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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 Black, offered the following prayer:

Let us pray.

Our Father in Heaven, who brought creation out of the void and order from chaos, we bless Your Holy Name. Guide our lawmakers. Use their daily experiences of joy and sorrow, pleasure and pain, victory and defeat, for Your glory. Lord, continue to lead them with Your merciful hands, providing for their needs as You direct their steps. Thank You for preparing tables of peace and confidence for us in the presence of our enemies, inspiring us to rejoice because of Your faithfulness. Continue to protect the leaders of our various branches of government with the shield of Your love.

We pray in Your great 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 PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is closed.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2019

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

The senior assistant legislative clerk read as follows:

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

Pending:

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

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

McConnell (for Nelson-Capito) amendment No. 3773 (to amendment No. 3695), to require a Comptroller General of the United States report on the implementation of the Military Health System Genesis electronic health record.

McConnell (for Kennedy-Reed) amendment No. 3703 (to amendment No. 3695), to increase funding for the National Suicide Prevention Lifeline.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The majority leader is recognized.

CLEAN AIR

Mr. MCCONNELL. Madam President, the Obama administration's so-called Clean Power Plan offered a typical story from that era, an innocent-seeming name, a pleasant-sounding objective, but underneath, an intrusive regulatory regime built not on effective policy but on far-left ideology. That is why I am so grateful today that the Trump administration is unveiling its plan to pare back this unfair, unworkable, and likely illegal policy.

Remember, the far left tried to push through radical legislation like an energy tax through the last Congress. Well, enough of us knew it would have hurt American competitiveness, victimized the poor, and done little to actually give the American people a cleaner environment, but instead of learning from those failures, the Obama administration tried to go it alone and impose their radical agenda unilaterally.

The so-called Clean Power Plan they dreamed up would have had no meaningful effect on global emissions. It would, however, have packed up middle-class American jobs and sent them right overseas. It would have piled a heavier burden onto the most vulnerable families. Lower income Americans are hit the hardest when energy costs take off, and this plan was projected to yield double-digit percentage increases in electricity costs of 40 States, of course, including Kentucky.

Unfair, ineffective, unaffordable, more than likely illegal. That is quite the pedigree.

That is why I fought the Obama administration's entire War on Coal, which was centered around this regulation, tooth and nail. I submitted an amicus brief to the courts when this was challenged for exceeding the scope and intent of the Clean Air Act. I championed legislation to cancel it entirely. On two occasions, I wrote to every Governor in the Nation asking them to not be complicit in implementing this outrageous overreach until the courts had ruled on its legality.

My colleagues and I have been at this for quite some time.

That is why the President's actions today are so encouraging. Today's proposed rule is the first step in the process. I look forward to engaging in this process as it moves forward toward a better outcome for Kentucky and for the entire country.

APPROPRIATIONS

Madam President, on another matter, the Senate is considering the eighth and ninth of 12 appropriations measure for fiscal year 2019. They will deliver on most of the important promises we make to the American people.

First and foremost is our promise to defend the Nation and to meet our obligation to the brave men and women who do so, to ensure that if we send them into battle, they will be prepared and equipped to prevail.

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

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Secretary Mattis and our Nation's top military commanders have made their assessments perfectly clear. Our security and our interests are challenged every day across the globe by a wide array of threats, whether nation states or terrorist groups. They include the destabilizing influences of Iran in the Middle East and Russia in Eastern Europe, the challenges we face on the Korean Peninsula, the security of our allies, and the stability of international commerce in the Pacific. Our leaders have outlined the threats we face and the strategies it will take to check them, but they have also explained how the past decade's pattern of inconsistent and insufficient funding undermined readiness and borrowed from the future. This Congress and this President are determined to right the ship.

Earlier this year, we did away with the arbitrary spending caps that had cut our military readiness and modernization. We passed a defense bill that authorized the largest year-on-year increases in defense spending in 15 years. This week, we have the opportunity to follow through by appropriating the necessary resources.

The Defense appropriations measure before us will support American military installations at home and abroad. My fellow Kentuckians and I are more than proud to host installations like Fort Campbell, Fort Knox, and the Blue Grass Army Depot. This legislation supports the most important work that goes on at those facilities and the communities that revolve around them.

Each of my colleagues, I am sure, can offer similar reports of the resources directed to military operations in their States.

Whether they are serving at sea or training with the 101st Airborne Division in Kentucky, our Nation's men and women in uniform will receive some well-deserved benefits from the legislation we are considering today. That includes expanded access to onbase services for veterans, billions in new funding for housing, support infrastructure, child and health services, and the largest pay raise for our military personnel in nearly a decade.

It is impossible to put a price on the sacrifices warfighters—and their families—make in service to our Nation, but it is within our power to give them the support they deserve on behalf of a grateful nation, and that is precisely what this legislation will do.

I thank Senator SHELBY and Senator DURBIN, who led this bill through the subcommittee process. I urge my colleagues to join me in supporting this bipartisan measure when the time comes to pass it.

ECONOMIC GROWTH

Madam President, on one final matter, our servicemembers will not be the only Americans who will be receiving well-deserved pay increases. As Republicans' pro-opportunity agenda continues to take hold, our economy continues to steam ahead, and working families across the country are reaping the benefits.

By now, we are all familiar with the fact that millions of American workers have received special bonuses, wage increases, or other new benefits from their employers as a direct result of our Nation's new Tax Code. We are talking about nationwide employers from AT&T to Walmart, and local businesses from Glier's Meats in my home State of Kentucky to Stricks Ag in Montana, and New Hudson Facades in Pennsylvania. These are, in some cases, the multithousand-dollar bonuses that my friends, the Democratic leaders in the House and in the Senate, tried to shrug off as ''crumbs''—maybe in New York or San Francisco but not much anywhere else.

Remember, they persuaded every one of our Democratic colleagues to vote against tax cuts.

Well, the Bureau of Labor Statistics recently found the Employment Cost Index—that is everything American employers spend on employee wages and benefits—has increased 2.8 percent in the last 12 months alone. As CNBC reported, that is the strongest year-over-year growth since the autumn of 2008.

So let me say that again. By this measure, on Republicans' watch, worker pay and benefits has already logged a faster 12-month growth rate than we ever achieved in all of President Obama's time in office.

It is yet another data point: American workers, job creators, and middle-class families are enjoying one of their best economic moments in a long time, and it is thanks, in part, to Republicans' economic agenda, which is getting Washington's foot off the brake.

I am proud this week's appropriations bill will give American servicemembers a raise. I am also proud our healthy economy is giving a raise to millions more Americans, and Republican policies are helping to make that happen.

The PRESIDING OFFICER. The Democratic whip.

DEFENSE APPROPRIATIONS

Mr. DURBIN. Madam President, pending before the U.S. Senate today are two of the biggest appropriations bills we will consider this year. As Senator MCCONNELL, the Republican leader, mentioned, they are the eighth and ninth bills we will pass.

One of those bills I have had a direct interest in as the ranking Democrat on the Defense Appropriations Subcommittee. We are about to break a record. This spending bill for the Department of Defense is one of the largest increases we have seen in any given year. This bill is $607 billion for day-to-day operations of the Department of Defense and another $68 billion for something known as Overseas Contingency Operations, which is just another category of spending. This one bill—one bill of the Department of Defense—comprises 49 percent of all of discretionary spending of the Government of the United States of America. Almost half of our discretionary budget is going to be spent in this bill. Accompanying it is the bill on health and education, which is the second largest appropriations bill we consider. So between the two of these bills, we are talking about a massive government expenditure.

Let's reflect on that expenditure for a moment.

There is no replacement for a strong national defense, but we should ask ourselves why. Why does it cost the American taxpayer so much to defend America?

The last budget deal, under which we are working here, provided a near-record increase for the Department of Defense. Going back almost 50 years, you can only find two or three other increases comparable. We are talking about a massive expenditure and a substantial, historic increase in the Department of Defense.

Why? Because we face enemies in this world. I am not naive about that. I believe it. When it comes to superpowers threatening us, at the top of the list is Russia, and second on the list is China.

How much do they spend, when it comes to the defense budgets of those two countries—our two hard targets, the most threatening nations when it comes to the United States? That is where you have to step back and shake your head and say that can't be true. But it is true.

The Russian defense budget from 2017 to 2018 is $78 billion. Remember my earlier figures? We are going to be spending $700 billion, and their annual budget is $78 billion.

How can there be such a disparity? Some people have argued that it is because of the accounting methods. It is the fact that Russian soldiers are paid dirt wages and ours, thank goodness, are paid just compensation and are given benefits. I accept all of that, but it still doesn't explain an almost 10-to-1 ratio of spending in the United States against spending in Russia.

What about China? There is another nation that we are worried about in terms of our national defense. China is believed to spend about $175 billion a year, about one-fourth of our total defense spending.

Here is Russia spending about 10 percent of our defense spending, and we are concerned about the threat they pose to the United States and our allies. Here is China spending one-fourth of what we do, and we worry about their expanded roles in places like the Pacific.

What is baffling about that comparison is that we spend so much more than our major adversaries in the world. Yet many experts testify over and over before congressional committees that we are falling behind in the development of key technologies—technologies like satellites, artificial intelligence, hypersonic missiles, and quantum computing.

It doesn't stand to reason that the United States of America, with all of its strength and all of its innovation and all of its ingenuity, is being challenged in the world by countries that are spending a fraction of what we spend.

The conclusion is obvious. Our large increase of military spending calls for more accountability on how these funds are being spent. I voted for Secretary Mattis. I respect him very much, not only for his service to our country as a General in the U.S. Marine Corps but also as our Secretary of Defense. Thank goodness he is on the job. I have a lot of faith in him, and I believe he has a steady hand in an administration where there aren't too many steady hands.

In March, Secretary Mattis sent a memo to every member of the Department of Defense, and here was the title: ''Be Peerless Stewards of the Taxpayers' Dollars.'' I have had the opportunity on two or three occasions to have direct conversations with Secretary Mattis about my concern that we are dramatically increasing American spending over our adversaries and still we believe they have a competitive edge or a near-competitive edge in many critical areas. Secretary Mattis correctly assessed in this report that the Pentagon needs a culture of performance and accountability in order to increase the trust and confidence that not only Congress but especially the American taxpayer places in his team.

We also have a procurement system—a purchasing system—that sadly encourages poor behavior and poor results. I asked Dr. Michael Griffin, the top research and development official in the Department of Defense: Why do we spend so much more in the United States and continue to fall behind?

He said that many members of the Department of Defense are afraid to be the last to say yes to a program that may not succeed. Too many decisions are pushed up the bureaucratic ladder to higher levels, which strangles these programs in redtape and delays them even more. If something goes wrong, failures are the subject of heated congressional hearings. We have seen that over and over—from $20,000 toilet seats and similar scandals in the past.

I agree with Dr. Griffin's findings. The Department of Defense needs to do so much more to change the culture of accountability at that agency. We need to establish a new spirit of transparency. Right now, every weapon system—every single one of them—is sold to Congress with a rosy scenario: technological breakthroughs at a modest cost. There is no difference between the sales pitch on a program that is easy to develop and one that is a giant risk.

The Department of Defense needs to be more upfront and more candid with what can go wrong and what will happen if something does go wrong. Very often, the contentious hearings that Dr. Griffin spoke about are not the result of a failed test but a broken promise.

While the Pentagon has much work ahead of it to improve its accountability, the world does stand still. The Defense appropriations bill before the Senate makes major investments and innovation, and these are critical to our servicemembers, their families, and to the defense of our Nation. In this bill there is $95.1 billion in research and development spending. Remember, the total budget is almost $700 billion, and $95.1 billion goes for R&D. This is the highest level of R&D funding in programs in the history of the Department of Defense, even when adjusted for inflation, and I support it.

The increases provided by the committee will include major investments in areas that are challenging and promising at the same time: artificial intelligence, satellite technologies, and basic research. In addition, the bill provides $1.8 billion, just a small proportion of the total budget, and that money goes to medical research. That is a 5-percent increase over last year's spending. This DOD research is just a fraction of what is invested at the National Institutes of Health, which I will address in a moment, that resulted in breakthroughs ranging from breast cancer treatments to battlefield medical care.

Our soldiers, sailors, marines, members of the Coast Guard, and airmen are surviving in battle because of this research at the Department of Defense. It is money well spent.

With all of the valuable investments that are included in this bill, I want to especially thank Chairman RICHARD SHELBY, of Alabama, for all of his work on this bill. It has been a real joy to work with him. We have disagreed on a few things—don't get me wrong—and I am sure we will continue to do so, but we have known one another for many years. We respect one another, and we are determined that this critical bill is going to be part of the success report that comes out of the Senate as we break for the Labor Day recess.

Chairman SHELBY has been receptive to many suggestions and comments, and I have tried to do the same when he has made some ideas a part of his proposal in this bill. I want to commend him for all of his work to get the appropriations process on track, not just on this bill but on the others as well. We stand a real chance in the Senate of sending most appropriations bills to the President before the end of the fiscal year the last day of September—a feat that has not been accomplished for the defense budget in 10 years.

To Chairman SHELBY's great credit, he understands that moving this Defense appropriations bill along also means moving other appropriations bills with it. While there may be tough votes coming up, we have come a long way to reestablish regular order in the last few months, and I am happy to be a part of this bipartisan solution. I hope the House will come back soon and join us in this effort. We would love to see them again.

Now, let me say a word about the other appropriations bill that is part of our package on the floor. This bill, the Labor-HHS-Education bill, includes funding for the National Institutes of Health. For the past 6 years, I have made this the focal point of my work here in the Senate. I don't take particular credit for the results, but I have done my darndest to encourage my colleagues on both sides of the aisle to make this a priority, and I am happy to report they have.

For the fourth year in a row, Congress is on track to provide the National Institutes of Health with funding increases of at least 5 percent in real growth—a $2 billion increase in this bill. In the fiscal year 2019 Labor, Health and Human Services, and Education appropriations bill before the Senate, we will help to ensure that our Nation's best and brightest medical researchers have the funding they need to conduct research on the diseases and conditions that impact every single American.

NIH researchers are currently trying to develop cures for cancer, to figure out developments to delay or prevent the threat of Alzheimer's, and to help better those living with heart disease or diabetes.

Between 2010 and 2016, the Food and Drug Administration approved 210 new drugs in that 6-year period of time for treatments in the United States. Every single one of these new drugs was developed with funding by the National Institutes of Health.

I hope, as we move forward to conference with the House on this bill, that we can include at least a 5-percent funding increase for the Centers for Disease Control and Prevention, as well as other agencies that allow America to literally lead the world in medical innovation.

This bill provides $3.7 billion for the prevention and treatment of the scourge of opioid addiction. It will help our Federal agencies to respond better to this ongoing public health challenge. It includes provisions I requested to help the CDC address the toll of violence in the city of Chicago and assist with the Legionnaires' disease outbreak in Quincy, IL. It rejects President Trump's efforts to slash the Federal-Work Study Program and includes an increase in the maximum Pell grant of $100. It includes $5 million for the Open Textbooks Pilot Program, helping college students across America with the exploding cost of higher education.

It is a good bill, and I want to commend Senator PATTY MURRAY of Washington, the Democrat, and Senator ROY BLUNT of Missouri, the Republican, for crafting the bipartisan fiscal year 2019 Labor, Health and Human Services, and Education appropriations bill. I do think we should be addressing the skyrocketing drug costs that every single

American is well aware of. It is something we all talk about, but the underlying bill doesn't address it. I filed a bipartisan amendment with my friend and colleague from Iowa, Republican Senator CHUCK GRASSLEY, to improve price transparency and direct-to-consumer drug advertising.

If I ask you whether you have seen any ads for drugs on television and you answer no, then, I know automatically that you don't own a television because the average American sees a drug advertisement about nine times a day.

Why do the drug companies spend so much money advertising on television in the United States? Doesn't every other country do the same? No. It turns out that the United States and New Zealand are the only two countries that allow pharma, drug companies, to advertise their products on television directly to consumers.

Why would pharma spend $6 billion a year on advertising so many different ways for Americans to buy these drugs? Because it is profitable. Americans, finally, after the fifth, sixth, seventh, or eighth time they have seen it can not only pronounce but even spell Xarelto. When they go to the doctor's office, they say: Doctor, maybe I need a little different blood thinner; maybe I need Xarelto.

Xarelto turns out to be the brand name of a very expensive prescription drug.

What about the drug Humira? How many ads have you seen for the drug Humira? You can't escape them. It is the most advertised treatment on television. Humira was designed to deal with rheumatoid arthritis, a very serious illness that many Americans face. Then, they found out that Humira might have some value when it comes to something called psoriasis. What is psoriasis? It is the red patch on my elbow.

They said: You know, you ought to consider Humira to deal with psoriasis.

Here is a Humira ad. Here is the one thing they don't disclose about Humira on the ad. It costs $5,500 a month. I would like to have perfect skin on my elbow—but at a cost of $5,500 per month? Would you think twice about asking for this drug from your doctor if you knew that it was going to cost this much? Of course you would.

Senator GRASSLEY and I have a simple amendment. The drug companies that want to advertise on television ought to advertise the price of their product or treatment as well. Pharma hates this idea like the devil hates holy water. The notion of actually disclosing what these drugs cost would not only give you a jolt—as you hear $5,500 a month for Humira—but it would also dramatize the increases in drug costs that we see happening all of the time.

Senator GRASSLEY and I have an amendment before this Senate that is going to call for the disclosure of drug pricing. Don't you think the American people deserve this information?

Guess what. Look at the passenger side behind the driver's seat in your car. Look at the window. There is a little disclosure about exactly what you should have to pay for that car. But when it comes to paying for prescription drugs, pharma doesn't want to tell you. They want you to finally face it at the cash register.

I think Americans have a right to know earlier and more about the cost of these prescription drugs. Seventy-six percent of the American people, incidentally, agree with that position.

This amendment is bipartisan and is supported, incidentally, by 76 percent of Americans, the American Association of Retired Persons, the American Medical Association, and—hold on to your hat—President Donald Trump supports this provision as well.

We have an amendment that is bipartisan and is supported by the administration, which should be included in this bill, which will move us toward price disclosure. I think it is overdue.

We also need to increase the funding for the Centers for Disease Control's work on congenital heart disease, the most common and deadliest category of birth defects.

I will be filing an amendment to increase the funding for this program from $4 million to $7 million—a modest amount in a bill of billions of dollars but one that would help 2.4 million Americans living with congenital heart disease.

STUDENT LOAN DEBT

Madam President, I also plan to file 2 amendments to help some of the 44 million Americans who are struggling with student loan debt by bringing sanity to the way student loans are treated in bankruptcy.

Unlike most types of debt, student loans are extremely difficult—almost impossible—to discharge in bankruptcy. Why? There are two reasons. A debtor has to meet a high bar of showing ''undue hardship'' in order to get student loans discharged, and the Department of Education pays private contracting firms to fight the students tooth and nail in court if they try to seek a discharge of their student debt because of undue hardship.

My amendments would bar the use of Federal funds to pay these contractors who contest undue hardship claims in bankruptcy court when the claims are brought by certain student debtors.

Listen to the categories of people we have included in this amendment, people I think would be deserving of discharge of their student debts in bankruptcy court: No. 1, veterans who have been deemed unemployable because of a service-connected disability; No. 2, family caregivers of veterans or of the elderly or disabled family members; No. 3, people receiving Social Security disability whose only income is Social Security payments; and No. 4, borrowers who have finished school but have spent at least 5 years at a low income of less than $24,000 a year.

Those are four of the categories of people we think deserve a break when it comes to student loan debt. I hope my colleagues will join me in helping disabled veterans and their caregivers and the others included in this amendment.

A second amendment would focus exclusively on disabled veterans and family caregivers.

Finally, I will file two amendments to protect students from our Secretary of Education, Betsy DeVos. Secretary DeVos is planning to repeal or rewrite Obama-era borrower defense and gainful employment rules that help students and taxpayers avoid being cheated by for-profit colleges and universities.

Do you want to know the story on for-profit colleges and universities? You need to know only two numbers: only 9 percent of all post-secondary students attend for-profit schools—University of Phoenix, DeVry, and similar schools; 9 percent of students go to that type of school, yet 33 percent of all student loan defaults are from students who attend these for-profit schools. Why—9 percent of the students, 33 percent of the student loan defaults? There are two reasons. No. 1 is they charge too darn much. They are dramatically more expensive than other alternative education at the higher education level. Secondly, their diplomas aren't worth the paper they are written on. These students learn after they graduate that they can't get a job to pay back their student loans.

So I think in this situation Secretary DeVos is doing exactly the wrong thing. She is not holding these schools accountable. She is making it tougher for the students who are lured into their traps to get relief. I am pleased that many of my colleagues have joined in this effort. The Secretary of Education should not roll back important protections for students and taxpayers, and the Secretary should not eliminate Federal student debt relief for borrowers defrauded by predatory for-profit schools like Corinthian and ITT Tech. It is my hope that these amendments will be included in the final bill.

Madam President, once again, the Senate is considering bipartisan appropriations bills. These bills may not include everything I want or everything other Members want. They are good compromises, which I plan to support.

I yield the floor.

I suggest the absence of a quorum.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

NOMINATION OF BRETT KAVANAUGH

Mr. SCHUMER. Madam President, today, President Trump's nominee for the Supreme Court will be making the rounds in the Senate. I will be meeting with him this afternoon. Several members of the Judiciary Committee will be meeting with him over the course of today and the rest of the week, as will some other Members.

I hope he comes prepared to answer direct questions about his writings,

speeches, opinions, and judicial philosophy. The nominee has weighed in on a number of legal issues publicly and in his role as a circuit judge. There is little reason why he should be unable to answer direct questions about his judicial philosophy, his record, and already decided cases.

I also hope that he is willing to shed some light in the areas in his record that remain opaque. The Senate and the public have been able to see only a tiny fraction of the nominee's extensive written record because, unfortunately, the Republican majority continues to block access to the great bulk of these documents. I will ask our Republicans: What are they hiding?

We did make a little progress last night after the Parliamentarian ruled that the rules of the Senate allow every Senator to see the committee documents. Chairman GRASSLEY graciously agreed that any committee member could see them without muss or fuss. So we very much appreciate that.

The next Supreme Court Justice, whether it is Judge Kavanaugh or not, will have immense influence over the lives of every American for generations to come. Most Americans think this is sort of an abstract or political argument. It is not.

The actual rulings of Kavanaugh will affect just about everyone's life in America in very significant and material ways. The next Supreme Court Justice may someday determine whether the President must comply with a duly issued subpoena. The next Supreme Court Justice may someday soon determine whether Americans with preexisting conditions will be able to afford healthcare. The next justice someday soon may determine just how much States can restrict a woman's constitutionally guaranteed right to make her own medical decisions, to say nothing about labor rights, civil rights, voting rights, environmental protections, and more.

All of these things, part of the wellspring of America, are affected by the Supreme Court's rulings. As we know, Judge Kavanaugh will be a crucial vote on just about every one of those issues with the 4-to-4 division on the court today.

Judge Kavanaugh, in his meetings with Senators today and the days ahead, has a responsibility—a responsibility—not to duck, not to hide behind false legal shibboleths or say: Oh, I just can't discuss this; a case might come before me. He has a responsibility to inform the Senate as to his beliefs and philosophy so that the Senate can conduct its constitutional duty to advise and consent.

HEALTHCARE

Madam President, on another matter, it seems that every day we read about a new danger to our healthcare system caused by President Trump and his party in Congress. Only a few days ago, it was announced that the court case that concerns the constitutionality of protections for Americans with preexisting conditions, Texas v. United States, will begin on September 5.

Remember, President Trump's Justice Department has refused to defend protections for preexisting conditions in court. What an abomination. Just about every American has someone in their family—many in their immediate family—who has an illness. Someone might have diabetes. Someone might have asthma and, God forbid, something worse. Those are preexisting conditions. That family will not be able to get health insurance. That family risks that their present insurance will expire and they will not get anything new.

This administration is trying to take away that protection so important to so many Americans. That is what is happening, so Senators MANCHIN and CASEY have introduced a resolution asking the Senate legal counsel to step in to defend the law since the administration will not. I hope we get a vote on that resolution soon. I don't see how anyone couldn't be for it.

Sadly, the Justice Department's decision to abandon protections for preexisting conditions is far from the only example of President Trump's repeated sabotage of our healthcare system. Over and over again, he has tried to undo the healthcare Americans have without even understanding what he is really doing.

On day one, President Trump issued an Executive order aimed at the healthcare law. It was the very first thing he did. He then proposed legislation with congressional Republicans to repeal the healthcare law, devastate Medicaid, and eliminate protections for tens of millions of people with preexisting conditions. That failed, but congressional Republicans managed to repeal the coverage requirement in their tax bill, of all places, and put nothing in its place, causing unnecessary premium increases across the country.

Americans know, as their premium increases gallop upward, that it is Republicans in the Senate and President Trump in the White House who have caused this to happen. Now he continues to do that. He has expanded the availability of junk insurance plans that bait Americans in with lowest rates while providing only the flimsiest of coverage.

Again, if these junk insurance plans become the law, the rule, the mode, so many people will lose their ability to protect themselves when they have preexisting conditions.

These actions by President Trump, aided, abetted, and encouraged by congressional Republicans who either agreed with him or failed to challenge him meaningfully, have had devastating results for so many Americans.

Premiums have risen by double digits in a bunch of States, the direct result of Republican sabotage. And the insurers themselves—they are the ones who have raised the rates, but they say: Hey, it is Republicans in the House, Senate, and the White House who are causing it. Those insurance industries don't tend to favor Democrats, but they have to protect themselves and their clients.

Prescription drug costs continue to rise. After promising tough action on prescription drugs, the President and congressional Republicans have hardly lifted a finger. The United States is now last—dead last—among industrialized nations in maternal mortality. The United States is the only industrialized country in the world with rising maternal mortality rates. Despite all of our advances in genetics, nutrition, and surgery, the United States is getting worse at caring for mothers. We should hang our heads in shame about that. We should do something about it.

Come on, Republican colleagues. Your voters are no different from our voters and independent voters. They care about good healthcare at an affordable cost. Please, do something about it. Join us.

But instead of grappling with these problems and proposing solutions, President Trump and congressional Republicans just launch attack after attack after attack on our healthcare system, particularly women's health. That worked in the 2016 campaign because they said that they had a plan to replace it with something better. No plan—no plan emerged. And it is not working for them now. It is just not working for them.

The American people overwhelmingly prefer Democrats to Republicans on healthcare, and healthcare is the No. 1 issue in State after State after State. So for their own political benefit, Republicans in the Senate and in the House ought to wake up—wake up—because the old playbook that may have worked in 2014 and 2016 when you weren't in charge—it was a Democratic President and a Democratic Senate for part of that time—ain't no more. You are in charge, and you put nothing in its place—nothing. There is just negativity.

In poll after poll after poll, the American people say that healthcare is the No. 1 issue. They don't want to go back to a time before we offered protections for Americans with preexisting conditions. They don't want to go back to a time when insurance companies charged women and seniors and older Americans more for the same exact coverage. They don't want to go back to a time when insurance companies could deny maternity care, mental health treatment, prescription drug coverage, and more, but that is where President Trump and our Republican colleagues want to take us. I say to all those blue-collar folks who voted for President Trump: He promised you better healthcare. Is he delivering it? Go look at your bills. Go look at healthcare. If he is not, maybe you will help bring some change to Washington—real change—so that your

healthcare costs will be lower and your healthcare will improve.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Madam 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. ALEXANDER. Madam President, the Senate has developed a bad habit. That bad habit is treating Presidential nominees as innocent until nominated. I hope to see better behavior during the next few weeks as the Senate begins hearings on President Trump's nomination of Judge Kavanaugh to be a member of the U.S. Supreme Court. Instead of treating Judge Kavanaugh as someone recently released from San Quentin prison, I hope we treat him with dignity and respect so Americans can better understand his temperament, his intelligence, and his character. That is what we should want to know about a Presidential nominee for the Supreme Court.

The current rudeness is a recent phenomenon. Historically, Senators have recognized that bipartisan approval of qualified nominees helps improve the esteem of the Court. It confirms its impartiality. It strengthens it as an institution. For example, conservative Justice Antonin Scalia was confirmed unanimously by this body even though he was perhaps the most conservative Justice on the Court. On the other hand, Justice Ruth Bader Ginsburg was confirmed with only three votes against her even though she may arguably be the most liberal Justice on the Court. Both were obviously well qualified, of good character, high intelligence, and good demeanor, and therefore the Senate—unanimously in one case and with only three ''no'' votes in the other case—confirmed the President's nominees.

More recently, half the Democratic Senators voted to confirm President Bush's nominee Chief Justice John Roberts. In 2014, I voted to confirm President Obama's nominee, Sonia Sotomayor, not because I agreed with her but because I thought she was obviously well qualified for the position.

Some Senators insist that Judge Kavanaugh should tell them how he might decide a case. That reminds me of a story from Senator Howard Baker, the former majority leader of the U.S. Senate, who was a practicing lawyer in the mountains. He said he was once before a mountain judge who told the lawyers right before the case: ''Boys, just give me a little bit on the law. I had a telephone call last night, and I pretty well know the facts.'' Judges aren't supposed to decide a case in advance. That is why we have judges—to create an impartial judicial system.

Justice Ginsburg said during her confirmation that she would give ''no hints, no forecasts, no previews'' of what her legal views might be if she were to be confirmed. This rule is now known as the Ginsburg rule. Justices are supposed to follow the law and decide cases when the cases are presented, not before Justices are confirmed or while they are being confirmed.

Of course, a Justice's opinions and decisions can be surprising. That has been true throughout the history of the Supreme Court. President Franklin D. Roosevelt was often surprised by Justice Felix Frankfurter. Justice Scalia once ruled that a government ban on flag-burning violated the First Amendment. Scalia also said that ''the judge who always likes the results he reaches is a bad judge.''

In 2006, I voted for Judge Kavanaugh when he was President George W. Bush's nominee for the U.S. Court of Appeals for the District of Columbia Circuit.

Last month, I attended President Trump's nomination of Judge Kavanaugh at the White House. It is said that you only get one chance to make a first impression, and Judge Kavanaugh certainly took advantage of his one opportunity that night.

I was again impressed with Judge Kavanaugh when I visited with him in my office a few weeks ago. We discussed federalism, how to strengthen the Supreme Court as an institution, and other matters. Never once did I ask him how he might vote on a particular case.

I will not announce how I will vote on his nomination until the hearings are complete. Some Democratic Senators have already announced their opposition to Judge Kavanaugh. I wonder, why have a hearing? Why ask for more records to examine if you have already decided how you are going to vote?

During my 8 years as Governor of Tennessee, I appointed probably 50 judges. In doing so, I looked for the same qualities I will look for in considering the nomination of Judge Kavanaugh: intelligence, character, temperament, respect for the law, and respect for those who come before the Court. I did not ask one applicant to be a Tennessee judge, of that entire 50, how he or she might rule on abortion or immigration or taxation. And political party membership was far down my list of considerations when I had the job, as the chief executive of a State, of appointing judges.

I hope the Senate will return to the practice of inquiring diligently about the qualifications of a nominee, about intelligence, about character, about temperament, and get away from this bad habit of treating Presidential nominees for the Supreme Court as if they had just been released from San Quentin and as if they were innocent until nominated.

I thank the President.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3829

Mr. ENZI. Mr. President, I rise to offer an amendment aimed at helping to ensure the integrity of the budget enforcement process in future years. Before I do so, I would like to again acknowledge the hard work the Appropriations Committee has put into the fiscal year 2019 spending bills.

We have made significant progress so far this year, particularly considering that this is the first Labor, Health and Human Services, and Education appropriations bill to be brought to the Senate floor for amendment in nearly 11 years. I commend the committee and its leaders for their efforts and the spirit of cooperation that has made this feat possible.

As it stands now, this appropriations bill is subject to a point of order under section 314 of S. Con. Res. 70, the fiscal year 2009 budget resolution authored by former Democratic Senator and Budget Committee chairman Kent Conrad. That point of order aims to prevent mandatory spending increases on appropriations bills. My amendment remedies this violation while maintaining the proposed increase to the maximum award.

The amendment I am offering relates to the budgetary effects of the substitute amendment's proposed increase to the maximum discretionary Pell Grant award for the award year 2019–2020.

If anybody has been able to follow that so far, you ought to be on the Budget Committee. Now I am going to give a lot more detail that will be equally as difficult, because it needs to be a part of the record to show why we need the amendment that I am talking about in order to avoid a point of order and to get the increase for this year that is being requested.

As former chairman of the HELP Committee, I understand how important Pell Grants are in making college more affordable and accessible, especially for students from my home State of Wyoming. That is why I want to be very clear that my amendment would not cut Pell Grant funding for the 2019–2020 award year or prevent future increases in the maximum annual award. My amendment simply deals with how we account for such increases in the Federal ledger.

First, a little background may be helpful on the Pell Grant program, which has one of the most complicated funding profiles in the entire Federal budget. The Pell Grant program is funded by a mix of annual discretionary appropriations, a so-called mandatory add-on award, and a permanent mandatory funding stream. My

amendment deals with the interaction between the discretionary and the mandatory add-on funding streams.

Each year, the Appropriations Committee includes a provision in the Department of Education spending bill specifying the maximum discretionary Pell Grant award for the upcoming award year. The substitute amendment would increase that maximum award for the award year 2019–2020 by $100 to $5,135. CBO estimates that this change, which follows a $175 increase to the maximum award provided in fiscal year 2018, will increase mandatory spending on the add-on by $39 million in fiscal year 2019. It is pretty complicated. There are a lot of dollars, a lot of different places.

Even though the substitute specifies the maximum discretionary award is $5,135 for award year 2019–2020, under scoring rules—that is how we keep track of how much money we are going to owe—the CBO has to assume this maximum award extends through 2028. That means the $39 million annual mandatory cost of this provision also extends through 2028, giving it a 10-year score of $390 million. The substitute amendment includes an offset for the $39 million cost in the first year but leaves the remaining $351 million in mandatory spending scored to the fiscal year 2019 bill unpaid for. Again, under scoring rules, once that $350 million in estimated future spending is incorporated into the baseline, it will not be subject to budget enforcement in future years and will never need to be paid for. That is a problem we face regularly around here, and this is the problem my amendment aims to address.

My amendment would maintain the maximum discretionary award for 2019–2020 to $5,135, preserving the $100 increase proposed by the Appropriations Committee, while it would prevent the estimated $351 million increase in estimated future year spending from being rolled into the baseline where it could escape enforcement or even notice in future years. It would require Congress to offset future mandatory spending increases just as the substitute amendment would do for the first year. If we can do it now, we should be able to do it in the future.

Let me repeat. My amendment would not reduce the maximum Pell grant for the 2019–2020 award year or prevent future increases to the maximum award. In fact, it would maintain the proposed increase to the maximum Pell grant for the 2019–2020 award year.

Let me repeat. As it now stands, this appropriations bill is subject to a point of order under section 314 of S. Con. Res. 70 of the fiscal year 2009 budget resolution, which was authored by former Democratic Senator and Budget Committee Chairman Kent Conrad and passed. That point of order aims to prevent mandatory spending increases on appropriations bills. My amendment remedies this violation while maintaining the proposed increase to the maximum award.

This is just a good-government amendment, and I urge my colleagues to support it. Let's not be spending into the future until we know where the money is coming from. Let's go ahead and make the award for this year, and let's find a way to pay for it next year.

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. 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.

Mr. BLUNT. Mr. President, this is the first time in 11 years that the chairman of the Labor, Health and Human Services, and Education Subcommittee has had a chance to stand on the floor and present a bill. It is a subcommittee that I am honored to chair. As a subcommittee member, I am honored to get to serve on that committee with the Presiding Officer. It is a subcommittee that is led on the other side by Senator MURRAY from Washington, the ranking member on this committee.

This is not a bill that either Senator MURRAY nor I would have drafted on our own, but our job was not to draft a bill that I thought was the perfect bill for me to vote for or the perfect way for all of these agencies to be run. There is a reason that this bill has not been on the floor in 11 years. It is big. It is complex. It can be contentious. But Senator SHELBY, the chairman of the full committee, and Senator LEAHY, the lead Democrat on the full committee, have made an incredible, good-faith effort to come to the floor with a bill that focuses on how we spend the money.

There is not much new in this bill about all of the things we could try to determine about social policy and about issues that all of us feel strongly about, but there are other committees whose principal job is to do that. Our committee's principal job is to decide how we establish the priorities for the country and how we spend the money.

Senator MCCONNELL and Senator SCHUMER have also both had to agree that if we are going to get these appropriations bills on the floor, if we are going to have all of the Members of the Senate—for the first time, in the case of this bill—get a chance to debate this bill for the first time in 11 years, that is not going to happen if we try to have a big authorizing bill and a big appropriating bill all wrapped into one.

I see the ranking member has come to the floor right after I praised him and Senator SHELBY for the unique leadership they have had that has allowed us to get this bill on the floor.

This bill deals with everything from medical research to home energy assistance, to employment opportunities, training programs, and Pell grants for people who are trying to go to college who don't have the resources that would allow them to do that otherwise. It is the largest of the nondefense discretionary bills. About 30 percent of all of the nondefense spending is in this one bill.

We take that bill and add it to the defense spending bill, and suddenly we are looking at roughly 62 percent of all of the spending of the Federal Government. That still sounds like a pretty big bill, but it is the first time in the case of the Labor, Health, Human Services, and Education Subcommittee—and then we have that unique add-on, ''and Related Agencies,'' just to get the footprint even a little bigger—in over a decade that Members have been able to come to the floor and say: No, we would like you to spend the money here rather than here.

By the way, as the Presiding Officer understands, to do that, that Member also has to say: Here is where we are going to take the money from to pay for it.

So it is not just on the floor and you get to make up all of the spending you want to that those of us on the appropriating committee didn't have a chance to do. There is still a finite amount of money.

So for the Presiding Officer's amendment, the Kennedy amendment, which will be offered right after we finish this morning's discussion and go to votes, he had to come up with an amount of money to pay for that.

I am fully supportive of the amendment that he and Senator REED came up with to deal with the pressing issue of suicide prevention and the disturbing suicide rates. In my State of Missouri, suicide rates have increased by 36 percent above where they were in the year 2000—a 36-percent increase. Too many of those are our veterans. Too many of those are people who serve on the frontlines of homeland security, police, and veterans. All of that is something we need to look at. Here is the Presiding Officer's opportunity, which he took, to say: No, I think there is a better way to spend some of this money than how the committee spends it. That is what we missed for the last 11 years, when 69 of the Senators didn't have any say as to what the 31 of us who serve on the Appropriations Committee need to debate and talk about.

So we now bring this bill to the floor. There were 6,164 ideas that came to Senator MURRAY and me—6,164 Member requests of ideas as to how this could be the best possible bill. I think most of those are reflected in what we did.

In this bill, we talk about fighting the opioid epidemic. We talk about promoting college affordability, strengthening the workforce, and having people better prepared for the jobs that are out there to be filled than they would otherwise see.

Now, both sides would approach drafting this bill differently. We would both start out with some significantly different sets of priorities. We have

been able to reach an agreement that neither of us would have drafted on our own, but that is not the job that we were given. We have been able to present a bipartisan bill to the full committee and have that bill referred out of the full committee with 30 ''yes'' votes and 1 ''no'' vote, and now we are bringing that bill to the Senate floor.

It represents a compromise on both sides. It represents taking a step back on issues that authorize on both sides, which we can deal with at a later time. I certainly appreciate not just the leadership of Senator LEAHY and the leadership of Senator SHELBY but also the leadership of Senator MURRAY in helping to determine what those priorities would be and should be.

I see Senator LEAHY is standing on the floor, and I am glad to yield to him for a comment.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I just wanted to applaud what the Senator from Missouri just said. He has had a lot of experience in the other body and here in the Senate. He and I have been here since a time when we actually voted on these bills and got them done.

I note that he has been a tremendous help in getting us this far. For Senator MURRAY, because of a very necessary absence, I will manage her part of this bill when it is up. She has worked very hard on it. As the Senator from Missouri just said, regarding the vote we had in the Appropriations Committee, keep in mind that appropriations goes across the political spectrum of both parties, and we reported this bill out of the committee with broad bipartisan support. I commend Senator SHELBY too.

We are opposed to authorizing legislation on the right or the left, unless there is total agreement with everybody, because we want to get these bills done. We still have to go to conference with the House when they come back in a few weeks. We want to have a solid vote here.

So I thank the Senator from Missouri for the work he has done. We are getting somewhere, and as someone who has been here for a long time, I am rather happy to see that.

I yield the floor.

I thank the Senator for yielding.

Mr. BLUNT. Mr. President, I thank the Senator from Vermont for his leadership. Again, this is the first time in over a decade for the 69 people who aren't on the Appropriations Committee to get to come to the floor and offer amendments and think about what this bill does.

Let's talk about some of the things it does. We worked really hard over the last 4 years to do the kinds of things we ought to do in healthcare research. This bill, for the first time, reaches a long-held goal of the national plan to address Alzheimer's disease, of getting those annual research dollars up over $2 billion—in fact, $2.34 billion, exceeding what had been a long-term goal. The goal should not be how much money we spend. It should be finding a way to solve this problem. This is a significant increase over last year. It quadruples where we were 4 years ago. We spent 277 billion tax dollars a year on Alzheimer's and dementia-related care. A lot more private money is spent than that—three times that amount in private money—and there is lost work as caregivers step back to help people with these terrible diseases of dementia and Alzheimer's. But here is $277 billion. So this bill does about 1 percent of that in research to try to solve a problem that taxpayers are overwhelmed by. It is a problem that by 2050, if we don't find a solution, we will be spending about twice today's defense budget on Alzheimer's care, twice today's defense budget—$1.1 trillion of today's dollars being spent on Alzheimer's care if we don't do what we need to. This is the only leading cause of death that doesn't have a treatment, doesn't have a cure, doesn't have a way to prevent it, and, obviously, the right kind of discovery, the right kind of medical advancement that can change the lives of millions of American families now and in the future if we do this.

I am pleased to see we are making that investment. I am also pleased to see that after a 12-year period, when there wasn't any increase in healthcare research spending at all, we continue to find money, in many cases by eliminating programs that weren't working, to where we had a 30-percent increase in NIH funding over the last 4 years. What a 4 years to be doing that—understanding the things we know now about the human genome, understanding how each of us is different than all the rest of us and that, in fact, each of us has a different capacity to fight disease than any other person does. If you can figure out how to maximize that, such as things like immunotherapy in cancer, where many cancers that 5 years ago were largely untreatable—and if they were treatable, they were treatable with radiation and chemotherapy—are now treatable by just simply figuring out how, in your own system, you can maximize your ability to fight back. That is the NIH healthcare research kind of victory we need to now continue to find out why it works on some cancers and why it doesn't work on others.

This kind of research and commitment to NIH not only helps individuals and helps families but, frankly, at a time when healthcare is dramatically changing, has the ability to help our economy. The economy that figures out new ways to be in this healthcare fight is also going to be the economy that has the job opportunities and the transformational opportunities to be part of that.

Not only are we looking at healthcare research, but we are also looking at research as it relates to the opioid epidemic. The opioid cost to the economy is now anticipated to be about $500 billion a year in lost work time and other costs related to the opioid epidemic.

This bill provides a significant, targeted opioid funding. This is the fourth year in a row we have increased our funding. Again, this is only the second time we have had any more money to do it with. We have had to look at programs that weren't working and cut, reduce, and combine those programs to fight back on the opioid epidemic, which is now, and for a couple of years has been, the No. 1 cause of accidental death in the United States. It is the No. 1 accidental cause of death in my State of Missouri. The 73,000 people who died last year with overdoses exceed the number of people who died in car accidents, which for decades had been the No. 1 cause of accidental deaths until opioids replaced it.

We have $1.5 billion available for State opioid response grants. Understanding that every State is different, and frankly the more things we try to do in different ways, the more likely we are to find the things that work. We have that.

There is more money for community health centers to expand behavioral health and substance abuse disorder services. There is an increase in the ability to improve surveillance and prevention efforts in the illicit drug space or the drug abuse space, more money to research pain management. Part of the NIH money, at half a billion dollars, is designed to find more ways to research for better pain management and better ways to, if you have become addicted to drugs and opioids specifically, end that addiction in an effective way. There is more money for the hardest hit rural communities. Some of our Members have advocated strongly for a drug problem that is more of a rural drug problem on a per capita basis than it is an urban drug problem.

There is more money for children and families who are put at risk by opioids. I saw a news report just this week focusing on kids being raised by their grandparents because their parents wound up with an opioid addiction problem that drove their life in a way their children were not only in danger and ignored but had to go somewhere else.

This bill prioritizes education programs through a student's life, focusing on programs that provide the most flexibility for States and communities that meet the needs of families, children, and their workforce in their State.

There are increases for Head Start, increases for title I support for low-income schools to help them meet academic challenges. There is more money to meet the goal the Federal Government set decades ago, where individuals with disabilities are assisted within the school context, as the Federal Government determined they had to be, but the Federal Government has been wanting and coming up with the money that was committed to do that

decades ago. We continue to make steps in the right direction there, and I think there are substantial steps in this bill.

There is flexible spending so schools can look at more science, math, and STEM education, more computer science education, and more ability for schools to take some of their funds and look at school safety. Nobody wants to see kids go to school in an environment that is not as safe as we can possibly make it. This allows more flexibility for local administrators and local school boards to decide how they are going to meet that school safety need.

We looked at impact aid, charter schools, and programs that create both competition and fairness in a way I think people we work for will like.

This bill maintains the significant investments made last year on college access. The best way to minimize college debt is to get done, finish. Year-round Pell is something we returned to after several years of having only the normal traditional school year Pell. Year-round Pell is maintained in this as part of our Federal commitment to have people going to school. If you are an adult going back to school, if you are somebody who is a first-time college attender in your family, if, for whatever reason, you are paying for your own school, the most likely way to get done is don't interrupt a pattern that is working. This bill allows that to continue.

We also do things that I think better prepare our workforce for the workplace. It is a bill to look forward to working with Members to see how it can be improved, just like the amendment we will be voting on soon that deals with suicide prevention in ways Senator KENNEDY and Senator REED have suggested, and I support.

With that, I will conclude my remarks.

I ask unanimous consent that there be 2 minutes of debate, equally divided in the usual form, prior to the vote on the Kennedy amendment.

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

Mr. BLUNT. I yield the floor.

VOTE ON AMENDMENT NO. 3773

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the amendment No. 3773.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

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

Mr. DURBIN. I announce that the Senator from Washington (Mrs. MURRAY), the Senator from Hawaii (Mr. SCHATZ), and the Senator from New Mexico (Mr. UDALL) are necessarily absent.

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

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 188 Leg.]

YEAS—95

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

NOT VOTING—5

McCain	Schatz	Udall
Murray	Toomey	

The amendment (No. 3733) was agreed to.

VOTE ON AMENDMENT NO. 3703

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to the vote.

The Senator from Louisiana.

Mr. KENNEDY. Mr. President, my amendment No. 3703 is pretty straightforward. It would increase funding for the National Suicide Prevention Lifeline by an additional $2.8 million.

It is a bipartisan amendment. It is fully offset. It is not adding money to the budget. I think it will do a great deal to make sure that anyone battling depression knows there is someone out there who is listening. Our National Suicide Prevention Hotline, as you know, supports the national network of local crisis centers. To date, they have answered more than 10 million calls from people in distress, and they estimate that over the next 4 years, they will take 12 million calls. We underfund them. It is embarrassing how much we underfund them.

Again, this will add an additional $2.8 million to their budget, and it is fully offset.

The PRESIDING OFFICER. Who yields time in opposition?

Mr. REED. I yield back.

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

All time is yielded back.

Mr. KENNEDY. 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 question is on agreeing to the amendment.

Under the previous order, the question now occurs on amendment No. 3703.

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 Arizona (Mr. MCCAIN) and the Senator from Pennsylvania (Mr. TOOMEY).

Mr. DURBIN. I announce that the Senator from Washington (Mrs. MURRAY), the Senator from Hawaii (Mr. SCHATZ), and the Senator from New Mexico (Mr. UDALL) are necessarily absent.

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

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 189 Leg.]

YEAS—95

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

NOT VOTING—5

McCain	Schatz	Udall
Murray	Toomey	

The amendment (No. 3703) was agreed to.

RECESS

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

Thereupon, the Senate, at 1:14 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2019—Continued

The PRESIDING OFFICER. The Senator from Idaho.

NOMINATION OF BRETT KAVANAUGH

Mr. CRAPO. Mr. President, I rise to speak about the President's nomination of appellate judge Brett Kavanaugh to serve as an Associate Justice of the U.S. Supreme Court. On July 9, President Trump announced his selection of Judge Kavanaugh to be the 114th Justice in our Nation's proud history.

For a practicing lawyer, serving on our highest Court is the pinnacle of achievement, and nomination to the Bench is testament to a distinguished legal career. When we imagine a Supreme Court Justice, we think of respected jurists, well-steeped in legal questions, rigorous in attention to detail, respectful of traditions, faithful to the law, awed by the recognition of the proud and profound responsibility wielded, and fair to all involved. Our legal system requires it, and the American people value it among their highest ideals of government.

Throughout our history, the central tension of our Republic can be defined as the exercise of government power versus liberty. Each expands at the expense of the other. Finding a way for both central authority and individual freedom to coexist and support each other remains our biggest challenge and will remain so long into the future.

To preserve the limits on an ever-expanding Federal Government, our Founding Fathers conceived of a system of interlocking powers that support each other but serve as a necessary restraint against tyrannical behavior of any. We all know it as the principle of separation of powers, with each of the three branches acting as a check on the others.

The Constitution's appointments clause defines one of the most consequential duties of our Federal Government, and it illustrates the working application of the checks and balances dynamic.

Article II, section 2, clause 2 of the Constitution provides that the President ''shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the Supreme Court'' and others. This provision interlocks the executive branch with the legislature. Neither can succeed without the other. At its best, this is a partnership functioning well. At its worst, either side can deny the other's success.

One popular but misguided criticism made of Judge Kavanaugh centers around his academic study of the separation of powers in our Federal system. In one scholarly writing, he explores the legal structures of our government and the dangers presented by over-politicizing the relationship between the branches. He describes the enormous challenges faced by President Clinton and President Bush in carrying out their constitutional duties while political difficulties swirled about them and the impact that had on the efficient administration of government.

Much hyperbole has been spoken about Judge Kavanaugh's keen observations. Whether you find yourself on the political right or the left, few would dispute his central point—that a government system rendered inoperative benefits no one. To quote Alexander Hamilton in Federalist Paper No. 70, ''A feeble Executive implies a feeble execution of the government.'' Judge Kavanaugh offers a number of options for the political branches of government to explore and points out the pros and cons of them. The opposite view held by Judge Kavanaugh's critics is, then, by extension, the status quo of Washington's dysfunction.

As a jurist, in his legal opinions, Judge Kavanaugh has consistently demonstrated a willingness to reign in both Congress and the Executive when they overstep their constitutional bounds. In a town where acquiring power seems ingrained, having a judge committed to preserving the constitutional function of each branch cannot be overstated. Yet some would have you believe that Judge Kavanaugh's understanding of the proper operation of our system of government is a threat to the very Republic and disqualifying to serve on our highest Court. I disagree. His analysis is insightful and should be eagerly embraced by civic students throughout the country.

In the weeks since President Trump nominated Judge Kavanaugh for the Court, special interests have kicked into overdrive, peddling one imagined conspiracy after another. Variously, I have heard people suggest that Judge Kavanaugh is a threat to the people of every race, creed, gender, and age. Some have even unleashed prophecies of biblical gloom and doom awaiting the confirmation of a Justice Kavanaugh. Still others have called on opponents of Judge Kavanaugh's to use every possible tool to stop his confirmation, including the extreme step of shutting down the government should things not go their way. So, facing a nominee with impeccable credentials, opponents must imagine a boogeyman. Fortunately, people see past those attacks because they are the same attacks they lobbed when President Bush nominated Justice Souter and when President Reagan nominated Justice Kennedy.

Failing at that, some opponents of Judge Kavanaugh's are hoping to demand an endless stream of documents to delay confirmation proceedings indefinitely. These opponents claim that the process is unfair and lacks transparency, when in reality the opposite is true.

As Chairman GRASSLEY of the Judiciary Committee so eloquently pointed out at a recent Senate Judiciary meeting, none of these criticisms hold any weight.

There will have been 57 days between the announcement of Judge Kavanaugh's nomination and the date of his confirmation hearing—a longer period than Senators had for Justices Sotomayor, Kagan, and Gorsuch. Judge Kavanaugh has submitted more than 17,000 pages with his bipartisan Judiciary Committee questionnaire, which is the most extensive questionnaire ever sent a nominee. The committee has also received hundreds of thousands of pages of documents from Judge Kavanaugh's service in the executive branch. This, too, is already more than any Supreme Court nominee before him, and documents are continuing to be sent to the committee for review. Chairman GRASSLEY is working tirelessly to make the vast majority publicly available as quickly as possible, and I appreciate and applaud his transparency.

I recognize the politics and the purpose behind these creative but misguided attacks, and so does the American public.

Judge Kavanaugh's experience and legal background are not in dispute. His readiness for the Supreme Court is not contested. His law clerks vouch for him. Lawyers who argue before him commend him for his judgment, his fairness, and his temperament. His peers admire and respect his intellect and draw regularly from his opinions. In short, he is a judge's judge. In fact, nearly every one of his former clerks signed a letter extolling the qualifications that he has, his virtues, and his temperament. So widespread was the support of their former mentor that only those who were prohibited by their employer from signing were left off.

Newspaper editorial boards from across the country have endorsed his nomination. Here are just some of the dozens of glowing testimonials about Judge Kavanaugh:

The Wall Street Journal:

> Judge Kavanaugh has an exemplary record that suggests he will help to restore the Supreme Court to its proper, more modest role in American politics and society. . . . He has the experience and intellect to be a leader on the Court, not merely a predictable vote on this or that issue.

The Detroit News:

> Brett Kavanaugh's credentials, his commitment to judicial independence, his unassailable character, his record as a judge dedicated to the Constitution and his likability should overwhelm the Senate skeptics who will be tempted to oppose him simply because he was appointed by Trump.

The Richmond Times-Dispatch:

> If one were to create an ideal resume for the position of Supreme Court justice, it would not look terribly different from Brett Michael Kavanaugh's curriculum vitae. President Trump's nominee to replace Justice Anthony Kennedy is more than qualified for the job. . . . Indeed, Kavanaugh's qualifications are impeccable—unfortunately, that won't stop him from being lambasted by the opposition on the left concerned about his conservative values.

The Las Vegas Review-Journal:

> Judge Kavanaugh is imminently accomplished. . . . Judge Kavanaugh is firmly in the judicial mainstream, although Democrats will no doubt try to twist him into a rabid, dangerous extremist. He is, in fact, a

constitutionalist who believes that judges should follow the nation's founding document rather than interpret law to achieve desired ends.

The Lowell Sun in Massachusetts:

What Democrats cannot question is Brett Kavanaugh's credentials. . . . After all the drama and histrionics, sensible Democrats should put politics aside and vote to make him the ninth member of the Supreme Court.

Judge Kavanaugh is one of the most qualified nominees ever for the Supreme Court. He has been nominated to succeed Justice Kennedy, a man for whom he once clerked and called a ''mentor.'' With over 300 authored opinions and 12 years of service on the bench, he is a judge with a clear record demonstrating that he applies the law as written and enforces the Constitution. He values precedent and wrote, along with Justice Gorsuch and others, ''The Law of Judicial Precedent,'' a scholarly piece on the importance of stare decisis.

Many critics argue that a Justice Kavanaugh would likely be the key to unlocking any number of Supreme Court precedents. I wonder, though, how many have actually read this book and understand that he is someone who has given exhaustive and weighty consideration to important legal questions. But we should take him at his own words:

The judge's job is to interpret the law, not to make the law or make policy. So read the words of the statute as written. Read the text of the Constitution as written, mindful of history and tradition. Don't make up new constitutional rights that are not in the text of the Constitution. Don't shy away from enforcing constitutional rights that are in the text of the Constitution.

Judge Kavanaugh is a respected jurist with a sterling reputation for intellectual rigor and attention to legal detail. He understands the proper role of a judge in our legal system—to fairly interpret the law, not create it. He thinks deeply about the legal questions before him and strives to build consensus on the court.

As stated by his former law clerks, ''Judge Kavanaugh never assumes he knows the answers in advance and never takes for granted that his view of the law will prevail.'' He actively solicits views from all sides of the argument—all the better to form a lasting and well-reasoned opinion.

I look forward to the Senate Judiciary Committee's upcoming hearings, when the public can hear directly from Judge Kavanaugh, in his own words, the proper role of a judge in our legal system. I am confident Judge Kavanaugh will demonstrate the rigorous intellect, the fealty to law, and the judicial temperament that have long defined his career on the bench.

Thank you.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. YOUNG. 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. YOUNG. Mr. President, I rise today to speak about Judge Kavanaugh, President Trump's second nominee to serve on the Supreme Court of the United States.

Judge Kavanaugh's qualifications are undeniable. He has proven over the last 12 years on the U.S. Court of Appeals for the D.C. Circuit that he is well qualified for this next step in his career.

I had the opportunity to sit down with Judge Kavanaugh in my office just last month. He struck me as a man of great character and integrity. He answered questions directly. He spoke forthrightly. He demonstrated, at once, a strong intellect and a deep humility. He had a wide-ranging conversation with me on issues that are important to the people in my home State of Indiana, including his approach to faithfully interpreting the Constitution of the United States.

As a D.C. Circuit judge, he has carried out his duties faithfully and consistently. He has shown by the record that he understands that the judge's role is to apply the law as it is written; it is not to impose his own policy preferences. He is what you might call a textualist when interpreting statutes, meaning he adheres strictly to the law as it is written. He is an originalist as well, meaning he carefully reviews the history of our Framers when interpreting the Constitution. This is an approach he frequently lectures and writes about as a guest lecturer at Harvard and other top law schools, including Notre Dame Law School back home in Indiana where he gave a guest lecture on his jurisprudential approach in February of 2017. It is also worth noting, it was Supreme Court Justice Elena Kagan who hired Judge Kavanaugh to teach at Harvard when she was the Harvard Law School dean. Justice Kagan clearly thought highly of the Judge's reputation and credentials—so highly, in fact, that she hired him to help shape the minds of Harvard Law School students.

In his writing, Judge Kavanaugh reminds us that federalism and the separation of powers ''are not mere matters of etiquette or architecture, but are essential to protecting individual liberty.''

Judge Kavanaugh has also exhibited a willingness to rein in administrative agencies when they exceed their authority under the law. He has consistently held that international laws do not govern national security matters if Congress has not adopted them as domestic law.

After carefully reviewing Judge Kavanaugh's record, I am confident he will be faithful to the Constitution and preserve the integrity of the Supreme Court.

I have to say, Judge Kavanaugh is more than just a highly respected jurist. He is more than an eminently qualified legal scholar and a mind that is well suited for the Supreme Court. He is also a father, a husband, a coach to his two daughters' basketball team, and a man of impeccable character.

Earlier this month, a group of more than 30 parents sent a letter to the Senate Judiciary Committee praising Judge Kavanaugh's character. The judge's two daughters are students at Blessed Sacrament School in Washington, DC, and the judge is the girls' basketball coach. The parents wrote: ''Brett Kavanaugh has been a devoted coach and mentor to our daughters.''

They continued: ''In addition to his long list of professional and academic accomplishments—we hope that the Committee will also consider Brett Kavanaugh's contributions as a volunteer youth basketball coach—and the service, selflessness, dedication, and commitment his coaching exhibits.''

In 2 weeks, the Senate Judiciary Committee will begin its confirmation hearing for Judge Kavanaugh. He is one of the most qualified nominees to ever come before the U.S. Senate, and when all is said and done, the Judiciary Committee will have reviewed more records than ever before for a Supreme Court nominee.

The importance of protecting individual liberty cannot be overstated. I am pleased we are considering the nomination of someone who, by word and deed, has committed himself to preserving freedom.

I look forward to watching Judge Kavanaugh's confirmation hearing, and after conducting a thorough and objective review of his nomination, I am confident Judge Kavanaugh will be an excellent addition to our Nation's highest Court.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I note my colleagues have come before me to discuss the nomination of Brett Kavanaugh to fill the vacancy on the U.S. Supreme Court after the retirement of Justice Kennedy.

I checked, just to make sure I understood the section of the Constitution. It is article II, relative to the President's powers, which talks about the power of the President to fill that vacancy on the Supreme Court, subject to the advice and consent of the U.S. Senate. One hundred U.S. Senators ultimately have the last word on any nominee. I am fortunate to serve on the Senate Judiciary Committee, where we get the first chance to review any nominee and take a look at their background and vote as a committee before the matter is brought to the floor of the U.S. Senate.

I have listened to my colleagues who support Judge Kavanaugh ascending to the bench and to a lifetime appointment to the highest Court of the land. I am troubled by one particular aspect of this nomination. It is different than

any nomination to the Supreme Court in the history of the United States in this respect: This President made it clear that any person who wanted to be eligible for the U.S. Supreme Court needed to pass a clearance by two organizations. One is called the Federalist Society and the other is the Heritage Foundation. Both of these are conservative organizations which reviewed all of the potential Supreme Court nominees and produced a list of 20 or more men and women who would be eligible for the Supreme Court by their judgment.

Is their judgment important? I will point to one fact in history which illustrates. When Neil Gorsuch was considered by President Trump to serve on the Supreme Court and fill the vacancy of Antonin Scalia, he was not notified by the White House. The White House called the Federalist Society head, Leonard Leo, and asked him to call Mr. Gorsuch and tell him the good news. So to say that the Federalist Society and the Heritage Foundation played a critical role in the selection of a nominee is an understatement. If you don't clear their background test, their litmus test, you cannot be considered by the Trump administration for the Supreme Court.

That is offensive to me. We don't see any reference to the Federalist Society or the Heritage Foundation in the U.S. Constitution. There is a clear reference to a President elected by the people of the United States, but to give to any special interest group, right, left or center, that kind of authority is way beyond what our Founding Fathers imagined would be this process for selecting someone for the Supreme Court.

Then it gets even more complicated. Before we consider a nominee for the Supreme Court, we have to carefully review their records. It takes time. Literally, scores of lawyers sit down and go through the published opinions and speeches and other documents which evidence a person's background, and when it comes to Brett Kavanaugh, it is an extensive background. He has had a role at the highest levels of the Federal Government for years: Ken Starr's Office of Independent Counsel, the Bush v. Gore lawsuit that went down to the State of Florida and beyond.

The cases he was involved in as a member of the court are pretty obvious and published, but many of his other activities—particularly in the White House when he served as Staff Secretary to the President of the United States—were extensive. For a 3-year period of time, for 35 months, he was the gatekeeper in the White House as to the documentation the President would receive and read. It involved a pretty massive amount of time and documentation on all of the major issues facing the Presidency for almost 3 years. Should we take a look at it? Is it worth our investigation and inquiry into what Mr. Kavanaugh said and did during those years?

Well, there was a time here when Republicans thought it was not only important but essential when it came to a nominee named Elena Kagan. Elena Kagan had never served on the Federal judiciary. She was nominated by President Obama. At the time, the ranking Republican on the Senate Judiciary Committee, Jeff Sessions of Alabama, insisted on the full documentation of her role in the White House, and the Democratic Senator, PATRICK LEAHY of Vermont, joined him in making that request. As a result, 170,000 pages of documents were produced because of the request made by Senator Sessions and Senator LEAHY. It was a bipartisan request. It established a standard.

The same standard was applied for Democratic nominee Sonia Sotomayor. Documentation had to be presented to the committee and carefully reviewed before there was a vote on whether that person would serve in a lifetime appointment to the highest Court in the land.

Most of us assumed, at that point, that it was a settled practice in the U.S. Senate Judiciary Committee when it came to the documentary proof we would ask for when nominees came before us for the Supreme Court. We thought that, but we were wrong because when the Republicans took control, everything changed. It changed, of course, with Antonin Scalia's vacancy as a result of his untimely death—a vacancy President Obama sought to fill during his last year in office. He ended up nominating Merrick Garland, a DC Circuit Court judge of impeccable credentials to fill the vacancy. Many Republicans in the Senate refused to even meet with Merrick Garland, let alone consider him and vote on him. So, for a whole year, the vacancy continued at the Supreme Court while the Republicans broke Senate tradition and refused to consider President Obama's nominee.

Then came the election of Donald Trump, the nomination of Judge Neil Gorsuch, and the process went forward to fill the vacancy the Republicans had kept open for more than a year before Neil Gorsuch was finally voted on by the U.S. Senate.

So here came the second vacancy under the Trump administration—a vacancy created by the retirement of Justice Kennedy—and the question was obviously asked: What standard will you use for asking for the documentary evidence of the person's background in public service?

Many of us assumed it would have been the same standard that was pushed by Senator Sessions, a Republican of Alabama, and Senator LEAHY, a Democrat of Vermont. We were wrong. Instead, what the Republicans said is, we are going to have a new rule when it comes to Republican nominees from the Trump administration in the case of Judge Brett Kavanaugh, and that new rule said we will not ask for documentation for the 35 months when he served in the White House as the closest adviser to the President of the United States. I can tell you there were a myriad of issues that were considered by the President in that period of time, and Brett Kavanaugh, then assistant to the President, was involved in these decisions. We will not know what he said or did because the Republicans have refused to ask for the documentary evidence of his time there.

There is more to the story. The Republicans decided, for those documents they might consider asking for, they would have a final filter, and the final filter is a man named Burck, who has served as an attorney for not only President Bush but also in the past for Steve Bannon. Does the name ring a bell? Steve Bannon of Breitbart News. Burck has served as his counsel and was a deputy to Brett Kavanaugh in the White House.

Mr. Burck is literally going through Kavanaugh's documents from his time in the White House Counsel's Office to decide which ones will be given to the Senate Judiciary Committee to consider. So it means he is the filter of things he doesn't want us to see and he doesn't want the American people to see. This Republican advocate attorney is going to be a decisionmaker when it comes to whether we can see documents that were produced by Brett Kavanaugh when he served in the White House Counsel's Office.

It gets even worse. It turns out, those documents, which he preclears for us to read in the Senate Judiciary Committee, are subject to some sort of committee confidentiality. I have served on the Senate Judiciary Committee for a number of years, and I know there are documents which are considered somewhat committee confidential, but it is rare, and it is usually a case you wouldn't argue over; classified information, for example. In this case, these Republicans on the Senate Judiciary Committee will be the final, final filter as to whether the American people will know the background of Brett Kavanaugh.

Why is there so much secrecy here? Why wouldn't these documents be made public? Well, let's look back in time. When Elena Kagan was asked to produce her documents from the time when she served in the White House, she produced every one of them except those that were personal and private. On how many of those 170,000 pages did she assert executive privilege and say: I can't produce them? None. Every single document was turned over to the Senate Judiciary Committee.

Now, when it comes to Brett Kavanaugh, I can't tell you what is going on here. There is a concealment which is impossible to explain. What would we find in those documents that have been carefully screened by Mr. Burck and then again by the Senate Judiciary Committee Republican majority?

I am concerned about it because this is a lifetime appointment to the highest Court in the land. We know the

Court is carefully divided. It is legitimate for us to ask the questions about Judge Kavanaugh's background because of our constitutional responsibility to advise and consent, but we can't ask those questions if they don't produce the documents, and that is where we are today.

So my colleagues can come to the floor and talk about Judge Kavanaugh's record leading up to this nomination. They are limited in the information they have been given, and the limitations are unprecedented in the U.S. Senate.

The Republicans, when it comes to the Supreme Court, just rewrite the rules. Merrick Garland, President Obama's nominee: Sorry. No thanks. We are not interested in interviewing him or even considering him for that appointment. When it came to this judge, Judge Kavanaugh, the ordinary production of documents, by a standard established by the Republicans and Senator Sessions, is being ignored now when it comes to the nomination of Brett Kavanaugh. We will be given limited information because of this process and have to do our best to carefully review this nominee before he is considered for this lifetime appointment to the highest Court in the land.

I yield floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from South Dakota.

Mr. THUNE. 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. THUNE. Mr. President, when it comes to deciding whether to confirm a Supreme Court Justice, there are two important questions: One, is this person well qualified? And, two, does this person understand the proper role of a judge?

When it comes to Brett Kavanaugh, the answer to both questions is yes. I don't need to tell anyone how qualified Judge Kavanaugh is. He is a graduate of Yale Law School and a lecturer at Harvard Law School. He has extensive legal experience in government and private practice, and he has spent the past 12 years serving on the Court of Appeals for the DC Circuit, sometimes referred to as the second highest court in the land.

His opinions have been endorsed by the Supreme Court more than a dozen times, and they are regularly cited by courts around the country. In short, he is eminently qualified to be a Justice on the Supreme Court.

But being qualified, while essential, is not sufficient. A Supreme Court Justice also needs to understand the proper role of a judge, and that role is to interpret the law, not make the law; to judge, not legislate; to call balls and strikes, not rewrite the rules of the game.

Judge Kavanaugh understands this. He understands that as a Supreme Court Justice, his job will be to rule based on the facts of the case, the law and the Constitution, and nothing else, not his personal opinions, not his political feelings, not his beliefs about what the law should be—just the plain text of the law and the Constitution. And that makes Judge Kavanaugh exactly the kind of judge that all of us, Democrats and Republicans alike, should want on the Supreme Court—the kind of judge who, in the words of Judge Kavanaugh, will decide cases ''without regard to policy preferences or political allegiances or which party is on which side in a particular case.''

Of course, that is not the kind of Justice Democrats are looking for. They don't really want an impartial Justice. They want a Justice they can rely on to rubberstamp Democratic policies. So even before President Trump had named a replacement for Justice Kennedy, Democrats were already signaling their intention of rejecting anyone the President put forward. One Democrat Senator formally announced his opposition to the President's nominee the morning of July 9, before the President had actually nominated anyone.

Since Judge Kavanaugh's nomination, Democrats have tried to make a case against Judge Kavanaugh, flinging up accusations in the desperate hope that something will stick. Needless to say, they haven't had much luck. It is difficult to argue that a judge like Judge Kavanaugh isn't eminently suited to serve on the Supreme Court.

Democrats are also doing their best to delay the proceedings by making outlandish demands for documents relating to Judge Kavanaugh's time in the White House. Apparently the up to 1 million pages that the Judiciary Committee expects to receive from Judge Kavanaugh's time in the executive branch and his circuit court confirmation aren't enough, even though it could be more than the amount of material received for the last five Supreme Court nominees combined. Let me repeat that. One million pages that the Judiciary Committee expects to receive from Judge Kavanaugh's time in the executive branch and his circuit court confirmation are more than the amount of material received for the last five Supreme Court nominees combined.

One also has to ask why Democratic leaders feel the need to see any material for Judge Kavanaugh, given the fact that they have already made up their minds to oppose him.

Of course, it is not about the material. We all know that. Democrats aren't really interested in reading every email that happened to be copied to Judge Kavanaugh. They just want to delay his nomination.

It would be nice if Democrats would abandon their partisan opposition to Judge Kavanaugh and take a serious look at this superbly qualified nominee. Unfortunately, I expect the political posturing to continue, but we will continue to move forward with the confirmation process to deliver another outstanding Justice to the Supreme Court.

ECONOMIC GROWTH

Mr. President, the good economic news continues to pour in. The economy grew at an impressive 4.1 percent in the second quarter of this year, bringing economic growth for the year so far up over 3 percent. Unemployment dropped to 3.9 percent in July, which is close to an 18-year low. Worker pay and benefits are increasing at the fastest pace in a decade. Consumer confidence is at a nearly 18-year high. Disposable income, which is income after taxes, is up 3.5 percent this year. And small business optimism is at a record high.

In short, Republican economic policies are working, and I don't need to tell anyone that economic growth lagged during the Obama administration. Recovery from the recession was historically weak, and some economists were predicting that 2 percent growth would be the new normal.

But Republicans disagreed. We didn't think American workers should have to resign themselves to permanently sluggish economic growth and the diminished opportunities that come with it. We knew that American innovators and job creators were as creative and driven as ever, but we also knew that American businesses, large and small, were weighed down by burdensome regulations and an outdated tax code that discouraged growth. So over the past year and a half, the White House and Republicans in Congress have focused on removing obstacles to economic growth. We have reduced burdensome regulations, and in December, we passed historic, comprehensive tax reform legislation.

Before that bill passed, before the Tax Cuts and Jobs Act passed, the Tax Code was not helping businesses grow and create jobs. In fact, it was doing the opposite, and that had real consequences for American workers.

A small business owner struggling to afford the hefty annual tax bill for her business was highly unlikely to be able to hire a new worker or to raise wages. A larger business struggling to stay competitive in the global marketplace while paying a substantially higher tax rate than its foreign competitors too often had limited funds to expand or increase investment in the United States.

So we took action to improve the playing field for American workers by improving the playing field for businesses as well. We lowered tax rates across the board for owners of small and medium-sized businesses, farms, and ranches. We lowered our Nation's massive corporate tax rate which, until January 1, was the highest corporate

tax rate in the developed world. We expanded business owners' ability to recover investments they make in their businesses, which frees up cash that they can reinvest in their operations and their workers. And we brought the U.S. international tax system into the 21st century so that American businesses are not operating at a disadvantage next to their foreign competitors.

Now we are seeing the results: stronger economic growth, as I mentioned—4.1 percent in the second quarter of this year, giving us an annual growth rate of over 3 percent. That is something we haven't seen in quite a while. Low unemployment—we are seeing the lowest unemployment numbers, literally, in the last 18 years. The number of jobless claims is the lowest in 40 years. There are better wages and benefits. We are seeing companies large and small across this country increasing wages and the benefits they pay to their employees. Wages, as I mentioned earlier, are up—the highest level increase in wages in a decade. And, as I said earlier, disposable income is up 3.5 percent since the first of this year. All of this has happened since tax reform passed last year. One and a half million new jobs have been created since the passage of tax reform, and that means more opportunities for American workers.

I am proud of the progress we have made in getting the economy going again, and I am going to go keep working with my colleagues, hopefully on both sides of the aisle, to expand economic opportunities for Americans even further.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

OPIOID EPIDEMIC

Mr. PORTMAN. Mr. President, I would like to agree with my colleague from South Dakota, who has talked about the importance of the tax relief and regulatory reform and what that has meant for our economy. We are growing at rates that some have said were impossible. People said: Well, you just have to get used to the new normal. We are going to have the economy grow at 1 or 2 percent. It was 4.1 percent last quarter, and it looks as though we are going to continue to see strong growth. That is because of policies that were enacted here, and I think they are making a difference.

I am going to talk about something today that actually is making it more difficult to find the workers to be able to get that economy moving forward the way all of us would like to see because as we have lower unemployment, as we have a growing workforce, we are seeing a number of Americans who are out of the workforce altogether.

There is some new data from the Department of Labor and from the Brookings Institution, some studies that have shown that between the opioid epidemic—which is heroin, prescription drugs, now this new fentanyl—and other issues, there are people who are not showing up even to apply for jobs. They are not even showing up in the unemployment figures, and they are at historically high levels—8½ million men between the ages of 25 and 55, so able-bodied men between 25 and 55. This recent study from both the Department of Labor and from the Brookings Institution shows that almost one-half of those men acknowledge taking pain medication on a daily basis. In one of the studies, when pushed, two-thirds of those men said that they were taking prescription drug medication on a daily basis. Think about that. This is shocking: 8½ million men out of work between the ages of 25 and 55—about one-half of them are saying that they are taking pain medication on a daily basis; two-thirds are taking prescription drugs. That is not overreported. In my view, that is underreported because there are legal issues involved with the opioid epidemic. Also, there is a stigma attached to the addiction.

So in order to fully take advantage of this growing economy—and my colleague is absolutely right about that—we have to deal with this opioid epidemic.

I will tell you something that is even more tragic is that the Centers for Disease Control just came out with a new report last week talking about what is happening around the country, and it was another year of tragic results for American families, for communities represented by Members all across the country here in the U.S. Senate.

This was the Centers for Disease Control. The new report shows that last year—they just got the final numbers for it—the number of people who overdosed and died from the opioid crisis that we have was greater than the year before, not just at record levels but at levels that really create this epidemic level. Seventy-two thousand Americans died of overdoses last year.

This is the map that shows where it is, and it is all over our country. There were a couple of States that made some progress. Those are the States in purple here. But in all of these other States, you actually see an increase—overall a 9-percent increase in overdose deaths in our country from 2016 to 2017. The problem is not getting better; it is getting worse.

My own State of Ohio increased 9.5 percent from 2016 to 2017. Sadly, that puts Ohio third in the country for total drug overdoses and fourth nationally for the number of overdose deaths per capita, per 100,000 residents.

Seventy-two thousand Americans dying of overdoses—that is more than the deadliest year for car accidents or gun deaths ever. Now, 72,000 Americans died last year by overdose. That is more than the total number of American casualties in the Vietnam war. Remember that this is just 1 year—just last year. Overdoses are now the top cause of accidental death in the United States and the No. 1 cause of all deaths for all Americans under the age of 50.

The most recent CDC report illustrates something a lot of us already knew. This is a national crisis, and it is gripping every single State represented in this Chamber. By the way, this is despite a lot of good work that has been done by this body, by the House, and by the administration.

Over the last couple of years, Congress has taken on this issue. We passed legislation that is helping. One of the pieces of legislation is called the Comprehensive Addiction and Recovery Act, or CARA legislation, which I coauthored with a colleague on the other side, SHELDON WHITEHOUSE. The other one is called the Cures Act, which is funding going directly to the States. By the way, Ohio just got another $26 million this year from the Cures Act, and we are putting it to work. In the appropriations bill that is before this body now in the Labor-HHS bill, we again provide funding for the CARA legislation, which does funding directly to groups that are doing a good job on prevention, education, treatment and recovery. It also helps our firefighters and other first responders with the miracle drug Narcan that they need to reverse the effects of an overdose. It is all good, and it is working.

I was recently back home and had a chance to visit, as I do regularly, some of the institutions and some of the entities that are using this funding. Just to give an example, I went to a town called Whitehall, outside of Columbus, OH. We had a roundtable at a fire station, and I got to see what is going on. They are taking this grant money and training their EMS personnel—the firefighters and paramedics—to be able to handle people coming in who are addicted and get them into treatment. This firehouse has opened up its doors, no questions asked. If you come in there, they will get you treatment.

While I was there, coincidentally, a young man showed up. He had been through treatment three times, and it hadn't worked for him. He said he was ready—ready to go. He was shaking and he was nervous, but I watched the firefighter deal with him. They spoke to him, and I spoke to him.

I saw him get into the ambulance and go to another entity that is called the Addiction Stabilization Center in downtown Columbus, which is also doing innovative work and is also funded by these programs, in this case with the Cures Act funding. It is an old hospital they converted into a 50-bed treatment center with an emergency center.

So people can come in from the street, and they have a place to go into treatment immediately. It takes away the excuse. They have about an 80-percent rate of people getting into treatment. That is incredibly high.

One of the big problems with the current crisis is that people who are addicted and who overdose and are saved by this miracle drug Narcan, which reverses the effects of the overdose, typically then go right back into the same environment. How do you get them

into treatment? How do you get them back on track? How do you keep them in treatment? How do you ensure that treatment is successful? That is what the CARA and Cures legislation is helping to do.

I will say that despite the positive stories back home, despite the additional effort we have put in, still there is this data from the Centers for Disease Control and Prevention showing that last year was worse than the year before. Why is that so despite the efforts in Congress and at every level of government?

In all of our communities something is being done. People are starting to step forward. The private sector is starting to get more engaged. That is all good.

I think the primary reason for this is because of the rise of a particular drug—the new scourge. It is the synthetic form of opioids. Just as we were making progress in reducing some of these overdoses and deaths and dealing with the terrible consequences of the opioid epidemic, what happened? We saw a steep increase in a new drug coming into the market. It is more deadly—50 times more deadly than heroin—and it is relatively inexpensive. That is a fatal combination for thousands of our constituents who are dying every year now from the fastest growing and deadliest drug in this epidemic—fentanyl.

This breaks down the types of drugs and the type of drug and the increase or decrease. The one trend that stands out, as you see here, is the growth in synthetic opioids.

In fact, with regard to other drugs, including heroin, you can see a slight decrease—basically, a flattening. For other opioids, there is an increase and, then, a slight flattening. With regard to synthetic opioids, there is a steep increase, and there is a steep increase recently.

Last year there were 30,000 overdose deaths from synthetic drugs like fentanyl. That is up from approximately 20,000 overdose deaths from fentanyl the year earlier. So there are 10,000 more deaths from fentanyl between 2016 and 2017.

To give you an idea of how rapidly this drug is infiltrating our country, in 2013 there were about 3,000 fentanyl overdose deaths nationally. This means that from 2013 to 2017, there has been an 850-percent increase in overdose deaths due to fentanyl.

Last year, fentanyl was involved in more than 60 percent of the 48,600 overdose deaths that the CDC says were from opioids. In my State of Ohio, we think that is consistent. We think it is over 60 percent, or closer to two-thirds.

Looking at the new data coming in this year from Ohio from the various health departments around the State and from our coroners, it looks like it is an even higher percentage in 2018.

When I am home I hear about this a lot. People come up to me and tell me stories that will break your heart about family members. I have had two tele-townhall meetings in the last month, and both of these involved thousands of Ohioans. People aren't selected for anything other than that they get a phone call and they are asked if they want to talk to their Senator. We pick up the phone and we have 15,000 to 20,000 people on the call, and in both of these last two tele-townhall meetings, somebody called in with a very similar story—a tragic story about the pain and suffering they experienced from a loved one passing away from a fentanyl overdose.

Pauline from Zanesville called in, and she told me her brother had recently passed away. She wondered what we were doing about it. Sam from Shelby County called at the next townhall meeting and told me that his son had tragically overdosed from fentanyl and died. By the way, in both of those cases, they didn't mention that up front. They called and had a discussion with me about some policy issues, and it just kind of came out. Their voices cracked. You could tell when they are overcome with emotion at the end of our conversation. They said: Well, my son—in this guy's case—just died from an overdose of fentanyl.

By the way, in both cases, the brother and the son did not know they had taken fentanyl. They didn't know they had used fentanyl. In one case, with regard to the brother, he thought it was only cocaine that he was using. Instead, it was laced with fentanyl. In the other case, it was heroin, and the person had shot up heroin before and been successful in not dying of an overdose, at least, but in this case fentanyl was laced in the heroin.

Now I tell you this because this new deadly drug is not just about pure fentanyl. It is about evil dealers and drug traffickers actually mixing the fentanyl with other drugs as well. When the coroners' reports come in, often they are finding out it is fentanyl, not the drug the person thought he or she was taking. I had first responders telling me that somebody wakes up and says: Thank you for saving my life on this Narcan. I am OK now.

Unfortunately, that is not what you hope would happen. You hope they will say: I want to go into treatment.

But they wake up, after having been saved by Narcan, and they say: I don't know why I overdosed, because I wasn't taking a strong drug.

They are told: Well, this tested for fentanyl.

They say: Well, I wasn't taking fentanyl.

That is because now any street drug—any street drug—that is taken has the risk of containing fentanyl, which can be deadly.

I hope people who are listening today tell everyone they can think of—at work, in their family, people in the community—just to be sure that this message is getting out. This is a new and deadly threat out on our streets, and it can be in any drug.

We want to turn the tide in this drug epidemic that is depriving the people I represent and the people represented by this Chamber of their God-given purpose in life, whatever it is. It certainly isn't to overdose and die from opioids. We have to confront much more aggressively this rise of fentanyl. This is the reality. None of us wish it were, but it is.

Shockingly, when you do research on this, you will find out that these synthetic drugs come into our country from other countries directly through the U.S. mail system. That is what law enforcement folks have told us—shocking. It is not mostly coming from any place except foreign countries sending it through the U.S. mail system. That is where the majority of this is coming from.

We looked into this issue on the Permanent Subcommittee on Investigations. I chair that subcommittee. We spent 18 months studying this. We found out how easy it was to purchase fentanyl online and have it shipped to the United States of America. We learned through this 18-month undercover investigation that these drugs can be found through a simple Google search and that overseas sellers essentially guaranteed delivery if the fentanyl was sent through a Federal agency—the U.S. Postal Service.

We found out from talking to law enforcement and our own research that this drug is primarily coming from China—one country—where there are scientists and chemical companies that are putting together this deadly mixture and are sending it to our shores.

Why do the traffickers prefer the U.S. Postal Service? Because it has lower screening standards than the other private carriers. International packages that enter the United States are subject to screening. Every private entity—such as FedEx, UPS, DHL, or others—has to provide law enforcement with advanced electronic data as to where the package is from, what is in the package, and where it is going. With that data, they can use big data from around the country and around the world, including from intelligence sources, and they can help to identify suspicious packages. Otherwise it is like finding a needle in a haystack.

The post office, by the way, brings about 900 million packages a year into the country. It is like finding a needle in a haystack, unless you have that information in advance and electronically. It allows Customs and Border Protection, which are doing the best job they can, to identify those suspicious packages, to stop them in transit, to keep these synthetic drugs out of our communities, and to stop the poison.

I have seen them in action. I have visited the Customs and Border Protection port of entry and have seen how they can get packages. They have to take these packages into a sealed room that has adequate ventilation, and they have to wear protective gear to be

able to even open these packages because this stuff is so deadly.

I have been to Columbus, OH, and I have seen there, in one of these distribution centers for one of the private carriers—not Customs and Border Protection—people putting their lives on the line for us and finding deadly packages and taking them offline to avoid this poison coming into our community. Law enforcement, as you can imagine, is desperate to stop these deadly drugs from reaching our shores in the first place. That is the best way to stop it. They need this critical information in advance to be able to do that.

Why doesn't the post office do it? Because we haven't required them to. By law, after 9/11, we have required all private carriers to provide this information. Frankly, we were more focused on explosives than we were on contraband such as drugs. But we didn't require the U.S. Postal Service. Instead, we said: Study this issue and get back to us.

That was 16 years ago. For the last several years, some of us have been pushing the U.S. Postal Service hard on this, and unfortunately, some still continue to oppose this effort to provide 100 percent electronic data.

Because of congressional pressure, they have recently been getting more data on some of these packages. Based on testimony before our subcommittee, last year the Postal Service received electronic data in advance on about 36 percent of the packages that came in, meaning that the United States received more than 318 million international packages with no or little screening.

Even when the post office conducted these pilot programs to screen for the drugs to get to the 36 percent number, 80 percent of the time they presented the packages to Customs and Border Protection and 20 percent of the time they did not present the package. So only 30 percent of the time was screening being provided, and still in 20 percent of those cases, they didn't present the packages to Customs and Border Protection. Instead, they went into circulation in our community.

We have a simple solution: 100 percent screening. This is a deadly epidemic.

Can you imagine tens of thousands of people dying from something that comes in from overseas through our own U.S. Postal Service and we are not stepping up to say: Whoa, let's do everything we can to screen these packages. The best monitoring devices, the best information—that is what we are asking for.

The legislation we have is called the STOP Act. It is a bipartisan bill that I authored with my colleague AMY KLOBUCHAR from Minnesota. It closes the loophole from the U.S. Postal Service that drug traffickers are using and exploiting to ship these deadly drugs into our communities. By holding the Postal Service to the same standard as private carriers and requiring them to provide that advance electronic data for all international packages entering the United States of America, we can keep the fentanyl out of our communities.

By the way, talk to your letter carrier about this issue. They will tell you they want to stop this. They don't want to be carrying this poison. The person who walks door-to-door in your community or delivers mail to your post office does not want to have fentanyl in their package. First, it is dangerous for them, but more important to them is that they know what it is doing to our communities. They don't want to be any part of it.

The STOP Act passed the House of Representatives earlier this summer, and more than one-third of the Senators in this Chamber are now cosponsors of this legislation. In my view, it is long past time for the Senate to pass this legislation so that it can become law and begin to make a real difference in our communities.

I would like to thank President Trump for his leadership on this issue. Some of you may have seen yesterday that he sent out a statement—a tweet—supporting moving ahead with the STOP Act because of the scourge of this fentanyl coming into our neighborhoods, coming into our communities, our homes. He recognized the importance of this issue, by the way, and talked about it during the 2016 campaign and has talked about it a lot since then. He appointed an opioid commission to look into this issue. That commission endorsed the STOP Act specifically. I want to thank Governor Christie for working with us on that. That was the final report in November of last year, and still we have not passed it.

On Monday, when President Trump called on the Senate to pass this legislation without delay, I noticed there was more interest and reporters talking about this issue in the halls. I am glad about that. The President is waiting, pen in hand. He is ready to sign the STOP Act. Let's not make him wait any longer.

Last year, an average of 81 Americans died every single day from synthetic opioids. From what I can tell back home, this year is no better and may, in fact, be worse. We can't wait around for this problem to get worse. We can't do nothing. We have to do something. The legislation we passed here to help with prevention, treatment, and recovery is good. It is beginning to work. But we also need to reduce the supply and at least increase the cost of this deadly drug, which is 50 times more powerful than heroin. We need to pass the STOP Act. We need to pass it now so we can make a meaningful difference in combating fentanyl, the new scourge of this opioid epidemic.

I yield back my time.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I ask unanimous consent to speak as in morning business.

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

REMEMBERING ED ROLFS

Mr. MORAN. Mr. President, yesterday, my wife Robba and I attended the funeral services of Ed Rolfs of Junction City, KS. I come today to pay honor to this Kansan, to this great individual, and pay tribute to his contributions to his community and to our State.

Mr. Rolfs was born on December 13, 1924, in Junction City, KS, where he lived his entire life. He attended school there and graduated from Junction City High School. He then attended the University of Kansas for his undergraduate degree and later received degrees from Columbia University and the University of Wisconsin-Madison.

Ed was a lifelong student and was always busy. He was an avid reader and researcher. He studied financial markets and economic trends. He also stuck to his roots as a farmer, and he worked on the family farm until his passing this week.

The community and State know him as a strong supporter of schools and education. He continually supported scholarships and mentored many young men and women in the Junction City area.

He was a banker, and he began his career at the bank his father first started in 1915—Central National Bank. In 1967, Ed was promoted. He was named president of the bank, and he served in that capacity for over 25 years. He saw a great deal of growth and expansion in the bank as it spread into communities across the State and region. He was a president of a big bank, but he was a president of a community bank that had relationships with its customers. The banking community knew him to be a visionary leader, and he was, by many accounts, described as having a brilliant mind. His impact on the bank was more than just the bottom line; he took care and focused on his employees and their success.

Ed was a dedicated member of the Junction City community. Junction City is a community that is surrounded by Fort Riley. It is a community that understands the importance of civic engagement and understands the importance of caring for those who serve our Nation and whose families often remain behind while that service occurs. He was active in his community.

It is what you, Mr. President, and I know about many communities across our States in which people devote a significant amount of their time to making sure that good things happen at home. It is also a generational thing where you see those the age of Ed make certain that their lives are more than just their careers.

Ed had been a member of the Rotary Club since 1950. He joined the Masonic Union Lodge in 1953. He had held the post of president of both the Rotary Club and the Junction City Chamber of

Commerce. He was engaged with the Highland Cemetery Association as president; the Central Charities Foundation, where he was chairman; and he was a treasurer and trustee of the Kansas Council for Economic Education.

I have known Ed for many years. I, as well as those who honored him at his funeral service yesterday, described him as a humble man, despite his many successes, who kept quiet about those accomplishments. Over his lifetime, he received many awards, ranging from the Ernst & Young Entrepreneur of the Year to the Kansas Governor's Art Award in 2007.

He served his country, in addition to his community. It makes us proud that he was a veteran of both World War II and the Korean conflict. He was a 73-year member of the American Legion Post No. 45. Serving and sacrificing for others is simply who Ed Rolfs was.

Ed had a deep understanding of the temporary nature of life. He was a devoted and lifelong member of the First Presbyterian Church, where he served in various roles—as treasurer, member of the choir, trustee, and Sunday school teacher.

A dedicated family man and loving husband, father, grandfather, and great-grandfather, Ed leaves behind his wife, Eunice, of nearly 70 years. I would use this as an opportunity to indicate to my colleagues that Eunice is the daughter of Frank Carlson, former Governor and U.S. Senator from Kansas. They were married for nearly 70 years. He has three children, four grandchildren, and four great-grandchildren.

One of the things I observe in judging a person on their abilities, their character, who they are as a human being, is what their family is like. In any dealings I ever had with Ed Rolfs and his family, I knew he was good at what was really important in life. He raised a good family. He and Eunice raised a good family.

Ed represents the kinds of values on which our State was built. His sense of care and compassion and his service to his community, his country, his church, and his family have made the world and our part of the world a better place. He had a vision for a stronger community and a more prosperous Kansas. He will continue to inspire me personally.

Another observation is that my attendance at the funeral services yesterday caused me to remind myself that you hope the people who come to your funeral service are there because they admire and respect you and honor you and the life you lived. Ed had significant responsibility and a significant position in the community, but it is unusual to see so many people of all ages at a funeral. It wasn't about his position; it was about his relationship with those he knew and cared about.

In the coming weeks, Robba and I will continue to keep Ed and his wife Eunice, along with their family and friends, in our prayers. As they celebrated his life at the funeral services on Monday, may we continue to live our lives in a way that honors the way he lived his life.

May Ed Rolfs rest in peace.

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. INHOFE. 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. INHOFE. After the announcement that was made this morning—it was a great announcement, long awaited—I think it is appropriate that we talk a little bit about it. When Trump withdrew from the Paris Agreement and pulled back from the Clean Power Plan, we heard from the environmental extremists and the liberals declaring that the administration's actions will ''endanger public health, our environment and our economic prosperity.'' That was Governors Brown and Cuomo. They further declared that ''if we don't decarbonize our future, people are going to die.'' People are always going to die. That is what the extremists always say. I guess there must be a population out there that actually believes that.

However, the opposite is happening even without a one-sided international agreement or the punishing Clean Power Plan. In effect, in 2017, the United States led the world in CO_2 reductions, while China and India led the world in increasing CO_2 emissions. How many people know that? All you ever hear about is that we are the guilty one in terms of our emissions. That is not true at all. Just think, both China and India led the world in increasing CO_2 emissions. These are the guys our previous President, Barack Obama, would have us believe were actually making great sacrifices, and here they are leading in increasing CO_2 emissions.

When we passed tax reform, the Democrats claimed we would experience ''Armageddon''—NANCY PELOSI said that—and taxes on middle-class families would increase. As we have seen, tax reform has been a resounding success, with 4 percent unemployment and nearly 4.1 percent GDP growth in the last quarter.

Right after Congresswoman PELOSI made the statement that taxes would increase on all middle-class families, the Washington Post fact-checked the Democratic claims, giving them four Pinocchios, as 80 percent of middle-class families are paying less in taxes. In other words, 80 percent of middle-class families are paying less in taxes now than they were. Yet she was saying that taxes on all middle-class families were going to have to increase.

You hear these things—they can't look at success and see what is happening and really appreciate it without rousing everyone on the other side with extreme accusations. With every Executive order and Congressional Review Act resolution that rolled back regulation after burdensome regulation, we heard that the end of days was coming.

Let's pause here for a minute and see how you get rid of some of these regulations. There are two ways of getting rid of regulations. One is you do it with an Executive order. Sometimes that doesn't work. You can't use an Executive order in certain types of regulation, so you have to go with the Congressional Review Act.

It is kind of interesting because we started the Congressional Review Act over 20 years ago. Prior to this administration, it had been used successfully only once in 20 years; now it happens almost every day.

With every Executive order and Congressional Review Act resolution rolling back the regulations, we heard that the end of the world was coming. You would not know it if you looked at the economy and saw what is happening in this country today with the increases in energy production, manufacturing, consumer confidence, GDP, and job opportunities.

Meanwhile, jobless claims have dropped to a 45-year low—a 45-year low of jobless claims this year—and the Social Security disability claims last year were the lowest we have seen since 2002.

I think it is kind of interesting to go back and look at the fact that we have 4 percent unemployment. For as long as I can remember, I have always considered 4 percent unemployment full employment. There are always going to be some unemployables, but 4 percent is considered to be full employment, and that is what we have.

It is kind of interesting. I was in Texas last week, talking to one of my liberal friends down there. I said: What can you say now? Look at the economy. The economy has never been better.

He said: No, the economy is bad. It is hard to find anyone to work in restaurants anymore.

In other words, we have full employment, but that is supposed to be bad. That is the position we are in right now.

In the last quarter, we had 4.1 percent growth in the economy. Let's stop and think about that. This is something that no one disagrees with. For every 1 percent growth in economic activity, that translates into $2.9 trillion of new income coming into the Federal Government every 10 years.

Let's stop and think about it. We have a President who is trying to undo the damage from the last administration when the military was cut down to the bone and we didn't do anything in the way of infrastructure. This President is committed to that.

People are saying: All right, where is the money going to come from?

There is where it is going to come from. My gosh, if we can average just 3 percent growth—and we have been doing that; we are far exceeding that—that is going to be close to $6 trillion of new funding that will be there for the next administration.

With each action the President takes, we hear that the consequences are going to be dire and that people will die. It is always that people will die. Yet those predictions have never materialized. We have seen the opposite happen.

When it comes to President Trump's pick to replace Justice Kennedy on the Supreme Court, the predictions are just as hysterical. If there is not any logical reason to be against something, they just start name-calling. That is what has been happening.

In a recent speech, Hillary Clinton worried that with the nomination of Judge Brett Kavanaugh, Republicans ''want to turn the clock back . . . to the 1850s.'' That came from Hillary Clinton. Her meaning was very clear. She wants people to believe that Judge Kavanaugh and the Republicans are taking the country back to the days of slavery, despite no evidence to back up this reckless claim. In fact, Republicans want more freedom, not less.

Others are equally as bold in their predictions in saying that his confirmation will be the death—listen to this—the death of millions, that his confirmation will be the destruction of the Constitution, and that his confirmation will usher in the end of civil rights in America and make us complicit in evil. In other words, it will be the death of millions of Americans. Who, logically, can even look at that without smiling and saying that they have to be totally desperate in the accusations they are making against this guy? All of these baseless and extreme attacks on his nomination mean just one thing—that Judge Kavanaugh is an excellent pick for the Supreme Court.

After meeting with him last week, looking into his record, and reading about his character—some of the stories that I have heard from other people—it is clear that he is a solid choice to become our newest Supreme Court Justice. With 12 years on the DC Court of Appeals, Judge Kavanaugh has amassed a record of over 300 opinions, and the worst opposition research we have seen against him so far is that he charged baseball tickets to his credit card and then paid for them.

By all accounts, from those who know him, Judge Kavanaugh is a respected member of his community and of his profession. Professionally, he is known as a serious jurist who studies the law and is evenhanded in applying the law.

In his op-ed for the New York Times, entitled ''A Liberal's Case for Brett Kavanaugh,'' Yale Law professor Akhil Reed Amar made this statement: ''Good appellate judges faithfully follow the Supreme Court; great ones influence and help steer it.'' He was referring to Judge Kavanaugh. By this measure, Judge Kavanaugh has been a great appellate judge.

He ranks second among the current judges who have law clerks who have gone on to clerk for the U.S. Supreme Court. More impressively, the Supreme Court has agreed with the positions that Judge Kavanaugh took in the last 13 of his opinions, adopting his logic in the prevailing opinion before the Court. In other words, they came down on his side in the cases that he had decided in the last 13 of his opinions. Nine of those times, the Supreme Court adopted his dissenting opinion as their majority opinion. In fact, he has been reversed by the Supreme Court only once and only in part.

Of those dissenting opinions by Judge Kavanaugh that the Supreme Court adopted as their own, one of them includes his dissent in Coalition for Responsible Regulation v. EPA, in which he concluded that the EPA defined ''air pollution'' too broadly in its regulations on greenhouse gas emissions. He viewed the Obama EPA's burdensome greenhouse gas regulations for powerplants as exceeding its authority and argued that the courts should ''not lightly conclude that Congress intended'' to ''impose the enormous costs on tens of thousands of American businesses, with corresponding effects on American jobs and workers.'' Again, the Supreme Court agreed with him. They were on his side.

This opinion is also instructive to see his thinking on the proper role of the courts in our system of government. In his opinion, he wrote: ''As a court, it is not our job to make the policy choices and set the statutory boundaries, but it is emphatically our job to carefully but firmly enforce the statutory boundaries.'' This is a consistent part of his jurisprudence.

Because of his position on the DC Circuit Court of Appeals, Judge Kavanaugh has had many opportunities to check the Federal Government's overreach. I served as chairman of the Environment and Public Works Committee for quite a number of years, and one of the big problems we had at that time was that the bureaucrats were actually making the determinations. This is where he has actually overruled the bureaucracy many times. In fact, he has overruled Federal agency actions 75 times in his 12 years on the bench. That is really saying something.

When the EPA wanted to impose massive emissions regulations but did not want to consider the costs, Judge Kavanaugh rejected that effort in White Stallion Energy Center v. EPA. The Supreme Court agreed.

In the case of EME Homer City Generation v. EPA, Judge Kavanaugh held that the Obama EPA's cross-state air pollution rule was awful and imposed excessive regulatory burdens on the States.

He also rejected the Department of the Interior's position to designate 143 acres of plaintiff's property as critical habitat for a shrimp based ''on a single 2001 sighting of four ant-sized San Diego fairy shrimp'' on the property. They would shut that down. He reversed it.

These are just a few examples of Judge Kavanaugh's efforts to ensure that our agencies are acting and regulating within their authorizing statutes and the U.S. Constitution.

This is the real reason we are seeing such vitriol from the left. They have long used our courts and our agencies to impose their unpopular agenda, mostly because they couldn't get it through Congress, as the majority of Americans recognized how stifling and burdensome their agenda is.

Having another judge on the Supreme Court who recognizes the proper role of the courts and the agencies when it comes to setting policy that affects all Americans threatens their ability to force costly, ineffective, unpopular burdens on our economy, our job producers, and our landowners. With Judge Kavanaugh on the court, we will preserve the U.S. Constitution and our system of representative government for decades to come.

As I told Brett in our meeting—he has been good enough to go around and have meetings with all of the Members of the Senate. As a matter of fact, I told him that, from his reputation, he didn't need to waste his time with me because I knew all about him, and I was going to support him. As I told him during that meeting, though, his nomination and the work President Trump and the Senate have done to process judicial nominations are to save our country, not for me but for my 20 kids and grandkids.

So I look forward to the confirmation. We are going to hear more of the accusations, more of the extreme left making comments about this great judicial success. I look forward to having him there for many years to come. I am convinced that it is going to happen.

With that, 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.

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

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

Ms. COLLINS. Mr. President, as a member of the Defense Appropriations Subcommittee, let me begin my remarks by thanking Chairman SHELBY and Ranking Member DURBIN, as well as Vice Chairman LEAHY, for their leadership on the committee and their advocacy for the men and women who defend our Nation.

At a time when the threats to our Nation are increasing rather than decreasing, the work of the Defense Subcommittee is vitally important to ensure that our men and women in uniform, as well as our DOD civilian employees, have the training, ships,

planes, vehicles, and other equipment they need to defend our country.

The bipartisan bill reported out of the committee reaffirms the strategic importance of our Navy and our shipbuilding programs by including funding for three Arleigh Burke-class destroyers in fiscal year 2019, while also including $250 million in advance procurement funding for an additional destroyer in fiscal year 2020. This funding signals our strong belief that the Navy should sustain an aggressive rate of growth for large surface combatants in fiscal year 2020 and beyond in order to project strength in an increasingly dangerous and complex world.

In recognition of national security imperatives, the Navy's own 2016 fleet structure assessment increased the target number for large surface combatants to 104 ships from the 88 ships called for under the previous 308-ship Navy requirement. Maintaining a steady and predictable production profile for large ships will not only protect the help of our shipbuilding industrial base but also ensure that the Navy maintains an adequate number of these ships into the future.

In Maine, we are very proud of the vital role Bath Iron Works plays in contributing to our national security by building and maintaining ships for the fleet. BIW is known throughout the fleet for the high quality of its ships that are built there, with many Sailors using the motto ''Bath built is best built.'' BIW employs the finest shipbuilders, engineers, and designers in the world. This bill rightly recognizes the great value that these tried and tested warships bring to the Navy.

I am also proud of the continued investment this bill makes at our Nation's public shipyards. The additional $350 million provided for facility sustainment, research, restoration, and modernization, as well as the $176 million for shipyard investment acceleration, will help the Portsmouth Naval Shipyard in Kittery, ME, and other public shipyards keep our Nation's submarines at sea for years to come.

This bill also makes critical investments in research and development programs that are being carried out in partnership with research institutions such as the University of Maine. These programs include producing jet fuel from Maine's forest biomass, using structural thermoplastics for Army ground vehicles, conducting cellulose nanocomposite research for the Army, developing hybrid composite structures for the Navy, and participating in the Navy's advanced hull form development initiative, among many other essential research and development projects.

Our legislation invests in cutting edge, fifth generation aircraft by funding 89 F–35 aircraft. These state-of-the-art planes are truly the future of aviation, and I am proud of Pratt & Whitney's contributions to this program through its construction of the F135 engine at its facility in North Berwick, ME.

Additionally, our legislation procures eight heavy-lift helicopters for the Marine Corps. The rotating drive shafts are a critical component of this aircraft and are produced at Hunting Dearborn's facility in Fryeburg, ME.

The National Guard, as the Presiding Officer is well aware, provides our country with both a strategic and operational reserve which has proven itself time and again.

I applaud the bill's inclusion of providing $900 million to the National Guard and Reserve equipment account to modernize our Reserve Forces and ensure their full interoperability with the Active-Duty Force.

Finally, the committee report ensures that Congress has sufficient oversight over any efforts to close or realign facilities of the Defense Finance and Accounting Service. DFAS, as it is called, maintains a highly efficient facility in Limestone, ME. It is responsible for payments to our servicemembers, DOD employees, vendors, and contractors. Given this critical responsibility, I applaud the work done by the hundreds of hard-working employees at Limestone, and I welcome their continued support of our Armed Forces.

I am very pleased that we are proceeding the Defense appropriations bill, as well as the Labor-HHS appropriations legislation. I look forward to working with my colleagues to pass both bills in one package this week.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

ACCOMPLISHMENTS

Mr. CORNYN. Mr. President, this week marks the continuation of a bipartisan effort to actually do the work we were elected to do.

The New York Times recently published an article that said the Senate got its groove back. I don't know if I would go that far, but certainly we are making some progress when it comes to these important funding bills.

These two appropriation bills are two of the largest ones in the Federal Government. One, of course, is for the Department of Defense which, appropriately, is the No. 1 priority of the Federal Government—to maintain the peace and keep our Nation safe. The other funds the Departments of Labor, Health and Human Services, and Education.

After we pass these bills this week, which we will, we will have passed 9 of the 12 appropriations bills, which cover 87 percent of discretionary spending.

I might add that when I mention discretionary spending, it is noteworthy that about 70 percent of what the Federal Government spends is not discretionary spending. It is mandatory spending, which is another story in and of itself.

But insofar as the Congress's responsibility to appropriate the funds in discretionary spending, we will have covered about 87 percent of that.

I want to express my gratitude again to Chairman SHELBY and Vice Chairman LEAHY for their efforts in facilitating such a relatively smooth process on all of our appropriations bills so far. They have done a good job of managing the bills and, even more importantly, of managing the people and preventing this process from devolving into a quagmire, as it occasionally does.

To give you an idea of how difficult this can be, it bears mentioning that it has been 15 years since the Senate last passed the Labor-Health-Education bill in time for the start of the fiscal year. So hats off to Mr. SHELBY and Mr. LEAHY. As the majority leader, Senator MCCONNELL, said yesterday, these two bills represent big strides toward avoiding another omnibus, which the President said he wanted to do, and appropriating the taxpayers' money the right way.

The funding bills we are working on this week are important, but they are not the only developments worth noting. Remember, recently we heard that in the second quarter of this year—the second 3-month period of this year—our economy grew at an astounding 4.1 percent after years of economic stagnation and wages that never seemed to go up. We were able to pass the Tax Cuts and Jobs Act at the end of last year, which helped provide a needed stimulus to the economy by putting more money into the pockets of the people who earned it. We were successful in lowering rates across the board and doubled the child tax credit and standard deduction.

Over the last 9 months, my constituents in Texas have been writing to me about the effect it has had on their lives. These are men and women like Virginia Davis, a small business owner who said the changes will help keep expenses down and help her company buy new equipment. Then there is Suzan Casey, a widow in New Braunfels, TX, which is north of San Antonio, who is working part time even when facing health issues. She wrote and said that she appreciated our efforts at reforming our outdated Tax Code and that every little bit helps, especially when she has been saving up the money to go visit her grandson in California.

In Texas, our economy has been robust for a long time now. We heard that last month, more than 23,000 jobs were added—the 25th consecutive month of job growth in my home State. In some places, such as Midland in the Permian Basin, which is the center of the universe when it comes to oil and gas production, it seems, the unemployment rate was as low as 2.2 percent. It is hard to find anybody who will work in the Permian Basin, in the

Midland-Odessa area, because the economy is so strong that every able-bodied, willing worker is essentially employed. These are positive signs, although obviously there are stresses and strains that go along with it.

Tax reform and the good economic news are complemented by other legislative victories we have had on behalf of the American people during this Congress.

We funded rebuilding efforts following natural disasters, such as Hurricane Harvey.

We enacted the Fix NICS Act and the STOP School Violence Act to help protect Americans from gun violence.

We delivered real healthcare choices to American veterans with the VA MISSION Act.

We passed occupational licensing reform, as well as banking reform, which helped our small banks, credit unions, and community banks get rid of some of the rules that never should have been applied to them in the first place because they weren't the cause of the huge crisis that led to the great recession just a few short years ago. It wasn't the community banks—it was Wall Street and some of the overreach there—but community banks in small towns in and around Texas and elsewhere were the collateral damage.

This last year and a half, we fought sex trafficking by passing legislation targeting internet predators, and we have worked hard and I think helped to reduce the rape kit backlog.

We have confirmed a total of 53 judges this Congress, including 26 circuit court judges, 26 district judges, and a Supreme Court Justice, Neil Gorsuch.

NOMINATION OF BRETT KAVANAUGH

Mr. President, 2 weeks from today, we will start the confirmation hearing of the next Supreme Court Justice we will consider, and that is Judge Brett Kavanaugh, who has been nominated to succeed Justice Anthony Kennedy as an Associate Justice on the U.S. Supreme Court.

As I said, his hearing is set for the first week of September, and I hope we will move quickly to vote on his confirmation after the hearing. His confirmation process includes the largest production of documents ever in the Senate's consideration of a Supreme Court nominee. I appreciate Chairman CHUCK GRASSLEY's spearheading the effort in such a transparent, efficient, and thorough manner.

To see how a judge will behave once elevated to the Supreme Court, the best evidence of how they will perform their job is how they have performed as a lower court judge, as Judge Kavanaugh has been over the last 12 years in the DC Circuit Court of Appeals. The best way to find out about his judicial philosophy, his temperament, and how he actually handles cases is to look at how he has done each of those things during the 12 years he has served on the DC Circuit. Yet we have heard some of our colleagues on the other side, including the minority leader and the former Judiciary chairman, Senator LEAHY, who actually used to agree with us that the best way to evaluate a nominee—for example, during Justice Sotomayor's hearing—was by looking at their judicial record, but now they have changed their tune.

In Judge Kavanaugh's case, what the rulings show consistently is that he is a diligent and thoughtful judge. His rulings are clear, they are impartial, and he strives to achieve justice in each one.

Yesterday, I mentioned some of the cases in which Judge Kavanaugh's opinions, whether written as part of the majority opinion or the dissent, were vindicated by an adoption of that position and that opinion, essentially, by the Supreme Court on a 9-to-0 basis, but I would like to talk about another couple of arguments that have now started to bubble up.

As I like to say, a false charge unrebutted is sometimes a charge believed, so we have to work hard to remind people that just because someone says something about Judge Kavanaugh's record, it is not necessarily true.

The first claim that has now popped up is that he is somehow an ''anti-worker radical.'' This is a phrase coined by the pundit Paul Krugman of the New York Times. It sounds pretty ugly. I guess it means that the judge is predisposed, when deciding cases, to find against employees and hard-working men and women in favor of management and big business. But the fact is, Judge Kavanaugh's record indicates exactly the opposite.

In one case, a pro se litigant had been terminated after filing a discrimination complaint. Judge Kavanaugh joined the majority in a ruling for the employee, finding that a reasonable jury could have found unlawful discrimination, harassment, and retaliation against the plaintiff. That doesn't sound like an anti-worker radical to me.

Judge Kavanaugh wrote a separate concurrence that a racial epithet that may have been used could create a hostile work environment, even if uttered a single time.

In another case, involving a terrible accident involving a trainer of a killer whale at a theme park, Judge Kavanaugh did not simply defer to large corporate interests. In fact, the strict question of liability, which would have implicated State and Federal tort law, was not even before him, nor was the question of whether the work environment at the theme park was unreasonably dangerous. Instead, the question before the court and before Judge Kavanaugh was one of administrative law.

Judge Kavanaugh argued persuasively that a Federal agency had ignored congressional intent when interpreting a statute in self-serving ways to give itself, the Federal agency, authority that Congress had not conferred. He argued that this agency had made arbitrary distinctions between different kinds of sporting and entertainment events and departed from longstanding agency precedent. That actually was the crux of his decision, despite the mischaracterization from some of the critics.

We can count on Judge Kavanaugh to appropriately consider overreach by the administrative state and to enforce the rule of law that protects both corporations and individual workers. I think we have plenty evidence of that.

One additional line of attack is that the judge has somehow been insufficiently protective of Fourth Amendment privacy rights, but one expert at the libertarian Cato Institute who has analyzed the judge's record in detail found that Judge Kavanaugh is a ''big step forward for constitutional liberty.'' Among other things, this expert noted that Judge Kavanaugh had been a leading advocate of interpreting statutes to include robust mens rea protection. In other words, in criminal statutes, before you can be convicted of a crime, you have to have criminal intent. That is mens rea.

Judge Kavanaugh has authored 307 opinions on the DC Circuit and has attracted praise from across the ideological spectrum for the clarity of his thought and expression and the precision of his legal reasoning. He respects the roles and responsibilities that are assigned to the different branches of our government by the Constitution, and he sees the proper role of the judiciary as a narrow one, albeit an important one. It does not make policy. It interprets the law and applies it to individual cases, one at a time, impartially, with no eye toward the outcome or the politics of the case.

The truth is, I believe that after the hearing we will have the week of September 4, the American people will conclude, as I have concluded based on my knowledge of Judge Kavanaugh for the last 18 years, that he is an eminently qualified and well-respected jurist by all those who know him and are familiar with his work. I look forward to confirming him as a Justice early this fall, hopefully in time for the October term of the Supreme Court, the first Monday in October.

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

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

AMENDMENT NO. 3761

Mr. WARNER. Mr. President, I rise to offer an amendment to the legislation we are working on that would make sure security clearances are revoked on a going-forward basis only for valid national security reasons—not to change the subject on a bad news day,

not to threaten career government employees, and especially not to carry out political retribution.

Virginia is home to tens of thousands of dedicated men and women who serve in our intelligence and defense communities. Over the years, as Senator and vice chairman of the Intelligence Committee, I have met literally thousands of FBI agents, CIA officers, military servicemembers, contractors, and other public servants who hold security clearances. These men and women work day in and day out, often thanklessly, to keep America safe.

Do you know what? I have no idea, amongst those Americans who have those security clearances, which of them are Democrats and which of them are Republicans, and that is the way our system is supposed to work.

The Federal Government grants security clearances only to those individuals who can be trusted with our Nation's secrets. Applicants go through intense, lengthy background checks, interviews, and even, in many cases, lie detector tests, not to mention extensive rechecks for suitability every few years. Only then, after this process, do we allow them to serve in some of the toughest intelligence and national security jobs. We ask a great deal of these dedicated professionals, but what we don't ask about are their political views.

Since the mid-1990s, the Code of Federal Regulations has governed the 13 criteria under which personnel are deemed eligible or ineligible for security clearances and access to classified information. Amongst those 13 reasons to actually get a security clearance or to lose a security clearance is included: allegiance to the United States, being subjected to foreign influence, financial considerations, and others. When you look through that list of 13—and I have it over here—none of those criteria includes political speech, nor should they. Our national security is too important to infect with political partisanship.

I believe that more than ever, in light of the President's actions last week when this President revoked the clearance of former CIA Director Brennan and, equally important, if not more important, when he threatened to revoke the clearances of numerous former and even current national security professionals. These individuals collectively have hundreds of years of honorable service to our country under their belts. No one can seriously question their fitness or loyalty to this country.

Unfortunately, what we know—which is what happened last week and which, unfortunately, happens too many times out of this White House—is that this is all about politics. According to media reports, White House officials have discussed how to issue the revocations on a going-forward basis to other enumerated individuals to distract from bad news stories. I hope these reports of the White House's plans are mistaken.

True or not, we need only listen to the President's words to know these efforts are politically motivated. I will admit I had missed the widely publicized press event at which the White House announced the President's ''enemies' list.'' Yet anyone who looks at this list will notice some common factors in that they all served in the previous administration, and in the time since, several have exercised their First Amendment right to criticize this President for his policies. Many of those on the list have also had some involvement in the investigation into Russia's assault on our democracy in 2016. For that—in many cases, for doing their jobs—they are now being punished or will be potentially punished by this President and this White House.

In the President's own words, ''These people led it . . . so I think it's something that had to be done.''

This is truly a dangerous precedent. For the first time since President Eisenhower created the security clearance process as we know it, the President of the United States is abusing one of his most important national security tools in order to punish his political opponents. As one of my friends on the other side of the aisle mentioned, it is something that would be more akin to something coming out of a banana republic.

Perhaps even more troubling is the message this President is sending to those who are currently serving in government service. It is pretty clear he is sending a message that says to think twice before working on anything this President doesn't like, to think twice before you express a political opinion, even if it is in private. The White House broadcast this message loud and clear when it threatened to revoke the clearance of a midlevel employee at the Department of Justice.

This is a clear attempt of intimidating others in the bureaucracy. If this President is successful in revoking this first wave of clearances, there is no question these actions will threaten the ongoing Russia investigation—an investigation that, again today, claimed two more guilty convictions, an investigation that has already resulted, prior to today, in 5 guilty pleas and 35 indictments. As I mentioned, today included the conviction of the President's campaign manager.

Unfortunately, the President's actions don't just harm the individuals involved; these tactics threaten our national security institutions themselves. The Pentagon, the intelligence community, the FBI, the Department of Justice, and the rest of our national security structures depend on seasoned career professionals who do not act out of partisan motivations. Threatening their clearances—threatening their livelihoods and their families—is a clear attempt at undermining an ongoing, legitimate criminal investigation into what Russia did in 2016. If successful, the President's actions threaten to politicize our national security institutions even more so than they have already done.

The President has significant authority as head of the executive branch, but there is widespread agreement that he should not be able to use these powers to get payback against Americans who criticize him. All of us in this body agree that no President should be able to order the IRS to audit political enemies, and we all agree no President should be able to order wiretaps against those who displease him. We should also all agree that a President should not have the power to remove clearances for reasons that have nothing to do with national security and certainly not because an individual expresses his or her right to free speech.

I ask my colleagues to support the Warner amendment. I ask the majority leader to make sure this amendment gets a fair vote, up or down, on the floor of the Senate because I believe the Senate must take a stand against any attempts to punish political speech or to threaten our national security professionals by arbitrarily taking away their security clearances.

We currently have in place real and prudent guidelines for issuing and revoking clearances, guidelines that are based on national security and not on political considerations. We cannot allow those to be supplemented by crass partisanship or attempts by this President to punish his enemies. We have come way too far from the dark days of Watergate to allow this type of attack against career professionals who have faithfully served our Nation with honor and dignity. We should demand better from this President. We can take that action by passing this amendment.

I yield the floor.

The PRESIDING OFFICER (Mr. RUBIO). The Senator from Iowa.

NOMINATION OF BRETT KAVANAUGH

Mr. GRASSLEY. Mr. President, as I have now for several weeks spoken to my colleagues about the nomination of Judge Brett Kavanaugh, I return to further elaborate on where we are in that process.

Two weeks from today, Judge Brett Kavanaugh will appear before the Senate Judiciary Committee for the first day of his confirmation hearing. I am quite excited to finally hear from him in that forum. He is one of the most qualified nominees to have ever been picked for the Supreme Court, and he has contributed a great deal to his community and the legal profession, besides being an outstanding judge on the DC Circuit Court of Appeals.

Apparently, the other side has found very little in his record that is objectionable. The only thing I keep hearing is their unprecedented demand for millions and millions of pages of irrelevant documents on top of the hundreds of thousands of pages we have already received. Indeed, the Senate Democratic leaders have demanded the search of every email and every scrap of paper from every one of the hundreds of White House aides who came

and went for the entire 8 years of the George W. Bush Presidency. The Senate Democratic leaders have even refused to utilize search terms—and other ways—in order to limit the universe of millions and millions of pages of records that would require a consecutive review by the Archives and both the former and incumbent Presidents' teams of lawyers even before the Senate Judiciary Committee could have begun its own search. These reviews would have taken many months, and some people have said they would have taken beyond this year.

We know the true reason for their unprecedented document demand, which is to deny Judge Kavanaugh's confirmation until after the midterm elections, when the Senate Democrats hope to win back the Senate and block Judge Kavanaugh's nomination forever.

Democratic leaders announced their opposition to Judge Kavanaugh immediately after he was nominated. Can you believe that? Some Senators announced their opposition to any one of the 25 potential nominees before the President even announced he was picking Judge Kavanaugh. The minority leader said he would oppose Judge Kavanaugh with everything he has.

This desire to obstruct the entire process explains their partisan push to bury the Senate Judiciary Committee in a mountain of irrelevant paperwork. They also want to divert attention from the very impressive record Judge Kavanaugh has. Democratic leaders know Judge Kavanaugh is the exact type of Justice the American people want. By the way, when he was a candidate—way before his election—the President named the people whom he was going to appoint and the types of people he was thinking.

Judge Kavanaugh has served for 12 years on the DC Circuit Court of Appeals. During that time, he has authored more than 300 opinions and has joined in hundreds of others. In 13 separate cases, the U.S. Supreme Court has adopted legal positions that have been advanced by Judge Kavanaugh's opinions on the DC Circuit. That is a very impressive record that few people on the circuit court of appeals can claim.

The majority's staff on the Senate Judiciary Committee has already received more than 10,000 pages of judicial opinions Judge Kavanaugh wrote or joined, more than 17,000 pages of materials Judge Kavanaugh provided in response to the most robust questionnaire ever submitted for a Supreme Court nominee, and more than 260,000 pages of emails and other records from Judge Kavanaugh's executive branch legal service. This morning, the committee received close to 170,000 pages of additional records from Judge Kavanaugh's executive branch legal service. We now have more than 430,000 pages from Judge Kavanaugh's time in the executive branch—by far, the most ever received for a Supreme Court nominee. The majority's staff will finish reading every one of these pages before Judge Kavanaugh's hearing, which will start the day after Labor Day.

I am following the precedent that was established during Justice Kagan's confirmation, when the Senate asked for many but not all of Justice Kagan's executive branch documents. We received documents from two out of three executive branch positions that Justice Kagan held. We received documents from Justice Kagan's time in the White House Counsel's Office and on the U.S. Domestic Policy Council. Senators from both parties agreed not to request internal documents from her time in the Office of the Solicitor General because of their sensitivity. Likewise, then, we are asking for documents from two of Judge Kavanaugh's positions in the executive branch but not from a third, which follows the practice of Justice Kagan's confirmation.

We have asked for documents from Judge Kavanaugh's time in the White House Counsel's Office and the Office of Independent Counsel, but we didn't ask for documents from his time as Staff Secretary because, even more so than Justice Kagan's Solicitor General documents, they are incredibly sensitive to the executive branch. I will add that both positions for which we requested Judge Kavanaugh's documents were legal positions. Those documents could shed some light on his legal thinking.

The Staff Secretary, another position that Judge Kavanaugh held at the White House, is a nonlegal position, and it wouldn't reveal anything about Judge Kavanaugh's legal thinking.

On the other hand, we didn't receive documents from Justice Kagan's time in one of the two legal positions that she held. We didn't receive her Solicitor General documents, despite a heightened need for them to assess Justice Kagan's legal thinking. After all, Justice Kagan had no legal or judicial experience. In other words, she was not a judge prior to going to the Supreme Court, as Judge Kavanaugh is.

In contrast to Judge Kavanaugh's 12-year judicial track record, the 307 opinions Kavanaugh wrote, and the hundreds more he joined, Judge Kagan wrote or joined zero opinions. Judge Kavanaugh wrote or joined over 10,000 pages of judicial opinions, compared to Justice Kagan's zero pages. In short, we have received many more pages of more relevant documents for Judge Kavanaugh than we did for Justice Kagan.

This more thorough and more transparent production is also on top of the thousands of pages of Judge Kavanaugh's publicly available materials, including his extensive and impressive judicial record. Nevertheless, Democratic leaders accuse me of hiding documents. Consider the hundreds of thousands that are available, and I am being accused of hiding documents.

They are doing that because I have agreed to hold some documents as committee confidential. But during Justice Kagan's and Justice Gorsuch's nominations, we agreed to receive as committee confidential documents that contain material that are restricted by the Federal law that we call the Presidential Records Act.

As the current chairman, that is exactly what I have agreed to do this time. As I have explained many times over the last month, I agreed to receive documents on a committee-confidential basis as an initial matter to allow the committee to accelerate our review of Judge Kavanaugh's record, while at the same time making sure that restricted material, such as Social Security numbers for individuals, bank information for individuals, or confidential advice given to the President, are not exposed to the public, as everybody would expect us to be that careful.

Then-Chairman LEAHY also agreed to receive documents on a committee-confidential basis in 2010 ''to permit the Committee prompt access to them.'' I have done exactly the same thing in the case of Judge Kavanaugh.

All of those documents don't necessarily remain confidential forever because there is a process. They are reviewed a second time, and if they don't contain any material restricted by law for public access, we quickly release those documents to the public. Thus, we end up in exactly the same place as we did with Justice Kagan and Justice Gorsuch: Material restricted by the statute is held committee confidential, while nonrestricted material is released to the public.

I would like to add that all documents we have received, including committee-confidential documents, at this very moment are available to every Member of the Senate. My staff is happy to make these documents available to any Senator interested in reviewing them.

Now, my friends on the other side of the aisle complain that a lawyer by the name of Bill Burck, rather than the National Archives, is deciding what is considered restricted, but that is not true at all. The National Archives has been reviewing Judge Kavanaugh's emails, as I requested. These archivists are public employees, and they have informed President Bush and President Trump that, in the opinion of the professional archival staff, nearly two-thirds of the emails that these public servants have reviewed thus far contain restricted material and should not be released to the public. That means that under the same standard applied to Justice Kagan and Justice Gorsuch, the Committee will have to hold two-thirds of the documents reviewed by the National Archives as committee confidential when we receive them.

Following historical practice, official records generally are produced to the Senate for our review, and personal records generally are not. The Obama-appointed Archivist of the United States and his team of career archivists are making the ultimate decision

on whether Judge Kavanaugh's executive branch records are official—available to the committee and to the public—or personal. It is simply absurd to suggest that anyone is hiding anything. So I hope I don't hear that complaint anymore.

I hope my colleagues on the other side of the aisle put aside politics and reconsider their reckless demands for the immediate release—for the whole world to see—of documents that contain full names, dates of birth, Social Security numbers, bank account numbers, personal communications with family members, other sensitive matters affecting personal privacy, and, of course, some of the more sensitive issues related to the President's core constitutional duties.

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

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

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, we are making good progress on the rather large package of appropriations bills, including Defense and Labor and HHS, but just to make sure we are in a position to wrap it up before we depart for the week, I send a cloture motion to the desk for Senate amendment No. 3695.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Senate amendment No. 3695 to Calendar No. 500, H.R. 6157, an act making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

Mitch McConnell, Orrin G. Hatch, Jerry Moran, Lindsey Graham, Mike Crapo, Richard C. Shelby, John Thune, John Cornyn, John Hoeven, Shelley Moore Capito, Johnny Isakson, Pat Roberts, Steve Daines, John Boozman, Richard Burr, Lisa Murkowski, Roy Blunt.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for H.R. 6157.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 500, H.R. 6157, an act making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

Mitch McConnell, Orrin G. Hatch, Jerry Moran, Lindsey Graham, Mike Crapo, Richard C. Shelby, John Thune, John Cornyn, John Hoeven, Shelley Moore Capito, Johnny Isakson, Pat Roberts, Steve Daines, John Boozman, Richard Burr, Lisa Murkowski, Roy Blunt.

MORNING BUSINESS

Mr. MCCONNELL. 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.

VOTE EXPLANATION

Ms. HEITKAMP. Mr. President, I was necessarily absent for yesterday's votes on S.A. 3705 and S.A. 3706 to H.R. 6157 so I could join the Secretary of the Air Force during her visit to Grand Forks Air Force Base in my home State. Had I been present, I would have voted yea on the amendments.

TRIBUTE TO MICHAEL ''TONY'' DUNNE AND BRANDON ''RAY'' SEABOLT

Mr. INHOFE. Mr. President, it is my honor to pay tribute today to two exceptional Oklahomans and patriots, retired Army Chief Warrant Officer Michael ''Tony'' Dunne of Webber Falls, OK, and retired Army Chief Warrant Officer Brandon ''Ray'' Seabolt of Skiatook, OK. On August 14, 2018, both were awarded the Office of the Secretary of Defense Medal for Valor, the highest civilian award presented by the Department of Defense.

On August 7, 2015, Tony was working at Camp Integrity, just north of Kabul, Afghanistan, executing duties as contractors for the Department of Defense when a potent vehicle-borne improvised explosive device impaled the main gate and knocked down a guard tower. Without hesitation, Tony rushed to the fight and evacuated a wounded servicemember from the scene, undoubtedly saving their life. From his actions that day and others, Tony has been honored for exceptional gallantry in repeatedly putting himself in harm's way to assist in countering multiple insurgent threats, helping to save lives at the risk of his own.

On December 17, 2015, Ray was serving as a counter-IED expert in congruence with U.S. Special Forces and Afghan partners when they were ambushed by enemy fire. Without regard for his own life, Ray jumped to action and single-handedly fended off the insurgent onslaught, allowing the recovery force to approach the scene with little resistance. Ray has deservedly been recognized for his bravery and confidence in supporting multiple engagements with the enemy with devastating effects and for providing tactical advice and assistance in the successful recovery of servicemembers.

Oklahoma is truly honored and proud to claim Tony and Ray, two patriots that exemplify the ultimate in bravery and courage in support of our country's most critical national security missions both at home and overseas.

Created in the aftermath of the September 11 attacks, the Medal for Valor recognizes government employees and private citizens who perform an act of heroism or sacrifice, with voluntary risk to their personal safety in the face of danger. Tony and Ray's well-deserved medals, along with one other awarded on August 14, bring the total number of Medals for Valor to 17 awarded since September 11, 2001. This exemplifies the recognition of immense sacrifice that this small group has made for our Nation. Now, Tony and Ray's names will permanently reside in the Pentagon's Hall of Heroes, distinguished among our Nation's best.

REMEMBERING OPHA MAY JOHNSON

Mr. YOUNG. Mr. President, August 13, 2018, marked the centennial of women serving in the U.S. Marine Corps. I am proud that Indiana was home to the first woman to serve in the Marine Corps, Opha May Johnson.

Mrs. Johnson was born in Kokomo, IN, on May 4, 1878. Before becoming a marine at the age of 39, she graduated from Wood's Commercial Business College and worked diligently for 14 years in the Interstate Commerce Department.

Like many Americans during WWI, Mrs. Johnson heeded the Nation's call and took the oath without hesitation on August 13, 1918. She was the first of 300 women who worked at the Marine Corps headquarters in Virginia. After 5 weeks in the service, she was promoted to the rank of sergeant and remained on Active Duty until February 1919, 3 months after the end of WWI. Mrs. Johnson remained in civil service until her retirement in 1943.

Mrs. Johnson was the first of a group of trailblazing women in the Marine Corps, and it is with overwhelming pride that I recognize her service to this country. As a marine and Hoosier, I ask that you join me today in honoring Opha May Johnson and all of the courageous marines following in her footsteps.

TRIBUTE TO KEN FLANZ

Mr. CRAPO. Mr. President, today, I wish to salute Ken Flanz, my longtime legislative director and senior-most legislative policy adviser who is retiring from the Senate, for his nearly 30 years of devoted congressional service.

Next month, he joins his loving wife, Meghan, in her hometown in southern California. I was honored to attend their wedding in 2003 at St. John's Church near the White House, with their families and friends.

Ken has been an integral part of my legislative team since he became part of my staff in 1997 during my service in the U.S. House of Representatives. He joined my staff after working for former Representative Martin Hoke, from 1993–1997 and former Representative Bill McCollum, from 1990–1991. His tenure on Capitol Hill has a wide range, having worked in both legislative bodies, in every Congress stretching back to the 101st Congress, five Presidential administrations, leadership shifts, and staff changes. His integrity, dedication, and longevity have served my State and our Nation well throughout.

Beyond his leadership on my senior management team, Ken has taken on tremendous responsibilities, as I have counted on him to cover many different issues over the years. He has been a trusted counsel, providing detailed work and advancing my policy agenda on diverse matters, including appropriations, international trade, intelligence, foreign affairs, energy, the environment, government reform, and the Federal judiciary. This includes his work covering my role as a Commissioner on the National Commission on Fiscal Responsibility and Reform and leadership with the Canada-U.S. Interparliamentary Group for many years. Ken understands the nuance, skill, and discretion needed to effectively navigate work with other countries and differing viewpoints, and he has taken on the challenges with tact and diplomacy.

Ken also assisted with my assignments on at least six committees, including Senate Finance; Senate Banking, Housing, and Urban Affairs; Senate Environment and Public Works; Senate Judiciary; Senate Indian Affairs; and the Joint Select Committee on Solvency of Multiemployer Pension Plans. During my tenure in the House, he also assisted me on the House Energy and Commerce and Agriculture Committees.

He has always been ready and able to fill gaps and cover what needs to be done as he has supported and filled out the staff. In addition to his principal issue assignments, he has covered taxes, healthcare, and education when staff vacancies occurred or the need required. Simply put, the complete list of policy issues he has handled throughout his time in Congress is extensive and likely too long test.

Ken can also point to achievements in helping me enact legislation relating to environmental protections, defense initiatives, Tribal sovereignty, land conveyances, and delivering assistance to Idaho communities and institutions. He was also instrumental in advancing and confirming executive branch and judicial branch nominees important to Idaho.

As legislative director, Ken has managed, led, and mentored over five dozen legislative team members and agency fellows. He has trained and guided so many young legislative minds into successful careers and shared his consummate understanding of the legislative process and policy efforts.

It is telling on how much Ken has valued his relationship and mentorship with those on his staff when he requested, as a farewell gesture, photos with each one who could be available during his last month in my office. Without exception, they all trust and admire Ken and point to his guidance as part of their successes today.

He has an extraordinary depth of knowledge and understanding that has been invaluable and will be deeply missed in and beyond the Senate community where he has worked with many colleagues over the years. As a Stennis Congressional Fellow and a Woodrow Wilson Foreign Policy Fellow, Ken deepened his knowledge and skills that have made him effective in his commitment to serve the public.

I extend my deep gratitude to you, Ken, for the more than 21 years you have devoted to serving as member of my staff and the 28 years you have worked in Congress. Thank you for your thoughtful guidance all of these years. I wish you and Meghan all the best as you head West and start your next chapter.

ADDITIONAL STATEMENTS

RECOGNIZING KRTV

● Mr. TESTER. Mr. President, today I wish to honor the fine broadcasters at KRTV in Great Falls, MT, who are celebrating their 60th year on the air.

On June 27, 1958, KRTV went live with its first broadcast, only to be promptly knocked off the air by a severe windstorm that damaged its television tower, but as they would prove, time and again, nothing could keep KRTV from bringing the news of the day to northcentral Montana. Three months later, they were back on the air, and they have been leading the way ever since.

In 1960, KRTV pioneered the first live broadcast from the Montana State Fair. At the time, it was a historic technological development in northcentral Montana. In 1961, they began broadcasting in color, bringing life to storytelling and breaking news. Every day since, KRTV has set the standard for excellence in broadcast journalism in Montana, winning EB Craney newscast of the year numerous times.

They have covered events large and small, from Presidential visits and historic flooding to six-man football and fall harvest. Legendary broadcasters like Norma Ashby laid the groundwork for the familiar faces of Tim McGonigal and Shannon Newth and so many others. They have brought the news to Great Falls and its surrounding market area with passion, grace, and persistence.

For 60 years, KRTV has been a shining example of how much local news matters to a community. I know the next 60 years will be as good as the first.●

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 which were referred to the appropriate committees.

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

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 12:49 p.m., a message from the House of Representatives, delivered by Ms. Yahner, one of its reading clerks, announced that the Speaker pro tempore (Mrs. COMSTOCK) has signed the following enrolled bill:

S. 717. An act to promote pro bono legal services as a critical way in which to empower survivors of domestic violence.

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–6190. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Cerevisane (cell walls of Saccharomyces cerevisiae strain LAS117); Exemption from the Requirement of a Tolerance'' (FRL No. 9980–51) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6191. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Picoxystrobin; Pesticide Tolerances'' (FRL No. 9980–47) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6192. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Spinetoram; Pesticide Tolerances'' (FRL No. 9978–83) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6193. A communication from the Associate General Counsel, Department of Agriculture, transmitting, pursuant to law, four (4) reports relative to vacancies in the Department of Agriculture, received in the Office of the President of the Senate on August

9, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6194. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a notification of the President's intent to exempt all military personnel accounts from sequestration for fiscal year 2019, if a sequestration is necessary; to the Committees on Appropriations; Armed Services; and the Budget.

EC–6195. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the August, 2018 monthly cumulative report on rescissions; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986; to the Committees on Appropriations; Banking, Housing, and Urban Affairs; the Budget; Commerce, Science, and Transportation; Energy and Natural Resources; Environment and Public Works; Finance; Foreign Relations; Health, Education, Labor, and Pensions; and the Judiciary.

EC–6196. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to violations of the Antideficiency Act that involved fiscal years 2000–2015 Operation and Maintenance (OM), Defense-Wide, Weapons Procurement, Navy (WPN), International Military Education and Training (IMET), and Foreign Military Sales (FMS) funds, and was assigned case number 16–02; to the Committee on Appropriations.

EC–6197. A communication from the Secretary of Defense, transmitting a report on the approved retirement of General Glenn M. Walters, United States Marine Corps, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–6198. A communication from the Under Secretary of Defense (Acquisition and Sustainment), transmitting, pursuant to law, a report entitled ''Fiscal Year 2019 Operational Energy Budget Certification Report''; to the Committee on Armed Services.

EC–6199. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting a legislative proposal; to the Committee on Armed Services.

EC–6200. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of a national emergency declared in Executive Order 13222 with respect to the lapse of the Export Administration Act of 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC–6201. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility; Pennsylvania: Adams, Township of, Butler County'' ((44 CFR Part 64) (Docket No. FEMA–2018–0002)) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC–6202. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Revision of Export and Reexport License Requirements for Republic of South Sudan Under the Export Administration Regulations'' (RIN0694–AH52) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC–6203. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''U.S.-India Major Defense Partners: Implementation Under the Export Administration Regulations of India's Membership in the Wassenaar Arrangement and Addition of India to Country Group A:5'' (RIN0694–AH49) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC–6204. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Addition of Certain Entities; And Modification of Entry on the Entity List'' (RIN0694–AH42) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC–6205. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendments to Investment Advisers Act Rules to Reflect Changes Made by the FAST Act'' (RIN3235–AM02) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC–6206. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility (Town of Ardmore, AL et al.)'' ((44 CFR Part 64) (Docket No. FEMA–2018–0002)) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC–6207. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Arkansas'' (FRL No. 9981–41–Region 6) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2018; to the Committee on Environment and Public Works.

EC–6208. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Connecticut; 1997 8-hour Ozone Attainment Demonstration'' (FRL No. 9981–40–Region 1) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2018; to the Committee on Environment and Public Works.

EC–6209. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Maine; Infrastructure Requirement for the 2010 Nitrogen Dioxide National Ambient Air Quality Standard'' (FRL No. 9981–93–Region 1) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2018; to the Committee on Environment and Public Works.

EC–6210. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Rhode Island; Control of Volatile Organic Compound Emissions, Control of Nitrogen Oxide Emissions, and Sulfur Content of Fuels'' (FRL No. 9981–55–Region 1) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2018; to the Committee on Environment and Public Works.

EC–6211. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Quality Designations for the 2012 Primary Annual Fine Particle (PM2.5) National Ambient Air Quality Standards (NAAQS) for Areas in Florida'' (FRL No. 9981–95–OAR) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2018; to the Committee on Environment and Public Works.

EC–6212. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Adoption of Control Techniques Guidelines for Control of Volatile Organic Compound Emissions from Miscellaneous Metal Parts Surface Coating, Miscellaneous Plastic Parts Surface Coating, and Pleasure Craft Surface Coatings'' (FRL No. 9981–97–Region 3) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2018; to the Committee on Environment and Public Works.

EC–6213. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Plans for Designated Facilities and Pollutants; United States Virgin Islands; Commercial and Industrial Solid Waste Incineration Units'' (FRL No. 9981–99–Region 2) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2018; to the Committee on Environment and Public Works.

EC–6214. 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 Air Quality Implementation Plans; New Jersey; Infrastructure Requirements for the 2012 PM2.5 NAAQS; Interstate Transport Provisions'' (FRL No. 9981–83–Region 2) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2018; to the Committee on Environment and Public Works.

EC–6215. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; California; San Joaquin Valley Unified Air Pollution Control District; Reasonably Available Control Technology Demonstration'' (FRL No. 9981–09–Region 9) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2018; to the Committee on Environment and Public Works.

EC–6216. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; ID, Incorporations by Reference Updates and Rule Revisions'' (FRL No. 9982–59–Region 10) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2018; to the Committee on Environment and Public Works.

EC–6217. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Virginia; Regional Haze Plan and Visibility for the 2010 Sulfur Dioxide and 2012 Fine Particulate Matter Standards'' (FRL No. 9982–32–Region 3) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2018; to the Committee on Environment and Public Works.

EC–6218. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Significant New Use Rules on Certain Chemical Substances'' (FRL No. 9971–37) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2018; to the Committee on Environment and Public Works.

EC–6219. 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 Special Nuclear Material of Less Than Critical Mass Licenses'' (NUREG–1556, Volume 7, Revision 1) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2018; to the Committee on Environment and Public Works.

EC–6220. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Report to Congress on the Demonstration Project on Community Health Integration Models in Certain Rural Counties Interim Report 2018''; to the Committee on Finance.

EC–6221. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Making Permanent the Attorney Advisor Program'' (RIN0960–AI23) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2018; to the Committee on Finance.

EC–6222. A communication from the Chief of the Trade and Commercial Regulations Branch, Bureau of Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Refund of Alcohol Excise Tax'' (RIN1515–AE39) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2018; to the Committee on Finance.

EC–6223. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Methods of Calculating W–2 Wages for Purposes of Section 199A'' (Notice 2018–64) received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2018; to the Committee on Finance.

EC–6224. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Partnership Representative under the Centralized Partnership Audit Regime and Election to Apply the Centralized Partnership Audit Regime'' ((RIN1545–BN41) (TD 9839)) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2018; to the Committee on Finance.

EC–6225. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Method Change Guidance for Small Business Taxpayers under Sections 448, 263A, 460, and 471'' (Rev. Proc. 2018–40) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2018; to the Committee on Finance.

EC–6226. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2018–0140—2018–0146); to the Committee on Foreign Relations.

EC–6227. A communication from the Executive Secretary, U.S. Agency for International Development (USAID), transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator for Legislative and Public Affairs, U.S. Agency for International Development (USAID), received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2018; to the Committee on Foreign Relations.

EC–6228. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Low Income Home Energy Assistance Program (LIHEAP) Report to Congress for Fiscal Year 2015''; to the Committee on Health, Education, Labor, and Pensions.

EC–6229. A communication from the Deputy White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary, Office of Career, Technical, and Adult Education, Department of Education, received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC–6230. A communication from the Assistant General Counsel for Regulatory Services, Office of Elementary and Secondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Outdated or Superseded Regulations–Title I, Part A Improving Programs Operated by Local Education Agencies (LEAs) (selected sections); Title I, Part B Even Start Family Literacy Program; Title I, Part C Migrant Education Program (selected sections); Christa McAuliffe Fellowship Program; and Empowerment Zone or Enterprise Community–Priority'' received during adjournment of the Senate in the Office of the President of the Senate on August 9, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC–6231. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Short-Term, Limited-Duration Insurance'' (RIN1210–AB86) received during adjournment of the Senate in the Office of the President of the Senate on August 9, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC–6232. A communication from the Chairman of the National Transportation Safety Board, transmitting, pursuant to law, the Board's fiscal year 2018 Federal Activities Inventory Reform (FAIR) Act submission of its commercial and inherently governmental activities; to the Committee on Homeland Security and Governmental Affairs.

EC–6233. A communication from the White House Liaison, Department of Housing and Urban Development, transmitting, pursuant to law, a report relative to a vacancy in the position of Inspector General, Department of Housing and Urban Development, received during adjournment of the Senate in the Office of the President of the Senate on August 7, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC–6234. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the report entitled ''2017 Report of Statistics Required by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005''; to the Committee on the Judiciary.

EC–6235. A communication from the Chief Counsel, National Telecommunications and Information Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''911 Grant Program'' (RIN0660–AA33; RIN2127–AL86) received in the Office of the President of the Senate on August 15, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6236. A communication from the Competition Policy Division Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Nationwide Number Portability; Numbering Policies for Modern Communication'' ((RIN3060–AK36) (FCC 18–95)) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6237. A communication from the Program Analyst, Office of Managing Director, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of the Schedule of Application Fees Set Forth in Sections 1.1102 through 1.1109 of the Commission's Rules'' (FCC 18–90) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6238. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Rules and Policies to Promote New Entry and Ownership Diversity in the Broadcasting Services'' ((RIN3060–AJ27) (FCC 18–114)) received during adjournment of the Senate in the Office of the President of the Senate on August 14, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6239. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Lower Mississippi River, Mile Markers 94 to 97 above Head of Passes, New Orleans, LA'' ((RIN1625–AA00) (Docket No. USCG–2018–0372)) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6240. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Allegheny River, Miles 43.5 to 45.5, Kittanning, PA'' ((RIN1625–AA00) (Docket No. USCG–2018–0718)) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6241. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Lake Michigan, Whiting, Indiana'' ((RIN1625–AA00) (Docket No. USCG–2018–0659)) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6242. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Discovery World Fireworks, Milwaukee Harbor, Milwaukee, WI'' ((RIN1625–AA00) (Docket No. USCG–2018–0724)) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6243. A communication from the Attorney-Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Philippine Sea, Tinian'' ((RIN1625–AA00) (Docket No. USCG–2018–0194)) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6244. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Philippine Sea, Rota'' ((RIN1625–AA00) (Docket No. USCG–2018–0183)) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6245. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Fireworks Display, Little Egg Harbor, Long Beach, NJ'' ((RIN1625–AA00) (Docket No. USCG–2018–0615)) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6246. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Lower Mississippi River, Fireworks Display, Shark River, Neptune, NJ'' ((RIN1625–AA00) (Docket No. USCG–2018–0614)) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6247. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Waterview Loft Fireworks II, Detroit River, Detroit, MI'' ((RIN1625–AA00) (Docket No. USCG–2018–0722)) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6248. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Waterview Loft Fireworks I, Detroit River, Detroit, MI'' ((RIN1625–AA00) (Docket No. USCG–2018–0727)) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6249. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Lower Mississippi River, Natchez, MS'' ((RIN1625–AA00) (Docket No. USCG–2018–0708)) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6250. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Kanawha River, Nitro, WV'' ((RIN1625–AA00) (Docket No. USCG–2018–0686)) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6251. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones; Pipeline Construction, Tennessee River Miles 465 to 466, Chattanooga, TN'' ((RIN1625–AA00) (Docket No. USCG–2018–0698)) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6252. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area; Lake Washington, Seattle, WA'' ((RIN1625–AA11) (Docket No. USCG–2018–0027)) received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2018; to the Committee on Commerce, Science, and Transportation.

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. BLUMENTHAL:

S. 3355. A bill to amend title 38, United States Code, to remove the manifestation period required for the presumptions of service connection for chloracne, porphyria cutanea tarda, and acute and subacute peripheral neuropathy associated with exposure to certain herbicide agents, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. HASSAN (for herself, Mr. CASSIDY, Mr. JONES, and Mr. YOUNG):

S. 3356. A bill to require the Surgeon General of the Public Health Service to submit to Congress a report on the health effects of new pyschoactive substances (including synthetic drugs) use; to the Committee on Health, Education, Labor, and Pensions.

By Ms. WARREN:

S. 3357. A bill to improve the anti-corruption and public integrity laws, and for other purposes; to the Committee on Finance.

By Mr. MENENDEZ (for himself and Mr. CRAPO):

S. 3358. A bill to amend the Internal Revenue Code of 1986 to provide that the volume cap for private activity bonds shall not apply to bonds for facilities for furnishing of water and sewage facilities; to the Committee on Finance.

By Ms. HARRIS (for herself, Mr. HATCH, Ms. STABENOW, Mr. PETERS, Mr. COONS, Mr. BOOKER, Mrs. GILLIBRAND, Mr. CARPER, Mr. JONES, Ms. HIRONO, Ms. WARREN, Mr. KAINE, Mr. DURBIN, Mr. MANCHIN, Mr. NELSON, Ms. DUCKWORTH, Ms. CORTEZ MASTO, Ms. KLOBUCHAR, Mrs. FEINSTEIN, Mr. WHITEHOUSE, and Ms. HASSAN):

S. 3359. A bill to posthumously award a Congressional Gold Medal to Aretha Franklin in recognition of her contributions of outstanding artistic and historical significance to culture in the United States; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WYDEN:

S. 3360. A bill to amend the Rural Electrification Act of 1936 to improve access to broadband telecommunications services in rural areas, including by encouraging the provision of broadband loans and grants to increase broadband service in emerging harbor projects, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. RUBIO (for himself and Ms. BALDWIN):

S. 3361. A bill to safeguard certain technology and intellectual property in the United States from export to or influence by the People's Republic of China and to protect United States industry from unfair competition by the People's Republic of China, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BLUMENTHAL (for himself, Mr. CORNYN, Mr. SCHUMER, Mrs. GILLIBRAND, Mr. MURPHY, and Mr. MENENDEZ):

S. Res. 610. A resolution urging the release of information regarding the September 11, 2001, terrorist attacks upon the United States; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CASSIDY (for himself and Mr. PERDUE):

S. Res. 611. A resolution opposing the targeted harassment of U.S. Immigration and Customs Enforcement officers and employees and reaffirming the fundamental principle that public safety services should be provided without discrimination; to the Committee on Homeland Security and Governmental Affairs.

ADDITIONAL COSPONSORS

S. 428

At the request of Mr. GRASSLEY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 428, a bill to amend titles XIX and XXI of the Social Security Act to authorize States to provide coordinated care to children with complex medical conditions through enhanced pediatric health homes, and for other purposes.

S. 593

At the request of Mrs. CAPITO, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 593, a bill to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain States.

S. 720

At the request of Mr. CARDIN, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) 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. 1050

At the request of Ms. DUCKWORTH, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 1050, a bill to award a Congressional Gold Medal, collectively, to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II.

S. 1299

At the request of Mr. PETERS, the name of the Senator from Montana

(Mr. TESTER) 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. 1919

At the request of Mr. BOOKER, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 1919, a bill to end the use of body-gripping traps in the National Wildlife Refuge System.

S. 2076

At the request of Ms. COLLINS, the name of the Senator from Alaska (Mr. SULLIVAN) 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. 2506

At the request of Mr. INHOFE, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 2506, a bill to establish an aviation maintenance workforce development pilot program.

S. 2515

At the request of Mr. HOEVEN, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 2515, a bill to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian Tribes, and for other purposes.

S. 2524

At the request of Mr. DONNELLY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2524, a bill to amend the Public Health Service Act to authorize a loan repayment program for substance use disorder treatment employees, and for other purposes.

S. 2554

At the request of Ms. COLLINS, the name of the Senator from Tennessee (Mr. ALEXANDER) 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. 2795

At the request of Mr. CORNYN, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 2795, a bill to provide for programs to help reduce the risk that prisoners will recidivate upon release from prison, and for other purposes.

S. 2842

At the request of Mrs. CAPITO, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2842, a bill to prohibit the marketing of bogus opioid treatment programs or products.

S. 2920

At the request of Mrs. MCCASKILL, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2920, a bill to amend title XVIII of the Social Security Act to impose certain requirements under the Medicare program with respect to outlier prescribers of opioids.

S. 2924

At the request of Mr. SCOTT, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2924, a bill to encourage the use of family-focused residential treatment programs for substance use disorder treatment.

S. 3049

At the request of Mr. WYDEN, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 3049, a bill to amend the Help America Vote Act of 2002 to require paper ballots and risk-limiting audits in all Federal elections, and for other purposes.

S. 3057

At the request of Mr. PORTMAN, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 3057, a bill to provide for the processing by U.S. Customs and Border Protection of certain international mail shipments and to require the provision of advance electronic information on international mail shipments of mail.

S. 3060

At the request of Ms. CANTWELL, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 3060, a bill to repeal section 2141 of the Revised Statutes to remove the prohibition on certain alcohol manufacturing on Indian lands.

S. 3140

At the request of Mr. INHOFE, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 3140, a bill to amend the Packers and Stockyards Act, 1921, to provide for the establishment of a trust for the benefit of all unpaid cash sellers of livestock, and for other purposes.

S. 3257

At the request of Mr. CRUZ, the names of the Senator from Louisiana (Mr. KENNEDY) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of 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.

S. 3290

At the request of Mr. COTTON, the names of the Senator from Florida (Mr. RUBIO), the Senator from Oklahoma (Mr. LANKFORD) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 3290, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of the Tomb of the Unknown Soldier.

S. RES. 109

At the request of Mr. PAUL, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. Res. 109, a resolution encouraging the Government of Pakistan to release Aasiya Noreen, internationally known as Asia Bibi, and reform its religiously intolerant laws regarding blasphemy.

S. RES. 606

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

At the request of Mr. BOOZMAN, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. Res. 606, supra.

S. RES. 607

At the request of Mr. SCHATZ, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. Res. 607, a resolution reaffirming the vital and indispensable role the free press serves.

AMENDMENT NO. 3691

At the request of Ms. BALDWIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of amendment No. 3691 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

AMENDMENT NO. 3702

At the request of Mr. MORAN, the names of the Senator from Connecticut (Mr. MURPHY), the Senator from North Dakota (Mr. HOEVEN) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of amendment No. 3702 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

AMENDMENT NO. 3703

At the request of Mr. KENNEDY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of amendment No. 3703 proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

AMENDMENT NO. 3709

At the request of Ms. WARREN, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of amendment No. 3709 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

AMENDMENT NO. 3720

At the request of Ms. WARREN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of

amendment No. 3720 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

AMENDMENT NO. 3731

At the request of Mr. INHOFE, the names of the Senator from Rhode Island (Mr. REED), the Senator from Illinois (Ms. DUCKWORTH) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of amendment No. 3731 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

AMENDMENT NO. 3735

At the request of Mr. MENENDEZ, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of amendment No. 3735 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

AMENDMENT NO. 3751

At the request of Mr. REED, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of amendment No. 3751 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

AMENDMENT NO. 3763

At the request of Mr. WARNER, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of amendment No. 3763 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

AMENDMENT NO. 3793

At the request of Mr. MURPHY, the names of the Senator from Massachusetts (Mr. MARKEY), the Senator from Vermont (Mr. LEAHY), the Senator from Michigan (Mr. PETERS) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of amendment No. 3793 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN:

S. 3360. A bill to amend the Rural Electrification Act of 1936 to improve access to broadband telecommunications services in rural areas, including by encouraging the provision of broadband loans and grants to increase broadband service in emerging harbor projects, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. WYDEN. Mr. President, today I am introducing the Broadband Internet for Small Ports Act to help small ports access broadband loans and grants, which will increase internet service in rural coastal communities nationwide.

Nearly a third of Americans lack access to high-speed internet, and there is a considerable digital divide between rural and urban America. Rural communities must be brought up to speed so that all Americans can compete online in a global economy.

In rural coastal areas people congregate near inland and small ports, and these harbors act as hubs for commerce and tourism. This bill recognizes the importance of small ports to their rural economies. This bill will help small ports nationwide get Federal loans and grants and improve their broadband coverage, thereby enabling working-waterfronts to order inventory and coordinate deliveries, access real-time weather updates, and grow economically.

Broadband loan and grant applications submitted to the Department of Agriculture's Rural Utility Service are assigned different levels of priority before they are awarded. This bill recognizes the importance of small ports, and elevates the priority of applications seeking to boost internet capacity. This bill states that broadband loan and grant applications from small ports will be considered equal in priority to applications that are developed with the participation of a nonprofit or philanthropic organization.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3360

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 ''Broadband Internet for Small Ports Act''.

SEC. 2. ACCESS TO BROADBAND TELECOMMUNICATIONS SERVICES IN RURAL AREAS.

Section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb) is amended—

(1) in subsection (a), by striking ''loans and'' and inserting ''grants, loans, and'';

(2) in subsection (c)—

(A) in the subsection heading, by striking ''LOANS AND'' and inserting ''GRANTS, LOANS, AND'';

(B) in paragraph (1), by inserting ''make grants and'' after ''Secretary shall'';

(C) by striking paragraph (2) and inserting the following:

''(2) PRIORITY.—

''(A) IN GENERAL.—In making grants, loans, or loan guarantees under paragraph (1), the Secretary shall—

''(i) give the highest priority to applications for projects to provide broadband service to unserved rural communities that do not have any residential broadband service;

''(ii) give priority to applications for projects to provide the maximum level of broadband service to the greatest proportion of rural households in the proposed service area identified in the application;

''(iii) give priority to applications for projects to provide rapid and expanded deployment of fixed and mobile broadband on cropland and ranchland within a service territory for use in various applications of precision agriculture;

''(iv) provide equal consideration to all eligible entities, including those that have not previously received grants, loans, or loan guarantees under paragraph (1); and

''(v) with respect to 2 or more applications that are given the same priority under clause (i), give priority to an application that requests less grant funding than loan funding.

''(B) OTHER.—After giving priority to the applications described in clauses (i) and (ii) of subparagraph (A), the Secretary shall then give priority to applications—

''(i) for projects to provide broadband service to rural communities—

''(I) with a population of less than 10,000 permanent residents;

''(II) that are experiencing outmigration and have adopted a strategic community investment plan under section 379H(d) that includes considerations for improving and expanding broadband service;

''(III) with a high percentage of low income families or persons (as defined in section 501(b) of the Housing Act of 1949 (42 U.S.C. 1471(b)); or

''(IV) that are isolated from other significant population centers; and

''(ii) that were developed with the participation of, and will receive a substantial portion of the funding for the project from, 1 or more stakeholders, including—

''(I) State, local, and tribal governments;

''(II) nonprofit institutions;

''(III) community anchor institutions, such as—

''(aa) public libraries;

''(bb) elementary schools and secondary schools (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

''(cc) institutions of higher education; and

''(dd) health care facilities;

''(IV) private entities; and

''(V) philanthropic organizations.

''(C) EMERGING HARBOR PROJECTS PRIORITY.—In addition to the priority given under subparagraph (B), the Secretary shall give equal priority to an application for a project that would increase the availability of broadband service in an emerging harbor project (as defined in section 210(f) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(f))), without regard to whether the application is from an emerging harbor project.

''(D) IDENTIFICATION OF UNSERVED COMMUNITIES.—

''(i) IN GENERAL.—In the case of an application given the highest priority under subparagraph (A)(i), the Secretary shall confirm that each unserved rural community identified in the application is eligible for funding by—

''(I) conferring with and obtaining data from the Chair of the Federal Communications Commission and the Administrator of the National Telecommunications and Information Administration with respect to the service level in the service area proposed in the application;

''(II) reviewing any other source that is relevant to service data validation, as determined by the Secretary; and

''(III) performing site-specific testing to verify the unavailability of any residential broadband service in the unserved rural community.

''(ii) ADJUSTMENTS.—Not less often than once every 2 years, the Secretary shall review, and may adjust through notice published in the Federal Register, the unserved communities identified under clause (i).''; and

(D) by adding at the end the following:

''(3) GRANT AMOUNTS.—

''(A) DEFINITION OF DEVELOPMENT COSTS.—In this paragraph, the term 'development costs' means costs of—

''(i) construction, including labor and materials;

''(ii) project applications; and

''(iii) other development activities, as determined by the Secretary.

''(B) ELIGIBILITY.—To be eligible for a grant under this section, the project that is the subject of the grant shall be carried out in a rural area.

''(C) MAXIMUM.—Except as provided in subparagraph (D), the amount of any grant made under this section shall not exceed 50 percent of the development costs of the project for which the grant is provided.

''(D) SECRETARIAL AUTHORITY TO ADJUST.—The Secretary may make grants of up to 75 percent of the development costs of the project for which the grant is provided to an eligible entity if the Secretary determines that the project serves—

''(i) an area of rural households described in paragraph (2)(A)(ii); and

''(ii) a rural community described in any of subclauses (I) through (IV) of paragraph (2)(B)(i).'';

(3) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking ''loan or'' and inserting ''grant, loan, or'';

(II) in clause (ii), by striking ''a loan application'' and inserting ''an application''; and

(III) in clause (iii)—

(aa) by striking ''service'' and inserting ''infrastructure'';

(bb) by striking ''loan'' the first place it appears;

(cc) by striking ''3'' and inserting ''5''; and

(dd) by striking ''proceeds from the loan made or guaranteed under this section are'' and inserting ''assistance under this section is''; and

(ii) by adding at the end the following:

''(C) RELATION TO UNIVERSAL SERVICE HIGH-COST SUPPORT.—The Secretary shall coordinate with the Federal Communications Commission to ensure that any grants, loans, or loan guarantees made under this section complement and do not conflict with universal service high-cost support (as defined in section 54.5 of title 47, Code of Federal Regulations, or any successor regulation) provided by the Commission.'';

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i)—

(aa) by striking ''the proceeds of a loan made or guaranteed'' and inserting ''assistance''; and

(bb) by striking ''for the loan or loan guarantee'' and inserting ''of the eligible entity'';

(II) in clause (i)—

(aa) by striking ''15'' and inserting ''90''; and

(bb) by striking ''level of broadband service'' and inserting ''level of fixed broadband service, whether terrestrial or wireless,''; and

(III) in clause (ii), by striking ''3'' and inserting ''2'';

(ii) in subparagraph (C), by striking clause (ii) and inserting the following:

''(ii) EXCEPTIONS.—Clause (i) shall not apply if the applicant is eligible for funding under another title of this Act.'';

(C) in paragraph (3), in subparagraph (A), by striking ''loan or'' and inserting ''grant, loan, or'';

(D) in paragraph (4), by striking ''loan or'' and inserting ''grant, loan, or'';

(E) in paragraph (5)(A), in the matter preceding clause (i), by striking ''loan or'' and inserting ''grant, loan, or'';

(F) in paragraph (6), by striking ''loan or'' and inserting ''grant, loan, or'';

(G) by redesignating paragraph (7) as subparagraph (B) and indenting appropriately;

(H) by inserting after paragraph (6) the following:

''(7) APPLICATION PROCESS.—

''(A) IN GENERAL.—The Secretary shall provide to an applicant of a grant, loan, or loan guarantee under this section feedback and decisions on funding in a timely manner.'';

(I) in paragraph (7)(B) (as so redesignated), by striking ''may seek a determination of area eligibility prior to preparing a loan application under this section.'' and inserting the following: ''may, before preparing an application under this section—

''(i) seek a determination of area eligibility; and

''(ii) submit to the Secretary a proposal for a project, on which the Secretary shall provide feedback regarding how the proposal could be changed to improve the likelihood that the Secretary would approve the application.'';

(J) in paragraph (10)(A), by striking ''15'' and inserting ''30''; and

(K) by adding at the end the following:

''(11) TECHNICAL ASSISTANCE AND TRAINING.—

''(A) IN GENERAL.—The Secretary may provide eligible entities described in paragraph (1) that are applying for a grant, loan, or loan guarantee for a project described in subsection (c)(2)(A)(i) technical assistance and training—

''(i) to prepare reports and surveys necessary to request grants, loans, and loan guarantees under this section for broadband deployment;

''(ii) to improve management, including financial management, relating to the proposed broadband deployment;

''(iii) to prepare applications for grants, loans, and loan guarantees under this section; or

''(iv) to assist with other areas of need identified by the Secretary.

''(B) FUNDING.—Not less than 3 percent and not more than 5 percent of amounts appropriated to carry out this section for a fiscal year shall be used for technical assistance and training under this paragraph.'';

(4) in subsection (e)(1)—

(A) in subparagraph (A), by striking ''4-Mbps'' and inserting ''25-Mbps''; and

(B) in subparagraph (B), by striking ''1-Mbps'' and inserting ''3-Mbps'';

(5) in subsection (f), by striking ''make a loan or loan guarantee'' and inserting ''provide assistance'';

(6) in subsection (j)—

(A) in the matter preceding paragraph (1), by striking ''loan and loan guarantee'';

(B) in paragraph (1), by inserting ''grants and'' after ''number of'';

(C) in paragraph (2)—

(i) in subparagraph (A), by striking ''loan''; and

(ii) in subparagraph (B), by striking ''loans and'' and inserting ''grants, loans, and''; and

(D) in paragraph (3), by striking ''loan'';

(7) by redesignating subsections (k) and (l) as subsections (m) and (n), respectively;

(8) by inserting after subsection (j) the following:

''(k) BROADBAND BUILDOUT DATA.—As a condition of receiving a grant, loan, or loan guarantee under this section, a recipient of assistance shall provide to the Secretary complete, reliable, and precise geolocation information that indicates the location of new broadband service that is being provided or upgraded within the service territory supported by the grant, loan, or loan guarantee not later than 30 days after the earlier of—

''(1) the date of completion of any project milestone established by the Secretary; or

''(2) the date of completion of the project.

''(l) ENVIRONMENTAL REVIEWS.—The Secretary may obligate, but not disperse, funds under this Act before the completion of otherwise required environmental, historical, or other types of reviews if the Secretary determines that a subsequent site-specific review shall be adequate and easily accomplished for the location of towers, poles, or other broadband facilities in the service area of the borrower without compromising the project or the required reviews.'';

(9) in subsection (m) (as so redesignated)—

(A) in paragraph (1)—

(i) by striking ''$25,000,000'' and inserting ''$150,000,000''; and

(ii) by striking ''2008 through 2018'' and inserting ''2019 through 2023''; and

(B) in paragraph (2)(A)—

(i) in clause (i), by striking ''and'' at the end;

(ii) in clause (ii), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(iii) set aside at least 1 percent to be used for—

''(I) conducting oversight under this section; and

''(II) implementing accountability measures and related activities authorized under this section.''; and

(10) in subsection (n) (as so redesignated)—

(A) by striking ''loan or'' and inserting ''grant, loan, or''; and

(B) by striking ''2018'' and inserting ''2023''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 610—URGING THE RELEASE OF INFORMATION REGARDING THE SEPTEMBER 11, 2001, TERRORIST ATTACKS UPON THE UNITED STATES

Mr. BLUMENTHAL (for himself, Mr. CORNYN, Mr. SCHUMER, Mrs. GILLIBRAND, Mr. MURPHY, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. RES. 610

Whereas tens of thousands of pages of documents relating to the September 11, 2001, terrorist attacks upon the United States remain classified by the Federal Government;

Whereas the Federal Government may properly classify and control access to information in order to protect sources and methods of collecting critical information in defense of the country and the people of the United States;

Whereas the contents of these documents are necessary for a full public understanding of the events and circumstances surrounding the September 11, 2001, terrorist attacks;

Whereas the decision to maintain the classified status of many of these documents prevents the people of the United States from having access to information about the September 11, 2001, terrorist attacks, including the involvement of certain foreign governments in the attacks; and

Whereas the people of the United States and the families of the victims of the September 11, 2001, terrorist attacks deserve full and public disclosure of the events surrounding the attacks: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) documents related to the events of September 11, 2001, should be declassified to the greatest extent possible; and

(2) the survivors, the families of the victims, and the people of the United States deserve answers about the events and circumstances surrounding the September 11, 2001, terrorist attacks upon the United States.

SENATE RESOLUTION 611—OPPOSING THE TARGETED HARASSMENT OF U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT OFFICERS AND EMPLOYEES AND REAFFIRMING THE FUNDAMENTAL PRINCIPLE THAT PUBLIC SAFETY SERVICES SHOULD BE PROVIDED WITHOUT DISCRIMINATION

Mr. CASSIDY (for himself and Mr. PERDUE) submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. RES. 611

Whereas Alexandria Ocasio-Cortez, a candidate for Congress from New York, welcomed the support of Occupy ICE LA, a group that called U.S. Immigration and Customs Enforcement (in this preamble referred to as ''ICE'') a ''genocidal ethnic cleansing machine'' and ''the Gestapo'', and posted photos of ICE employees on the internet, encouraging activists to ''[k]now their faces, never allow them to feel safe'';

Whereas Cynthia Nixon, a candidate Governor of New York, stated that ICE ''is a terrorist organization'';

Whereas a mob of leftwing activists recently surrounded an ICE office in southwest Portland, Oregon, trapping ICE employees inside the building;

Whereas ICE employees were subjected to doxxing and violent threats after their social media profiles, phone numbers, and home addresses were posted on the internet by leftwing activists;

Whereas an ICE officer was reportedly followed and ''confronted when he went to pick up his daughter from summer camp'', and another ''had his name and photo plastered on flyers outside his home accusing him of being part of the 'Gestapo','' according to the Wall Street Journal;

Whereas the Mayor of Portland, Oregon, Ted Wheeler, barred the Portland Police Bureau from coming to the aid of ICE employees, stating, ''I do not want the @PortlandPolice to be engaged or sucked into a conflict, particularly from a Federal agency that I believe is on the wrong track . . . If they are looking for a bailout from this mayor, they are looking in the wrong place.'';

Whereas the ICE office in southwest Portland was shut down for days due to threats and occupation;

Whereas leftwing activists have similarly harassed and threatened ICE employees and targeted ICE offices for closure around the country;

Whereas the National Immigration and Customs Enforcement Council's representative stated in a letter to Mayor Ted Wheeler that ''[y]our current policy forbidding Portland law enforcement agencies from assisting employees of the Immigration and Customs Enforcement Agency who request law enforcement assistance while at or away from work'' leaves ''them vulnerable to violence, harassment and even death . . . Your policy has created a zone of terror and lawlessness. We ask that you end your policy of not responding to calls for police services from ICE employees immediately. Our membership has been the subjected to threats of physical violence and harassment since you announced your policy.''; and

Whereas the President of the Portland Police Association, Daryl Turner, stated, ''There is no place for personal, political bias when it comes to providing public safety services to our communities. In that respect, our Mayor, who is also our Police Commissioner, has failed miserably.'': Now, therefore, be it

Resolved, That the Senate—

(1) expresses solidarity with the men and women of U.S. Immigration and Customs Enforcement who bring human traffickers, drug traffickers, gang members, and violent criminals to justice;

(2) condemns the doxxing and targeted harassment of all officers and employees of U.S. Immigration and Customs Enforcement and the violent threats they continue to endure from leftwing activists; and

(3) calls on the Mayor of Portland, Oregon, Ted Wheeler, to immediately resign so that a leader committed to protecting all law-abiding citizens and public servants from harm can assume the duties of Mayor of Portland.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3796. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table.

SA 3797. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3798. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3799. Mr. MERKLEY (for himself, Mr. VAN HOLLEN, and Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3800. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3801. Mr. DURBIN (for himself, Ms. WARREN, Mr. WHITEHOUSE, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3802. Mr. DURBIN (for himself, Ms. WARREN, Mr. WHITEHOUSE, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3803. Mrs. GILLIBRAND (for herself, Mr. ROUNDS, Mr. SCHUMER, Mr. MANCHIN, Mrs. CAPITO, Mr. GARDNER, Mr. BENNET, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3804. Ms. CANTWELL (for herself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3805. Mr. NELSON (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3806. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3807. Mr. WARNER (for himself and Mr. KAINE) submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3808. Mr. GARDNER (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3809. Mr. CRUZ (for himself, Mr. INHOFE, and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3810. Mr. HELLER (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3811. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3812. Mrs. HYDE–SMITH (for herself and Mr. REED) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3813. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3814. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3815. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3816. Ms. KLOBUCHAR (for herself and Mr. SASSE) submitted an amendment intended to be proposed by her to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3817. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3818. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3819. Mr. WHITEHOUSE (for himself, Mr. CRAPO, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3820. Mr. REED (for himself, Ms. MURKOWSKI, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3821. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3822. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3823. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3824. Mr. UDALL (for himself, Mrs. CAPITO, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3825. Ms. CORTEZ MASTO (for herself and Mrs. ERNST) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R.

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

SA 3826. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3827. Mr. CASEY (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3828. Mr. MENENDEZ (for himself, Mr. COONS, Mr. CARPER, Mr. WHITEHOUSE, Mr. REED, and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3829. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3830. Mr. LEAHY (for Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3831. Mr. LEAHY (for Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3832. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3833. Mr. FLAKE (for himself, Mr. MCCAIN, and Mrs. ERNST) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3834. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3835. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3836. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3837. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3838. Ms. HIRONO (for herself, Mr. WHITEHOUSE, and Mr. REED) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3839. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3840. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3841. Mrs. MCCASKILL (for herself and Mr. ISAKSON) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3842. Mr. MERKLEY (for himself, Mr. UDALL, Mr. BOOKER, and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3843. Mr. MERKLEY (for himself, Ms. DUCKWORTH, Mr. BOOKER, Mr. MENENDEZ, Mr. KAINE, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3844. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3845. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3846. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3847. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3848. Mr. RUBIO (for himself and Mr. NELSON) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3849. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3850. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3851. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3852. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3853. Mr. RUBIO (for himself and Mr. NELSON) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3854. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3855. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3856. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3857. Mr. ISAKSON (for himself, Mrs. MCCASKILL, Mr. WARNER, Mr. PAUL, Mr. CORNYN, Mrs. GILLIBRAND, and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3858. Mr. CASSIDY (for himself, Mr. KING, and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3859. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3860. Mr. PORTMAN (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3861. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3862. Mr. NELSON (for himself, Mr. RUBIO, Mr. BLUMENTHAL, and Mr. DONNELLY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3863. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3864. Mr. PETERS (for himself, Mr. GARDNER, and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3865. Mr. MANCHIN (for himself and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3866. Ms. DUCKWORTH (for herself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3867. Mr. MERKLEY (for himself, Mr. TESTER, Mr. CRAPO, Mr. DAINES, Mr. WYDEN, and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3868. Mr. JONES submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3869. Mr. CASEY (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3870. Mr. PETERS (for himself and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3871. Mr. DONNELLY (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3872. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3873. Ms. KLOBUCHAR (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3874. Ms. KLOBUCHAR (for herself, Mr. GRASSLEY, and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3875. Mr. CASEY (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3876. Mr. WARNER (for himself, Mr. YOUNG, Mr. BENNET, Mr. SASSE, Mr. HOEVEN,

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

SA 3877. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3878. Mr. CORNYN (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3879. Mr. TILLIS submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3880. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3881. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3882. Mr. HELLER (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3883. Mr. WICKER (for himself and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3884. Mr. BOOKER (for himself, Ms. BALDWIN, Mr. YOUNG, and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3885. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3886. Mr. GRASSLEY (for himself, Ms. KLOBUCHAR, and Mr. GARDNER) submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3887. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3888. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3889. Mr. SHELBY submitted an amendment intended to be proposed to amendment SA 3699 proposed by Mr. MCCONNELL (for Mr. SHELBY) to the amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3890. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3891. Mr. SHELBY submitted an amendment intended to be proposed to amendment SA 3890 submitted by Mr. SHELBY and intended to be proposed to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3892. Mr. MURPHY (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3893. Ms. HEITKAMP submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3894. Ms. HEITKAMP (for herself, Ms. MURKOWSKI, and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3895. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3896. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3897. Mr. SCHATZ (for himself and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3898. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3899. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3900. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3901. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3902. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3903. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3904. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3905. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3906. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3907. Mr. PETERS (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3908. Ms. CANTWELL (for herself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3909. Ms. HIRONO (for herself, Mr. BOOKER, Mrs. GILLIBRAND, Ms. WARREN, Mr. BLUMENTHAL, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3910. Mr. SHELBY (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3911. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3912. Mr. HELLER (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3913. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3914. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3915. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3916. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3917. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3918. Mrs. SHAHEEN (for herself and Ms. HASSAN) submitted an amendment intended to be proposed by her to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3919. Mr. CARDIN (for himself, Mr. CARPER, Mr. BOOKER, Mr. MENENDEZ, and Ms. HARRIS) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3920. Mr. MURPHY (for himself, Mr. MANCHIN, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3921. Mr. MURPHY (for himself, Mr. MANCHIN, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3922. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3923. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3924. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3925. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3926. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3927. Mr. ISAKSON (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3796. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of

Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. (a)(1) The amount appropriated by title I of this division under the heading ''National Guard Personnel, Air Force'' is hereby increased by $450,000.

(2) The amount appropriated by title II of this division under the heading ''Operation and Maintenance, Air National Guard'' is hereby increased by $50,000.

(b)(1) The amount appropriated by title I of this division under the heading ''National Guard Personnel, Army'' is hereby decreased by $450,000.

(2) The amount appropriated by title II of this division under the heading ''Operation and Maintenance, Army National Guard'' is hereby decreased by $50,000.

SA 3797. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. LIMITATION ON MILITARY ASSISTANCE TO BURMA.

(a) IN GENERAL.—Except as provided under subsection (b), the President may not furnish any security assistance or to engage in any military-to-military programs with the armed forces of Burma, including training or observation or participation in regional exercises, until the Secretary of State, in consultation with the Secretary of Defense, provides a report to the appropriate congressional committees that the Burmese military has demonstrated significant progress in abiding by international human rights standards and is undertaking meaningful and significant security sector reform, including transparency and accountability to prevent future abuses, as determined by applying the following criteria:

(1) The military adheres to international human rights standards and pledges to stop future human rights violations.

(2) The military supports efforts to carry out meaningful and comprehensive investigations of credible reports of abuses and is taking steps to hold accountable those in the Burmese military responsible for human rights violations.

(3) The military supports efforts to carry out meaningful and comprehensive investigations of reports of conflict-related sexual and gender-based violence and is taking steps to hold accountable those in the Burmese military who failed to prevent, respond to, investigate, and prosecute violence against women, sexual violence, or other gender-based violence.

(4) The Government of Burma, including the military, allows immediate and unfettered humanitarian access to communities in areas affected by conflict, including Rohingya communities in Rakhine State.

(5) The Government of Burma, including the military, cooperates with the United Nations High Commissioner for Refugees and other relevant United Nations agencies to ensure the protection of displaced persons and the safe and voluntary return of Rohingya refugees and internally displaced persons.

(6) The Government of Burma, including the military, takes observable steps toward the implementation of the recommendations of the Advisory Commission on Rakhine State.

(b) EXCEPTIONS.—

(1) CERTAIN EXISTING AUTHORITIES.—The Department of Defense may continue to conduct consultations based on the authorities under section 1253 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 22 U.S.C. 2151 note).

(2) HOSPITALITY.—The United States Agency for International Development and the Department of State may provide assistance authorized by part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) to support ethnic armed groups and the Burmese military for the purpose of supporting research, dialogues, meetings, and other activities related to the Union Peace Conference, Political Dialogues, and related processes, in furtherance of inclusive, sustainable reconciliation.

(c) MILITARY REFORM.—The certification required under subsection (a) shall include a written justification in classified and unclassified form describing the Burmese military's efforts to implement reforms, end impunity for human rights violations, and increase transparency and accountability.

(d) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to authorize Department of Defense assistance to the Government of Burma except as provided in this section.

(e) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State and the Secretary of Defense shall submit to the appropriate congressional committees a report, in both classified and unclassified form, on the strategy and plans for military-to-military engagement between the United States Armed Forces and the military of Burma.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) A description and assessment of the Government of Burma's strategy for security sector reform, including as it relates to an end to involvement in the illicit trade in jade and other natural resources, reforms to end corruption and illicit drug trafficking, and constitutional reforms to ensure civilian control of the Government.

(B) A list of ongoing military activities conducted by the United States Government with the Government of Burma, and a description of the United States strategy for future military-to-military engagements between the United States and Burma's military forces, including the military of Burma, the Burma Police Force, and armed ethnic groups.

(C) An assessment of the progress of the military of Burma towards developing a framework to implement human rights reforms, including—

(i) cooperation with civilian authorities to investigate and prosecute cases of human rights violations;

(ii) steps taken to demonstrate respect for internationally-recognized human rights standards and implementation of and adherence to the laws of war; and

(iii) a description of the elements of the military-to-military engagement between the United States and Burma that promote such implementation.

(D) An assessment of progress on the peaceful settlement of armed conflicts between the Government of Burma and ethnic minority groups, including actions taken by the military of Burma to adhere to ceasefire agreements, allow for safe and voluntary returns of displaced persons to their villages of origin, and withdraw forces from conflict zones.

(E) An assessment of the Burmese's military recruitment and use of children as soldiers.

(F) An assessment of the Burmese's military's use of violence against women, sexual violence, or other gender-based violence as a tool of terror, war, or ethnic cleansing.

(G) An assessment whether the Burmese military supplied arms and training to minority groups in Rakhine State, which were used in a systematic campaign of ethnic cleansing of the Rohingya.

(f) CIVILIAN CHANNELS.—Any program initiated under this section shall use appropriate civilian government channels with the democratically elected Government of Burma.

(g) REGULAR CONSULTATIONS.—Any new program or activity in Burma initiated under this section shall be subject to prior consultation with the appropriate congressional committees.

(h) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

SA 3798. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. (a) Congress makes the following findings:

(1) The Saudi-led coalition air strike on a bus on August 9, 2018, in the Saada Province of Yemen reportedly killed 51 people, 40 of which were children, and injured dozens more.

(2) That air strike represents one of more than 17,000 total air strikes conducted by the Saudi-led coalition since March 2015. The United Nations Refugee Agency (UNHCR) assesses that, from December 2017 to May 2018, Saudi-led coalition air strikes accounted for 80 percent of the civilian deaths in the 5 Yemeni governorates most affected by the fighting.

(b) No funds appropriated or otherwise made available by this Act may be made available for authorized in-flight refueling of Saudi or Saudi-led coalition non-United States aircraft conducting missions in Yemen pursuant to section 2342 of title 10, United States Code, or any other applicable statutory authority unless—

(1) the Government of Saudi Arabia or the government of a Saudi-led coalition member provides the Secretary of Defense advance notification of the intended target in Yemen; and

(2) the Secretary of Defense certifies to the appropriate committees of Congress with a high degree of confidence that the Saudi or Saudi-led coalition mission in Yemen exercises the proportionate use of force and discriminates between military and non-military targets, in accordance with international humanitarian law and the laws of armed conflict.

(c) In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SA 3799. Mr. MERKLEY (for himself, Mr. VAN HOLLEN, and Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. 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 3800. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. There are appropriated, in addition to any other amounts made available under this title, $100,000,000 for the block grants for substance abuse prevention and treatment under subpart II of part B of title XIX of the PHS Act.

SA 3801. Mr. DURBIN (for himself, Ms. WARREN, Mr. WHITEHOUSE, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) UNDUE HARDSHIP.—No funds made available in this or any other Act may be used to contest a claim, or to pay any contractor of the Federal Government that contests 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) has been determined by the Secretary of Veterans Affairs to be unemployable due to a service-connected disability; or

(B) is a family caregiver of an eligible veteran pursuant to section 1720G of title 38, United States Code.

(b) OFFSET.—Notwithstanding any other provision of this Act, the total amount appropriated under the heading ''PROGRAM ADMINISTRATION'' under the heading ''DEPARTMENTAL MANAGEMENT'' for the Department of Education is hereby reduced by $1,000,000.

SA 3802. Mr. DURBIN (for himself, Ms. WARREN, Mr. WHITEHOUSE, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) UNDUE HARDSHIP.—No funds made available in this or any other Act may be used to contest a claim, or to pay any contractor of the Federal Government that contests 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, United States Code;

(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 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 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 3803. Mrs. GILLIBRAND (for herself, Mr. ROUNDS, Mr. SCHUMER, Mr. MANCHIN, Mrs. CAPITO, Mr. GARDNER, Mr. BENNET, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. Of the funds appropriated or otherwise made available by title II of this division under the headings ''Operation and Maintenance, Air National Guard'' and ''Operation and Maintenance, Air Force'', not more than a total of $45,000,000 shall be available to the Secretary of the Air Force for payments to a local water authority located in the vicinity of an Air Force or Air National Guard base (including a base not Federally-owned) for the treatment of perfluorooctane sulfonic acid and perfluorooctanoic acid in drinking water from the wells owned and operated by the local water authority or privately owned wells undertaken to attain the Environmental Protection Agency Lifetime Health Advisory level for such acids: *Provided*, That the applicable Lifetime Health Advisory shall be the one in effect on the date of the enactment of this Act: *Provided further*, That the local water authority must have requested such a payment from the Air Force or National Guard Bureau before March 1, 2019, or the Air Force or National Guard Bureau must have become aware of such a treatment plan before that date, for payment under this section to occur: *Provided further*, That the elevated levels of such acids in the water must have been the result of activities conducted by or paid for by the Department of the Air Force for payment under this section to occur: *Provided further*, That such funds may be expended without regard to existing contractual provisions in agreements between the Department of the Air Force or the National Guard Bureau, as the case may be, and the State in which the base is located relating to environmental response actions or indemnification: *Provided further*, That, in order to be eligible for payment under this section, such treatment must have taken place after May 25, 2016, and the local water authority must waive all claims for treatment expenses incurred before such date: *Provided further*, That any payment under this section may not exceed the actual cost of such treatment resulting from the activities conducted by or paid for by the Department of the Air Force: *Provided further*, That the Secretary of the Air Force may enter into such agreements with the local water authority as may be necessary to implement this section.

SA 3804. Ms. CANTWELL (for herself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. (a) It is the sense of the Senate that dedicated funding for coding courses in kindergarten through grade 12 education should be a top priority.

(b) In carrying out grant programs under the Carl D. Perkins Career and Technical Education Act of 2006 that allow grant funds to be used for coding programs, the Secretary of Education shall prioritize applications from rural or underserved areas.

SA 3805. Mr. NELSON (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) The Secretary of Health and Human Services shall seek to enter into a contract with the National Academy of Sciences under which the National Academy of Sciences conducts a study on amyotrophic lateral sclerosis and, not later than 1 year after the date of enactment of this Act, submits a report on such study to Congress.

(b) The report under this section shall—

(1) address—

(A) the nationwide state of research on amyotrophic lateral sclerosis, including the state of research and development of assistive technologies and drug treatments for such disease;

(B) key gaps in research on amyotrophic lateral sclerosis;

(C) the nationwide state of medical and care services for individuals with amyotrophic lateral sclerosis;

(D) key gaps in access to medical and care services for individuals with amyotrophic lateral sclerosis; and

(E) the higher incidence of amyotrophic lateral sclerosis in both active duty military and veterans causing them to be more than twice as likely to be diagnosed with the disease; and

(2) include recommendations to Congress for advancing research as well as access to medical and care services with respect to amyotrophic lateral sclerosis.

SA 3806. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

UNITED STATES GOVERNMENT ACCOUNTABILITY OFFICE RECOMMENDATIONS FOR LOWERING PRESCRIPTION DRUG COSTS FOR STATE MEDICAID PROGRAMS, MEDICARE BENEFICIARIES, AND LOW-INCOME, NON-ELDERLY INDIVIDUALS WHO WOULD BE ELIGIBLE FOR MEDICAID IF THEIR STATE OF RESIDENCE EXPANDED ITS MEDICAID PROGRAM TO PROVIDE COVERAGE TO INDIVIDUALS WITH INCOMES OF UP TO 133 PERCENT OF THE FEDERAL POVERTY LEVEL

SEC. _____. Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report providing recommendations for lowering prescription drug costs for—

(1) State Medicaid programs under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.);

(2) individuals who—

(A) are described in section 1902(a)(10)(A)(i)(VIII) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)(VIII)); and

(B) do not have access to affordable, comprehensive prescription drug coverage because they reside in a State that has elected not to provide medical assistance under the State Medicaid program to individuals described in such section; and

(3) individuals who are enrolled in the Medicare program under any part of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

SA 3807. Mr. WARNER (for himself and Mr. KAINE) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. (a) TRAINING REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall ensure that appropriate Department of Defense personnel are provided training on whole of Government approaches to national security challenges.

(2) COORDINATION.—In providing training under this section, the Secretary shall consult with the heads of other appropriate departments and agencies of the United States Government in order to ensure that such training promotes cross-agency and multisector learning, collaboration and problem-solving.

(b) ELEMENTS.—The training under this section shall include and emphasize the following:

(1) Integration and synchronization of policy across the executive branch.

(2) An understanding of the role of Congress, State and local governments, community organizations, academia, foreign governments, non-governmental organizations, and the private sector in influencing and executing whole-of-Government solutions.

(3) Operating in an interagency environment.

(4) Table-top role playing exercises and mentorship programs designed to enable participants to gain a greater understanding of interagency partnerships and means of operating successfully in a whole of Government environment.

(c) PROVISION OF TRAINING.—

(1) TRAINING BY COHORT.—Training shall be provided under this section to cohorts comprised of a mix of military and civilian personnel from across the Department and the Armed Forces and, with the approval of the head of the department or agency concerned, from other departments and agencies of the United States Government.

(2) PROVIDERS OF TRAINING.—The entities providing training under this section shall include military staff and war colleges, the National Defense University, and accredited public institutions of higher education that provide whole of Government curricula and are located amid areas of high concentration of military and civilian national security personnel.

SA 3808. Mr. GARDNER (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. None of the amounts appropriated or otherwise made available this Act, whether division A or B of this Act, or by any other Act, may be obligated or expended for the following:

(1) Assistance to the Government of El Salvador.

(2) Activities with the Government of El Salvador.

SA 3809. Mr. CRUZ (for himself, Mr. INHOFE, and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. None of the funds appropriated or otherwise made available by this division may be obligated or expended to implement the Arms Trade Treaty until the resolution of ratification of the Treaty is approved by the Senate.

SA 3810. Mr. HELLER (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. Using funds appropriated under the heading ''PROGRAM ADMINISTRATION'' under the heading ''DEPARTMENTAL MANAGEMENT'' under the heading ''DEPARTMENT OF EDUCATION'', and not later than 180 days after the date of enactment of this Act, the Secretary of Education shall submit, to the Committee on Appropriations, the Committee on Commerce, Science, and Transportation, and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Appropriations, the Committee on Science, Space, and Technology, and the Committee on Education and the Workforce of the House of Representatives, a report on how the Department of Education is coordinating with the National Aeronautics and Space Administration and the National Science Foundation to promote science, technology, engineering, and mathematics programs that benefit students in grades pre-kindergarten through 12.

SA 3811. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committee on Appropriations and the Committee on Armed Services of the Senate and the

Committee on Appropriations and the Committee on Armed Services of the House of Representatives a report that contains an assessment of how increases in fees and copayments for specialty care under the TRICARE program impacts access to mental health services by members of the Armed Forces and veterans.

SA 3812. Mrs. HYDE–SMITH (for herself and Mr. REED) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

Section 115 of title I of division B is amended by striking ''shall be applied in fiscal year 2019 by substituting 'seven' for 'six' '' and inserting ''is amended by striking 'six' and inserting 'seven' ''.

SA 3813. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. AUTHORITY TO NEGOTIATE FAIR PRICES FOR MEDICARE PRESCRIPTION DRUGS.

(a) IN GENERAL.—Section 1860D–11 of the Social Security Act (42 U.S.C. 1395w–111) is amended by striking subsection (i).

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SA 3814. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. GRANTS FOR TRAINING AND SUPPORT SERVICES FOR FAMILIES AND CAREGIVERS OF PEOPLE LIVING WITH ALZHEIMER'S DISEASE OR A RELATED DEMENTIA.

Subpart I of part D of title III of the Public Health Service Act (42 U.S.C. 254b et seq.) is amended by adding at the end the following:

''SEC. 330N. GRANTS FOR TRAINING AND SUPPORT SERVICES FOR FAMILIES AND CAREGIVERS OF PEOPLE LIVING WITH ALZHEIMER'S DISEASE OR A RELATED DEMENTIA.

''(a) DEFINITIONS.—In this section:

''(1) AREA AGENCY ON AGING.—The term 'area agency on aging' has the meaning given the term in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002).

''(2) MEDICALLY UNDERSERVED COMMUNITY.—The term 'medically underserved community' has the meaning given the term in section 799B.

''(b) GRANTS.—The Secretary may award grants to public or nonprofit private health care providers described in subsection (c) for the purpose of expanding training and support services for families and caregivers of people living with Alzheimer's disease or a related dementia if such health care providers—

''(1) meet the conditions for receiving grants under subsection (d); and

''(2) submit an application to the Secretary in such form, in such manner, and containing such agreements, assurances, and information as the Secretary may reasonably require.

''(c) RECIPIENTS OF GRANTS.—The public or nonprofit private health care providers described in this subsection shall include—

''(1) health care organizations;

''(2) community health centers;

''(3) nursing homes;

''(4) senior centers;

''(5) area agencies on aging;

''(6) community-based organizations;

''(7) organizations providing support services for families and caregivers of patients with younger-onset Alzheimer's disease or a related dementia; and

''(8) State, local, and tribal public health agencies and social service agencies.

''(d) CONDITIONS FOR RECEIVING GRANTS.—To be eligible to receive a grant awarded under subsection (b), a public or nonprofit health care provider described in subsection (c) shall agree—

''(1) to employ a comprehensive approach to caring for patients with Alzheimer's disease or a related dementia that integrates treatment of such patients with training and support services for the families and caregivers of such patients;

''(2) in any program to be funded by a grant awarded under subsection (b), that services will be provided in the languages most appropriate for, and with consideration for the cultural backgrounds of, the individuals for whom the services are provided; and

''(3) to provide outreach activities to inform the public of the services of the program, and to provide information on Alzheimer's disease and related dementias to the public.

''(e) COORDINATION.—The Secretary shall coordinate with the Director of the Office on Women's Health and the Director of the Office of Minority Health in order to ensure that women, minorities, and patients who live in medically underserved communities are able to benefit from the training and support services funded through grants awarded under subsection (b).

''(f) FUNDING.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2018 through 2023.

''(2) ALLOCATION FOR MEDICALLY UNDERSERVED COMMUNITIES.—Of the amounts appropriated under paragraph (1) for a fiscal year, the Secretary shall make available not less than 10 percent for grants awarded under subsection (b) to public or nonprofit private health care providers that primarily serve medically underserved communities and meet the requirements under this section.''.

SA 3815. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. (a) Paragraph (3) of section 529(e) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(C) CERTAIN CAREER TRAINING EXPENSES.—

''(i) IN GENERAL.—In the case of an individual who is enrolled in or attending a program to obtain a recognized postsecondary credential or occupational license, the term 'qualified higher education expenses' includes expenses similar to the expenses described in subparagraph (A) which are required for such program.

''(ii) PROGRAM TO OBTAIN A RECOGNIZED POSTSECONDARY CREDENTIAL.—For purposes of this subparagraph—

''(I) the term 'recognized postsecondary credential' has the meaning given the term in section 3(52) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102(52)), and

''(II) when used with respect to obtaining such a credential, the term 'program' means only a program which is included, and is offered by a provider which is included, on the list described in section 122(d) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3152(d)).''.

(b) The amendment made by this section shall apply to expenses paid or incurred in taxable years beginning after the date of the enactment of this Act.

SA 3816. Ms. KLOBUCHAR (for herself and Mr. SASSE) submitted an amendment intended to be proposed by her to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. COVERDELL LIFELONG LEARNING ACCOUNTS.

(a) IN GENERAL.—

(1) RENAMING OF COVERDELL EDUCATION SAVINGS ACCOUNTS.—Section 530 of the Internal Revenue Code of 1986 is amended—

(A) by striking ''Coverdell education savings account'' each place it appears and inserting ''Coverdell lifelong learning account''; and

(B) by striking ''**COVERDELL EDUCATION SAVINGS ACCOUNTS**'' in the heading and inserting ''**COVERDELL LIFELONG LEARNING ACCOUNTS**''.

(2) CONFORMING AMENDMENTS.—

(A) Section 26(b)(2)(E) of the Internal Revenue Code of 1986 is amended by striking ''Coverdell education savings accounts'' and inserting ''Coverdell lifelong learning accounts''.

(B) Section 72(e)(9) of such Code is amended—

(i) by striking ''Coverdell education savings account'' and inserting ''Coverdell lifelong learning account''; and

(ii) by striking ''COVERDELL EDUCATION SAVINGS ACCOUNT'' in the heading and inserting ''COVERDELL LIFELONG LEARNING ACCOUNT''.

(C) Section 135(c)(2)(C) of such Code is amended—

(i) by striking ''Coverdell education savings account'' and inserting ''Coverdell lifelong learning account''; and

(ii) by striking ''COVERDELL EDUCATION SAVINGS ACCOUNT'' in the heading and inserting ''COVERDELL LIFELONG LEARNING ACCOUNT''.

(D) Section 408A(e)(2)(A)(ii) of such Code is amended by striking ''Coverdell education savings account'' and inserting ''Coverdell lifelong learning account''.

(E) Section 529(c) of such Code is amended—

(i) by striking ''COVERDELL EDUCATION SAVINGS ACCOUNTS'' in the heading of paragraph (3)(B)(vi) and inserting ''COVERDELL LIFELONG LEARNING ACCOUNT''; and

(ii) by striking ''an Coverdell education savings account'' in paragraph (6) and inserting ''a Coverdell lifelong learning account''.

(F) Section 877A(e)(2) of such Code is amended by striking ''Coverdell education

savings account'' and inserting ''Coverdell lifelong learning account''.

(G) Section 4973 of such Code is amended—

(i) by striking ''Coverdell education savings account'' each place it appears in subsections (a)(4) and (e)(2)(A) and inserting ''Coverdell lifelong learning account'';

(ii) by striking ''Coverdell education savings accounts'' in subsection (e)(1) and inserting ''Coverdell lifelong learning accounts''; and

(iii) by striking ''COVERDELL EDUCATION SAVINGS ACCOUNTS'' in the heading of subsection (e) and inserting ''COVERDELL LIFELONG LEARNING ACCOUNT''.

(H) Section 4975 of such Code is amended—

(i) by striking ''Coverdell education savings account'' each place it appears in subsections (c)(5) and (e)(1)(F) and inserting ''Coverdell lifelong learning account''; and

(ii) by striking ''COVERDELL EDUCATION SAVINGS ACCOUNTS'' in the heading of subsection (c)(5) and inserting ''COVERDELL LIFELONG LEARNING ACCOUNTS''.

(I) Section 6693(a)(2)(F) of such Code is amended by striking ''Coverdell education savings accounts'' and inserting ''Coverdell lifelong learning accounts''.

(J) The table of sections for part VIII of subchapter F of chapter 1 of such Code is amended by striking ''Coverdell education savings accounts'' and inserting ''Coverdell lifelong learning accounts''.

(3) TREATMENT OF EXISTING ACCOUNTS.—For purposes of section 530(b)(1) of the Internal Revenue Code of 1986, any account established before January 1, 2018, and designated as a Coverdell education savings account shall be deemed to have been designated as a Coverdell lifelong learning account.

(b) EXPANDED USE OF ACCOUNTS.—

(1) ELIGIBLE EXPENSES.—

(A) IN GENERAL.—Section 530(b)(2)(A) of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of clause (i), by striking the period at the end of clause (ii) and inserting '', and'', and by adding at the end the following new clause:

''(iii) qualified educational or skill development expenses (as defined in paragraph (5)).''.

(B) QUALIFIED EDUCATIONAL OR SKILL DEVELOPMENT EXPENSES.—Section 530(b) of such Code is amended by adding at the end the following new paragraph:

''(5) QUALIFIED EDUCATIONAL OR SKILL DEVELOPMENT EXPENSES.—The term 'qualified educational or skill development expenses' means—

''(A) expenses paid or incurred—

''(i) after the beneficiary attains age 16, and

''(ii) for participation or enrollment of the beneficiary in services or activities that are—

''(I) training services described in section 134(c)(3)(D) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(c)(3)(D)) that are offered by a provider included on the list of eligible providers of training services described in section 122 of such Act (29 U.S.C. 3152),

''(II) career and technical education activities defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302) that are offered through an eligible institution (as defined in such section),

''(III) career services described in clauses (iii), (iv), and (xi) of section 134(c)(2)(A) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(c)(2)(A)) that are provided by providers eligible under section 134(c)(2)(C) of such Act,

''(IV) youth activities described in section 129(c)(2) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3164(c)(2)) that are provided by eligible providers of youth workforce investment activities under section 123 of such Act, or

''(V) adult education and literacy activities, as defined in section 203 of the Adult Education and Family Literacy Act (29 U.S.C. 3272), that are provided by eligible providers of adult education and literacy activities under section 231 of such Act (29 U.S.C. 3321),

''(B) expenses for transportation required for or provided by any of the services or activities described in subparagraph (A),

''(C) expenses for testing necessary for enrollment in, or certification in connection with, services or activities described in subparagraph (A), or

''(D) expenses for the purchase of any computer technology or equipment (as defined in section 170(e)(6)(F)(i)) or Internet access and related services, if such technology, equipment, or services are to be used by the beneficiary for services or activities described in subparagraph (A) during any of the years the beneficiary is participating in or enrolled in any of the services or activities described in subparagraph (A).''.

(c) MODIFICATION OF RULES RELATING TO AGE RESTRICTIONS AND CONTRIBUTIONS.—

(1) $10,000 ACCOUNT LIMIT AFTER AGE 30.—

(A) IN GENERAL.—Subparagraph (E) of section 530(b)(1) of the Internal Revenue Code of 1986 is amended by inserting ''in excess of $10,000'' after ''any balance to the credit of the designated beneficiary''.

(B) CONTRIBUTION LIMIT.—Paragraph (1) of section 530(b)(1) of such Code is amended by striking ''or'' at the end of clause (ii), by striking the period at the end of clause (iii) and inserting '', or'', and by adding at the end the following new clause:

''(iv) in the case of a beneficiary who is over the age of 30, if such contribution would result in the balance of the account exceeding $10,000.''.

(2) INCREASED AGE LIMIT FOR CONTRIBUTIONS.—Clause (ii) of section 530(b)(1)(A) of the Internal Revenue Code of 1986 is amended by striking ''age 18'' and inserting ''age 70''.

(3) INCREASED CONTRIBUTION LIMITATION FOR INDIVIDUALS OVER AGE 30.—

(A) IN GENERAL.—Section 530(b)(1)(A)(iii) of the Internal Revenue Code of 1986 is amended by inserting ''($4,000 in the case of an account the designated beneficiary of which has attained age of 30 before the end of the taxable year)'' after ''$2,000''.

(B) CONFORMING AMENDMENT.—Section 4973(e)(1)(A) of such Code is amended by striking ''$2,000'' and inserting ''the limitation applicable under section 530(b)(1)(A)(iii)''.

(4) NO CHANGE IN BENEFICIARY AFTER AGE 30.—Paragraph (6) of section 530(d) of the Internal Revenue Code of 1986 is amended by striking ''shall not be treated as a distribution for purposes of paragraph (1) if the new beneficiary'' and inserting ''shall not be treated as a distribution for purposes of paragraph (1) if—

''(A) the old beneficiary has not attained age 30 before the date of the change in beneficiary, and

''(B) the new beneficiary''.

(d) CREDIT FOR EMPLOYER CONTRIBUTIONS.—

(1) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 45T. EMPLOYEE EDUCATIONAL SKILLS AND DEVELOPMENT EXPENSES.

''(a) GENERAL RULE.—For purposes of section 38, the employee educational skills and development contribution credit determined under this section for any taxable year is 25 percent of the nonelective contributions made by the taxpayer during the taxable year to a Coverdell lifelong learning account (as defined in section 530(b)) the designated beneficiary of which is an employee of the taxpayer.

''(b) SPECIAL RULES AND DEFINITIONS.—For purposes of this section—

''(1) EMPLOYEE.—

''(A) CERTAIN EMPLOYEES EXCLUDED.—The term 'employee' shall not include—

''(i) an employee within the meaning of section 401(c)(1),

''(ii) any 2-percent shareholder (as defined in section 1372(b)) of an S corporation,

''(iii) any 5-percent owner (as defined in section 416(i)(1)(B)(i)) of taxpayer, or

''(iv) any individual who bears any of the relationships described in subparagraphs (A) through (G) of section 152(d)(2) to, or is a dependent described in section 152(d)(2)(H) of, an individual described in clause (i), (ii), or (iii).

''(B) LEASED EMPLOYEES.—The term 'employee' shall include a leased employee within the meaning of section 414(n).

''(2) NONELECTIVE CONTRIBUTION.—The term 'nonelective contribution' means an employer contribution other than an employer contribution pursuant to a salary reduction arrangement.

''(3) AGGREGATION AND OTHER RULES MADE APPLICABLE.—

''(A) AGGREGATION RULES.—All employers treated as a single employer under subsection (b), (c), (m), or (o) of section 414 shall be treated as a single employer for purposes of this section.

''(B) OTHER RULES.—Rules similar to the rules of subsections (c), (d), and (e) of section 52 shall apply.''.

(2) CREDIT TREATED AS PART OF GENERAL BUSINESS CREDIT.—Section 38(b) of such Code is amended by striking ''plus'' at the end of paragraph (31), by striking the period at the end of paragraph (32) and inserting '', plus'', and by adding at the end the following new paragraph:

''(33) the employee educational skills and development contribution credit determined under section 45T(a).''.

(3) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:

''Sec. 45T. Employee educational skills and development expenses.''.

(e) ALLOWANCE OF DEDUCTION FOR BENEFICIARY.—

(1) IN GENERAL.—Part VIII of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by redesignating section 224 as section 225 and by inserting after section 223 the following new section:

''SEC. 224. COVERDELL LIFELONG LEARNING ACCOUNT CONTRIBUTIONS.

''(a) IN GENERAL.—In the case of an individual who—

''(1) is the designated beneficiary of a Coverdell lifelong learning account (as defined in section 530(b)(1)), and

''(2) has attained the age of 18 before the close of the taxable year,

there shall be allowed as a deduction an amount equal to the contributions for the taxable year by or on behalf of such individual to the account described in paragraph (1).

''(b) RECONTRIBUTED AMOUNTS.—No deduction shall be allowed under this section with respect to a rollover contribution described in section 530(d)(5).''.

(2) INCREASE IN ADDITIONAL TAX.—

(A) INCREASE.—

(i) IN GENERAL.—Section 530(d)(4)(A) of the Internal Revenue Code of 1986 is amended by striking ''10 percent'' and inserting ''20 percent''.

(ii) CONFORMING AMENDMENT.—Section 529(c)(6) of such Code is amended by inserting

''. except that '10 percent' shall be substituted for '20 percent' in subparagraph (A) thereof'' before the period at the end of the first sentence.

(B) MODIFICATION OF TAX TREATMENT OF DEDUCTIBLE CONTRIBUTIONS.—Paragraph (1) of section 530(d) is amended to read as follows:

''(1) INCLUSION IN GROSS INCOME.—

''(A) IN GENERAL.—Any distribution shall be includible in the gross income of the distributee as follows:

''(i) So much of the distribution as is equal to or less than the deductible amount shall be fully included in gross income.

''(ii) So much of the distribution which exceeds the deductible amount shall be included in gross income in the manner as provided in section 72 (determined by applying such section without regard to any amounts to which clause (i) applies).

''(B) DEDUCTIBLE AMOUNT.—For purposes of this paragraph, the term 'deductible amount' means the excess of—

''(i) the sum of contributions to the account for which a deduction was allowed under section 224 in such year and any preceding taxable year, over

''(ii) the amount of distributions to which subparagraph (A)(i) applied to in any preceding taxable year.''.

(3) CLERICAL AMENDMENT.—The table of sections for part VIII of subchapter B of chapter 1 of such Code is amended by redesignating the item relating to section 224 as relating to section 225 and by inserting after the item relating to section 223 the following new item:

''Sec. 224. Coverdell lifelong learning account contributions.''.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall take effect on January 1, 2018.

(2) ELIGIBLE EXPENSES.—The amendments made by subsection (b) shall apply to distributions made after December 31, 2018.

(3) CONTRIBUTIONS.—The amendments made by paragraphs (1)(B) and (2) of subsection (c) shall apply to contributions made after December 31, 2018.

(4) EMPLOYER CONTRIBUTION CREDIT AND BENEFICIARY DEDUCTIONS.—The amendments made by subsections (d) and (e) shall apply to taxable years beginning after December 31, 2018.

SA 3817. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 25D the following new section:

''SEC. 25E. EXPENSES FOR ELDERCARE.

''(a) ALLOWANCE OF CREDIT.—

''(1) IN GENERAL.—In the case of an individual for which there are 1 or more qualifying individuals with respect to such individual, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the applicable percentage of the eldercare expenses paid by such individual during the taxable year.

''(2) APPLICABLE PERCENTAGE.—For purposes of paragraph (1), the term 'applicable percentage' means 20 percent, reduced (but not below zero) by 1 percentage point for each $4,000 (or fraction thereof) by which the taxpayer's adjusted gross income for the taxable year exceeds $120,000.

''(b) DEFINITIONS.—For purposes of this section—

''(1) QUALIFYING INDIVIDUAL.—The term 'qualifying individual' means an individual—

''(A) who has attained age 65,

''(B) who requires assistance with activities of daily living, and

''(C) who is, with respect to the taxpayer or the taxpayer's spouse—

''(i) the father or mother or an ancestor of such father or mother,

''(ii) the father-in-law or mother-in-law or an ancestor of such father-in-law or mother-in-law,

''(iii) the stepfather or stepmother or an ancestor of such stepfather or stepmother, or

''(iv) any other person who, for the taxable year, has the same principal place of abode as the taxpayer and is a member of the household of the taxpayer.

''(2) ELDERCARE EXPENSES.—

''(A) IN GENERAL.—The term 'eldercare expenses' means the following amounts paid for expenses relating to the care of a qualifying individual:

''(i) Medical care (as defined in section 213(d)(1), without regard to subparagraph D thereof).

''(ii) Lodging away from home in accordance with section 213(d)(2).

''(iii) Adult day care.

''(iv) Custodial care.

''(v) Respite care.

''(vi) Assistive technologies and devices (including remote health monitoring).

''(vii) Environmental modifications (including home modifications).

''(viii) Counseling or training for a caregiver.

''(B) DEFINITIONS.—For purposes of subparagraph (A)—

''(i) ADULT DAY CARE.—The term 'adult day care' means care provided for adults with functional or cognitive impairments through a structured, community-based group program which provides health, social, and other related support services on a less than 24-hour basis.

''(ii) CUSTODIAL CARE.—The term 'custodial care' means reasonable personal care services provided to assist with daily living which do not require the skills of qualified technical or professional personnel.

''(iii) RESPITE CARE.—The term 'respite care' means planned or emergency care intended to provide temporary relief to a caregiver.

''(C) CARE CENTERS.—

''(i) IN GENERAL.—Eldercare expenses described in subparagraph (A) which are incurred for services provided outside the taxpayer's household by a care center shall be taken into account only if such center complies with all applicable laws and regulations of a State or unit of local government.

''(ii) CARE CENTER.—For purposes of this subparagraph, the term 'care center' means any facility which—

''(I) provides care for more than 6 individuals, and

''(II) receives a fee, payment, or grant for providing services for any of the individuals (regardless of whether such facility is operated for profit).

''(c) DOLLAR LIMITATION.—

''(1) IN GENERAL.—The amount of the eldercare expenses incurred during any taxable year which may be taken into account under subsection (a) shall not exceed $6,000.

''(2) COORDINATION WITH DEPENDENT CARE ASSISTANCE EXCLUSION.—The dollar amount in paragraph (1) shall be reduced by the aggregate amount excluded from gross income under section 129 for the taxable year, if any.

''(d) SPECIAL RULES.—For purposes of this section—

''(1) PAYMENTS TO RELATED INDIVIDUALS.—No credit shall be allowed under subsection (a) for any amount paid to an individual with respect to whom, for the taxable year, a deduction under section 151(c) is allowable either to the taxpayer or the taxpayer's spouse. For purposes of this paragraph, the term 'taxable year' means the taxable year of the taxpayer in which the service is performed.

''(2) IDENTIFYING INFORMATION REQUIRED WITH RESPECT TO SERVICE PROVIDER.—No credit shall be allowed under subsection (a) for any amount paid to any person unless—

''(A) the name, address, and taxpayer identification number of such person are included on the return claiming the credit, or

''(B) if such person is an organization described in section 501(c)(3) and exempt from tax under section 501(a), the name and address of such person are included on the return claiming the credit.

In the case of a failure to provide the information required under the preceding sentence, the preceding sentence shall not apply if it is shown that the taxpayer exercised due diligence in attempting to provide the information so required.

''(3) IDENTIFYING INFORMATION REQUIRED WITH RESPECT TO QUALIFYING INDIVIDUALS.—No credit shall be allowed under subsection (a) with respect to any qualifying individual unless the taxpayer identification number of such individual is included on the return claiming the credit.

''(e) DENIAL OF DOUBLE BENEFIT.—No credit shall be allowed under subsection (a) for any amount with respect to which a credit is allowed under section 21.

''(f) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out the purposes of this section.''.

(b) The table of sections for subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 25D the following new item:

''Sec. 25E. Expenses for eldercare.''.

(c)(1) Section 213(e) of the Internal Revenue Code of 1986 is amended—

(A) by inserting ''or section 25E'' after ''section 21'', and

(B) by inserting ''AND ELDERS'' after ''CERTAIN DEPENDENTS'' in the heading.

(2) Section 6213(g)(2) of such Code is amended—

(A) by inserting '', section 25E (relating to expenses for care of elders),'' after ''(relating to expenses for household and dependent care services necessary for gainful employment)'' in subparagraph (H), and

(B) by inserting '', 25E'' after ''24'' in subparagraph (L).

(d) The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SA 3818. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SAFE AND AFFORDABLE DRUGS FROM CANADA

SEC. _____.

Chapter VIII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381 et seq.) is amended by adding at the end the following:

"SEC. 810. IMPORTATION BY INDIVIDUALS OF PRESCRIPTION DRUGS FROM CANADA.

''(a) IN GENERAL.—Notwithstanding any other provision of this Act, not later than 185 days after the date of enactment of this section, the Secretary shall promulgate regulations permitting individuals to safely import into the United States a prescription drug described in subsection (b).

''(b) PRESCRIPTION DRUG.—A prescription drug described in this subsection—

''(1) is a prescription drug that—

''(A) is purchased from an approved Canadian pharmacy;

''(B) is dispensed by a pharmacist licensed to practice pharmacy and dispense prescription drugs in Canada;

''(C) is purchased for personal use by the individual, not for resale, in quantities that do not exceed a 90-day supply;

''(D) is filled using a valid prescription issued by a physician licensed to practice in a State in the United States; and

''(E) has the same active ingredient or ingredients, route of administration, dosage form, and strength as a prescription drug approved by the Secretary under chapter V; and

''(2) does not include—

''(A) a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802));

''(B) a biological product (as defined in section 351 of the Public Health Service Act (42 U.S.C. 262));

''(C) an infused drug (including a peritoneal dialysis solution);

''(D) an intravenously injected drug;

''(E) a drug that is inhaled during surgery;

''(F) a parenteral drug;

''(G) a drug manufactured through one or more biotechnology processes, including—

''(i) a therapeutic DNA plasmid product;

''(ii) a therapeutic synthetic peptide product of not more than 40 amino acids;

''(iii) a monoclonal antibody product for in vivo use; and

''(iv) a therapeutic recombinant DNA-derived product;

''(H) a drug required to be refrigerated at any time during manufacturing, packing, processing, or holding; or

''(I) a photoreactive drug.

''(c) APPROVED CANADIAN PHARMACY.—

''(1) IN GENERAL.—In this section, an approved Canadian pharmacy is a pharmacy that—

''(A) is located in Canada; and

''(B) that the Secretary certifies—

''(i) is licensed to operate and dispense prescription drugs to individuals in Canada; and

''(ii) meets the criteria under paragraph (3).

''(2) PUBLICATION OF APPROVED CANADIAN PHARMACIES.—The Secretary shall publish on the Internet Web site of the Food and Drug Administration a list of approved Canadian pharmacies, including the Internet Web site address of each such approved Canadian pharmacy, from which individuals may purchase prescription drugs in accordance with subsection (a).

''(3) ADDITIONAL CRITERIA.—To be an approved Canadian pharmacy, the Secretary shall certify that the pharmacy—

''(A) has been in existence for a period of at least 5 years preceding the date of such certification and has a purpose other than to participate in the program established under this section;

''(B) operates in accordance with pharmacy standards set forth by the provincial pharmacy rules and regulations enacted in Canada;

''(C) has processes established by the pharmacy, or participates in another established process, to certify that the physical premises and data reporting procedures and licenses are in compliance with all applicable laws and regulations, and has implemented policies designed to monitor ongoing compliance with such laws and regulations;

''(D) conducts or commits to participate in ongoing and comprehensive quality assurance programs and implements such quality assurance measures, including blind testing, to ensure the veracity and reliability of the findings of the quality assurance program;

''(E) agrees that laboratories approved by the Secretary shall be used to conduct product testing to determine the safety and efficacy of sample pharmaceutical products;

''(F) has established, or will establish or participate in, a process for resolving grievances and will be held accountable for violations of established guidelines and rules;

''(G) does not resell products from online pharmacies located outside Canada to customers in the United States; and

''(H) meets any other criteria established by the Secretary.''.

SA 3819. Mr. WHITEHOUSE (for himself, Mr. CRAPO, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. Of the amounts appropriated or otherwise made available in this division for the congressionally directed medical research programs, $10,000,000 shall be used to carry out a pancreatic cancer research program.

SA 3820. Mr. REED (for himself, Ms. MURKOWSKI, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

''SEC. ____. (a) The Comptroller General of the United States shall conduct a study on the condition of the public school facilities of the United States and their adequacy to support a 21st century education.

''(b) In conducting the study under subsection (a), the Comptroller General shall study the following factors:

''(1) Structural integrity.

''(2) Plumbing.

''(3) Heating, ventilation, and air conditioning systems.

''(4) Compliance with fire and safety codes.

''(5) Compliance with Federal laws, including the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

''(6) Lighting.

''(7) Indoor air quality.

''(8) Environmental conditions, such as exposure to asbestos, lead, and mold.

''(9) Physical security.

''(10) Sufficient space for instruction.

''(c) The Comptroller General shall include in the study under subsection (a) information on the ability of States and local educational agencies to pay for necessary repairs, renovation, and construction of public school facilities that are not in adequate condition, including plans to finance the work within the next 10 years.

''(d) Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Appropriations and the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Appropriations and the Committee on Education and the Workforce of the House of Representatives, the findings of the study under this section.''.

SA 3821. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. None of the funds appropriated or otherwise made available by this title for the Office of Refugee Resettlement may be obligated or expended for facilities or contractors of the Office if the Director of the Office fails to—

(1) report to the Director of the Federal Bureau of Investigation with respect to incidents of physical or mental injury, sexual abuse or exploitation, or negligent treatment of a child in the custody of the Office or other Federal agencies and subsequent investigations of such incidents under the Victims of Child Abuse Act of 1990 (42 U.S.C. 13001 et seq.);

(2) track and report such incidents to Congress annually; or

(3) provide children in the custody of the Office with access to private areas to place telephone calls with complaints of abuse or harassment.

SA 3822. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. The Director of the Office of Refugee Resettlement shall provide at each temporary facility of the Office that houses unaccompanied alien children the full range of services and the same level of care as are required for permanent facilities that house such children.

SA 3823. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. Of the amount appropriated in this division under the heading ''General Departmental Management'', under the heading ''Office of the Secretary'', the Secretary of Health and Human Services shall utilize $1,100,000 for the continuation of cooperative agreements for members of the U.S. Mexico Border Health Commission, which include the Border States of Texas, New Mexico, California and Arizona.

SA 3824. Mr. UDALL (for himself, Mrs. CAPITO, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

In the matter under the heading ''AGING AND DISABILITY SERVICES PROGRAMS (INCLUDING TRANSFER OF FUNDS)'' under the heading ''ADMINISTRATION FOR COMMUNITY LIVING'' in title II of division B, strike the colon the first place it appears and insert ''(and an additional amount of $5,000,000): *Provided*, That the additional amount of $5,000,000 made available under this heading shall be for making (under section 411 of the OAA and consistent with the requirements of the nondisplacement and related grievance procedures of subtitle F of title I of the National and Community Service Act of 1990 and with the Nationwide Program for National and State Background Checks described in section 6201 of the Patient Protection and Affordable Care Act) grants to public agencies and private nonprofit agencies for placing volunteers in communities to assist older individuals and individuals with disabilities in living independently in their homes, or to support family caregivers who are facilitating that independent living:''.

SA 3825. Ms. CORTEZ MASTO (for herself and Mrs. ERNST) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. STUDY ON TRAUMATIC BRAIN INJURY.

(a) STUDY.—The Comptroller General of the United States, in meaningful consultation with experts on the intersections of domestic violence, disabilities, trauma, and mental health, shall conduct a study to evaluate the status of—

(1) research on the relationship between intimate partner violence and traumatic brain injury experienced by victims; and

(2) public awareness and education campaigns related to the effects of intimate partner violence on victims' brain health and its connection to traumatic brain injury experienced by victims.

(b) CONTENT.—The study conducted under subsection (a) shall include—

(1) a review on the outcomes of any previous research, the status of existing research activities, and efforts to address knowledge gaps across agencies of the Federal Government; and

(2) recommendations to—

(A) encourage increased research to address existing knowledge gaps relating to the relationship between intimate partner violence and traumatic brain injury experienced by victims;

(B) increase awareness of the effects of intimate partner violence on the brain health of victims for health care and other treatment providers;

(C) increase victim service providers' awareness of the effects of intimate partner violence on victims' brain health, enhance their capacity to identify victims with traumatic brain injuries and provide services that support victims' healing and recovery; and

(D) increase awareness of the links between intimate partner violence and the brain health of victims' for the general public.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on the Judiciary of the Senate, the Committee on Appropriations of the Senate, the Committee on Energy and Commerce of the House of Representatives, the Committee on Ways and Means of the House of Representatives, and the Committee on Appropriations of the House of Representatives a report on the study conducted under subsection (a).

SA 3826. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

REPORT ON ASTHMA CONTROL ACTIVITIES

SEC. ____. Not later than 120 days after the date of enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report on asthma control activities conducted by the Department of Health and Human Services that includes information on—

(1) how States may employ Medicaid funding to support asthma control activities in various settings, including home-based and residential settings;

(2) public health and population level approaches to addressing environmental exposures;

(3) how the health care and housing sectors can work together on interventions to improve asthma care and reduce asthma morbidity; and

(4) what the Department of Health and Human Services is doing to expand access to State asthma housing and home-based related initiatives, including what research related to such initiatives the Department is funding, and what resources to support such initiatives are made available through all programs of the Department, including programs administered by the Centers for Disease Control and Prevention and the National Institutes of Health.

SA 3827. Mr. CASEY (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. (a) In addition to amounts appropriated under the heading ''Children and Families Services Programs'' under the heading ''Administration for Children and Families'', there is appropriated $10,000,000 for purposes of carrying out title I of the Child Abuse Prevention and Treatment Act.

(b) The amounts made available for necessary administrative expenses under the heading ''Children and Families Services Programs'' under the heading ''Administration for Children and Families'' is hereby reduced by $10,000,000.

SA 3828. Mr. MENENDEZ (for himself, Mr. COONS, Mr. CARPER, Mr. WHITEHOUSE, Mr. REED, and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. Notwithstanding the final rule of the Centers for Medicare and Medicaid Services entitled ''Medicare Program: Hospital Inpatient Prospective Payment Systems for Acute Care Hospitals and the Long Term Care Hospital Prospective Payment System and Policy Changes and Fiscal Year 2019 Rates; Quality Reporting Requirements for Specific Providers; Medicare and Medicaid Electronic Health Record (EHR) Incentive Programs (Promoting Interoperability Programs) Requirements for Eligible Hospitals, Critical Access Hospitals, and Eligible Professionals; Medicare Cost Reporting Requirements; and Physician Certification and Recertification of Claims'' or any other provision of law, none of the funds appropriated or otherwise made available by this division for the Centers for Medicare & Medicaid Services may be used to terminate the imputed floor policy under section 412.64(h) of title 42, Code of Federal Regulations (including the policy under clause (vi) of such section), as in effect with respect to discharges during fiscal year 2018, to discharges occurring on or after October 1, 2018. The Secretary of Health and Human Services shall implement the preceding sentence in a budget-neutral manner under section 1886(d) of the Social Security Act (42 U.S.C. 1395ww(d)).

SA 3829. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. For the purposes of calculating the maximum Federal Pell Grant award under section 401(b)(2)(A)(i) of the Higher Education Act of 1965 for an award year subsequent to the 2019–2020 award year, the last enacted appropriation Act shall be the Consolidated Appropriations Act, 2018: *Provided*, That nothing in this section shall be interpreted as precluding a future appropriations Act from increasing the maximum award above such level for future award years.

SA 3830. Mr. LEAHY (for Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. Of the amount appropriated or otherwise made available by title IV of this division under the heading ''Research, Development, Test and Evaluation, Navy'', up to $2,000,000 may be available for research on a practical means of reducing fighter aircraft engine noise (both near and far noise impacts) at the source while maintaining operational performance.

SA 3831. Mr. LEAHY (for Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. Of the amount appropriated or otherwise made available by title II of this division under the heading ''Operation and Maintenance, Defense-Wide'', up to $20,000,000 may be available for the Department of Defense Family Advocacy Program to do the following:

(1) To address allegations of juvenile problematic sexual behavior occurring on military installations, including to ensure that the Program has the resources necessary to ensure a consistent, standardized response to allegations of juvenile problematic sexual behavior across the Department of Defense (including the appropriate level of staff and training resources).

(2) To maintain a centralized database with information on reported incidents of juvenile problematic sexual behavior.

SA 3832. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. The amount expended by the Department of Defense from amounts appropriated or otherwise made available by this division for preparations for or the conduct of any particular parade may not exceed $15,000,000.

SA 3833. Mr. FLAKE (for himself, Mr. MCCAIN, and Mrs. ERNST) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. The amount appropriated by title II of this division under the heading ''Shipbuilding and Conversion, Navy'' is hereby reduced by $475,000,000, with the amount of the reduction applied against amounts available under that heading for the Littoral Combat Ship.

SA 3834. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. None of the funds made available by this Act may be used to support the construction of fast food (as defined in the most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341)) restaurants.

SA 3835. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. None of the amounts appropriated or otherwise made available by this Act may be obligated or expended for the development of a beerbot or other robot bartender.

SA 3836. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place under the heading ''Salaries and Expenses'' under the heading ''National Mediation Board'' in title IV of division B, strike ''$13,800,000.'' and insert ''$13,800,000: *Provided*, That the National Mediation Board shall prepare and submit a report, not later than 60 days after the date of enactment of this Act, to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate on any concurrent postponement election under the jurisdiction of the National Mediation Board and the rationale for the postponement.''.

SA 3837. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. (a) Section 113(4)(A)(ii) of the Strengthening Career and Technical Education for the 21st Century Act (Public Law 115–224) is amended by striking subclause (II).

(b) Section 114(d)(1)(B)(vi) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2324(d)(1)(B)(vi) is amended to read as follows:

''(vi) other individuals and qualified intermediaries with relevant expertise, which shall include individuals with expertise in addressing inequities in access to, and in opportunities for, academic and technical skill attainment and in programs dealing with gender and racial or ethnic disparities;''.

SA 3838. Ms. HIRONO (for herself, Mr. WHITEHOUSE, and Mr. REED) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

In the matter under the heading ''STUDENT FINANCIAL ASSISTANCE'' in title III of division B, strike the first period and insert '': *Provided further*, That none of the funds made available under this title may be used to modify any regulation (as in effect on the date of enactment of this Act) if the modification would increase the cost of the Federal Pell Grant program carried out under subpart 1 of part A of title IV of the HEA, by $1,000,000,000.''.

SA 3839. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. STUDY ON FIRST RESPONDER HEALTH IMPACTS.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary''), acting through the Director of the Centers for Disease Control and Prevention and the Director of the Agency for Toxic Substances and Disease Registry, and, as appropriate, the Director of the National Institute of Environmental Health Sciences, and in consultation with the Secretary of Defense shall conduct a study of the health implications for firefighters, police officers, and other first responders of exposure to per- and polyfluoroalkyl substances occurring during training or when fighting fires, including exposure that occurs as a result of the use of firefighting protective equipment containing per- and polyfluoroalkyl substances.

(2) RECOMMENDATIONS AND REPORTS.—The Secretary shall—

(A) not later than one year after the date of the enactment of this Act, and annually thereafter until submission of the report under subparagraph (B)(ii), submit to the appropriate congressional committees a report on the progress of the study under paragraph (1); and

(B) not later than 3 years after the date of enactment of this Act—

(i) complete the study under paragraph (1); and

(ii) submit a report, including any appropriate recommendations, to the appropriate congressional committees on the results of such study.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act, $5,000,000 for fiscal year 2019.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—For purposes of this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Appropriations, the Committee on Armed Services, the Committee on Health, Education, Labor, and Pensions, the Committee on Environment and Public Works, the Committee on Veterans' Affairs, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Committee on Appropriations, the Committee on Armed Services, the Committee on Energy and Commerce, the Committee on Veterans' Affairs, and the Committee on Homeland Security of the House of Representatives.

SA 3840. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. The Firefighter Cancer Registry Act of 2018 (Public Law 115–194) is amended—

(1) by inserting '', police officers, and other first responders'' after ''firefighters'' each place the term appears;

(2) by inserting ''police officer, or other first responder'' after ''firefighter'' each place the term appears; and

(3) in section 2—

(A) in subsection (d)(3), by inserting ''local law enforcement agencies, State associations of police chiefs, and emergency medical technician agencies and associations,'' after ''State departments of homeland security,''; and

(B) in subsection (e)(4), by inserting '', law enforcement,'' after ''national fire''.

SA 3841. Mrs. MCCASKILL (for herself and Mr. ISAKSON) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. The Secretary of Defense shall use amounts appropriated or otherwise made available to the Department of Defense under this division to provide testing for elevated blood lead levels at military treatment facilities for babies during their 12-month and 24-month wellness checks or annual physical examinations.

SA 3842. Mr. MERKLEY (for himself, Mr. UDALL, Mr. BOOKER, and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in the matter under the heading ''CHILDREN AND FAMILIES SERVICES PROGRAMS'' under the heading ''ADMINISTRATION FOR CHILDREN AND FAMILIES'' in title II of division B, insert '': *Provided further*, That $10,000,000 of the amounts made available under this heading shall be for carrying out the Assets for Independence Act''.

SA 3843. Mr. MERKLEY (for himself, Ms. DUCKWORTH, Mr. BOOKER, Mr. MENENDEZ, Mr. KAINE, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. There are appropriated, in addition to any other amounts made available under the heading ''Health Workforce'' under the heading ''Health Resources and Services Administration'', $17,000,000 for purposes of carrying out title VIII of the PHS Act.

SA 3844. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting such tax liability, provided that the applicable Federal agency—

(1) is aware of the unpaid Federal tax liability;

(2) has considered suspension or debarment of the corporation; and

(3) has made a determination that such suspension or debarment is necessary to protect the interests of the Federal Government.

SA 3845. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. None of the amounts appropriated or otherwise made available by this division may be used to deactivate or realign, or prepare for the deactivation or realignment of, Strike Fighter Squadron 101 (otherwise known as VFA 101) at Eglin Air Force Base, Florida.

SA 3846. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. Of the amounts appropriated or otherwise made available by title II of this division under the heading ''Operation and Maintenance, Defense-Wide'', up to $48,242,000 may be available for the Maritime Security Initiative for purposes of addressing budget priorities in the Indo-PACOM Martime Partnership in connection with building partner capacity to contribute to maritime security and domain awareness.

SA 3847. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 8_____. None of the funds appropriated or otherwise made available by this Act may be used to conduct a lease sale for oil or gas in an area described in section 104(a) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432), including any area east of the Military Mission Line (as defined in section 102 of that Act) in the Gulf of Mexico.

SA 3848. Mr. RUBIO (for himself and Mr. NELSON) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. Of the amounts appropriated or otherwise made available by title II of this division under the heading ''Operation and Maintenance, Navy'', up to $5,000,000 may be available for planning and design activities in connection with the implementation of future homeporting decisions based on strategic dispersal objectives in the 2018 Strategic Laydown.

SA 3849. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. Of the amounts appropriated or otherwise made available by title II of this division under the heading ''Operation and Maintenance, Navy'', up to $5,000,000 may be available for the maintenance and use of the Saturation Fly Away Diving System (SATFADS) of the Navy.

SA 3850. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. Amounts appropriated or otherwise made available by title III of this division under the heading ''Aircraft Procurement, Air Force'' may be available to the Secretary of the Air Force for one or more contracts, beginning with the fiscal year 2019 program year, to convert not more than 34 F–22 fighter aircraft of the Air Force from Block 20 configuration to Block 35 configuration.

SA 3851. Mr. RUBIO submitted an amendment intended to be proposed to

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

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

SEC. ___. None of the funds made available under this Act shall be used by any State educational agency or local educational agency (as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) to develop or implement a discipline policy that—

(1) discourages schools from reporting any disciplinary action to law enforcement agencies; or

(2) discourages law enforcement agencies from arresting an individual for—

(A) any misdemeanor domestic violence offense;

(B) harassing, stalking, or threatening an intimate partner, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury;

(C) any criminal offense for which the maximum term of imprisonment is more than 1 year;

(D) any criminal offense relating to being a fugitive from justice;

(E) unlawful possession of a firearm; or

(F) exhibiting verbal or physical threatening behavior towards others, including—

(i) acts of violence resulting from expulsion from school;

(ii) threats involving firearms or other weapons; or

(iii) other actions resulting in a reasonable fear of bodily injury.

SA 3852. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. Notwithstanding any other provision of law, no provider of services under title X of the Public Health Service Act shall be exempt from any State law requiring notification or the reporting of child abuse, child molestation, sexual abuse, rape, or incest.

SA 3853. Mr. RUBIO (for himself and Mr. NELSON) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 201, line 2, strike the period and insert the following ": *Provided*, that of the funds made available under this heading, $1,000,000 shall be available to enhance harmful algal bloom exposure activities, including surveillance, mitigation, and event response efforts, with a priority given to geographic locations subject to a state of emergency designation related to toxic algae blooms within the past 12 months.".

SA 3854. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. (a) None of the funds appropriated or otherwise made available in this Act may be used by a Federal agency for which amounts are appropriated in this Act to acquire telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation or a high-impact or moderate-impact information system, as defined for security categorization in the National Institute of Standards and Technology's (in this section referred to as "NIST") Federal Information Processing Standard Publication 199, "Standards for Security Categorization of Federal Information and Information Systems", unless the agency has—

(1) reviewed the supply chain risk for the information systems against criteria developed by NIST to inform acquisition decisions for high-impact and moderate-impact information systems within the Federal Government;

(2) reviewed the supply chain risk from the presumptive awardee against available and relevant threat information provided by the Federal Bureau of Investigation and other appropriate Federal agencies; and

(3) in consultation with the Federal Bureau of Investigation or other appropriate Federal agency, conducted an assessment of any risk of cyber espionage or sabotage associated with the acquisition of such system, including any risk associated with such system being produced, manufactured, or assembled by one or more entities identified by the United States Government as posing a cyber threat, including those that may be owned, directed, or subsidized by the People's Republic of China, the Islamic Republic of Iran, the Democratic People's Republic of Korea, or the Russian Federation.

(b)(1) None of the funds appropriated or otherwise made available in this Act may be used to acquire a high-impact or moderate-impact information system reviewed and assessed under subsection (a) unless the head of the assessing entity described in subsection (a) has—

(A) developed, in consultation with NIST and supply chain risk management experts, a mitigation strategy for any identified risks;

(B) determined, in consultation with NIST and the Federal Bureau of Investigation, that the acquisition of such system is in the vital national security interest of the United States; and

(C) reported that determination to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives in a manner that identifies the system intended for acquisition and includes a detailed description of the mitigation strategies identified in (1).

(2) The report required by paragraph (1)(C) shall be submitted in unclassified form but may include a classified annex.

SA 3855. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. (a) Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of Defense, in consultation with the Director of National Intelligence, shall certify to the congressional defense committees and the congressional intelligence committees that there are no known devices, components, subcomponents, or software embedded within or with access to any operational or business data or voice network of the Department of Defense, including intranets, that are produced by Huawei Technologies Company, ZTE Corporation, any subsidiary or affiliate of such entity, or any other Chinese telecommunication or technology entity.

(b) If it is not possible to make a certification under subsection (a), the Secretary of Defense, in consultation with the Director of National Intelligence, shall submit to the congressional defense committees a report detailing all instances of known devices, components, subcomponents, or software embedded within or with access to any operational or business data or voice network of the Department of Defense, including intranets, that are produced by Huawei Technologies Company, ZTE Corporation, any subsidiary or affiliate of such entity, or any other Chinese telecommunication or technology entity, and including a plan to excise such devices, components, subcomponents, or software within 30 days of the report.

(c)(1) Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Director of National Intelligence, shall submit to the congressional defense committees and the congressional intelligence committees a report on the following:

(A) The threat that incorporating devices, components, subcomponents, or software produced by Chinese telecommunication or technology entities into operational or business data and voice networks of the Department of Defense poses to the national security of the United States.

(B) The extent to which Chinese telecommunications equipment and components are embedded within operational or business data and voice networks of the Department of Defense, and how many Chinese telecommunications technology components have been removed during the two-year period preceding the report.

(C) The prevalence of Chinese-origin telecommunications equipment available for sale on military installations of the United States.

(D) The privacy and security threats posed to members of the Armed Forces and their families by the use of Chinese-origin telecommunications devices, components, subcomponents, and software, including mobile phones, fitness monitors with tracking capabilities, routers, and other household components.

(2) The report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

SA 3856. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. (a) Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State and the Director of National Intelligence, submit to

the congressional defense committees a report on the implications for the national security of the United States, and for stability in the region concerned, of continuing instability in each of the following:

(1) Nicaragua.

(2) Venezuela.

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

(1) A description and assessment of the manner in which the political, economic, and humanitarian crisis in each of Nicaragua and Venezuela affects the national security of the United States, United States interests in the Western Hemisphere, and stability in the region concerned.

(2) A description and assessment of various policy options for the United States to mitigate any adverse effects described pursuant to paragraph (1).

(3) A description and assessment of various policy options for enhancement of the security partnership between the United States and Costa Rica (in the case of Nicaragua), the United States and Colombia (in the case of Venezuela), and between the United States and other strategic allies in the region concerned.

(4) A description and assessment of the adequacy of the posture of the Department of Defense and the Armed Forces to address continuing or worsening instability in each of Nicaragua and Venezuela.

(5) A description of the financial and other support, if any, required by the United States Southern Command to address continuing or worsening instability in each of Nicaragua and Venezuela.

(c) The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 3857. Mr. ISAKSON (for himself, Mrs. MCCASKILL, Mr. WARNER, Mr. PAUL, Mr. CORNYN, Mrs. GILLIBRAND, and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. (a) Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall, in consultation with the Secretary of Defense and the Secretaries of the military departments, submit to the appropriate committees of Congress a report on the monitoring, compliance, and remediation by the Department of Defense of lead in military housing, including the lead exposure monitoring protocols of the Department for military housing.

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

(1) A description and assessment of the effectiveness of the Department and its lead exposure monitoring protocols in monitoring lead exposure in military housing.

(2) A description and assessment of the compliance of military housing with applicable lead exposure limitations.

(3) A description and assessment of the remediation efforts of the Department with respect to lead in military housing.

(4) Such recommendations as the Comptroller General considers appropriate for the expansion of blood testing for lead among children who have lived in military housing.

(c) In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Veterans' Affairs, and the Committee on Appropriations of the House of Representatives.

SA 3858. Mr. CASSIDY (for himself, Mr. KING, and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. Not later than 1 year after the date of enactment of this Act, and using funds appropriated under this division, the Director of the NIH shall conduct a comprehensive study and submit to Congress a report that—

(1) includes a portfolio analysis of current funding levels of the NIH related to mental health and substance use disorder; and

(2) identifies the process by which the NIH set funding priorities for mental health and substance use disorder programs, including how NIH takes into account newly developed public health needs, disease burden, emerging scientific opportunities, and scientific progress.

SA 3859. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 199, line 11, strike ''activity'' and insert ''activity, including contracts or payments to outside vendors''.

SA 3860. Mr. PORTMAN (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. SENSE OF SENATE ON RESEARCH REGARDING BLAST EXPOSURE ON THE CELLULAR LEVEL OF THE BRAIN.

It is the sense of the Senate that—

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

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

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

SA 3861. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. It is the sense of the Senate that—

(1) the impending cut of $71,000,000,000 to the national defense budget for fiscal year 2020 would have a disastrous impact on military readiness and would force the Department of Defense to choose between abandoning investments in weapon systems and making significant cuts to military personnel;

(2) to avert this disaster, Congress must immediately begin negotiating budget levels for national defense for fiscal years 2020 and 2021 that provide funding levels necessary to maintain technological advancements as well as current troop levels;

(3) the longer Congress waits to give budget certainty to the Department for fiscal years 2020 and 2021, the more taxpayer money will be wasted through delays on strategic decisions and critical programs; and

(4) Secretary of Defense James Mattis rightfully condemned these destructive cuts when he testified before Congress that ''[n]o enemy in the field has done more to harm the warfighting readiness of our military than sequestration''.

SA 3862. Mr. NELSON (for himself, Mr. RUBIO, Mr. BLUMENTHAL, and Mr. DONNELLY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

In title III of division B, under the heading ''Safe Schools and Citizenship Education'', strike ''('Project SERV') program:''and insert ''('Project Serve') program and not more than $10,000,000 may be for a demonstration program to test and evaluate innovative partnerships between institutions of higher education and high-needs State or local educational agencies to train school counselors, social workers, psychologists, or other mental health professionals qualified to provide school-based mental health services, with the goal of expanding the pipeline of these workers into low-income public elementary schools and secondary schools in order to address the shortages of mental health service professionals in such schools:''.

SA 3863. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. None of the funds appropriated or otherwise made available by this division may be used to integrate, or facilitate the integration of, the S–400 air and missile defense system into the Integrated Air and Missile Defence System of the North Atlantic Treaty Organization (NATO).

SA 3864. Mr. PETERS (for himself, Mr. GARDNER, and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. Not later than 1 year after the date of enactment of this Act, the National Institute of Environmental Health Sciences shall provide the Committees on Appropriations of the House of Representatives and the Senate the results and status of research assessing the toxicological effects of short-chain and other alternative perfluoroalkyl and polyfluoroalkyl substances (PFAS).

SA 3865. Mr. MANCHIN (for himself and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. SENSE OF THE SENATE REGARDING REPRESENTATION BY SENATE LEGAL COUNSEL IN TEXAS V. UNITED STATES.

(a) FINDINGS.—Congress finds the following:

(1) Texas, Wisconsin, Alabama, Arkansas, Arizona, Florida, Georgia, Indiana, Kansas, Louisiana, Paul LePage (Governor of Maine), Mississippi (by and through Governor Phil Bryant), Missouri, Nebraska, North Dakota, South Carolina, South Dakota, Tennessee, Utah, and West Virginia have filed suit in the United States District Court for the Northern District of Texas, arguing that the Patient Protection and Affordable Care Act (Public Law 111–148; 124 Stat. 119), is unconstitutional and should be enjoined, by asserting that the Act's requirement to maintain minimum essential coverage (commonly known as the ''individual responsibility provision'') in section 5000A(a) of the Internal Revenue Code of 1986, is unconstitutional following the amendment of that provision by the Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018 (Public Law 115–97) (commonly known as the ''Tax Cuts and Jobs Act'').

(2) These State and individual plaintiffs also seek to strike down the entire Patient Protection and Affordable Care Act as not severable from the individual responsibility provision.

(3) On June 7, 2018, the Department of Justice refused to defend the constitutionality of the amended individual responsibility provision, despite the well-established duty of the Department to defend Federal statutes where reasonable arguments can be made in their defense.

(4) The Department of Justice not only refused to defend the amended individual responsibility provision, but it affirmatively argued that this provision is unconstitutional and that the provisions of the Patient Protection and Affordable Care Act guaranteeing issuance of insurance coverage regardless of health status or pre-existing conditions (commonly known as the ''guaranteed issue provision''), sections 2702, 2704, and 2705(a) of the Public Health Service Act (42 U.S.C. 300gg–1, 300gg–3, 300gg–4(a)), and prohibiting discriminatory premium rates (commonly known as the ''community rating provision''), sections 2701 and 2705(b) of the Public Health Service Act (42 U.S.C. 300gg(a)(1), 300gg–4(b)) must now be struck down as not severable from the individual responsibility provision.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Senate Legal Counsel should be authorized to represent the Senate in Texas v. United States, No. 4:18–cv–00167–O (N.D. Tex.), including seeking to—

(1) intervene as a party in the matter; and

(2) defend all provisions of the Patient Protection and Affordable Care Act, the amendments made by that Act to other provisions of law, and any amendments to such provisions, including the provisions ensuring affordable health coverage for those with pre-existing conditions.

SA 3866. Ms. DUCKWORTH (for herself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 225, line 22, by striking the period and inserting '': *Provided further*, That, in order to use funds made available under this heading, the Secretary shall prepare and submit to Congress, not later than September 24, 2018, a report specifying the process used by the Office of Refugee Resettlement in granting requests for congressional oversight visits to any facility in the United States in which unaccompanied alien children are housed or detained as a result of the policy described in the memorandum of the Attorney General entitled 'Zero-Tolerance for Offenses Under 8 U.S.C. § 1325(a)' dated April 6, 2018.''.

SA 3867. Mr. MERKLEY (for himself, Mr. TESTER, Mr. CRAPO, Mr. DAINES, Mr. WYDEN, and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 154, line 16, strike the period and insert '': *Provided further*, That, of the amount made available under this heading, not less than $180,000,000 shall be used, during the period of July 1, 2019, through June 30, 2020, for the administration of Civilian Conservation Centers by the Secretary of Agriculture under section 147(d) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3197(d)): *Provided further*, That the Secretary, prior to July 1, 2019, shall prepare and submit to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate a report that includes—

''(1) a copy of the interagency agreement between the Secretary of Labor and the Secretary of Agriculture relating to the Civilian Conservation Centers;

''(2) a list of all active Civilian Conservation Centers and contractors administering such Centers; and

''(3) a cumulative record of the funding provided to Civilian Conservation Centers during the 10 years preceding the date of the report, including, for each Civilian Conservation Center—

''(A) the funds allocated to the Civilian Conservation Center;

''(B) the number of enrollment slots maintained, disaggregated by gender and by residential or nonresidential training type;

''(C) the career technical training offerings available;

''(D) the staffing levels and staffing patterns at the Civilian Conservation Center; and

''(E) the number of Career Technical Skills Training slots available.''.

SA 3868. Mr. JONES submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on the following:

(1) Planned transfers or relocations of simulators for KC–135 aircraft and KC–46 aircraft in fiscal year 2019.

(2) The metrics used to evaluate transfers or relocations of simulators for KC–135 aircraft and KC–46 aircraft that occurred in fiscal years 2014 through 2018, and that will occur in fiscal year 2019.

(3) The costs incurred by the Department of the Air Force in carrying out the transfers or relocations described in paragraph (2) that occurred before the date of the submittal of the report.

SA 3869. Mr. CASEY (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) None of the funds made available by this Act or from any unobligated balances available from prior fiscal years may be used by the Social Security Administration for the purposes of reinstating reconsideration of an initial disability determination by the Disability Determination Services of Alabama, Alaska, Colorado, Louisiana, Michigan, Missouri, New Hampshire, New York, Pennsylvania, or California (Los Angeles North and Los Angeles West Branches).

(b)(1) Not later than 180 days after the date of the enactment of this Act, the Commissioner of Social Security shall submit to the applicable committees a detailed plan to—

(A) improve the reconsideration level of review for disability determinations; and

(B) decrease case processing time for initial disability determinations and appeals.

(2) For purposes of developing the plan described in paragraph (1), the Commissioner of Social Security shall include information and input from—

(A) the Chairman of the Administrative Conference of the United States;

(B) disability advocates and stakeholders through a National Disability Forum, as well as other outreach methods;

(C) data collected from the 1997 Disability Redesign Prototype model, including the elimination of the reconsideration step of the administrative review process for disability determinations in the 10 prototype States; and

(D) scholarly experts as well as peer-reviewed disability or administrative review studies published by academic or non-profit research institutions.

(3) For purposes of paragraph (1), the term ''applicable committees'' means the Committee on Ways and Means of the House of Representatives, the Committee on Appropriations of the House of Representatives, the Committee on Appropriations of the Senate, and the Committee on Finance of the Senate.

(c) For purposes of this section, the term ''initial disability determination'' means a determination made by a State Disability Determination Services office in regards to whether an individual is disabled for purposes of any benefits under title II or XVI of the Social Security Act based on such individual's status as disabled.

SA 3870. Mr. PETERS (for himself and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. Not later than 180 days after the date of enactment of this Act, the Administrator of the Substance Abuse and Mental Health Services Administration shall submit to Congress a report on agency activities related to medication-assisted treatment. The report submitted by the Administrator under this section shall include a description of how the agency is taking steps to overcome barriers to medication-assisted treatment for adolescents and young adults.

SA 3871. Mr. DONNELLY (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. ELIGIBILITY OF WORKERS WHOSE JOBS ARE ELIMINATED THROUGH AUTOMATION FOR TRADE ADJUSTMENT ASSISTANCE.

(a) IN GENERAL.—Section 222(a)(2) of the Trade Act of 1974 (19 U.S.C. 2272(a)(2)) is amended—

(1) in subparagraph (A)(iii), by striking ''; or'' and inserting a semicolon;

(2) in subparagraph (B)(ii), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(C)(i) there has been a shift in production of articles or supply of services by such workers' firm from utilizing the workers to methods or systems primarily utilizing automation; and

''(ii) the shift described in clause (i) contributed importantly to such workers' separation or threat of separation.''.

(b) AUTOMATION DEFINED.—Section 222(c) of the Trade Act of 1974 (19 U.S.C. 2272(c)) is amended—

(1) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively; and

(2) by inserting before paragraph (2), as redesignated by paragraph (1), the following:

''(1) AUTOMATION.—The term 'automation' means using technology to produce a good or service previously produced by human work.''.

(c) SPECIFICATION OF BASIS FOR ELIGIBILITY.—Section 222 of the Trade Act of 1974 (19 U.S.C. 2272) is amended by adding at the end the following:

''(f) SPECIFICATION OF BASIS FOR ELIGIBILITY.—When the Secretary certifies a group of workers under this section as eligible to apply for adjustment assistance, the Secretary shall specify in the certification the basis for the eligibility of the group under subsection (a).''.

(d) CONFORMING AMENDMENTS.—Subsections (b) and (c) of section 222 of the Trade Act of 1974 (19 U.S.C. 2272) are amended by striking ''subsection (a)'' each place it appears and inserting ''subparagraph (A) or (B) of subsection (a)(2)''.

(e) REGULATIONS; RECOMMENDATIONS.—Not later than 2 years after the date of the enactment of this Act, the Secretary of Labor shall—

(1) prescribe regulations to carry out the amendments made by this section; and

(2) submit to Congress a report that includes recommendations for any changes to law necessary to carry out the amendments made by this section, including any changes to section 236(a)(2)(A) of the Trade Act of 1974 (19 U.S.C. 2296(a)(2)(A)).

(f) EFFECTIVE DATE.—The amendments made by this section shall—

(1) take effect on the date that is 2 years after the date of the enactment of this Act; and

(2) apply with respect to petitions for certifications of eligibility filed under section 221 of the Trade Act of 1974 (19 U.S.C. 2271) on or after the date described in paragraph (1).

SEC. ____. INDEPENDENT ADVISORY COMMISSION ON LABOR AUTOMATION.

(a) ESTABLISHMENT.—The Secretary of Labor shall establish an independent advisory commission on labor automation to advise the Secretary on matters relating to jobs and occupations at risk of elimination as a result of automation.

(b) MEMBERSHIP.—The Secretary shall ensure that membership on the advisory commission established under subsection (a) includes individuals with expertise in labor, individuals with expertise in technology, and individuals with expertise in business.

(c) ANNUAL REPORT.—Not less frequently than annually, the advisory commission established under subsection (a) shall submit to the Secretary and make available to the public a report describing jobs and occupations at risk of elimination as a result of automation that includes—

(1) an identification of the States most affected by that risk; and

(2) recommendations for collaboration with State workforce agencies to identify and address that risk.

(d) AUTOMATION DEFINED.—In this section, the term ''automation'' means using technology to produce a good or service previously produced by human work.

SA 3872. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. (a) Section 455(f) of the Higher Education Act of 1965 (20 U.S.C. 1087e(f)) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

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

''(3) DEFERMENT FOR BORROWERS RECEIVING CANCER TREATMENT.—

''(A) EFFECT ON PRINCIPAL AND INTEREST.—A borrower of a loan made under this part who meets the requirements of subparagraph (B) shall be eligible for a deferment, during which periodic installments of principal need not be paid, and interest shall not accrue.

''(B) ELIGIBILITY.—A borrower of a loan made under this part shall be eligible for a deferment during—

''(i) any period in which such borrower is receiving treatment for cancer; and

''(ii) the 6 months after such period.

''(C) APPLICABILITY.—This paragraph shall apply with respect to loans—

''(i) made on or after the date of the enactment of this paragraph; or

''(ii) in repayment on the date of the enactment of this paragraph.''.

(b) Section 427(a)(2)(C) of the Higher Education Act of 1965 (20 U.S.C. 1077(a)(2)(C)) is amended—

(1) in clause (ii), by striking ''; or'' and inserting a semicolon;

(2) in clause (iii), by inserting ''or'' after the semicolon; and

(3) by inserting after clause (iii) the following:

''(iv) in which the borrower is receiving treatment for cancer and the 6 months after such period;''.

(c) Section 428(b)(1)(M) of the Higher Education Act of 1965 (20 U.S.C. 1078(b)(1)(M)) is amended—

(1) in clause (iii), by striking ''or (II); or'' and inserting ''or (II);'';

(2) in clause (iv), by inserting ''or'' after the semicolon; and

(3) by adding at the end the following:

''(v) during which the borrower is receiving treatment for cancer and the 6 months after such period;''.

(d) Section 464(c)(2) of the Higher Education Act of 1965 (20 U.S.C. 1087dd(c)(2)) is amended—

(1) in subparagraph (A)—

(A) in clause (iv), by striking ''; or'' and inserting a semicolon;

(B) in clause (v), by inserting ''or'' after the semicolon; and

(C) by inserting after clause (v) the following:

''(vi) during which the borrower is receiving treatment for cancer and the 6 months after such period;''.

(e) Section 428H(e)(2) of the Higher Education Act of 1965 (20 U.S.C. 1078–8(e)(2)) is amended—

(1) in subparagraph (A), by striking ''Interest'' and inserting, ''Except as provided in subparagraph (C), interest''; and

(2) by adding at the end the following:

''(C) Interest shall not accrue on a loan deferred under section 428(b)(1)(M)(v) or 427(a)(2)(C)(iv).''.

(f) The amendments made by this section shall apply with respect to loans—

(1) made on or after the date of the enactment of this Act; or

(2) in repayment on the date of the enactment of this Act.

SA 3873. Ms. KLOBUCHAR (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE _____

SEC. ___. CONGRESSIONAL FINDINGS AND DECLARATION OF PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) In 1984, the Drug Price Competition and Patent Term Restoration Act (Public Law 98–417) (referred to in this Act as the ''1984 Act''), was enacted with the intent of facilitating the early entry of generic drugs while preserving incentives for innovation.

(2) Prescription drugs make up approximately 10 percent of the national health care spending.

(3) Initially, the 1984 Act was successful in facilitating generic competition to the benefit of consumers and health care payers, although 88 percent of all prescriptions dispensed in the United States are generic drugs, they account for only 28 percent of all expenditures.

(4) Generic drugs cost substantially less than brand name drugs, with discounts off the brand price averaging 80 to 85 percent.

(5) Federal dollars currently account for over 40 percent of the $325,000,000,000 spent on retail prescription drugs, and this share is expected to rise to 47 percent by 2025.

(6)(A) In recent years, the intent of the 1984 Act has been subverted by certain settlement agreements in which brand name companies transfer value to their potential generic competitors to settle claims that the generic company is infringing the branded company's patents.

(B) These ''reverse payment'' settlement agreements—

(i) allow a branded company to share its monopoly profits with the generic company as a way to protect the branded company's monopoly; and

(ii) have unduly delayed the marketing of low-cost generic drugs contrary to free competition, the interests of consumers, and the principles underlying antitrust law.

(C) Because of the price disparity between brand name and generic drugs, such agreements are more profitable for both the brand and generic manufacturers than competition and will become increasingly common unless prohibited.

(D) These agreements result in consumers losing the benefits that the 1984 Act was intended to provide.

(b) PURPOSES.—The purposes of this title are—

(1) to enhance competition in the pharmaceutical market by stopping anticompetitive agreements between brand name and generic drug manufacturers that limit, delay, or otherwise prevent competition from generic drugs; and

(2) to support the purpose and intent of antitrust law by prohibiting anticompetitive practices in the pharmaceutical industry that harm consumers.

SEC. ___. UNLAWFUL COMPENSATION FOR DELAY.

(a) IN GENERAL.—The Federal Trade Commission Act (15 U.S.C. 44 et seq.) is amended by inserting after section 26 (15 U.S.C. 57c–2) the following:

''SEC. 27. PRESERVING ACCESS TO AFFORDABLE GENERICS.

''(a) IN GENERAL.—

''(1) ENFORCEMENT PROCEEDING.—The Commission may initiate a proceeding to enforce the provisions of this section against the parties to any agreement resolving or settling, on a final or interim basis, a patent infringement claim, in connection with the sale of a drug product.

''(2) PRESUMPTION AND VIOLATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), in such a proceeding, an agreement shall be presumed to have anticompetitive effects and shall be a violation of this section if—

''(i) an ANDA filer receives anything of value, including an exclusive license; and

''(ii) the ANDA filer agrees to limit or forego research, development, manufacturing, marketing, or sales of the ANDA product for any period of time.

''(B) EXCEPTION.—Subparagraph (A) shall not apply if the parties to such agreement demonstrate by clear and convincing evidence that—

''(i) the value described in subparagraph (A)(i) is compensation solely for other goods or services that the ANDA filer has promised to provide; or

''(ii) the procompetitive benefits of the agreement outweigh the anticompetitive effects of the agreement.

''(b) LIMITATIONS.—In determining whether the settling parties have met their burden under subsection (a)(2)(B), the fact finder shall not presume—

''(1) that entry would not have occurred until the expiration of the relevant patent or statutory exclusivity; or

''(2) that the agreement's provision for entry of the ANDA product prior to the expiration of the relevant patent or statutory exclusivity means that the agreement is procompetitive.

''(c) EXCLUSIONS.—Nothing in this section shall prohibit a resolution or settlement of a patent infringement claim in which the consideration granted by the NDA holder to the ANDA filer as part of the resolution or settlement includes only one or more of the following:

''(1) The right to market the ANDA product in the United States prior to the expiration of—

''(A) any patent that is the basis for the patent infringement claim; or

''(B) any patent right or other statutory exclusivity that would prevent the marketing of such drug.

''(2) A payment for reasonable litigation expenses not to exceed $7,500,000.

''(3) A covenant not to sue on any claim that the ANDA product infringes a United States patent.

''(d) ENFORCEMENT.—

''(1) ENFORCEMENT.—A violation of this section shall be treated as a violation of section 5.

''(2) JUDICIAL REVIEW.—

''(A) IN GENERAL.—Any party that is subject to a final order of the Commission, issued in an administrative adjudicative proceeding under the authority of subsection (a)(1), may, within 30 days of the issuance of such order, petition for review of such order in—

''(i) the United States Court of Appeals for the District of Columbia Circuit;

''(ii) the United States Court of Appeals for the circuit in which the ultimate parent entity, as defined in section 801.1(a)(3) of title 16, Code of Federal Regulations, or any successor thereto, of the NDA holder is incorporated as of the date that the NDA is filed with the Commissioner of Food and Drugs; or

''(iii) the United States Court of Appeals for the circuit in which the ultimate parent entity of the ANDA filer is incorporated as of the date that the ANDA is filed with the Commissioner of Food and Drugs.

''(B) TREATMENT OF FINDINGS.—In a proceeding for judicial review of a final order of the Commission, the findings of the Commission as to the facts, if supported by evidence, shall be conclusive.

''(e) ANTITRUST LAWS.—Nothing in this section shall modify, impair, limit, or supersede the applicability of the antitrust laws as defined in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12(a)), and of section 5 of this Act to the extent that section 5 applies to unfair methods of competition. Nothing in this section shall modify, impair, limit, or supersede the right of an ANDA filer to assert claims or counterclaims against any person, under the antitrust laws or other laws relating to unfair competition.

''(f) PENALTIES.—

''(1) FORFEITURE.—Each party that violates or assists in the violation of this section shall forfeit and pay to the United States a civil penalty sufficient to deter violations of this section, but in no event greater than 3 times the value received by the party that is reasonably attributable to the violation of this section. If no such value has been received by the NDA holder, the penalty to the NDA holder shall be sufficient to deter violations, but in no event greater than 3 times the value given to the ANDA filer reasonably attributable to the violation of this section. Such penalty shall accrue to the United States and may be recovered in a civil action brought by the Commission, in its own name by any of its attorneys designated by it for such purpose, in a district court of the United States against any party that violates this section. In such actions, the United States district courts are empowered to grant mandatory injunctions and such other and further equitable relief as they deem appropriate.

''(2) CEASE AND DESIST.—

''(A) IN GENERAL.—If the Commission has issued a cease and desist order with respect to a party in an administrative adjudicative proceeding under the authority of subsection (a)(1), an action brought pursuant to paragraph (1) may be commenced against such party at any time before the expiration of 1 year after such order becomes final pursuant to section 5(g).

''(B) EXCEPTION.—In an action under subparagraph (A), the findings of the Commission as to the material facts in the administrative adjudicative proceeding with respect to the violation of this section by a party shall be conclusive unless—

''(i) the terms of such cease and desist order expressly provide that the Commission's findings shall not be conclusive; or

''(ii) the order became final by reason of section 5(g)(1), in which case such finding shall be conclusive if supported by evidence.

''(3) CIVIL PENALTY.—In determining the amount of the civil penalty described in this section, the court shall take into account—

''(A) the nature, circumstances, extent, and gravity of the violation;

''(B) with respect to the violator, the degree of culpability, any history of violations, the ability to pay, any effect on the ability to continue doing business, profits earned by the NDA holder, compensation received by the ANDA filer, and the amount of commerce affected; and

''(C) other matters that justice requires.

''(4) REMEDIES IN ADDITION.—Remedies provided in this subsection are in addition to, and not in lieu of, any other remedy provided by Federal law. Nothing in this paragraph shall be construed to affect any authority of the Commission under any other provision of law.

''(g) DEFINITIONS.—In this section:

''(1) AGREEMENT.—The term 'agreement' means anything that would constitute an agreement under section 1 of the Sherman Act (15 U.S.C. 1) or section 5 of this Act.

''(2) AGREEMENT RESOLVING OR SETTLING A PATENT INFRINGEMENT CLAIM.—The term 'agreement resolving or settling a patent infringement claim' includes any agreement that is entered into within 30 days of the resolution or the settlement of the claim, or any other agreement that is contingent upon, provides a contingent condition for, or

is otherwise related to the resolution or settlement of the claim.

''(3) ANDA.—The term 'ANDA' means an abbreviated new drug application filed under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)) or a new drug application filed under section 505(b)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(b)(2)).

''(4) ANDA FILER.—The term 'ANDA filer' means a party that owns or controls an ANDA filed with the Commission of Food and Drugs or has the exclusive rights under such ANDA to distribute the ANDA product.

''(5) ANDA PRODUCT.—The term 'ANDA product' means the product to be manufactured under the ANDA that is the subject of the patent infringement claim.

''(6) DRUG PRODUCT.—The term 'drug product' has the meaning given such term in section 314.3(b) of title 21, Code of Federal Regulations (or any successor regulation).

''(7) NDA.—The term 'NDA' means a new drug application filed under section 505(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(b)).

''(8) NDA HOLDER.—The term 'NDA holder' means—

''(A) the holder of an approved NDA application for a drug product;

''(B) a person owning or controlling enforcement of the patent listed in the Approved Drug Products With Therapeutic Equivalence Evaluations (commonly known as the 'FDA Orange Book') in connection with the NDA; or

''(C) the predecessors, subsidiaries, divisions, groups, and affiliates controlled by, controlling, or under common control with any of the entities described in subparagraphs (A) and (B) (such control to be presumed by direct or indirect share ownership of 50 percent or greater), as well as the licensees, licensors, successors, and assigns of each of the entities.

''(9) PARTY.—The term 'party' means any person, partnership, corporation, or other legal entity.

''(10) PATENT INFRINGEMENT.—The term 'patent infringement' means infringement of any patent or of any filed patent application, extension, reissue, renewal, division, continuation, continuation in part, reexamination, patent term restoration, patents of addition, and extensions thereof.

''(11) PATENT INFRINGEMENT CLAIM.—The term 'patent infringement claim' means any allegation made to an ANDA filer, whether or not included in a complaint filed with a court of law, that its ANDA or ANDA product may infringe any patent held by, or exclusively licensed to, the NDA holder of the drug product.

''(12) STATUTORY EXCLUSIVITY.—The term 'statutory exclusivity' means those prohibitions on the approval of drug applications under clauses (ii) through (iv) of section 505(c)(3)(E) (5- and 3-year data exclusivity), section 527 (orphan drug exclusivity), or section 505A (pediatric exclusivity) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(c)(3)(E), 360cc, 355a).''.

(b) EFFECTIVE DATE.—Section 27 of the Federal Trade Commission Act, as added by this section, shall apply to all agreements described in section 27(a)(1) of that Act entered into after June 17, 2013. Section 27(f) of the Federal Trade Commission Act, as added by this section, shall apply to agreements entered into on or after the date of enactment of this Act.

SEC. _____. NOTICE AND CERTIFICATION OF AGREEMENTS.

(a) NOTICE OF ALL AGREEMENTS.—Section 1112(c)(2) of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (21 U.S.C. 355 note) is amended by—

(1) striking ''the Commission the'' and inserting the following: ''the Commission—

''(A) the'';

(2) striking the period and inserting ''; and''; and

(3) inserting at the end the following:

''(B) any other agreement the parties enter into within 30 days of entering into an agreement covered by subsection (a) or (b).''.

(b) CERTIFICATION OF AGREEMENTS.—Section 1112 of such Act is amended by adding at the end the following:

''(d) CERTIFICATION.—The Chief Executive Officer or the company official responsible for negotiating any agreement under subsection (a) or (b) that is required to be filed under subsection (c) shall execute and file with the Assistant Attorney General and the Commission a certification as follows: 'I declare that the following is true, correct, and complete to the best of my knowledge: The materials filed with the Federal Trade Commission and the Department of Justice under section 1112 of subtitle B of title XI of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, with respect to the agreement referenced in this certification—

'''(1) represent the complete, final, and exclusive agreement between the parties;

'''(2) include any ancillary agreements that are contingent upon, provide a contingent condition for, or are otherwise related to, the referenced agreement; and

'''(3) include written descriptions of any oral agreements, representations, commitments, or promises between the parties that are responsive to subsection (a) or (b) of such section 1112 and have not been reduced to writing.'.''.

SEC. _____. FORFEITURE OF 180-DAY EXCLUSIVITY PERIOD.

Section 505(j)(5)(D)(i)(V) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)(5)(D)(i)(V)) is amended by inserting ''section 27 of the Federal Trade Commission Act or'' after ''that the agreement has violated''.

SEC. _____. COMMISSION LITIGATION AUTHORITY.

Section 16(a)(2) of the Federal Trade Commission Act (15 U.S.C. 56(a)(2)) is amended—

(1) in subparagraph (D), by striking ''or'' after the semicolon;

(2) in subparagraph (E), by inserting ''or'' after the semicolon; and

(3) inserting after subparagraph (E) the following:

''(F) under section 27;''.

SEC. _____. STATUTE OF LIMITATIONS.

The Federal Trade Commission shall commence any enforcement proceeding described in section 27 of the Federal Trade Commission Act, as added by section ____, except for an action described in section 27(f)(2) of the Federal Trade Commission Act, not later than 6 years after the date on which the parties to the agreement file the Notice of Agreement as provided by section 1112(c)(2) and (d) of the Medicare Prescription Drug Improvement and Modernization Act of 2003 (21 U.S.C. 355 note).

SEC. ___. SEVERABILITY.

If any provision of this title, an amendment made by this title, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this title, the amendments made by this title, and the application of the provisions of such title or amendments to any person or circumstance shall not be affected.

SA 3874. Ms. KLOBUCHAR (for herself, Mr. GRASSLEY, and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. (a) JOINT ACTION PLAN.—The Commissioner of Food and Drugs, in coordination with the Administrator of the Centers for Medicare & Medicaid Services, shall develop a joint action plan, in consultation with healthcare providers and patient advocates (including relevant Federal advisory committees) that—

(1) utilizes data from Medicare claims on how much of a single-use drug was not administered, examines single-use vial sizes in other countries, and analyzes the drug approval process for alternative vial size safety and efficacy approaches, to reduce drug waste and better manage costs with respect to drug vial sizes and other drug delivery systems, as appropriate; and

(2) includes quantifiable metrics and specific timelines.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Commissioner of Food and Drugs, in coordination with the Administrator of the Centers for Medicare & Medicaid Services, shall submit to Congress the joint action plan described in subsection (a) and a report containing recommendations for any legislative action needed to reduce drug waste and better manage costs with respect to drug vial sizes and other drug delivery systems, as appropriate.

SA 3875. Mr. CASEY (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. Out of amounts appropriated under the heading ''Administration for Community Living'', $300,000 shall be available for the Secretary to establish the Advisory Council to Support Grandparents Raising Grandchildren under section 3 of the Supporting Grandparents Raising Grandchildren Act (Public Law 115–196).

SA 3876. Mr. WARNER (for himself, Mr. YOUNG, Mr. BENNET, Mr. SASSE, Mr. HOEVEN, and Mr. KING) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 153, strike line 7 and insert the following:

30, 2020; and

(3) notwithstanding paragraphs (1) and (2), $20,000,000 shall be used to establish and carry out a Portable Benefits for Independent Workers Pilot Program, to award grants to States, local governments, and nonprofit organizations—

(A) as a means of—

(i) promoting State, local, and nonprofit experimentation concerning portable employment benefits delivery to contingent and independent workers, and

(ii) providing an opportunity for States, local governments, and nonprofit organizations to fund innovative ways to attract talent and support an entrepreneurial economy, and

(B) specifically for the purpose of—

(i) the evaluation, or improvement to the design or implementation, of existing (as of the date of the award) models or approaches for providing portable benefits, or

(ii) the design, implementation, and evaluation of new models or approaches for providing such benefits.

SA 3877. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 8_____. As soon as practicable after the date of enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Agriculture and the Secretary of the Interior, shall—

(1) conduct a study to determine—

(A) whether additional wildfire firefighting capacity should be added at the Department of Defense; and

(B) if the Secretary of Defense determines under subparagraph (A) that additional capacity should be added, any areas in which to add the capacity; and

(2) submit to Congress the results of the study conducted under paragraph (1).

SA 3878. Mr. CORNYN (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. From amounts appropriated under this title, the Secretary of Health and Human Services, acting through the Office of Rural Health Policy of the Health Resources and Services Administration, shall award grants through the Telehealth Resource Center Grant Program to entities that use evidence-based practices that promote school safety and individual student health, mental health and well-being by—

(1) providing assessment and referrals for health, mental health, or substance use disorder services to students who may be struggling with behavioral or mental health issues; and

(2) providing training and support to teachers, school counselors, administrative staff, school resource officers, and other relevant staff to identify, refer, and intervene to help students experiencing mental health needs or who are considering harming themselves or others.

Telemental health services may be provided by ''qualified mental health professionals'' as defined under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.)

SA 3879. Mr. TILLIS submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. (a) Notwithstanding any other provision of law, including section 3142 of title 18, United States Code, any judicial determination (including any judicial determination made in Flores v. Sessions et. al., (9th Cir. July 5, 2017; C.D. CA. July 9, 2018, July 24, 2015 and July 30, 2018), in Ms. L, et. al., v. U.S. Immigration and Customs Enforcement, et al., S.D. CA. June 26, 2018, and in M.M.M. et al. v. Sessions et al., August 16, 2018)), consent decree, or settlement agreement issued before the date of the enactment of this Act, and section 236.3 of title 8, Code of Federal Regulations (or a successor regulation), the Secretary of Defense shall not use any appropriated funds, or be required to implement the terms of the stipulated settlement agreement filed on January 17, 1997, in the United States District Court for the Central District of California in Flores v. Reno, CV 85–4544–RJK, (commonly known as the ''Flores settlement agreement''), in the case of an alien child who is housed at a military facility or installation pursuant to an agreement executed between the Secretary of Homeland Security, the Secretary of Health and Human Services, and the Secretary of Defense and who is or was—

(1) under the age of 18 years;

(2) accompanied by a parent; and

(3)(A) apprehended at or near the international border of the United States; or

(B) seeking admission or sought admission to the United States at a port of entry.

(b) The Secretary of Defense shall not use any appropriated funds to release any alien who is currently detained at a military facility or installation pursuant to an agreement executed between the Secretary of Homeland Security, the Secretary of Health and Human Services, and the Secretary of Defense and who—

(1) is inadmissible by reason of having committed any offense covered in section 212(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2));

(2) is deportable by reason of having committed any offense covered in section 237(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2));

(3) is convicted for an offense under section 275(a) of the Immigration and Nationality Act (8 U.S.C. 1325);

(4) is convicted for an offense under section 276 of the Immigration and Nationality Act (8 U.S.C. 1326);

(5) has been convicted of, or found to be a juvenile offender based on, an offense that involved—

(A) the use or attempted use of physical force, or threatened use of a deadly weapon;

(B) the purchase, sale, offering for sale, exchange, use, ownership, possession, or carrying, or, of attempting or conspiring to purchase, sell, offer for sale, exchange, use, own, possess, or carry, any weapon, part, or accessory which is a firearm or destructive device (as defined in section 921(a) of title 18, United States Code) in violation of any law;

(C) child abuse and neglect (as defined in section 40002(a)(3) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(a)(3)));

(D) assault resulting in bodily injury (as defined in section 2266 of title 18, United States Code);

(E) the violation of a protection order (as defined in section 2266 of title 18, United States Code);

(F) driving while intoxicated or driving under the influence (as such terms are defined in section 164 of title 23, United States Code); or

(G) any offense under foreign law (except a purely political offense) that, if the offense had been committed in the United States, would render the alien inadmissible under section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a));

(6) has been convicted of, or found to be a juvenile offender based on, more than 1 criminal offense (other than minor traffic offenses);

(7) has been convicted of, or found to be a juvenile offender, based on an offense that involved a sex offense (as defined in section 20911 of title 34, United States Code);

(8) has been convicted of, or found to be a juvenile offender, based on an offense that involved a sexual assault (as defined in section 12291(a) of title 34, United States Code);

(9) has been convicted of, or found to be a juvenile offender based on a crime of violence or an offense under Federal, State, or Tribal law, that has, as an element, the use or attempted use of physical force or the threatened use of physical force or a deadly weapon;

(10) has engaged in, is engaged in, or is likely to engage after entry in any terrorist activity (as defined in section 212(a)(3)(B)(iii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(iii))), or intends to participate or has participated in the activities of a foreign terrorist organization (as designated under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189));

(11) has been convicted of any drug trafficking crime (within the meaning of the Controlled Substances Act (21 U.S.C. 801 et seq.) or the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.);

(12) is convicted for any felony with a maximum term of imprisonment of more than 180 days; or

(13) is inadmissible under subparagraph (A) or (B) of section 212(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)) or deportable under subparagraph (A) or (B) of section 237(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(4)).

SA 3880. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting such tax liability, provided that the applicable Federal agency is aware of the unpaid Federal tax liability.

(b) Subsection (a) shall not apply if the applicable Federal agency has considered suspension or debarment of the corporation described in such subsection and has made a determination that such suspension or debarment is not necessary to protect the interests of the Federal Government.

SA 3881. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr.

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

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

SEC. ____. (a) From funds appropriated under this title, not later than 180 days after the date of enactment of this Act, the Secretary of Labor shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate on the implementation of the plan to reduce improper payments published by the Department of Labor in the fiscal year 2017 Agency Financial Report.

(b) The report submitted under subsection (a) shall identify barriers to the reduction of improper payments that may require Congressional action to address.

SA 3882. Mr. HELLER (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. (a) Of the amounts appropriated or otherwise made available under title I under the heading ''VETERANS EMPLOYMENT AND TRAINING'', $2,000,000 shall be available to carry out a pilot program for preparing members of the Armed Forces transitioning to civilian life to qualify for, and for assisting in placing them in, apprenticeship programs.

(b) Amounts made available under subsection (a) shall supplement and not supplant amounts appropriated or otherwise made available under this division for programs and activities relating to the Transition Assistance Program.

SA 3883. Mr. WICKER (for himself and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. It is the sense of Congress that—

(1) computer science education programs, including coding academies, can provide important benefits to local industries and the economy and help meet in-demand workforce needs; and

(2) the Department of Education and Department of Labor should work together with industry to improve and expand computer science education programs and opportunities, including through apprenticeships.

SA 3884. Mr. BOOKER (for himself, Ms. BALDWIN, Mr. YOUNG, and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 150, line 22, strike ''WIOA:'' and insert the following: ''WIOA: *Provided further*, That for purposes of any funds provided for technical assistance under section 168(b) of WIOA, priority for such assistance shall be given to States and areas that contain population census tracts that have been designated as qualified opportunity zones under section 1400Z-1 of the Internal Revenue Code of 1986, or to entities that predominately serve population census tracts that have been designated as qualified opportunity zones under such section:''.

SA 3885. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. It is the sense of Congress that the Army Research Laboratory should continue to fully fund research into advanced materials development, with a focus on—

(1) the impact of ballistics on the human body; and

(2) the development of new technologies for soldier protection and vehicle resilience.

SA 3886. Mr. GRASSLEY (for himself, Ms. KLOBUCHAR, and Mr. GARDNER) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION C—RURAL EMERGENCY ACUTE CARE HOSPITAL ACT

SECTION __01. SHORT TITLE.

This division may be cited as the ''Rural Emergency Acute Care Hospital Act''.

SEC. __02. FINDINGS.

Congress finds the following:

(1) According to the University of North Carolina's Center for Health Services Research, 55 rural hospitals have closed in the Unites States since January 2010.

(2) In 2014, iVantage conducted a study for the National Rural Health Association and found 283 hospitals at risk of closure based upon performance indicators that matched those facilities already forced to close in this decade.

(3) Researchers at the University of North Carolina identified inpatient volume as a substantial contributing factor to the financial performance of rural hospitals, with many of the at-risk hospitals having an average daily bed census of less than two.

(4) Adverse impacts to the local economy and the loss of timely access to emergency medical care are 2 major effects of rural hospital closures.

(5) According to the National Center for Rural Health Works, the typical rural hospital creates over 140 jobs and generates $6,800,000 in compensation while serving an average population of 14,600.

(6) The 2014 iVantage study estimates that the 283 at-risk hospitals could result in the loss of 36,000 health care jobs, 50,000 community jobs, and $10,600,000,000 in gross domestic product.

(7) Time is the most critical factor for achieving successful outcomes in emergency medicine, and emergency medical clinicians refer to the time-sensitive period during which successful outcomes may be best achieved as the ''golden hour''.

(8) The National Conference of State Legislatures states that 60 percent of trauma deaths in the United States occur in rural areas, where only 15 percent of the population is represented.

(9) The disproportionate percentage of trauma deaths in rural areas is likely attributable in large part to a combination of response time to the scene and distance to the nearest emergency room to stabilize trauma victims.

(10) The percentage of trauma deaths occurring in rural areas could continue to increase as more rural hospitals close, further limiting access to emergency services and requiring patients to travel longer distances to receive emergency medical care.

(11) The creation of a rural emergency hospital designation under the Medicare program will allow facilities in rural areas to provide emergency medical services without having to maintain inpatient beds.

(12) In addition to providing emergency care, rural emergency hospitals could convert the space previously used for inpatient services to provide other medical services including, but not limited to, observation care, skilled nursing facility care, infusion services, hemodialysis, home health, hospice, nursing home care, population health, and telemedicine services.

SEC. __03. RURAL EMERGENCY HOSPITAL PROGRAM.

(a) IN GENERAL.—

(1) RURAL EMERGENCY HOSPITAL AND SERVICES DEFINED.—Section 1861 of the Social Security Act (42 U.S.C. 1395x) is amended—

(A) in subsection (e), in the last sentence of the matter following paragraph (9), by inserting ''or a rural emergency hospital (as defined in section 1861(jjj)(1))'' before the period at the end; and

(B) by adding at the end the following subsection:

''Rural Emergency Hospital; Rural Emergency Hospital Outpatient Services

''(jjj)(1) The term 'rural emergency hospital' means a facility that—

''(A)(i) as of December 31, 2016—

''(I) was a critical access hospital; or

''(II) was a hospital with not more than 50 beds located in a county (or equivalent unit of local government) in a rural area (as defined in section 1886(d)(2)(D)), or was a hospital with not more than 50 beds that was treated as being located in a rural area pursuant to section 1886(d)(8)(E); or

''(ii) was a critical access hospital described in clause (i)(I) or a hospital described in clause (i)(II) that ceased operations during the period beginning on the date that is 5 years prior to the date of the enactment of this subsection and ending on December 30, 2016;

''(B) provides 24-hour emergency medical care and observation care that does not exceed an annual per patient average of 24 hours or more than 1 midnight;

''(C) does not provide any acute care inpatient beds and has protocols in place for the timely transfer of patients who require acute care inpatient services or other inpatient services;

''(D) has elected to be designated as a rural emergency hospital;

''(E) has received approval to operate as a rural emergency hospital from the State under section 1834(v)(3)(A); and

''(F) is certified by the Secretary under section 1834(v)(3)(B).

''(2) The term 'rural emergency hospital outpatient services' means medical and other health services furnished by a rural emergency hospital on an outpatient basis.

''(3) Nothing in this subsection or section 1834(v)(3) shall be construed to prohibit a rural emergency hospital from providing extended care services.''.

(2) PAYMENT FOR RURAL EMERGENCY HOSPITAL SERVICES.—

(A) IN GENERAL.—Section 1833(a) of the Social Security Act (42 U.S.C. 1395l(a)) is amended—

(i) in paragraph (8), by striking ''and'' at the end;

(ii) in paragraph (9), by striking the period at the end and inserting ''; and''; and

(iii) by inserting after paragraph (9) the following new paragraph:

''(10) in the case of rural emergency hospital emergency services and services provided by a rural emergency hospital or other provider of ambulance services to transport patients who require acute care inpatient services or other inpatient services from such rural emergency hospital to a hospital or critical access hospital, the amounts described in section 1834(v).''.

(B) PAYMENT AMOUNT.—Section 1834 of the Social Security Act (42 U.S.C. 1395m) is amended by adding at the end the following subsection:

''(v) PAYMENT RULES RELATING TO RURAL EMERGENCY HOSPITALS.—

''(1) PAYMENT FOR RURAL EMERGENCY HOSPITAL OUTPATIENT SERVICES.—

''(A) IN GENERAL.—The amount of payment for rural emergency hospital outpatient services of a rural emergency hospital is equal to 110 percent of the reasonable costs of providing such services.

''(B) TELEHEALTH SERVICES.—For purposes of this paragraph, in determining the reasonable costs of providing rural emergency hospital outpatient services, costs associated with having a backup physician available via a telecommunications system shall be considered reasonable costs.

''(2) PAYMENT FOR TRANSPORTATION SERVICES.—The amount of payment for services provided by a rural emergency hospital or other provider of ambulance services to transport patients who require acute care inpatient services or other inpatient services from such rural emergency hospital to a hospital or critical access hospital is equal to 110 percent of the reasonable costs of providing such services.

''(3) REQUIREMENTS FOR RURAL EMERGENCY HOSPITALS.—

''(A) STATE APPROVAL TO OPERATE AS A RURAL EMERGENCY HOSPITAL.—No payment shall be made under this subsection to a facility, or to a provider of ambulance services providing transportation services from such facility, unless the State in which the facility is located has approved the facility's designation as a rural emergency hospital.

''(B) CERTIFICATION OF RURAL EMERGENCY HOSPITAL.—

''(i) IN GENERAL.—No payment shall be made under this subsection to a facility, or to a provider of ambulance services providing transportation services from such facility, unless the facility has been certified by the Secretary as a rural emergency hospital.

''(ii) CERTIFICATION REQUIREMENTS.—The Secretary shall certify a facility as a rural emergency hospital if the facility—

''(I) meets the criteria for rural emergency hospitals described in subparagraphs (A) through (E) of section 1861(jjj)(1);

''(II) either—

''(aa) is verified by the American College of Surgeons or a State as having the resources required of a level IV trauma center or higher; or

''(bb) employs healthcare professionals that successfully completed within the preceding 4 years—

''(AA) the Advanced Trauma Life Support Course offered by the American College of Surgeons; or

''(BB) another trauma training program for healthcare professionals that is accepted by a State trauma system for certification purposes;

''(III) has in effect a transfer agreement with a level I or level II trauma center; and

''(IV) meets such staff training and certification requirements as the Secretary may require.

''(4) COINSURANCE.—

''(A) IN GENERAL.—The amount of payment for rural emergency hospital services or transportation services made to a rural emergency hospital or other provider of ambulance services under this subsection shall be reduced by the coinsurance amount described in subparagraph (B).

''(B) COINSURANCE AMOUNT.—The coinsurance amount described in this subparagraph, with respect to an item or service provided by a rural emergency hospital or provider of ambulance services, shall be calculated in the same manner as the coinsurance amount for an outpatient critical access hospital service is calculated under section 1866(a)(2).''.

(b) WAIVER OF DISTANCE REQUIREMENT FOR REPLACEMENT CAHS; SUBSEQUENT REDESIGNATION OF RURAL EMERGENCY HOSPITALS AS CAHS.—Section 1820(c)(2) of the Social Security Act (42 U.S.C. 1395i–4(c)(2)) is amended—

(1) in subparagraph (B)(i)(I), by inserting ''subject to subparagraph (F),'' before ''is located''; and

(2) by adding at the end the following new subparagraphs:

''(F) OPTION TO WAIVE DISTANCE REQUIREMENT.—Beginning on the date of the enactment of this subparagraph, for every critical access hospital located in a State that is certified as a rural emergency hospital under section 1834(v)(3)(B), the State shall have the option of waiving the distance requirement described in subparagraph (B)(i)(I) with respect to another facility located in the State that is seeking designation as a critical access hospital under this paragraph.

''(G) REDESIGNATION OF A RURAL EMERGENCY HOSPITAL AS A CRITICAL ACCESS HOSPITAL.—A rural emergency hospital that was previously designated as a critical access hospital under this paragraph may elect to be redesignated as a critical access hospital (in the same manner that the hospital was originally designated as a critical access hospital) at any time, subject to such conditions as the Secretary may establish.''.

(c) STUDIES AND REPORTS.—

(1) STUDIES.—The Secretary of Health & Human Services shall conduct 3 studies to evaluate the impact of rural emergency hospitals on the availability of health care and health outcomes in rural areas (as defined in section 1886(d)(2)(D) of the Social Security Act (42 U.S.C. 1395ww(d)(2)(D))). The Secretary shall conduct a study—

(A) 2 years after the date of the enactment of this Act;

(B) 5 years after the date of the enactment of this Act; and

(C) 10 years after the date of the enactment of this Act.

(2) REPORTS.—Not later than 6 months after each date that the Secretary of Health & Human Services is required to conduct a study under paragraph (1), the Secretary shall submit a report to Congress containing the results of each such study.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to items and services furnished on or after the date that is 1 year after the date of the enactment of this Act.

SEC. __04. INCLUSION OF EMERGENCY MEDICINE AS HEALTH SERVICES UNDER THE NATIONAL HEALTH SERVICE CORPS.

Section 331(a)(3)(D) of the Public Health Service Act (42 U.S.C. 254d(a)(3)(D)) is amended by inserting '', and includes emergency medicine provided by physicians in a rural emergency hospital (as defined in section 1861(jjj) of the Social Security Act)'' before the period.

SEC. __05. PERMITTING HOSPITALS WITH APPROVED RESIDENCY PROGRAMS IN EMERGENCY MEDICINE TO INCLUDE TIME SPENT BY INTERNS AND RESIDENTS IN THE EMERGENCY DEPARTMENT OF A RURAL HOSPITAL IN FULL-TIME EQUIVALENT COUNT.

(a) INDIRECT MEDICAL EDUCATION.—Section 1886(d)(5)(B)(iv) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(B)(iv)) is amended by adding at the end the following new subclause:

''(III) Effective for discharges occurring on or after October 1, 2017, all of the time spent in patient care activities in the emergency department of a rural hospital by interns and residents in emergency medicine from a hospital with an approved medical residency training program (as defined in subsection (h)(5)(A)) in such specialty shall be included in determining the number of full-time equivalent interns and residents in such program if the hospital with such program incurs the costs of the stipends and fringe benefits of the interns or residents during the time the interns or residents spend in that rural hospital in accordance with subclause (II). In this subclause, the term 'rural hospital' means a hospital that is located in a rural area (as defined for purposes of paragraph (2)(D)).''.

(b) DIRECT MEDICAL EDUCATION.—Section 1886(h)(4)(E) of the Social Security Act (42 U.S.C. 1395(h)(4)(E)) is amended—

(1) in clause (ii), by striking the period at the end and inserting ''; and'';

(2) by inserting after clause (ii) the following new clause:

''(iii) effective for cost reporting periods beginning on or after July 1, 2017, all of the time so spent in the emergency department of a rural hospital by residents in emergency medicine from a hospital with an approved medical residency training program in such specialty shall be counted towards the determination of full-time equivalency in such program if the hospital with such program bears all, or substantially all, of the costs of training such residents in the rural hospital. In this subparagraph, the term 'rural hospital' means a hospital that is located in a rural area (as defined for purposes of subsection (d)(2)(D)).''; and

(3) by adding at the end the following new sentence: ''For purposes of this subparagraph, the emergency department of a rural hospital described in clause (iii) is a nonprovider setting.''.

SA 3887. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in the matter under the heading ''SCHOOL IMPROVEMENT PROGRAMS'' in title III of division B, insert '': *Provided further*, That funds made available under this heading for and allotted to States under subpart 1 of part A of title IV of the ESEA may be used by the States, to improve school conditions for student learning, by enabling local educational agencies to use

such funds for the purpose of installing infrastructure, and implementing technology or other measures, that strengthen security on school premises, which may include—

''(1) controlling access to school premises or facilities, through the use of metal detectors or other measures, or technology, with evidence-based effectiveness (to the extent the State involved determines that such evidence is reasonably available), in accordance with the needs of the school;

''(2) implementing any technology or measure, or installing any infrastructure, to cover and conceal students within the school during crisis situations;

''(3) implementing technology to provide notification to relevant law enforcement and first responders during such a situation;

''(4) implementing any technology or measure, including hiring school security officers, or installing any infrastructure, with evidence-based effectiveness (to the extent the State involved determines that such evidence is reasonably available) to increase the safety of school students and staff;

''(5) implementing any technology or measure, or installing any infrastructure, for school safety reinforcement, including bullet-resistant doors and windows; and

''(6) implementing any technology or system that would reduce the time needed to disseminate official information to parents regarding the safety of their children during and immediately following a crisis.''.

SA 3888. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. (a) Not later than 180 days after the date of enactment of this Act, the Secretary of Health and Human Services, in consultation with the Administrator of the Health Resources and Services Administration and the Director of the Centers for Disease Control and Prevention, shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Appropriations of the Senate, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Appropriations of the House of Representatives, a report that provides details on utilization by States, hospitals, and health systems of evidence-based practices to reduce maternal mortality and severe maternal morbidity, such as the Alliance for Innovation on Maternal Health.

(b) The report under this section shall include—

(1) a list of States, hospitals, and health systems that participate in the Alliance for Innovation on Maternal Health or a similar evidence-based program, and to the extent possible, the maternal health outcomes such evidence-based programs are intended to address;

(2) what is known about States, hospitals, and health systems that participate in the Alliance for Innovation on Maternal Health or a similar evidence-based program, including the rates of maternal mortality and severe maternal morbidity and any improvements with respect to such rates, or other improvements in maternal and infant health outcomes; and

(3) barriers to implementation of evidence-based programs like the Alliance for Innovation in Maternal Health and recommendations for further implementation.

SA 3889. Mr. SHELBY submitted an amendment intended to be proposed to amendment SA 3699 proposed by Mr. MCCONNELL (for Mr. SHELBY) to the amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert ''$8,503,001''.

SA 3890. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

This Act shall take effect 1 day after the date of the enactment of this Act.

SA 3891. Mr. SHELBY submitted an amendment intended to be proposed to amendment SA 3890 submitted by Mr. SHELBY and intended to be proposed to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 2, strike ''1 day'' and insert ''2 days''.

SA 3892. Mr. MURPHY (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. (a) From amounts appropriated or otherwise made available by this division, the Secretary of Defense shall transfer to the Secretary of State under section 385 of title 10, United States Code, $40,000,000 for the Global Engagement Center for support by the Department of State of security cooperation objectives of the Department of Defense as authorized by that section: *Provided*, That amounts transferred pursuant to this section shall remain available for obligation and expenditure until September 30, 2020.

(b) Section 8117 shall have no force or effect.

SA 3893. Ms. HEITKAMP submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. Of the funds appropriated under the heading ''Refugee and Entrant Assistance'' for carrying out Victims of Trafficking programs, the amount made available to continue carrying out the SOAR (Stop, Observe, Ask, Respond) to Health and Wellness Program, to train health care and social service providers on how to identify, treat, and respond appropriately to human trafficking, shall be not less than the amount made available for such program in fiscal year 2018.

SA 3894. Ms. HEITKAMP (for herself, Ms. MURKOWSKI, and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. (a) From amounts appropriated under this title, up to $1,000,000 shall be used for awarding grants for the purchase and implementation of telehealth services, including pilots and demonstrations for the use of electronic health records or other necessary technology and equipment (including ultra sound machines or other technology and equipment that is useful for caring for pregnant women) to coordinate obstetric care between pregnant women living in rural areas and obstetric care providers.

(b) Notwithstanding any other provision of this Act, the total amount appropriated under the heading ''Vaccine Injury Compensation Program Trust Fund'' is hereby reduced by $1,000,000.

SA 3895. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. (a) Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop and implement for the Department of Defense a mechanism to track and monitor information on the indebtedness of individuals to the United States arising out of service in the Armed Forces.

(b) The mechanism required by subsection (a) shall do the following:

(1) Identify each individual who has a current indebtedness to the United States arising out of the individual's service in the Armed Forces.

(2) Identify the current age and amount of indebtedness to the United States arising out of service in the Armed Forces of each individual identified pursuant to paragraph (1)

(3) For each debt of an individual identified pursuant to paragraph (2), specify the following:

(A) Whether such debt is the result of a delay in Department of Defense processing changes to beneficiary status or another action of the Department.

(B) Whether such debt is currently disputed by such individual.

(C) The amount and type of any fees or interest charges that have been applied to such debt, including any amounts charged for processing or handling the collection of such debt

(c) Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the status of the development and implementation of the mechanism required by subsection (a).

SA 3896. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: ''*Provided*, That sums allocated under the 'CDC Injury Prevention and Control' for Traumatic Brain Injury include continuation of the creation of a National Concussion Surveillance System.''.

SA 3897. Mr. SCHATZ (for himself and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. Using amounts made available under this title, the Assistant Secretary for Mental Health and Substance Use shall provide technical assistance to any State or county impacted 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. Such technical assistance shall be—

(1) to conduct a needs assessment for supporting the mental health of the impacted children and families; and

(2) to develop mental health crisis recovery plans for the impacted children and families.

SA 3898. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. None of the amounts appropriated or otherwise made available by this division may be used to establish a United States Space Force as one of the United States Armed Forces, or to establish the Space Development Agency: *Provided*, That this section shall not be construed to limit the use of funds for the establishment of a combatant command pertaining to space operations.

SA 3899. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division A, insert before the period at the end of the last proviso relating to Operation and Maintenance, Defense-Wide the following: '': *Provided further*, That of the funds provided under this heading, the Secretary of Defense shall allocate an amount the Secretary determines appropriate for fiscal year 2019 to ensure the operation and maintenance of military construction projects funded through the Energy Resilience and Conservation Investment Program (ERCIP) authorized under section 2914 of title 10, United States Code: *Provided further*, That the Under Secretary of Defense (Comptroller), under the direction of the Secretary of Defense, shall submit to the congressional defense committees a plan to create a program element and supporting budgetary accounts and line items for the consideration of operation and maintenance appropriations for fiscal year 2019 and subsequent fiscal years to address operation and maintenance projects necessary for military construction projects funded through ERCIP: *Provided further*, That, not later than March 1, 2019, the Secretary of Defense shall submit to the congressional defense committees a report on its progress to establish the necessary budgetary accounts described in the preceding proviso''.

SA 3900. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. Paragraph (2) of section 2919(b) of title 10, United States Code, is amended to read as follows:

''(2) credited to an appropriation designated by the Secretary of Defense, merged with the appropriation to which credited, and available for energy security or energy resilience projects.''.

SA 3901. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in section 8011 of title VIII of division A, strike the period at the end and insert the following:''': *Provided further*, That of the funds appropriated to the Air Force for operation and maintenance, the Secretary of the Air Force shall allocate an amount the Secretary determines appropriate for the operation and maintenance of the Eagle Vision system that provides the Air Force a critical humanitarian assistance and disaster relief capability: *Provided further*, That the Secretary of the Air Force is also directed to submit to the congressional defense committees a report on the progress of the Secretary in allocating such funding not later than March 1, 2019.''

SA 3902. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. In addition to any other reporting requirements applicable to the Office of Refugee Resettlement of the Department of Health and Human Services as specified in Senate Report 115–289 (115th Congress), the Secretary of Health and Human Services shall, on a weekly basis, update information available to the public on the Internet website of the Department with respect to the following:

(1) The total number of children referred to the Department, including the total number of unaccompanied alien children and the total number of children who were apprehended as part of a family unit.

(2) The number of such children currently in the care of the Department.

(3) The number of such children released to sponsors.

(4) The number of preteen children in shelters and foster care programs operated by the Office.

SA 3903. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

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

SA 3904. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. Of the amounts appropriated or otherwise made available by title II of this division under the heading ''Operation and Maintenance, Defense-Wide'', up to $250,000 may be available to the Secretary of Defense for the creation of a service medal to honor and be awarded to retired and former members of the Armed Forces who were exposed to radiation during service in the Armed Forces in such circumstances as to be eligible for treatment as radiation-exposed veterans for purposes of section 1112(c) of title 38, United States Code.

SA 3905. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Amounts appropriated or otherwise made available by this Act may not be used to implement or carry out any increase in cost-sharing requirements under

the TRICARE Pharmacy Benefits Program by reason of the amendment made by section 702(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1433) with respect to any covered beneficiary who resides more than 40 miles from the nearest military medical treatment facility until the date on which the Secretary of Defense commences the conduct of the pilot program on prescription drug acquisition cost parity in the TRICARE Pharmacy Benefits Program authorized by section 743 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2238; 10 U.S.C. 1074g note).

SA 3906. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Amounts appropriated or otherwise made available by this Act may not be used to implement or carry out any increase in cost-sharing requirements under the TRICARE Pharmacy Benefits Program by reason of the amendment made by section 702(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1433) with respect to any covered beneficiary who resides more than 40 miles from the nearest military medical treatment facility.

SA 3907. Mr. PETERS (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. The amount appropriated by title III of this division under the heading ''Aircraft Procurement, Air Force'' is hereby increased by $65,000,000, with the amount of the increase to be available for the A–10 Wing Replacement Program.

SA 3908. Ms. CANTWELL (for herself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. (a) It is the sense of the Senate that dedicated funding for coding courses in kindergarten through grade 12 education should be a top priority.

(b) It is the sense of the Senate that the Secretary of Education should use the authority granted under section 114(e) of the Carl D. Perkins Career and Technical Education Act of 2006, as in effect on July 1, 2019, to award innovation and modernization grants. The use of such innovation and modernization grant funds for coding programs are especially important for rural and underserved areas that don't have access to coding resources in order to close the skills gap. These grants are opportunities for rural America to learn to read and write code to prepare students for the jobs of the future.

SA 3909. Ms. HIRONO (for herself, Mr. BOOKER, Mrs. GILLIBRAND, Ms. WARREN, Mr. BLUMENTHAL, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 238, line 13, strike ''which'' and all that follows through ''programs:'' on line 6, page 239 and insert the following: ''to support the access of marginalized youth to sexual health services: *Provided further,* That funding entities awarded such competitive grants may use the funds to provide medically accurate and complete age, developmentally, and culturally-appropriate information on how to access sexual health services; to promote effective communication regarding sexual health among marginalized youth; to promote and support better health, education, and economic opportunities for school-age parents; and to train individuals who work with marginalized youth to promote the prevention of unintended pregnancy, the prevention of sexually transmitted infections, healthy relationships, and the development of safe and supportive environments:''.

SA 3910. Mr. SHELBY (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

In section 8010 of division A, in the matter immediately preceding the sixth proviso, insert after paragraph (5) the following:

(6) SSN Virginia Class Submarines and Government-furnished equipment:

SA 3911. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. The amount appropriated by title II of this division under the heading ''Operation and Maintenance, Defense-Wide'' is hereby increased by $11,677,000, with the amount of the increase to be available for Civil Military Programs for the National Guard Youth Challenge Program (in addition to any other amounts available in this division for that Program).

SA 3912. Mr. HELLER (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. (a) There are appropriated under the heading ''Birth Defects, Developmental Disabilities, Disabilities and Health'' under the heading ''Centers for Disease Control and Prevention'', in addition to any other amounts made available under such heading and in order to provide additional funding for activities related to neonatal abstinence syndrome, $2,000,000: *Provided*, That funds shall make use of existing State biosurveillance and other surveillance tools to improve voluntary, de-identified prenatal and newborn health data, which may include opioid-related information during pregnancy and early motherhood, to reduce risks associated with neonatal abstinence syndrome and optimize care.

(b) Notwithstanding any other provision of this Act, the total amount appropriated under the heading ''Chronic Disease Prevention and Health Promotion'' under the heading ''Centers for Disease Control and Prevention'' is hereby reduced by $2,000,000.

SA 3913. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. Notwithstanding any other provision of this Act, no funds made available under this Act may be used to mandate that, or implement a requirement that, a State annually measure the achievement of not less than 95 percent of all students, and 95 percent of all students in each subgroup of students, who are enrolled in public schools on the assessments described under section 1111(b)(2)(B)(v)(I) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(v)(I)).

SA 3914. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B insert the following:

SEC. ____. None of the funds made available by this Act may be used to conduct or support research using human fetal tissue if such tissue is obtained pursuant to an induced abortion.

SA 3915. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. Notwithstanding any other provision of this Act, the amount made available under this Act for making payments under the Head Start Act shall be equal to the amount made available for making such payments for the fiscal year ending September 30, 2018, of which funds shall be made available for a study to determine the possibility of carrying out the activities of

the Head Start Act through a program providing block grants to States.

SA 3916. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. The Secretary of Education shall carry out a pilot program that authorizes States to establish an alternative accreditation system for the purpose of establishing institutions that provide postsecondary education and postsecondary education courses or programs as eligible for funding under title IV of the Higher Education Act of 1965 if the State enters into an agreement with the Secretary for the establishment of the alternative accreditation system.

SA 3917. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. None of the funds appropriated or otherwise made available by this division shall be used to enforce an authorization of detention without charge or trial of a citizen or lawful permanent resident of the United States who is apprehended in the United States.

SA 3918. Mrs. SHAHEEN (for herself and Ms. HASSAN) submitted an amendment intended to be proposed by her to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. (a) There are appropriated under the heading ''HIV/AIDS, Viral Hepatitis, Sexually Transmitted Diseases, and Tuberculosis Prevention'' under the heading ''Centers for Disease Control and Prevention'', in addition to any other amounts made available under such heading and in order to provide additional funding for sexually transmitted disease prevention, $5,000,000.

(b) Notwithstanding any other provision of this Act, the total amount appropriated under the heading ''General Departmental Management'' under the heading ''Office of the Secretary'', is hereby reduced by $5,000,000.

SA 3919. Mr. CARDIN (for himself, Mr. CARPER, Mr. BOOKER, Mr. MENENDEZ, and Ms. HARRIS) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

REPORT ON RACIAL DISPARITIES IN PREGNANCY-RELATED MORTALITY RATES

SEC. ____. Not later than 120 days after the date of enactment of this Act, the Director of the Centers for Disease Control and Prevention shall submit to Congress a report on racial disparities in pregnancy-related mortality rates, which shall—

(1) identify the causes of racial disparities in pregnancy-related mortality rates in the United States, and why such rates are higher among African American women, Hispanic women, Asian American women, American Indian women, and Alaskan Native women; and

(2) make recommendations for reducing—

(A) racial disparities in pregnancy-related mortality rates in the United States; and

(B) the overall pregnancy-related mortality rate in the United States.

SA 3920. Mr. MURPHY (for himself, Mr. MANCHIN, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. (a) There are appropriated under the heading ''Mental Health'' under the heading ''Substance Abuse and Mental Health Services'', in addition to any other amounts made available under such heading and in order to provide additional funding to carry out section 520E of the Public Health Service Act, $1,573,000.

(b) There are appropriated under the heading ''Mental Health'' under the heading ''Substance Abuse and Mental Health Services'', in addition to any other amounts made available under such heading and in order to provide additional funding to carry out section 520E–2 of the Public Health Service Act, $512,000.

(c) Notwithstanding any other provision of this Act, the total amount appropriated under the heading ''Mental Health'' under the heading ''Substance Abuse and Mental Health Services Administration'' to carry out subpart I of part B of title XIX of the Public Health Service Act, is hereby reduced by $2,085,000.

SA 3921. Mr. MURPHY (for himself, Mr. MANCHIN, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. (a) There are appropriated under the heading ''Mental Health'' under the heading ''Substance Abuse and Mental Health Services'', in addition to any other amounts made available under such heading and in order to provide additional funding to carry out section 520E of the Public Health Service Act, $1,573,000.

(b) There are appropriated under the heading ''Mental Health'' under the heading ''Substance Abuse and Mental Health Services'', in addition to any other amounts made available under such heading and in order to provide additional funding to carry out section 520E–2 of the Public Health Service Act, $512,000.

(c) Notwithstanding any other provision of this Act, the total amount appropriated under the heading ''Mental Health'' under the heading ''Substance Abuse and Mental Health Services Administration'' to carry out subpart I of part B of title XIX of the Public Health Service Act, is hereby reduced by $2,085,000.

SA 3922. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 8023(d), insert before the period the following: ''; *Provided further*, That the Secretary of Defense may waive a limitation in this subsection on the number of staff years for defense FFRDCs that may be funded during fiscal year 2019 if the Secretary certifies in writing to the congressional defense committees that the waiver is in the national interests of the United States''.

SA 3923. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 202, line 13, strike the period and insert '': *Provided*, That of such amount made available for an evidence-based opioid drug overdoes prevention program, $10,000,000 shall be for activities that reduce overprescribing in rural areas and on Indian land.''.

SA 3924. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 207, line 17, insert '', of which $10,000,000 shall be for research related to non-opioid pain management alternatives'' after ''treatment''.

SA 3925. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 216, line 5, insert '', of which 10 percent shall be reserved for grants to behavioral health clinics in States that have the highest rates of poverty and unemployment'' after ''Public Law 113–93''.

SA 3926. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. (a) Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on improving trauma training for trauma teams of the Department of Defense, including through the use of the Joint Trauma Education and Training Directorate established under section 708 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 1071 note).

(b) The report required by subsection (a) shall include recommendations regarding how to best coordinate trauma teams of the Department of Defense with trauma partners in the civilian sector, including evaluating how trauma surgeons and physicians of the Department can best partner with civilian level 1 trauma centers verified by the American College of Surgeons, including those trauma centers coupled to a burn center that offers burn rotations and clinical experience, to provide adequate training and readiness for the next generation of medical providers to treat critically injured burn patients and other military trauma victims.

SA 3927. Mr. ISAKSON (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. (a) There are appropriated under the heading ''Public Health Scientific Services'' under the heading ''Centers for Disease Control and Prevention'', in addition to any other amounts made available under such heading, $5,000,000 to be available for the establishment of the National Neurological Conditions Surveillance System as authorized in 21st Century Cures Act (Public Law 114-255).

(b) Notwithstanding any other provision of this Act, the total amount appropriated under the heading ''Substance Abuse and Mental Health Services Administration'' is hereby reduced by $5,000,000

NOTICE OF INTENT TO OBJECT TO PROCEEDING

I, Senator CHUCK GRASSLEY, intend to object to proceeding to S. 3278, to amend the Internal Revenue Code of 1986 to provide additional Protections to taxpayers, dated August 21, 2018.

AUTHORITY FOR COMMITTEES TO MEET

Mr. BLUNT. 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 ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, August 21, 2018, at 9:30 a.m., to conduct a hearing on the following nominations: Alan Ray Shaffer, of Virginia, to be Deputy Under Secretary for Acquisition and Sustainment, Veronica Daigle, of Virginia, and Robert H. McMahon, of Georgia, both to be an Assistant Secretary, and Casey Wardynski, of Alabama, and Alex A. Beehler, of Maryland, both to be an Assistant Secretary of the Army, all of the Department of Defense.

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, August 21, 2018, at 10 a.m., to conduct a hearing entitled ''Russia Sanctions current effectiveness and potential for next steps.''

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, August 21, 2018, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, August 21, 2018, at 10 a.m., to conduct a hearing entitled ''U.S.-Russia Relations''.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, August 21, 2018, at 2:30 p.m., to conduct a hearing entitled ''Financial Literacy: the Starting Point for a Secure Retirement.''

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, August 21, 2018, at 10 a.m., to conduct a hearing entitled ''Examining CMS's Efforts to fight Medicaid fraud and overpayments''.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Thursday, August 16, 2018, at 2:30 p.m., to conduct a closed hearing.

SUBCOMMITTEE ON CRIME AND TERRORISM

The Subcommittee on Antitrust, Competition Policy and Consumer Rights of the Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, August 21, 2018, at 2:30 p.m., to conduct a hearing entitled ''Cyber Threats to our Nation's Critical infrastructure.''

PRIVILEGES OF THE FLOOR

Ms. COLLINS. Mr. President, I ask unanimous consent that my defense fellow, John-Paul Mantone, be granted floor privileges for the length of the current debate on the appropriations bills that are before us.

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

Mr. GRASSLEY. Mr. President, I ask unanimous consent that Nathan Williams, a law clerk with my Judiciary Committee staff, be granted floor privileges for the duration of today's session.

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

ORDERS FOR WEDNESDAY, AUGUST 22, 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, August 22; 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; that following leader remarks, the Senate resume consideration of H.R. 6157; further, that the Senate recess from 3:30 p.m. to 4:30 p.m.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:40 p.m., adjourned until Wednesday, August 22, 2018, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

MICHAEL J. FITZPATRICK, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ECUADOR.

JEFFREY ROSS GUNTER, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ICELAND.

RICHARD CARLTON PASCHALL III, OF NORTH CAROLINA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE GAMBIA.

ERIC WILLIAMS STROMAYER, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE TOGOLESE REPUBLIC.

DEPARTMENT OF JUSTICE

WING CHAU, OF RHODE ISLAND, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF RHODE ISLAND FOR THE TERM OF FOUR YEARS, VICE JAMIE A. HAINSWORTH, TERM EXPIRED.

RAMONA L. DOHMAN, OF MINNESOTA, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF MINNESOTA FOR THE TERM OF FOUR YEARS, VICE SHARON JEANETTE LUBINSKI, RETIRED.

ERIC S. GARTNER, OF PENNSYLVANIA, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF PENNSYLVANIA FOR THE TERM OF FOUR YEARS, VICE DAVID BLAKE WEBB, TERM EXPIRED.

JOHN C. MILHISER, OF ILLINOIS, TO BE UNITED STATES ATTORNEY FOR THE CENTRAL DISTRICT OF ILLINOIS FOR THE TERM OF FOUR YEARS, VICE JAMES A. LEWIS, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. THOMAS J. SHARPY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. KATHLEEN M. FLARITY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. DAVID A. HARRIS, JR.

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. KENNETH F. MCKENZIE, JR.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

TIMOTHY D. VINCENT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MARK J. STANALAJCZO

DISCHARGED NOMINATION

The Senate Committee on Homeland Security and Governmental Affairs was discharged from further consideration of the following nomination under the authority of the order of the Senate of 01/07/2009 and the nomination was placed on the Executive Calendar:

*TERI L. DONALDSON, OF TEXAS, TO BE INSPECTOR GENERAL OF THE DEPARTMENT OF ENERGY.

*Nominee has committed to respond to requests to appear and testify before any duly constituted committee of the Senate.