL PARK SERVICE DEFERRED MAINTENANCE PROJECTS

SEC. 433. Notwithstanding any other provision of this division—

(1) the amount provided by the matter under the heading “LAND ACQUISITION” under the heading “BUREAU OF LAND MANAGEMENT” under the heading “DEPARTMENT OF THE INTERIOR” in title I to be derived from the Land and Water Conservation Fund for Federal land acquisition shall be \$3,392,000;

(2) the amount provided by the matter under the heading “LAND ACQUISITION” under the heading “UNITED STATES FISH AND WILDLIFE SERVICE” under the heading “DEPARTMENT OF THE INTERIOR” in title I to be derived from the Land and Water Conservation Fund for Federal land acquisition shall be \$11,953,000;

(3) the amount provided by the matter under the heading “OPERATION OF THE NATIONAL PARK SYSTEM” under the heading “NATIONAL PARK SERVICE” under the heading “DEPARTMENT OF THE INTERIOR” in title I shall be increased by \$156,609,000, to be made available for deferred maintenance projects of the National Park Service;

(4) the amount provided by the matter under the heading “LAND ACQUISITION AND STATE ASSISTANCE” under the heading “NATIONAL PARK SERVICE” under the heading “DEPARTMENT OF THE INTERIOR” in title I to be derived from the Land and Water

Conservation Fund for Federal land acquisition shall be \$8,788,000; and

(5) the amount provided by the matter under the heading “LAND ACQUISITION (INCLUDING RESCISSION OF FUNDS)” under the heading “FOREST SERVICE” under the heading “DEPARTMENT OF AGRICULTURE” under the heading “RELATED AGENCIES” in title III to be derived from the Land and Water Conservation Fund for Federal land acquisition shall be \$0.

SA 3522. Mr. LEE (for himself and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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. _____. None of the funds appropriated by this Act to the Food and Drug Administration shall be used to enforce standards of identity with respect to a food that would be considered adulterated or misbranded for the sole reason that the labeling of such food contains a common or usual name of another food, provided that the name of such other food on the label is preceded by a prominently displayed qualifying prefix, word, or phrase that identifies—

(1) an alternative plant or animal source that replaces some or all of the main characterizing ingredient or component of such other food; or

(2) the absence of a primary characterizing plant or animal source, or of a nutrient, allergen, or other well-known component, that is ordinarily present in such other food.

SA 3523. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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. _____. The final rule issued by the Administrator of the Environmental Protection Agency and the Secretary of the Army entitled “Clean Water Rule: Definition of ‘Waters of the United States’” (80 Fed. Reg. 37054 (June 29, 2015)) is repealed, and, until such time as the Administrator and the Secretary issue a final rule after the date of enactment of this Act that defines the scope of waters protected under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and such new rule is in effect, any regulation or policy revised under, or otherwise affected as a result of, the rule repealed by this section shall be applied as if that repealed rule had not been issued.

SA 3524. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 324, line 13, strike the colon and insert “; and of which \$7,000,000 shall be available for marketing activities authorized

under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)) to provide to State departments of agriculture, State cooperative extension services, institutions of higher education, and nonprofit organizations grants to carry out programs and provide technical assistance to promote innovation, process improvement, and marketing relating to dairy products.”.

SA 3525. Mr. MURPHY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 411, line 19, strike “\$1,000,000,000” and insert “\$500,000,000”.

On page 460, line 14, strike “\$300,000,000” and insert “\$550,000,000”.

On page 463, line 10, strike “\$650,000,000” and insert “\$900,000,000”.

SA 3526. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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 D, insert the following:

SEC. 4. The National Railroad Passenger Corporation shall grant a discount of not less than 15 percent on passenger fares to members of the public benefit corporation Veterans Advantage.

SA 3527. Mr. BLUMENTHAL (for himself, Mr. MURPHY, Mr. COONS, and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 462, line 13, strike “Act.” and insert “Act: *Provided further*, That of the amounts made available under this heading, not less than \$150,000,000 shall be for projects for the implementation of positive train control: *Provided further*, That in making grants using the amounts set aside under the previous proviso, the Secretary shall give priority to projects relating to commuter rail operations.”.

SA 3528. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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:

TREATMENT OF CERTAIN UNPOPULATED CENSUS TRACTS UNDER NEW MARKETS TAX CREDIT

SEC. _____. (a) IN GENERAL.—Section 45D(e)(4)(A) of the Internal Revenue Code of 1986 is amended—

(1) by striking “is within” and inserting “is—

“(i) within”,

(2) by striking “and” at the end and inserting “or”, and

(3) by adding at the end the following new clause:

“(ii) a census tract with a population of zero, and”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to investments made after the date of the enactment of this Act.

SA 3529. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

In title I of division D, insert the following after section 119F:

SEC. 119G. Of the funds provided under the heading “Grants-in-aid for Airports”, up to \$1,500,000 shall be for necessary expenses, including an independent verification regime, to provide reimbursement to airport sponsors that do not provide gateway operations and providers of general aviation ground support services located at airports within the 30-mile temporary flight restriction (TFR) area for any residence of the President that is designated or identified to be secured by the United States Secret Service, and for direct and incremental financial losses incurred while such operators or service providers are subject to operating restrictions solely due to the actions of the Federal Government: *Provided*, That no funds shall be obligated or distributed to airport sponsors that do not provide gateway operations and providers of general aviation ground support services until an independent audit is completed: *Provided further*, That losses incurred as a result of violations of law, or through fault or negligence, of such operators and service providers or of third parties (including airports) are not eligible for reimbursements: *Provided further*, That obligation and expenditure of funds are conditional upon full release of the United States Government for all claims for financial losses resulting from such actions: *Provided further*, That the Secretary shall give priority to funding applicants with the most significant, documented financial losses due to these temporary flight restrictions: *Provided further*, That no funds shall be obligated or distributed under this section to such operators or service providers that received reimbursement under section 119F.

SA 3530. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 16, line 10, strike “\$2,500,369,000” and insert “\$2,501,312,000”.

On page 16, line 18, strike the period and insert the following: “: *Provided further*, That of the amounts made available under this

heading, \$3,051,000 shall be made available for the Partnership Wild and Scenic River Program.”.

On page 24, line 1, strike “\$179,266,000” and insert “\$178,323,000”.

On page 24, line 19, strike the period and insert the following: “: *Provided further*, That of the amounts made available under this heading, \$60,856,000 shall be made available for conventional energy activities.”.

SA 3531. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 16, line 10, strike “\$2,500,369,000” and insert “\$2,501,312,000”.

On page 16, line 18, strike the period and insert the following: “: *Provided further*, That of the amounts made available under this heading, \$3,051,000 shall be made available for the Partnership Wild and Scenic River Program.”.

On page 40, line 7, strike “\$134,673,000” and insert “\$133,730,000”.

SA 3532. Mr. MENENDEZ (for himself, Mr. MERKLEY, Mr. TESTER, Mr. VAN HOLLEN, Ms. WARREN, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 253, strike lines 20 through 25.

SA 3533. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 142, between lines 16 and 17, insert the following:

PROHIBITION OF OIL AND GAS LEASING IN CERTAIN AREAS OF THE OUTER CONTINENTAL SHELF

SEC. 433. Section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) is amended by adding at the end the following:

“(q) PROHIBITION OF OIL AND GAS LEASING IN CERTAIN AREAS OF THE OUTER CONTINENTAL SHELF.—Notwithstanding any other provision of this section or any other law, the Secretary of the Interior shall not issue a lease or any other authorization for the exploration, development, or production of oil, natural gas, or any other mineral in—

“(1) the Mid-Atlantic planning area;

“(2) the South Atlantic planning area;

“(3) the North Atlantic planning area; or

“(4) the Straits of Florida planning area.”.

SA 3534. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related

agencies 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. ____ . Section 414(b) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11373(b)) is amended to read as follows:

“(b) MINIMUM ALLOCATION REQUIREMENT.—

“(1) IN GENERAL.—If, under the allocation provisions applicable under this subtitle, a metropolitan city or an urban county would receive a grant of less than .05 percent of the amounts appropriated under section 408 and made available to carry out this subtitle for any fiscal year, such amount shall be—

“(A) in the case of the metropolitan city—

“(i) reallocated to the urban county in which the metropolitan city is located, if the urban county—

“(I) has previously received and administered assistance under this section; and

“(II) agrees to receive such amount; or

“(ii) if the urban county in which the metropolitan city is located does not meet the requirements under subclauses (I) and (II) of clause (i), reallocated to the State in which the metropolitan city is located; and

“(B) in the case of the urban county—

“(i) provided to the urban county, if the urban county has previously received and administered assistance under this section; or

“(ii) if the urban county has not previously received and administered assistance under this section, reallocated to the State in which the urban county is located.

“(2) EXCEPTIONS.—

“(A) METROPOLITAN CITIES.—Notwithstanding paragraph (1)(A), the grant amount described in paragraph (1) with respect to a metropolitan city shall be provided to the metropolitan city if the metropolitan city—

“(i) is located in a State that does not have counties as local governments;

“(ii) has a population greater than 40,000 but less than 50,000 as used in determining the fiscal year 1987 community development block grant program allocation; and

“(iii) was allocated in excess of \$1,000,000 in community development block grant funds in fiscal year 1987.

“(B) REALLOCATION TO THE STATE.—

“(i) IN GENERAL.—Notwithstanding paragraph (1), any amount allocated to an urban county or metropolitan city under this subtitle shall be reallocated to the State in which the urban county or metropolitan city is located if the amount determined under clause (ii) for a fiscal year is less than .05 percent of the amounts appropriated under section 408 and made available to carry out this subtitle for that fiscal year.

“(ii) AMOUNT.—The amount determined under this clause is equal to the sum of—

“(I) the grant that each metropolitan city located within an urban county would receive under the allocation provisions applicable under this subtitle, in the aggregate; and

“(II) the grant that the urban county would receive under the allocation provisions applicable under this subtitle.

“(3) AMOUNTS REALLOCATED TO URBAN COUNTIES.—An urban county that receives amounts reallocated under paragraph (1)(A)(i) may expend those amounts for the benefit of metropolitan cities located in the urban county.”.

SA 3535. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related

agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 413, line 19, insert “*Provided further*, That not less than 50 percent of the funds provided under this heading shall be for projects located in urban areas:” after “percent:”.

SA 3536. Ms. CORTEZ MASTO (for herself and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies 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. ____ . **FIGHTING ILLICIT NETWORKS AND DETECTING TRAFFICKING.**

(a) **SHORT TITLE.**—This section may be cited as the “Fight Illicit Networks and Detect Trafficking Act” or the “FIND Trafficking Act”.

(b) **GAO STUDY.**—

(1) **STUDY REQUIRED.**—The Comptroller General of the United States shall conduct a study on how virtual currencies and online marketplaces are used to facilitate sex and drug trafficking that considers—

(A) how online marketplaces, including the dark web, are being used as platforms to buy, sell, or facilitate the financing of goods or services associated with sex trafficking or drug trafficking (specifically, opioids and synthetic opioids, including fentanyl, fentanyl analogs, and any precursor chemicals associated with manufacturing fentanyl or fentanyl analogs) destined for, originating from, or within the United States;

(B) how financial payment methods, including virtual currencies and peer-to-peer mobile payment services, are being utilized by online marketplaces to facilitate the buying, selling, or financing of goods and services associated with sex or drug trafficking destined for, originating from, or within the United States;

(C) how virtual currencies are being used to facilitate the buying, selling, or financing of goods and services associated with sex or drug trafficking, destined for, originating from, or within the United States, when an online platform is not otherwise involved;

(D) how illicit funds that have been transmitted online and through virtual currencies are repatriated into the formal banking system of the United States through money laundering or other means;

(E) the participants (state and nonstate actors) throughout the entire supply chain that participate in or benefit from the buying, selling, or financing of goods and services associated with sex or drug trafficking (either through online marketplaces or virtual currencies) destined for, originating from, or within the United States;

(F) Federal and State agency efforts to impede the buying, selling, or financing of goods and services associated with sex or drug trafficking destined for, originating from, or within the United States, including efforts to prevent the proceeds from sex or drug trafficking from entering the United States banking system;

(G) how virtual currencies and their underlying technologies can be used to detect and deter these illicit activities; and

(H) to what extent can the immutable and traceable nature of virtual currencies con-

tribute to the tracking and prosecution of illicit funding.

(2) **SCOPE.**—In paragraph (1), the term “sex trafficking” means the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act that is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age.

(c) **REPORT TO CONGRESS.**—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives that—

(1) summarizes the results of the study required under subsection (b); and

(2) contains any recommendations for legislative or regulatory action that would improve the efforts of Federal agencies to impede the use of virtual currencies and online marketplaces in facilitating sex and drug trafficking.

SA 3537. Mr. WARNER (for himself, Mr. HOEVEN, and Ms. CORTEZ MASTO) submitted an amendment intended to be proposed by him to the bill H.R. 6147, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

In the matter under the heading “FEDERAL AVIATION ADMINISTRATION” under the heading “OPERATIONS” under the heading “(AIRPORT AND AIRWAY TRUST FUND)” in title I of division D, strike “airport,” and insert “airport: *Provided further*, That of the amount appropriated under this heading, up to \$6,000,000 shall be used for providing matching funds to qualified commercial entities seeking to demonstrate or validate technologies that the Federal Aviation Administration considers essential to the safe integration of unmanned aircraft systems (UAS) in the National Airspace System at Federal Aviation Administration designated UAS test sites: *Provided further*, That not later than 60 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall identify essential integration technologies that could be demonstrated or validated at test sites designated in accordance with the preceding proviso.”.

AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN, Mr. President, I have 8 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

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

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Tuesday, July 24, 2018, at 10 a.m., to conduct a hearing on the following nominations: Dan Michael Berkovitz, of Maryland, to be a Commissioner of