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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Eternal King, You are great and marvelous. You alone are God. Without Your wondrous deeds, our Nation and planet could not survive. You continue to perform wonders on our behalf, rescuing us from ourselves.

Lord, inspire our lawmakers to acknowledge Your sovereignty. Teach them Your precepts so that they may walk in Your truth, experiencing the reverential awe that comes from Your presence. Provide wisdom and knowledge to our legislative leaders, bringing stability to our land.

Sovereign God, Ruler of all nature, You alone will we worship, for You keep us on the path of wisdom.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mrs. HYDE-SMITH). Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

REMEMBERING OFFICER JACOB CHESTNUT AND DETECTIVE JOHN GIBSON

Mr. MCCONNELL. Madam President, I begin this morning by remembering two heroes and the events that claimed their lives 20 years ago today, right here in the Capitol.

On July 24, 1998, U.S. Capitol Police Officer Jacob Chestnut and Detective John Gibson made the ultimate sacrifice in defense of American democracy. By doing their duty, these heroes helped cut short an act of brutal violence that could have claimed many more lives. That same week, Officer Chestnut and Detective Gibson lay in honor in the Capitol Rotunda, and an entire Nation paid its respects.

I imagine 20 years have not made this senseless violence any easier to bear for the families these men left behind or for their brothers and sisters in the Capitol Police. Yet, as we remember their bravery, a triumphant example endures of selfless service and fearless heroism—of two men who embodied the values that keep this building and our Nation standing safe and sound.

Today, we honor Detective Gibson and Officer Chestnut. We renew our condolences to their families. We recognize the depth of our gratitude for them and for everyone who puts on the uniform and steps into harm's way every single day.

APPROPRIATIONS PROCESS

Mr. MCCONNELL. Madam President, now, on an entirely different matter, yesterday, the Senate began considering our next set of appropriations measures for fiscal year 2019.

Chairman SHELBY and Ranking Member LEAHY have led an exemplary bipartisan process through subcommittee and full committee work. Yesterday, that same bipartisan spirit was here on the floor when we were able to proceed to these measures by consent. Let's keep up that productive and cooperative spirit so we can achieve the goal we all share—completing a regular appropriations process and avoiding another omnibus.

The measures before us encompass agriculture, interior and the environment, transportation and housing, and financial services and general government. They would deliver real resources to help American communities face real challenges—challenges like clearing the backlog of infrastructure needs that are holding back rural America and challenges like fighting the opioid epidemic that threatens families and communities.

Among the many, many things this legislation would accomplish, it meets these two challenges head on. It delivers nearly one-half billion dollars in loans and grant funding for rural broadband. It supplies $400 million to accelerate the delivery of water and waste infrastructure projects across rural America. It would also deliver more assistance to all of the areas of our country that are living under the long shadow of the opioid crisis—tens of millions to help the FDA crack down on the spread of illicit drugs and to improve care in rural communities through distance learning and telemedicine.

These are just a few of the important provisions in these bills. I look forward to considering them this week. I hope we will have a robust amendment process, and then, with bipartisan cooperation, we can take these next steps together.

ECONOMIC GROWTH

Mr. MCCONNELL. Madam President, on a final matter, yesterday, the White House hosted a ''Made in America'' showcase, featuring products that were manufactured in each State, including from Stoneware & Co., in my home State, which makes the famous Louisville stoneware kitchen and dining sets.

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

Well, talking about reviving American manufacturing is nothing new in this town. In his 2013 State of the Union Address, President Obama insisted that ''our first priority is making America a magnet for new jobs and manufacturing.''

Every few years, it seemed our Democratic friends over in the House would hold yet another press conference to talk about getting manufacturing moving. So rhetoric was not in short supply during the Obama era. What was harder to come by were actual results. On President Obama's watch, on net, our country lost more than 300,000 manufacturing jobs.

Year after year, Democratic policies led to insufficient, sluggish, and uneven economic growth that left much of the country behind. Eight years of this so-called recovery couldn't even get us back to the same number of manufacturing jobs that we had when President Obama first took his oath of office.

There are a number of reasons why. Yet here is one thing we heard loud and clear from U.S. manufacturers: High taxes, heavy regulations, and other Democratic policies put the wind squarely in their faces. Back in 2013, more than 75 percent of U.S. manufacturers said a hostile climate due to taxes and regulations was a major business obstacle.

What about the present? What about now?

This united Republican government has put an end to one burdensome regulation after another. We cut through the redtape that held back small businesses, local lenders, and manufacturers. We overhauled the Tax Code, leaving families with more to spend and invest and leaving job creators with more flexibility to compete and win.

What were the results?

Less than 2 years into the new administration, an all-time high of 95.1 percent of U.S. manufacturers have a positive outlook. Now fewer than one in five says a hostile business climate due to things like taxes and regulations is a top obstacle, and more than two-thirds are planning to hire this year. These aren't just numbers; this is real life.

At Jamison Door in Hagerstown, MD, tax reform made possible a 400-percent increase in plant size.

In my home State of Kentucky, it is estimated that more than 1,000 construction jobs will be needed to help build a new aluminum rolling mill for Braidy Industries. Over the next 7 years, tax reform is expected to save the company—listen to this—$150 million, which will help to support this investment and the 600 permanent new jobs the company estimates it will create in the Commonwealth.

So let's sum it up. Republican policies have helped generate the very outcomes Democrats claim they wanted. American manufacturing is thriving on our watch, but now Democrats aren't cheering. In fact, they have tried to block most of the policies that have helped this happen.

They voted against tax reform—every Democrat in the House and the Senate. They have protested regulatory reform every step of the way. They want to go right back to their old ways—repeal the Tax Cuts and Jobs Act, raise taxes, and pile on more crushing regulations.

We are not going to let that happen because we agree that manufacturing growth is vital for American prosperity, and unlike our friends across the aisle, we have the ideas and the policies to help make that goal into reality.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

REMEMBERING OFFICER JACOB CHESTNUT AND DETECTIVE JOHN GIBSON

Mr. SCHUMER. Madam President, 20 years ago today, in the late afternoon, shots rang out in this building. A mentally ill individual, armed with a gun, was coming through security when he shot Capitol Police Officer Jacob Chestnut. He then approached the Capitol office of Tom DeLay and engaged Detective John Gibson, and they exchanged gunfire. Detective Gibson and Officer Chestnut lost their lives in the line of duty while protecting this building's occupants and visitors.

There is no way of knowing how many lives they saved in their sacrifice, but their families know that their sacrifice has not been forgotten by all of us here. Their memory is a blessing to their families and to all of us here who remember that awful day.

I join the distinguished Republican leader today in recognizing the anniversary of their passing as a solemn reminder of the everyday heroism practiced by the Capitol Police and their brothers and sisters in blue all across the country.

NOMINATION OF BRETT KAVANAUGH

Mr. SCHUMER. Madam President, the Senate has a constitutional duty to provide advice and consent and a special obligation to thoroughly examine Supreme Court nominations. After all, there are few positions in our government with greater importance or responsibility than a lifetime appointment on the Nation's highest Court. It is now our job to carefully, thoroughly, and methodically review the record of Judge Brett Kavanaugh, and we have quite a job ahead of us.

As a partisan political lawyer during the Clinton and Bush years, Brett Kavanaugh has a paper trail a mile long. There is no doubt the White House and Leader MCCONNELL were aware of this history when the nomination was made. The length of Judge Kavanaugh's record, however, is no reason to shirk our responsibility as Senators to review it.

Yet the distinguished chairman of the Judiciary Committee has already suggested there is no reason to review Judge Kavanaugh's full record before proceeding with his nomination. Leader MCCONNELL threatened to play political hardball if Democrats insisted on obtaining Judge Kavanaugh's full record. Senate Republicans are making hollow arguments and petty attempts at advancing Judge Kavanaugh's nomination with as little scrutiny as they can manage.

We have been having trouble getting an agreement with Judiciary Committee Chairman GRASSLEY on the scope of the documents the Senate should request. Chairman GRASSLEY has had our request for over a week. It is the same request that was made when Elena Kagan was nominated to the Supreme Court. It is the very same request that Republicans insisted on, including Senator GRASSLEY—he was not chairman then—and Democrats agreed to when we were in charge.

Much like Judge Kavanaugh, Elena Kagan spent time in prior administrations and had a lengthy paper trail, some of which could have been labeled privileged. Did Democrats, in the majority at the time, attempt to rush her nomination through? No. Did we lean on former administrations to declare her documents privileged? No. Democrats actually joined with the Republican minority to request a full and complete accounting of Elena Kagan's record. Her former employer waived all claims of privilege.

Let me show you the letter right here that my friend Senator LEAHY, then chairman of the Judiciary Committee, and Senator Jeff Sessions, then ranking member, sent to the Clinton Library. Here is the letter. What we have done is use the same letter. We are willing to issue the exact same letter, except we have put the address of the person at the Bush Library, changed the name of Kagan to Kavanaugh, and changed the name of Clinton to Bush; otherwise, it is the exact same letter.

How can our Republican colleagues resist this simple letter when it is the exact same letter they pushed for, and we acceded to, when the shoe was on the other foot?

The letter requests the entirety of Elena Kagan's record, not part of it, not a subset of it—all of it. What is good enough for Justice Kagan is good enough for Judge Kavanaugh. You could simply replace her name with Judge Kavanaugh's name throughout this letter, and the letter would be exactly applicable today. This is the standard Democrats and Republicans used to agree on, the Kagan standard—and it wasn't just Senators LEAHY and Sessions.

At the time, Senator GRASSLEY, now chairman—the burden is on him to help

us get a bipartisan letter—said: ''In order for the Senate to fulfill its constitutional duty of advise and consent, we must get all of [Elena Kagan's] documents from the Clinton Library and have enough time to analyze them so we can determine whether she should be a Justice.''

Let me read it again. This is what Chairman GRASSLEY said—now chairman, then a member of the Judiciary Committee: ''In order for the Senate to fulfill its constitutional duty of advise and consent, we must get all of [Elena Kagan's] documents from the Clinton Library and have enough time to analyze them so we can determine whether she should be a Justice.''

Senator GRASSLEY is a good man. Senator GRASSLEY has a real sense of integrity and fairness. That is why so many of us are wondering why there is such a double standard right now. We hope he will join Senator FEINSTEIN in a joint letter, just as Senator LEAHY and Senator Sessions came together on such a letter a while ago.

Senator CORNYN at the time, now the No. 2 man in the Republican hierarchy here in the Senate, said: ''I think it would be a mistake to hold the hearing until we've had a chance to see [Elena Kagan's] documents and any other documents that might exist . . . [and] we've had an adequate time to review the documents.''

This happens especially when it comes to judges. The double standard of the other side is enormous. When they are in the minority, they profess strong arguments, push us to go along, and usually we do. But now that they are in the majority, it is as if there is a whole new world and what happened in the past doesn't make a darn bit of difference. That is not fair. That is not right.

We, on this side, have had enough of the other side's hypocrisy on judges. We know there is a push by the hard right to fill the bench so they can achieve their agenda, which they could never achieve—even with Republican majorities in the House, Senate, and Presidency—through the elected bodies.

The kinds of attitudes that we have seen by the conservative Justices—which we believe Judge Kavanaugh might well accede to, and that is why we want a hearing—are not what America wants on issue after issue after issue. This is the hard right's No. 1 goal.

They embraced Donald Trump only after he agreed to a list of 25 judges that the Federalist Society and Heritage Foundation suggested; both are far away from where Americans feel on issues like healthcare, government involvement, and choice. That is when they embraced him.

There is huge pressure; I get that. We have pressure on our side too. But the double standard is so glaring, so unfair, that it is appalling.

People say: Well, on judges, it has been tit for tat. It really hasn't. It really hasn't. Leader Reid changed the rules after four vacancies existed on the DC Court of Appeals because Republicans wouldn't put them in. It was a 60-vote rule, but we kept it open for the Supreme Court. Leader MCCONNELL changed that. Leader MCCONNELL, unprecedentedly, let Merrick Garland stew and not have a hearing.

We understand the pressure, but it is not good for the Republicans, and it is not good for comity in this body, which we are seeking. I see the chairman of the Appropriations Committee. We are trying to get comity on appropriations. Stuff like this poisons the well. It does.

Just last week, we witnessed the firsthand importance of reviewing a nominee's full record. The White House was forced to withdraw the nomination of Ryan Bounds for a seat on the Ninth Circuit after abhorrent writings from his college newspaper came to light. If the college newspaper writings of a potential appellate judge are significant enough to disqualify him from consideration, how can my colleagues on the other side argue with a straight face that Judge Kavanaugh's record should not be fully considered before the Senate moves forward on his nomination to this Nation's highest Court—one of the most powerful institutions in the world?

There is a lot we don't know about Judge Kavanaugh. We are learning more about him each day. Just a few days ago, for example, we learned he had expressed skepticism about the Supreme Court that held President Nixon accountable. It is another example of Judge Kavanaugh expressing the view that Presidential power should be virtually unconstrained. One that is still amazing to me, and I would like to see if there is more of it in his records because it is so extreme a view, is that Judge Kavanaugh suggested a President can ignore a statute he ''deems''—his word—unconstitutional even if a court ruled it was constitutional. That is like a King, not a President. We have the rule of law here.

He said sitting Presidents should not be subject to an investigation of any kind, other than an impeachment inquiry by Congress.

Judge Kavanaugh's belief in unchallenged Presidential power is so ingrained that he has even questioned the constitutionality of what he calls the ''independent regulatory state,'' a phrase that sounds awfully familiar to the hard-right myth of a deep state.

This is a radically activist view for a judge who advertises himself as someone who will merely interpret the law as written. Congress has, by law, given certain agencies varying degrees of independence from the Executive. That started in the 1890s. That is not new, and there is an ebb and flow to it. Sometimes Congress feels the regulations have gone too far and push back; sometimes they feel they need more, and they push forward. There has been an ebb and flow in history since the 1890s, but almost no one has said—except the hard right and deep state people—that there shouldn't be regulations.

If Judge Kavanaugh has his way, agencies that have been somewhat independent with good success, such as the Social Security Administration, the SEC, the IRS, and the FBI, would be subject to vast political influence from the White House. That is exactly the opposite of what Congress has provided by law.

Senators and the public will have to make up their minds about what Judge Kavanaugh believes, and they will have to think of it in the broad, long-term context but also in the context of this President, who seems to have less respect for the rule of law, less respect for separation of power, and less respect for anyone who stands in his way than any President I have seen in my lifetime.

Everyone will have to make up their minds about that. I understand that. That is what we are here for, but it seems clear that in the context of Judge Kavanaugh's writings about the Presidency, that the statement questioning the Nixon decision reflects his actual beliefs. That is why we need to obtain, analyze, and scrutinize his record. That is our job as U.S. Senators, a job Members from both sides of the aisle used to agree on.

THE PRESIDENT'S FOREIGN POLICY

Mr. SCHUMER. Madam President, finally, just a few points as I see my colleagues are waiting. I wish to make a few points on Iran and President Trump's tweets. First, it seems the President is desperate to distract the American people from last week's performance in Helsinki. He always seems to do this: He runs into trouble, and he creates a whole new firestorm somewhere else. It is his MO. It is not the way we have seen government work in the United States, but that is what he does. He is the President.

Second, the tweets suggest a pattern in President Trump's foreign policy in which the President uses heated rhetoric with foreign capitals to inflame and intensify tensions so later on the President can pretend to ride in and save the day with a more measured tone. It is sort of like a Kabuki play. It screws up our foreign policy.

We saw this play out in North Korea. President Trump repeatedly insulted Kim Jong Un on Twitter, only to declare world peace once the two of them had met. It seems as if the President's foreign policy is to commit arson so he can play the firefighter. He lights the fire and then puts it out and gives himself a huge pat on the back.

Not surprisingly, this reality TV foreign policy hasn't produced the concrete results we are all looking for and must secure. It has been 2 months since the President met with Chairman Kim. Yet we have seen little in the way of irreversible steps toward

denuclearization. We don't even have details on the agreement. Secretary Pompeo went over there and was just given the cold shoulder. Kim wouldn't meet with him and said nasty things about him. Still, the President claims—I think he is alone here—that the North Korean summit was a huge success.

Certainly, the world is a safer place without President Trump and Chairman Kim trading barbs on social media. Those tactics make America weaker. We all want diplomacy to succeed. We all want a strong deal with North Korea, but the cessation of rhetorical hostilities is no replacement for concrete, verifiable steps toward denuclearization.

The same holds true for Iran. I hope the President isn't reaching into the same old social media playbook, using rhetoric as a replacement for the hard work of diplomacy.

I yield the floor.

INTERIOR, ENVIRONMENT, FINANCIAL SERVICES, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 6147, which the clerk will report.

The senior assistant legislative clerk read as follows:

A 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.

Pending:

Shelby amendment No. 3399, in the nature of a substitute.

Murkowski amendment No. 3400 (to amendment No. 3399), of a perfecting nature.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Madam President, this week the Senate takes another step toward regular order in the appropriations process in the Senate.

The package before the Senate today contains the fiscal year 2019 appropriations bills for the Subcommittees on Interior; Financial Services; Agriculture; and Transportation, Housing and Urban Development. We have not debated an interior appropriations bill on the floor of the U.S. Senate in nearly 10 years.

The Financial Services appropriations bill has not seen floor action in several years either. Why? Because year after year, party-line votes in committees represented the end of the line in the legislative process. Yet here we are today debating both of these appropriations bills and more on the Senate floor.

So what changed? What changed was the mindset of appropriators on both sides of the aisle who embraced a willingness to sacrifice partisan riders and priorities outside the committee's jurisdiction for the good of the process. Together we have committed to do what is good for the process because we want to do what is right by the American people.

This approach is yielding meaningful results thus far. The Interior and Financial Services bills in this package both won the unanimous approval of the Appropriations Committee, which is generally unheard of—unanimous, Madam President. We haven't seen that level of support for these bills in quite some time around here.

The Agriculture and Transportation, Housing and Urban Development bills also garnered unanimous support of the Appropriations Committee.

I want to take a minute to commend the chairmen of these subcommittees—Senator MURKOWSKI, Senator COLLINS, Senator HOEVEN, and Senator LANKFORD—for their leadership in the process. I also, again, thank Vice Chairman LEAHY and the ranking members of these subcommittees for their hard work. These Senators have worked together to produce strong and, I believe, bipartisan bills.

This broad bipartisan support paved the way for the full Senate's consideration of these bills, and I thank Leaders MCCONNELL and SCHUMER for agreeing to bring this package to the floor.

As we begin debate this week, we can leverage our recent success in passing appropriations bills. Just last month, the Senate passed a package of three fiscal year 2019 appropriations bills with overwhelming support. This support was facilitated by an open amendment process and a willingness to work together to address legitimate Member concerns. As a result, the process was both open and, I believe, disciplined.

More importantly, it was successful, passing by a vote of 86 to 5—yes, 86 to 5.

The bill managers on both sides of the aisle will seek to replicate this process and success with the package now before the Senate. We ask for the continued cooperation of all Senators in this effort.

Critical mass, that is what we are building in the Senate—critical mass for returning to regular order in the appropriations process.

By completing our work in a deliberate and timely manner on this package, we can turn next to the Defense and Labor-HHS-Education package. While completion of our work on the current package will mean we have passed more than half of the 2019 appropriations bills, the lion's share of discretionary spending, as my colleagues know, is contained in the Defense and Labor-HHS bills. That is very important to all of us here, very important to our constituents, and very important to our country.

Again, I encourage our colleagues to participate in this process and help sustain the momentum we have generated thus far. We have a lot of work to do, but we are making real progress. I hope my colleagues find this encouraging. I certainly do.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I am pleased to join my friend, the senior Senator from Alabama, Chairman SHELBY, as we prepare to debate the second set of appropriations bills to reach the Senate floor this session. Senator SHELBY has noted that this is a change in recent years. I commend him, and I commend both Republicans and Democrats who have worked together in the way we used to and now are again. This minibus contains four important bills for fiscal year 2019: the Interior, Environment, and Related Agencies bill; the Financial Services and General Government bill; the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies bill; and the Transportation, Housing, and Urban Development and Related Agencies bills.

Now, that was something significant to be on the Senate floor in past years. What is even more significant—and Chairman SHELBY would agree with me—each of these bills was reported by the Appropriations Committee unanimously. Every Republican, every Democrat voted for them. They fund programs that provide important services to the American people across the country. They invest in the future of this country.

Let me take one example, the Agriculture appropriations bill. This bill is a win for farmers, for families, and for rural communities through its investments in rural development, housing, food, nutrition, agriculture, research, and clean water programs. Every State in this Nation—yours, Chairman SHELBY's, and everybody else's, and of course my own State of Vermont—has rural communities and farm economies that benefit from these important programs, every one of us does.

The Transportation, Housing, and Urban Development bill will make critical infrastructure investments across the country and, of course, also in my home State of Vermont. It includes $10 billion in new funds—new funds—to help address our crumbling bridges and railways and roads. Let me just say, if I might be parochial for a moment, what that means in Vermont. It will help invest in safety improvements on Amtrak's Vermonter and Ethan Allen lines but also will make much needed repairs to our railroads and bridges. These increases in every one of our States are a direct result of the bipartisan budget deal reached earlier this year, and they are critically needed.

I have been here for over 40 years. What Senator SHELBY and I have done is we have brought the Senate back to the way it used to be to actually get things done with Republicans and Democrats working together.

Improving the Nation's infrastructure was one of President Trump's key campaign promises. Unfortunately, he criticized the very budget deal that made these increases possible. He proposed cutting—not increasing—funding

for infrastructure programs that this bill supports. I am glad to say, again, that Republicans and Democrats came together on appropriations and took a different path. This bill also protects key investments in affordable housing and community development programs, such as HOME and CDBG. That is crucial funding that communities leverage to construct, rehabilitate, and maintain affordable housing. This is housing that is desperately needed across America—certainly in my State of Vermont—to shelter families, but it also promotes economic mobility and stability.

The Interior bill makes critical investments in programs to help ensure we have clean water to drink and clean air to breathe. I can't think of any State in the country that doesn't want clean water and doesn't want clean air.

It also supports important conservation programs, including support for our national parks. Our national parks attract millions of visitors each year. What a treasure, allowing families to come and see such an important part of America. I think it is quite in the tradition of Teddy Roosevelt and others who had supported such parks, but it also has the Forest Legacy Program and the Land and Water Conservation Fund. The Land and Water Conservation Fund is going to be beneficial for Vermont, New York, and, truly, the whole northeast region. The bill continues our commitment to regional efforts to protect, restore, and preserve Lake Champlain, the largest body of fresh water in the United States outside of the Great Lakes.

I am pleased to report that the committee rejected the misguided cuts to the Environmental Protection Agency proposed by the administration that would have set back the progress we have made in recent decades to preserve our environment not just for ourselves but for future generations.

Finally, the Financial Services bill helps to support small businesses and local economies through the Small Business Development Centers Program and other related programs. Every one of us knows that small businesses and local economies make up the strength of our States.

It also funds regulatory agencies that U.S. citizens rely on to protect them from unfair, unsafe, or fraudulent business practices, like the Consumer Product Safety Commission and the Federal Trade Commission, which protect consumers. Yet we were able to reach consent to consider such a broad package of bills in the Senate.

This is a broad cross section of issues, and every one of us had different views. With the vast array of issues here, every one of the 100 Senators here, if writing this legislation by himself or herself, may include something different or something else, and, then, of course, we would have nothing. Instead, Republicans and Democrats came together. I think a lot of this comes from the direct result of the Shelby-Leahy-McConnell-Schumer commitment to move forward on a bipartisan basis.

Senator SHELBY and I met with the two leaders and said we wanted to do that. We wanted to actually show the Nation that the Senate can work, and we did it at spending levels agreed to in the bipartisan budget deal. We rejected new poison pill riders from the right and the left or controversial authorizing legislation.

We will all have issues about which we care deeply, but we had to come together on what is in the best interests of the country, and, frankly, as a Senator for almost 44 years, it was in the best interests of the Senate.

I think Senator SHELBY would agree with me that achieving this goal of reporting strong, bipartisan bills took considerable restraint on both sides of the aisle, but that restraint is what is required to get these bills through the Senate. But I worry that the House is proceeding on a different path. They have passed partisan bills filled with poison pill riders that cannot and will not pass the Senate.

Funding the government is one of our most basic constitutional responsibilities. If you go across this country, you will find that the American people expect us to work together. They expect us to reach across the aisle and to reach agreement on these bills. The programs funded in these bills make a real difference in the American people's lives, and they shouldn't be held hostage to unrelated partisan policy fights. So I hope that when we get to conference on these bills, the House will reverse and do their work in a bipartisan fashion for the benefit of all Americans—not just Republicans, not just Democrats, but all Americans.

I especially want to thank Chairman SHELBY for his partnership on these bills. I also thank the chairs and ranking members of each of the subcommittees. If they hadn't been willing to work and cooperate together, we wouldn't have these four bills before us. Again, I note that they went through unanimously. We had reached a point where some thought that we couldn't get unanimous agreement in the Senate that the sun rises in the east. Maybe we couldn't, but we did get unanimous agreement here, and thank goodness.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, I am pleased to begin the Senate debate on the fiscal year 2019 appropriations bill for Transportation, Housing and Urban Development, and Related Agencies. Our bill has been included in the appropriations package now before this Chamber.

Let me begin my remarks this morning by thanking Chairman SHELBY and Vice Chairman LEAHY for their leadership in advancing these appropriations bills in record time. It is great to see the Senate getting back to regular order in moving the appropriations bills across the Senate floor, allowing for robust debate and amendment, and then bringing those bills to conference with our House counterparts. That is the way the system should work, as opposed to all of these bills being bundled together in an enormous, many thousand-page omnibus appropriations bill. I am very pleased to see the progress that we are making.

I also want to acknowledge the hard work and commitment of my friend and colleague Senator JACK REED, who serves as the ranking member of the T-HUD Subcommittee. I have worked very closely with Senator REED in drafting this bill. We have also received input from more than 70 Senators, with in excess of 800 requests, each of which we very carefully evaluated. So I can assure this Chamber that this legislation is truly bipartisan.

The T-HUD bill provides $71.4 billion for our Nation's critical infrastructure and housing programs. This bill continues the significant infrastructure investments provided in fiscal year 2018 for our Nation's highways, bridges, airports, transit, and rail networks. As a result, communities across this country will be able to improve their transportation infrastructure to enable more efficient and safer movement of people and goods. Improving our infrastructure is essential for our continued economic growth as well as for personal mobility.

The fiscal year 2019 T-HUD bill continues the increases for infrastructure programs resulting from the 2-year budget agreement that was reached by Congress and the administration. I would note, however, that the budget agreement does not provide for the long-term funding structure necessary for our Nation's transportation infrastructure. I want to strongly encourage the administration to work with the authorizing committees to provide that long-term, sustainable funding for transportation before the FAST Act expires at the end of fiscal year 2020.

Our bill provides $1 billion for BUILD grants, previously known as the popular TIGER grants program. These grants have supported not only much needed infrastructure projects but also jobs and economic growth in each and every one of our home States. I want to provide my colleagues with an indication of just how popular this program is and how strong the demand is.

In the 2017 round of TIGER grant applications, the Department of Transportation received 452 applications requesting more than $6 billion, well above the $500 million provided last year, which could fund only 41 projects. You can see that the demand far exceeds the amount of funding. So we are taking action in this bill to double the funding for BUILD grants. That will help many more projects become a reality. I have seen in my own State the investments in bridges, ports, and transportation projects that have made such a difference.

I would now like to turn to the aviation provisions in our bill. We provide $17.7 billion in budgetary resources for the Federal Aviation Administration, or the FAA, which fully funds air traffic control personnel, including more than 14,000 air traffic controllers and more than 25,000 engineers, maintenance technicians, safety inspectors, and operational support personnel. The bill also provides $1 billion for the FAA Next Generation Air Transportation Systems Program, also known as NextGen, and $168 million for the popular Contract Towers Program. The NextGen Program is so important to the modernization of our air traffic control system, and we have consistently funded that program, and it is being implemented in a way that is going to make a real difference.

Consistent with the FAST Act, $46 billion is made available for the Federal-Aid Highway Program from the highway trust fund. In addition, the bill provides $3.3 billion from the general fund for our Nation's highways, of which $800 million is for bridge replacement and rehabilitation in rural areas of our country.

The American Society of Civil Engineers conducts a comprehensive assessment of our Nation's infrastructure every 4 years. Its most recent report card from 2017 shows that America's infrastructure remains poor and in desperate need of investment. In fact, the engineers award a grade of only D-plus for our Nation's infrastructure.

To give you some statistics to emphasize why we are receiving such a low grade, let me talk about our Nation's bridges. One in nine of our Nation's bridges is rated as structurally deficient, and the average age of our country's more than 600,000 bridges is 42 years old. Our national highway system contains infrastructure that is now well past its useful life. Some bridges are more than 100 years old, and many are unable to accommodate today's traffic volumes.

I was recently in Piscataquis County, where a TIGER Grant Program was allowing the replacement of some very old rural bridges. The amount of rust on these bridges and the narrow width made them extraordinarily dangerous. They were at risk of being posted so that traffic could go across only in one direction. When you looked up at the trusses, you could see where trucks loaded with lumber had dented the trusses because they were far too low. They were built for a different era. It is important for safety reasons—as we have seen with bridges collapsing in this country or having to be posted—that we make this kind of investment.

Our bill also invests in our Nation's rail infrastructure by providing $2.8 billion for the Federal Railroad Administration. This includes $1.9 billion to Amtrak for the Northeast Corridor and National Network, continuing service for all current routes.

In May, our subcommittee held a hearing in response to serious rail accidents, such as the tragic derailment last December in Washington State. Our bill continues to fund positive train control implementation to improve the safety of our trains. In addition, the bill provides $255 million for the Consolidated Rail Infrastructure and Safety Improvement Grants Program and $300 million for the Federal-State partnership for the State of Good Repair Grants Program. These investments in rail will help ensure that both passengers and freight move more safely and efficiently throughout our country.

The State maritime academies play a critical role in training the next generation of U.S. mariners. Our bill provides $40 million for the maritime academies as well as an additional $300 million for a special purpose vessel to be used as a training school ship.

In accordance with MARAD's guidance, the new training ships will go to replace existing training ships in the order in which these ships are expected to reach the end of their useful life. That is the only logical way for us to proceed.

Last year, we appropriated funds to replace the 57-year-old ship used by the New York State maritime academy, and this year's funding will go to replace the Massachusetts Maritime Academy's aging vessel. Again, we are going in the order that the Maritime Administration tells us these ships will be at the end of their useful life.

It would be great to be able to replace all of the ships at the same time, but we simply can't afford to do that, and that is where prioritizing the ships as the agency recommends comes in. Replacing these ships is, however, important to providing training capacity for all six of the State maritime academies, including the one that I am very proud of, the Maine Maritime Academy in Castine, Maine. It will ensure that cadets receive the training hours they need to graduate on time and join the workforce.

In the area of housing, our priority is to ensure that our Nation's most vulnerable families and individuals do not lose the assistance they are now receiving, which prevents many of them from being at risk of homelessness. Therefore, the bill provides the necessary funding to keep pace with the rising costs of housing these families in order to avoid their becoming homeless. Much of the increased funding covers the higher costs of rental assistance for the most vulnerable among us, including our homeless veterans, our youth, our disabled citizens, and low-income seniors.

Senator REED and I share a strong commitment to reducing, and someday ending, homelessness. We have therefore included $2.6 billion for homeless assistance grants. We have also made critical investments to reduce homelessness among our veterans, our youth, and survivors of domestic violence. Specifically, to assist our homeless youth, we have provided $80 million for grants targeting this underserved population.

I visited a wonderful youth shelter in Lewiston, ME, called New Beginnings. I was so impressed with the work they were doing with teenagers, in particular, many of whom had been exiled from their homes—as much as I hate to say it—or abused or otherwise found themselves homeless. Because of the safety of this shelter, they were continuing their schooling, they were learning life skills, and they were safe. Yet, I will tell you, this is the only shelter in the State of Maine that is devoted solely to the needs of homeless youth.

There is such a need in this country. There are other shelters that try to accommodate young people in the State of Maine and are doing their best, but this is an area where we need to provide more assistance.

To better support youth who are exiting the foster care system, the bill includes $20 million for family unification vouchers. That is the real gap in our system. What happens—and I know that many Members share my concern—is young people ''age out'' of the foster care program, and they may have nowhere safe to go.

For our Nation's senior population, many of our seniors receive section 8 housing, but our bill also includes $678 million for housing for older Americans. Of this amount, $10 million will provide grants to nonprofit and State and local entities to do home modifications for low-income seniors, enabling them to stay in their own homes and to age in place.

I am very excited about this program because of hearings I have held in the Senate Aging Committee, which I am privileged to chair. What we have learned is, oftentimes, upgrading and putting grab bars in a bathroom, widening door openings, putting sensors on the refrigerator door—doing modifications like that can allow our seniors to stay where they want to be, in the comfort, security, and privacy of their own homes. Not only will these low-cost home modifications enable seniors to remain in their homes, but they also reduce the need for more costly nursing homes and other assisted housing options.

For our Nation's homeless veterans, the bill provides $45 million for the highly successful HUD-VASH Program, including $5 million to serve our Native American veterans living on Tribal lands. Despite the administration, once again, proposing to eliminate this effective program, the subcommittee continues to provide adequate funding.

This program is a real success story. Since we initiated it in 2010, veterans homelessness has fallen by 46 percent. Let's continue our work to reach the goal of ending homelessness altogether among our veterans.

Another important issue—and a passion of our ranking member, Senator REED, and I—that is addressed by the bill is lead paint in homes, which is of

particular concern to families with children under the age of 6. Our bill provides $260 million to combat lead hazards. These grants will help communities protect children from the harmful effects of lead poisoning.

Again, I have seen this in my home State. Lewiston, ME, our second largest city, has very old housing stock, and it has a great deal of lead paint. Grants are helping this city deal with this problem, thus improving the health and safety of pregnant women and young children and avoiding disability and developmental problems for those young children.

These grants will help communities across America protect children from the harmful effects of lead poisoning. While our bill certainly helps vulnerable families, it also recognizes the challenges facing local communities. Boosting local communities is critical to job creation and helping our community neighborhoods thrive and our families obtain financial security.

The bill supports local development efforts by providing $3.3 billion through the Community Development Block Grant Program. That is one of the most popular programs we provide. If you talk to any mayor or town council, they will tell you how flexible the CDBG Program is and how, as the mayor in Maine with whom I recently met told me, it helps them customize the funding to meet the program needs of their communities. It may be infrastructure. It may be affordable housing. It may be sprucing up the downtown. It may be supporting local businesses. This is a great program. It is not a Washington dictated program. It is one that responds to local needs.

We also provide $1.4 billion for the HOME Program. The CDBG and the HOME Program support the development of infrastructure projects, community development, affordable housing, economic development, and job creation.

I appreciate the opportunity to present this legislation to the Chamber. As we begin debate on the Transportation-HUD bill, I urge my colleagues to support the investments in this bill, which will pay dividends to our communities, our veterans, our children, our low-income families, and our seniors. Our bill was unanimously reported by the Senate Appropriations Committee. We are certainly open for business for amendments.

I commend my friend and colleague Senator REED for his hard work and for that of our staffs on both sides of the aisle in crafting this bill.

I yield the floor.

The PRESIDING OFFICER (Mr. YOUNG). The Senator from Rhode Island.

Mr. REED. Mr. President, I rise in support of H.R. 6147, the so-called appropriations ''minibus,'' which includes the fiscal year 2019 Transportation, Housing and Urban Development, and Related Agencies Appropriations bill, as well as three other bills.

I am certainly proud to have worked with Chairman COLLINS. She has put together a thoughtful, bipartisan T-HUD Appropriations bill that reflects the priorities of more than 70 Senators, who provided more than 800 funding or language recommendations. Her leadership and her commitment to fairness and to ensuring that all of our colleagues had the opportunity to help make investments in their States are remarkable and deeply appreciated.

We looked at all of our colleagues' suggestions and recommendations. We also received guidance from Chairman SHELBY and Vice Chairman LEAHY, and I appreciate their creative and constructive role. As a result, we were able to produce legislation I am remarkably proud of, and I again thank the chairman for her great work.

The bill does not include any poison pill riders, which follows the principle established by Chairman SHELBY and Vice Chairman LEAHY.

This agreement has given the committee space to evaluate the requests of the administration and Congress and to provide funding levels that support national priorities. I strongly urge my colleagues to maintain this effort and not get diverted by very peripheral and narrow interests in the form of what is frequently referred to as ''poison pills.''

Having said that, as the chairman indicated, we welcome amendments and encourage Senators to file them as soon as possible so we can begin to work through them. We have already heard from a few colleagues, and we have several amendments we are preparing to move forward.

Substantively, let me share some of the significant accomplishments in this year's T-HUD bill. Consistent with the budget agreement, the bill includes $10.9 billion in budgetary resources above fiscal year 2017 levels to improve our Nation's infrastructure, grow our economy, and spur job creation.

The bills include $3.3 billion above the levels provided in the FAST Act for highway programs, including $800 million for a bridge repair and replacement program.

On rail and transit, we have maintained Amtrak's funding level from fiscal year 2018, including $650 million for the Northeast Corridor, to make meaningful state of good repair and safety improvements. We have also fully funded the need for Capital Investment Grants and have increased transit formula and competitive grant programs above FAST Act levels. These modes of transportation are essential to reducing congestion, driving economic growth, and improving quality of life throughout the country.

I am also pleased that we have a bill before us that protects rental assistance for more than 5 million low-income individuals and families, over half of whom are elderly or disabled, and rejects the administration's harmful proposals to increase rent burdens and work requirements for many of our assisted households, who are already struggling to make ends meet.

The bill also provides $285 million for programs that remediate lead-based paint hazards in low-income and assisted housing. This includes $25 million to address lead-based paint hazards in public housing and $45 million for a new Lead Safe Communities Demonstration Program, which has the potential to reduce the cost of remediating lead-based paint hazards in homes.

For our Nation's seniors, the bill includes more than $50 million to develop new senior housing and $10 million to modify low-income seniors' homes to make them more accessible. In Rhode Island—and we are not unique—nearly half of our senior households lack an affordable housing option. This funding will be used to develop innovative housing strategies and ensure that our Nation's seniors are able to remain in their communities. It is remarkable. Half of our seniors are without affordable housing, and that number is only going to grow as the demographics of this country continue on their present course.

Again, in terms of housing, let me single out an issue where the chairman has been extraordinarily not only conscientious but also courageous. That is homelessness among youth, veterans, and survivors of domestic violence. Chairman COLLINS has done remarkable work. She has been building on the work we did together on the HEARTH Act to develop innovative, targeted ways to comprehensively address homelessness nationally. I am pleased we are able to include more than $2.6 billion in assistance for communities to continue to provide emergency and community-driven solutions to prevent and end homelessness.

Let me also say a few words about the other bills that are part of this minibus package—the Agriculture Appropriations bill, the Interior Appropriations bill, and the Financial Services-General Government Appropriations bill. Each of these bills includes important funding for key programs, and each has steered away from the kind of controversial legislative provisions that would prevent them from moving to the floor.

I am pleased the Agriculture bill includes critical funding for nutrition, conservation, and research, including additional funding to help foster the growth of shellfish aquaculture.

The Interior bill continues to make important investments in infrastructure through the State Revolving Loan Fund programs for clean water and drinking water, which Senator CRAPO and I have championed on a bipartisan basis for many years.

The bill highlights the need to establish a maximum contaminant level for PFAS, a category of chemicals that has been used in a wide variety of products, including firefighting foam. Frankly, as Ranking Member of the Armed Services Committee, I have been told of numerous military facilities across the country where this firefighting foam has been used for 30 or 40

years, and now we are beginning to recognize the potential environmental effects. Dealing with this issue now, or beginning to deal with it, is a very thoughtful approach.

In addition to providing critical dollars for our national parks, wildlife refuges, and cultural institutions, this bill also funds the Southeast New England Program for Coastal Watershed Restoration to support collaborative and science-based projects that improve the health of Narragansett Bay and other coastal watersheds in Rhode Island and Massachusetts.

Finally, the Financial Services-General Government bill makes important investments in our leading financial regulators—the SEC and the CFTC—as well as provides funding for the Community Development Financial Institutions program, the High Intensity Drug Trafficking Areas program, and the SBA's State Trade Expansion Promotion program.

I commend the chair and ranking member of each of these subcommittees for their hard work on these bills.

Before I conclude, I note that these smart investments and well-crafted bills would not have been possible without the passage of the 2-year Bipartisan Budget Act, which provided much needed relief from sequester-level budget caps, but that is only a 2-year deal, which expires at the end of fiscal year 2019. With the return of harmful sequester cuts looming in 2020, this bill should serve as a reminder of why we must pursue another bipartisan agreement to provide relief on both the defense and nondefense sides of the ledger. Without such a deal, we will not be able to continue our infrastructure and other investments that make a positive difference in communities across America.

Again, let me conclude by thanking, recognizing, and deeply appreciating the chairman for her extraordinary vision and her commitment to those values and those issues that are remarkably demonstrated in this bill: affordable housing for seniors, assistance for the homeless, and ensuring that we have money for infrastructure.

This bill shows a remarkable commitment to infrastructure across the country. When the President was campaigning, he talked about a trillion-dollar infrastructure bill. That has not materialized. What has materialized is robust funding for infrastructure in this bill, and that is a direct contribution of the chairman.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I am pleased to introduce the fiscal year 2019 appropriations bill for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies. I am glad we are considering appropriations bills on the floor in a manner that allows us to fully debate amendments.

I am pleased also to join my colleagues from the Subcommittees on Interior; Transportation, Housing and Urban Development; and also Financial Services in putting together this legislation.

For now, I am going to limit my comments to the ag provisions. I will defer to my colleagues on their provisions, but I look forward to our partnership in moving these bills across the floor.

The activities funded by the Agriculture bill touch the lives of every American every day. I like to talk about how important good farm policy is because good farm policy benefits every single American every single day with the highest quality, lowest cost food supply.

As we move this Agriculture appropriations bill, that is what it is about. It is about our farmers and ranchers, no doubt about that, but it is something that benefits every single American every single day.

These activities include ag research, conservation activities, housing and business loan programs for rural communities, domestic and international nutrition programs, and food safety and drug safety.

Funding for each of these deserves thorough and thoughtful consideration. The subcommittee has made difficult decisions in drafting this bill. We had to choose and we had to prioritize in terms of putting this legislation together, but I think we brought forward a bill that works. It is one that got broad-based bipartisan support from the Appropriations Committee.

It is written to our allocation of just over $23 billion. That is about $200 million above the current enacted level. We worked hard to invest taxpayer dollars responsibly, funding programs that provide direct benefits to our farmers, our ranchers, and rural communities, supporting programs that provide direct health and safety benefits, again, to every single American every single day.

Ag supports more than 16 million jobs nationwide. It forms the backbone of our rural communities. Our agricultural producers are the best in the world at what they do, and we have to work hard to give them a level playing field because they produce food, fuel, and fiber for this country but also for countries around the world. We really do feed the world, so we need access to those markets to do so.

This is, of course, in part, the result of smart investment in America's ag research infrastructure, something that truly helps our farmers and ranchers, our producers do what they do every day. Ag research helps us do it better, more cost-effectively, with higher quality, and more productivity.

That is why I am pleased this bill puts significant emphasis on maintaining research programs at our land-grant schools, colleges and universities, across this Nation and funding for competitive research programs such as the Agriculture and Food Research Initiative.

These programs are critical to helping our farmers increase production, and they expand our Nation's economic growth. As I say, they feed not only this country but really the world. Not only does every dollar spent on ag research result in a $20 return on invest to the U.S. economy, research investment also results in a food supply that is safe, abundant, and affordable.

I am also glad the agriculture bill prioritizes funding for rural infrastructure. Included is $425 million for rural broadband grants and loans, putting our 2-year investment in rural broadband at over $1 billion. Through fiscal year 2018-fiscal year 2019, we will put over a billion dollars into rural broadband, making sure all Americans, wherever they may live—whether they are in an urban area or out in the most rural part of our country—have the opportunity to access the world wide web and be part of the innovation and technology that goes with it. With this funding, we will make tremendous strides in bridging the digital divide in urban and rural communities.

Broadband availability remains a challenge for States like mine, a rural State, and other rural States. Farmers need access to new precision technologies to help their operations run more efficiently. It is also essential for rural communities to have sufficient broadband if they hope to attract new businesses and grow their local economies. I am proud to say that we put funding in this bill to help to do just that.

I thank Senator MERKLEY, our ranking member, for the bipartisan working relationship that we have on the Agriculture Subcommittee. I also want to applaud and express my appreciation to Chairman SHELBY for working to return our Appropriations Committee to regular order. I think this ag bill that we are presenting today reflects a well-balanced compromise, and it illustrates that the Senate can work together on important issues like this one.

I certainly hope that my colleagues will join me in supporting this legislation. With that, I turn to our ranking member, Senator MERKLEY.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, as ranking member of the Agriculture Appropriations Subcommittee, I rise today to discuss the Agriculture appropriations bill. This is a good bill that was drafted in a bipartisan manner and passed out of committee unanimously.

A big thanks goes to Chairman HOEVEN for his hard work on the bill, as well to members of his team who worked closely with members of my team throughout this process and considered requests and concerns from Senators on both sides of the aisle.

In his budget request, President Trump proposed more than a 25-percent cut to USDA's funding. He also zeroed out a number of very important programs, including programs that benefit

rural America, along with research programs and domestic and international nutrition programs. The bill that came out of the Appropriations Committee rejects those devastating cuts that were presented in the President's budget request.

This bill, which is within the subcommittee's discretionary allocation of $23.2 billion, makes smart, targeted investments in programs that are important to the American people while keeping out controversial policy riders. In this bill we maintain funding for important rural development programs while building on the increases provided last year for rural infrastructure initiatives, including rural water and waste programs and a broadband pilot program. These programs are vital in providing rural communities the ability to support entrepreneurs to be able to grow their businesses, creating much needed jobs in the community.

The bill protects vital research programs and makes important new investments for the organic industry. The Organic Transitions Program is funded at $6 million. The National Organic Program is funded at $15 million. The Sustainable Agriculture Research and Education Program is funded at $37 million. All of these are historic funding levels that demonstrate the commitment to a vital and rapidly growing industry.

What else does this committee bill do?

It supports funding for farm ownership and farm operating loans. With farm incomes on the decline, access to credit is crucial for farmers to stay in business. Farm loans will serve the most disadvantaged in the farming sector, including farmers who are just starting out, as well as ranchers, minorities, women, and veterans.

I am also pleased that we were able to include $150 million in funding for the Watershed and Flood Prevention Operations Program to protect our watersheds and help to prevent floods, reduce erosion, and protect wildlife habitats. With a backlog of $850 million for projects that have already been authorized, this funding is much needed.

For domestic nutrition programs, our bill maintains funding for the Summer Electronic Benefit Transfer for Children Program, which provides access to food for low-income children during the summer months when schools are out of session. Beyond that, the bill provides for $30 million for school meal equipment grants, $18 million for the Farmers' Market Nutrition Program, and $238 million for the Commodity Supplemental Food Program. This bill also protects SNAP, or the Supplemental Nutrition Assistance Program, which 42 million Americans rely on. It does not provide provisions that would eliminate benefits to those who qualify.

On the international front, the bill maintains strong funding for nutrition programs such as Food for Peace and McGovern-Dole. Since its inception, Food for Peace has reached over 3 billion people in 150 countries and more than 32 million people last year alone.

I have been in the field to see the impact of this program for communities that rely on it in some of the hardest hit parts of the world affected by conflict and climate chaos and corruption. This support is a considerable feature of what people around the world see in terms of the United States reaching out to assistant communities in need worldwide.

Meanwhile, in 2017, the McGovern-Dole Program fed 4.5 million children, and it helps to support education and food security for low-income countries, as well as increasing school attendance. This program supports good health and better education for children around the world, with a particular emphasis on girls. In the state of the world today, we need programs like Food for Peace and McGovern-Dole, which have a proven track record. I am pleased that we have worked in a bipartisan to ensure that these programs are funded.

The bill in front of us supports the important work of the FDA, or the Food and Drug Administration, through a $159 million increase in the agency's funding. Included in that funding increase, among other things, is full funding for the Oncology Center of Excellence, modernizing the generic drug review process, investment and innovation for rare diseases, and the continuation of last year's work on opioid prevention activities. I know, and my fellow Senators understand, just how important that opioid addiction prevention program is.

TRIBUTE TO JESSICA SCHULKEN

Mr. President, before I conclude, I wish to take a moment to recognize an outstanding member of the Agriculture Subcommittee team.

Jessica Schulken will be leaving us in the next few weeks after almost 19 years on the Appropriations Committee. Her accomplishments are numerous. During her years on the committee, she has been a tireless advocate for our Nation's farmers and ranchers, a fierce protector for rural America, a staunch advocate for ensuring that the Food and Drug Administration has all the resources it needs, and a defender of transparency who has worked hard to ensure that these agencies are answerable to Congress.

I cannot begin to adequately express the tremendous work that she has done on this committee as clerk. I speak for many who know how sorely she will be missed. Here is a big thanks to Jessica Schulken for her years of service and dedication, and I wish her well in her new chapter of life.

The process on this agriculture appropriations subcommittee bill has been emblematic of the type of good, strong bipartisan work that we would like to see much more often here in the Senate—bipartisan work that has assisted our ranchers, bipartisan work to assist our farming communities, bipartisan work to support rural communities and rural infrastructure. So I look forward to getting this bill passed, getting it through conference, and getting it to the Oval Office.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. LANKFORD. Mr. President, I rise today to discuss the Financial Services and General Government appropriations bill for 2019. As chairman of the subcommittee, I have really enjoyed working with the ranking member, Senator COONS, and all of the members of the Appropriations Committee.

However, for many Members of this Chamber who are not on the Appropriations Committee, today will be their first close look at an appropriations bill from our subcommittee. It has been months in process, with many oversight hearings, a lot of debate, a lot of amendments, a lot of back and forth with a tremendous amount of input from Members of this body, and it is finally actually on the floor.

It has been nearly 7 years since the Financial Services and General Government appropriations bill has actually been considered on the Senate floor. In November of 2011, the Senate began consideration of the combined appropriations package for Energy and Water, Financial Services, and State and Foreign Operations. Unfortunately, the floor consideration of that bill was halted shortly after it began, and Members were not able to offer amendments or have their voices heard. We are looking forward to that changing today.

This week's debate will subject the Financial Services and General Government appropriations bill to public scrutiny and an open amendment process on the Senate floor for the first time since the subcommittee was established in 2007. It is too long in coming. I applaud the leadership of Chairman SHELBY and Ranking Member LEAHY, who were determined to see the committee return to regular order.

A little bit of sunshine will help us in this process. I am a firm believer that openness and transparency result in a better legislative product. It is my hope that today starts a trend where the appropriations bills that are seldom seen outside the committee, such as the Financial Services and Interior appropriations bills, can be debated openly and amended on the Senate floor.

We have made a concerted effort to make responsible decisions in allocating resources and to be responsive

to the requests we have received from Members of both sides of the aisle, and we welcome continued input and proposed amendments from other Members.

This Financial Services and General Government bill totals $23,688,000,000. It includes funding for a diverse group of 27 different independent agencies. It includes the Executive Office of the President, the Department of the Treasury, the Federal Judiciary, and the District of Columbia. The bill does not include any budget gimmicks or empty CHIMPS, or changes in mandatory program spending, which are often used as a gimmick by appropriations. It does not include those.

The bill provides targeted funding increases for the Treasury Department to combat terrorism financing, for the Federal courts to support their administration of justice, and for the GSA's Federal Buildings Fund, including the acquisition of the headquarters building for the Department of Transportation, rather than continuing to pay $49.4 million in annual rental payments for a building that is their headquarters. We will move back to actually owning that building to save the taxpayers that money.

This bill also fully funds GSA's request for basic repairs and major repairs. Basic and major repairs are not glamorous appropriations accounts, but they are exceptionally important to maintain and protect the taxpayers' dollars.

The bill also makes critical investments in our Nation's financial markets, by providing targeted increases for the Securities and Exchange Commission and the Commodity Futures Trading Commission.

After years of flat funding for the CFTC, or the Commodity Futures Trading Commission, including a $1 million cut last year, this bill provides an increase to the CFTC in recognition of their critical role overseeing our swaps, futures, and options markets. Support for the CFTC was a priority for a number of Senators in this Chamber on both sides of the aisle, and I am pleased that we were able to accommodate it this year.

The bill provides $11.26 billion to the Internal Revenue Service for the administration of our Nation's tax laws. Of this amount, $77 million is dedicated to implementing the new Tax Cuts and Jobs Act. That bill has been enormously successful in helping to turn around our economy, wherein our GDP growth has grown exponentially over the last year. Yet we have to fully implement that bill, and the additional $77 million is dedicated to that.

Aside from tax reform, we are able to provide an increase of $75 million in base funding for the IRS. This increase to the Operations Support account over the fiscal year 2018 enacted level will provide for investments in information technology infrastructure to reduce reliance on legacy systems. The total amount for the IRS includes $2.5 billion for Taxpayer Services and $4.86 billion for Enforcement.

We have two critical goals for the IRS—improving taxpayers' access to quality customer service and addressing the tax gap, which is the amount owed but actually not paid.

The IRS needs help in the customer service area. It has asked for additional funding, and we have asked it for additional focus on customer service. We have given that this time. We have also asked the IRS to deal with the tax gap, which are taxes owed that individuals do not pay. This is not a change in tax law; it is enforcing existing tax law. Our current tax gap is right at $400 billion a year. Addressing this tax gap is critical to reducing the deficit and restoring our Nation's fiscal health.

The bill prioritizes the Federal Government's response to the opioid crisis. Our bill keeps our Nation's focus on the High Intensity Drug Trafficking Areas Program, with there being $280 million allocated, and on the Drug-Free Communities Program, with there being $99 million allocated through the Office of National Drug Control Policy.

The bill provides a funding increase to the U.S. Postal Service Inspector General to address the growing concern of narcotics trafficking through the mail system. We have to pay attention to that. The bill includes $2 million in new funding for the Council of the Inspectors General on Integrity and Efficiency for improvements to the website oversight.gov. If folks have not already gone to oversight.gov to see the work of our inspectors general, I would encourage them to do that if they need some additional help. Their work needs to be highlighted, and we need to actually implement those recommendations.

IGs are on the frontlines of efforts to reduce waste, fraud, and abuse in the Federal Government, and their recommendations produce billions of dollars in cost savings. We need to actually see those cost savings and implement them. Oversight.gov has improved the accessibility and prominence of their work, and I am confident this effort will produce even greater savings in the future by maintaining a database of open IG recommendations at oversight.gov.

Again, I thank my friend Senator COONS and express my appreciation for the way he and his staff have worked with us this year.

As this bill moves forward, I look forward to hearing from all of our colleagues about how we can further address their priorities through the amendment process. We look forward to doing something historic—of actually passing an FSGG bill on the floor of the Senate and of working through this process in an open and transparent way.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I am proud to join my colleague, Senator LANKFORD of Oklahoma, in bringing our committee bill—the Financial Services and General Government appropriations bill—to the floor.

I thank the full committee chair and the vice chairman, Senators SHELBY and LEAHY, for their leadership and their bipartisan work that has laid out the process we are now following to make real progress on our appropriations process.

I thank Chairman LANKFORD for working with me on this bill, and to my colleague Senator LANKFORD, of Oklahoma, I express my appreciation for his being a great partner, for our positive experience in working together, and for how much I value our collegial relationship.

I also thank the key staff of this subcommittee—Andy Newton, Lauren Comeau, and Brian Daner—as well as my own staff—Ellen Murray, Diana Hamilton, and Reeves Hart. These six folks are, I think, exemplars of the people who work here year in and year out, week in and week out and who help make it possible for us to craft large and complicated, bipartisan compromise bills like this one. We are grateful for the positive working experience they have had together and for the spirit with which they have worked to make this bill possible.

I am confident this bill fairly allocates funding among many competing priorities, given the subcommittee's allocation and its broad jurisdiction. Senator LANKFORD and I have followed the guidance of the full committee chair and vice chair and have kept this bill free of new controversial riders. Overall, this bill appropriates $23.688 billion, which is a small increase over that in the fiscal year 2018 omnibus bill that was enacted earlier this year.

I would like to take this opportunity to briefly highlight how this bill will impact both Delawareans, whom I represent, and Americans across our whole country.

The bill provides $250 million for the Community Development Financial Institutions Fund, which supports development in some of America's poorest communities. The President's budget had recommended cutting this vital program down to just $14 million, which would have completely eliminated any new grant funding, but I am proud this bipartisan Senate bill restores all of the funding for this effective and vital program.

This bill rejects the transfer of two vital anti-drug programs—the High Intensity Drug Trafficking Areas Program, known by its acronym HIDTA, and the Drug-Free Communities—from the Office of National Drug Control Policy to the Justice Department.

I am grateful that at this time when opioids are a crisis of academic proportions, which I hear about week in and week out in my home State of Delaware, that we have rejected an ill-conceived proposal to move these programs to other agencies, where I have been concerned they would receive reduced funding and scant attention. I

am pleased, instead, that they will stay with the Office of National Drug Control Policy.

This bill provides $281.5 million for the CFTC, the Commodity Futures Trading Commission. This is an increase of $32.5 million. It is critical the CFTC is able to keep pace with the dramatic changes in the marketplace as it regulates, particularly with the emergence of cryptocurrencies and complex financial products and international trading platforms. I think it is critical that the CFTC be able to modernize its investments, as this is what it is responsible for.

The Federal judiciary will receive $7.251 billion in funding, an increase of $140 million over the fiscal year 2018 enacted level. In particular, the defender services and court security accounts, which I have long been attentive to, will receive robust funding.

This bill vitally increases funding for the basic operations of the Internal Revenue Service. The IRS may not be the most popular of Federal agencies, but it touches almost every American and is central to the legal and appropriate and efficient collection of revenue and for being responsive to constituents and customers. This bill increases funding for the basic operations of the IRS, and it fully funds the request for the cost of implementing the comprehensive new tax law.

I hope we continue to work to increase funding for this vital agency in conference because the IRS has IT systems that are out of date, and customer service can still improve. As the chairman and I have both commented in previous hearings, we need to continue to make progress in closing the $400 billion tax gap—the gap between what is owed and what is collected in tax revenues every year.

This bill includes $1.66 billion for the Securities and Exchange Commission, the SEC. Given the number of publicly traded firms that have an incorporation footprint in my home State of Delaware, I am particularly interested in making sure the SEC has the resources it needs and is investing those funds efficiently and effectively, as it is the watchdog that helps to make sure our securities are being exchanged in ways that are transparent and legal and appropriate.

There is a provision within the Department of the Treasury that I want to highlight briefly of $159 million being appropriated specifically for the Office of Terrorism and Financial Intelligence. It is an increase of $17 million over last year, just over 10 percent. This office has the responsibility of enforcing economic sanctions across the globe.

It also has a very broad and very important responsibility, and it is key that we have been able to work on a bipartisan basis to ensure funding is adequate not only to continue the implementation of sanctions against North Korea and Iran but also to make sure we are fully enforcing the Global Magnitsky Human Rights Accountability Act and that we are enforcing sanctions in other places in the world—Africa, for example—where we have longstanding sanctions that need more thorough enforcement.

This bill provides funding for the Small Business Administration—a remarkably effective Federal agency that punches above its weight. This bill rejects the President's proposed cuts to the SBA's grant programs by either restoring or increasing funding to virtually every initiative within the SBA.

These grants are essential to the SBA's mission of supporting small businesses so local communities across our country have greater economic opportunity. I am particularly pleased, within the suite of SBA-related services, to support the SCORE Program, which has one of the highest ratios of volunteers and civic outreach and impact to Federal investment. Groups of volunteers all over the country offer business tools, workshops, and mentoring to dedicated entrepreneurs and small business owners. SCORE was initially founded in my home State of Delaware, in the city of Wilmington. So I have enjoyed working in a bipartisan way to reauthorize it during this Congress.

This bill also includes a well-deserved pay adjustment for Federal civilian workers. Last year, Federal employees received a cost-of-living increase of 1.9 percent. The cost of living is growing at a faster rate than that. So, this year, the bill includes that same level, which, I think, is an important bipartisan compromise to ensure that our civilian workforce receives the support it has earned.

Lastly, we did include, last year, election security grants of about $380 million in the fiscal year 2018 omnibus to help protect States and their voting systems from cyber attacks. The chairman is the cosponsor of an authorizing bill that is critical we take up and move independent of the appropriations process. I also do think, this year, we should have provided more for appropriations to our States to make sure they are strengthening their cyber security as we are just 4 months from a general election.

In closing, let me again thank the staff members of the subcommittee who worked so well together.

Let me thank Senator LANKFORD, my colleague from Oklahoma, for his great and positive attitude and for his determination in making sure these dollars are spent wisely. We may not agree on everything, but we have been able to agree on this thing, which is significant and historic progress, as the very first ever floor markup of the FSGG bill now begins.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

NOMINATION OF BRETT KAVANAUGH

Mr. CORNYN. Mr. President, this week, we will continue the confirmation process for Judge Brett Kavanaugh, who, as we all know, has been nominated by President Trump to serve on the U.S. Supreme Court. I say we will continue the confirmation process because there has already been a questionnaire issued by the Judiciary Committee to which the nominee has responded. I know White House Counsel and others are already trying to put their heads together with the George W. Bush Presidential Library, down in Dallas, as well as with the National Archives, to be responsive to the document requests that have been made for the judge.

As the author of more than 300 published opinions, Judge Kavanaugh is a well-known judicial nominee. I think his experience from the last 12 years on the DC Court of Appeals has clearly demonstrated he has the experience that the job on the Supreme Court requires.

He is also enormously well respected among the legal community. We have seen op-eds written by professors—all of them scholars—who say that Judge Kavanaugh can more than hold his own when it comes to legal analysis. We have heard this from people who share his judicial philosophy and those who do not share his judicial philosophy. They have a broad mutual respect for his intellect and his integrity.

We have heard about his mentorship of law clerks, both men and women, liberals and conservatives. As I say, we have received testimonials from professionals across the ideological spectrum. Last week, a group of 80 former students from Harvard Law School, where Judge Kavanaugh taught, sent a letter to the Senate Judiciary Committee. As you might imagine, they have a variety of perspectives on judicial philosophy and a wide range of political views, but they all agreed that Judge Kavanaugh is a rigorous thinker, a devoted teacher, and a gracious person.

Lastly, we have heard from the nominee himself. On the night President Trump announced his choice, Judge Kavanaugh said that he believes an independent judiciary is the crown jewel of our constitutional Republic. He promised to keep an open mind in every case, as a judge should, to uphold the Constitution of the United States, and to preserve the rule of law. Those words and the opinions from his many supporters demonstrate that Judge Kavanaugh is the right person to replace Justice Kennedy on the Supreme Court. Most people agree that it is the Supreme Court's job to fairly interpret the law, not to substitute their own

judgment—political, ideological, or personal—for that of Congress's when Congress has spoken, and I believe Judge Kavanaugh understands that deeply.

A number of our colleagues across the aisle have been left grasping at straws given his outstanding qualifications and the fact that he was confirmed back in 2006 to the second most powerful court in the Nation, the DC Circuit Court of Appeals.

Judge Kavanaugh is a well-known nominee both to the Senate Judiciary Committee and to the Senate itself, but some have recently criticized Judge Kavanaugh for expressing opposition to the independent counsel statute even though, once upon a time, they supported ending that very same statute themselves. There was bipartisan consensus to essentially let that statute lapse. So it is ironic that some are now using that as a point of criticism.

For example, in 1999, my colleague, the senior Senator from Illinois, called for getting rid of the statute, claiming that it allowed independent counsels to be unchecked, unbridled, unrestrained, and unaccountable. That just goes to show you—if you are in the Senate long enough, you are likely to find yourself on both sides of an argument. But in this case, there is no merit to any criticism of Judge Kavanaugh for something that Democrats and Republicans both agreed to do, which is to let the independent counsel statute lapse.

Another weakness in their argument is that there is a real difference between special counsels, such as Robert Mueller, and independent counsels under the old statute. They are not the same thing.

When Judge Kavanaugh spoke years ago about the independent counsel statute, he was referring to a law that Congress ultimately agreed in a bipartisan fashion to let expire and not renew because it was felt that independent counsels—particularly the last independent counsel, Ken Starr—had too much autonomy to investigate and prosecute any misconduct without clear rules and guidance and without clear oversight by Congress and the Department of Justice. We know that special counsels are different. They are constrained by regulations and are overseen by senior lawyers at the Department of Justice, and in the case of Director Mueller, by the Deputy Attorney General himself. It would be useful if our friends across the aisle would acknowledge this difference and this history.

A new poll has shown that significant majorities of voters in States such as North Dakota, West Virginia, and Indiana all want to see Judge Kavanaugh confirmed. Support is even stronger among Independents. I expect that as more Americans get to know him in the weeks ahead, those numbers will rise.

This nomination for a vacancy on the Supreme Court is Chairman GRASSLEY's 15th Supreme Court confirmation hearing, and I have no doubt that when he says this one will be the most searching and thorough of all of them, he means it.

I look forward to working with all of our colleagues on the Judiciary Committee to ensure that Judge Kavanaugh has a full and fair hearing, and not pull any punches whatsoever, but if the object is to delay for delay's sake or to criticize for criticism's sake, we intend to call that out during this process.

Based on what I have read and seen so far, I believe Judge Kavanaugh will ultimately be confirmed.

COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES

Mr. President, there is one other item of business I want to mention, and it is some very good news we received yesterday. The House and Senate conferees announced an agreement on the National Defense Authorization Act, the NDAA. I am glad to hear that the final version included legislation I sponsored called FIRRMA, the Foreign Investment Risk Review Modernization Act. The senior Senator from California, Mrs. FEINSTEIN, was my bipartisan cosponsor.

I thank Senator CRAPO, the chairman of the Banking Committee, who ushered this legislation through that committee, where it passed unanimously, and Senator INHOFE for leading the conference here on the Senate side and seeing that this important piece of legislation was included.

In June, President Trump called on Congress to pass a strong piece of legislation to modernize what is known as the Committee on Foreign Investment in the United States, or CFIUS. Now we are going to do exactly that. The Senate version of the bill updates CFIUS so we can guard against attempts—primarily by China but not only by China—to acquire sensitive dual-use technology and know-how by exploiting gaps in the U.S. rules on foreign investments.

This legislation takes a carefully tailored approach to updating the review process without hamstringing our ability to meaningfully engage in trade with partners around the world. It is not anti-foreign investment—just the opposite is true—but it is all about protecting our crown jewels when it comes to leading-edge technology that can be easily acquired through creative investment strategies, and then, along with the intellectual property and know-how, our competitors, such as China, can gain tremendous advantage.

I appreciate the support we have gotten from Secretary Mnuchin, our Treasury Secretary; Secretary Mattis, the Secretary of Defense; and many others. I again thank Senator FEINSTEIN for being the chief Democratic cosponsor. This has been a bipartisan effort from day one.

The message is, we simply can't let China erode our national security advantage by circumventing our laws and exploiting investment opportunities for nefarious purposes. The backdoor transfer of technology, know-how, and industrial capabilities has gone unchecked for too long. That is why I am glad that once our bill becomes law, a newer, stronger CFIUS process will better protect us from evolving, investment-driven threats to our national security.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CRUZ). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

TABLE ROCK LAKE BOAT TRAGEDY

Mr. BLUNT. Mr. President, I am here today to remember the 17 victims who lost their lives last week in the tragic boat accident on Table Rock Lake in Missouri.

At one time, I lived in Branson. Our home is now in Springfield, MO. It is a community that I represented in the Congress for 14 years before having the chance to represent them in the Senate.

Of course, the community has responded. But one of the reasons the community has responded in the way that it has is the truly tragic loss of life. There were 31 people on the boat that was overwhelmed by the water. Of those 31 people, 17 died. Of the 17 that died, 9 of the victims were members of the Coleman family from Indianapolis, IN.

Tia Coleman lost her husband, Glenn, and all three of their children.

On Saturday, Tia asked that her family members be remembered as they were. She said that her daughter, 1-year-old Arya, was a little fireball with 1,000 different personalities. Her 7-year-old son, Evan, according to his mom, was a great brother who was extremely smart and witty and loved life. Her 9-year-old son Reese, according to his mom, was the happiest little boy and made every day worth living.

Tia's nephew, Donovan Hall, who was the other surviving member of that family, lost his mother Angela and his brother Maxwell. Tia described her sister-in-law Angela as a loving mother who would do anything for her family, and 2-year-old Max loved big hugs.

Tia was laughing through her tears as she remembered her Uncle Ray as a man who liked to laugh and have a good time.

Tia's father-in-law, Horace ''Butch'' Coleman, is being remembered in Indianapolis as a legend in the community, having volunteered for more than four decades as a youth football coach. He and his wife, Belinda Coleman, were involved in the community. Belinda was described as a loving mom, a loving grandmother, and as a leader in their church.

Tia asked that all of us keep the Coleman family in our prayers as they adjust to this terrible tragedy.

Rosemarie Hamann and William Asher, from the St. Louis area, had just celebrated Rosemarie's 68th birthday. Their friends say they loved to dance and live life to the fullest. They both gave back to their community through local veterans organizations.

William and Janice Bright, from Higginsville, MO, were in Branson celebrating their 45th wedding anniversary. They are survived by their 3 children and 16 grandchildren, with another grandchild on the way, who will never get a chance to see their grandparents.

The Smith family of Osceola, AR, is mourning the loss of 53-year-old Steve Smith, a retired educator, and his 15-year-old son Lance. The Smiths were very active in their church. Steve was a deacon and Lance felt the call to the ministry at 15. He had just recently delivered his first sermon.

Leslie Dennison from Illinois died a hero. This 64-year-old grandmother pushed her 12-year-old granddaughter to the surface of the water, helping save that girl's life before she was overwhelmed by the water.

Former church pastor Bob Williams, who was driving the boat, was remembered by the Branson mayor, Karen Best, as ''a great ambassador for Branson'' and an active member of the community.

Certainly in the coming days we will learn more about these men and women and children and the lives they led and the lives that were ended tragically. We will also learn about the accident itself.

Senator MCCASKILL and I were both there on the day after the accident as Federal officials arrived—the Coast Guard, responsible for certifying equipment like the boat that sank, and the National Travel Safety Board, which has the responsibility to investigate the accident and tell us what happened. Senator MCCASKILL met with them early in the day. I met with them exactly 24 hours after the boat sank.

As we were finished with that meeting and looking out at the placid Table Rock Lake, it was impossible to imagine that was the same lake that was in videos of what had happened the day before.

Certainly Senator MCCASKILL and I were also thinking of the first responders, the medical staff, looking at what mental health care was available not only for people who survived the accident but also for the people who responded.

There were people who were on a nearby showboat, the Branson Belle, who dove off the boat and immediately swam out to do what they could to help the people who were trying to save their own lives. One boat dock sent three or four different boats with basically high school guys who are working at that boat dock in the summer. I am sure if you are a 16, 17, 18-year-old young man, you think everything is OK, but we were both insistent that they try to have the kind of mental health counseling they needed, along with the families and the survivors who were there, and certainly the community, with services that reacted in the right way.

It is unfortunate that we don't think as much as we should about the NTSB and their efforts. One of the things that certainly they will be looking at is their investigation of a similar accident almost 20 years ago in Arkansas on Lake Hamilton. The questions would be, I think, Did the Coast Guard do what they were supposed to do? Did the operators do what they were supposed to do? Did the equipment do what it was supposed to do? Certainly we will be looking carefully at the report to decide what needs to happen as a result of that report. Certainly this is an accident we wouldn't want to see happen ever again.

Since its inception, the NTSB has investigated thousands of aviation and surface transportation accidents. They are busy right now investigating what happened in Branson, MO. Other examples are the Southwest Airlines engine incident in April, the autonomous vehicle crash in Tempe, AZ, and the collision of the Amtrak train and the CSX freight train in South Carolina. That is what they do. Its staff and leadership are on call 24 hours a day, 365 days a year.

Unfortunately, we have had two nominees for the National Transportation Safety Board who have been pending for consideration for many months—one a Democrat, another a Republican. The confirmation of those two people would ensure that the NTSB has a full board to fulfill its critical mission.

I have been assured that we are going to move forward with those confirmations later today. I can also assure my colleagues that Senator MCCASKILL and I and Congressman LONG will be closely monitoring the investigation as we learn what happened and do what we need to do to make sure it never happens again.

So with gratitude to the first responders, the medical staff, and the members of the Branson community who stepped forward to assist in this tragedy, I close my remarks and turn to Senator MCCASKILL for whatever she may have to say about this event.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Mr. President, I would like to thank my colleague. He and I were both in Branson last Friday. We didn't have a chance to see each other, but we were both there for the same reason; that is, an unspeakable tragedy in our State that has Federal involvement because the investigations will occur jointly with the Coast Guard and the NTSB.

I would echo many of the remarks that my colleague made. I particularly was struck when I was there—the highway patrol divers had just finished their work. They had the worst job maybe in the country last Friday, but certainly in Missouri. Their job was to go to the bottom of the lake and find the bodies that had been trapped in this amphibious vehicle at the bottom of one of the most beautiful lakes in the world.

We never want a tragedy like this to strike in our State. I will tell my colleagues that the only silver lining I can find is that it happened in a part of our State where there is a great deal of love. There is a lot of openness in Branson, MO, for the travelers who come through, for all the tourists who come to Branson. We are very proud of that area of our State. The Ozarks have some of the most beautiful terrain God has created. These lakes that we have, both in the central part of our State and in the southwest part of our State, we are very proud of. They turned ugly and deadly last Thursday, and we have had a tremendous loss of life.

This investigation will take a year or more. I join my colleague in urging the Senate to approve these two nominees that have been pending for too long. It is my understanding we have gotten movement on that today. It is sad that it would take a tragedy like this to get this moving, but I believe that by the end of the day—I am at least optimistic at this point; I don't know what my colleague Senator BLUNT has learned, but I have learned that it appears that these nominees will be approved by the end of the day.

There were incredibly difficult weather conditions, but there are inherent dangers in these amphibious vehicles. We know this. How do we know this? Because it has been investigated before. We have had 40 deaths associated with duck boats since 1999, yet there has been little done to address the inherent danger of these amphibious vehicles. We had 13 deaths in Arkansas in Lake Hamilton in 1999, 4 deaths in the Ottawa River in Ontario, Canada in 2002, 2 in the Delaware River in Philadelphia in 2010, and then the 17 deaths that occurred last week. Additionally, we had five deaths when a vehicle collided, when it had an on-land collision in Seattle in 2015.

Back when the NTSB investigated the incident in Arkansas, which is about 200 miles south of Branson, they found contributing factors to that accident to be the lack of adequate buoyancy that would have allowed the vehicle to remain afloat in a flooded condition, the lack of adequate oversight by the Coast Guard, and, importantly, also the canopy. When these vehicles are on water, the canopy serves as a trap if they take on water and are sinking. People who are trying to get out have no easy way to escape this sinking vehicle because the canopy traps them within the vehicle.

It also is a problem in terms of wearing life jackets because if someone has a life jacket on and one of these vehicles goes down in the water, they get trapped against the roof even more because the buoyancy of the life jacket holds them against the roof and makes

it even more difficult for them to get to some point of ingress or egress.

These are not open vehicles. When they are in the water, it is almost like an enclosed bus. It is almost like—imagine if you are on an airplane in the water or on a bus in the matter. It is not a boat; it is a vehicle. So the NTSB recommendations were pretty straightforward. Unfortunately, nothing happened as a result of those recommendations.

I am in the early stages of drafting legislation with input from the NTSB and the Coast Guard to require that the design issues with these passenger vessels be addressed and that the boats that are not compliant be taken out of service until they can be compliant. We think that their past recommendations are reasonable and common sense. We really think the biggest problem that has to be addressed is this reserve buoyancy that has been pointed out in the past as part of the significant problem. If they can't do the buoyancy on a really timely basis, at a minimum, remove the canopies if they are going on the water so there is an opportunity for people to escape what is a sinking coffin, which it was; it was a sinking coffin for way too many people last Thursday.

As always, I want this to be done in a way that makes sense, but I don't think it makes sense for us to wait another year to address some of these glaring issues in terms of passenger safety.

I also would like to take a moment to recognize the victims in this tragedy. We had five victims who were from Missouri: William Asher, 69, and Rose Marie Hamann, 68, who both lived in St. Louis; Janice Bright and her husband, William Bright, 63 and 65, from Higginsville, MO, closer to Kansas City; Bob Williams, the driver, not the captain of the vessel, 73 years old, who lived in Branson.

From Arkansas, Steve Smith was 53, and Lance Smith was 15 years old.

From Illinois, Leslie Dennison was 64 years old.

Maybe the most heartbreaking, in some ways, was the large family who lost so many members as a result of this vehicle sinking in the Table Rock Lake: Angela, 45; Belinda, 69; Ervin, 76; Glenn, 40; Horace, 70; and then the Coleman children, including Reece, who was 9; Evan, who was 7; Maxwell, who was 2; and Arya, who was only 1 year old.

We mourn their deaths. I do think this is a situation where you do feel helpless. On the other hand, I do think there are steps we can take so that these particular amphibious vehicles are addressed in terms of passenger safety so that there is never again a feeling of helplessness when one of these boats finds itself in a situation where it is taking on water but the people in the vehicle cannot get out of the vehicle in order to save themselves and can't even avail themselves of life preservers in a way that would protect them if for any reason they were not capable swimmers.

I am very proud of both NTSB and the Coast Guard, who were working well together when I was down there. Mayor Best was doing a terrific job. The Red Cross was there in full display in terms of providing services. The people of Branson were in the midst of an outpouring of love, affection, respect, and sympathy—and the entire State. Our Governor has done a good job.

Frankly, it is the silly season for me. This is the time when there are relatively few weeks until an election, and the fur is flying, and the politics go back and forth. It was like an oasis on Friday in terms of everyone coming together, setting their politics on the side of the road, and trying to work together to find answers to these difficult questions and come together as we should and find a way to protect the traveling public and the people.

The saddest thing about this is the people who went on this vehicle went because they were there having a great time. That is probably a cruel irony of this situation. They weren't taking a bus on the way to work. They weren't taking a plane on a business trip. They were enjoying a beautiful location with their family in the middle of what should have been a carefree moment, and it turned deadly and tragic. We do need to come together and try to make sure this doesn't happen in the future.

With a respectful nod to all the first responders and the people of the Branson community who have been so supportive, I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, before the two Senators from Missouri leave the floor, let me express my personal condolences to them, which I know are shared by each and every Member of this body. The tragedy in Missouri is absolutely heartbreaking for the families, for the community, and for the State, and I want our two colleagues from Missouri to know that we stand with them during this very difficult time.

AMENDMENTS NOS. 3405 AND 3422 TO AMENDMENT NO. 3399

Ms. COLLINS. Mr. President, I ask unanimous consent that the following amendments be called up en bloc: Heller amendment No. 3405 and Durbin amendment No. 3422. I further ask consent that at 2:15 p.m. today, there be 5 minutes of debate, equally divided in the usual form, and that following the use or yielding back of that time, the Senate vote in relation to the Heller and Durbin amendments in the order listed and that there be no second-degree amendments in order to the amendments prior to the votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments by number.

The bill clerk read as follows:

The Senator from Maine [Ms. COLLINS], for others, proposes amendments numbered 3405 and 3422 en bloc to amendment No. 3399.

The amendments are as follows:

AMENDMENT NO. 3405

(Purpose: To increase the amount available for a Community Volunteer Income Tax Assistance matching grants program for tax return preparation assistance)

On page 154, line 14, strike ''$15,000,000'' and insert ''$20,000,000''.

AMENDMENT NO. 3422

(Purpose: To require the Inspector General to update an audit report concerning on-time performance of Amtrak)

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 oCf 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.''.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:35 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PERDUE).

INTERIOR, ENVIRONMENT, FINANCIAL SERVICES, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019—Continued

The PRESIDING OFFICER. The Senator from Nevada.

AMENDMENT NO. 3405

Mr. HELLER. Mr. President, I rise today in support of my amendment, Heller-Brown amendment No. 3405. This bipartisan amendment increases funding for the Volunteer Income Tax Assistance Program, better known as VITA, by $5 million for the next fiscal year.

Building upon the success of the Tax Cuts and Jobs Act, it is important that we take additional steps to ensure that Nevada families are fully able to realize the benefits of the new tax laws and maximize their returns. The VITA Program is one way to do that.

The VITA Program offers free tax help to lower income and middle-income taxpayers—those who often need it the most—by helping them to prepare and file their income tax returns.

Every year, VITA programs help tens of thousands of Nevadans and millions of taxpayers nationwide keep more of their hard-earned money. As a statistic, in 2015, VITA sites helped nearly 23,000 Nevadans file their returns and processed refunds that exceeded $25 million.

That is why I urge all of my colleagues to join me and Senator BROWN in supporting hard-working American taxpayers and voting yes on this bipartisan amendment, Heller-Brown amendment No. 3405.

I yield the remainder of my time to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, this is a big deal for Americans making $15,000, $20,000, $30,000, or $40,000 a year. They will get a refundable tax credit if they claim it—if they can figure out how to claim it, because it is sometimes too complicated. They can get $2,000, $3,000 $4,000, or sometimes a little more than that, in the refundable tax credit. That is money in their pockets to buy school clothes. It is money in their pockets to fix a car that is broken down. It is money in their pockets so they can take their kids to a restaurant occasionally.

Filing taxes is complicated for everyone. It can be particularly challenging for those claiming the EITC. Wall Street CEO's and big companies have armies of accountants. This is for working-class families making $20,000, $30,000, or $40,000 a year.

I thank Senator HELLER. I ask support for the Heller-Brown amendment. It will matter to so many working families in Mansfield, Toledo, Sandusky, and all over Ohio.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

AMENDMENT NO. 3422

Mr. DURBIN. Mr. President, Senator WICKER of Mississippi and I have a bipartisan amendment that means a lot to thousands of people who use Amtrak. It has been 10 years since we asked the inspector general of Amtrak to do a study of on-time performance. On-time performance has a direct impact on the number of people who ride on Amtrak trains, how frequently they use them, and how much they rely upon them. There is a problem. Amtrak owns very few railway tracks in America. They share the tracks with freight trains, and the freight trains have been pushing ahead of them and making the Amtrak trains wait.

How long did they wait? Between 2016 and 2017, in 1 year, there was 17,000 hours of delay on Amtrak trains directly attributable to freight trains that didn't yield the way to the Amtrak trains. That is just one factor.

Senator WICKER and I have asked the inspector general to do a report on on-time performance that we can consider in making Amtrak more efficient, more profitable, and more popular with Americans.

I hope our colleagues will support our bipartisan amendment.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I rise in support of Senator DURBIN and Senator WICKER's amendment. It would direct the Amtrak inspector general to update a report from 10 years ago that examined Amtrak's on-time performance. Some Amtrak routes, particularly along Amtrak's national network, are experiencing frequent delays, which makes train travel a less dependable option and discourages ridership.

Ten years ago, the IG report found that the delays were the result of host railroad dispatching practices, track maintenance, speed restrictions, insufficient track capacity, and, often, external factors beyond the host railroad's control.

The information that the Amtrak IG will collect in this report will be used to identify ways to improve coordination between Amtrak and the freight railroads.

I commend the authors for their amendment, and I urge my colleagues to support it.

VOTE ON AMENDMENT NO. 3405

The PRESIDING OFFICER. The question now occurs on agreeing to the Heller amendment No. 3405.

Ms. COLLINS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 98, nays 1, as follows:

[Rollcall Vote No. 164 Leg.]

YEAS—98

Alexander	Gardner	Murray
Baldwin	Gillibrand	Nelson
Barrasso	Graham	Perdue
Bennet	Grassley	Peters
Blumenthal	Harris	Portman
Blunt	Hassan	Reed
Booker	Hatch	Risch
Boozman	Heinrich	Roberts
Brown	Heitkamp	Rounds
Burr	Heller	Rubio
Cantwell	Hirono	Sanders
Capito	Hoeven	Sasse
Cardin	Hyde-Smith	Schatz
Carper	Inhofe	Schumer
Casey	Isakson	Scott
Cassidy	Johnson	Shaheen
Collins	Jones	Shelby
Coons	Kaine	Smith
Corker	Kennedy	Stabenow
Cornyn	King	Sullivan
Cortez Masto	Klobuchar	Tester
Cotton	Lankford	Thune
Crapo	Leahy	Tillis
Cruz	Lee	Toomey
Daines	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCaskill	Warner
Durbin	McConnell	Warren
Enzi	Menendez	Whitehouse
Ernst	Merkley	Wicker
Feinstein	Moran	Wyden
Fischer	Murkowski	Young
Flake	Murphy	

NAYS—1

Paul

NOT VOTING—1

McCain

The amendment (No. 3405) was agreed to.

VOTE ON AMENDMENT NO. 3422

The PRESIDING OFFICER. The question now occurs on agreeing to the Durbin amendment No. 3422.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 165 Leg.]

YEAS—99

Alexander	Gardner	Murray
Baldwin	Gillibrand	Nelson
Barrasso	Graham	Paul
Bennet	Grassley	Perdue
Blumenthal	Harris	Peters
Blunt	Hassan	Portman
Booker	Hatch	Reed
Boozman	Heinrich	Risch
Brown	Heitkamp	Roberts
Burr	Heller	Rounds
Cantwell	Hirono	Rubio
Capito	Hoeven	Sanders
Cardin	Hyde-Smith	Sasse
Carper	Inhofe	Schatz
Casey	Isakson	Schumer
Cassidy	Johnson	Scott
Collins	Jones	Shaheen
Coons	Kaine	Shelby
Corker	Kennedy	Smith
Cornyn	King	Stabenow
Cortez Masto	Klobuchar	Sullivan
Cotton	Lankford	Tester
Crapo	Leahy	Thune
Cruz	Lee	Tillis
Daines	Manchin	Toomey
Donnelly	Markey	Udall
Duckworth	McCaskill	Van Hollen
Durbin	McConnell	Warner
Enzi	Menendez	Warren
Ernst	Merkley	Whitehouse
Feinstein	Moran	Wicker
Fischer	Murkowski	Wyden
Flake	Murphy	Young

NOT VOTING— 1

McCain

The amendment (No. 3422) was agreed to.

The PRESIDING OFFICER. The Senator from Utah.

NOMINATION OF BRETT KAVANAUGH

Mr. HATCH. Mr. President, I rise today to speak on the latest efforts to derail the nomination of Judge Brett Kavanaugh to be Associate Justice of the U.S. Supreme Court. I would like to focus today on a few areas where attacks have come up.

Judge Kavanaugh's critics, faced with an exceptionally well-qualified, baseball-loving, carpool-driving nominee, are struggling to find anything that might slow or even stop his confirmation. Let me focus today on a few areas where their attacks have come up short.

It seems that some folks can't mention Judge Kavanaugh without suggesting in the same breath that his confirmation would somehow be the death knell of Special Counsel Mueller's investigation. It can be difficult to keep straight critics' dizzying array of claims on these separation of powers issues, but it is worth taking a closer look to set the record straight.

It was hard to miss the headline, ''Brett Kavanaugh Once Argued That a

Sitting President Is Above the Law,'' or the article that suggested Judge Kavanaugh ''has been an open advocate for precisely the sort of imperial presidency that the founders of the American experiment feared.''

Democrats soon piled on, but never in the law review article that spurred this hysteria did Judge Kavanaugh suggest that a President would be immune from civil or criminal liability. Rather, he suggested that, as a policy matter, it might be wise for Congress to enact a law that would defer such litigation until the President leaves office, and, of course, Congress could accelerate that timeline through impeachment.

Judge Kavanaugh's law review article represents an interesting policy proposal—and one, it is worth noting, that he offered while a Democrat was in the White House. The critics' attempts to equate his policy recommendations with his views on the constitutional limitations on prosecutions of sitting Presidents are simply wrong. If anything, Judge Kavanaugh's recommendation that Congress enact a law suggests that in the absence of any such legislation, a sitting President can be investigated and perhaps even prosecuted.

Then there was the hoopla over Judge Kavanaugh's statement that he would ''put the final nail'' in the ruling that upheld the constitutionality of independent counsels; never mind the fact that the independent counsel statute expired nearly two decades ago and was described by Eric Holder as ''too flawed to be renewed.''

Today, special counsels, such as Robert Mueller, are appointed pursuant to Department of Justice regulations. They do not represent the same constitutional concerns as the independent counsel statute. By conflating independent counsels and special counsels, Judge Kavanaugh's critics ignore his own record on the matter.

In a dissenting opinion he wrote last year, Judge Kavanaugh himself observed: ''The independent counsel is, of course, distinct from the traditional special counsels who are appointed by the Attorney General for particular matters.'' But Democrats just figure that the average American will gloss over the distinction between independent counsels and special counsels and tune out legal experts who say that Judge Kavanaugh's views on the independent counsel law have absolutely nothing to do with the Mueller investigation. By the time we are on to them, Democrats will have already moved on to a new line of attack.

The latest was the minority leader's suggestion that Judge Kavanaugh ''would have let Nixon off the hook'' based on comments Judge Kavanaugh once made about the Supreme Court's unanimous decision in the United States v. Nixon. They forced President Nixon to turn over the Watergate tapes, but those comments—read by some who would suggest that Judge Kavanaugh thinks the case was wrongly decided—ignores the context of those specific remarks and the mountain of evidence that Judge Kavanaugh agrees with the Court's ruling in Nixon.

There is the law review article in which Judge Kavanaugh wrote that there was ''no need to revisit'' Nixon and that the case ''reflects the proper balance of the President's need for confidentiality and the government's interest in obtaining all relevant evidence for criminal proceedings.''

More recently, he has cited Nixon as one of ''the greatest moments in American judicial history . . . when judges stood up to the other branches, were not cowed, and enforced the law.''

Those sure don't sound like the words of a judge who is critical of the Court's decision in Nixon, much less a judge who would vote to overrule it, but this more fulsome look at Judge Kavanaugh's writings on the issue is at odds with the Democrats' campaign to paint Judge Kavanaugh as an existential threat to the Mueller investigation. So they are content to cherry-pick and mischaracterize Judge Kavanaugh's record.

On the subject of Judge Kavanaugh's record, I would also like to talk about the Democrats' fixation on the issue of Judge Kavanaugh's documents from his years of service in the executive branch. It has only been 2 weeks since President Trump nominated Judge Kavanaugh, and yet Democrats seem more interested in using their time talking about documents they do not yet have rather than carefully reviewing the unprecedented number of documents that are already available to the Senate and the American public. Specifically, we aren't hearing much from Democrats about the more than 300 opinions Judge Kavanaugh has authored during his time on the Circuit Court of Appeals for the District of Columbia. In these opinions, Judge Kavanaugh has addressed a vast array of hot-button issues Democrats claim to be so interested in: separation of powers, administrative law, national security, religious liberty, immigration, and so many more.

Something Judge Kavanaugh told me when I met with him recently really stuck with me. He told me, he hoped people would actually read his opinions, not just articles about his opinions but actually read the opinions themselves. So I would urge my Senate colleagues to indulge Judge Kavanaugh on this point. These opinions are gold for any Senator making an honest effort to evaluate Judge Kavanaugh's judicial philosophy.

Judge Kavanaugh has spent the past 12 years in public service and as a Federal appellate judge. Now, he has been nominated to be—you guessed it—a Federal appellate judge. I can think of no better evidence of Judge Kavanaugh's judicial philosophy or his qualifications to serve on our Nation's highest Court than the thousands of pages and opinions he authored during his time on what is arguably our Nation's second highest Court. If Democrats actually took the time to follow Judge Kavanaugh's advice and read his opinions—not just articles about them or summaries prepared by staff—they might be disappointed to learn that there is nothing to suggest that people will die if he is confirmed, and they might actually learn how Judge Kavanaugh interprets the Constitution and the laws passed by Congress. Isn't that what all of this commotion is about? It is about documents. Isn't that really what it is about?

I suggest Judge Kavanaugh's opinions should be more than enough to assess his qualifications and judicial temperament, not to mention the thousands of pages from his time in the executive branch that are already publicly available. I understand this represents just a fraction of the documents the Senate will ultimately receive—likely to be far more than those received for any other Supreme Court nominee in history.

Senator GRASSLEY has pledged that relevant records will be made available through a fair and thorough process, but, for some, it is never enough. We have heard Democrats claim they are not demanding every scrap of paper that crosses Judge Kavanaugh's White House desk, but they have also said the standard for determining what is relevant and subject to production should be whatever Senators—in other words, Democrats—think is relevant. Some have even claimed that all the documents are ''extremely relevant.''

Well, if Democrats think the standard for document production should be whatever Senators think is relevant—and they think everything is relevant—then it sure sounds like they are asking for every scrap of paper.

Now, it is true that Republicans sought White House documents for Justice Kagan's nomination, but these two nominations—Kagan and Kavanaugh—are hardly comparable. At the time of her nomination, Justice Kagan had no judicial record to speak of whatsoever, having never served as a judge at any level. She had no written opinions. There was almost nothing we could use to assess her judicial philosophy.

The White House record was among the very limited information we had to gauge her fitness to serve, so, of course, we asked to see it. By contrast, Judge Kavanaugh has 12 years of experience on the Circuit Court of Appeals for the District of Columbia, the second highest Court in this country, and that is not even to mention over 300 opinions.

Again, thousands of pages have been written clearly outlining Judge Kavanaugh's views on the Constitution. If Judge Kavanaugh's extensive record is not enough to paint a clear picture of judicial philosophy, then what is? What more do Democrats need to know that this is a man who is eminently qualified to serve on our Nation's highest Court?

I can only think of one reason a Senator would need every scrap of paper to evaluate the qualifications of a judicial nominee—any nominee, for that matter—that is, if they are going on a never-ending fishing expedition, which is clearly what the Democrats have been doing since the day Judge Kavanaugh's nomination was announced.

I urge my colleagues to follow Judge Kavanaugh's advice. Read his opinions. You undoubtedly will learn something about how Judge Kavanaugh interprets the Constitution and the laws passed by Congress. Then, by all means, continue your fishing expedition, but at least you will have consulted the record that matters the most.

All I can say is, this man has an excellent record. There are plenty of things to look at. The more you look at them, the more you realize this fellow does really belong on the Supreme Court, and he will make a difference in the future.

PIONEER DAY

Mr. President, on another matter, I wish to speak today in celebration of Pioneer Day, a holiday my home State of Utah observes each July 24 to commemorate the arrival of the Mormon pioneers to the Great Salt Lake Valley. On this special day, Utah and communities in other States remember the extraordinary history of the Mormon pioneers who endured tremendous hardship in search of religious freedom in this great country that is set up for religious freedom, but they were mistreated and fought against from day one.

In honor of Pioneer Day, I submitted a Senate resolution recognizing the sacrifices of the Mormon pioneers in their pursuit of religious liberty and their invaluable contributions to the settlement of the American West. I hope the Senate will join me in commending the pioneers for their example of courage, industry, and faith that continues to inspire people throughout the world.

In the years following the establishment of the Church of Jesus Christ of Latter-day Saints in 1830, the Latter-day Saints—or Mormons as they are more commonly known—encountered much religious persecution in this freest of all lands. They suffered physical assault, threats of violence, death, in some cases, and war, prison, rape, and murder. Violent mobs damaged their houses and businesses, stole their property, and drove them from their homes. Especially devastating was the martyrdom of their leader and beloved prophet, Joseph Smith, who was shot and killed with his brother as well, by an armed mob.

Despite the discrimination and abuse they endured—sometimes at the hands of government officials who should have protected them from violence and injustice—the Latter-day Saints remained a patriotic people who loved and revered the Constitution of the United States. Still, they recognized they would need to seek refuge in an unknown territory to live in safety and practice their religion free from hostility and abuse.

In search of such a haven, the Mormon pioneers fled Illinois in the winter of 1846 and proceeded westward on a journey that would cover more than 1,300 miles of wilderness, across arid deserts, jagged mountains, and turbulent rivers.

Along the way, the Mormon pioneers erected bridges, built ferries, and cleared trails to assist those who would follow their path. They established communities, planted crops, and expanded trade posts that provided the crucial supplies necessary to survive expeditions onward. They learned how to irrigate and make the desert blossom as a rose, and their irrigation principles have been followed all over the world.

They set up trail markers and charted maps that guided thousands of settlers westward. The United States certainly owes a debt of gratitude to those pioneers for their contributions to our Nation's settlement of the West.

Their service to our country did not come without significant personal cost. Throughout the arduous trek, the pioneers battled harsh climates, illness, hunger, and exhaustion. Many lost their children, spouses, parents, and friends to exposure, disease, and starvation. Yet they confronted crippling sorrow and hardship with incredible grace and a steadfast trust in their Heavenly Father. They expressed gratitude for the strength to surmount each challenge and gloried in life's daily miracles. What could have broken their spirit only fortified their convictions and drew them closer to the Divine.

Upon entering Utah's Great Salt Lake Valley on July 24, 1847, their new leader, Brigham Young announced: ''This is the right place.'' This prophetic declaration foretold how the valley would become home to many Latter-day Saints and their posterity.

Unfamiliar with the area and with few resources at their disposal, the pioneers worked together to plant their crops, irrigate fields, and build houses and businesses, thus transforming the barren desert into a thriving set of communities.

Two years later, on July 24, the Latter-day Saints first commemorated their arrival to their new home with a procession to Salt Lake City's Temple Square for a special devotional followed by a feast of thanksgiving. Today, Pioneer Day is one of the largest regional celebrations in the United States, where we remember the early settlers with parades, flag ceremonies, reenactments, devotionals, sporting events, feasts, dances, concerts, festivals, rodeos, and fireworks.

The rich heritage of the pioneers is shared not only by Utahns and those of the Mormon faith but with people throughout the world, regardless of religious affiliation. These pioneers demonstrated what can be accomplished when industrious and resilient people stand together as one to build a brighter future. Their determination and ingenuity encourages our own pioneer spirit, calling on us to strive toward further progress and innovation. Their example of courage empowers us to triumph over adversity and inspires us to press forward with unconquerable faith and undaunted hope.

On Pioneer Day this July 24, I hope we not only remember these remarkable pioneers but reflect on what we can do to follow in their footsteps and ensure their legacy lives on in us and in future generations.

I am proud to be a descendant of these pioneers. My family was part of the pioneers. Yes, I was born in Pittsburgh, but I couldn't wait to move to Utah. I love Pittsburgh, but I love Utah more. I have to say, part of that is because of my pioneer heritage and my desire to see that Utah continually improves itself and continually makes its case on how important these pioneers really were and are to us even today.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

NOMINATION OF BRETT KAVANAUGH

Mr. THUNE. Mr. President, a lot of praise has flowed in for Judge Kavanaugh since his nomination, but I think the tribute that has struck me the most is the letter from his law clerks. These individuals have worked closely with Judge Kavanaugh and have a special insight into his temperament and philosophy. Here is what they have to say:

It is in his role as a judge on the D.C. Circuit that we know Judge Kavanaugh best. During his time on the D.C. Circuit, Judge Kavanaugh has come to work every day dedicated to engaging in the hard work of judging.

We never once saw him take a shortcut, treat a case as unimportant, or search for an easy answer. Instead, in each case, large or small, he masters every detail, and rereads every precedent. He listens carefully to the views of his colleagues and clerks, even—indeed, especially—when they differ from his own. He drafts opinions painstakingly, writing and rewriting until he is satisfied each opinion is clear and well-reasoned, and can be understood not only by lawyers but by the parties and the public.

We saw time and time again that this work ethic flows from a fundamental humility. Judge Kavanaugh never assumes he knows the answers in advance and never takes for granted that his view of the law will prevail.

Those are the words of 34 of Judge Kavanaugh's law clerks. Every one of Judge Kavanaugh's clerks who was not prohibited by his or her job signed this letter.

These clerks represent a diverse group. They wrote:

Our views on politics, on many of the important legal issues faced by the Supreme Court, and on judicial philosophy, are diverse. Our ranks include Republicans, Democrats, and Independents. But we are united in this: Our admiration and fondness for Judge Kavanaugh run deep. For each of us . . . it was a tremendous stroke of luck to work for and be mentored by a person of his strength of character, generosity of spirit,

intellectual capacity, and unwavering care for his family, friends, colleagues, and us, his law clerks.

This letter is a pretty significant tribute, and it confirms what has been clear from the beginning, and that is that Judge Kavanaugh is the type of judge who should sit on the Nation's highest Court. His clerks describe a judge who takes the weight of his responsibility seriously; a judge who is committed to reaching the right decision in every case and who does the hard work necessary to get to that decision; a judge who approaches each case with an open mind, looking for what the law says, not the outcome he wants.

As Chief Justice John Roberts famously said, ''Judges are like umpires.'' Their job is to call the balls and strikes, not rewrite the rules of the game. As Justice Roberts said, ''Umpires don't make the rules; they apply them.'' It is essential that a judge understand this. If you are a judge, your job is to rule based on the law and the Constitution and nothing else. Your job is not to make policy. It is not to revise the law according to your personal feelings or your political principles. Your job is to figure out what the law says and to rule accordingly.

Why is this so important? Well, it is because the rule of law and equal justice under the law only exist as long as judges rule based on the law. Once judges start ruling based on their political opinions or their feelings about what they would like the law to be, then we will have replaced the rule of law with the rule of individual judges.

As the testimony of his clerks and many others makes clear, Judge Kavanaugh understands the role of a judge. He understands that his job is to interpret the law, not make the law; to rule based on the plain text of the statute, not his personal opinions or political beliefs.

In a 2017 speech at Notre Dame Law School, Judge Kavanaugh said:

> I believe very deeply in those visions of the rule of law as a law of rules, and of the judge as umpire. By that, I mean a neutral, impartial judiciary that decides cases based on settled principles without regard to policy preferences or political allegiances or which party is on which side of a particular case.

I will say it again: That is the kind of Justice we want on the Supreme Court. I hope this Senate will take very seriously the responsibility we have to give fair consideration to this nominee.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. FLAKE). Without objection, it is so ordered.

Mr. DURBIN. Mr. President, you couldn't follow this President's tweets with a roadmap, a GPS, a flashlight, and a program. It is impossible to understand the policy of this administration for this country, and when you try to follow his actions instead of his words, it is even more confusing.

Over the past few weeks, President Trump's conduct when it comes to foreign policy has been head-spinning, even for him. To recap, he insulted our best allies of 70 years and then turned around and lobbied for Russia at a recent G7 meeting and again bullied our key allies at a summit on NATO. He then met privately with Russian President Putin and then held a press conference with him in which President Trump blamed America and defended Putin's words over the expertise of his own government intelligence agencies. Keep in mind that he also inexplicably met privately with President Putin at the G20 summit in Hamburg last year—an event which he initially denied.

Why all these private meetings between President Trump and President Putin? Why wouldn't he let his Secretary of State sit in the room? Why wouldn't he let his National Security Advisor witness the conversation? I don't know the answer to these questions, and neither does America.

Then the President tried to backpedal from some of his most outrageous statements. At the end of the day, after trying that and deciding it wasn't worth the effort, he backed around again and decided to side with President Putin. It is impossible to keep track of where this President has been or is going.

President Trump then questioned the bedrock NATO alliance, asking why the United States should come to the defense of one of its members. Incidentally, that is the heart and soul of the NATO alliance—article 5: We stand together. When the United States was attacked on 9/11, it was the NATO alliance that stood with us when we struck back at Afghanistan and al-Qaida. They stood by us because of article 5, the very basis of the NATO alliance, which this President has questioned.

He said that no U.S. President has been harder on Russia than President Trump. He argued: ''I think President Putin knows that better than anybody.'' Then he said he wanted to invite President Putin to the United States as his special personal guest. Go figure.

As President Trump weakens a great military alliance like NATO, bullies our allies of seven decades, cozies up to a foreign dictator, and talks in circles about his bizarre tweets and actions, what has been the priority of the Republican Party on the floor of the Senate since the summit—the disastrous summit—at Helsinki? Well, the Republican leader, Senator MCCONNELL, has not spoken on the Senate floor on this issue since the Helsinki summit, not even one time.

Why aren't we urgently moving legislation to protect America's membership in NATO, ensure the integrity of our upcoming election, and fully implement last year's Russian sanctions bill? I can't answer that. I don't think the Republican leader can answer it either. Those are national security priorities.

Maybe it isn't surprising because when Senator MCCONNELL was told about the Russian intervention in our last 2016 election by the top intelligence officials of the U.S. Government and asked to make a bipartisan statement condemning it, he declined.

Why would a congressional leader not want to join in a bipartisan effort to warn a foreign power to stop its attack on democracy? Why the silence on this floor, on that side of the aisle, since the Helsinki summit conference?

There is not absolute silence. I will commend my ailing but respected and often-quoted colleague JOHN MCCAIN in Arizona, who sends messages from his home to this Chamber, to the U.S. Senate. What did he call the Helsinki summit? ''[O]ne of the most disgraceful performances by an American president in memory.'' JOHN MCCAIN has never been one to mince words. I have to say that quote hit the nail on the head.

I want to put another word in here. Every time I hear politicians and all the smartest people on Earth on television referring to what happened in the 2016 election as the Russians meddling in our election—you heard that term, ''meddling'' in our election? If a seasoned criminal broke into your home to case it for a later burglary, would you say that burglar was just meddling? No. ''Breaking and entering'' might be the proper term. That is what happened with the Russians in the 2016 U.S. election. They broke and entered our election system across the United States.

The reason I know that, one of the targets happened to be my home State of Illinois. They found a way to sneak into the computers of the Illinois State Board of Elections and, according to the Special Counsel's recent indictment, stole information related to approximately one-half million voters in my State of Illinois. The State discovered it and sent out warnings to voters whose registration data may have been accessed.

Was that meddling? Not in Illinois. Those were fighting words. That was a cyber attack by the Russians on the State of Illinois Board of Elections, and they followed up by trying to hit 20 other States as well.

Meddling? Give me a break. This is a cyber act of war by the Russians, and our intelligence officials of the Trump administration—like Dan Coats, the Director of National Intelligence—have warned us, the red lights are blinking again. They are coming back.

What are we doing about it? Nothing. There will be a chance for my Republican colleagues to join the Democrats in a bipartisan effort to take this seriously before it is too late. What do we have left, 105 days until the election? It

is not much time. The question is whether we will do something to try to protect our election system. Every Member of this Chamber will have an opportunity to vote to ensure that State and local election officials have the resources to stop any other effort by the Russians to interfere in our election.

Earlier this year, we came together and passed a bill—a bipartisan bill—that provided $380 million in fiscal year 2018 omnibus spending for States to modernize and secure their election systems. Funding gave the States flexibility to tackle the most critical priorities: replacing outdated voting machines, for example, that have no paper trail, updating election computer systems to address cyber vulnerabilities. The Election Assistance Commission reports that 55 different entities, including all the States and territories, have requested funding from this grant program. That was an important first step. It was bipartisan. It should be done. It was done, but it is not enough.

After the 2000 election, and months of news coverage about hanging chads and butterfly ballots, Congress passed a Help America Vote Act to address the outdated election infrastructure in America. We authorized $3.8 billion to respond to this issue. A few months ago, we authorized one-tenth of that to respond to the Russian threat. We need to respond to that threat in a much more robust manner.

I received a memo from our election authorities in Illinois specifying how they plan to spend their grant funds and what they need to do to be more certain that their election operations and machinery are intact, and virtually every State can provide me with a similar memo.

We need to respond to this threat in a meaningful, robust manner. We know full well in Illinois what the Russians could have done to us. If they had taken 500,000 voter registration records and simply changed one number in the street address of each voter, let me tell you what would have happened. When I turned up to vote in Springfield, IL, and listed my home address, they would have said: No, that address doesn't match our records. You can vote a provisional ballot if you wish. We will look into it later.

That could have happened thousands of times. Thank goodness it didn't, but that is the extent of our vulnerability. It is a suggestion of what we might face again from the Russians, according to our own Intelligence agencies.

Last year, the Department of Homeland Security notified election officials in 20 other States that Russians attempted to hack into their systems, including Texas, Iowa, and Florida—Mr. President, your home State of Arizona—Oklahoma, Alabama, Pennsylvania, Alaska, Colorado, North Dakota, Wisconsin, and Ohio.

We have to make sure we are prepared for future attacks on our democracy. That is why I have joined Senator LEAHY—who is on the floor with me today—and Senator KLOBUCHAR, preparing an amendment to the appropriations legislation we are going to consider, offering an additional $250 million in election security grants to our States.

When a similar amendment was offered at a committee markup last month, we heard it was too early to talk about additional funding; we need to wait and see how the $380 million earlier appropriated would be spent.

We know the answer. At a recent Senate Rules Committee hearing, Cook County Director of Elections Noah Praetz explained that though the $380 million was greatly appreciated, more resources are desperately needed. He said: ''Given the costs of regular technology refreshes and support for human resources with cyber capacity, the needed investment is very large.''

Last week, when asked if the $380 million was enough to address the problem, the President of the National Association of Secretaries of State said: ''[N]o, to put it bluntly . . . Congress needs to come up with some kind of a funding mechanism that is sustainable and year-in, year-out, not once every 10 years.''

Just yesterday, a bipartisan group of State attorneys general asked Congress for increased funding because many States lack the resources and tools they need to protect their polling places.

I urge the adoption of the Leahy-Klobuchar amendment.

It is also time for the majority to heed former Senator Bill Frist's sage advice when he wrote recently in the Washington Post: ''[P]atriotism should always take priority over party.''

I say to the Presiding Officer, I know you know that, personally, and you have proven it.

Senator Frist went on to say that ''staying silent is no longer an option.''

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I appreciate what the distinguished senior Senator from Illinois just said. I will speak about the same amendment. We will be offering this amendment. It does provide $250 million for State election security grants. It provides it to protect our upcoming elections from attacks by Russia especially but from many other hostile foreign powers.

We don't do this as an exercise. We know the attacks have been there in the past, and they are coming in the future. Look at what our intelligence community said. They unanimously said that Russia interfered in our 2016 election.

After the intelligence community unanimously said they interfered, Congress came together, and we appropriated $380 million for State election security grants in the fiscal year 2018 omnibus.

Since that time, all 55 eligible States and territories have requested funding. One hundred percent of these funds have been committed to the States. As of yesterday, 90 percent of the funds have been disbursed to the States. This is pretty remarkable considering that the fiscal year 2018 omnibus was signed into law just 4 months ago.

I have asked what the funding was used for. I am told it has assisted States in improving election cyber security. They have replaced outdated election equipment. They have undertaken other anti-cyber efforts.

That is an important first step. I know all of us do not want our democracy attacked by foreign aggression. More is needed. It is certainly needed before the November 2018 elections—I might say even afterward.

States need postelection audit systems. They have to be able to verify the accuracy of the final vote tally. They have to be able to upgrade election-related computer systems if our Department of Homeland Security identifies vulnerabilities. I believe the State and local election officials should undergo cyber security training. They should start using established cyber security best practices. These efforts are all essential to the security of our elections, and my amendment would enable them to go forward. In fact, yesterday, 21 State attorneys general signed a letter. They urged Congress to appropriate more funding for the States to help them meet their security needs.

Let me quote from their letter. They said:

> Additional funding for voter infrastructure will not only allow states to upgrade the election systems, but will also allow for a comprehensive security risk assessment. Unfortunately, past practice has shown that the existing Election Assistance Commission grants are simply insufficient to provide for the upgraded technology needed. More funding is essential to adequately equip states for the financial resources we need to safeguard our democracy and protect the data of voting members in our states.

Mr. President, I ask unanimous consent to have printed in the RECORD, at the conclusion of my remarks, a letter, dated July 23, 2018, signed by 21 State attorneys general.

Mr. President, it is clear that Congress—this involves everybody in the Congress, Republicans and Democrats alike—must serve as a bulwark against Russian aggression. I say this because our President has, time and again, proven he is either unable or unwilling to do so. Standing on the world stage with Vladimir Putin, with everybody watching, President Trump repeatedly refused to condemn Russia's attacks on our democracy. He almost groveled to the authoritarian Putin. He praised and defended Putin's ''strong denial'' of Russian interference. Then, to make it worse, President Trump attacked our own law enforcement institutions while standing feet away from the very foe our institutions work so hard to protect us from.

All of our intelligence communities and law enforcement have the sworn

duty to protect all Americans from foes like Russia. The President stands next to the President of Russia and attacks the same law enforcement institutions that protect us.

This brought about, not unexpectedly, bipartisan outrage over the Helsinki fiasco. The next day, the President tried to walk back his comments. But in typical fashion, he tried to have it both ways. He repeated the baseless claim that the attack ''could be other people also.'' Then, the very next day, when asked whether Russia is still targeting the United States, the President inexplicably said, ''No.'' That was roughly 48 hours after his own Director of National Intelligence issued a statement reaffirming that Russia is engaged in ''ongoing, pervasive efforts to undermine our democracy.'' Without going into any of the classified material—just go by what our intelligence agencies have said publicly. Russia is engaged in ''ongoing, pervasive efforts to undermine our democracy.'' And when the President is asked whether they are targeting the United States, the answer isn't no, it is yes.

Some have argued that this is an issue for the States to deal with entirely on their own, that the Federal Government should not involve itself in States' electoral systems. But our States were attacked in 2016 by a foreign adversary, and their election systems were hacked by Russia's foreign military intelligence service.

If any one of our States was attacked by a foreign government, would we stand by and say: Well, that is the State's problem. No. We wouldn't say: Well, it is not my State, it is not my problem. You are on your own. Of course not. An attack on any one of us is an attack on all of us. We are the United States of America. We would come together to protect that State. We would provide the Federal resources to help them out. That is what we Americans do. The same standard applies here in helping States strengthen and protect their election infrastructure.

We Senators from both parties have a choice: We either heed the fact-based warnings of our dedicated law enforcement and national security professionals or we do as President Trump has done and say: Well, we will take Vladimir Putin at his word. I don't. We either choose to act as a coequal branch of government to defend our democracy or leave that responsibility to a President who doesn't see the threat. In fact, he embraces the threat even when it is standing right beside him.

I say to my fellow Senators, if you believe that Russia is fully intent on destabilizing our democracy yet again in November, which is something every one of our national security and law enforcement officials believes—the people who read all the classified matters every single day, the people who know our intelligence backward and forward believe Russia is fully intent on destabilizing our democracy—let's stand up for our country. Let's stand up for our intelligence services and have this amendment as a chance to take action—more than anything else, to stand up for America, stand up for our democracy.

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

STATE OF NEW MEXICO,
OFFICE OF THE ATTORNEY GENERAL,
Santa Fe, NM, July 23, 2018.

Chairman MICHAEL MCCAUL,
House Homeland Security Committee, Washington, DC.
Chairman ROY BLUNT,
Senate Rules and Administration Committee, Washington, DC.

DEAR HONORABLE COMMITTEE MEMBERS: The undersigned Attorneys General write to express our grave concern over the threat to the integrity of the American election system. As the latest investigations and indictments make clear, during the 2016 election, hackers within Russia's military intelligence service not only targeted state and local election boards, but also successfully invaded a state election website to steal the sensitive information of approximately 500,000 American voters and infiltrated a company that supplies voting software across the United States.

The allegations in these indictments are extremely troubling. They evidence technologically vulnerable election infrastructures and the existence of a malicious foreign actor eager to exploit these vulnerabilities. Moreover, it has never been more important to maintain confidence in our democratic voting process. It is imperative that we protect the integrity of our elections. We must ensure that the upcoming 2018 midterm elections are secure and untainted. Accordingly, we ask for your assistance in shoring up our systems so that we may protect our elections from foreign attacks and interference by:

Prioritizing and acting on election-security legislation. We understand that the Secure Elections Act (S.2261) is before the Senate at this time and may address some of our concerns.

Increasing funding for the Election Assistance Commission to support election security improvements at the state level and to protect the personal data of the voters of our states. We are concerned that many states lack the resources and tools they need to protect the polls. Additional funding for voting infrastructure will not only allow states to upgrade election systems, but will also allow for a comprehensive security risk assessment. Unfortunately, past practice has shown that the existing Election Assistance Commission grants are simply insufficient to provide for the upgraded technology needed. More funding is essential to adequately equip states with the financial resources we need to safeguard our democracy and protect the data of voting members in our states.

Supporting the development of cybersecurity standards for voting systems to prevent potential future foreign attacks. It is critical that there be a combined effort between governments and security experts to protect against the increased cyber threats posed by foreign entities seeking to weaken our institutions.

These changes are essential in order to strengthen public trust in our electoral system. The integrity of the nation's voting infrastructure is a bipartisan issue, and one that affects not only the national political landscape, but elections at the state, county, municipal, and local levels. It is our hope that you agree, and will take swift action to protect our national legacy of fair and free elections.

Respectfully,

Hector Balderas, Attorney General of New Mexico; George Jepsen, Attorney General of Connecticut; Karl Racine, Attorney General for the District of Columbia; Lisa Madigan, Attorney General of Illinois; Janet Mills, Attorney General of Maine; Maura Healy, Attorney General of Massachusetts; Lori Swanson, Attorney General of Minnesota; Gurbir Grewal, Attorney General of New Jersey; Josh Stein, Attorney General of North Carolina; Peter F. Kilmartin, Attorney General of Rhode Island; Bob Ferguson, Attorney General of Washington; Xavier Becerra, Attorney General of California; Matthew P. Denn, Attorney General of Delaware; Russell Suzuki, Attorney General of Hawaii; Thomas J. Miller, Attorney General of Iowa; Brian Frosh, Attorney General of Maryland; Bill Schuette, Attorney General of Michigan; Jim Hood, Attorney General of Mississippi; Barbara D. Underwood, Attorney General of New York; Ellen Rosenblum, Attorney General of Oregon; Mark R. Herring, Attorney General of Virginia.

Mr. LEAHY. Mr. President, I don't know whether there are others seeking the floor. I was going to suggest the absence of a quorum, but I see the distinguished senior Senator from Minnesota, and I yield to her.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank the Senator from Vermont for his leadership, and I am pleased that Senator DURBIN has brought us together. I also see the Senator from Delaware and the Senator from Oregon here.

I appreciate the work we have seen on the other side of the aisle on so many of these issues regarding elections and Russia, including the Presiding Officer's support for moving forward on a number of these things.

Our next election is right around the corner. In fact, this coming Saturday marks 100 days from the 2018 elections. As we prepare for the midterm elections, two things are clear: First, we must hold Russia accountable for the attacks against our democracy in 2016. This wasn't meddling. This wasn't just sending a few little tweets. This was an actual cyber attack on our democracy, and we have to call it what it was. Secondly, we must do more to deter Russia and safeguard our democracy against future attacks.

As complex as all this is, that is really quite simple. The first thing is, we have to figure out what happened and hold the people accountable. That is what is happening with the Mueller investigation, and that is what is happening with the Intelligence Committee investigation and other committees as well. Secondly, we have to protect our own democracy in the future from Russia, from other foreign entities, from anyone who might try to take away our democracy. That is exactly what happened in this last election.

Over the last 18 months, I have come to the floor time and again to make this point: Election security is national security. Efforts to interfere in our domestic politics and attack our election infrastructure represent a threat to our democracy and our security.

We know that Russia coordinated an attack against our democracy that launched cyber attacks against at least 21 States, including my own. The latest indictment from Special Counsel Mueller's investigation revealed that the Russians hacked the website of a State board of elections and stole the information of roughly 500,000 voters. We not only have them potentially trying to influence the vote, we also have them actually stealing voters' private information, which, of course, is another way to deter voters from wanting to vote. Russia's efforts also included sophisticated information warfare designed to divide our country and weaken Americans' confidence in our election system.

Hard-working women and men in our intelligence agencies from both Democratic and Republican administrations have confirmed this. The heads of all of our major intelligence operations under President Obama and under President Trump have said that this happened. In fact, months ago, Director Coats said that not only did it happen but that the Russians are getting, in his words, bolder.

Yet, this month in Helsinki, President Trump was asked if he stands by the conclusions of the U.S. intelligence community or the denials of Vladimir Putin. He chose to go with Putin. He stood there in front of the world, and he called Putin's words ''extremely strong and powerful.'' That is why so many in this Chamber—Republican and Democratic Members of the Senate—have come out and called him on it and affirmed the U.S. intelligence conclusions and denounced the President's actions.

There is no substitute for Presidential leadership—we know that—but in its absence, Congress must act. We need to make strong bipartisan commitments to defend our elections and show unwavering support for our intelligence agencies.

Among others things, today Senator GRAHAM and I submitted a bipartisan resolution that reaffirmed strong congressional support for our intelligence agencies and our diplomats. This is supplemental to the work, of course, that Senator COONS and Senator FLAKE have been doing. It declares that an attack on our election system by a foreign power is a hostile act that should be met with a swift and forceful response.

Passing this resolution sends a clear message to Russia: We are united in our commitment to make sure you pay a heavy price for attacking our elections, and we are prepared to exercise our authority to impose even stronger sanctions.

If this administration won't act, Congress must.

In order to safeguard future elections, State and local officials on the frontlines of this fight must have the tools and resources they need to prevent cyber attacks.

We recently voted to provide $380 million in election security funding to States. That was an important first step. All the States I have talked to say that was just the beginning, that they would need more resources, but it was an important first step. I worked on that with Senator LANKFORD, as well as Senator COONS and Senator LEAHY.

I will note that $380 million is just 3 percent of the cost of one aircraft carrier. That is what it is—3 percent of the cost of one aircraft carrier. We have a foreign government that has been trying to attack our elections. We must do more.

During a recent Rules Committee hearing, State and local officials testified that more resources are needed. Last week, Vermont's secretary of state and the president of the National Association of Secretaries of State, Jim Condos, called on Congress to provide additional funds on an ongoing basis, not just when a crisis happens. This week, nearly half of our country's State attorneys general sent a letter urging Congress to appropriate more funding for election security. That is why today Senator LEAHY, Senator COONS, and I will be offering this amendment to the appropriations legislation that is before us this week that would provide additional funding for election security.

I am continuing to work with Senator LANKFORD on the Secure Elections Act, which, along with Senator GRAHAM and Senator HARRIS, now has 10 cosponsors, Democrats and Republicans, equally divided. That bill is important. Senator BLUNT has agreed to a markup in August. That is very critical to our moving forward to have legislation that puts some parameters in place, puts best practices in place, and requires audits. All of that must happen, but for now, we can't wait. We are almost 100 days away from this election.

Director of National Intelligence Coats recently reaffirmed the threat Russia poses. He said this: ''Today, the digital infrastructure that serves this country is literally under attack. . . . It was in the months prior to September 2001 when, according to then-CIA director George Tenet, the system was blinking red. And here we are nearly two decades later, and I'm here to say the warning lights are blinking red again.'' That is from our National Intelligence Director under President Trump.

I would close with this—something that happened 95 years ago. In 1923, Joseph Stalin, then General Secretary of the Soviet Communists, was asked about a vote in the Central Committee of the party. Stalin was unconcerned about the vote. After all, he explained that who voted was ''completely unimportant.'' What was ''extraordinarily important,'' he said, ''was who would count the votes and how.''

Now, nearly 100 years later, we have someone by the name of Vladimir Putin trying to control who counts the votes and how in our own country. This time, it is now, and it is in our elections. Those are the stakes. Election security is national security, and it is time to start acting like it.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, as Senator KLOBUCHAR has noted, Democrats and Republicans are here to talk about a critically important issue; that is, protecting the franchise for our people.

I want to begin by saying that the ink is barely dry on the indictment of the Russian hackers who tried to undermine our democracy, and the President of the United States is trying to deny that it actually happened. Just put your arms around that one for a moment, colleagues. The indictment of the Russian hackers is just days old, the President's own intelligence officials are telling him that an attack on our democracy is a near certainty, and he has just not been willing to step up and prevent it. In fact, he continues to refuse to accept the basic facts of the attack the Russians perpetrated in 2016.

The fact, however, is that Americans are learning more and more about what actually happened, and it is becoming increasingly clear that what the President calls a witch hunt is turning up a lot of witches. The attack on our democracy was plotted and perpetrated by agents of the Russian Government. It came from the very top. It wasn't perpetrated by some other, unidentified country, and it wasn't some random fellow in his mom's basement; it was Russia. Somehow, the President is too mesmerized by Vladimir Putin to admit that.

The public learned from the indictments unsealed in the last several days that Russian intelligence officials hacked into the computers of the Democratic National Committee, stole data, and planted surveillance software. They were basically hoovering up voter data that belonged to one-half million Americans. They targeted our election infrastructure and searched for vulnerabilities that might have allowed them to affect the results. A Russian national with ties to Russian intelligence used what was called a ''gun rights organization'' to infiltrate conservative circles and sway our political judgment.

Those are the facts, colleagues, and no matter how the President twists himself into a pretzel to try to describe it otherwise, those are the realities. Our election system and our digital infrastructure are still extraordinarily vulnerable to attack. The President's own Director of National Intelligence, our former colleague, has said—not

months ago but recently—that ''the lights are blinking red.''

So our colleagues Senator LEAHY and Senator KLOBUCHAR are proposing an important investment of funding to assist the States. There is no question in my mind that when looking at this challenge, this will be a challenge that benefits from the additional funds since this is a national problem. The Director of Homeland Security said in response to my question that paperless voting machines pose a ''national security concern.'' You know, we don't ask Delaware or Oregon or small towns if they are dealing with an attack on their democracy. We don't say to a small town in Delaware or Oregon: Will you figure out how to do it? We treat it as something where we come together as Americans to tackle the problem. So we are going to need additional funds for attacking this extraordinarily important challenge.

I am going to be heading home for townhall meetings. We have these sessions, throw open the doors, and everybody's welcome. Folks are going to hear about what we are talking about in election security, and folks are going to say: Ron, what are the best ideas out there for stopping the Russians from hacking our elections?

I will say to my colleagues—we are going to talk some more about this—cyber security experts are overwhelmingly united on what is best for stopping the Russian hackers. Overwhelmingly, this country's cyber security experts—people who aren't Democrats or Republicans; they are people who are knowledgeable in this field—say the two things you need most are paper ballots and risk-limiting audits—those two things, paper ballots and risk-limiting audits.

Tens of millions of Americans today have no choice but to vote on unsecured machines that might as well have these words scrolled on them in Russian: ''Please hack me, comrade.'' That pretty much is what you get with these unsecured voting machines.

The voting machine industry—I think I talked about this with my friend from Delaware—has basically considered themselves to be above the law. They have refused to share vital information about their operations with me, the Intelligence Committee—even basic questions, which are really called issues relating to cyber hygiene. But what we know is, some of this voting technology has actually come preinstalled with remote monitoring software. The cyber security experts will tell you that is a recipe for disaster. The experts also will tell you that bar codes, ballot-marking devices, are not the heart of a solution to really secure elections.

When you ask the companies that manufacture these machines, they are ducking and weaving when they are asked even the most basic and straightforward questions about how they are protecting American voters.

Colleagues, as we move to start this extraordinarily important debate, I want to be clear about what I think the most important challenge is. Our most important job is to build a new partnership between the States and localities and Federal election officials that actually protects American elections from getting hacked by the Russians. That is what this is all about—actually making sure we provide that added measure of assistance and security for American voters.

In the name of supporting that cause, I have proposed legislation called the PAVE Act which, in effect, says that we have to build around common sense and what the independent cyber security experts say is important—paper ballots and postelection audits. That, in my view, is the heart of what we ought to be looking for ways to support. If a polling place starts election day with a line of people out the door, it ought to end the day with a stack of paper ballots that are hack-proof—a verifiable system that the Russians cannot touch.

If the United States is going to go along with business as usual—election security status quo of paperless machines and not very many audits, not effective audits—it is nearly as bad as leaving ballot boxes on street corners in Red Square. So I am going to close this way. When we have a debate this important about election security, what it is really about is whether Americans can trust that control of our democracy is actually in their hands. The easiest way to destroy what has certainly been waning confidence Americans have in our elections is to leave election systems vulnerable to attack. That is practically a surefire way to limit voter participation, and it certainly is going to generate a new firestorm of conspiracy theories in every American election from here on.

So I say to my colleagues and Senator COONS, who really is the gold standard for working with colleagues, trying to bring people together: Find approaches that make sense for our people. He and I have talked, and I think we have agreed that we will take a good idea from anywhere in sight. If there is a good idea on this side of the aisle, we are interested. If there is a good idea over there, we are interested. The good idea here, in terms of protecting the votes of the American people who have been threatened by Russian hackers, with the evidence as recently as a few days ago with the indictments—the best way, according to people who aren't in politics and are knowledgeable in the field, is to have paper ballots and risk-limiting audits. As long as I have the honor to represent Oregon in the U.S. Senate—we will certainly be talking about this at townhall meetings this weekend. I look forward to working with my colleagues on both sides of the aisle to advance that kind of approach, which I think is the surest path to blocking those Russian hackers from doing again and again what they did to us in this past election.

I yield the floor.

The PRESIDING OFFICER (Mr. JOHNSON). The Senator from Delaware.

Mr. COONS. Mr. President, I rise to speak about an amendment that I look forward to advancing as a member of the relevant Appropriations subcommittee—in fact, the ranking Democrat. I was pleased to work in a bipartisan way to secure $380 million in the last fiscal year that has been distributed to the States to secure our elections.

As you may have heard, some who opposed this in the Appropriations Committee, when we took it up and debated it, asked a few simple questions, which I will try to address quickly.

Aren't elections a State and local responsibility? Why should the Federal government be providing funding for States and localities to secure their elections? It is true that elections are overwhelmingly run at the State and local levels. The cost of securing and modernizing our voting machines and voting systems will be overwhelmingly borne at the State and local levels.

Second, this $380 million was just made available, and I don't think it has even gone out yet. Have they used it well, and have they used it properly?

Third, why is this something we need to do now? Is there any indication that our upcoming elections are actually under threat?

Let me briefly speak to those three questions.

This morning, it was publicly reported that the U.S. Department of Homeland Security, outside of a classified setting for the first time, revealed that not one, not two, not a dozen, but more than 100 American power utilities had been successfully hacked by Russian military intelligence and that air-gapped control rooms—meaning control rooms that are designed so they are not connected to the internet—in power-generating or distributing utilities around the country had been compromised by Russia. There is a level of sophistication in their invasion and interference in our physical infrastructure that is matched by their sophistication in interfering and intruding in our election infrastructure. I think the present danger is very clear and very real.

As my colleagues stated at great length, our Director of National Intelligence, Dan Coats, our former colleague, has said repeatedly that our election structure is at risk.

On July 13, Special Counsel Mueller indicted 12 Russian military officials for cyber attacks on our 2016 elections, and we know those attacks are coming again.

Michael Chertoff, the former Bush Department of Homeland Security Secretary, and Grover Norquist, long known as an advocate for reduced Federal spending, jointly wrote an editorial earlier this year—I think it was in the Washington Post. They said, and I quote, that ''we can replace all paperless voting machines in the country for less than the cost of an F–22 fighter jet.''

As Senator KLOBUCHAR has said repeatedly and correctly: ''Election security is national security.''

Chertoff and Norquist concluded with this thought: It is not practical to expect State and local election administrators in rural Missouri or small town Maine or in my State of Delaware or in my colleague's State of Iowa to go toe-to-toe with the premier government-backed cyber mercenaries of Russia or China or North Korea. Just as Federal agencies prudently provide support for State law enforcement in dealing with terrorism, Federal officials should give guidance for support of the election cyber security threat.

My home State of Delaware is one of five with no paper trail for our election systems, and our election systems are air-gapped. I just received a letter from our State election commissioner, Elaine Manlove, who has made clear that with the $380 million already distributed through the money made available last year, they will begin to make a downpayment on replacing our current, antiquated election machinery with those that will have a verifiable paper trail.

I have many more examples I can cite, but I will be brief because I have a colleague who has waited long for his opportunity to speak.

All States have now requested the funding, and 90 percent of the funding has been disbursed. The EAC is working with States to make sure that they are addressing cyber security issues and, in particular, replacing outdated, antiquated systems.

I will give you one of many examples. The State of Louisiana last purchased voting equipment in 2005. Its 10,000 voting machines are antiquated, and their spare parts are dwindling and are no longer being manufactured. Louisiana's secretary of state estimated the replacement cost would be between $40 million and $60 million. A $3 million downpayment of Federal money is just barely enough to get Louisiana started, not enough to complete the job.

Let me close by saying that election security is not a partisan issue; it is about protecting who we are as a nation. Free and fair and regular elections define us as a democracy. Democrats, Republicans, and Independents—all Americans—who want to know that their votes are counted and our elections are free and fair should care about a Federal role in supporting States and localities as they work to ensure that our election systems are protected and our equipment can't be compromised.

This is an issue not just for the November 2018 elections but for the 2020 elections.

The amendment we hope to call up later today should not be controversial. This is about protecting our democracy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

NOMINATION OF BRETT KAVANAUGH

Mr. GRASSLEY. Mr. President, I want to bring my fellow Senators up to date on a subject that was sparked by the remarks made this morning by the minority leader. I also want to add some additional context that the minority leader left out.

He spoke on the nomination of Judge Kavanaugh to the Supreme Court. Unfortunately, he didn't come to the floor to talk about the judge's excellent qualifications, the judge's well-regarded temperament, or the judge's judicial philosophy. He didn't come to the floor to announce that he would finally extend to the judge the courtesy of a meeting, which is customary in this body. He came to speak about what he thinks will satisfy leftwing outside groups. He demanded that I sign a letter that will put the American taxpayers on the hook for a Democratic fishing expedition, and I am not going to do that.

I agree that we should have a thorough vetting process for the nominee—and we will—and that we should review materials that will reveal Judge Kavanaugh's legal thinking. That is our job. We are not going to be a rubberstamp. Fortunately for us, we have immediate access to the most valuable documents that are out there that will reveal Judge Kavanaugh's legal thinking. We have access to the more than 300 opinions Judge Kavanaugh authored in his 12 years on the DC Circuit, as well as to the hundreds more opinions he joined. In these opinions, he addressed some of the most significant legal issues of the past decade from the second most powerful court in the land.

This morning, the minority leader brought up a statement that I had made in 2010 in connection with Justice Kagan's Supreme Court nomination. At that time, this Senator was interested in reviewing documents from her time in the Clinton administration.

What the minority leader neglected to mention was that, unlike Judge Kavanaugh, Justice Kagan had not served as a judge before being nominated to the Supreme Court. Besides the Federal Government service she had had at the time she was nominated, she had been the dean of a law school. Other than Kagan's materials that she had submitted as part of the Senate Judiciary questionnaire for her nomination, her White House Counsel's Office and Domestic Policy Council documents had been some of the few categories of documents that could have shed light on her legal thinking since she hadn't had any judicial writings, meaning as a judge. Justice Kagan had written or joined a grand total of zero judicial opinions before her nomination. For those of us on the Senate Judiciary Committee to have carried out our constitutional advice and consent responsibilities as Senators, we had needed to better understand her legal thinking and potential jurisprudence.

Judge Kavanaugh, by contrast, has authored over 300 judicial opinions in his 12 years on the bench. That is over 300. That doesn't include the hundreds of other decisions in which he has joined an opinion or some sort of order. When you add those to the mix, those are thousands of pages of judicial writings that the American people have access to at this exact moment. You don't have to wait to get this information about Judge Kavanaugh. To the contrary, Justice Kagan, of course, had zero pages of judicial opinions. This is in addition to the 6,168 pages of records Judge Kavanaugh just included in his response to the Senate Judiciary questionnaire, which we put on the website last weekend for the whole public to view if it wants to know everything about Judge Kavanaugh as a judge and about the things of which he spoke and wrote documents about other than just his judicial opinions.

Despite the fact that Judge Kavanaugh's judicial record is much more substantial than Justice Kagan's was, I agree that we should still ask the White House for documents pertaining to Judge Kavanaugh's time in the White House Counsel's Office. My Democratic colleagues say they want the White House's records. I am pleased to let them know that in the coming weeks, the Senate will receive what will likely be the largest document production in history for a Supreme Court nomination. I expect that the Senate could receive up to a million pages of documents that will be related to Judge Kavanaugh's time in the White House Counsel's Office. We will also see the White House's nomination file for Judge Kavanaugh's 2006 nomination to the DC Circuit—where, as I have told you, he now sits—along with records from Judge Kavanaugh's time in the U.S. Office of the Independent Counsel. By comparison, we received fewer than 180,000 pages for Justice Kagan's time in two White House offices.

Let's recap. We have more than 300 of Judge Kavanaugh's actual judicial opinions to Justice Kagan's zero. We could have up to five times as many pages from his time in the White House as we received from Justice Kagan's time, and we will have those documents despite the fact that they are less necessary now than they were for Justice Kagan. In short, there will be much more transparency in this Supreme Court confirmation process than ever before.

I am ready now to send a letter to the National Archives to request relevant White House Counsel documents. I would like to do this with the ranking member, but unfortunately she has declined this request. This is unfortunate. Both sides agree that the White House Counsel documents are relevant. I would like to get them over here as quickly as possible so we can begin reviewing them.

Yet, as I noted, the Democratic leadership has already decided to oppose

Judge Kavanaugh's confirmation. They would like to slow down the process as much as possible. I think that explains why the ranking member will not sign a letter that requests documents both sides want.

I have heard that some of my Democratic colleagues would like to request all of Judge Kavanaugh's records from his time as White House Staff Secretary, but these documents are both the least relevant to Judge Kavanaugh's legal thinking and the most sensitive to the executive branch. The Staff Secretary is the in-box and out-box of the Oval Office. Passing through the Staff Secretary's office is a wide range of communications that request things like flying the flag at half-mast to somehow including daily lunch menus, to draft speeches, to sensitive national security papers.

The Staff Secretary's primary charge is not to provide his own substantive work product; the Staff Secretary makes sure that the President sees memos and policy papers that have been produced by other offices in the White House. It is a very important job. It requires someone who is smart, someone who is hard-working, and someone who is talented.

The documents that passed through Judge Kavanaugh's office while he was Staff Secretary are not particularly relevant to his legal thinking or for the consideration of whether he should be on the Supreme Court. It is like saying, in a sense, that the Senate Secretary—someone who has a very difficult and demanding job—is responsible for all of the positions taken by each of the Senate offices. It is absurd.

The Senate should focus its efforts on reviewing his tens of thousands of pages of judicial opinions and other legal writings. Not only would a broad review of Staff Secretary documents be a waste of time, but it would also be a waste of taxpayers' money.

Moreover, Staff Secretary documents contain some of the most sensitive information and advice that went directly to President Bush from a range of policy advisers.

Back in 2010, both Democrats and Republicans agreed that Justice Kagan, because of the sensitivity of the documents, shouldn't produce internal communications while she was Solicitor General.

If we are going to talk about a Kagan standard, then we need to talk about taking sensitive communications off the table. That is what all sides had agreed to in 2010 and what I will insist on now.

I appreciate the minority leader's efforts to ensure some transparency and thoroughness, but let's get right down to brass tacks: I don't think the minority leader actually wants to read the millions of pages that crossed Judge Kavanaugh's desk way back in 2004 and for probably the 3 years he held the position of Staff Secretary.

The minority leader said he will fight this nomination with everything he has, which proves what I have been talking about, and his request proves that he is willing to do that because this bloated document request is part of that fight. This is not about anything other than obstruction—to bury us under millions and millions of pages of paper so we cannot have a confirmation vote on Judge Kavanaugh this year.

Liberal, dark money outside groups want to drag this confirmation out just as far as they can—till the end of time. I will not let them. This confirmation process should focus on Judge Kavanaugh's qualifications, not become a taxpayer-funded fishing expedition.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

NATIONAL FLOOD INSURANCE PROGRAM

Mr. KENNEDY. Mr. President, I am almost embarrassed to talk about what I am going to have to talk about today. Once again, in the U.S. Congress, we find ourselves only days away from causing a lapse in the National Flood Insurance Program.

The majority of Members of the U.S. Senate and the U.S. House of Representatives understand the importance of extending this program but sadly some don't. You can lead some people to water, but you can't make them think.

Without congressional action, ordinary Americans—the people who get up every day, go to work, obey the law, pay their taxes, and try to do the right things by their kids—are going to suffer. These folks work pretty hard to earn money to cover their mortgages, to pay their insurance premiums, to put food on the table, and to hopefully have a little extra when all is said and done.

The U.S. Government made a promise to these people, these taxpaying Americans, that if they pay their flood insurance premiums, we will have their backs when they have a flood. We are about to tell them we lied. When you lie to Congress, it is a felony. When Congress lies to you, it is just politics, and that is not right.

Unless we do something, the National Flood Insurance Program, the NFIP, is going to expire on July 31. Now, unless you are a rock—only dumber—that is in 8 days, including today.

Every once in a while, Congress seems to just decide that keeping our promise to the American taxpayer isn't worth the effort. What planet did we parachute in from that we can't even maintain the status quo on something that affects the lives of millions of people and helps more than 22,000 communities across this great country?

I am standing here today because the reauthorization of the NFIP has never been more urgent. Let me say it again. We have 8 days until disaster. If the NFIP is allowed to expire on July 31, Congress is going to be sending a clear message to the 5 million hard-working Americans who count on this program, and that message is three words: We don't care. We don't care. The unfortunate thing is, I think some—it is a small minority, but some don't.

Last September, when Texas and parts of Louisiana were still reeling from Hurricane Harvey, one Member of the U.S. Congress actually said: ''The federal government is encouraging and subsidizing people to live in harm's way . . . at some point, God is telling you to move.''

Give me a break. Are you kidding me?

The fact is, 50 percent of our country's population and 50 percent of our country's jobs are along our coasts and waterways. Do you really think they ought to just move? Living near water is an economic necessity. People have been doing it since the beginning of time. It is as true for us now as it was in Biblical times that our economies and our livelihoods are tied to water.

Let's take the Mississippi River that runs through my State. Each year, it sustains more than 1.3 million jobs and generates more than $405 billion in revenue. How many jobs are tied to the 12,000 miles of U.S. coastline? What do you think would be the economic impact if everyone who lived near one of the 3.5 million miles of rivers in this great country just picked up and moved tomorrow—as if they could afford to do so. Give me a break. I hope we never have to find out what would happen, but one thing is certain, nobody is going to move before July 31, when the NFIP expires, just because some Members of Congress erroneously think they ought to.

I want to make two other points. First, if Congress allows the NFIP to expire, it is going to stall thousands and thousands and thousands of home closings. That is right. Because the law requires it, many lenders require homeowners to carry flood insurance. If there is no NFIP, then there is no flood insurance. If there is no flood insurance, then there is no home sale.

The last time Congress chose to do nothing and let the National Flood Insurance Program expire, the NFIP lapsed for a total of 53 days. That was in 2010. Over those 2 months, each and every day, 1,400 home sales were canceled. That is every day. That is not total. That is every day. Think about how that is going to impact our economy. Isn't that special?

Just when we finally get the U.S. economy moving again, we are going to step on it by letting the National Flood Insurance Program expire. No wonder many Americans say—and I hear it all the time—yes, there are some good Members of Congress. We just can't figure out what they are good for.

I am also tired of hearing that the NFIP is being abused by rich people for their beach homes. I hear it all the time. That is a bunch of bovine waste. As a matter of fact, 98.5 percent—almost 99 percent—of all NFIP policies are in counties with a median household income of less than $100,000, and 62

percent are in counties with a median household income below the national average of $54,000.

You don't have to live near a body of water. If you get 22 inches of rain in 2 days, you are going to flood, even if you live on Pikes Peak. For those who live in a coastal State like my State or elsewhere on a floodplain, the reality is, the NFIP is the only place you can turn to protect your property. Floods are the most common and the most costly natural disaster. The damage that is done by hail, fire, wind, or a fallen tree is covered by a homeowner's insurance but not a flood. If you have a flood, it is not covered by your homeowner's policy.

The Federal Government made a promise. We promised more than 5 million Americans—half a million in my State alone—that we would have their backs. We promised them that if they would pay their hard-earned money into the National Flood Insurance Program through premiums, if they flooded, we would cover it. It is time we get our act together and keep that promise. The NFIP is just too important to be used as a political football. For millions of people in this country, in my State and elsewhere, this program is the only way they can protect their most valuable asset—their home—and, at a minimum, we owe those hard-working Americans some peace of mind.

I urge my colleagues to support S. 3128, my bill and the bill of BILL CASSIDY, the senior Senator from Louisiana. It will extend the National Flood Insurance Program for 6 months to get us through hurricane season. That is all it does. It just maintains the status quo. It doesn't change anything. It just says the National Flood Insurance Program we have today is going to be extended for 6 months to get us through hurricane season, while we in the Senate and in the House continue to work on a reform bill that would rework the NFIP and turn it into a program that looks like somebody designed it on purpose. That is all my bill and Senator CASSIDY's bill does.

We simply can't afford to let the folks in our at-risk communities down, especially those exposed during hurricane season. Truthfully, they deserve better from us.

NOMINATION OF JOHN FLEMING

Mr. President, I want to speak very briefly about a friend of mine who has been nominated by President Trump for a very important position in the Federal Government. This friend's name is John Fleming, and he has been nominated by the President to be Assistant Secretary for the Economic Development Administration at the Department of Commerce.

Dr. Fleming currently serves as the Deputy Assistant Secretary of Health IT Reform at the Department of Health and Human Services, and he has done a wonderful job. He has done such a great job that the President has asked him to take on this program at the Department of Commerce.

Dr. Fleming is a public servant's public servant. He is a four-term Member of the U.S. House of Representatives. He is a physician. He went to the University of Mississippi, undergraduate and medical school. He is an entrepreneur and businessman. Aside from his family medical practice, his businesses support about 600 jobs in my State.

After Dr. Fleming finished at Ole Miss and finished med school, he enlisted in the U.S. Navy. He served there in the Medical Corps.

During his time in the House of Representatives, Dr. Fleming was a champion of our economy, a champion for families, and a champion for our veterans. He is a skilled physician, he is an experienced entrepreneur, and he is a good guy. I know Dr. John Fleming and his family well, and I am honored to be able to endorse his nomination.

Just to show you that he is well-rounded—I forgot this—John also has a black belt in karate. I am not sure when he has time, but he is a well-rounded guy.

I have no doubt—none whatsoever—that Dr. Fleming is well qualified to be a very fine Assistant Secretary of the Economic Development Administration, and I endorse his nomination categorically and unconditionally.

Thank you.

The PRESIDING OFFICER. The Senator from Connecticut.

HEALTHCARE

Mr. MURPHY. Mr. President, we are on the verge of the 1-year mark since the U.S. Senate attempted to take away healthcare from 30 million Americans and was told no by the American public.

For virtually the entire time, since the passage of the Affordable Care Act, Republicans in the House and in the Senate engaged in an exercise that was futile while President Obama was in office but then was made possible by the election of Donald Trump—that was the repeal of the Affordable Care Act, which extended care to 20 million Americans who weren't guaranteed that health insurance would actually cover the things they needed and protected people who were sick or people with preexisting conditions from discrimination.

When Republicans finally took over, they realized they had spent a whole lot of time criticizing the Affordable Care Act but not a lot of time figuring out what would come next, and most of 2017 was spent in an embarrassing series of proposals that, according to the Congressional Budget Office, would uninsure somewhere in the neighborhood of 20 to 30 million people.

Finally, when a vote was called on the floor of the Senate, just enough Republican Senators chose to side with the American people, who want to maintain the protections of the Affordable Care Act and work to perfect it, that the bill failed by one vote. That 1-year mark will occur this weekend on Saturday.

So a few of us wanted to come to the floor today to talk about what has happened since that fateful vote a year ago that was, frankly, celebrated all across this country, as folks who were deeply fearful that their healthcare was going to be ripped away from them by the Congress realized they might be able to rely on it for at least another year.

Let me set the stage, first by reminding people of the promises that were made. This is President Trump shortly after his election and just before his swearing in. He said:

> We're going to have insurance for everybody. People covered under the law can expect to have great healthcare . . . much less expensive and much better.

That is a clear promise that the President made: Everybody is going to have insurance. It is going to be less expensive, and it is going to be better—more insurance, less expensive, better quality.

The vote that took place a year ago this Saturday would have done exactly the opposite. It would have kicked 30 million people off of insurance. It would have driven up costs for millions of Americans—especially those people with preexisting conditions. Coverage would have been much worse, not much better, in part because people with preexisting conditions wouldn't be able to access care.

So this promise never came true because of the vote that we took a year ago this Saturday.

But, occasionally, the President does say something that is true. This is a picture of the celebration that the House of Representatives had at the White House the day they voted on the proposal that would rip away healthcare from 30 million Americans, before the vote that took place here in the Senate. There are a lot of smiling faces of Members of Congress who were so excited that people who had cancer or people who had diabetes would be unable to get healthcare insurance.

This quote is not actually from this press conference. It is from a rally that the President held just a few weeks ago. He was talking about the fact that JOHN MCCAIN and some others voted against that proposal on the Senate floor, which caused it to fail. He said—these are the President's words: ''It's all right, because we have essentially gutted it''—the Affordable Care Act—''anyway.'' ''It's all right, because we have essentially gutted it anyway.''

So that summarizes what has happened since the failed vote on the floor of the Senate a year ago. President Trump and his Republican friends in Congress, all smiling behind him, have gutted the Affordable Care Act, not because they want better healthcare for people but because they are just angry that they couldn't get the votes to do it here in Congress. So they are doing it by other means.

So a few of us are going to be on the floor to talk about what has happened in the last year.

I actually think that most of my colleagues do want better healthcare for their constituents, but I don't understand how any of what has happened, either through legislative act or through administrative action, gets us there—gets us to that promise that President Trump made in January of 2017.

Here is what is going on. First, the President signed an Executive order saying that all of his agencies should start to take their own actions to unwind the protections of the Affordable Care Act. Then he stopped the marketing for the Affordable Care Act so that less people would know about the options that were available to them. Then the President came to Congress and worked with Republicans to take away one of the most important pillars of the Affordable Care Act—the requirement that healthy people buy insurance. That action alone will result in 13 million people losing insurance and rates going up for 10 million Americans.

Most recently the President authorized the sale of junk insurance plans all across this country—plans that don't have to cover mental health or prescription drugs or maternity care.

He then cut funding even deeper for the personnel that help you find what insurance is right for you, and he instructed the people that remain to push Americans onto the junk plans.

Then the President sent his lawyers to court to argue that Congress actually can't protect people with preexisting conditions because it is unconstitutional, which would wipe out all of the protections that people enjoy today.

So it is really no mystery as to why, as the 2019 premium increases are coming out, they are catastrophic. They are catastrophic. Fourteen States have insurance companies that have requested premium increases of 10 to 20 percent. Connecticut is one of those. Five States have insurance companies that requested premium increases of 30 percent or more. Think about that for a second: 30 percent or more. Who can afford a 30-percent or a 40-percent increase in premiums? One insurance company requested a 94-percent increase in rates.

In 21 of the States that have rates filed already, the insurers said the reason they are doing this—the reason they are passing along enormous premium increases—is because of the sabotage campaign that is being run by the President and by this Congress, all or most of it occurring since the failure of the repeal vote a year ago.

It is all right, says the President. We didn't need to repeal the Affordable Care Act. That vote that we are marking the 1-year anniversary of doesn't really matter because we have essentially gutted it—the Affordable Care Act, the American healthcare system—anyway.

So, finally, before I turn this over to the ranking member on the HELP Committee, I just want to talk about the next phase of the sabotage campaign.

If Republicans in Congress can't get the American people to support a legislative act to repeal the Affordable Care Act, the next hope is for the courts to do it. That is why the nomination of Brett Kavanaugh is so critical to this continued campaign of trying to undermine the Affordable Care Act, because you probably can't get the majority of Members of Congress to wipe away protections for people with preexisting conditions, but maybe you can get the Supreme Court to do it.

There is a case that I just referenced that the Trump administration is supporting, moving its way through the courts, that would invalidate—constitutionally invalidate—Congress's protections for people with preexisting conditions. These are people with cancer, diabetes, heart disease, mental illness, cerebral palsy, Crohn's Disease, ALS, addiction, Lupus, epilepsy, Parkinson's, and the list goes on.

President Trump made clear during the campaign that he wasn't going to pick a judge in the mold of John Roberts, who would uphold the Affordable Care Act. He was going to pick judges that would rule with him to strike down the Affordable Care Act. That is also probably why he outsourced the decision on whom to pick for this vacant slot to political groups like the Heritage Foundation.

So the expectation is that Brett Kavanaugh will deliver one of those five needed votes to strike down the laws on the books, which Congress can't find the votes to override, protecting people with preexisting conditions. The Supreme Court could take away your healthcare if you have a history of any of these diseases, and, if that happens, the results are lethal. If you have metastatic cancer and you don't have the protection in the law that says insurance companies can't charge you more because you are sick, a recent study shows that you will be charged a rate of $142,000 higher than what you pay today. If you are an individual with diabetes, your increase could be 137 percent on top of what you are paying now.

So these are the stakes. These are the stakes as we prepare to vote on Judge Kavanaugh's nomination, and it is all in service of this very intentional, very deliberate, very planful campaign of sabotage.

A year ago this Saturday the American people got their way, and this body decided not to repeal the Affordable Care Act because people like the fact that 20 million people have insurance. People like the fact that people with preexisting conditions are protected. That night, the American people got their way, but since then, the President and this Congress have been working to undermine it, and the next step in that plan is the elevation of Brett Kavanaugh to the Supreme Court. It is important for us to come to the floor and explain what the stakes are.

I yield is floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I wish to thank the Senator from Connecticut. I, too, join him in being very proud, as we were a year ago, to see Congress stand with families across the country who did not want to see their healthcare rolled back.

A year ago, as Senator MURPHY said, President Trump tried to make good on his campaign promise to repeal the Affordable Care Act and to jeopardize healthcare for millions of people. A year ago, the President tried to jam TrumpCare through Congress. It was a harmful, mean-spirited bill that would have spiked premiums and gutted Medicaid and scrapped protections for people with preexisting conditions, which would put families back at the mercy of big insurance companies.

But people across the country stood up, they spoke out, and they made it absolutely clear that they did not want President Trump to take away their healthcare or give power back to those insurance companies.

During that debate, I heard personal stories from patients and families all over my State of Washington who were concerned about TrumpCare because it would make it harder to get the care they needed.

I heard stories like Julie's. Julie has a genetic condition. As a result of that, she has had four—four—different types of cancer. She has had four different organs removed during treatment. She has had her diet severely restricted, and her life has dramatically changed. But she is a fighter. She had excellent care, and she ultimately won each of those four battles with cancer.

However, without protections for people with preexisting conditions, her healthcare costs could skyrocket. If President Trump had his way, Julie could not get the care she needed, and, by the way, she is not the only one.

I also heard from families like the family of a woman named Vanessa. When Vanessa was pregnant, she learned that her daughter would be born with significant health challenges. In fact, her daughter Cheyenne had her first surgery when she was just 20 days old, and she would have two more before her very first birthday. Even though Cheyenne was born with preexisting conditions that would be costly to treat for years to come, Vanessa, her mom, was able to get insurance through our State exchange and get her daughter the care she needed. But if President Trump had his way, that might not be possible.

Last year, in the midst of the TrumpCare debate, I shared Vanessa's story, Julie's story, and many stories from families in Washington State, and I heard even more that I would love to share. People from other States across the country were also reaching out and letting their Senators know how damaging TrumpCare would be for their

family and urging them to vote against it. It worked.

Last year we came together and gave President Trump's healthcare repeal scheme a big thumbs down. Unfortunately, that has not stopped President Trump from doing everything he can to sabotage families' healthcare from the Oval Office.

When he couldn't jam through TrumpCare, instead he jammed through a partisan tax bill that gave cuts to big insurance companies and drug companies and paid for them with steps that even his former Health and Human Services Secretary confessed would drive up families' premiums.

He slashed investments that help people understand their healthcare options and get coverage.

He handed power back to the insurance companies by expanding loopholes for junk plans and making it easier to ignore patient protections, including protections, by the way, for women, for seniors, and for people with preexisting conditions.

The Trump administration is even refusing to defend preexisting protections in court, both abandoning its duty to defend the law and ignoring the will of the people across the country who want them to fight for these protections.

While President Trump has broken a lot of promises, it is clear that he has never wavered in his promise to undermine healthcare for our families, and he has never failed to put insurance companies ahead of patients.

That is why his decision to nominate Judge Kavanaugh to the Supreme Court is such an alarming omen for families' healthcare.

As a candidate, President Trump left no question that he would nominate far-right Supreme Court Justices who would strike down the Affordable Care Act and jeopardize care for millions of families. To be sure that candidates met that extreme ideological standard, he had them vetted by extreme, ideological conservative groups.

We know that President Trump chose Judge Kavanaugh because he has no doubt that Kavanaugh will support his efforts to sabotage family healthcare and make it harder for people to get the care they need.

We know that preexisting condition protections are on the line.

We know that stopping Kavanaugh's confirmation isn't a matter of partisan politics. For many families in our country, it is a matter of life and death.

We know we can stop it if people across this country do exactly what they did to beat TrumpCare—stand up, speak out, and make clear that families who didn't want their healthcare stripped away last year don't want it stripped away this year either. I have heard from many families concerned about this, and I know others are sharing their stories as well.

So I hope that our Republican colleagues are listening even more closely than they were last year and that more of them will join us on the side of patients and families, not the President on the side of insurance companies.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I thank my colleagues from Washington and Connecticut for being here, for speaking out, and for being so remarkable in their persistence in defending America's concerns about healthcare. I want to add my voice for just a few moments, if I might.

Let me look back 8 years to when I first joined the Senate in 2010. At that point, the Affordable Care Act was barely a year old. Since then, in the early years of the Affordable Care Act, we saw some very positive patterns: More Americans gained access to health insurance; the growth of healthcare costs slowed; insurance markets put in place under the ACA proved to be resilient, despite repeated challenges. As a result of the ACA, 20 million more Americans, including 38,000 Delawareans, gained access to high-quality, comprehensive healthcare coverage.

It is through the ACA exchange that my own family and I get our healthcare, and so many others in Delaware have a chance to get access to healthcare. The 190,000 people, in my little State of 900,000 people, who have preexisting conditions no longer had to worry about being denied coverage, and lifetime caps were a thing of the past. This matters; it has saved lives.

Just listen briefly to the story of Nicole from my little hometown of Hockessin, DE, a small farming town of just a few thousand people. Nicole's 3-year-old daughter was born with cystic fibrosis, a horrible disease that robs children and people of the ability to breathe. Nicole's 3-year-old daughter with cystic fibrosis spent at least an hour a day getting breathing treatments from her mother. At $5,000 a month for her medications—not cheap—Nicole was confident that without the ACA she would have exceeded her annual caps and her medical expenses well before the end of the year.

Nicole, in reaching out to me, made it clear that without the consumer protections of the Affordable Care Act, she would have had one of three choices: hope she would qualify for Medicaid—unlikely, due to her income; go into debt to pay for her daughter's treatments; or stop giving her daughter some of the medication she depends on to save her life. All of that assumed that her daughter's cystic fibrosis wasn't considered a preexisting condition that would prevent her from getting any insurance at all. Because of that circumstance, Nicole's story exemplifies the life-changing gains and positive trends that the ACA provided.

Unfortunately, there were some other challenges as well, which I will summarize quickly, that have developed over time.

Let me transition to where we are today. Today we are in a place where, just a year ago, consistent, repeated efforts after the 2016 election by Republicans in Congress to repeal without a plan to replace the ACA resulted in a situation where, as my colleague from Connecticut has laid out, the Trump administration has done its best to roll back ways in which progress was made to extend quality, affordable healthcare to more Americans.

After a number of efforts to repeal the law failed last year, thanks to the American people who stood up and had their voices heard, the administration has decided to take a different approach—a slow and steady unraveling and undermining of the protections that made the ACA work.

It started with a decision to stop cost-sharing reduction payments, which help working families afford their premiums and access care. It continued when they changed the rules and encouraged people to sign up for plans that didn't have all the benefits and consumer protections of the ACA—really, junk plans—which made it possible to bring back discrimination against women and those with preexisting conditions. It culminated last month with something that was done in a fly-by-night way and may not have been visible at all to my constituents and viewers: a decision to no longer defend the core components of the ACA in court, including protections for those with preexisting conditions, in a lawsuit brought by 20 attorneys general from States that overwhelmingly opposed the ACA. This decision was so shocking that three career Justice Department attorneys withdrew from the case, and one with over 20 years' experience resigned from his job. Make no mistake, this was the administration sabotaging the ACA and our healthcare system. President Trump even admitted at a campaign event, just cited by my colleague from Connecticut, that he had gutted the ACA.

This may resonate with the President's base. It may resonate with people he hopes will vote him back into office in the future election. But for millions of families across the country and in my home State, losing protections against preexisting condition discrimination is a death sentence.

It would be devastating for Nicole and her daughter, whom I described before. It would be devastating for Kim from my hometown of residence, Wilmington, a thyroid cancer survivor who is now able to get insurance. Because her cancer isn't considered a preexisting condition under the Affordable Care Act, she is not subject to preexisting condition discrimination. In my small State of Delaware, gutting protections for preexisting conditions would leave one in five at risk of skyrocketing health insurance costs or losing coverage altogether.

This lawsuit impacts every corner of America's healthcare system, and the

fact that our administration is not defending the law of the land is a shocking development. It impacts not just those who get their healthcare through the ACA exchanges. It would impact 150 million Americans who get their health insurance through their employer because it would eliminate protections against lifetime and annual limits on care. It would impact seniors on Medicare who would see increased prescription drug costs. It would impact Americans who depend on free preventive services, like cancer screenings and flu shots, because those policy components of the ACA would be eliminated. It would impact young people who would lose the right to stay on their parents' health insurance until age 26.

These are just a few of the devastating impacts if the Texas v. United States lawsuit is successful in ripping out what is left of the protections of the ACA. It would have a real and tangible impact on families in my State of Delaware and across our country. That is why I am glad to support a resolution proposed by my colleagues Senators MANCHIN, CASEY, MCCASKILL, and others to defend the constitutionality of preexisting condition protections in our healthcare system. This is critical to the well-being and the health of the families we represent.

My Democratic colleagues and I know the ACA was not perfect when passed. I have heard from small business owners in my home State about some of the limitations due to increases in cost and the ways in which they wish we had a more robust tax credit for small businesses, ways they wish we would work together to perfect the ACA. That is why I came to the floor time and again in my first 4 years here, seeking colleagues across the aisle who were willing to work with us to make the Affordable Care Act better.

Instead of working to tear down the ACA, we should have been working to address challenges with affordability and coverage, increasing tax credits for small businesses, and making it stronger and more sustainable. Instead of sabotaging the care millions of Americans have depended on, we should have ensured there was more competition in the marketplace, especially in small States like my own. I wish we had, instead, taken a path of pursuing commonsense regulatory reforms and cost containment efforts to slow the rate of growth of healthcare costs.

It is not too late for that. It is still not impossible that we could set aside the divisive partisan rhetoric and that this administration will abandon its underhanded attempts to sabotage this healthcare law and, instead, focus on pursuing constructive, bipartisan fixes.

The bottom line is the Affordable Care Act has helped millions of Americans—like Nicole and Kim, whose stories I shared with you—live healthier and more secure lives. I am not optimistic, but I insist on remaining hopeful that there is still time for us to do our job on a bipartisan basis and secure healthcare for all of America.

As happened roughly a year ago next month, the floor of this Senate can still be moved by the voices of Americans who would say to this administration: Stop your refusal to defend the ACA. Let's move forward in a positive way, together.

I yield the floor.

The PRESIDING OFFICER (Mr. RUBIO). The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, today I join my Democratic colleagues to condemn the Trump administration's efforts to sabotage the Affordable Care Act.

Not so long ago, Donald Trump ran for President, promising better, cheaper healthcare for everyone. But instead of making anything better, President Trump is making everything in this regard worse.

Big corporations are raking in trillion-dollar tax cuts while the forgotten Americans the President promised to protect are drowning in higher premiums, higher deductibles, and higher prescription drug costs. It is time to call out who is responsible for those soaring healthcare costs.

Make no mistake, while the media is riveted on the President's every tweet and the Russia investigation's every turn, the Trump administration is doing everything it can to make healthcare less affordable and less accessible to the American people.

When you turn on the news, you don't hear about the millions of Americans who have lost their coverage under President Trump's watch. You don't hear about how prices for the top 10 diabetes drugs have spiked over 25 percent, despite the President's wild claims that drug companies will voluntarily lower their prices. You will not hear about the administration's cynical efforts to destabilize our insurance markets and send premiums skyrocketing, like the Health and Human Services Department's recent freezing of the risk adjustment program.

Look, healthcare policy may be complicated, but there is nothing complicated about the idea that healthcare is a human right. There is nothing controversial about the idea that cancer patients shouldn't be price gouged as they battle the worst illness of their life. There is nothing radical about the idea that in the most prosperous country on Earth, every American deserves quality, affordable healthcare.

I know my Republican colleagues have no desire to remind voters how they spent the past year, but the American people aren't going to forget it. They aren't going to forget how many times Republicans spent in a year pushing policies that would have left 32 million people uninsured, with vote after vote after vote to repeal the Affordable Care Act. They aren't going to forget how Republicans tried to defund Planned Parenthood and deny millions of lower income women access to basic care.

They aren't going to forget how TrumpCare would have slapped older consumers with a punishing age tax and eliminated the Affordable Care Act's essential health benefits provision, which requires all health plans to cover basic things like prescription drugs, maternity care, and visits to specialists. They aren't going to forget how TrumpCare slashed tax credits that helped middle-class families purchase coverage or how it would have ended Medicaid as we know it, abandoning seniors in nursing homes, pregnant women, disabled Americans, and the most vulnerable.

Nor will Americans forget how President Trump turned his back on patients with preexisting conditions—which basically means someone had an illness in their life or was born with a birth defect and, therefore, had what insurance companies considered to be a preexisting condition that they could discriminate against and either not provide insurance coverage or have skyrocketing costs in order to get the coverage.

As a candidate, and then as President, Trump promised again and again that he would uphold protections for preexisting conditions. He went so far as to say that TrumpCare would be ''every bit as good on pre-existing conditions as Obamacare.'' So much for that. The Trump administration is now, as we speak, arguing in a Federal court that these protections are unconstitutional, and you can guess what Republican colleagues in Congress are doing about it—absolutely nothing.

Instead of working to make healthcare more affordable, they are cheerleading efforts by the Trump administration to push junk insurance plans on consumers, ignoring the attacks on our health insurance markets that have sent premiums skyrocketing, and standing in silence as the Trump administration makes the case that the Affordable Care Act's protections for preexisting conditions are unconstitutional.

Republicans' reckless abandonment of families with preexisting conditions is even more concerning, given President Trump's nomination of Judge Brett Kavanaugh to the Supreme Court. This is a judge with a long history of ruling against consumers, siding with corporate interests, and assailing the constitutionality of the Affordable Care Act. If Republicans were really concerned about protecting patients with preexisting conditions, they would put the brakes on this nomination. Instead, they have left the health and financial security of millions of patients with preexisting conditions in the President's hands.

There are nearly 3.8 million people in my home State of New Jersey with preexisting conditions. I have had the opportunity to meet with some of them in recent months. They are outraged that we are even having this debate. They are afraid this President could take us back to a time when having a

history of asthma or diabetes meant being denied coverage or dropping your plan at any moment.

Let me tell you about the folks I met with recently in Belleville, NJ. I heard from Ann, who is a survivor of sexual assault and today suffers from post-traumatic stress disorder. If President Trump gets his way, insurers could once again charge her more for coverage. I can't think of a clearer instance of victim-blaming than charging victims of sexual assault higher premiums because of the trauma they endured.

Then there is Mirnaly, who was 7 months pregnant when she suffered her first stroke. Years later, she suffered another stroke while caring for her autistic son. Without the Affordable Care Act, insurance companies could deny coverage to moms like her who have had complicated pregnancies.

And of course there is 4-year-old Ethan, who is more concerned about which dinosaur to play with than the pacemaker that is keeping him alive. Before the Affordable Care Act, children like Ethan were blacklisted from insurance companies for life. How do you tell a 4-year-old that his President no longer believes in protecting children like him? I wish my Republican colleagues could answer that question for Ann, Mirnaly, and for Ethan—as a matter of fact, for all of us.

Fortunately, the American people are smarter than the majority gives them credit for. They know what is at stake. They know who is responsible for soaring prescription drug costs, for sky-high deductibles, for shrinking paychecks, and for soaring insurance premiums. It is the people in charge.

The Republican Congress has had ample time to deliver better, cheaper health coverage to all Americans. Instead, they have used every moment to try to force consumers to pay more for less care. They have refused to protect patients with preexisting conditions. They have shown zero interest in helping struggling families pay their bills.

They have handed trillion-dollar tax cuts to big corporations and wealthy CEOs. Big old corporations aren't using this windfall to raise wages. Health insurance companies aren't using this money to reduce premiums. Drug companies aren't using this money to lower prices.

Republicans said the Trump tax cuts would grow paychecks and solve all of our economic problems. Thus far, corporations have spent $650 billion buying back their own stock while workers' wages shrink in the face of soaring costs. Republicans promised the Sun and the Moon with these tax cuts, but here on planet Earth, we know that trickle-down economics doesn't work. In all my years serving the people of New Jersey, I have never seen a corporate tax cut pay for a colonoscopy or cover a cancer patient's prescription drugs.

Americans deserve real solutions that will protect their families from rising premiums, deductibles, and prescription drug bills. Democrats are committed to delivering on those solutions. We have always been crystal clear about what motivates our work on healthcare. We believe that all Americans deserve affordable healthcare, no matter where they live, how much money they make, or what healthcare conditions they face. That is what I have spent my life fighting for, and I won't stop until we achieve universal coverage for every man, woman, and child across this great Nation. In 2018, voters are going to remember who fought to protect affordable healthcare and who worked relentlessly to undermine it.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

AMENDMENTS NOS. 3407 AND 3430 TO AMENDMENT NO. 3399

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the following amendments be called up en bloc and reported by number: Schatz amendment No. 3407; Kennedy amendment No. 3430. I further ask consent that following the remarks of Senators Baldwin, Durbin, Schatz, and Kennedy, the Senate vote in relation to the Schatz and Kennedy amendments in the order listed and that there be no second-degree amendments in order to the amendments prior to the votes.

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

The clerk will report the amendments by number.

The bill clerk read as follows:

The Senator from Alaska [Ms. MURKOWSKI], for others, proposes amendments numbered 3407 and 3430 en bloc to amendment No. 3399.

The amendments are as follows:

AMENDMENT NO. 3407

(Purpose: To provide for a report on facilities of the Department of the Interior damaged by certain volcanic eruptions)

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

DAMAGE TO DEPARTMENT OF THE INTERIOR FACILITIES BY VOLCANIC ERUPTION

SEC. _____. (a) Not later than 60 days after the date of enactment of this Act, the Secretary of the Interior shall submit to Congress a report on each facility and related infrastructure of the Department of the Interior damaged by a volcanic eruption covered by a major disaster declared by the President in calendar year 2018 in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) (referred to in this section as a ''covered facility'').

(b) The report submitted under subsection (a) shall include—

(1) an inventory of all covered facilities;

(2) a description of—

(A) any closures of covered facilities; and

(B) the estimated impact on visitorship to covered facilities open to the public as a result of a volcanic eruption; and

(3) a plan—

(A) to restore or replace covered facilities; and

(B) to restore visitorship levels to covered facilities open to the public to historic visitorship levels.

(c) In preparing the plan required under subsection (b)(3), the Secretary of the Interior shall—

(1) engage the community in which the covered facility is located, including the State and units of local government; and

(2) include the estimated costs of carrying out the activities described in the plan.

AMENDMENT NO. 3430

(Purpose: To provide amounts for inspection of foreign seafood manufacturers and field examinations of imported seafood)

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''.

Ms. MURKOWSKI. Mr. President, for the information of all Senators, we expect these votes to occur shortly after 6 p.m.

The PRESIDING OFFICER. The Senator from Wisconsin.

HEALTHCARE

Ms. BALDWIN. Mr. President, I rise today to join my colleagues because this week marks the 1-year anniversary of Senator MCCAIN's casting the deciding vote against the healthcare repeal legislation.

I, too, voted against that legislation, as I did on a number of very partisan efforts by President Trump and congressional Republicans. I did so because the people of Wisconsin did not send me to Washington to take away people's healthcare coverage. They have consistently sent a clear message that they want us to work across the party aisle to make things better and not worse.

As I said throughout last year's debate and have said to this day, the people of Wisconsin want both parties in Congress to work together to make things better by stabilizing the health insurance market, making healthcare more affordable, and taking on rising prescription drug prices.

I strongly believe that if both parties look past the partisan debate in Washington, we can find common ground on solutions that work for the American people. Each and every one of the healthcare repeal bills that were pushed by the President and congressional Republicans faced opposition from the American people because all of them would have done the same thing—they would have taken healthcare coverage away from millions of Americans and made people pay more for less care. They would have gutted protections for those with preexisting conditions. They would have forced older adults to pay an age tax. They would have cut benefits for Medicaid for our most vulnerable people, like senior citizens and even our veterans. Put simply, this would have taken us back to the days when insurance companies set the rules.

Wisconsin families and families across our entire country let their voices be heard to the Congress, people like Chelsey from Seymour, WI, whose daughter Zoe was born with a congenital heart defect and had to have open heart surgery within 5 days of her birth. Chelsey wrote to me and said: ''I'm pleading to you as a mother to fight for the . . . kids in Wisconsin with preexisting health conditions.''

Together, we fought to protect the guaranteed healthcare protections that people depend on. Together, we fought the repeal plans to cut and cap Medicaid, putting care at risk for everyone who depends on it, from a loved one who depends on Medicaid for nursing care, to a disabled child who relies on Medicaid funding at school. Together, we fought repeal plans that would have increased the number of uninsured Americans.

Even defeating the legislative efforts that would have made things worse for our families didn't end the threat to the American people. President Trump has been trying to do what congressional Republicans couldn't. He has been sabotaging our healthcare system by undermining the guaranteed health protections and access to affordable care. He ended the critical cost-sharing reduction payments that make healthcare more affordable for almost 90,000 Wisconsinites. His administration again slashed funding to States for outreach efforts that help more people sign up for healthcare. Trusted navigator programs like those in Wisconsin have had their funding cut by nearly 90 percent in the last 2 years. This will mean fewer people in rural Wisconsin will receive the support they need to obtain affordable coverage.

President Trump's sabotage of the healthcare market has created severe instability and already contributed to a 36-percent premium spike in Wisconsin this year.

This damage is not enough for Trump's administration, as it has also proposed a plan to allow insurance companies to sell what we call junk plans that could increase costs and reduce access to quality coverage for millions of Americans, harm people with preexisting health conditions, and force premium increases on older adults. These junk plans once again let big insurance companies write the rules and could exclude basic care, including hospitalization, prescription drugs, mental health services, substance abuse treatment, and maternity care.

It still does not end there. Legislative repeal efforts and executive branch sabotage have now moved to the judicial branch. Wisconsin's Governor and attorney general sued to strike down the entire Affordable Care Act last month. Last month, the Trump administration supported this repeal effort by going to court to take away guaranteed protections and raise costs for Americans with preexisting conditions. If the lawsuit succeeds, insurance companies will once again be able to discriminate against people with preexisting conditions by denying them coverage or charging exorbitant premiums.

President Trump is threatening guaranteed and affordable healthcare coverage for more than 133 million Americans and over 2 million Wisconsinites with preexisting conditions. In fact, as a Kaiser Health report made clear last week, if the Affordable Care Act's protections for people with preexisting medical conditions are struck down in court, Wisconsin is among a number of States that have the most to lose. According to Kaiser, one out of every four Wisconsinites has a preexisting condition, and they cannot afford to have the healthcare they depend on threatened. When I was a child, I was branded with the words ''preexisting condition'' after a serious childhood illness.

I am going to continue fighting to make sure that no family has to choose between helping their child get better or going bankrupt. Again, the people of Wisconsin did not send me to Washington to take away people's healthcare, and I will continue my fight against these relentless efforts to make things worse for Wisconsin families.

This issue is personal to me. I know it is very personal to the individuals and families in Wisconsin. No parent, no grandparent, no foster parent should lie awake at night wondering if the healthcare they have for their child today will be there tomorrow. That is why I will continue my work to protect it.

Last year, the American people sent a loud message to Washington. I heard it. And they are sending the same simple message today: Protect our care.

I yield, Mr. President.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Mr. President, it is interesting—I listened to my colleague from Wisconsin, which is my neighboring State, talk about her personal and family experience with healthcare. I think every one of us has a story—it is our own personal story—or knows somebody in our family who has a medical history, tells a story of whether they had the proper care at the proper time, whether the family could afford it. And then there is the big question: Can you buy health insurance if you have a child with diabetes, if you have a wife who is suffering from cancer and survived? Can you buy health insurance?

The interesting thing—I bet the Senator found this because I know she is traveling all over her State of Wisconsin—this issue doesn't go away because people's worry over it doesn't go away. They are worried about whether they can afford to buy good health insurance. They are worried about whether they can afford to buy prescription drugs. It is that insecurity, that economic insecurity about healthcare that really continues to make this the biggest issue year in, year out in America.

I thank my colleague from Wisconsin for telling her story and for really giving my speech. So I am going to condense it and just say a few things she might not have touched on. And I thank her for her contribution earlier today.

It happened in my life at a very early age. My wife and I got married. I was in law school. God sent us a beautiful little girl, and she had a very serious medical problem. We were living here in Washington, DC, and didn't have health insurance. I want to tell you that you have never felt more helpless in your life than to be a new father with that brand-new baby who desperately needs medical care and not have health insurance. I will never forget it as long as I live. I lived in such fear from that point forward of not having health insurance coverage that I did crazy things—getting health insurance at two different places of employment just to make sure I never lost it. It scared me that much, and I still remember that fear. I wonder if the people who are debating this issue about the Affordable Care Act ever lived through it themselves, because if they did, they wouldn't be standing here saying that we can do away with the Affordable Care Act.

We know what happens if you eliminate the Affordable Care Act. Millions of Americans lose their health insurance. Millions of Americans find health insurance not affordable. Millions of Americans are desperate for protection, no longer have it, and can't access the most basic, quality healthcare that every American should expect.

We had this debate. A new President came in and said: The first thing I am going to do is to get rid of ObamaCare, to get rid of the Affordable Care Act. Well, the obvious question was this: Could he do it?

It looked like he might be able to. The Republicans controlled the House and the Senate, and when they were in the majority with a Democratic President, at least on 50 or 60 different occasions, the House Republicans voted to abolish ObamaCare.

It was pointless because the Senate wasn't going to take it up, and the President would never sign that bill into law, but you knew what the sentiment was. We are getting rid of it. We are getting rid of it. We heard about that year after year. We passed the Affordable Care Act in 2010, and for year after year all the Republicans could say was this: Get rid of it. Get rid of it.

Then came that moment when, figuratively, the dog caught the bus, and they had an opportunity to present on the floor of the Senate an alternative. What is it that you want to replace the Affordable Care Act with? We said to our Republican friends: You are elected to this body as legislators. Let's see your legislation.

It turns out that they didn't have any. They just wanted to make sure ObamaCare was gone, but they couldn't find a replacement, and they couldn't answer the basic question as to how they would provide health insurance—or affordable health insurance—for the millions of people who would lose coverage.

I remember the night—it was early in the morning it was—when we had the vote—the vote—on whether to eliminate ObamaCare. Two Republican Senators had already voted with us, but

the critical third vote walked in that door, and his name was JOHN MCCAIN. He stood in that well and give a ''no'' sign with his thumb, and that was it. The Affordable Care Act lived for another day.

Thank goodness he did it. Thank goodness he and two of his colleagues had the courage to do it, to stand up and say: If you can't replace ObamaCare with something better, for goodness' sake, stick with it, fix it. That didn't happen.

After that vote, there was a determined effort at every level of the Trump administration to do away with ObamaCare. If they couldn't kill it on the floor of the Senate, they were going to kill it in many different ways.

They limited the period of time when you signed up to renew your health insurance. They wanted to have fewer and fewer days available, hoping fewer and fewer people would take advantage of it.

They eliminated the navigators, the advisers who help people pick the right health insurance plan. They didn't want to give advice. They closed down the telephones to the agencies, where people would call saying: Well, what is my right under the Affordable Care Act?

They did everything they could think of to eliminate ObamaCare and make it more difficult for people to sign up for it, but still people signed up. Many people realized it was their only chance—their only chance—to get health insurance.

The Trump administration and Republicans in Congress are determined to this day to get rid of it, and they have a new approach. If they can't kill it outright in the Senate and they can't kill it by President Trump's tweets, they are going to kill it in court.

Here is what they decided to do. Twenty attorneys general, starting with Texas—and I see my friend from Texas on the floor; the leading attorney general is from Texas—filed a lawsuit. Here is what they said. It is unconstitutional to say that you cannot discriminate against people because they have preexisting conditions.

Now, those are three negative words. So let me try to translate this Helsinki style into something you might understand.

What they basically said is this: We don't believe the Constitution can stop an insurance company from discriminating against people with a medical history, and we are going to court to prove it. And they have, with the support of the Trump administration.

They are trying to find a way to eliminate the protection of people with preexisting conditions so that they can buy affordable quality health insurance.

What an amazing mission that is—that these attorneys general and this administration want to find a way to deny health insurance coverage to millions of Americans or make it so expensive that they could never afford it.

What are they thinking? Don't they represent the same flesh-and-blood Americans as everyone else? Don't they represent families, as I do, and all of us do, who have someone in their family with a medical history? I guess a third of American families qualify for that. Yet they want to say that those people should be discriminated against. Why? Because of the misfortune they had of being born with a congenital birth defect or the problem they had because they conquered cancer but always worry about its coming back.

These are the things that my Republican friends say: Well, that is the way it goes. Good luck in the insurance market. We are not going to protect you.

They say what it is all about is choice. It is pretty easy to have good choices in life when you are healthy or wealthy. But if you don't fit in those two categories, your choices are extremely limited. People find themselves with only bad choices if they are not healthy or wealthy and they don't have the protection of the law. They find health insurance premiums they cannot afford. When they find a premium they can afford and start to look at the health insurance policy, it turns out that it doesn't cover much.

They also find themselves in positions where, as I mentioned earlier, someone in the family has a medical history. The wife has a medical history and you can't buy a family plan that you can afford for the rest of the family. That is the reality of the world the Republicans envision us moving to. Oh, it may be some great economic market model, but it doesn't work in reality—not in the reality of people who are born with illnesses they have no control over and who spend their lives fighting them and need a helping hand.

The Affordable Care Act gave them that helping hand. The Trump administration and Republicans in Congress have been determined from the beginning to put an end to this protection, to eliminate health insurance for more and more Americans, and to make it unaffordable for so many families. Is that why they ran for Congress? Is that why they ran for the Senate—to go home and say: Well, sorry folks, but because of my principles, you don't get health insurance. You can't afford the health insurance being offered to you, or you can buy a junk policy that just will not be there when you need it.

Is that what America is all about?

This is interesting to me, and I will close with this. The Chicago Medical Society represents the doctors in the greater Chicagoland area. I have come to know it. It is one of the best medical associations in our State. It is more progressive than most and more thoughtful than most. I really salute them time and again.

They did a poll of their members, and they asked them: Where do you think this is going?

Well, first they said: We believe that people have a right to quality, affordable healthcare—these are doctors—a right to quality, affordable healthcare. Second, they said there are programs that work, like Medicare, programs that people trust.

The premise behind Medicare is very basic. If you are of an eligible age, you get health insurance. We make sure of it. We guarantee to you that you are going to get quality care through a government-run insurance program. There are a lot of Republicans who would like to see Medicare and Medicaid go away, too, but America wouldn't. America believes in it. I believe in the principle behind both of those plans—that, as Americans, we should care for one another, give each and every family a chance, and make certain that, at the end of the day, healthcare is not just a privilege for those who happen to be wealthy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. KENNEDY. Mr. President, I want to talk for a second about an amendment I have to the minibus appropriations package.

I am going to talk very briefly about the amendment, but, first, I want to respond to some of the comments of my friend the Senator from Illinois, for whom I have great respect. I just disagree with him on this subject of the Affordable Care Act, and I want to respond briefly.

Let me tell you what Republicans believe, at least most Republicans whom I know. Most Republicans I know believe what Americans believe, and that is that in our country, if you are hungry, we feed you. If you are homeless, we house you. If you are too poor to be sick, we will pay for your doctor. We in America, Republicans and Democrats, put our money where our mouth is. We spend $1 trillion a year helping people who are less fortunate than we are, and that separates our country from every other country in the world.

Frankly, that is why so many of our neighbors across this great planet want to come to America. It is because we care about other people. I mean, when is the last time you heard of anybody trying to sneak into China or Russia? That is why they want to come to America.

But when a government program, though well intended, isn't working, we owe it to the American taxpayer to explain to them why, and the Affordable Care Act has not worked. I wish it had.

I had the highest hopes. I remember when the Senate debated it. Call me a nerd, but I watched it on C–SPAN. I wanted it to work. We were promised: Look, as a result of this act, we are going to make health insurance accessible, and we are going to make it affordable.

I said: Man, I will take a dozen of those. We have been trying to do that for 50 years around here. Maybe this time we will get it right.

It was offered with the best of intentions. You will never hear me criticize

President Obama for an act of patriotism. He was very well intended. He wanted it to work. It wasn't a question of bad motives. It was just a bad idea.

You know, 150 years ago, doctors used to bleed their patients with the best of intentions, but they stopped doing it because it was a bad idea.

Now, we can do better. I agree with the objectives from the Senator of Illinois. Let me say it again that I have great respect for him, but the American people deserve a health insurance program that looks like somebody designed it on purpose, and that is not the Affordable Care Act. I wish it were, but it is not. We can do better.

AMENDMENT NO. 3430

Mr. President, let me hit a lick about my amendment to the minibus appropriation package, H.R. 6147.

Here is the problem. We have a lot of foreign seafood imported into the United States, and some of it is very dangerous. I am afraid to say that a lot of it is very dangerous. I am unhappy to say that.

Our FDA is in charge of making sure that this foreign seafood is safe. It spends $11.9 million a year to do that. My amendment would give the FDA an additional $3.1 million, and here is why it is important.

Last year, the United States imported $21.5 billion worth of seafood—not million, but $21.5 billion. Now, the FDA is supposed to inspect it to make sure that it is safe before you eat it. The FDA does the best it can, but they are only able, with the small amount of money, relatively speaking, that it has, to test a very small sample, 2 percent.

Ninety-eight percent of the foreign seafood coming in is not even tested. When it is tested, the FDA often finds that it contains salmonella, it contains listeria, it contains dirt, and it contains illegal drugs, like antibiotics.

What does that mean?

Well, if you eat enough of the stuff, aside from the fact that you could grow an extra ear or glow in the dark, then, you develop a resistance to antibiotics. If you eat bad seafood, particularly shrimp full of these antibiotics, and you get sick, you get an infection, maybe an abscessed tooth. You go to the doctor, the doctor gives you antibiotics, and they don't work anymore.

Now, remember that we are only examining 2 percent of all seafood imports. If you run the numbers, you will see that barely 0.2 percent of seafood imports are rejected every year. The vast majority, 98 percent, were not even checked. This isn't just about public safety, although that is certainly important. It is also about public policy.

As for American shrimpers, let me tell you what they have to compete against in my State and in other States. They are being asked to compete with foreign fishermen who are unfairly subsidized by the Federal Government and who face little to no environmental regulations and little to no quality control. They fish where they are not supposed to. They ignore international quotas. They pump much of their fish full of illegal drugs, and they don't look out for the health of local ecosystems, as our domestic fisher men and women do.

The result is dangerous. It is unsafe for the American people, and it is unfair to the American shrimpers who do it the right way.

I don't want my family eating it. I don't want my son eating it. I don't want my wife eating it. I don't want my dogs eating it. If the American people are listening, be careful if you eat it.

That is what my amendment does.

With that, I yield the floor.

VOTE ON AMENDMENT NO. 3407

The PRESIDING OFFICER. The question now occurs on agreeing to amendment No. 3407.

Mrs. GILLIBRAND. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT) and the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 97, nays 1, as follows:

[Rollcall Vote No. 166 Leg.]

YEAS—97

Alexander	Gillibrand	Paul
Baldwin	Graham	Perdue
Barrasso	Grassley	Peters
Bennet	Harris	Portman
Blumenthal	Hassan	Reed
Booker	Hatch	Risch
Boozman	Heinrich	Roberts
Brown	Heitkamp	Rounds
Burr	Heller	Rubio
Cantwell	Hirono	Sanders
Capito	Hoeven	Sasse
Cardin	Hyde-Smith	Schatz
Carper	Inhofe	Schumer
Casey	Isakson	Scott
Cassidy	Johnson	Shaheen
Collins	Jones	Shelby
Coons	Kaine	Smith
Corker	Kennedy	Stabenow
Cornyn	King	Sullivan
Cortez Masto	Klobuchar	Tester
Cotton	Lankford	Thune
Crapo	Leahy	Tillis
Cruz	Manchin	Toomey
Daines	Markey	Udall
Donnelly	McCaskill	Van Hollen
Duckworth	McConnell	Warner
Durbin	Menendez	Warren
Enzi	Merkley	Whitehouse
Ernst	Moran	Wicker
Feinstein	Murkowski	Wyden
Fischer	Murphy	Young
Flake	Murray	
Gardner	Nelson	

NAYS—1

Lee

NOT VOTING—2

Blunt McCain

The amendment (No. 3407) was agreed to.

VOTE ON AMENDMENT NO. 3430

The PRESIDING OFFICER. The question now occurs on agreeing to Kennedy amendment No. 3430.

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

The PRESIDING OFFICER. Is there a sufficient question?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT) and the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 87, nays 11, as follows:

[Rollcall Vote No. 167 Leg.]

YEAS—87

Alexander	Fischer	Murphy
Baldwin	Gardner	Murray
Barrasso	Gillibrand	Nelson
Bennet	Graham	Perdue
Blumenthal	Grassley	Peters
Booker	Harris	Portman
Boozman	Hatch	Reed
Brown	Heinrich	Roberts
Burr	Heitkamp	Rounds
Cantwell	Heller	Rubio
Capito	Hirono	Sanders
Cardin	Hoeven	Schatz
Carper	Hyde-Smith	Schumer
Casey	Inhofe	Scott
Cassidy	Johnson	Shelby
Collins	Jones	Smith
Coons	Kaine	Stabenow
Corker	Kennedy	Sullivan
Cornyn	King	Tester
Cortez Masto	Klobuchar	Thune
Cotton	Leahy	Tillis
Cruz	Manchin	Udall
Daines	Markey	Van Hollen
Donnelly	McCaskill	Warner
Duckworth	McConnell	Warren
Durbin	Menendez	Whitehouse
Enzi	Merkley	Wicker
Ernst	Moran	Wyden
Feinstein	Murkowski	Young

NAYS—11

Crapo	Lankford	Sasse
Flake	Lee	Shaheen
Hassan	Paul	Toomey
Isakson	Risch	

NOT VOTING—2

Blunt McCain

The amendment (No. 3430) was agreed to.

The PRESIDING OFFICER. The Senator from Arizona.

UNANIMOUS CONSENT REQUEST—S. RES. 583

Mr. FLAKE. Mr. President, last week, the Senator from Delaware, Mr. COONS, and I submitted a resolution commending the Department of Justice for its investigation into the interference by the Russian Federation in the 2016 U.S. Presidential election and maintaining that the Russian Federation should be held accountable for its actions.

This simple resolution simply expresses support for our intelligence community, showing them we are behind them, we agree with them, we have trust in them, and we reject the words of a dictator, Vladimir Putin, who denies that they interfered at all. The resolution denies the words of a

dictator, Vladimir Putin, who maintains there was no Russian interference in the election.

Russian interference in the election is not a debatable fact. This occurred. We have evidence. Anybody who has seen simply what is public recognizes that this happened. Any of us in this body who have sat through classified briefings on this surely knows that it happened. Forensic evidence digitally and otherwise is simply not debatable.

The reason for this resolution is that in Helsinki, it appeared our President seemed to take the word of a dictator over the word of our intelligence community. He later walked that back but then still later—the next day—again talked about election interference as a ''hoax.''

This resolution is nothing more than simply to say it happened, we know it happened, and we stand with our intelligence community, which has said over and over again consistently that there was election interference.

Last week, I cited George Orwell's ''1984,'' where he said: ''The party told you to reject the evidence of your eyes and ears.''

Today our President said, what you are seeing and what you are reading is not what is happening.

We need to let the agencies of government know we in the Senate stand behind them, that we understand there was election interference, and by doing this—by knowing this—we can prepare ourselves better for election interference that we know is coming because it is still in the works.

As the Director of National Intelligence Dan Coats said, ''The red light is blinking.'' This interference occurred, and it continues. So by knowing the truth, then we can better prepare for what is to come.

Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration and the Senate now proceed to S. Res. 583. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Georgia.

Mr. PERDUE. Mr. President, reserving the right to object, what we have here is another distraction from what we in this body need to be focused on today; that is, funding the Federal Government and confirming this President's nominees.

Right now, we have just 23 working days, as a result of the way the Senate operates, between now and the end of the fiscal year—just 23 days. Meanwhile, we have 329 nominees. These are Presidential nominees waiting for this body to confirm them. We need to stay on track.

This resolution is no more than political theater. This resolution was previously objected to by Senator CORNYN just last week. It will continue to be objected to again because it is unnecessary.

The Senate, the House of Representatives, and our intelligence community have all thoroughly investigated this matter. In fact, the Senate Intelligence Committee has held 16 open hearings, dating back to January of 2017. They all found that Russia did, in fact, attempt to interfere in the U.S. election. We all take that very seriously.

However, let's be crystal clear. They also found there is no evidence this interference impacted the outcome of the Presidential election in 2016 at all.

This President and this body have consistently been tough on Russia. I have personally cosponsored strong sanctions on Russia and introduced legislation condemning Russian military aggression around the world. We are currently debating additional economic sanctions to hold Russia further accountable, and we will continue to do so as long as their nefarious activities continue.

What we don't need are more political distractions, and that is all this is. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Delaware.

Mr. COONS. Mr. President, I just want to offer my response to the very disappointing renewed objection to the resolution that Senator FLAKE and I have attempted to move through this body now twice.

Last week, Senator FLAKE and I came to call on our Senate colleagues to speak clearly in support of our intelligence community, our Federal law enforcement community, and to state unequivocally that Russia's attacks on our democracy will not be tolerated and that we will take action in a firm and bipartisan and swift way.

Some have said this is merely a simple or symbolic message. I say there are powerful symbols that motivate our Nation, like our flag, and that, although symbolic, are substantive in their consequences.

After the narrow objection of one Senator to this resolution last week, we hear another objection tonight saying what we should be focused on is confirming nominees and funding the Federal Government. I, frankly, don't get the point. If this symbolic resolution, which calls on this Senate to act on hearings, on receiving notes, and on imposing sanctions, in order to push back against Russia's attack on our democracy—if we cannot find 2 minutes to adopt by unanimous consent this simple resolution, then I worry that we continue to have a problem. We continue to have a problem of lack of clarity about what actually happened in 2016 and what may happen in 2018.

I will remind my colleagues, briefly, that President Trump's own Director of National Intelligence has warned that Russia's attacks on our digital infrastructure are ''persistent, pervasive, and they are meant to undermine America's democracy.''

I know I don't need to remind my colleagues that what defines us as a democracy is free, fair, and open elections that our people find credible.

Just this morning, the Department of Homeland Security publicly released that air-gapped control centers for utilities in more than 100 places across our country had been penetrated successfully by Russian military intelligence.

The threat to our 2018 election continues to build, the clarity that we have been attacked in our 2016 election continues to build, and the sanctions that our President could be fully exercising were passed by this body by a vote of 98 to 2 last summer through the Countering America's Adversaries Through Sanctions Act.

This resolution is simple. Because of a lack of clarity at the Helsinki summit between President Trump and President Putin, it calls for prompt hearings, the release of relevant information and notes to better understand the impact of what was committed to in that meeting in Helsinki, and the full implementation of the sanctions adopted by this body by a vote of 98 to 2.

Either we mean it or we don't. Either we care about knowing what happened in Helsinki or we don't. Either we get the threat to our upcoming election or we don't. In my view, we continue to face threats to our elections and to our critical infrastructure, and it is long past time for Congress to work together to secure our democracy.

I will close by thanking my colleague and friend from Arizona for being a partner in this effort, for seeing clearly what is happening, and for standing up and asking this body to act. He gave, I think, a haunting opening quote from ''1984.''

I am concerned that if our President thinks it is appropriate to invite President Putin of Russia to meet with him in our White House or in our Nation's Capital, that he may not yet fully get the point. I am encouraged that Speaker RYAN and Majority Leader MCCONNELL said clearly earlier today that President Putin is not welcome in this Nation's Capitol, in this building, in the Capitol where this Congress meets. I wonder what more it will take for there to be clarity on the part of the administration that President Putin is our adversary, has attacked our election, is a threat to our democracy, and should not be welcome in this Nation's Capital as a whole.

I call on my colleagues to support this resolution, to stand with our intelligence and law enforcement communities and against this dangerous foreign adversary, Russia.

Again, I thank and compliment my colleague from Arizona for joining me in this important effort.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Mr. President, I thank the Senator from Delaware for his very

forceful articulation of the reason for this resolution.

Again, I repeat what was said by the President today: ''Just remember what you're seeing and what you're reading is not what's happening.''

Continually, the topic of election interference is being muddied and being further clarified and then further muddied. That is why it is important for this body to stand up and say: We know what happened, and we don't want it to happen again. That is what this resolution is all about.

The Senator who objected noted that we have a lot to do in Congress and we can't waste our time with resolutions like this. If this simply passes, it is done. We have stated what we came here to state. But as it stands now, since it has been objected to, we will bring it back. So if we are really concerned about the agenda for the rest of the year, let's simply agree to it and let the intelligence community know that we stand with them. That is what we are doing here. Why object to it?

There is not one sentence in here, not one word that says anything about whether the election interference by the Russians was dispositive, if it had any impact on the election. That is not implied in any way by this resolution. It simply states what is obvious, what the Senator who objected acknowledged, which has been repeated again and again by this body, by the House Intelligence Committee, and by every intelligence agency that we have. Because there was such a muddied statement in Helsinki, why not state once again here that we in the Senate know what happened and that we stand with those in the intelligence community who have brought this forward?

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here for the now 214th time to urge that we wake up to the effects of carbon pollution on the Earth's oceans, atmosphere, and climate.

One obstacle to action on the threat that we face from climate change, however, is the manufactured doubt that so often surrounds this issue. We find this manufactured doubt a fossil fuel industry product—just as oil and gas are fossil fuel industry products—flowing even from the editorial page of one of our Nation's leading publications, the Wall Street Journal. Whenever the issue is harmful industrial pollutants, the Wall Street Journal's editorial page has a long record of misleading its readers, denying the legitimate science, and even ignoring its own news reporting, all to shill for the polluting industries.

A pattern of science denial repeats itself in the editorial pages of the Wall Street Journal on environmental issues—issues such as acid rain and depletion of the ozone layer and now, and for years, climate change. This editorial page has persistently published editorials against taking action to prevent manmade climate change.

In June 1993, the editors wrote that there is ''growing evidence that global warming just isn't happening.''

In September 1999, the editorial page reported that ''serious scientists'' call global warming ''one of the greatest hoaxes of all time.'' If that is what they are saying, I suspect that what those scientists are serious about is the money they get from the fossil fuel industry.

In June 2005, the page asserted that the link between fossil fuels and global warming had ''become even more doubtful.'' This was June 2005, and the Wall Street Journal editorial page was questioning whether there is a link between fossil fuels and global warming?

Even more recently, a December 2011 editorial said that the global warming debate requires what the page called ''more definitive evidence.'' I guess having essentially all the serious scientists in the world lined up on this is not serious enough.

In October 2013, the editorial board of the Wall Street Journal warned that in addressing climate change, ''interventions make the world poorer than it would otherwise be.'' I guess if the world of Exxon shareholders is your world, then it does make it poorer, but in any real world, that just ain't so.

You would think that as the evidence mounted over the past several decades, the Wall Street Journal editorial page would have at some point woken up and begun to publish editorials based on real science and data. To put it mildly, that has not been the case. Instead, the editorial page has doubled down on climate denial.

Just last month, the Journal published a piece titled ''The Sea is Rising, but Not Because of Climate Change.'' This piece is riddled with readily fact-checked scientific errors, and it ignores all the legitimate science on climate change and sea level rise. Not surprisingly, the author of this article, Fred Singer, is a notorious and long-standing climate denier who has for years been affiliated with or funded by the Heritage Foundation, the Heartland Institute, the Cato Institute, and others. He has been funded by a rogues' gallery of climate denial front groups that have themselves been funded by ExxonMobil and the Koch brothers' network.

Dr. Michael Mann and Dr. Andrea Dutton—both actual legitimate climate scientists—wrote a response to the Wall Street Journal. Their article, titled simply ''Water's Rising Because It's Getting Warmer,'' directly addresses the factual problems with Singer's piece.

Mr. President, I ask unanimous consent that this article be printed in the RECORD at the conclusion of my remarks.

In response to Singer's claim that ice sheets are getting bigger, the actual climate scientists wrote:

> No, ice is not accumulating on Earth—it is melting. No, Antarctica isn't too cold for melting—warming oceans are eroding the ice from beneath, destabilizing the ice sheet. And no, legitimate scientific conclusions are not reached in op-ed pieces, but through careful peer-reviewed research.

Climate denial, by the way, tends to avoid peer review like the plague. It goes straight to FOX News, straight to hearings, and straight to the talk shows, because there it gets the audience it wants without having to face the rigor it would not survive.

Singer also erroneously claims that sea levels are not rising due to warming temperatures. In response, Drs. Mann and Dutton explain:

> That research shows that sea levels are rising and human-caused climate change is the cause. Don't take our word for it; help yourself to the mountain of scientific literature showing as much. When water warms, it expands. When ice warms, it melts. To deny these facts is not just to deny climate change. It is to deny basic physics.

But in the spirit of climate denial, there is very little that these denialists won't say.

The Trump administration's own ''Climate Science Special Report,'' issued by the Trump administration, found that ''it is virtually certain that sea level rise this century and beyond will pose a growing challenge to coastal communities, infrastructure, and ecosystems.'' The ''Climate Science Special Report'' will serve as the scientific backbone for the Fourth National Climate Assessment, which is due later this year. The authors list is a who's who of top university scientists—many from universities in the home States of Senators here in this body—and experts from NOAA, the EPA, NASA, our National Labs, and the National Science Foundation. By the way, those NASA people have a rover driving around on Mars. They may know a little something about science. The report is backed by the Departments of Agriculture, Defense, Energy, Commerce, Interior, and State—in all, 13 Federal Agencies and Departments. Or you can believe the editorial page of the Wall Street Journal and its phony baloney fossil fuel-funded scientists.

The Journal actually continued its climate denial spree in June, publishing another piece titled ''Thirty Years On, How Well Do Global Warming Predictions Stand Up?'' In this one, Patrick Michaels and Ryan Maue argue that Dr. James Hansen's 1988 climate change warnings were overestimated.

Well, let's start by pulling the curtain back on these two characters who wrote the piece. You will quickly see that they are, to put it politely, aligned with the fossil fuel industry. Patrick Michaels is a senior fellow at the Koch-founded and Koch-funded Cato Institute. Michaels at one point admitted that 40 percent of his funding came from the fossil fuel industry. His

coauthor also joined the Koch-funded Cato Institute last year.

Believe it or not, yes, the fossil fuel industry still pays for this nonsense even as fossil fuel CEOs claim to recognize: Climate science is real, and we support a carbon fee. That, of course, being the latest chapter in the fossil fuel industry's long and ongoing campaign of fraud—now pretending that they support a carbon fee, when all of their political apparatus is dedicated to opposing the very result they claim to seek.

Thirty years ago, Hansen's testimony outlined three scenarios. Remember, this was 1988. The first scenario was a business-as-usual projection with accelerating emissions, yielding 1.5 degrees Celsius warming by 2017. The second scenario showed drastic emissions cuts, yielding 0.4 degrees Celsius warming by 2017. Hansen proposed a middle scenario of continued but not accelerating emissions, resulting in 0.84 degrees Celsius warming by 2017. In his testimony, Dr. Hansen stated that the middle scenario was the most likely.

Michaels and Maue claim that the scenario with the least amount of warming turned out to be correct, and therefore Hansen was wrong, and therefore climate models can't predict climate change. Unfortunately for them, the facts are otherwise.

Hansen's analysis projected that global surface air temperatures would increase by approximately 0.84 degrees Celsius between 1988 and 2017 in his middle scenario, the one he said was most likely. Once you account for the effects of a slight cooling that resulted from the success of the Montreal Protocol in phasing out chlorofluorocarbons, Hansen's projected warming is 0.6 to 0.7 degrees Celsius by 2017.

That, in blue, is the adjusted Hansen projection. I don't think you can fault him for not predicting the Montreal Protocol that happened after his prediction. It is fair to adjust his prediction for the Montreal Protocol and the effect of reduced chlorofluorocarbons. Once you do that, it shows that observed temperature in red tracks pretty darned well with his projections.

If that were my work, I would be pretty proud of it. Here it is 30 years later, and we are off by a gap that my finger can cover on the graph.

Michaels and Maue did not bother to mention that Hansen also predicted which parts of the globe would warm more quickly than others. Thirty years ago, he calculated the Arctic would warm faster, and there would be more warming over landmasses than over the oceans. All of these things are happening. Even Hansen's early climate models were accurate and reliable. And global warming is proceeding, just as the scientists have warned.

As the Wall Street Journal editorial page continues to publish its fossil fuel-funded nonsense—stuff that is written by pseudoscientists, funded by the industry with a massive conflict of interest about this question—it has been 30 years since the warnings of Hansen. Despite all of the evidence that has piled up, consistent with his warnings, despite the regular litany of current events driven by climate change now, Congress has been taking no action. We have been stilled by the forces of the fossil fuel industry.

The real irony here is that the Wall Street Journal claims to be the news source for businesses and financial investors. Off the editorial page, out in the real world of business and finance, real decisions are being made by real executives, backed by real money.

Are they buying what the Wall Street Journal editorial page is selling? No. No, indeed. They are telling their clients and their companies: You must take climate change seriously, and you must take carbon pricing seriously.

In the real world, businesses are demanding better climate policies and investors are demanding better reporting of climate risk. The giant investment firm BlackRock led a group of major investors and broke the back of ExxonMobil's opposition to answering to its shareholders about climate change. They are demanding this. Many companies are even setting their own internal price on carbon to account for the real-world costs of climate change. The business community and the investment community are acting because they know climate change is real, is affecting their prognosis for their companies, and carbon pricing is a key part of the solution.

Increasingly, economists and financial regulators warn that we are actually hurtling toward an economic disruption—that we need to prepare for a possible crash of what they call the carbon bubble. This carbon bubble collapses when fossil fuel reserves, now claimed as assets by the fossil fuel companies, turn out to be useless as renewable energy sources grow more competitive, and those useless assets become what are called stranded assets. How much gets stranded?

A publication by economists in the journal Nature estimated the following impacts in a 2-degree Celsius world: ''stranded assets . . . around 82 percent of global coal reserves, 49 percent of global gas reserves, and 33 percent of global oil reserves.''

Imagine that—82 percent of global coal reserves gone, wiped off the balance sheets; 49 percent of global gas reserves gone, wiped off the balance sheets; and 33 percent of global oil reserves gone, wiped off the balance sheets because they are no longer economically producible.

Is this nuts? Even the Bank of England in an official statement has warned that investments in fossil fuels and related technologies may ''take a huge hit.''

At some point, there has to be a grownup in the room. The fossil fuel industry, obviously, is not capable of being that grownup. They still pay for denial and obstruction. The Wall Street Journal's editorial page is obviously no use. That page is still yapping on the industry's leash.

There is some good news. This week, two House Republicans, at long last, introduced a bill that would put a price on carbon emissions. But we still await one Republican in the Senate, just one—anyone who will face up to this problem, who will stand up for science, who will acknowledge what their own home State's universities are teaching and take some real action. Climate denial is a dangerous and ultimately doomed game, and the Wall Street Journal editorial page should know better.

It is time to wake up.

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

WATER'S RISING BECAUSE IT'S GETTING WARMER

MAY 22, 2018.—Would the Journal run the op-ed ''Objects Are Falling, but Not Because of Gravity''? That's pretty similar to climate contrarian Fred Singer saying The Sea Is Rising, but Not Because of Climate Change'' (op-ed, May 16).

No, ice is not accumulating on Earth—it is melting. No, Antarctica isn't too cold for melting—warming oceans are eroding the ice from beneath, destabilizing the ice sheet. And no, legitimate scientific conclusions are not reached in op-ed pieces, but through careful peer-reviewed research.

That research shows that sea levels are rising and human-caused climate change is the cause. Don't take our word for it; help yourself to the mountain of scientific literature showing as much. When water warms, it expands. When ice warms, it melts. To deny these facts is not just to deny climate change. It is to deny basic physics.

New York City experienced an additional 25 square miles of flooding from the approximately one foot of sea-level rise that has occurred due to human-caused warming. Without concerted efforts to reduce carbon emissions, it could experience as much as eight feet by the end of the century—permanently inundating most of Wall Street.

ASST. PROF. ANDREA L. DUTTON,
University of Florida, Gainesville, Fla.
PROF. MICHAEL E. MANN,
Penn State University, University Park, Pa.

Fred Singer leaves out any real evidence to refute research attributing the measured sea-level rise almost exactly to the measured thermal expansion of seawater and glacier melt.

SEN. SHELDON WHITEHOUSE (D., R.I.),
Newport, RI.

Our emissions will continue shaping how much seas rise in the coming decades. Taking this threat lightly endangers hundreds of communities in the U.S. and world-wide, and wastes the dwindling time we have to reduce our risk by cutting carbon emissions and investing in resilience. Since 1900, global sea level has risen by seven to eight inches. Sea-level rise has brought more frequent flooding to dozens of coastal communities, including Atlantic City, N.J. and Charleston, S.C., where the number of floods has quadrupled since 1970. The pace of sea-level rise has recently doubled.

Mr. Singer acknowledges there's ''good data showing sea levels are in fact rising at an accelerating rate,'' yet makes the unscientific claim that this is disconnected from rising global-warming emissions and temperatures. The risks are clear. Sea-level rise projections for 2100 range from one foot to more than eight feet—far greater than the six inches Mr. Singer claims. Swiftly reducing our global-warming emissions would give us the best chance to minimize sea-level rise, but our current emissions trajectory makes achieving the range's low end more unlikely each day.

KRISTINA DAHL, PH.D.,
Union of Concerned Scientists, Oakland, CA.

NASA disagrees with Prof. Singer. A Feb. 13 paper notes: ''Rising concentrations of greenhouse gases in Earth's atmosphere increase the temperature of air and water, which causes sea level to rise in two ways. First, warmer water expands, and this 'thermal expansion' of the ocean has contributed about half of the 2.8 inches (7 centimeters) of global mean sea-level rise we've seen over the last 25 years . . . Second, melting land ice flows into the ocean, also increasing sea level across the globe.''

WENDY FLEISCHER,
Brooklyn, NY.

Melting ice is not the only thing that can raise the sea level. Note the eruption of hundreds of undersea volcanoes in the oceans and what they deposit. All of the rivers of the world flush millions of acre feet of mud and silt into the sea floor daily. During an undersea earthquake a tectonic plate could override another, affecting a thousand miles of sea floor, displacing a great deal of water and raising the sea level.

DAVID DARLOW,
Spokane, WA.

Mr. WHITEHOUSE. I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. ROUNDS. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the en bloc consideration of the following nominations: Executive Calendar Nos. 467 and 858.

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

The clerk will report the nominations en bloc.

The bill clerk read the nominations of Bruce Landsberg, of South Carolina, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2022; and Jennifer L. Homendy, of Virginia, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2019.

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. ROUNDS. I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; that any statements relating to the nominations be printed in the RECORD, and the Senate resume legislative session.

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

The question is, Will the Senate advise and consent to the Landsberg and Homendy nominations en bloc?

The nominations were confirmed en bloc.

LEGISLATIVE SESSION

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

MORNING BUSINESS

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

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

MONTANA KOREAN WAR VETERANS

Mr. TESTER. Mr. President, I rise today in honor of the Montanans who served our Nation during the Korean war.

Their service and sacrifice will forever be remembered in the official CONGRESSIONAL RECORD. Many of them rest in peace in the sacred ground of the Yellowstone National Cemetery.

During the Korean war, 6.8 million Americans served between 1950 and 1953. About 20,000 Montanans served in the military during that time, and 5,000 of them saw combat. We lost 350 Montanans in Korea.

Today about 6,000 Korean war veterans call Montana home. Survivors of the ''Forgotten War,'' far too many of them have struggled for far too long to receive the recognition and benefits they truly deserve.

As ranking member of the Senate Veterans' Affairs Committee, it has been my honor to fight for legislation that rights this wrong. I have introduced legislation that extends benefits related to toxic exposure to more veterans who served along the Korean Demilitarized Zone. Because when servicemembers deploy to harm's way and are exposed to toxic chemicals, our country has a responsibility to meet their healthcare needs.

Honoring these veterans takes more than just legislation; it takes dedicated people who are committed to telling their stories and honoring those who have served.

The Montana American Legion, led by Commander Richard Klose, is an important partner working to ensure veterans who fought in every conflict can get the healthcare, honor, and recognition they have earned.

Since 2014, Montana veterans and their loved ones can choose to be buried under the Big Sky in the Yellowstone National Cemetery—veterans like COL John R. Black of the U.S. Army, the most highly decorated veteran interred at the Yellowstone National Cemetery, earned two Silver Star medals and two Legion of Merit medals in his service to our Nation in the Korean and Vietnam wars; veterans like Captain Ralph D. Myer, a U.S. Public Health Service Officer of the Korean and Vietnam wars, is one of the highest ranking veterans interred at the Yellowstone National Cemetery.

Montana will remember Colonel Black, Captain Myer, and all of our citizens who fought during the Korean war.

We will honor their memory by relentlessly fighting to get the veterans of the Korean war the equal benefits and care that they earned but are too often denied.

Some paid the ultimate sacrifice. Some returned home bearing the seen and unseen wounds of war. All showed courage and strength when they heeded the call to protect our Nation far from home. We cannot forget their service and sacrifice.

To Commander Klose, the Montana American Legion, my friends at the Yellowstone National Cemetery, and all those who dedicate their lives to this country in service, on behalf of myself, Montana, and our Nation, I extend my greatest thanks for your enduring bravery, service, and self-sacrifice.

REMEMBERING GEORGE B. WILLIE, SR.

Mr. UDALL. Mr. President, I rise to honor George B. Willie, Sr., one of our last surviving Navajo code talkers, who passed away at age 92 on December 5, 2017. Mr. Willie was a humble man who never bragged and rarely talked about his uncommon feat.

Mr. Willie was born near Sawmill, AZ. He was Tó Dích'iínii—Bitter Water—and born for Tábaahá—Near The Water Edge—and resided near Leupp when he passed away.

Mr. Willie only had a seventh-grade education. He tried to enlist in 1941, but was too young. He was finally able to join the Marines 2 years later, when he was 17 years old. He served the Second Marine Division, 10th Battalion, from 1943 until 1946.

As a marine, Mr. Willie was one of the 421 code talkers from the Navajo Nation. The original 29 Navajo code talkers developed a code based on their native language. At that time, there was no written language, and only about 30 persons outside of Tribal members understood Navajo. The code talkers were required to quickly and accurately translate and transmit messages about troop movements, tactics,

and the like through telephone and radio. At first skeptical, military leaders quickly learned to appreciate their skill and tremendous value to the war effort. The Japanese never broke their code.

While the Federal Government relied on the Navajo language for military success, back home, it continued the longstanding policy of forbidding Native students from speaking their languages at Federal boarding schools.

Mr. Willie served in the Battle of Okinawa, one of the last and deadliest battles of the war. In June 1945, the Americans and the British Pacific Fleet took the island after 82 days of battle. It was their last stop before the planned attempt to take the Island of Japan, which was preempted when the United States dropped the atomic bomb on Hiroshima on August 6.

After coming home, Mr. Willie married Emma Gean Willie, and they had 10 children. The code talker program was secret, and the code talkers were sworn not to tell anyone about their work. Even after the Federal Government declassified the program in 1968, Mr. Willie continued to honor his promise and did not tell family members he was a code talker until almost 30 years later. In 2001, Mr. Willie and his fellow code talkers were awarded the Silver Congressional Medal of Honor.

Today I honor Mr. Willie, a true American hero.

ADDITIONAL STATEMENTS

REMEMBERING JOHN G. DEERY, SR.

● Mr. GRASSLEY. Mr. President, I come to the floor today to pay tribute to an outstanding businessman and citizen John G. Deery, Sr., of Cedar Falls, IA. Mr. Deery passed away recently at the age of 88. He leaves behind a close-knit and loving family—his beloved wife, Marlene; his two sons, John and Dan, both of Cedar Falls, IA; and a host of children and great-grandchildren, nieces and nephews.

A veteran of the U.S. Marine Corps, John was an active parishioner of St. Patrick Catholic Church and a respected civic and business leader who left his mark throughout Cedar Valley. Following his military service—1948 1951—and startup ventures in the Quad Cities and Wisconsin, John purchased a Buick dealership in the late 1960s in Cedar Falls. This Wisconsin native became an Iowa transplant and never looked back. From then on, he and his family business paved a road to prosperity by winning the business of generations of satisfied customers.

A look back through the rearview mirror shows a life well lived. He was a member of the Cedar Falls AMVETS Post 49, Iowa Auto Dealers Association, Knights of Columbus, and a founding father of Community National Bank.

The patriarch of the family, John carved out his slice of the American dream. After opening the Buick dealership, the business eventually grew into a series of enterprises, eventually employing a workforce of more than 200 people. For six decades, he owned the Deery Automotive Group, encompassing John Deery Motors, Dan Deery Motors, and Deery Brothers Collision Center that provided livelihoods for generations of local families and a trusted place to buy and repair the family car.

After turning the reins of the automobile business over to the next generation, John launched yet another successful enterprise in real estate development. An active octogenarian, John didn't let any grass grow underneath his feet and continued looking for ways to make his community a better place to live. A decade ago, he was nominated for the Waterloo Courier's inaugural Eight Over Eighty Award.

The residents of Cedar Valley have benefited from John and Marlene's generous commitment to giving back their time, talent, and treasure. A number of nonprofit agencies and community organizations have benefited from their philanthropic pursuits, including my alma mater, the University of Northern Iowa, the Black Hawk County Sheriff's Office, the Cedar Falls and Waterloo police departments, St. Patrick Catholic Church and School, and El Kahir Shrine.

Today I pay my respects to this American veteran, successful Iowan, and civic leader. John Deery, Sr., steered a steady and honorable journey on the road of life and he will be greatly missed by those who loved him the most.●

TRIBUTE TO DIANNE PAQUETTE

● Ms. HASSAN. Mr. President, I am honored to recognize as July's Granite Stater of the Month an individual who truly embodies the best of New Hampshire's all-hands-on-deck spirit, consistently rolling up her sleeves and helping her community, Dianne Paquette of Salem, NH.

Dianne's efforts started with two elementary school playgrounds that needed repairs. She led efforts to raise money to repair the playgrounds because, in her words, ''somebody has to.'' After she was successful in her fundraising efforts for the playgrounds, Dianne moved on to other town landmarks and was instrumental in raising funds and gathering volunteers for several projects, including restoring the historic Salem Depot Train Station.

Dianne has formed a core group of friends—a group that she calls the Village—made up of law enforcement officials, firefighters, and Granite Staters who share her commitment to helping their community. Recently, Dianne and the Village have focused on helping those in need after two separate apartment fires in Salem. She helped organize a spaghetti dinner that raised nearly $6,000 and then, following a second fire, and with the help of firefighters working in the kitchen, a pancake breakfast that raised over $5,000.

Dianne said that these fires increased awareness about an issue that is near to her heart, the lack of affordable housing in the Salem area. The funds she helped raise are going to address many of the challenges the victims of the fires will face, including relocating. As she said, you can't fix everything with pancakes and spaghetti, but you can do what you can to help.

Dianne reminds us all that sometimes helping your community is about being the person to take the first step and voice the idea, and her efforts to mobilize friends and neighbors to work together has made a difference throughout her community. For her dedication to Salem, I am proud to recognize Dianne as July's Granite Stater of the Month.●

REMEMBERING JACK POWELL

● Mr. JONES. Mr. President, I rise today with deep sadness, but also with reverence to remember Jack Powell, who died on May 12, 2018. Jack Powell was a beloved coach and educator in Alabama. He was revered by his students and players and often regarded as a second father to many. Until his 95th birthday, regular reunions were held by former high school players to honor Coach Powell and reminisce with former teammates. His accomplishments on and off the course touched thousands of lives.

Coach Powell was born on March 20, 1922, in Andalusia. He was one of 10 children born to George Bennie and Lilla Lawson Powell. He played basketball in the State tournament for 3 years as a student at Pleasant Home High School. They went undefeated during the regular season of his senior year. Coach Powell went on to Auburn University to play for coaches Bob Evans, Ralph ''Shug'' Jordan, and V.J. Edney. While at Auburn, he was a letterman 2 years in a row and cocaptain of the team in 1946.

After his college career, he served as an educator for approximately 40 years. He worked at Lockhart and Eufaula high schools from 1947 to 1966, then Livingston University, now the University of West Alabama, from 1966 to 1972, and finally at Sparks State Technical College in Eufaula until his retirement.

During his time as a high school coach, he received several Coach of the Year Awards and won district, area, regional, and State championships. He coached three Alabama All-Star Games, including the inaugural game in 1963. He served as coach to 11 All-State players. While at Eufaula High School, his team went to the State tournament nine times, finishing in the top four positions. During his 20-year tenure, he amassed an impressive winning record of 406–193.

When he entered the college coaching scene in 1966, he led Livingston University to its first Alabama Collegiate Conference championship and two consecutive ACC Tournament Championships. In 1969, he was named ACC Coach of the Year and in 1971 was again named ACC Coach of the Year, in addition to Alabama Small Colleges Coach of the Year and NAIA District 27 Coach of the Year.

In 1992, after decades of hard work and commitment to teams, he became one of the first inductees in the Alabama High School Sports Hall of Fame. One of his greatest honors was having a gymnasium named after him in Eufaula, where it served as the home to Eufaula's youth basketball leagues for many years. He also established a Tri-State basketball tryout clinic where players came from Alabama, Florida, Georgia, and Tennessee. As a result, more than 60 young athletes earned scholarships to play in college.

Aside from teaching and coaching, Coach Powell was an avid outdoorsmen who loved to fish, hunt, and garden. He also served in his churches in both Eufaula and Livingston. He was a Sunday school teacher for more than 50 years in addition to serving as a deacon and chairman of the board for more than 12 years.

My wife, Louise, and I extend our sincerest condolences to Coach Powell's two sons, five grandchildren, seven great-grandchildren, and the entire extended community of athletes and fans on whom he made a positive impact. His legacy lives on in each of us.●

REMEMBERING MORT PLUMB

● Ms. MURKOWSKI. Mr. President, the Ted Stevens Anchorage International Airport is buzzing with activity all year long. It connects our military posted in Alaska with their families in the Lower 48, welcomes business visitors from around the world, and takes Alaskans to the Lower 48 for a weekend of cheering the Seahawks in Seattle, a shopping trip, or simply a break from the Alaskan winter.

The Anchorage airport is the truly a crossroads for our friends in rural Alaska coming and going from meetings and medical appointments in Anchorage. Its gates are places where Alaskans congregate—catching up with old friends or connecting with State legislators and an occasional U.S. Senator.

Look to the left as your plane pulls into the gate, and you see cargo planes from around the world. The Ted Stevens Anchorage International Airport is our State's premier transportation hub, a cargo hub of global renown.

For most of my adult life, the Anchorage airport was a pretty utilitarian place. The walls were tan, the gate and baggage claim signs had white lettering on a blue background. If you were picking up a rental car, you rolled your bag through the snow because most were parked outside. The return lot was outside too. But it worked. It was a place to come and go, not a place to linger.

Mort Plumb had another vision. He foresaw the boom in tourism that would come to Alaska and believed that our State needed a gateway airport as beautiful and inspiring as the State itself. Mort was the father of today's Ted Stevens Anchorage International Airport. A showplace for Native arts and crafts with huge picture windows and vistas of the Chugach mountain range that cause our visitors to wonder whether they really want to leave this unique place, a portal to the Great Land.

Mort's vision has paid off; 2018 could be a record year for tourism in Alaska, and seat capacity on out-of-state flights this year is up 5.6 percent. That translates into the opportunity for an additional 43,000 visitors to enjoy what Alaska has to offer.

Sadly, in February, Mort passed away at the age of 74. Born in Pennsylvania, he came to Alaska like many of our finest do: in the service of our country. He served 27 years in the Air Force, and we are indeed grateful that the Air Force chose to send Mort and his family to Elmendorf Air Force Base in Anchorage. As a colonel, Mort served as director of operations for the Alaskan Command, chief of staff for the 11th Air Force, and vice commander for the 11th Air Force. He retired from the Air Force in 1994.

Mort's retirement didn't last long, as he was quickly recruited by Governor Tony Knowles to direct the Ted Stevens Anchorage International Airport. He took that job in 1995 and remained until 2008. All told, he served under three Governors: Democrat Knowles and Republicans Frank Murkowski and Sarah Palin. Mort Plumb served with great distinction.

After retiring from the airport, Mort was hardly done with his career. He took on new responsibilities as chief operating officer of the First National Bank of Alaska and continued to serve on a host of nonprofit boards. One of his favorites was the Fisher House of Alaska, which cares for military family caregivers and veterans in town for medical appointments. Mort was active in the civilian and military community and was also an avid runner, golfer, and skier. He was a devoted husband, attending most every community event with his wife, Ann, by his side. He was also a loving father and doting grandfather.

To his family and friends, know that the legacy and service of Mort Plumb will long be remembered. We appreciate our friend Mort, and we miss him.●

REMEMBERING GEORGE ELL

● Mr. TESTER. Mr. President, I rise today to honor the life of George Ell, a member of the Blackfeet Nation who is being remembered by his family, by his community, and by his Tribe.

George was born and grew up on Livermore Creek near Browning, MT, fishing and exploring the mountains surrounding it. In the year 1890, not long after Montana was admitted to the Union, the U.S. Government forcibly took him from his home at the age of 16.

George was forced to board a train to Pennsylvania to attend Carlisle Indian Industrial School. He was turned away from his cultural practices, forced to cut his hair, and discard his traditional clothing. He was barred from speaking his language.

George died under mysterious circumstances a little more than a year after he arrived in Pennsylvania—a foreign land for a 16-year-old boy. The government buried him in Carlisle. It took 128 years for George to rightfully return home to Montana, where he belongs, to be reburied.

George's ancestors laid him to rest recently on a bluff next to Flattop Mountain, where his family can mourn and our Nation can learn from this sad chapter of America's history.

I also want to recognize George's family, including Dale Ell, Leon Chief Elk, Rhonda Boggs, and everyone involved, who were relentless in their quest to bring George back home. Their efforts are not only admirable, but an essential part of the collective healing process.

The Ell family is just one of many Native American families who were torn apart by this Nation's horrendous assimilation policies and the boarding school era. It is my hope that, as his family lays George Ell to rest, we commit ourselves to a brighter future—a future where we celebrate the first people of this Nation, their culture, heritage, religion, and strength. It is imperative that we learn from the story of Mr. Ell, so the next generation is educated about the suffering, so our kids and grandkids are inspired by his fortitude and the resilience of so many other Native Americans.

I rise today to honor those who were tested by cruelty; may their stories resonate in our history and spur us toward a stronger tomorrow.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

MESSAGE FROM THE HOUSE

At 12:04 p.m., a message from the House of Representatives, delivered by

Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 2245. An act to include New Zealand in the list of foreign states whose nationals are eligible for admission into the United States as E–1 and E–2 nonimmigrants if United States nationals are treated similarly by the Government of New Zealand.

S. 2850. An act to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 959. An act to amend title VIII of the Public Health Service Act to extend advanced education nursing grants to support clinical nurse specialist programs, and for other purposes.

H.R. 1220. An act to establish the Adams Memorial Commission to carry out the provisions of Public Law 107–62, and for other purposes.

H.R. 1676. An act to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

H.R. 1689. An act to protect private property rights.

H.R. 2345. An act to require the Federal Communications Commission to study the feasibility of designating a simple, easy-to-remember dialing code to be used for a national suicide prevention and mental health crisis hotline system.

H.R. 2630. An act to authorize the Secretary of the Interior to convey certain land to La Paz County, Arizona, and for other purposes.

H.R. 3045. An act to amend the National Trails System Act to extend the Lewis and Clark National Historic Trail, and for other purposes.

H.R. 3728. An act to amend title VII of the Public Health Service Act to reauthorize certain programs relating to the health professions workforce, and for other purposes.

H.R. 3994. An act to establish the Office of Internet Connectivity and Growth, and for other purposes.

H.R. 4100. An act to amend title 36, United States Code, to revise the Federal charter for the Foundation of the Federal Bar Association.

H.R. 4881. An act to require the Federal Communications Commission to establish a task force for reviewing the connectivity and technology needs of precision agriculture in the United States.

H.R. 5385. An act to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs, and for other purposes.

H.R. 5613. An act to designate the Quindaro Townsite in Kansas City, Kansas, as a National Commemorative Site.

H.R. 5709. An act to amend the Communications Act of 1934 to provide for enhanced penalties for pirate radio, and for other purposes.

H.R. 5875. An act to amend the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Federal Aid in Sport Fish Restoration Act, to provide parity for United States territories and the District of Columbia, to make technical corrections to such Acts and related laws, and for other purposes.

H.R. 5954. An act to amend title 18, United States Code, to clarify the meaning of the terms ''act of war'' and ''blocked asset'', and for other purposes.

H.R. 5979. An act to establish the Mill Springs Battlefield National Monument in the State of Kentucky as a unit of the National Park System, and for other purposes.

H.R. 6077. An act recognizing the National Comedy Center in Jamestown, New York.

MEASURES REFERRED

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

H.R. 959. An act to amend title VIII of the Public Health Service Act to extend advanced education nursing grants to support clinical nurse specialist programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 1220. An act to establish the Adams Memorial Commission to carry out the provisions of Public Law 107–62, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1676. An act to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine; to the Committee on Health, Education, Labor, and Pensions.

H.R. 1689. An act to protect private property rights; to the Committee on the Judiciary.

H.R. 2630. An act to authorize the Secretary of the Interior to convey certain land to La Paz County, Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 3045. An act to amend the National Trails System Act to extend the Lewis and Clark National Historic Trail, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 3728. An act to amend title VII of the Public Health Service Act to reauthorize certain programs relating to the health professions workforce, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 3994. An act to establish the Office of Internet Connectivity and Growth, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 4100. An act to amend title 36, United States Code, to revise the Federal charter for the Foundation of the Federal Bar Association; to the Committee on the Judiciary.

H.R. 4881. An act to require the Federal Communications Commission to establish a task force for reviewing the connectivity and technology needs of precision agriculture in the United States; to the Committee on Commerce, Science, and Transportation.

H.R. 5613. An act to designate the Quindaro Townsite in Kansas City, Kansas, as a National Commemorative Site, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5709. An act to amend the Communications Act of 1934 to provide for enhanced penalties for pirate radio, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 5875. An act to amend the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Federal Aid in Sport Fish Restoration Act, to provide parity for United States territories and the District of Columbia, to make technical corrections to such Acts and related laws, and for other purposes; to the Committee on Environment and Public Works.

H.R. 5979. An act to establish the Mill Springs Battlefield National Monument in the State of Kentucky as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 6077. An act recognizing the National Comedy Center in Jamestown, New York; to the Committee on Energy and Natural Resources.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 5954. An act to amend title 18, United States Code, to clarify the meaning of the terms ''act of war'' and ''blocked asset'', and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–6014. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Flonicamid; Pesticide Tolerances'' (FRL No. 9977–82–OCSPP) received in the Office of the President of the Senate on July 19, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6015. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Robert S. Walsh, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–6016. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC–6017. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Rule 701 - Exempt Offerings Pursuant to Compensatory Arrangements'' (RIN3235–AM39) received during adjournment of the Senate in the Office of the President of the Senate on July 20, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC–6018. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry Residual Risk and Technology Review'' (FRL No. 9981–06–OAR) received in the Office of the President of the Senate on July 19, 2018; to the Committee on Environment and Public Works.

EC–6019. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval of California Plan Revisions; Northern Sonoma County Air Pollution Control District; Stationary Source Permits'' (FRL No. 9981–01–Region 9) received in the Office of the President of the Senate on July 19, 2018; to the Committee on Environment and Public Works.

EC–6020. A communication from the Director of Congressional Affairs, Office of Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Licenses Authorizing Distribution to General Licensees'' (NUREG–1556, Volume 16, Revision 1) received during adjournment of the Senate in the Office of the President of the Senate on July 20, 2018; to the Committee on Environment and Public Works.

EC–6021. A communication from the Director of Congressional Affairs, Office of Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Well Logging, Tracer, and Field Flood Study Licenses'' (NUREG–1556, Volume 14, Revision 1) received during adjournment of the Senate in the Office of the President of the Senate on July 20, 2018; to the Committee on Environment and Public Works.

EC–6022. A communication from the Director of Congressional Affairs, Office of Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Final Safety Evaluation of Technical Specifications Task Force Traveler TSTF–567, Revision 1, Add Containment Sump TS to Address GSI–191 Issues'' (NUREG–1430, NUREG–1431, and NUREG–1432) received during adjournment of the Senate in the Office of the President of the Senate on July 20, 2018; to the Committee on Environment and Public Works.

EC–6023. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(d) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data, and defense services for the manufacture of significant military equipment abroad to Japan to support the manufacture of Drogue Rocket Motor and Propellant for end use in aircraft ejection seats for the Japanese Ministry of Defense (Transmittal No. DDTC 18–010); to the Committee on Foreign Relations.

EC–6024. A communication from the Acting Assistant Secretary for International Organization Affairs, Department of State, transmitting, pursuant to law, a report certifying for fiscal year 2018 that no United Nations agency or United Nations affiliated agency grants any official status, accreditation, or recognition to any organization which promotes and condones or seeks the legalization of pedophilia, or which includes as a subsidiary or member any such organization; to the Committee on Foreign Relations.

EC–6025. A communication from the Deputy Assistant General Counsel for Regulatory Services, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Student Assistance General Provisions, Federal Perkins Loan Program, Federal Family Education Loan Program, William D. Ford Federal Direct Loan Program, and Teacher Education Assistance for College and Higher Education Grant Program; Corrections'' (RIN1840–AD28) received in the Office of the President of the Senate on June 23, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC–6026. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–411, ''All-Terrain Vehicle Clarification Temporary Amendment Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–6027. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–412, ''Attorney General Limited Grant-Making Authority Temporary Amendment Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–6028. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to the Bureau of Prisons' compliance with the privatization requirements of the National Capital Revitalization and Self-Government Improvement Act of 1997; to the Committee on the Judiciary.

EC–6029. A communication from the Director, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Third Party Billing for Medical Care Provided under Special Treatment Authorities'' (RIN2900–AP20) received in the Office of the President of the Senate on July 19, 2018; to the Committee on Veterans' Affairs.

EC–6030. A communication from the Director, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Fiduciary Activities'' (RIN2900–AO53) received in the Office of the President of the Senate on July 23, 2018; to the Committee on Veterans' Affairs.

EC–6031. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Connerville, Oklahoma)'' (MB Docket No. 18–43) received in the Office of the President of the Senate on July 23, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6032. A communication from the Deputy Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Parts 1 and 22 of the Commission's Rules with Regard to the Cellular Service, Including Changes in Licensing of Unserved Area, et al.'' ((WT Docket No. 12–40, 10–112, and 16–138) (FCC 18–92)) received in the Office of the President of the Senate on July 23, 2018; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. WICKER for Mr. MCCAIN for the Committee on Armed Services.

Army nomination of Lt. Gen. Stephen R. Lyons, to be General.

Air Force nomination of Maj. Gen. Brian T. Kelly, to be Lieutenant General.

Air Force nomination of Lt. Gen. Mark D. Kelly, to be Lieutenant General.

Air Force nomination of Col. Timothy J. Madden, to be Brigadier General.

Air Force nomination of Lt. Gen. Jeffrey L. Harrigian, to be Lieutenant General.

Air Force nomination of Maj. Gen. Thomas A. Bussiere, to be Lieutenant General.

Air Force nomination of Lt. Gen. Kenneth S. Wilsbach, to be Lieutenant General.

Army nomination of Lt. Gen. Stephen M. Twitty, to be Lieutenant General.

Marine Corps nomination of Lt. Gen. Gary L. Thomas, to be General.

Air Force nomination of Col. Susan J. Pietrykowski, to be Brigadier General.

Air Force nomination of Maj. Gen. Jon T. Thomas, to be Lieutenant General.

Army nominations beginning with Col. Gregory K. Anderson and ending with Col. Todd R. Wasmund, which nominations were received by the Senate and appeared in the Congressional Record on July 10, 2018.

Army nomination of Maj. Gen. James F. Pasquarette, to be Lieutenant General.

Mr. WICKER for Mr. MCCAIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nominations beginning with Jacqueline E. Berry and ending with Connie L. Winik, which nominations were received by the Senate and appeared in the Congressional Record on February 8, 2018.

Air Force nominations beginning with Anthony J. Aceto and ending with Regis C. Zozo, which nominations were received by the Senate and appeared in the Congressional Record on June 18, 2018.

Air Force nominations beginning with Michael A. Basso-Williams and ending with Irshad A. Shakir, which nominations were received by the Senate and appeared in the Congressional Record on June 25, 2018.

Air Force nomination of Vikhyat S. Bebarta, to be Colonel.

Air Force nominations beginning with Mary F. Stuever and ending with Lavanya Viswanathan, which nominations were received by the Senate and appeared in the Congressional Record on June 25, 2018.

Air Force nominations beginning with Kathleen E. Aalderink and ending with Isaiah S. Zyduck, which nominations were received by the Senate and appeared in the Congressional Record on June 28, 2018.

Air Force nomination of Nisha R. Baur, to be Major.

Air Force nomination of Jay T. Flottmann, to be Colonel.

Air Force nomination of Christopher P. Wherthey, to be Major.

Air Force nomination of Issa M. Alvarez, to be Major.

Air Force nomination of Nathaniel P. Lisenbee, to be Major.

Air Force nomination of Sean P. Malanowski, to be Major.

Air Force nominations beginning with James W. Barnes and ending with Bradley A. Wisler, which nominations were received by the Senate and appeared in the Congressional Record on July 9, 2018.

Air Force nominations beginning with Adam D. Aasen and ending with George E. Quint, which nominations were received by the Senate and appeared in the Congressional Record on July 9, 2018.

Army nomination of Alexis N. Mendozadejesus, to be Major.

Army nominations beginning with Samuel B. Albahari and ending with Riccardo C. Paggett, which nominations were received by the Senate and appeared in the Congressional Record on June 20, 2018.

Army nominations beginning with Johnmark R. Ardiente and ending with Nathan A. Gunter, which nominations were received by the Senate and appeared in the Congressional Record on June 20, 2018.

Army nominations beginning with Ryan J. Berglin and ending with James A. Nardelli, which nominations were received by the Senate and appeared in the Congressional Record on June 20, 2018.

Army nominations beginning with David L. Burrier and ending with William T. Cigich, which nominations were received by the Senate and appeared in the Congressional Record on June 20, 2018.

Army nomination of Joshua V. Arndt, to be Major.

Army nominations beginning with Christopher Z. Farrington and ending with Michael P. Thomas, which nominations were received by the Senate and appeared in the Congressional Record on June 20, 2018.

Army nomination of Roderick W. Sumpter, to be Major.

Army nomination of Daniel Torres, to be Major.

Army nominations beginning with Michael P. Antecki, Jr. and ending with D014175, which nominations were received by the Senate and appeared in the Congressional Record on June 20, 2018.

Army nominations beginning with Lisa M. Abel and ending with D014651, which nominations were received by the Senate and appeared in the Congressional Record on June 20, 2018.

Army nominations beginning with Drew Q. Abell and ending with G010393, which nominations were received by the Senate and appeared in the Congressional Record on June 20, 2018.

Army nominations beginning with Eli S. Adams and ending with D014147, which nominations were received by the Senate and appeared in the Congressional Record on June 20, 2018.

Army nomination of Rochell A. Maier, to be Colonel.

Army nomination of Robert C. Soper, to be Colonel.

Army nominations beginning with Vincente G. Alcivar and ending with Edward W. Wright, which nominations were received by the Senate and appeared in the Congressional Record on June 25, 2018.

Army nomination of Benjamin E. Solomon, to be Colonel.

Army nominations beginning with William J. Nels and ending with Kellie A. Whittlinger, which nominations were received by the Senate and appeared in the Congressional Record on June 28, 2018.

Army nominations beginning with Vendeck M. Davis and ending with Ryan G. Lavoie, which nominations were received by the Senate and appeared in the Congressional Record on June 28, 2018.

Army nominations beginning with Harry A. Hornbuckle and ending with Michael J. Kimball, which nominations were received by the Senate and appeared in the Congressional Record on June 28, 2018.

Army nominations beginning with Matthew W. Allen and ending with Francis E. Sanford, Jr., which nominations were received by the Senate and appeared in the Congressional Record on July 9, 2018.

Army nomination of Brian C. Morgan, to be Major.

Navy nomination of Travis A. Montplaisir, to be Commander.

Navy nomination of Ariana P. Bensusan, to be Lieutenant Commander.

Navy nomination of Bruce S. Kimbrell, Jr., to be Lieutenant Commander.

Navy nomination of Samantha C. Dugan, to be Lieutenant Commander.

Navy nomination of Brian L. Lees, to be Lieutenant Commander.

By Ms. MURKOWSKI for the Committee on Energy and Natural Resources.

Teri L. Donaldson, of Texas, to be Inspector General of the Department of Energy.

*Christopher Fall, of Virginia, to be Director of the Office of Science, Department of Energy.

*Karen S. Evans, of West Virginia, to be an Assistant Secretary of Energy (Cybersecurity, Energy Security and Emergency Response).

*Daniel Simmons, of Virginia, to be an Assistant Secretary of Energy (Energy Efficiency and Renewable Energy).

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

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. HATCH (for himself and Mr. RUBIO):

S. 3256. A bill to support businesses in Puerto Rico, extend child tax credits for families in Puerto Rico, and for other purposes; to the Committee on Finance.

By Mr. CRUZ (for himself, Mr. DONNELLY, Mr. CORNYN, Mr. BLUMENTHAL, Mr. SCOTT, Mr. MARKEY, Mr. RUBIO, and Mr. PERDUE):

S. 3257. A bill to impose sanctions on foreign persons responsible for serious violations of international law regarding the protection of civilians during armed conflict, and for other purposes; to the Committee on Foreign Relations.

By Ms. HEITKAMP:

S. 3258. A bill to amend the Trade Act of 1974 to provide adjustment assistance to farmers adversely affected by reduced exports resulting from tariffs imposed as retaliation for United States tariff increases, and for other purposes; to the Committee on Finance.

By Mr. SULLIVAN (for himself, Mr. DAINES, Mr. FLAKE, Ms. MURKOWSKI, Mr. RISCH, and Mr. HELLER):

S. 3259. A bill to increase the number of judgeships for the United States Court of Appeals for the Ninth Circuit and certain district courts of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. CASEY (for himself, Ms. HASSAN, Mrs. MURRAY, Mr. VAN HOLLEN, and Ms. KLOBUCHAR):

S. 3260. A bill to amend the Internal Revenue Code of 1986 to include individuals receiving Social Security Disability Insurance benefits under the work opportunity credit, increase the work opportunity credit for vocational rehabilitation referrals, qualified SSI recipients, and qualified SSDI recipients, expand the disabled access credit, and enhance the deduction for expenditures to remove architectural and transportation barriers to the handicapped and elderly; to the Committee on Finance.

By Mr. CASEY (for himself and Ms. HASSAN):

S. 3261. A bill to establish the Office of Disability Policy in the legislative branch; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MERKLEY:

S. Res. 588. A resolution expressing the sense of the Senate regarding the need for transparency regarding meetings between President Donald J. Trump and Russian President Vladimir Putin; to the Committee on Foreign Relations.

By Mr. ENZI (for himself, Ms. HEITKAMP, Mr. RISCH, Mr. MERKLEY, Mr. HOEVEN, Mr. CRAPO, Mr. THUNE, Mr. INHOFE, Mr. BARRASSO, Mr. TESTER, Mr. UDALL, Mr. ROUNDS, Mr. BENNET, Ms. CORTEZ MASTO, and Mr. HELLER):

S. Res. 589. A resolution designating July 28, 2018, as ''National Day of the American Cowboy''; considered and agreed to.

By Mr. HATCH (for himself, Mr. LEE, Mr. CRAPO, Mr. RISCH, Mr. FLAKE, Mr. HELLER, and Mr. UDALL):

S. Res. 590. A resolution recognizing the 171st anniversary of the arrival of pioneers belonging to The Church of Jesus Christ of Latter-day Saints to the Great Salt Lake Valley in Utah, and the contributions of the Church and its members to the United States and the world; considered and agreed to.

By Ms. COLLINS (for herself, Mr. MANCHIN, Mr. TESTER, Ms. WARREN, Mr. MARKEY, Ms. BALDWIN, Mrs. HYDE-SMITH, Mrs. SHAHEEN, Mr. PETERS, Mr. BOOZMAN, Ms. SMITH, Mr. MERKLEY, Mrs. ERNST, Mr. INHOFE, Mr. THUNE, Mr. MORAN, Mr. DAINES, Mr. ROUNDS, Mr. RUBIO, Mr. YOUNG, Mr. VAN HOLLEN, Mr. NELSON, Mr. DONNELLY, and Mrs. FEINSTEIN):

S. Res. 591. A resolution supporting the goals and ideals of National Purple Heart Recognition Day; considered and agreed to.

ADDITIONAL COSPONSORS

S. 339

At the request of Mr. NELSON, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 339, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 515

At the request of Mr. CASEY, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 515, a bill to require the Secretary of Labor to maintain a publicly available list of all employers that relocate a call center overseas, to make such companies ineligible for Federal grants or guaranteed loans, and to require disclosure of the physical location of business agents engaging in customer service communications, and for other purposes.

S. 545

At the request of Mr. PAUL, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 545, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 720

At the request of Mr. CARDIN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 720, a bill to amend the Export Administration Act of 1979 to include in the prohibitions on boycotts against allies of the United States boycotts fostered by international governmental organizations against Israel and to direct the Export-Import Bank of the United States to oppose boycotts against Israel, and for other purposes.

S. 794

At the request of Mr. ISAKSON, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 794, a bill to amend title XVIII of the Social Security Act in order to improve the process whereby Medicare administrative contractors issue local coverage determinations under the Medicare program, and for other purposes.

S. 811

At the request of Mr. ENZI, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 811, a bill to ensure that organizations with religious or moral convictions are allowed to continue to provide services for children.

S. 821

At the request of Mr. RUBIO, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 821, a bill to promote access for United States officials, journalists, and other citizens to Tibetan areas of the People's Republic of China, and for other purposes.

S. 1023

At the request of Mr. PORTMAN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 1023, a bill to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2021, and for other purposes.

S. 1087

At the request of Mr. TOOMEY, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 1087, a bill to ensure America's law enforcement officers have access to lifesaving equipment needed to defend themselves and civilians from attacks by terrorists and violent criminals.

S. 1299

At the request of Mr. PETERS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1299, a bill to amend title XVIII of the Social Security Act to reduce the occurrence of diabetes in Medicare beneficiaries by extending coverage under Medicare for medical nutrition therapy services to such beneficiaries with pre-diabetes or with risk factors for developing type 2 diabetes.

S. 1353

At the request of Mr. LEAHY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1353, a bill to require States to automatically register eligible voters to vote in elections for Federal offices, and for other purposes.

S. 1437

At the request of Mrs. GILLIBRAND, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1437, a bill to modernize voter registration, promote access to voting for individuals with disabilities, protect the ability of individuals to exercise the right to vote in elections for Federal office, and for other purposes.

S. 1580

At the request of Mr. RUBIO, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 1580, a bill to enhance the transparency, improve the coordination, and intensify the impact of assistance to support access to primary and secondary education for displaced children and persons, including women and girls, and for other purposes.

S. 1989

At the request of Ms. KLOBUCHAR, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1989, a bill to enhance transparency and accountability for online political advertisements by requiring those who purchase and publish such ads to disclose information about the advertisements to the public, and for other purposes.

S. 2076

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

S. 2101

At the request of Mr. DONNELLY, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from Vermont (Mr. LEAHY) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 2101, a bill to award a Congressional Gold Medal, collectively, to the crew of the USS Indianapolis, in recognition of their perseverance, bravery, and service to the United States.

S. 2463

At the request of Mr. CORKER, the names of the Senator from Maine (Mr. KING) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 2463, a bill to establish the United States International Development Finance Corporation, and for other purposes.

S. 2554

At the request of Ms. COLLINS, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2554, a bill to ensure that health insurance issuers and group health plans do not prohibit pharmacy providers from providing certain information to enrollees.

S. 2578

At the request of Mr. SCHATZ, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2578, a bill to amend title 13, United States Code, to require the Secretary of Commerce to provide advanced notice to Congress before changing any questions on the decennial census, and for other purposes.

S. 2780

At the request of Mr. GARDNER, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 2780, a bill to require a determination on designation of the Russian Federation as a state sponsor of terrorism.

S. 2796

At the request of Mr. TESTER, the names of the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 2796, a bill to authorize the Secretary of Veterans Affairs to use the authority of the Secretary to conduct and support research on the efficacy and safety of medicinal cannabis, and for other purposes.

S. 2945

At the request of Mr. YOUNG, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2945, a bill to authorize the Secretary of Housing and Urban Development to carry out a housing choice voucher mobility demonstration to encourage families receiving the voucher assistance to move to lower-poverty areas and expand access to opportunity areas.

S. 3116

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

S. 3250

At the request of Ms. HARRIS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3250, a bill to amend the Internal Revenue Code of 1986 to allow for a credit against tax for rent paid on the personal residence of the taxpayer.

S. RES. 220

At the request of Mr. RUBIO, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. Res. 220, a resolution expressing solidarity with Falun Gong practitioners who have lost lives, freedoms, and rights for adhering to their beliefs and practices and condemning the practice of non-consenting organ harvesting, and for other purposes.

S. RES. 525

At the request of Mr. GRASSLEY, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. Res. 525, a resolution designating September 2018 as National Democracy Month as a time to reflect on

the contributions of the system of government of the United States to a more free and stable world.

AMENDMENT NO. 3402

At the request of Mr. CRUZ, the names of the Senator from Mississippi (Mrs. HYDE-SMITH), the Senator from Florida (Mr. RUBIO) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of amendment No. 3402 intended to be proposed to H. R. 6147, a bill making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

AMENDMENT NO. 3405

At the request of Mr. HELLER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 3405 proposed to H.R. 6147, a bill making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 588—EXPRESSING THE SENSE OF THE SENATE REGARDING THE NEED FOR TRANSPARENCY REGARDING MEETINGS BETWEEN PRESIDENT DONALD J. TRUMP AND RUSSIAN PRESIDENT VLADIMIR PUTIN

Mr. MERKLEY submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 588

Whereas it is the unanimous conclusion of the United States intelligence community that the Government of the Russian Federation interfered in the 2016 Presidential election, at the direction of Russian President Vladimir Putin, to advance the candidacy of then-candidate Donald J. Trump;

Whereas President Trump has repeatedly cast doubt on intelligence community conclusions regarding Russia's attacks during the 2016 election and suggested at his Helsinki press conference, as he has in previous statements, that he believes President Putin's denials despite evidence to the contrary;

Whereas President Trump and individuals associated with his 2016 presidential campaign remain subjects of an ongoing investigation led by Special Counsel Robert S. Mueller III relating to Russia's efforts to interfere in the 2016 United States presidential election, an investigation which has yielded 32 indictments and 5 guilty pleas to date;

Whereas President Trump reportedly personally requested that his meeting at the July 16, 2018, Helsinki Summit with President Putin be one-on-one and excluded other United States officials; and

Whereas, since the Helsinki Summit, President Trump and President Putin alluded to oral agreements they made, the specifics of which have not been made known publicly: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) President Trump should not meet with President Putin or any official of the Russian Federation without another senior United States official present; and

(2) the President, or a designee of the President, should within 7 days report to Congress, in the appropriate setting, on the substance of President Trump's meeting with President Putin, including any agreements or commitments made on behalf of the United States.

SENATE RESOLUTION 589—DESIGNATING JULY 28, 2018, AS ''NATIONAL DAY OF THE AMERICAN COWBOY''

Mr. ENZI (for himself, Ms. HEITKAMP, Mr. RISCH, Mr. MERKLEY, Mr. HOEVEN, Mr. CRAPO, Mr. THUNE, Mr. INHOFE, Mr. BARRASSO, Mr. TESTER, Mr. UDALL, Mr. ROUNDS, Mr. BENNET, Ms. CORTEZ MASTO, and Mr. HELLER) submitted the following resolution; which was considered and agreed to:

S. RES. 589

Whereas pioneering men and women, recognized as ''cowboys'', helped to establish the American West;

Whereas the cowboy embodies honesty, integrity, courage, compassion, respect, a strong work ethic, and patriotism;

Whereas the cowboy spirit exemplifies strength of character, sound family values, and good common sense;

Whereas the cowboy archetype transcends ethnicity, gender, geographic boundaries, and political affiliations;

Whereas the cowboy, who lives off the land and works to protect and enhance the environment, is an excellent steward of the land and its creatures;

Whereas cowboy traditions have been a part of American culture for generations;

Whereas the cowboy continues to be an important part of the economy through the work of many thousands of ranchers across the United States who contribute to the economic well-being of every State;

Whereas millions of fans watch professional and working ranch rodeo events annually, making rodeo one of the most-watched sports in the United States;

Whereas membership and participation in rodeo and other organizations that promote and encompass the livelihood of cowboys span every generation and transcend race and gender;

Whereas the cowboy is a central figure in literature, film, and music and occupies a central place in the public imagination;

Whereas the cowboy is an American icon; and

Whereas the ongoing contributions made by cowboys and cowgirls to their communities should be recognized and encouraged: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 28, 2018, as ''National Day of the American Cowboy''; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

SENATE RESOLUTION 590—RECOGNIZING THE 171ST ANNIVERSARY OF THE ARRIVAL OF PIONEERS BELONGING TO THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS TO THE GREAT SALT LAKE VALLEY IN UTAH, AND THE CONTRIBUTIONS OF THE CHURCH AND ITS MEMBERS TO THE UNITED STATES AND THE WORLD

Mr. HATCH (for himself, Mr. LEE, Mr. CRAPO, Mr. RISCH, Mr. FLAKE, Mr. HELLER, and Mr. UDALL) submitted the following resolution; which was considered and agreed to:

S. RES. 590

Whereas in the years following the establishment of The Church of Jesus Christ of Latter-day Saints (referred to in this preamble as the ''LDS Church'') in 1830, the early members of the LDS Church (referred to in this preamble as ''Latter-day Saint pioneers'') experienced religious persecution manifested through physical assault, destruction of their houses and businesses, theft of their property, exile from their homes, threats of violence and war, imprisonment, rape, and murder;

Whereas the petitions of the LDS Church to the United States Government for assistance and redress were frequently unanswered and produced no relief;

Whereas the leader and prophet of the LDS Church, Joseph Smith, and his brother, Hyrum, were shot and killed by an armed mob;

Whereas in a letter addressed to the President of the United States, James K. Polk, the new leader of the LDS Church, Brigham Young, wrote, ''. . . [W]hile we appreciate the Constitution of the United States as the most precious among the nations, we feel that we had rather retreat to the deserts, islands or mountain caves than consent to be ruled by governors and judges . . . who delight in injustice and oppression'';

Whereas in pursuit of liberty and religious freedom, the Latter-day Saint pioneers journeyed westward in the winter of 1846, and ultimately travelled more than 1,300 miles of wilderness across vast prairies, barren deserts, jagged mountains, and turbulent rivers;

Whereas the Latter-day Saint pioneers endured extreme weather conditions, illness, hunger, and exhaustion, resulting in the pioneers losing young children, spouses, parents, and friends to exposure, disease, and starvation;

Whereas upon entering the Great Salt Lake Valley in Utah on July 24, 1847, Brigham Young announced, ''This is the right place,'' foretelling how the valley would become home to many Latter-day Saints and their posterity;

Whereas the Latter-day Saint pioneers worked together to plant crops, irrigate fields, and build homes and businesses, transforming the desert into a thriving community where they could live in safety and practice their religion without prejudice and abuse;

Whereas on July 24, 1849, the Latter-day Saints first commemorated their arrival to their new home with a procession to Temple Square in Salt Lake City for a special devotional, followed by a feast of thanksgiving;

Whereas ''Pioneer Day'' is a Utah State holiday celebrated on July 24th to remember and honor the early settlers with parades, flag ceremonies, re-enactments, devotionals, sporting events, feasts, dances, concerts, festivals, rodeos, and fireworks;

Whereas the Latter-day Saint pioneers helped shape the settlement of the West by constructing bridges, building ferries, clearing trails, establishing communities, planting crops, expanding trade posts, erecting trail markers, and charting maps, all of which assisted thousands of settlers westward;

Whereas the Latter-day Saint pioneers exemplified what can be achieved when industrious and resilient people work diligently and join together as communities to build a stronger and brighter future; and

Whereas the bravery, determination, and ingenuity that the Latter-day Saint pioneers demonstrated inspires citizens of the United States and people across the world to triumph over adversity, to continuously strive toward progress and innovation, and to press forward with unconquerable faith and undaunted hope: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes ''Pioneer Day'', on the 171st anniversary of the arrival of the early members of The Church of Jesus Christ of Latter-day Saints (referred to in this resolving clause as ''Latter-day Saint pioneers'') to the Great Salt Lake Valley in Utah;

(2) acknowledges the many sacrifices of the Latter-day Saint pioneers in their pursuit of liberty and religious freedom; and

(3) commends the Latter-day Saint pioneers and their descendants for their significant contributions in facilitating the settlement of the West, and providing an example of courage, industry, and faith that inspires people throughout the world.

SENATE RESOLUTION 591—SUPPORTING THE GOALS AND IDEALS OF NATIONAL PURPLE HEART RECOGNITION DAY

Ms. COLLINS (for herself, Mr. MANCHIN, Mr. TESTER, Ms. WARREN, Mr. MARKEY, Ms. BALDWIN, Mrs. HYDE-SMITH, Mrs. SHAHEEN, Mr. PETERS, Mr. BOOZMAN, Ms. SMITH, Mr. MERKLEY, Mrs. ERNST, Mr. INHOFE, Mr. THUNE, Mr. MORAN, Mr. DAINES, Mr. ROUNDS, Mr. RUBIO, Mr. YOUNG, Mr. VAN HOLLEN, Mr. NELSON, Mr. DONNELLY, and Mrs. FEINSTEIN) submitted the following resolution; which was considered and agreed to:

S. RES. 591

Whereas, on August 7, 1782, during the Revolutionary War, General George Washington established what is now known as the Purple Heart Medal when he issued an order establishing the Badge of Military Merit;

Whereas the Badge of Military Merit was designed in the shape of a heart in purple cloth or silk;

Whereas, while the award of the Badge of Military Merit ceased with the end of the Revolutionary War, the Purple Heart Medal was authorized in 1932 as the official successor decoration to the Badge of Military Merit;

Whereas the Purple Heart Medal is the oldest United States military decoration in present use;

Whereas the Purple Heart Medal is awarded in the name of the President of the United States to recognize members of the Armed Forces who are killed or wounded in action against an enemy of the United States or are killed or wounded while held as prisoners of war;

Whereas the Purple Heart Medal has been awarded to an estimated 1,800,000 recipients; and

Whereas August 7, 2018, is an appropriate day to celebrate as National Purple Heart Recognition Day: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Purple Heart Recognition Day; and

(2) encourages all people of the United States—

(A) to learn about the history of the Purple Heart Medal;

(B) to honor recipients of the Purple Heart Medal; and

(C) to conduct appropriate ceremonies, activities, and programs to demonstrate support for people who have been awarded the Purple Heart Medal.

Ms. COLLINS. Mr. President, I rise to speak on my resolution supporting the goals and ideals of National Purple Heart Recognition Day. I am pleased to have been joined in sponsoring this resolution by the senior senator from West Virginia, Senator MANCHIN, and 22 of our Senate colleagues.

The Purple Heart's history goes as far back as the founding of our Nation. General George Washington established what is now known as the Purple Heart Medal when he issued an order establishing the Military Badge of Merit on August 7, 1782. General Washington wished for the award to be used to recognize meritorious action performed by members of the Continental Army, and it took the form of a purple heart.

The Military Badge of Merit was discontinued after the Revolution and was not revived until 1932, when the Purple Heart medal was authorized as its official successor decoration. On February 22, 1932, the 200th Anniversary of the birth of George Washington, then-Army Chief of Staff General Douglas MacArthur resurrected the award, and it was re-designated as the Purple Heart. Quite appropriately, this reestablished Purple Heart Medal exhibits the bust and profile of George Washington.

It is around this time that the Purple Heart became synonymous with those unfortunate heroes who were killed or wounded in combat. Since 1932, the U.S. Military has awarded more than 1.8 million Purple Hearts.

Just as the Purple Heart Medal has held a special meaning to its millions of recipients and their families, it also has special significance to me and my family. My father, who died earlier this year, was a proud World War II veteran who was wounded twice during the Battle of the Bulge. He earned two Purple Hearts and the Bronze Star, and it was from him that I first learned to honor and respect our veterans.

Mr. President, the Purple Heart is a reminder that freedom is a gift purchased at the greatest possible price, and it is for that reason that I am sponsoring this resolution supporting the goals and ideals of National Purple Heart Recognition Day. I believe it is vitally important for all Americans to learn the history of this important military award, and to understand and honor the sacrifices of the many men and women in uniform who have earned the Purple Heart. I am grateful to all of my colleagues who have joined me in supporting this important resolution.

AMENDMENTS SUBMITTED AND PROPOSED

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.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

SA 3416. Mr. CARDIN 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 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, supra; which was ordered to lie on the table.

SA 3418. Mr. CARDIN 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 3419. Mr. CARDIN (for himself and Ms. HEITKAMP) 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 3420. Mr. CARDIN 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 3421. Mr. WHITEHOUSE (for himself and Mr. WYDEN) 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 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, supra.

SA 3423. Mr. GARDNER (for himself and Mr. DAINES) 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 3424. Mr. GARDNER (for himself, Mr. BURR, Mr. BENNET, and Mrs. SHAHEEN) 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 3425. Mr. GARDNER 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 3426. Mr. HELLER 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 3427. Mr. HELLER 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 3428. Mr. HELLER 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 3429. Mr. HELLER 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 3430. Ms. MURKOWSKI (for Mr. KENNEDY (for himself and Mr. CASSIDY)) proposed an amendment to amendment SA 3399 proposed by Mr. SHELBY to the bill H.R. 6147, supra.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

SA 3434. Mr. JOHNSON 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 3435. Mr. JOHNSON 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 3436. Mr. JOHNSON 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 3437. Mr. GARDNER 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 3438. Mr. RISCH 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 3439. Mr. RISCH 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 3440. Mr. FLAKE 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 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, Mr. ROUNDS, Mr. JONES, Mr. BLUNT, Mr. HELLER, Mr. BARRASSO, and Mr. INHOFE) 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 3442. Mr. WHITEHOUSE 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 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, supra; which was ordered to lie on the table.

SA 3444. Mr. NELSON 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 3445. Mrs. GILLIBRAND 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 3446. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill H.R. 6147, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

SA 3449. Mr. CASEY 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 3450. Ms. BALDWIN 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 3451. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill H.R. 6147, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

SA 3459. Ms. HEITKAMP (for herself, Mr. CARPER, and Mr. MORAN) 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 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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

SA 3464. Mr. LEAHY (for himself, Ms. KLOBUCHAR, Mr. COONS, Ms. HIRONO, Mr. WARNER, Mr. REED, Mr. CARPER, and Mrs. SHAHEEN) 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 3465. Ms. HEITKAMP 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 3466. Mr. MURPHY (for himself and Mr. BLUMENTHAL) 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 3467. Mr. MURPHY (for himself and Mr. BLUMENTHAL) 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 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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, Mr. NELSON, and Mr. BLUMENTHAL) 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 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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

SA 3473. Mr. SCHATZ 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 3474. Mrs. SHAHEEN 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 3475. Mrs. SHAHEEN 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 3476. Mrs. SHAHEEN 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 3477. Mr. WICKER 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 3478. Mr. INHOFE 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 3479. Mr. INHOFE 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 3480. Mr. INHOFE 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 3481. Mr. GARDNER (for himself and Ms. WARREN) 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 3482. Mr. CASSIDY 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 3483. Mr. CASSIDY 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 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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

SA 3490. Mr. UDALL 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 3491. Mr. UDALL 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 3492. Mrs. FISCHER 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 3493. Mr. CORNYN 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 3494. Mr. CORNYN 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 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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

SA 3498. Mr. JOHNSON 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 3499. Mr. JOHNSON 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 3500. Mr. JOHNSON 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 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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

SA 3510. Mr. DURBIN (for himself and Mr. GRASSLEY) 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 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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

SA 3516. Mr. GARDNER (for himself and Mr. BENNET) 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 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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

SA 3519. Mr. LEE 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 3520. Mr. LEE 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 3521. Mr. LEE 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 3522. Mr. LEE (for himself and Mr. BOOKER) 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 3523. Mr. LEE 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 3524. Ms. BALDWIN 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 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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, supra; which was ordered to lie on the table.

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, 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 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. _____. 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 4,700,000,000 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 assisting 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. BENNET, 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''; and

(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) ½; 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 $500,000,000.''.

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 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, 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 GROUNDWATER

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. 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 medical 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)(ii).

''(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 prescription 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.''; and

(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)'';

(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);''; and

(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

''§ 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 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 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) 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 noncompliance 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 nonpostal 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

''§ 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 noncompetitive 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 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;

''(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 consent 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 Regulatory 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 ''DEPARTMENT 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 31112(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;''; and

(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(l) of the Small Business Act (15 U.S.C. 637(l)) 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 enforcement 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 workforce 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 certification 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 safety 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)''; and

(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(l) 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 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 reallocation 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 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. 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 contribute 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

the Commodity Futures Trading Commission, and James E. Hubbard, of Colorado, to be Under Secretary of Agriculture for Natural Resources and Environment.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, July 24, 2018, at 10 a.m., to conduct a hearing on the following nominations: Elad L. Roisman, of Maine, to be a Member of the Securities and Exchange Commission, Michael R. Bright, of the District of Columbia, to be President, Government National Mortgage Association, and Rae Oliver, of Virginia, to be Inspector General, both of the Department of Housing and Urban Development, and Dino Falaschetti, of Montana, to be Director, Office of Financial Research, Department of the Treasury.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources 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: Teri L. Donaldson, of Texas, to be Inspector General, Karen S. Evans, of West Virginia, to be an Assistant Secretary (Cybersecurity, Energy Security and Emergency Response), Christopher Fall, of Virginia, to be Director of the Office of Science, and Daniel Simmons, of Virginia, to be an Assistant Secretary (Energy Efficiency and Renewable Energy), all of the Department of Energy;

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, July 24, 2018, at 10 a.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, July 24, 2018, at 10 a.m., to conduct a closed hearing.

SUBCOMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES, AND COAST GUARD

The Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, July 24, 2018, at 10 a.m., to conduct a hearing entitled ''NOAA's Blue Economy Initiative: Supporting Commerce in American Oceans and Great Lakes.''

SUBCOMMITTEE ON CONSUMER PROTECTION, PRODUCT SAFETY, INSURANCE, AND DATA SECURITY

The Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, July 24, 2018, at 2:30 p.m., to conduct a hearing entitled ''Strengthening and Empowering U.S. Amateur Athletes: Moving Forward with Solutions.''

SUBCOMMITTEE ON EAST ASIA, THE PACIFIC, AND INTERNATIONAL CYBERSECURITY POLICY

The Subcommittee on East Asia, The Pacific, and International Cybersecurity Policy of the Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, July 24, 2018, at 2:30 p.m., to conduct a hearing entitled ''The China Challenge, Part 1: Economic Coercion as Statecraft.''

PRIVILEGES OF THE FLOOR

Mr. LEAHY. Mr. President, I ask unanimous consent that Bob Ross, a detailee from the Department of Agriculture; Ramsay Eyre, an intern at the Appropriations Committee; and Olivia Harris, an intern in my personal office, be granted floor privileges for the length of the current debate on H.R. 6147, an act making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

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

RESOLUTIONS SUBMITTED TODAY

Mr. ROUNDS. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 589, S. Res. 590, and S. Res. 591.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. ROUNDS. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

HONORING THE MEN AND WOMEN OF THE DRUG ENFORCEMENT ADMINISTRATION ON THE 45TH ANNIVERSARY OF THE AGENCY

Mr. ROUNDS. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 578.

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

The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 578) honoring the men and women of the Drug Enforcement Administration on the 45th anniversary of the agency.

There being no objection, the Senate proceeded to consider the resolution.

Mr. ROUNDS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 578) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of July 18, 2018, under ''Submitted Resolutions.'')

RECOGNIZING AND SUPPORTING PUBLIC AWARENESS OF THE IMPORTANCE OF TRADEMARKS AND THE GOALS AND IDEALS OF THE NATIONAL TRADEMARK EXPOSITION OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mr. ROUNDS. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 580.

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

The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 580) recognizing and supporting public awareness of the importance of trademarks and the goals and ideals of the National Trademark Exposition of the United States Patent and Trademark Office.

There being no objection, the Senate proceeded to consider the resolution.

Mr. ROUNDS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 580) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of July 18, 2018, under ''Submitted Resolutions.'')

STATE OFFICES OF RURAL HEALTH REAUTHORIZATION ACT OF 2018

Mr. ROUNDS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 344, S. 2278.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 2278) to amend the Public Health Service Act to provide grants to improve health care in rural areas.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee

on Health, Education, Labor, and Pensions, with an amendment, as follows:

(The part of the bill intended to be stricken is shown in boldface brackets and the part of the bill intended to be inserted is shown in italic.)

S. 2278

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''State Offices of Rural Health Reauthorization Act of 2018''.

SEC. 2. STATE OFFICES OF RURAL HEALTH.

Section 338J of the Public Health Service Act (42 U.S.C. 254r) is amended to read as follows:

''SEC. 338J. GRANTS TO STATE OFFICES OF RURAL HEALTH.

''(a) IN GENERAL.—The Secretary, acting through the Director of the Federal Office of Rural Health Policy (established under section 711 of the Social Security Act), shall make grants to each State Office of Rural Health for the purpose of improving health care in rural areas.

''(b) REQUIREMENT OF MATCHING FUNDS.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary may not make a grant under subsection (a) unless the State office of rural health involved agrees, with respect to the costs to be incurred in carrying out the purpose described in such subsection, to provide non-Federal contributions toward such costs in an amount equal to $3 for each $1 of Federal funds provided in the grant.

''(2) WAIVER OR REDUCTION.—The Secretary may waive or reduce the non-Federal contribution if the Secretary determines that requiring matching funds would limit the State office of rural health's ability to carry out the purpose described in subsection (a).

''(3) DETERMINATION OF AMOUNT OF NON-FEDERAL CONTRIBUTION.—Non-Federal contributions required in paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

''(c) CERTAIN REQUIRED ACTIVITIES.—Recipients of a grant under subsection (a) shall use the grant funds for purposes of—

''(1) maintaining within the State office of rural health a clearinghouse for collecting and disseminating information on—

''(A) rural health care issues;

''(B) research findings relating to rural health care; and

''(C) innovative approaches to the delivery of health care in rural areas;

''(2) coordinating the activities carried out in the State that relate to rural health care, including providing coordination for the purpose of avoiding redundancy in such activities; and

''(3) identifying Federal and State programs regarding rural health, and providing technical assistance to public and nonprofit private entities regarding participation in such programs.

''(d) REQUIREMENT REGARDING ANNUAL BUDGET FOR OFFICE.—The Secretary may not make a grant under subsection (a) unless the State involved agrees that, for any fiscal year for which the State office of rural health receives such a grant, the office operated pursuant to subsection (a) of this section will be provided with an annual budget of not less than $150,000.

''(e) CERTAIN USES OF FUNDS.—

''(1) RESTRICTIONS.—The Secretary may not make a grant under subsection (a) unless the State office of rural health involved agrees that the grant will not be expended—

''(A) to provide health care (including providing cash payments regarding such care);

''(B) to conduct activities for which Federal funds are expended—

''(i) within the State to provide technical and other nonfinancial assistance under section 330A(f);

''(ii) under a memorandum of agreement entered into with the State office of rural health under section 330A(h); or

''(iii) under a grant under section 338I;

''(C) to purchase medical equipment, to purchase ambulances, aircraft, or other vehicles, or to purchase major communications equipment;

''(D) to purchase or improve real property; or

''(E) to carry out any activity regarding a certificate of need.

''(2) AUTHORITIES.—Activities for which a State office of rural health may expend a grant under subsection (a) include—

''(A) paying the costs of maintaining an office of rural health for purposes of subsection (a);

''(B) subject to paragraph (1)(B)(iii), paying the costs of any activity carried out with respect to recruiting and retaining health professionals to serve in rural areas of the State; and

''(C) providing grants and contracts to public and nonprofit private entities to carry out activities authorized in this section.

''(3) LIMIT ON INDIRECT COSTS.—The Secretary may impose a limit of no more than 15 percent on indirect costs claimed by the recipient of the grant.

''(f) REPORTS.—The Secretary may not make a grant under subsection (a) unless the State office of rural health involved agrees—

''(1) to submit to the Secretary reports or performance data containing such information as the Secretary may require regarding activities carried out under this section; and

''(2) to submit such a report or performance data not later than September 30 of each fiscal year immediately following any fiscal year for which the State office of rural health has received such a grant.

''(g) REQUIREMENT OF APPLICATION.—The Secretary may not make a grant under subsection (a) unless an application for the grant is submitted to the Secretary and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out such subsection.

''(h) NONCOMPLIANCE.—The Secretary may not make payments under subsection (a) to a State office of rural health for any fiscal year subsequent to the first fiscal year of such payments unless the Secretary determines that, for the immediately preceding fiscal year, the State office of rural health has complied with each of the agreements made by the State office of rural health under this section.

''(i) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—For the purpose of making grants under subsection (a), there are authorized to be appropriated **[**such sums as may be necessary**]** *$12,500,000* for each of fiscal years 2018 through 2022.

''(2) AVAILABILITY.—Amounts appropriated under paragraph (1) shall remain available until expended.''.

Mr. ROUNDS. I ask unanimous consent that the committee-reported amendment be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendment was agreed to.

The bill (S. 2278), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2278

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''State Offices of Rural Health Reauthorization Act of 2018''.

SEC. 2. STATE OFFICES OF RURAL HEALTH.

Section 338J of the Public Health Service Act (42 U.S.C. 254r) is amended to read as follows:

''SEC. 338J. GRANTS TO STATE OFFICES OF RURAL HEALTH.

''(a) IN GENERAL.—The Secretary, acting through the Director of the Federal Office of Rural Health Policy (established under section 711 of the Social Security Act), shall make grants to each State Office of Rural Health for the purpose of improving health care in rural areas.

''(b) REQUIREMENT OF MATCHING FUNDS.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary may not make a grant under subsection (a) unless the State office of rural health involved agrees, with respect to the costs to be incurred in carrying out the purpose described in such subsection, to provide non-Federal contributions toward such costs in an amount equal to $3 for each $1 of Federal funds provided in the grant.

''(2) WAIVER OR REDUCTION.—The Secretary may waive or reduce the non-Federal contribution if the Secretary determines that requiring matching funds would limit the State office of rural health's ability to carry out the purpose described in subsection (a).

''(3) DETERMINATION OF AMOUNT OF NON-FEDERAL CONTRIBUTION.—Non-Federal contributions required in paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

''(c) CERTAIN REQUIRED ACTIVITIES.—Recipients of a grant under subsection (a) shall use the grant funds for purposes of—

''(1) maintaining within the State office of rural health a clearinghouse for collecting and disseminating information on—

''(A) rural health care issues;

''(B) research findings relating to rural health care; and

''(C) innovative approaches to the delivery of health care in rural areas;

''(2) coordinating the activities carried out in the State that relate to rural health care, including providing coordination for the purpose of avoiding redundancy in such activities; and

''(3) identifying Federal and State programs regarding rural health, and providing technical assistance to public and nonprofit private entities regarding participation in such programs.

''(d) REQUIREMENT REGARDING ANNUAL BUDGET FOR OFFICE.—The Secretary may not make a grant under subsection (a) unless the State involved agrees that, for any fiscal year for which the State office of rural health receives such a grant, the office operated pursuant to subsection (a) of this section will be provided with an annual budget of not less than $150,000.

''(e) CERTAIN USES OF FUNDS.—

''(1) RESTRICTIONS.—The Secretary may not make a grant under subsection (a) unless

the State office of rural health involved agrees that the grant will not be expended—

''(A) to provide health care (including providing cash payments regarding such care);

''(B) to conduct activities for which Federal funds are expended—

''(i) within the State to provide technical and other nonfinancial assistance under section 330A(f);

''(ii) under a memorandum of agreement entered into with the State office of rural health under section 330A(h); or

''(iii) under a grant under section 338I;

''(C) to purchase medical equipment, to purchase ambulances, aircraft, or other vehicles, or to purchase major communications equipment;

''(D) to purchase or improve real property; or

''(E) to carry out any activity regarding a certificate of need.

''(2) AUTHORITIES.—Activities for which a State office of rural health may expend a grant under subsection (a) include—

''(A) paying the costs of maintaining an office of rural health for purposes of subsection (a);

''(B) subject to paragraph (1)(B)(iii), paying the costs of any activity carried out with respect to recruiting and retaining health professionals to serve in rural areas of the State; and

''(C) providing grants and contracts to public and nonprofit private entities to carry out activities authorized in this section.

''(3) LIMIT ON INDIRECT COSTS.—The Secretary may impose a limit of no more than 15 percent on indirect costs claimed by the recipient of the grant.

''(f) REPORTS.—The Secretary may not make a grant under subsection (a) unless the State office of rural health involved agrees—

''(1) to submit to the Secretary reports or performance data containing such information as the Secretary may require regarding activities carried out under this section; and

''(2) to submit such a report or performance data not later than September 30 of each fiscal year immediately following any fiscal year for which the State office of rural health has received such a grant.

''(g) REQUIREMENT OF APPLICATION.—The Secretary may not make a grant under subsection (a) unless an application for the grant is submitted to the Secretary and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out such subsection.

''(h) NONCOMPLIANCE.—The Secretary may not make payments under subsection (a) to a State office of rural health for any fiscal year subsequent to the first fiscal year of such payments unless the Secretary determines that, for the immediately preceding fiscal year, the State office of rural health has complied with each of the agreements made by the State office of rural health under this section.

''(i) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—For the purpose of making grants under subsection (a), there are authorized to be appropriated $12,500,000 for each of fiscal years 2018 through 2022.

''(2) AVAILABILITY.—Amounts appropriated under paragraph (1) shall remain available until expended.''.

Mr. ROUNDS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. ROUNDS). Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. DAINES. Mr. President, I ask unanimous consent that it be in order to call up the following amendments to amendment No. 3399: Moran No. 3433, Udall No. 3414. I further ask consent that at 2:30 p.m. on Wednesday, July 25, the Senate vote in relation to the Moran and Udall amendments in the order listed and that there be no second-degree amendments in order to the amendments prior to the votes.

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

ORDERS FOR WEDNESDAY, JULY 25, 2018

Mr. DAINES. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, July 25; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate resume consideration of H.R. 6147.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. DAINES. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 8:20 p.m., adjourned until Wednesday, July 25, 2018, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

J. NICHOLAS RANJAN, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA, VICE KIM R. GIBSON, RETIRED.

DEPARTMENT OF VETERANS AFFAIRS

TAMARA BONZANTO, OF NEW JERSEY, TO BE AN ASSISTANT SECRETARY OF VETERANS AFFAIRS (OFFICE OF ACCOUNTABILITY AND WHISTLEBLOWER PROTECTION), VICE DONALD P. LOREN, RESIGNING.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 24, 2018:

NATIONAL TRANSPORTATION SAFETY BOARD

BRUCE LANDSBERG, OF SOUTH CAROLINA, TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM EXPIRING DECEMBER 31, 2022.

JENNIFER L. HOMENDY, OF VIRGINIA, TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM EXPIRING DECEMBER 31, 2019.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on July 24, 2018 withdrawing from further Senate consideration the following nomination:

RYAN WESLEY BOUNDS, OF OREGON, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE DIARMUID F. O'SCANNLAIN, RETIRED, WHICH WAS SENT TO THE SENATE ON JANUARY 8, 2018.