As the chief Federal law enforcement officer for the Western District of Kentucky, Russell will use his skills to serve the people of Kentucky and the United States very well. Having served as a special agent with the FBI, Russell understands the particular challenges facing law enforcement. In that role, he regularly collaborated with Federal, State, and local law enforcement officials on a vast array of issues, and he is well respected in the law enforcement community.

For instance, Kentucky continues to struggle with the opioid addiction epidemic that is tearing families and communities apart. Russell stands ready to collaborate with stakeholders and community leaders to combat it. He has earned the support of the Kentucky Narcotics Officers' Association, which looks forward to his leadership on drug enforcement issues.

Russell also worked in my office as legal counsel, helping me serve the people of Kentucky. With good humor and an unmatched determination, he advocated for the issues that were important to my constituents.

The president of the Kentucky Fraternal Order of Police wrote to me in support of Russell's nomination: ''Russell was forever thoughtful, courteous, and a true friend to our membership.''

Now Russell has the opportunity to serve once again.

I congratulate him and look forward to his service to the Commonwealth and to the country.

TRIBUTE TO NANCY KERVIN

Mr. MCCONNELL. Mr. President, on one final matter, I would like to take a brief moment to recognize a talented member of the Senate community who will be retiring this month after 20 years of service to this body and to the Nation.

Nancy Kervin is a reference librarian in the Senate Library, and for years, whenever my office needed assistance with a seemingly impossible research question, she was always ready to lend a helping hand. I could not let her depart without giving her the recognition that she so richly deserves.

Nancy came to the Senate following a wide-ranging career in publishing and in research, and through her work here, Nancy has made a lasting mark.

To members of my staff and to numerous others around the Senate, Nancy has been the first person to call when facing a difficult research question. Nancy's signature combination of intellectual rigor and unyielding perseverance has enabled her to skillfully complete countless research projects on numerous subjects throughout her time in the Senate, and, of course, she is widely known for her kindness and her good humor.

My office has worked closely with Nancy on a number of different projects over the years, but there is one project—a project of particular personal importance to me—that I would like to mention today.

A number of years ago, I began a series of lectures at Kentucky colleges and universities focusing on the lives and legacies of prominent U.S. Senators from the Commonwealth. Since the project's inception, my staff has regularly looked to Nancy for help. She has been an indispensable resource for each historical speech in Kentucky that I have delivered. Her work in gathering sources and putting the information in its proper context has helped me to pay tribute to many distinguished Kentuckians. Therefore, it is fitting that she holds the highest honor that my State can bestow upon a civilian, that of a Kentucky colonel.

After her years of dedicated service, Nancy deserves a relaxing retirement. Along with her husband, Stephen—another stalwart member of the Senate family who will be retiring from the Senate Historical Office—Nancy plans to spend time traveling and working in her garden. She will be sorely missed here.

On behalf of the entire Senate family, I congratulate Nancy and Stephen on their successful careers in promoting the history and the legacy of this Chamber and those who have served in it. I wish them both happy retirements.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 2810, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2810) to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

McCain/Reed modified amendment No. 1003, in the nature of a substitute.

McConnell (for MCCAIN) amendment No. 545 (to amendment No. 1003), of a perfecting nature.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

NOMINATION OF MAKAN DELRAHIM

Mr. LEE. Mr. President, I rise to speak in support of the nomination of Makan Delrahim as the Assistant Attorney General for the Antitrust Division of the U.S. Department of Justice.

Mr. Delrahim is someone I have known for over 15 years. He is eminently qualified, and I have no doubt that he will make an outstanding Assistant Attorney General.

Mr. Delrahim has a long and distinguished career within the antitrust world. His service in this area includes service as senior staffer for the Senate Judiciary Committee of the Antitrust Modernization Commission and previously at the U.S. Department of Justice.

I could go on and on regarding Mr. Delrahim's accomplishments, regarding his character and his aptitude as a lawyer, generally, and as an antitrust lawyer, in particular. But instead of taking my word for it, allow me to read just a little bit of the wide-ranging support Mr. Delrahim's nomination has from both sides of the aisle. People within the Senate and outside the Senate on both sides of the aisle have been supportive of this nomination.

A bipartisan group of former Assistant Attorneys General for the Antitrust Division at the Department of Justice—including AAGs for Antitrust under President Obama, President Clinton, and President Carter—submitted a letter expressing strong support for Mr. Delrahim's nomination. They explained that ''Mr. Delrahim has the experience, intelligence, judgment, and leadership skills necessary to serve as an excellent Assistant Attorney General.''

Similarly, a bipartisan group of former Commissioners of the Antitrust Modernization Commission, a group of well-respected, seasoned anti-trust officials, submitted a letter supporting Mr. Delrahim's nomination. The letter said that Delrahim will ''serve with high distinction and be an outstanding Assistant Attorney General for antitrust.'' The authors of this letter also ''strongly urge[d] the Committee to look favorably upon his nomination, with the hope that the Senate can confirm him as soon as possible.''

Because Mr. Delrahim is so well respected, his nomination is one that has enjoyed broad bipartisan support, including broad bipartisan support within the Senate Judiciary Committee, on which I serve. He was voted out of the committee by a vote of 19 to 1. That is not all that common these days. Ranking Member FEINSTEIN went out of her way to explain that Mr. Delrahim ''will fully and fairly enforce our antitrust laws.''

Despite this strong bipartisan support, Mr. Delrahim's nomination has languished on the floor. In fact, the wait to confirm Makan Delrahim is the longest for someone appointed to this

position in 40 years. Not since the Carter administration has a new administration been forced to wait this long to fill the vacancy at the Antitrust Division. President Carter's wait was largely due to the fact that he took more than twice as long to nominate an Assistant Attorney General for the Antitrust Division than did President Trump.

Apparently, some Democrats are still so eager to resist that they are unwilling to allow us to confirm a nominee who many of them support. This is unacceptable. Democrats understand that antitrust is essential to ensuring that consumers receive the benefits of a competitive economy: lower prices, more innovation, and more choice. You see, when you have competition, good things happen. When you have competition, it inevitably brings down prices, and it inevitably results in higher quality.

In fact, last month some Democrats reiterated the importance of a strong antitrust enforcement to our economy, and they did so by releasing their Better Deal plan. The Democrats' plan describes the effects that anticompetitive mergers can have, such as harming consumers, customers, and suppliers.

Senator KLOBUCHAR, along with several Democratic colleagues, followed up on this plan by proposing legislation to enact some of these policies into law. Although I don't agree with all of their proposed solutions, I do agree with my colleagues from across the aisle that antitrust enforcement should be a priority.

The best way to ensure that antitrust laws are being properly prioritized is to make sure our antitrust agencies are fully staffed and have leaders in place—leaders who have the requisite expertise and ability; leaders who have broad bipartisan support from sitting Senators, practitioners, and former agency leaders who know the position and the exacting demands required by the position; leaders who fit the description of Makan Delrahim.

Given his broad support, his impeccable qualifications, and the importance of this position, there is no good reason to delay this confirmation—quite to the contrary. This is a position that is neither Republican nor Democratic. It is a position that is neither liberal nor conservative. This position is there to advance bipartisan issues that affect every American. And Makan Delrahim in this position at a critical time in our Nation's history, at a critical time for antitrust law—it is especially important that we have him in place.

Antitrust law is an area in which the United States has excelled above and beyond what its peer nations have been able to achieve. We developed this area of the law, and we did so with an eye toward protecting consumers and competition itself rather than protecting individual competitors. We have to lead, and the best way we can start is by confirming Makan Delrahim. So I call upon the Senate to confirm Makan Delrahim as Assistant Attorney General for the Antitrust Division of the U.S. Department of Justice.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

HURRICANE IRMA RECOVERY

Mr. NELSON. Mr. President, I wish to speak about the Defense bill, but before I do, I want to give the Senate a report.

Senator RUBIO and I have been together quite a bit this past week, as Florida has not only encountered a hurricane, but this was quite unusual in that it basically affected almost all of the State of Florida.

Florida is a big State. If you went from Key West to Pensacola, it is as far as going from Pensacola all the way to Chicago. That is how big our State is. With almost 21 million people, it is the third largest State, with 75 percent of that a population along the coast. Of course, we know what happens when hurricanes start threatening those coasts.

This was an unusual one because it was first going to hit the east coast of Florida. That was the track. The National Hurricane Center has gotten quite good in their ability to project the path and the velocity of the winds. But once it took an unexpected turn, hitting the north coast of Cuba as a category 5, its velocity and forward motion were reduced, and it then took a more westerly path, making landfall in the Middle and Lower Keys of Florida, where the winds were category 3, approaching category 4. Residents were not even let back in to see their homes until Sunday morning.

As of now, although FEMA is present in the Lower Keys—Key West—and in the Upper Keys—Key Largo—individual assistance and disaster teams were still trying to get into the areas that had the biggest impact, the areas around Big Pine Key and Marathon. It is a painfully slow process. FEMA is having to deal with the problems in Texas and now the enormity of the storm affecting almost all of Florida. FEMA is stretched. But FEMA is supposed to bring emergency assistance to people, organizations, and local governments in the aftermath of a natural disaster. That will be a work in progress as we go on.

There are places where Senator RUBIO and I have gotten personally involved in asking FEMA to come in, areas in Lee County and Collier County. Areas where FEMA had not visited, they now have come in—Lee County, east of Fort Myers, and Lehigh Acres.

The little farming community of Immokalee was exceptionally torn up. There is a great story there. The university president opened up the fieldhouse so that a lot of the poor people in Immokalee had a place to go if they didn't have another shelter. Indeed, they took in some 400 people. Elderly people in an apartment complex whose caregivers had left were picked up by the sheriff and taken to the university, and the students cared for them for 4 nights. This is a great example of Floridians helping Floridians, which we have seen throughout.

This Senator has been all over the State, much of it with my colleague, demonstrating that the two Senators, in a bipartisan way, actually get along and were there to try to help the people.

First, right after the storm in the Florida Keys, we saw damage in Key West and Boca Chica. But that was the back side of the storm. The eye of the storm had gone farther to the east, so the damage was in the northeastern quadrant since the most severe winds were in the Big Pine Key and the Marathon area. The military, the Coast Guard, FEMA, and the engineers came in immediately after the storm. Floridians helping Floridians. Americans helping Americans.

Then Senator RUBIO and I went to the Jacksonville area. Quite unusual was that all the extra rainfall had flowed into the St. Johns River Basin. The river had swollen, and all of that water was trying to get its normal outlet into the Atlantic Ocean at Jacksonville. But lo and behold, the winds covering up the entire peninsula moving northward, now the eye over land between Tampa and Orlando and that northeastern quadrant of those winds coming from east going west—what did it do at Jacksonville? It pushed back all of the water that needed to get out into the Atlantic. That, combined with the incoming high tide—what you had was phenomenal flooding, an overflowing of the banks of the St. Johns River in many places in the Upper St. Johns, at considerable loss of property and considerable distress to the citizens. A good part of downtown Jacksonville was flooded.

The next day, Senator RUBIO and I ended up in a citrus grove in Lake Wales, FL. Fifty percent of the fruit in this citrus grove was on the ground. Farther south, 75 percent of the citrus crop was on the ground. They can't salvage that. That is a huge percentage of the loss. So it made Senator RUBIO and me all the more determined that we are going to try to pass an amendment to the Tax Code that would give the citrus growers of Florida—not only because of this loss but also because of every grove now infected by a bacteria called citrus greening that will kill the tree in 5 years—that would give the citrus industry a chance to start over by plowing under the grove of those diseased citrus trees and replanting new stock that has new promise to outlast the bacteria—at least for a number of years more than the 5 years that will kill the tree—until we can find the cure, and we are working on that. But do that in the IRS Code by allowing them to expense in the first year the plowing under and replanting in order to save the citrus industry.

Senator RUBIO and I were in that grove and saw all of that lost crop. That was going to be a promising crop

for the first time in 10 years of declines of the citrus crop because of the bacteria. This was going to be a good year, but we saw half of that crop on the ground in that grove, lost, gone. Citrus crop insurance is not going to really help them—only if it is a much greater loss.

From there, the two of us went on to a poor part of Florida, east of Lake Okeechobee, called Belle Glade. A lot of the residences were torn up by the winds.

This was a hurricane whose winds affected virtually all of the peninsula of Florida and even reached over into the panhandle as far as Tallahassee and even other parts west.

In Belle Glade, we served a meal. Charities had come together to bring food to hungry people because they had no power and they had no refrigeration. It had been several days since the hurricane, and therefore they had no food.

From there, we went to another very poor part of Florida, Immokalee, FL, which I described earlier, which had been torn up considerably.

Whether it was what I just described or whether it was feeding poor people in Apopka, FL, who at that point had been without power for 5 days, and they had no food because there was no refrigeration, or whether it was going down to Lehigh Acres, where the Florida National Guard had organized the distribution of MREs, which are meals ready to eat, and gallons of fresh water because so many of those homes out in Lehigh Acres, east of Fort Myers, were on water wells, and without electricity, there were no pumps to give them water—there are so many things that we often take for granted. If power is taken away, you suffer not only because of the 90 degree-plus heat and humidity but also because you can't even get any water because you are on a water well.

It was a privilege to be there with the Florida National Guard, handing out food, handing out water, and talking to those local residents who are living paycheck to paycheck—and now they have no paycheck. Where is the FEMA assistant to help them? Because there is no power, they can't go online to apply for individual assistance. In fact, they can't pick up the phone because of the intermittent cell service. Even if they could get a cell signal, they couldn't get through to the FEMA number. That is why we wanted the FEMA representatives to come in, and fortunately, just yesterday, they finally did come in.

It has been quite a couple of weeks—first, anticipating the storm coming in and getting all of the emergency operation centers ready. Fortunately, people obeyed the evacuation orders. It was estimated that out of the population of almost 100,000 in the Keys, there were only 10,000 left. That was a huge evacuation. Those folks did not get in to find out what was left of their homes until yesterday. You can imagine, a week after the storm had hit—the weekend before the Keys—all of that water was in there, setting in with the heat and the humidity, the mold and the mildew. You can imagine the mess, the cleanup.

All the while, FEMA has to worry about Texas, now Florida, and maybe another hurricane that is going to come up. It looks as though it is going to turn out to sea but is still going to have some of the wind effects along the northeast Atlantic Coast.

Floridians helping Floridians—and then there was a great, great tragedy that occurred 4 days after the hurricane. Why there is not a requirement that every nursing home or assisted living facility, an ALF, have a generator not only for power, for lights, but have a generator capacity that will run air conditioning units—I think this is going to be the subject of great debate that I hope will change that requirement in the State of Florida because eight people died. Eight people died in a nursing home right across the street from a major hospital in Hollywood, FL—eight frail elderly, from ages 70 to 99—eight needless deaths as a result. A criminal investigation is underway.

All the phone calls that had been made that were not answered, both to the government as well as to the power company, as reported by the press, specifically a Miami television station—we don't know all the facts; they will come out in the criminal investigation. But it is inexcusable that eight frail, elderly people would die from heat exhaustion by being left so that their condition deteriorated over the course of 3 or 4 days.

What is wrong with a regulatory scheme that does not have a backup generator that would kick in when, in fact, the hospital right across the street had one? What was the disconnect there? Why did it take days and days until 911 was called? We will find out in this great tragedy.

I can tell you, the Miami Herald had done a series, over the last couple of years, of three investigative pieces, which pointed out that these ALFs and these nursing homes had not been properly managed or regulated by the State of Florida. That is to be determined.

Hurricane Irma is just another reminder that we are going to confront huge natural occurrences and maybe, just maybe, people will realize there is something to the fact that the Earth is getting hotter. Because of that, two-thirds of the Earth is covered by oceans, with the oceans absorbing 90 percent of that heat. What happens to water when it is heated? It expands. Thus, the sea levels are rising.

Mr. President, as we turn to this Defense bill, this is an issue of national security. As Secretary of Defense Mattis has said, ''Climate change is impacting stability in areas of the world where our troops are operating today.''

Maybe we should pay attention to issues like those I have just described in Florida or maybe in Texas. Or what about tornadoes causing damage to military depots in Georgia? Or what about the severe heat canceling military training and hail storms damaging aircraft in Texas? What about the coastal erosion, not only in Florida but also threatening early-warning radar in Alaska? What about the wildfires causing ranges to be closed and the flooding that we saw in not only Texas but also the flooding damaging military logistics rail in Louisiana and affecting warehouses containing hazardous materials in Virginia?

That is why, in this version of the Defense bill that we will pass today, there is a provision that this Senator had something to do with, which calls for the Defense Department to conduct a comprehensive assessment of the threats to the training and readiness of our Armed Forces and the military infrastructure caused by climate-related events.

It is critical that we recognize the threat so we will ensure that our forces and installations are resilient enough to withstand and quickly recover from all of these natural disasters that we have been talking about. Not only must we ensure that our military infrastructure is resilient, we must also ensure that it provides our warfighters with the space they need to train and the technology they need to stay ahead of our adversaries.

I have opined on this subject over and over in speeches to the Senate. I have opined over and over about the Gulf Test and Training Range that the Air Force needs to make huge investments in for the precise measurements of all of our sophisticated weapons and our systems.

I thank Chairman MCCAIN and Ranking Member REED for their good work on the bill. It begins to address some of the training and readiness shortfalls in our military. I look forward to continuing to discuss this.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

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

THANKING THE SENIOR SENATOR FROM FLORIDA

Mr. SCHUMER. Mr. President, let me once again thank my friend and colleague from Florida. There is no one—no one—who has defended his State more diligently, more assiduously, more effectively than the senior Senator from the State of Florida. I know there are close to 20 million people in Florida who are grateful, as are all of us.

Thank you.

Mr. President, we will vote today on the final passage of NDAA. I am pleased with the bipartisan manner in which the Senate has worked on this important legislation. Senators MCCAIN and REED managed the bill with great skill. I commend them for their bipartisan work on this important legislation.

HEALTHCARE

Mr. President, I am going to use the rest of my time to address something that is not so bipartisan. It is terribly partisan, and that is the issue of healthcare. I hope the American people listen closely.

After a few months of lying dormant, TrumpCare is back, and it is meaner than ever. TrumpCare now lives under the name of Cassidy-Graham. Guess what. It is another bill that would drastically cut back on healthcare funding for Americans who need it most.

My colleagues, my fellow Americans, this is a red-alert moment for the entire country. Our healthcare system again is threatened by a hastily constructed piece of legislation, put together in a back room by only one party—no CBO score, no committee process, not a single hearing. Everyone is totally in the dark about the effects of this bill, yet there is an effort to rush it forward.

This Frankenstein monster of a bill that would harm so many Americans keeps coming back and back, and somehow each time it has managed to get worse.

Here is what we know the new TrumpCare bill would do. It would roll back protections for Americans with preexisting conditions. It would allow States to impose burdensome requirements as a condition on Medicaid coverage. It would defund Planned Parenthood, stripping millions of women of their right to access affordable healthcare. Most crucially, the new TrumpCare would plunge a dagger deep into the heart of Medicaid, immediately ending Medicaid expansion and establishing a per capita cap on Medicaid spending. That jeopardizes coverage for 11 million Americans and puts at great risk the coverage and affordability of insurance for the 12 million who buy insurance on the marketplaces.

It would take the money used for Medicaid expansion and subsidies and block-grant it to the States, imposing a massive cut on funding that helps so many Americans well into the middle class.

The term ''block grants'' may sound harmless, but in practice they are anything but. Right now, our healthcare system reimburses States for the costs of what their citizens actually need and use. Block grants are a fixed amount of money given to each State, forcing people who need healthcare to fight among each other as to who gets those dollars. People with parents in nursing homes will fight with those on opioid treatment, who will fight with those who have kids with preexisting conditions, who will fight with those who simply need to go see a doctor. They will all be pitted against one another in a heartless scheme, a heartless scheme that will hurt so many.

Block grants are a not-so-clever way of disguising a massive, massive cut to healthcare—cutting back care, raising premiums, hurting millions and millions of average Americans.

That is the case with this new TrumpCare. The Center on Budget and Policy Priorities took a look at the new TrumpCare and found that the block grants in the bill would deprive States of hundreds of millions and sometimes billions of dollars. I am going to mention a few States here. My colleagues should know the effect of the bill. They don't.

CBO has told us—I will talk more about this later—that they cannot give us a full score but simply notes whether it meets the budget reconciliation numbers. They say it will cut a billion dollars. That is all it will say. We will not know how many citizens are hurt, but the Center on Budget and Policy Priorities, whose numbers are very reliable, has done a calculation. I would ask my colleagues to pay attention. I just picked out some States. There are more. Arizona would lose $1.6 billion in Federal funding. Alaska would lose $255 million in Federal funding. Maine would lose $115 million in Federal funding. West Virginia would lose $554 million in Federal funding. Colorado would lose $823 million in Federal funding. Ohio, the State most racked by the opioid epidemic, would lose over $2.5 billion in healthcare funding. Iowa would lose $525 million in Federal funding. These are devastating numbers. My colleagues, if you don't believe the accuracy of these numbers, then have the courage and decency to wait for a CBO score. To pass this legislation before CBO measures out the effect on your State would be legislative malpractice of the highest order. These numbers, we believe, are accurate. They come from a group that has had years of expertise and accurately predicted healthcare effects. There will be devastating cuts to so many in so many States.

If you don't believe these numbers, then show us what yours are. Wait for CBO, an impartial arbiter, and see what they have to say. The numbers are devastating. They represent millions of Americans, especially middle-income and low-income, who will receive poorer healthcare, face higher costs, or both. Whom do they represent? You are an American family—a nice, middle-class family making a good income. You have a parent in a nursing home. It is likely to be paid for by Medicaid. That parent is at risk if this Graham-Cassidy bill passes. You have a young son or daughter afflicted by opioids. The treatment they receive would often be at risk if this bill passes. You give birth to a child with a preexisting condition who desperately needs help. We met so many of these families, every one of us. That child's life, in many cases, would be at risk if this bill passes. This is the poorest way of legislating I have seen in all my years here. To try to rush this bill through with no hearings, no CBO score, no knowledge of how it actually affects your constituents—how can we do that?

Already, some Republican Governors have spoken out against this legislation. Governor Kasich, Governor Baker, and 16 patient and provider groups have come out against this TrumpCare, including the American Cancer Society and the American Heart Association. The ratings agency Fitch says Graham-Cassidy would be even ''more disruptive'' than all the other ACA bills. The American people have rejected TrumpCare repeatedly. Its numbers in the polls are below 20 percent. Hardcore supporters of Donald Trump do not want us to pass this bill. Virtually only one in five Americans wants us to pass this bill—hardly anybody—and we are going to go do it for a political scalp? No, we can't.

I know there are some on the other side of the aisle who say they can work it out so each State wouldn't be hurt as badly as under the current draft of the bill—these bad numbers—that they can tweak the formula for one State or another that would make the cuts less devastating. First, they are never going to come up with that kind of money. I heard one Governor was told by a Senator: Don't worry about the big cuts to your State. We will make it up with disproportionate share payments—uncompensated care. It is impossible. The amount of money in the DSH Program is so much less than the amount of these cuts that we couldn't even come close. That is what is being thrown around here. There are lots of different surmises: Maybe we will do this, maybe we will do that. We are playing with people's lives. That is so wrong. States will end up facing a harsh cut—most of the States in the Union—many States represented by my colleagues on the other side of the aisle who voted for the previous bills.

We shouldn't do it on substance, but we also shouldn't do it on the basis of regular order. To have such a major bill that affects so many people be rushed at the last minute in the dark of night—no discussion, no analysis, no real knowledge of how it affects each of our States—is legislative malpractice of the highest order.

If the Founding Fathers were looking at this Chamber now and watching, they would be turning over in their graves. An America founded on debate and discussion and sunlight is veering off all of that in a really nasty way. There is no regular order here. There are no bipartisan public hearings on the Graham-Cassidy bill. The HELP and Finance Committees are not debating the legislation. It is the same back-room, one-party sham of a legislative process that ultimately brought the previous bill down. A contrived, eleventh-hour hearing on block grants in the Homeland Security Committee—a committee that has very little jurisdiction over healthcare matters—does not even come close to suggesting regular order.

In conclusion, I think many of us on both sides of the aisle thought there was a ray of light in the last few

weeks. The partisanship that had governed this place for the last 8 months seemed to be breaking. I had good meetings in the White House—hopes of working together. Senators ALEXANDER and MURRAY began talking about how we move forward. I was joyful that maybe the partisanship could end and we could work together. The majority leader and I are getting along very well. This bill, if done this way and passed, would dash those hopes.

There is a way out. Senators ALEXANDER and MURRAY have had hearings. They have had discussions. They are negotiating at this moment. What they will come up with will have some things I don't like and some things people on the other side of the aisle don't like. That is the legislative process. It is not to rush a bill through in the dark of night without even knowledge of how it affects people. CBO has said they cannot measure how many people would lose coverage and how they would be affected until a few weeks because this is a block grant. It takes a long time to weigh it.

So after 2 weeks of thinking bipartisanship—that flickering candle might gain some new light—this is the last thing we need. Let's not go back to the divisive, destructive healthcare process that paralyzed the Senate for much of this year. Let the leader and I encourage our Members to talk to one another and come up with bipartisan solutions—not just on this bill but on bills to come. Let's pursue the bipartisan path courageously used by Senators ALEXANDER and MURRAY.

In conclusion, I would ask every American who hears these words, who longs for us to work together, to call your Senators and Congressmen and let them know. Tell them this bill is even worse than the previous bills. Tell them it hurts average families dramatically. Tell them there is a better way. The same level of activism that we saw on the previous bills must be garnered now or this will just slide through in the dark of night, with effects that are desperate, devastating, and unknown. Democrats in the Senate, we have no choice. Our constituencies, our consciousness impels us. We will oppose the Graham-Cassidy bill in every way we can, using every tool at our disposal, and we ask the American people to speak out, once again, and make their voices heard. The hour is late, and the need is desperate.

I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Maryland.

Mr. VAN HOLLEN. Madam President, I first thank the Democratic leader for his efforts to work and reach out to the Republican leader, Senator MCCONNELL, as we move forward to try to take some sensible steps to improve our healthcare system, not try to blow up the entire healthcare system.

Just last month, the overwhelming majority of the American people sighed a great sigh of relief when this Senate voted down the earlier TrumpCare proposal that would have destroyed the Affordable Care Act and which would have had a devastating impact on the entire American healthcare system.

We all recall, at that point in time, Senator MCCAIN gave a powerful and impassioned speech on this floor about the importance of the Senate going through the regular order, about working in a transparent way, in a bipartisan way, to improve and strengthen our healthcare system—not another cynical, partisan effort to ram through a piece of legislation that impacts hundreds of millions of our fellow Americans. For a time, it seemed we were making headway on that front. Senator LAMAR ALEXANDER and Senator PATTY MURRAY and the HELP Committee are working together, holding hearings, bringing people from all points of view in front of that committee to testify about how we can improve and strengthen our current system.

Now, instead of heading down that bipartisan path, we are seeing another last-ditch effort to destroy the Affordable Care Act and, in the process, wreak incredible damage to our entire healthcare system. The latest incarnation of TrumpCare is the Graham-Cassidy legislation. Make no mistake, in many ways, this is far worse than the earlier proposals we have seen.

It would end the Medicaid expansion program, which in my State of Maryland actually has provided more affordable care to more Marylanders than the exchanges that were established under the Affordable Care Act. It will dramatically cut the funds under the Medicaid Program through a block grant proposal that gives very little, given the huge responsibilities that the State has.

It will give a green light to States throughout the country to eliminate the really important patient protections, protections against discrimination based on preexisting conditions like diabetes or asthma or whatever it may be, and it will give a blank check to those who want to eliminate the important essential benefit provisions that provide important coverage guarantees for women's health and so many other important areas like mental health and substance abuse.

Doctors in this country take a very simple oath, the Hippocratic oath, which says: First, do no harm.

This piece of legislation—this latest incarnation of TrumpCare—will do devastating harm to our healthcare system, and you don't have to take my word for it. As more and more groups learn about this piece of legislation—and they are just looking at the details—they are beginning to phone into our offices and to send us emails and texts. I can assure you that Members will see the same outpouring of opposition to this bill that they saw to the earlier ones.

Already we have seen strong statements of opposition from the American Cancer Society, the American Diabetes Association, the American Heart Association, the American Lung Association, and the list goes on and on, and it just started.

It is important for us to remember that these are not Republican groups. They are not Democratic groups. They have no partisan affiliation at all. Their only interest is to protect patients in this country, and we should have the same interest in protecting the health of our constituents.

It is not just the patient advocacy groups that are already strongly opposed to this. Those who provide healthcare in our system to our loved ones—to our parents, to our children—are coming out strongly opposed to this already.

Here is what the Children's Hospital Association has to say about the Graham-Cassidy provision:

> Their legislation would slash funding for Medicaid, the nation's largest health care program for children, by one-third, reducing access and coverage for more than 30 million children in the program. Furthermore, the legislation weakens important consumer safeguards, and as a result, millions of children in working families would no longer be assured that their private insurance covers the most basic of services without annual and lifetime limits. . . .

And they go on. That is the Children's Hospital Association. Those are the hospitals that every day are caring for kids throughout this country, and they are not alone in already opposing this legislation.

The American Academy of Family Physicians, the American Academy of Pediatrics, the American College of Physicians, the American Nurses Association—in short, all of those organizations representing all those people out there who are providing healthcare to our fellow Americans, to our constituents—are opposed to this bill.

AARP, which, of course, represents millions—in fact, tens of millions—of older Americans is strongly opposed to this bill because, once again, it opens the door toward age discrimination in the amount of the premiums that are charged. Older Americans and elderly Americans will see their premiums go through the roof under this proposal, and that is why AARP is also strongly opposed.

So just when we thought we were at a point where we were going to focus on a bipartisan basis on improving our healthcare system, which has a whole lot of room for improvement, just when we began to see bipartisan hearings and legislation possibly emerge from the HELP Committee, we now see this last-ditch effort on the floor of the Senate to do what other bills had tried to do but in an even worse fashion.

We are hearing already from Americans—not with political hats on, not with Republican hats on or Democratic hats on or Independent hats on, not with political hats on at all, just people who care about the healthcare of the people of this country—and they are resoundingly opposed to this. So let's not try and ram something

through here in the next 2 weeks to try to meet an artificial clock that has been set by the rules of the Senate. There has been ample time to debate this, and we have debated the earlier versions. Let's not allow this final sneak attack on the American healthcare system to get through this body. It would be a very sad day for the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. YOUNG. Madam President, I rise today to discuss the National Defense Authorization Act. I want to begin by thanking Senators MCCAIN and REED, the chairman and ranking member of the Senate Armed Services Committee. I commend their continued bipartisan leadership and collaboration on behalf of our servicemembers and our national security.

As someone who served in the U.S. Marine Corps and also served on the House Armed Services Committee, I understand the importance of Congress's fulfilling its constitutional duties to our men and women in uniform.

This legislation is important for our country. It is also important to my neighbors. That includes Hoosiers serving on Active Duty, in the Reserves, and in the Indiana National Guard, as well as their families. It also helps Hoosiers working at Naval Surface Warfare Center Crane, Crane Army Ammunition Activity, and Defense Finance and Accounting Service in Indianapolis to perform their important work, which is essential to our servicemembers.

Now, for the last 55 years, Congress has passed the NDAA. Given the threats our country confronts, it is important that we once again pass this legislation and provide our troops with the training, weapons, and support they need to accomplish their missions and return home safely. But that is not enough.

Congress must pass Defense authorization and appropriations bills before the end of the fiscal year, stop the habitual use of continuing resolutions for the Department of Defense, and end defense sequestration once and for all. I stand ready to work with Senators of both parties to achieve these objectives.

I am committed to doing my part, and that is why I voted to end debate on this legislation last week and why I will support further advancing the bill today, despite the fact that we weren't able to debate and vote on amendments here on the floor.

Today, I will only note that I have introduced a couple of bipartisan amendments related to Saudi Arabia's actions in Yemen. These are amendment Nos. 585 and 1081. I believe this issue deserves consideration by the full Senate, and I look forward to speaking at length on this issue again in coming days.

I share the frustration of Chairman MCCAIN and Ranking Member REED regarding the lack of floor debate and substantive votes, and I hope the Senate can do better next year. I think each Senator, the Americans we represent, and the troops who protect us are right to expect better. Now, with that said, I applaud Chairman MCCAIN and Ranking Member REED for working to include over 100 noncontroversial amendments in this bill.

I am proud of the fact that the Defense bill we are going to vote on—and, hopefully, pass—this evening includes three amendments important to Hoosiers that I introduced and for which I worked with the committee to include. I would like to quickly mention two of them and then spend a little more time on the third.

The first provision is amendment No. 793. This provision would press the Department of Defense to implement Government Accountability Office recommendations or explain why they aren't doing so.

Now, let me explain why this is so important. Our Nation confronts challenges and threats of extraordinary scope. Yet the resources we have are limited. That means we need to ensure that the Department of Defense is operating as efficiently and as effectively as possible with the money the taxpayers provide. That is what our national security demands and what U.S. taxpayers are right to expect.

So when a respected organization such as the GAO, our Federal Government's auditor, conducts independent and rigorous analysis and identifies key areas for improvement within DOD, Congress and the Pentagon should take it seriously.

Here is the problem. As of this morning, there were 1,008 open GAO recommendations, including 75 priority recommendations that DOD alone has failed to address fully. Now, some of these priority recommendations relate to missile defense, ship maintenance, military readiness, servicemember healthcare, and financial management, and some of these open recommendations go back to 2009 and even earlier.

There may be a few of these recommendations in which DOD has a persuasive justification for not implementing GAO's recommendation, but I believe the burden of proof should be on DOD to either implement GAO's recommendations without delay or justify to Congress why they believe the recommendation should not be adopted. That is essentially what my provision would do.

I look forward to working with the leaders and staff of the Armed Services Committees to ensure that this important provision is included in the final legislation.

I would also like to highlight a second amendment, amendment No. 882, that I introduced and worked to include in the bill that we will soon vote to adopt. This provisions would require the Navy to conduct and provide to Congress a comprehensive review of U.S. maritime intelligence, surveillance, reconnaissance, and targeting capability, also known as ISRT.

In light of growing Chinese and Russian maritime capabilities, this report would require the Navy, among other things, to identify specific capability gaps and specific areas of risk when it comes to ISRT, as well as offer solutions and resources that are needed to address those capability gaps and areas of risk. The review will help to ensure that the United States retains the naval supremacy necessary to keep vital shipping lanes open, deter aggression, and defend our national security interests.

Now, lastly, I would like to highlight amendment No. 821. I introduced it and worked with the committee to include this in the bill, and I want to thank Senator DONNELLY for cosponsoring my amendment.

On January 27, the President issued a memorandum that emphasized the need for a ''modern, robust, flexible, resilient, ready, and appropriately tailored nuclear deterrent.'' This memorandum reiterated the longstanding and bipartisan consensus that deterring a nuclear attack on our country and on our allies depends on our ability to maintain a strong, nuclear deterrent.

Our nuclear deterrent includes three legs, also referred to as the nuclear triad, consisting of submarine-launched ballistic missiles, land-based intercontinental ballistic missiles, and long-range bomber aircraft. Now, each of these legs offers an important and complementary capability making clear to any potential aggressor that a nuclear attack on the United States would be suicidal and, thereby, deterring such an attack in the first place. Perhaps that is why Secretary of Defense Mattis, referring to the deterrence of potential aggressors, said just last week: ''If I wanted to send the most compelling message, I have been persuaded that the triad . . . is the right way to go.''

Now, the challenge is that, in just the next two decades, essentially all of our Nation's nuclear delivery systems and all of our nuclear weapons will need to be refurbished or replaced.

According to a February 17 study by the nonpartisan Congressional Budget Office, that could cost a total of $400 billion over the next decade. That is an enormous cost during a period when our Department of Defense has many other modernization bills coming due. Consequently, we must identify opportunities to minimize costs while not sacrificing capability.

So consistent with that fact, on January 31, Secretary Mattis issued a memorandum calling for an ''ambitious reform agenda, which will include a horizontal integration across DOD components to improve efficiency and take advantage of economies of scale.''

Consistent with that memorandum and the memorandum of the President, my amendment would require the Office of the Secretary of Defense, working with our Navy and Air Force, to

submit a report to Congress on the potential to achieve more value; that is, enhanced nuclear deterrence at a lower cost by integrating elements of acquisition programs related to modernization and sustainment of the nuclear triad.

If we can improve efficiency and program management, cost, and schedule by increasing integration, colocation, and commonality between the strategic deterrent programs of the Navy and the Air Force and their associated systems, technologies, and engineering processes, then we should do so.

Back home in Indiana, the skilled workers at Naval Surface Warfare Center Crane have supported the Navy Strategic Systems Program for more than 60 years. Crane is the largest DOD supplier to the Strategic Systems Program. Crane provides the Navy's only organic high-reliability, radiation-hardening capability. Crane also serves as a leader in trusted microelectronics. What is less well known is that Crane provides important support to the Air Force's ICBM Ground Based Strategic Deterrent Program. More importantly, there is good reason to believe that Crane can dramatically increase its level of support to the Air Force's strategic programs.

That is the kind of joint collaboration between the Air Force and the Navy my amendment envisions. By breaking down stovepipe barriers between our military services, by eliminating unnecessary duplication, and by looking for commonsense opportunities for joint cooperation, we can keep our country safe and save money in the process. That is not only a win for Crane, it is a win for the Navy, it is a win for the Air Force, it is a win for taxpayers, and it is a win for the safety and security of every American.

That is why I look forward to working with the leadership and staff of the Armed Services Committee to include this amendment in the final bill.

I thank Chairman MCCAIN and Ranking Member REED for their work and tireless leadership on the Senate Armed Services Committee and for your work to bring the National Defense Authorization Act to this point.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. COTTON. Madam President, I want to clarify something about what is going to happen this afternoon. Whenever a Democratic Senator says they are worried about the state of our military, that they are horrified about the kind of cuts we are making, and they can't sleep at night because of what we are doing to our troops in the field, don't believe them. They don't mean it. They are not serious. It is all for show because they had a perfect opportunity to stop all of these terrible cuts—and not just for the troops, for their own State, for their constituents, even for their little parochial projects. What did they do? They turned it down. They said no.

Well, actually I take that back. They didn't say no. They couldn't even bring themselves to say no. They didn't have the courage to say no. They did something much worse. They said nothing because we are not even going to vote on the amendment I wanted to offer, which would have repealed the sequester spending cuts for defense and nondefense—defense and nondefense spending.

Now, the Members of this body know I am no fan of frivolous, pork-barrel spending. A lot of the projects that my Democratic colleagues sponsored could easily fall in that category, and we should rein that sort of thing in at a time when we are $20 trillion in debt, but I understand the only way we were going to get something done about the radical spending cuts to our military was to forge a bipartisan compromise.

After all, it is not like the sequester spending cuts really did that much to control spending. Did spending go down in 2011, 2012, 2013? Yes, it went from $3.6 trillion to $3.5 trillion, to $3.4 trillion, but the sequester wasn't even in effect for those first 2 years. Spending went down because Republicans won control of the House in 2010. At the end of 2013, however, Congress raised the budget caps and pushed off the sequester for those 2 years ahead. So, by 2015, Federal spending was back to $3.6 trillion, and it has been growing ever since. Time and time again, Congress has proven itself utterly incapable of sticking to the caps under the Budget Control Act of 2011.

Instead of actually saving money, all the sequester does is create an endless series of crises for Congress to escape just in the nick of time. Take this year. We all know what is going to happen. We just passed a 3-month continuing resolution earlier this month. We are going to reach a 2-year budget agreement in October or November that doesn't control spending. We are going to have an omnibus in December, written in secret in our leaders' offices, and then we are going to have another omnibus spending bill, written in secret in our leaders' offices, next December, and we will repeat that cycle over again in 2019 and 2020. How do I know that? Because that is exactly what happened in 2013 and 2015. We will never make the cuts the Budget Control Act called for. We will just pass giant budgets that nobody has read in the last minute in an attempt to avoid the crisis of our own making.

My amendment was the last best chance in years to stop this bust-and-boom cycle of budgeting. But what did the Democrats do? They threw it away. They took a perfectly good, bipartisan opportunity to repeal these automatic spending cuts, and they threw it away.

You have to ask yourself what goes through Senators' heads when they make such a cynical political calculus. Do they not understand the implications of what they are doing? Do they not see the appalling lack of readiness that is so apparent to everyone else?

Did they not see what happened to the USS *John McCain*? Did they not see what happened to the USS *Fitzgerald*? Did they not see all those caskets carrying the dead bodies of America's young coming home to families in grief? Do they not see them or do they see them and just not care?

What do they think when they hear respected men like Secretary Jim Mattis say: ''No enemy in the field has done more to harm the readiness of our military than sequestration''?

What did they think when Secretary Mattis said, after 4 short years of retirement, when he returned to the Department of Defense, ''I have been shocked by what I've seen about our readiness to fight''?

Is it just background noise? Does it not register with Democratic Senators? In fact, what must they think when they have been saying the exact same thing for years?

The junior Senator from Connecticut said: ''The so-called sequester is another example of governing at its worst.''

The junior Senator from New Jersey said: ''It is blunt, brutal, and blind.''

He gets bonus points for alliteration.

The senior Senator from Virginia: ''Sequestration is stupidity on steroids.''

I could make that claim about a lot of things that have been said in this Chamber.

The senior Senator from Washington: ''We need to replace sequestration as quickly as possible''; although, apparently, not if it requires a vote on the Cotton amendment.

The junior Senator from Minnesota: ''There are a lot of people suffering needlessly because of the sequester.''

That is not a joke, even coming from him. I guess all of these cries of anguish are falling on deaf ears.

The senior Senator from New Hampshire: ''The blind cuts of sequestration are not the right approach,'' but by all means, let's keep them in place rather than vote on the Cotton amendment.

The senior Senator from Connecticut: ''The safety and strength of our Nation also requires that Congress eliminate the rightly maligned sequestration straightjacket for all Federal programs''—maligned, yet not repealed.

My favorite is by the senior Senator from Rhode Island, the senior Democrat on the Armed Services Committee: ''Instead of dodging fiscal responsibility, Republicans need to help end sequestration and get back to a normal budget process.''

Republicans gave you a perfect example with which to do that, sir, and you turned it down.

That is what this amendment would have done, but now we will not have a single dime more for the military. We will not give a dime more to FEMA or to the National Weather Service or to NOAA or to NASA or what have you. We will not give one penny more to all of those domestic priorities that the

Democrats claim to care about. It turns out that they must not care that much about them or maybe I am being too harsh. Maybe they do like them a lot. They like using them to gin up political support because, when the time came for them to actually put their money where their mouths were, they walked away.

The Democrats will tell you that they oppose this amendment because it will not repeal the automatic sequester of mandatory spending. Don't give me that. That is nonsense. That is pure pretext. The automatic sequester consists of a small, almost trivial number of cuts, and it would not have affected one penny—not one penny—of Social Security or Medicare or veterans' benefits.

Here is what is most important. Every single Democratic Senator has voted to extend that mandatory sequester into the foreseeable future. So, far from thinking it is a problem, they have voted to extend its life.

Hey, how about I strike a new deal? Here is my offer. I will support your hiding behind procedural niceties, hiding in your cloakroom, and not voting on my amendment, if you will agree to do one thing—to go home, in person, to your military bases that are in your home States and explain to the men and women of our Armed Forces, face-to-face, why you could not bring yourselves not just to repeal these spending cuts but not even to be tough enough to take a vote one way or the other.

The Democratic leader can go to New York and tell the men and women of the 10th Mountain Division at Fort Drum.

The Democratic whip can go to the Naval Station Great Lakes.

The senior Senator from Rhode Island—the senior Democrat on the Armed Services Committee—can go to the Naval War College.

The senior Senator from Missouri can go to the 131st Bomb Wing.

The junior Senator from New York can go to the soldiers at Fort Drum as well.

The senior Senator from New Hampshire can go to the Portsmouth Naval Shipyard.

The junior Senator from Hawaii can go to the dozen different military bases in Hawaii, while the senior Senator from Florida can go to 20 different military installations in his State.

The senior Senator from Connecticut can go to the Groton submarine base.

The senior Senator from Indiana can go to AM General in South Bend, whose manufacturing he always touts for political purposes.

The junior Senator from Virginia can go to Norfolk or the Pentagon or Fort Myer or to any one of the numerous bases in Virginia.

The junior Senator from Maine can go to Bath Iron Works.

The junior Senator from New Mexico can go to the Kirtland and Cannon Air Force Bases.

The junior Senator from Michigan can go to General Dynamics, outside Detroit.

Also, the senior Senator from Massachusetts could shake hands with all 115,563 of the people in her State whose jobs are directly tied to defending our Nation.

Every one of those Democrats who sits on the Armed Services Committee and has claimed to want to stop these automatic spending cuts can go home and tell the men and women in uniform in his State that he had a chance to vote on it and that he was too cowardly to even put his name on the rolls.

He can look at all of these Americans in the eye and say: Sorry, just politics—hope you understand.

That is all this is. It is politics of the lowest kind. In maneuvering, posturing, and posing, they are caving to the demands of the Democratic leader simply because he wants more leverage for more pork-barrel spending when we had a budget deal that was negotiated in secret in December. He twisted their arms, and they screamed like little kids. They are putting politics ahead of our troops. They are holding our troops hostage to politics solely because their leader wants them to.

If they were not, they would allow a vote on this amendment. They would vote aye. They would vote aye eagerly, and they would vote aye enthusiastically, but they cannot even do that. They cannot even put their names down as a yes or a no on something that they have all said that they have supported for years.

They just hide behind procedure. They hide in their cloakroom. They hide from the voters. They hide in the back corridors and hallways of this building. They hide to save their own skin. They hide because they are ashamed, and they sure as hell should be ashamed.

Mr. INHOFE. Madam President, as chairman of the Senate Armed Services Subcommittee on Readiness, I would like to make a statement for the record regarding an item of special interest inserted into the committee report on the National Defense Authorization Act for Fiscal Year 2018 related to the Department of Defense's use of its intellectual property rights of certain medical products.

The committee report includes language that purports to direct the Department of Defense to exercise its rights under the Bayh-Dole Act ''to authorize third parties to use inventions that benefited from DOD funding whenever the price of a drug, vaccine, or other medical technology is higher in the United States'' as compared to prices in foreign countries. I am concerned that the report language is inconsistent with the original intent of Bayh-Dole and could hinder critical medical developments.

Americans, including our men and women in uniform, must have access to affordable healthcare, including prescription drugs and medical technologies. However, I fear the committee report directive in question will slow future innovation, lead to a more complex and burdensome regulatory scheme, and make it less likely that our military personnel will be able to access cutting-edge medicines in the future, while doing nothing meaningful to address healthcare costs. The DOD relies on its partnerships with industry to develop vaccines, drugs, and diagnostics that target unique threats faced by our warfighters during operations in theater. As such, the biopharmaceutical industry plays a critical role in enhancing our military and civilian defenses against biological, chemical, radiological, and nuclear threats.

Federal agencies, such as the DOD, already face significant challenges in attracting top drug and vaccine developers as partners to develop lifesaving medical countermeasures necessary to protect the warfighter. These challenges include low procurement quantities, high regulatory risk, complex Federal contracting regulations, and inconsistency in funding, among others. The added risk of diluting or compromising intellectual property protections as a means of price control will not only fail to meet its objective, but will serve as an additional deterrent to private sector development of critical medical capabilities offered by DOD.

Furthermore, companies who partner with the Federal Government rely heavily on the strength and scope of their intellectual property to generate investment to take their technologies to commercialization. The report language invokes the Bayh-Dole Act, the purpose of which is to encourage the prompt commercialization of federally funded patents. Prior to Bayh-Dole, collaborations between private industry and public entities were rare. The act has fostered a delicate balance of collaborations between Federal agencies, public research institutions, and private industry that have resulted in the commercialization of inventions for use by all Americans, especially in the area of medical countermeasures for our servicemen and women.

In the drug development context, Federal funding under the Bayh-Dole Act has facilitated the discovery of 153 marketed drugs and vaccines over the last 30 years. The act included the creation of so-called march-in rights to allow agencies to compel additional licensing if good-faith efforts toward development are not being made. Agencies can also march-in if a licensee cannot produce enough products to meet a national emergency. It is these provisions to which the report language refers and I believe inappropriately expands the statute's reach to include Federal price controls and increases the scope of the government's authority.

Nothing in the Bayh-Dole Act, whether in march-in rights or otherwise, provides a Federal agency the authority to influence the price of a commercialized invention. Regulating the price of commercialized intellectual property was never intended by Congress when passing the Bayh-Dole Act,

as evident by the Senate and House reports. Congress contemplated the use of march-in rights only ''when the invention is not being used.'' Further, Senators Bayh and Dole have subsequently explained that the absence of any reference to reasonable pricing in the statute was intentional. As Senator Bayh—the author of and driving force behind the Bayh-Dole Act—has said: Any attempt to use the Bayh-Dole Act to support price controls is a ''flagrant misrepresent[ation]'' of Congress's purpose in enacting the statute. Consistent with this position, a Federal agency has never invoked the Bayh-Dole Act to interfere with the price of a commercialized invention. I am aware of petitions to both the NIH and the DOD requesting march-in rights be exercised on the basis of pricing, and in all of those cases, the petitions were rejected in accordance with the law.

The committee report language seeks to authorize something that the statute itself does not. I believe the item of special interest does not accurately reflect the current intent of Congress with respect to the Bayh-Dole Act, and I encourage the DOD to continue to rely on the existing interpretation of Bayh-Dole law when addressing these matters.

Mr. LEAHY. Madam President, I want to thank Senator MCCAIN and Senator REED for their leadership in producing the National Defense Authorization Act for fiscal year 2018. Both veterans, they have a particular understanding of the sacrifices that members of our Armed Services make every day.

Every year, this authorization bill is drafted to reflect our commitment to the men and women serving in uniform, to authorize resources needed to maintain our national security, and to demonstrate the values and principles on which our country was founded. While I believe this bill reflects many sound defense policies, I regrettably cannot support its passage.

Yet again, this Defense authorization bill continues to include the shameful and counterproductive measures that block us from ending the terrorist recruitment tool that is the Guantanamo Bay detention mission, but the core reason for my opposition to this bill is the reckless price tag its implementation carries. This bill authorizes $700 billion in Defense spending, far above the caps currently established by the Budget Control Act and far more than the increase requested by the President in his budget proposal. If we met this authorization with real dollars, sequestration would take effect for Defense spending. Secretary Mattis has testified about the perils of sequestration. His message was clear: We must raise the budget caps.

What is more, this authorization relies on the same tired gimmick we have seen for years and includes $60 billion in overseas contingency operations funding. For fiscal hawks who call for us to reign in Federal spending to reduce the deficit, we cannot continue to treat OCO funds as privileged dollars—outside the scope of our budget caps—as a means to pay for what should be base spending.

Further, we cannot unilaterally boost Defense spending without similarly addressing other budgets that contribute to our national security. Earlier this year, in a hearing before the Senate Appropriations Defense Subcommittee, Secretary Mattis clearly asserted that ''history is pretty clear, nations that did not keep their fiscal house in order and their economies strong lost their military power.'' We cannot simply raise spending for the Department of Defense without investing in programs that advance our diplomatic missions overseas and strengthen our domestic security through economic development, infrastructure improvements, environmental protections, and that meet the core needs of all Americans. Inflating our Defense spending at the cost of all other programs makes us neither stronger nor more secure.

I do want to thank Senator MCCAIN and Senator REED for including, through managers' packages, more than 100 amendments from both Republicans and Democrats, including some that I filed. This kind of collaborative process is what has, in the past, yielded results in the Senate. I regret that the amendment process was not more extensive, but hyperpartisan amendments that seek to upset the discussions of how to responsibly fund our government are not the way to reach consensus for further votes.

Make no mistake: This authorization bill invests in our men and women in uniform and their families, and it supports competition to keep our Defense industry healthy, as it should. I hope the reasons for my objection to its passage at this point in the process will be resolved as we move to conference this bill with the House. I believe that, through an agreement to address the current budget caps, those objections can be resolved.

Mr. COTTON. 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.

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

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

HEALTHCARE

Ms. HIRONO. Madam President, 2 months ago, millions of Americans rose up and defeated TrumpCare. In doing so, we reaffirmed that, in the wealthiest nation on Earth, healthcare is a right and not a privilege that is reserved only for those who can afford it.

The President and the Republican Party believe the opposite. To them, healthcare is just another commodity to be bought and sold, but we all know that this is not like buying a new car or a big screen TV. The Republican position shows no heart, no care, and no compassion. It is the exact opposite of what so many of you showed me when I was diagnosed with kidney cancer.

Although we successfully defeated TrumpCare in July, we face fresh assaults to deny every American's right to healthcare, but it does not have to be this way. In July, so many of us were moved by Senator JOHN MCCAIN's impassioned plea for the Senate to return to regular order in order to debate how to strengthen our healthcare system on a bipartisan basis. Since then, Senators LAMAR ALEXANDER and PATTY MURRAY have worked to build consensus for a bill that would strengthen insurance markets and reduce out-of-pocket costs for consumers. They have done this the right way—through committee hearings, bipartisan meetings, and careful deliberation.

Instead of embracing and endorsing this effort, the President and the majority leader have now chosen to double down on their obsession with depriving healthcare to millions of people across the country through the Graham-Cassidy bill. Let me be clear. This bill is not a compromise. It is not a new and better idea for delivering healthcare in this country. It is just a new version of TrumpCare and, I might say, an even worse proposal than the one we defeated in July.

The details matter. This version of TrumpCare eliminates the Affordable Care Act's Medicaid expansion, and that threatens the coverage for more than 110,000 Hawaii residents who are now receiving such coverage. There are millions all across the country who now get healthcare coverage thanks to Medicaid expansion in their States.

This bill establishes a healthcare block grant, including a per capita cap on Medicaid spending that would severely limit Federal funding for healthcare—funds that States rely upon. Republicans, including the cosponsors of this bill, argue that this approach would provide more local control over healthcare. This, however, is what we in Hawaii call ''shibai''—or BS. Local control through a block grant is just an excuse that Conservatives and Republicans use as a pretext to make deep cuts to programs that Americans depend upon. You see them resorting to block-granting everywhere—from education to healthcare.

A new study from the Center on Budget and Policy Priorities reveals the cost of this latest version of TrumpCare firsthand. Under the proposal, Hawaii would lose $659 million in Federal funding for Medicaid over 10 years—part of some $80 billion in cuts across the country. This is a lot of money for Hawaii to lose—money that is being put to great use across our State.

Last month, I visited the Bay Clinic in Hilo, on the Big Island, where the Medicaid expansion under the ACA has improved health outcomes in poor

rural communities across that island. Bay Clinic is the primary healthcare provider to 6 of the 10 poorest ZIP Codes in the entire State of Hawaii, where many residents went years without having health coverage. Thanks to the Affordable Care Act, the Bay Clinic has successfully enrolled thousands more people in Medicaid and decreased the number of uninsured patients who have gone through their doors. It is astounding what the numbers show.

The number of patients who have gone through their doors has been cut from 29 percent in 2010 to only 10 percent in 2015. That is how many more people on the island of Hawaii are able to get healthcare coverage. Over that same time period, the Bay Clinic has seen an almost 20-percent increase in the number of patients it has served every year.

In the years following the passage of the ACA, the Bay Clinic and community health centers all across Hawaii have hired more doctors and nurses, and they have expanded the types of services that they provide. The Bay Clinic, for example, has expanded its Mobile Health Unit, by which doctors go to rural communities, such as in Keaau, where residents would otherwise not have access to primary care providers.

This program and others like it in Hawaii and across the country face an imminent threat from this newest version of TrumpCare. Unfortunately, this bill's devastating cuts to Medicaid are only part of what makes it so mean and so dangerous.

It eliminates all premium subsidies that allow lower income Americans to afford coverage, and it eliminates cost-sharing subsidies that reduce out-of-pocket expenses for consumers. These are the very issues relating to the Affordable Care Act that Chairman LAMAR ALEXANDER and Ranking Member PATTY MURRAY are addressing through regular order—how to provide healthcare for more people in our country.

The Graham-Cassidy bill creates a process by which States can receive waivers to roll back essential health benefits and eliminate important consumer protections, like guaranteed coverage for millions of Americans who are living with preexisting conditions—people like me.

I have said many times on the floor of the Senate that we are all only one diagnosis away from a major illness. Every day, 6,540 people are diagnosed with cancer in our country. There are 4,109 who are diagnosed with diabetes. There are 1,309 who are diagnosed with Alzheimer's disease every day in this country. We are all one diagnosis away from a major illness. These are people like me—many of them—going about their business when, wham, suddenly, you get a devastating diagnosis. Not all of these people will have health insurance, and under this version of TrumpCare, even more of them will not have access to it.

When I was diagnosed with kidney cancer, I had insurance. Instead of worrying about how to pay for my treatment, I could focus on fighting my illness. No one facing cancer, heart disease, diabetes, or any other chronic or life-threatening medical condition—or, I should say, any kind of circumstance in which one needs to have access to a healthcare provider—should have to worry about whether one can afford the care that might, one day, save one's life—not in the richest country in the world, not where healthcare should be a right and not a privilege.

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.

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

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

Mrs. ERNST. Mr. President, I ask unanimous consent that there be up to 20 minutes of debate, equally divided, under the control of Senators MCCAIN and REED, following the first vote this evening.

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

Mrs. ERNST. Mr. President, 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. MCCAIN. 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. 545 WITHDRAWN

The PRESIDING OFFICER. Under the previous order, amendment No. 545 is withdrawn.

AMENDMENT NO. 1003, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, amendment No. 1003, as modified, is agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The 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. 175, H.R. 2810, an act to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

John McCain, Mitch McConnell, John Thune, Thom Tillis, Pat Roberts, Mike Crapo, Richard Burr, Michael B. Enzi, Orrin G. Hatch, Ted Cruz, John Cornyn, Dan Sullivan, Roy Blunt, Cory Gardner, Tim Scott, Shelley Moore Capito, David Perdue.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on H.R. 2810, an act to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, as amended, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Florida (Mr. RUBIO) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) is necessarily absent.

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

The result was announced—yeas 90, nays 7, as follows:

[Rollcall Vote No. 198 Leg.]

YEAS—90

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

NAYS—7

Durbin	Merkley	Wyden
Gillibrand	Paul	
Lee	Sanders	

NOT VOTING—3

Graham	Menendez	Rubio

The PRESIDING OFFICER. On this vote, the yeas are 90, the nays are 7.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Under the previous order, there will now be 20 minutes of debate, equally divided, between the Senator from Arizona, Mr. MCCAIN, and the Senator from Rhode Island, Mr. REED.

The Senator from Rhode Island.

Mr. REED. Thank you, Mr. President. As we approach the final vote on

the fiscal year 2018 national defense authorization bill, I would like to make a few closing comments.

When we began considering this bill last week, Senator MCCAIN and I were interested in returning to regular order and having debate and votes on any amendment that needed a vote. We actually started off very well.

While I disagreed with Senator PAUL's amendment to sunset the current authorization for the use of military force, I am pleased we were able to follow regular order on his amendment and have a debate. It is my hope that we can use this as a step to restore regular order going forward and work together, along with Senator PAUL, in drafting a new AUMF that more precisely addresses the threats we face and resolves the issue, which is very critical, that Senator PAUL has raised; that is, updating the AUMF.

After the Paul amendment, however, we were unable to come to an agreement on further votes. As a result, several issues that are important to both sides were not fully considered. On the Democratic side, Senators BALDWIN, STABENOW, and DONNELLY had very important amendments that would have ensured important protection for American workers and that our servicemembers receive high-quality, domestically produced equipment.

In addition, Senator DURBIN had an important amendment that supports the world-class medical research DOD conducts and has a profound impact on the health of our servicemembers and citizens alike. Senator WARREN would have liked a discussion on the INF Treaty, and Senator GILLIBRAND was interested in a full debate on protections for military personnel who are transgender.

As I indicated, I also know there are Members on the other side of the aisle who also had important issues they wanted to debate. I regret we were not able to have those debates and votes.

I am pleased, however, that we are able to include several dozen agreed-upon amendments in this bill from both Democrats and Republicans which will strengthen the legislation. In the end, this bill represents a strong bipartisan effort to provide the military with the resources they need and the support they deserve.

Moving forward, more work needs to be done. It is clear we need to find a sustainable, equitable path forward that will end sequestration and provide the additional resources needed for our current readiness shortfalls. I look forward to working together to continue to address the needs of the Department and our servicemembers.

I would like to close by thanking Senator MCCAIN in my remarks about the NDAA for his leadership in guiding this bill through our committee markup process and the floor. I believe this bill truly exemplifies Senator MCCAIN's unrivaled dedication to the men and women of our Armed Forces. His firm hand and unwavering resolve for a bipartisan approach were invaluable in achieving a bill that reflects the priorities of many Members on both sides of the aisle.

Additionally, I would like to thank the committee staff who worked tirelessly over many weeks to make this bill a reality. I thank the majority staff director, Chris Brose, and his staff for their hard work and commitment to a bipartisan process. I would also like to thank my staff for their expertise and dedication to creating the best bill possible—Jody Bennett, Carolyn Chuhta, Jon Clark, Jonathan Epstein, Jorie Feldman, Jon Green, Creighton Greene, Ozge Guzelsu, Gary Leeling, Kirk McConnell, Maggie McNamara, Bill Monahan, Mike Noblet, John Quirk, Arun Seraphin, and Elizabeth King. Finally, I would like to thank the floor staff, without whom none of this could be accomplished.

I must say, having completed a truly bipartisan process using regular order, I am disappointed to hear that my colleagues on the other side of the aisle would like to bring back the partisan efforts to repeal the Affordable Care Act and its protections for people with preexisting conditions and decimate Medicare as we know it.

We have already spent so much time this year having this fight—time we could have spent working on a bipartisan basis to improve our health care system and lower costs. We voted decisively in July to reject the partisan bill. With these votes, Senators on both sides of the aisle decided we would return to regular order and work toward bipartisan health care solutions that could get at least 60 votes in this body.

As I have highlighted, this kind of bipartisan approach is why we have been successful in bringing the NDAA to the floor each year, and Senators ALEXANDER and MURRAY have been doing just that with respect to the HELP Committee. They have had four hearings over the last two weeks, with witnesses from both parties, from Governors to health insurance commissioners, to leaders in the industry. I have great confidence in my colleagues and their ability to craft a bipartisan bill to improve the ACA that a majority of Senators could support. This is a bipartisan, inclusive process, and I should note, it is undertaken by one of the two committees that have jurisdiction for health care.

So for my Republican colleagues to now decide, after this critical work is already underway, that we are going to scratch those efforts and return instead to a partisan process, in which not even Republican Senators have had the opportunity to fully review the bill, make changes or even get analysis of the bill, I think that process is wrong. Let's not be fooled by the new effort. The legislation would have the same effects as the other versions of TrumpCare we saw rejected.

We have heard the Senate Homeland Security and Governmental Affairs Committee will hold a hearing on the latest version of TrumpCare. This is not the right process. It is not representative of the legislative process.

I would urge my colleagues to reject this approach and, rather, follow the example I think we have tried to set in NDAA—a bipartisan, regular process, in which amendments are offered by both sides, in which debate is undertaken, in which we come to a conclusion based on 60 votes and move forward to improve the country, particularly to protect the men and women in the armed services.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. LANKFORD). The Senator from Arizona.

Mr. MCCONNELL. Mr. President, today the Senate will vote on final passage of the National Defense Authorization Act for Fiscal Year 2018. This is the culmination of months of bipartisan work, and it is a product in which all Senators and all Americans can take great pride. I want to thank, once again, my friend and colleague the Senator from Rhode Island. His partnership on this legislation has been invaluable.

The fundamental purpose of this legislation, which has united Senators from both sides of the aisle, is to provide our Armed Forces what they need to do the jobs we ask of them. We, in this body, have no higher duty than to do everything we can to support our fellow Americans who serve and sacrifice every day to keep us safe.

This legislation does that. It keeps faith with our men and women in uniform. It supports a national defense budget of $700 billion for fiscal year 2018, which exceeds the administration's request by $37 billion and the defense spending caps in the Budget Control Act by $91 billion. The decision of the Committee on Armed Services to authorize these additional resources was unanimous and bipartisan, and it is a significant statement on the troubling state of our military today.

My friends, for too long, our Nation has asked our men and women in uniform to do too much with far too little. Much of the blame lies with the last administration, but we in Congress cannot escape responsibility. Our military's job is hard enough, but we are making it harder through continuing resolutions, unpredictable funding, and arbitrary spending caps that we put into law 6 years ago before the rise of ISIS, before the current crisis with North Korea, before Russia's return to aggression on the world stage, and before so many other dangerous developments.

We have been warned—we have been warned, my friends—that we can't go on like this. We have been warned. Earlier this year, the Chairman of the Joint Chiefs of Staff, Gen. Joseph Dunford, warned us: ''In just a few years if we don't change the trajectory, we will lose our qualitative and our quantitative competitive edge, [and] the consequences will be profound.'' The Secretary of Defense, Jim Mattis,

also warned us, saying: ''We are no longer managing risk; we are now gambling.''

We are gambling, my friends. We are gambling with the lives of the best among us, and we are now seeing the cost—the tragic but foreseeable cost—of an overworked, strained force, with aging equipment and not enough of it.

On June 17, seven sailors were killed when the USS *Fitzgerald* collided with a container ship off the coast of Japan. On July 10, a Marine KC–130 crash in Mississippi killed all 16 troops on board. On August 5, an Osprey helicopter crash off the coast of Australia resulted in the deaths of three Marines. On August 15, an Army helicopter crashed off the coast of Hawaii, with five soldiers presumed dead. On August 21, 10 sailors perished when the USS *McCain* collided with a tanker near Singapore. On August 25, an Army Black Hawk helicopter went down during a training mission off the coast of Yemen, and one soldier died. Earlier this month in Nevada, two Air Force A–10 aircraft crashed into each other. Thank God the pilots safely ejected, but the planes were lost, at a cost of over $100 million.

Just last week—just last week, as we debated this legislation—there were additional accidents. Last Tuesday, one soldier died during helicopter training at Fort Hood. Last Wednesday, an amphibious vehicle explosion at Camp Pendleton injured 15 marines. Last Thursday, a demolition accident at Fort Bragg killed another soldier and injured seven others.

My friends, more of our men and women in uniform are now being killed in totally avoidable training accidents and routine operations than by our enemies in combat. Let me repeat that. More of our men and women in uniform are now being killed in totally avoidable training accidents and routine operations than by our enemies in combat.

Where is the outrage? Where is our sense of urgency to deal with this problem? Congress can criticize this administration or the last administration all we want, and there is plenty of blame to go around, but the constitutional responsibility is to ''raise and support Armies'' and ''provide and maintain a Navy.'' That responsibility is ours. How can we believe that we are meeting our responsibilities when young Americans in uniform are not receiving the necessary resources and capabilities to perform their missions? My friends, that blame rests with us, the Congress.

I know many of my colleagues agree. I have heard them—both Republicans and Democrats—speak for years about the harmful effects sequestration is having on our military and many other Federal agencies with a national security mission. How do we explain our failure to deal with this problem last week? We had an opportunity. This legislation was open for amendments under regular order for an entire week. There was an amendment offered by the Senator from Arkansas to repeal sequestration. The amendment was written in a bipartisan way and would have ended sequestration, not only for defense but nondefense spending as well. We had an opportunity to tell all of our men and women in uniform that the Senate finally was doing everything it could to support them. We had an opportunity, and we failed. Worse than that, we didn't even try. We couldn't even agree to vote.

It makes me so angry, but more than that it makes me sad. It breaks my heart.

How do we explain our failure to our men and women who are serving? How do we explain to Americans who are risking their lives for us that we could not summon the courage to take some hard votes? How can we explain we couldn't come together and vote together when it mattered most? How do we explain the signal our inaction sends to all who are serving that Congress has higher priorities than rebuilding our military? We should be ashamed of ourselves.

For those of you who will soon vote for this National Defense Authorization Act, which will authorize the necessary resources to begin rebuilding our military, let me thank you; let me thank you; let me thank you. You can be proud that you are voting for a good piece of legislation, but this legislation is only part of the solution. We still have no path to actually appropriate the money that we are about to authorize. That requires a bipartisan agreement to adjust the spending caps in the Budget Control Act.

For all of you who will join me in voting to authorize these vital additional resources for our military, I would also urge you to join me in demanding and passing a bipartisan agreement so that we can appropriate those resources. This will require some hard work. It will require some teamwork and some trust in each other. It will require having the courage of our convictions. But in the end, it will require much less of us than the service and sacrifice we ask every day from our men and women in uniform, which they so dutifully provide us.

I do not want to have to call another grieving mother or father or spouse after their loved one has perished in a mishap that might have been prevented if Congress had done its job. Let's find a way to appropriate the resources for our military that we will soon authorize. Our men and women in uniform deserve no less.

Mr. President, I will suggest a short quorum call while we get these final agreed-upon amendments on the bill at this time. It shouldn't take more than 3 or 4 minutes.

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

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

AMENDMENTS NOS. 277, 434, 574, 660, 750, 756, 833, 890, 900, 903, 904, 950, 976, 995, 1014, 1015, 1021, 1023, 1065, 1087, 1088, 1089, 1094, 1100, 470, 601, 712, 780, 873, 874, 879, 908, 927, 943, 945, 1006, 1031, 1033, 1034, 1038, 1039, 1050, 1055, 1063, 1073, 1086, 1096, AND 1032

Mr. MCCAIN. Mr. President, I ask unanimous consent that the following amendments to H.R. 2810, as amended, be considered and agreed to en bloc: Kaine No. 277, Tester No. 434, Heitkamp No. 574, Merkley No. 660, Whitehouse No. 750, Van Hollen No. 756, Murray No. 833, Brown No. 890, Cardin No. 900, Leahy No. 903, Baldwin No. 904, Peters No. 950, Heitkamp No. 976, Cantwell No. 995, Stabenow No. 1014, Whitehouse No. 1015, Harris No. 1021, Sanders No. 1023, Cantwell No. 1065, Bennet No. 1087, Wyden No. 1088, Kaine No. 1089, Cortez-Masto No. 1094, Lee No. 470, Moran No. 601, Portman No. 712, Inhofe No. 780, Ernst No. 873, McCain No. 874, Johnson No. 879, Murkowski No. 908, Rubio No. 927, Isakson No. 943, Flake No. 945, Moran No. 1006, Tillis No. 1031, Perdue No. 1033, Strange No. 1034, Lankford No. 1038, Rounds No. 1039, Scott No. 1050, Portman No. 1055, Tillis No. 1063, Sullivan No. 1073, Strange No. 1086, Graham No. 1096, and Isakson No. 1032.

Mr. President, I ask to add Durbin No. 1100. I intentionally omitted him the first time around in hopes that it wouldn't be noticed.

The PRESIDING OFFICER. The Senator's request is so modified.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the amendment numbers at the desk be reflected in the list.

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

Is there objection to the modified request?

Without objection, it is so ordered.

The amendments (Nos. 277, 434, 574, 660, 750, 756, 833, 890, 900, 903, 904, 950, 976, 995, 1014, 1015, 1021, 1023, 1065, 1087, 1088, 1089, 1094, 1100, 470, 601, 712, 780, 873, 874, 879, 908, 927, 943, 945, 1006, 1031, 1033, 1034, 1038, 1039, 1050, 1055, 1063, 1073, 1086, 1096, and 1032) were agreed to en bloc, as follows:

AMENDMENT NO. 277

(Purpose: To provide for the establishment of a visitor services facility on the Arlington Ridge tract, Virginia)

At the end of subtitle E of title XXVIII, add the following:

SEC. 2850. ESTABLISHMENT OF A VISITOR SERVICES FACILITY ON THE ARLINGTON RIDGE TRACT.

(a) ARLINGTON RIDGE TRACT DEFINED.—In this section, the term ''Arlington Ridge tract'' means the parcel of Federal land located in Arlington County, Virginia, known as the ''Nevius Tract'' and transferred to the Department of the Interior in 1953, that is bounded generally by—

(1) Arlington Boulevard (United States Route 50) to the north;

(2) Jefferson Davis Highway (Virginia Route 110) to the east;

(3) Marshall Drive to the south; and

(4) North Meade Street to the west.

(b) ESTABLISHMENT OF VISITOR SERVICES FACILITY.—Notwithstanding section 2863(g) of the Military Construction Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1332), the Secretary of the Interior may construct a structure for visitor services, including a public restroom facility, on the Arlington Ridge tract in the area of the United States Marine Corps War Memorial.

AMENDMENT NO. 434

(Purpose: To convert the authority for a National Language Service Corps into a requirement for such a Corps)

At the end of subtitle D of title IX, add the following:

SEC. 953. REQUIREMENT FOR NATIONAL LANGUAGE SERVICE CORPS.

(a) IN GENERAL.—Subsection (a)(1) of 813 of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1913) is amended by striking ''may establish and maintain'' and inserting ''shall establish and maintain''.

(b) CONFORMING AMENDMENT.—Subsection (b) of such section is amended by striking ''If the Secretary establishes the Corps, the Secretary'' and inserting ''The Secretary''.

AMENDMENT NO. 574

(Purpose: To expand the SkillBridge initiative to include participation by Federal agencies)

At the appropriate place, insert the following:

SEC. _____. EXPANSION OF SKILLBRIDGE INITIATIVE TO INCLUDE PARTICIPATION BY FEDERAL AGENCIES.

(a) MODIFICATION OF INITIATIVE BY SECRETARY OF DEFENSE.—The Secretary of Defense, in consultation with the Director of the Office of Personnel Management, shall make such modifications to the SkillBridge initiative of the Department of Defense as the Secretary considers appropriate to enable Federal agencies to participate in the initiative as employers and trainers, including the provision of training by Federal agencies under the initiative to transitioning members of the Armed Forces.

(b) PARTICIPATION BY FEDERAL AGENCIES.—The Director, in consultation with the Secretary, shall take such actions as may be necessary to ensure that each Federal agency participates in the SkillBridge initiative of the Department of Defense as described in subsection (a).

(c) TRANSITIONING MEMBERS OF THE ARMED FORCES DEFINED.—In this section, the term ''transitioning member of the Armed Forces'' means a member of the Armed Forces who is expected to be discharged or released from active duty in the Armed Forces not more than 180 days after the member commences training under the SkillBridge initiative.

AMENDMENT NO. 660

(Purpose: To treat the service of recipients of Boren scholarships and fellowships in excepted service positions as service by such recipients under career appointments for purposes of career tenure under title 5, United States Code)

At the appropriate place in subtitle B of title XVI, insert the following:

SEC. _____. CONSIDERATION OF SERVICE BY RECIPIENTS OF BOREN SCHOLARSHIPS AND FELLOWSHIPS IN EXCEPTED SERVICE POSITIONS AS SERVICE BY SUCH RECIPIENTS UNDER CAREER APPOINTMENTS FOR PURPOSES OF CAREER TENURE.

Section 802(k) of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1902(k)) is amended—

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

(2) in paragraph (2), in the matter before subparagraph (A), by striking ''(3)(C)'' and inserting ''(4)(C)''; and

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

''(3) CAREER TENURE.—In the case of an individual whose appointment to a position in the excepted service is converted to a career or career- conditional appointment under paragraph (1)(B), the period of service described in such paragraph shall be treated, for purposes of the service requirements for career tenure under title 5, United States Code, as if it were service in a position under a career or career- conditional appointment.''.

AMENDMENT NO. 750

(Purpose: To extend temporarily the extended period of protection for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction)

At the appropriate place, insert the following:

SEC. _____. TEMPORARY EXTENSION OF EXTENDED PERIOD OF PROTECTIONS FOR MEMBERS OF UNIFORMED SERVICES RELATING TO MORTGAGES, MORTGAGE FORECLOSURE, AND EVICTION.

Section 710(d) of the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 (Public Law 112–154; 50 U.S.C. 3953 note) is amended—

(1) in paragraph (1), by striking ''December 31, 2017'' and inserting ''December 31, 2019''; and

(2) in paragraph (3), by striking ''January 1, 2018'' and inserting ''January 1, 2020''.

AMENDMENT NO. 756

(Purpose: To require a report on compliance with Department of Defense and Service policies regarding runway clear zones)

At the appropriate place, insert the following:

SEC. ___. REPORT ON COMPLIANCE WITH RUNWAY CLEAR ZONE REQUIREMENTS.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Service secretaries, shall submit to the congressional defense committees a report on Service compliance with Department of Defense and relevant Service policies regarding Department of Defense runway clear zones.

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

(1) A listing of all Department of Defense runway clear zones in the United States that are not in compliance with Department of Defense and relevant Service policies regarding Department of Defense runway clear zones.

(2) A plan for bringing all Department of Defense runway clear zones in full compliance with these policies, including a description of the resources required to bring these clear zones into policy compliance, and for providing restitution for property owners.

AMENDMENT NO. 833

(Purpose: To provide for the promotion of financial literacy concerning retirement among members of the Armed Forces)

At the end of part I of subtitle C of title VI, add the following:

SEC. _____. PROMOTION OF FINANCIAL LITERACY CONCERNING RETIREMENT AMONG MEMBERS OF THE ARMED FORCES.

(a) PROGRAMS FOR PROMOTION REQUIRED.—The Secretary of Defense shall develop programs of financial literacy for members of the Armed Forces to assist members in better understanding retirement options and planning for retirement.

(b) INFORMATION ON COMPARATIVE VALUE OF LUMP SUM AND MONTHLY PAYMENTS OF RETIRED PAY WITH CONVENTIONAL RETIRED PAY.—The Secretary of Defense shall develop information to be provided to members of the Armed Forces who are eligible to make the election provided for in subsection (b)(1) of section 1415 of title 10, United States Code, to assist such members in making an informed comparison for purposes of the election between the following:

(1) The value of the lump sum payment of retired pay and monthly payments provided for in such subsection (b)(1) by reason of the election, including the manner in which the lump sum and such monthly payments are determined for any particular member.

(2) The value of retired pay payable under subsection (d) of such section in the absence of the election, including the manner in which such retired pay is determined for any particular member.

AMENDMENT NO. 890

(Purpose: To ensure the continued designation of the Secretary of the Air Force as the Department of Defense Executive Agent for the program carried out under title III of the Defense Production Act of 1950)

At the appropriate place, insert the following:

SEC. ___. LIMITATION ON CANCELLATION OF DESIGNATION OF SECRETARY OF THE AIR FORCE AS DEPARTMENT OF DEFENSE EXECUTIVE AGENT FOR A CERTAIN DEFENSE PRODUCTION ACT PROGRAM.

(a) LIMITATION ON CANCELLATION OF DESIGNATION.—The Secretary of Defense may not implement the decision, issued on July 1, 2017, to cancel the designation, under Department of Defense Directive 4400.1E, entitled ''Defense Production Act Programs'' and dated October 12, 2001, of the Secretary of the Air Force as the Department of Defense Executive Agent for the program carried out under title III of the Defense Production Act of 1950 (50 U.S.C. 4531 et seq.) until the date specified in subsection (c).

(b) DESIGNATION.—The Secretary of the Air Force shall continue to serve as the Department of Defense Executive Agent for the program described in subsection (a) until the date specified in subsection (c).

(c) DATE SPECIFIED.—The date specified in this subsection is the earlier of—

(1) the date that is two years after the date of the enactment of this Act; or

(2) the date of the enactment of a joint resolution or an Act approving the implementation of the decision described in subsection (a).

AMENDMENT NO. 900

(Purpose: To require a report on the National Biodefense Analysis and Countermeasures Center (NBACC) and to provide a limitation on use of funds)

At the appropriate place, insert the following:

SEC. ___. REPORT ON THE NATIONAL BIODEFENSE ANALYSIS AND COUNTERMEASURES CENTER (NBACC) AND LIMITATION ON USE OF FUNDS.

(a) REPORT.—Not later than December 31, 2017, the Secretary of Homeland Security and the Secretary of Defense shall jointly submit to the appropriate Congressional committees a report, prepared in consultation with the officials listed in subsection (b), on the National Biodefense Analysis and Countermeasures Center (referred to in this section as the ''NBACC'') containing the following information:

(1) The functions of the NBACC.

(2) The end users of the NBACC, including end users whose assets may be managed by other agencies.

(3) The cost and mission impact for each user identified under paragraph (2) of any potential closure of the NBACC, including an

analysis of the functions of the NBACC that cannot be replicated by other departments and agencies of the Federal Government.

(4) In the case of closure of the NBACC, a transition plan for any essential functions currently performed by the NBACC to ensure mission continuity, including the storage of samples needed for ongoing criminal cases.

(b) CONSULTATION.—The officials listed in this subsection are the following:

(1) The Director of the Federal Bureau of Investigation.

(2) The Attorney General.

(3) The Director of National Intelligence.

(4) As determined by the Secretary of Homeland Security, the leaders of other offices that utilize the NBACC.

(c) FORM.—The report submitted under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—For purposes of this section, the term ''appropriate Congressional Committees'' means—

(1) the Committee on Appropriations of the Senate;

(2) the Committee on Appropriations of the House of Representatives;

(3) the Committee on Armed Services of the Senate;

(4) the Committee on Armed Services of the House of Representatives;

(5) the Committee on Homeland Security and Governmental Affairs of the Senate;

(6) the Committee on Homeland Security of the House of Representatives;

(7) the Committee on Judiciary of the Senate;

(8) the Committee on the Judiciary of the House of Representatives;

(9) the Committee on Oversight and Government Reform of the House of Representatives;

(10) the Select Committee on Intelligence of the Senate; and

(11) the Permanent Select Committee on Intelligence of the House of Representatives.

(e) TRANSITION PERIOD.—The report submitted under subsection (a) shall include a transition adjustment period of not less than 1 year after the date of enactment of this Act, or 180 days after the date on which the report required in under this section is submitted to Congress, whichever is later, during which none of the funds authorized to be appropriated under this Act or any other Act may be used to support the closure, transfer, or other diminishment of the NBACC or its functions.

AMENDMENT NO. 903

(Purpose: To require the Secretary of Defense to conduct a feasibility study and cost estimate for a pilot program that uses predictive analytics and screening to identify mental health risk and provide early, targeted intervention for part-time members of the reserve components of the Armed Forces)

At the end of subtitle C of title VII, add the following:

SEC. 737. FEASIBILITY STUDY ON CONDUCT OF PILOT PROGRAM ON MENTAL HEALTH READINESS OF PART-TIME MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall conduct a feasibility study and cost estimate for a pilot program that uses predictive analytics and screening to identify mental health risk and provide early, targeted intervention for part-time members of the reserve components of the Armed Forces to improve readiness and mission success.

(b) ELEMENTS.—The feasibility study conducted under subsection (a) shall include elements to assess the following with respect to the pilot program studied under such subsection:

(1) The anticipated improvement in quality of behavioral health services for part-time members of the reserve components of the Armed Forces and the impact of such improvement in quality of behavioral health services on their families and employers.

(2) The anticipated impact on the culture surrounding behavioral health treatment and help-seeking behavior.

(3) The feasibility of embedding mental health professionals with units that—

(A) perform core mission sets and capabilities; and

(B) carry out high-risk and high-demand missions.

(4) The particular preventative mental health needs of units at different states of their operational readiness cycle.

(5) The need for additional personnel of the Department of Defense to implement the pilot program.

(6) The cost of implementing the pilot program throughout the reserve components of the Armed Forces.

(7) The benefits of an integrated operational support team for the Air National Guard and Army National Guard units.

(c) COMPARISON TO FULL-TIME MEMBERS OF RESERVE COMPONENTS.—As part of the feasibility study conducted under subsection (a), the Secretary shall assess the mental health risk of part-time members of the reserve components of the Armed Forces as compared to full-time members of the reserve components of the Armed Forces.

(d) USE OF EXISTING MODELS.—In conducting the feasibility study under subsection (a), the Secretary shall make use of existing models for preventative mental health care, to the extent practicable, such as the approach developed by the United States Air Force School of Aerospace Medicine.

AMENDMENT NO. 904

(Purpose: To prohibit or suspend certain health care providers from providing non-Department of Veterans Affairs health care services to veterans)

At the end of subtitle G of title X, add the following:

SEC. 1088. PREVENTION OF CERTAIN HEALTH CARE PROVIDERS FROM PROVIDING NON-DEPARTMENT HEALTH CARE SERVICES TO VETERANS.

(a) IN GENERAL.—On and after the date that is one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall deny or revoke the eligibility of a health care provider to provide non-Department health care services to veterans if the Secretary determines that the health care provider—

(1) was removed from employment with the Department of Veterans Affairs due to conduct that violated a policy of the Department relating to the delivery of safe and appropriate health care;

(2) violated the requirements of a medical license of the health care provider;

(3) had a Department credential revoked and the grounds for such revocation impacts the ability of the health care provider to deliver safe and appropriate health care; or

(4) violated a law for which a term of imprisonment of more than one year may be imposed.

(b) PERMISSIVE ACTION.—On and after the date that is one year after the date of the enactment of this Act, the Secretary may deny, revoke, or suspend the eligibility of a health care provider to provide non-Department health care services if the Secretary has reasonable belief that such action is necessary to immediately protect the health, safety, or welfare of veterans and—

(1) the health care provider is under investigation by the medical licensing board of a State in which the health care provider is licensed or practices;

(2) the health care provider has entered into a settlement agreement for a disciplinary charge relating to the practice of medicine by the health care provider; or

(3) the Secretary otherwise determines that such action is appropriate under the circumstances.

(c) SUSPENSION.—The Secretary shall suspend the eligibility of a health care provider to provide non-Department health care services to veterans if the health care provider is suspended from serving as a health care provider of the Department.

(d) INITIAL REVIEW OF DEPARTMENT EMPLOYMENT.—Not later than one year after the date of the enactment of this Act, with respect to each health care provider providing non-Department health care services, the Secretary shall review the status of each such health care provider as an employee of the Department and the history of employment of each such health care provider with the Department to determine whether the health care provider is described in any of subsections (a) through (c).

(e) COMPTROLLER GENERAL REPORT.—Not later than two years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the implementation by the Secretary of this section, including the following:

(1) The aggregate number of health care providers denied or suspended under this section from participation in providing non-Department health care services.

(2) An evaluation of any impact on access to health care for patients or staffing shortages in programs of the Department providing non-Department health care services.

(3) An explanation of the coordination of the Department with the medical licensing boards of States in implementing this section, the amount of involvement of such boards in such implementation, and efforts by the Department to address any concerns raised by such boards with respect to such implementation.

(4) Such recommendations as the Comptroller General considers appropriate regarding harmonizing eligibility criteria between health care providers of the Department and health care providers eligible to provide non-Department health care services.

(f) NON-DEPARTMENT HEALTH CARE SERVICES DEFINED.—In this section, the term ''non-Department health care services'' means services—

(1) provided under subchapter I of chapter 17 of title 38, United States Code, at non-Department facilities (as defined in section 1701 of such title);

(2) provided under section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note);

(3) purchased through the Medical Community Care account of the Department; or

(4) purchased with amounts deposited in the Veterans Choice Fund under section 802 of the Veterans Access, Choice, and Accountability Act of 2014.

AMENDMENT NO. 950

(Purpose: To authorize the Secretary of the Air Force to increase the Primary Aircraft Authorization of Air Force or Air National Guard A–10 aircraft units in the event conversion of an A–10 unit is in the best interest of a long-term Air Force mission)

At the end of subtitle D of title I, add the following:

SEC. ___. AUTHORITY TO INCREASE PRIMARY AIRCRAFT AUTHORIZATION OF AIR FORCE AND AIR NATIONAL GUARD A–10 AIRCRAFT UNITS FOR PURPOSES OF FACILITATING A–10 CONVERSION.

In the event that conversion of an A–10 aircraft unit is in the best interest of a long-term Air Force mission, the Secretary of the Air Force may increase the Primary Aircraft Authorization of Air Force Reserve or Air National Guard A–10 units to 24 aircraft to facilitate such conversion.

AMENDMENT NO. 976

(Purpose: To express the sense of Congress on use of test sites for research and development on countering unmanned aircraft systems)

At the end of subtitle E of title X, add the following:

SEC. _____. SENSE OF CONGRESS ON USE OF TEST SITES FOR RESEARCH AND DEVELOPMENT ON COUNTERING UNMANNED AIRCRAFT SYSTEMS.

It is the sense of Congress that—

(1) the armed unmanned aircraft systems deployed by adversaries for military purposes pose a threat to military installations, critical infrastructure, and members of the Armed Forces in conflict areas like Iraq and Syria;

(2) the unmanned aircraft systems test sites designated by the Federal Aviation Administration offer unique capabilities, expertise, and airspace for research and development related to unmanned aircraft systems; and

(3) the Armed Forces should, as appropriate and to the extent practicable, seek to leverage the test sites described in paragraph (2), as well as existing Department of Defense facilities with appropriate expertise, for research and development on capabilities to counter the nefarious use of unmanned aircraft systems.

AMENDMENT NO. 995

(Purpose: To extend the authorization of the Advisory Board on Toxic Substances and Worker Health)

At the end of subtitle B of title XXXI, add the following:

SEC. 3116. EXTENSION OF AUTHORIZATION OF ADVISORY BOARD ON TOXIC SUBSTANCES AND WORKER HEALTH.

Section 3687(i) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–16(i)) is amended by striking ''5 years'' and inserting ''10 years''.

AMENDMENT NO. 1014

(Purpose: To require the Government Accountability Office to evaluate Buy American training policies for the Defense acquisition workforce)

At the appropriate place, insert the following:

SEC. ___. BUY AMERICAN ACT TRAINING FOR DEFENSE ACQUISITION WORKFORCE.

(a) FINDING.—Congress finds that the Inspector General of the Department of Defense has issued a series of reports finding deficiencies in the adherence to the provisions of the Buy American Act and recommending improvements in training for the Defense acquisition workforce.

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report evaluating Buy American training policies for the Defense acquisition workforce.

(2) ELEMENTS.—The report shall include the following elements:

(A) A summary and assessment of mandated training courses for Department of Defense acquisition personnel responsible for procuring items that are subject to the Berry Amendment and Buy American Act.

(B) Options for alternative training models for contracting personnel on Buy American and Berry Amendment requirements.

AMENDMENT NO. 1015

(Purpose: To encourage the United States Trade Representative to consider the impact of marine debris in future trade agreements)

At the end of subtitle G of title XII, add the following:

SEC. 1285. SENSE OF CONGRESS ON CONSIDERATION OF IMPACT OF MARINE DEBRIS IN TRADE AGREEMENTS.

Recognizing that the Senate unanimously agreed to S. 756, an Act to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes (commonly referred to as the ''Save Our Seas Act of 2017'') on August 3, 2017, Congress encourages the United States Trade Representative to consider the impact of marine debris, particularly plastic waste, in relevant trade agreements entered into or negotiated after the date of the enactment of this Act.

AMENDMENT NO. 1021

(Purpose: To require a review of effects of personnel requirements and limitations on the availability of members of the National Guard for the performance of funeral honors duty for veterans)

At the end of subtitle B of title V, add the following:

SEC. _____. REVIEW OF EFFECTS OF PERSONNEL REQUIREMENTS AND LIMITATIONS ON THE AVAILABILITY OF MEMBERS OF THE NATIONAL GUARD FOR THE PERFORMANCE OF FUNERAL HONORS DUTY FOR VETERANS.

(a) REVIEW REQUIRED.—The Secretary of Defense shall undertake a review of the effects of the personnel requirements and limitations described in subsection (b) with respect to the members of the National Guard in order to determine whether or not such requirements unduly limit the ability of the Armed Forces to meet the demand for personnel to perform funeral honors in connection with funerals of veterans

(b) PERSONNEL REQUIREMENTS AND LIMITATIONS.—The personnel requirements and limitations described in this subsection are the following:

(1) Requirements, such as the ceiling on the authorized number of members of the National Guard on active duty pursuant to section 115(b)(2)(B) of title 10, United States Code, or end-strength limitations, that may operate to limit the number of members of the National Guard available for the performance of funeral honors duty.

(2) Any other requirements or limitations applicable to the reserve components of the Armed Forces in general, or the National Guard in particular, that may operate to limit the number of members of the National Guard available for the performance of funeral honors duty.

(c) REPORT.—Not later than six months after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the review undertaken pursuant to subsection (a). The report shall include the following:

(1) A description of the review.

(2) Such recommendations as the Secretary considers appropriate in light of the review for legislative or administrative action to expand the number of members of the National Guard available for the performance of funeral honors functions at funerals of veterans.

AMENDMENT NO. 1023

(Purpose: To authorize the provision of support for Beyond Yellow Ribbon programs)

At the end of subtitle H of title V, add the following:

SEC. 583. AUTHORIZATION OF SUPPORT FOR BEYOND YELLOW RIBBON PROGRAMS.

Section 582 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 10101 note) is amended—

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

(2) by inserting after subsection (j) the following new subsection (k):

''(k) SUPPORT FOR BEYOND YELLOW RIBBON PROGRAMS.—The Secretary of Defense may award grants to States to carry out programs that provide deployment cycle information, services, and referrals to members of reserve components of the Armed Forces, members of active components of the Armed Forces, and the families of such members throughout the deployment cycle. Such programs may include the provision of access to outreach services, including the following:

''(1) Employment counseling.

''(2) Behavioral health counseling.

''(3) Suicide prevention.

''(4) Housing advocacy.

''(5) Financial counseling.

''(6) Referrals to for the receipt of other services.''.

AMENDMENT NO. 1065

(Purpose: To increase funding for environmental restoration for the Air Force, and to provide an offset)

In the funding table in section 4301, in the item relating to Environmental Restoration, Air Force, increase the amount in the Senate Authorized column by $20,000,000.

In the funding table in section 4301, in the item relating to Subtotal Environmental Restoration, Air Force, increase the amount in the Senate Authorized column by $20,000,000.

In the funding table in section 4301, in the item relating to Total Miscellaneous Appropriations, increase the amount in the Senate Authorized column by $20,000,000.

In the funding table in section 4301, in the item relating to Undistributed, Line number 999, reduce the amount in the Senate Authorized column by $20,000,000.

In the funding table in section 4301, in the item relating to Fuel Savings, increase the amount of the reduction indicated in the Senate Authorized column by $20,000,000.

In the funding table in section 4301, in the item relating to Subtotal Undistributed, reduce the amount in the Senate Authorized column by $20,000,000.

In the funding table in section 4301, in the item relating to Total Undistributed, reduce the amount in the Senate Authorized column by $20,000,000.

AMENDMENT NO. 1087

(Purpose: To recognize the National Museum of World War II Aviation)

At the appropriate place, insert the following:

SEC. _____. RECOGNITION OF THE NATIONAL MUSEUM OF WORLD WAR II AVIATION.

(a) RECOGNITION.—The National Museum of World War II Aviation in Colorado Springs, Colorado, is recognized as America's National World War II Aviation Museum.

(b) EFFECT OF RECOGNITION.—The National Museum recognized by this section is not a unit of the National Park System, and the recognition of the National Museum shall not be construed to require or permit Federal funds to be expended for any purpose related to the National Museum.

AMENDMENT NO. 1088

(Purpose: To authorize an additional $10,000,000 for the National Guard for training on wildfire response, and to provide an offset)

At the end of subtitle B of title V, add the following:

SEC. _____. TRAINING FOR NATIONAL GUARD PERSONNEL ON WILDFIRE RESPONSE.

(a) IN GENERAL.—The Secretary of the Army and the Secretary of the Air Force shall, in consultation with the Chief of the National Guard Bureau, provide for training of appropriate personnel of the National Guard on wildfire response, with preference given to States with the most acres of Federal forestlands administered by the U.S. Forest Service or the Department of the Interior.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Department of Defense a total of $10,000,000, in addition to amounts authorized to be appropriated by sections 421 and 301, in order to carry out the training required by subsection (a) and provide related equipment.

(c) OFFSET.—In the funding table in section 4101, in the item relating to Fuzes, Procurement of Ammunition, Air Force, decrease the amount in the Senate Authorized column by $10,000,000.

AMENDMENT NO. 1089

(Purpose: To establish opportunities for scholarships related to cybersecurity, and for other purposes)

At the end of title XVI, add the following:

Subtitle F—Cyber Scholarship Opportunities

SEC. 1661. SHORT TITLE.

This subtitle may be cited as the ''Cyber Scholarship Opportunities Act of 2017''.

SEC. 1662. COMMUNITY COLLEGE CYBER PILOT PROGRAM AND ASSESSMENT.

(a) PILOT PROGRAM.—Not later than 1 year after the date of enactment of this subtitle, as part of the Federal Cyber Scholarship-for-Service program established under section 302 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7442), the Director of the National Science Foundation, in coordination with the Director of the Office of Personnel Management, shall develop and implement a pilot program at not more than 10, but at least 5, community colleges to provide scholarships to eligible students who—

(1) are pursuing associate degrees or specialized program certifications in the field of cybersecurity; and

(2)(A) have bachelor's degrees; or

(B) are veterans of the armed forces.

(b) ASSESSMENT.—Not later than 1 year after the date of enactment of this subtitle, as part of the Federal Cyber Scholarship-for-Service program established under section 302 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7442), the Director of the National Science Foundation, in coordination with the Director of the Office of Personnel Management, shall assess the potential benefits and feasibility of providing scholarships through community colleges to eligible students who are pursuing associate degrees, but do not have bachelor's degrees.

SEC. 1663. FEDERAL CYBER SCHOLARSHIP-FOR SERVICE PROGRAM UPDATES.

(a) IN GENERAL.—Section 302 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7442) is amended—

(1) by striking subsection (b)(3) and inserting the following:

''(3) prioritize the employment placement of at least 80 percent of scholarship recipients in an executive agency (as defined in section 105 of title 5, United States Code); and

''(4) provide awards to improve cybersecurity education at the kindergarten through grade 12 level—

''(A) to increase interest in cybersecurity careers;

''(B) to help students practice correct and safe online behavior and understand the foundational principles of cybersecurity;

''(C) to improve teaching methods for delivering cybersecurity content for kindergarten through grade 12 computer science curricula; and

''(D) to promote teacher recruitment in the field of cybersecurity.'';

(2) by amending subsection (d) to read as follows:

''(d) POST-AWARD EMPLOYMENT OBLIGATIONS.—Each scholarship recipient, as a condition of receiving a scholarship under the program, shall enter into an agreement under which the recipient agrees to work for a period equal to the length of the scholarship, following receipt of the student's degree, in the cybersecurity mission of—

''(1) an executive agency (as defined in section 105 of title 5, United States Code);

''(2) Congress, including any agency, entity, office, or commission established in the legislative branch;

''(3) an interstate agency;

''(4) a State, local, or tribal government; or

''(5) a State, local, or tribal government-affiliated non-profit that is considered to be critical infrastructure (as defined in section 1016(e) of the USA Patriot Act (42 U.S.C. 5195c(e)).'';

(3) in subsection (f)—

(A) by amending paragraph (3) to read as follows:

''(3) have demonstrated a high level of competency in relevant knowledge, skills, and abilities, as defined by the national cybersecurity awareness and education program under section 401;''; and

(B) by amending paragraph (4) to read as follows:

''(4) be a full-time student in an eligible degree program at a qualified institution of higher education, as determined by the Director of the National Science Foundation, except that in the case of a student who is enrolled in a community college, be a student pursuing a degree on a less than full-time basis, but not less than half-time basis; and''; and

(4) by amending subsection (m) to read as follows:

''(m) PUBLIC INFORMATION.—

''(1) EVALUATION.—The Director of the National Science Foundation, in coordination with the Director of the Office of Personnel Management, shall periodically evaluate and make public, in a manner that protects the personally identifiable information of scholarship recipients, information on the success of recruiting individuals for scholarships under this section and on hiring and retaining those individuals in the public sector cyber workforce, including on—

''(A) placement rates;

''(B) where students are placed, including job titles and descriptions;

''(C) student salary ranges for students not released from obligations under this section;

''(D) how long after graduation they are placed;

''(E) how long they stay in the positions they enter upon graduation;

''(F) how many students are released from obligations; and

''(G) what, if any, remedial training is required.

''(2) REPORTS.—The Director of the National Science Foundation, in coordination with the Office of Personnel Management, shall submit, at least once every 3 years, to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report, including the results of the evaluation under paragraph (1) and any recent statistics regarding the size, composition, and educational requirements of the Federal cyber workforce.

''(3) RESOURCES.—The Director of the National Science Foundation, in coordination with the Director of the Office of Personnel Management, shall provide consolidated and user-friendly online resources for prospective scholarship recipients, including, to the extent practicable—

''(A) searchable, up-to-date, and accurate information about participating institutions of higher education and job opportunities related to the field of cybersecurity; and

''(B) a modernized description of cybersecurity careers.''.

(b) SAVINGS PROVISION.—Nothing in this section, or an amendment made by this section, shall affect any agreement, scholarship, loan, or repayment, under section 302 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7442), in effect on the day before the date of enactment of this subtitle.

SEC. 1664. CYBERSECURITY TEACHING.

Section 10(i) of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n-1(i)) is amended—

(1) by amending paragraph (5) to read as follows:

''(5) the term 'mathematics and science teacher' means a science, technology, engineering, mathematics, or computer science, including cybersecurity, teacher at the elementary school or secondary school level;''; and

(2) by amending paragraph (7) to read as follows:

''(7) the term 'science, technology, engineering, or mathematics professional' means an individual who holds a baccalaureate, master's, or doctoral degree in science, technology, engineering, mathematics, or computer science, including cybersecurity, and is working in or had a career in such field or a related area; and''.

AMENDMENT NO. 1094

(Purpose: To express the sense of Senate on increasing enrollment in Senior Reserve Officers' Training Corps programs at minority-serving institutions)

At the end of subtitle E of title V, add the following:

SEC. _____. SENSE OF SENATE ON INCREASING ENROLLMENT IN SENIOR RESERVE OFFICERS' TRAINING CORPS PROGRAMS AT MINORITY-SERVING INSTITUTIONS.

(a) SENSE OF SENATE.—It is the sense of the Senate that the Armed Forces should take appropriate actions to increase enrollment in Senior Reserve Officers' Training Corps (SROTC) programs at minority-serving institutions.

(b) MINORITY-SERVING INSTITUTION DEFINED.—In this section, the term ''minority-serving institution'' means an institution of higher education described in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

AMENDMENT NO. 1100

(Purpose: To modify the basis on which an extension of the period for enlistment in the Armed Forces may be made under the Delayed Entry Program)

At the end of subtitle C of title V, add the following:

SEC. _____. MODIFICATION OF BASIS FOR EXTENSION OF PERIOD FOR ENLISTMENT IN THE ARMED FORCES UNDER THE DELAYED ENTRY PROGRAM.

Section 513(b) of title 10, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (4);

(2) by designating the second sentence of paragraph (1) as paragraph (2) and indenting the left margin of such paragraph (2), as so designated, two ems from the left margin;

(3) in paragraph (2), as so designated, by inserting ''described in paragraph (1)'' after ''the 365-day period'';

(4) by inserting after paragraph (2), as designated by this section, the following new paragraph (3):

''(3)(A) The Secretary concerned may extend by up to an additional 365 days the period of extension under paragraph (2) for a person who enlists under section 504(b)(2) of this title if the Secretary determines that the period of extension under this paragraph is required for the performance of adequate background and security reviews of that person.

''(B) The authority to make an extension under this paragraph shall expire on December 31, 2019. The expiration of such authority shall not effect the validity of any extension made in accordance with this paragraph on or before that date.''; and

(5) in paragraph (4), as redesignated by paragraph (1) of this section, by striking ''paragraph (1)'' and inserting ''this subsection''.

AMENDMENT NO. 470

(Purpose: Relating to mechanisms to facilitate the obtaining by military spouses of occupational licenses or credentials in other States)

At the end of part II of subtitle F of title V, add the following:

SEC. _____. MECHANISMS TO FACILITATE THE OBTAINING BY MILITARY SPOUSES OF OCCUPATIONAL LICENSES OR CREDENTIALS IN OTHER STATES.

Not later than March 1, 2018, the Secretary of Defense shall—

(1) develop and maintain a joint Federal-State clearing house to process the occupational license and credential information of military spouses in order—

(A) to facilitate the matching of such information with State occupational licensure and credentialing requirements; and

(B) to provide military spouses information on the actions required to obtain occupational licenses or credentials in other States;

(2) develop and maintain an Internet website that serves as a one-stop resource on occupational licenses and credentials for military spouses that sets forth license and credential requirements for common occupations in the States and provides assistance and other resources for military spouses seeking to obtain occupational licenses or credentials in other States; and

(3) submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth an assessment of the feasibility and advisability of the establishment of a joint Federal-State task force dedicated to the elimination of unnecessary or duplicative occupational licensure and credentialing requirements among the States, including through the use of alternative, less restrictive and burdensome forms of occupational regulation.

AMENDMENT NO. 601

(Purpose: To require the Secretary of Defense to declassify certain documents related to incidents in which members of the Armed Forces were exposed to toxic substances)

At the end of subtitle G of title X, add the following:

SEC. 1088. DECLASSIFICATION BY DEPARTMENT OF DEFENSE OF CERTAIN INCIDENTS OF EXPOSURE OF MEMBERS OF THE ARMED FORCES TO TOXIC SUBSTANCES.

(a) IN GENERAL.—The Secretary of Defense shall declassify documents related to any known incident in which not fewer than 100 members of the Armed Forces were exposed to a toxic substance that resulted in at least one case of a disability that a member of the medical profession has determined to be associated with that toxic substance.

(b) LIMITATION.—The declassification required by subsection (a) shall be limited to information necessary for an individual who was potentially exposed to a toxic substance to determine the following:

(1) Whether that individual was exposed to that toxic substance.

(2) The potential severity of the exposure of that individual to that toxic substance.

(3) Any potential health conditions that may have resulted from exposure to that toxic substance.

(c) EXCEPTION.—The Secretary of Defense is not required to declassify documents under subsection (a) if the Secretary determines that declassification of those documents would materially and immediately threaten the security of the United States.

(d) DEFINITIONS.—In this section:

(1) ARMED FORCES.—The term ''Armed Forces'' has the meaning given that term in section 101 of title 10, United States Code.

(2) EXPOSED.—The term ''exposed'' means, with respect to a toxic substance, that an individual came into contact with that toxic substance in a manner that could be hazardous to the health of that individual, that may include if that toxic substance was inhaled, ingested, or touched the skin or eyes.

(3) EXPOSURE.—The term ''exposure'' means, with respect to a toxic substance, an event during which an individual was exposed to that toxic substance.

(4) TOXIC SUBSTANCE.—The term ''toxic substance'' means any substance determined by the Administrator of the Environmental Protection Agency to be harmful to the environment or hazardous to the health of an individual if inhaled or ingested by or absorbed through the skin of that individual.

AMENDMENT NO. 712

(Purpose: To require a plan to meet the demand for cyberspace career fields in the reserve components of the Armed Forces)

At the end of subtitle B of title V, add the following:

SEC. _____. PLAN TO MEET DEMAND FOR CYBERSPACE CAREER FIELDS IN THE RESERVE COMPONENTS OF THE ARMED FORCES.

(a) PLAN REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report setting forth a plan for meeting the increased demand for cyberspace career fields in the reserve components of the Armed Forces.

(b) ELEMENTS.—The plan shall take into account the following:

(1) The availability of qualified local workforces.

(2) Potential best practices of private sector companies involved in cyberspace and of educational institutions with established cyberspace-related academic programs.

(3) The potential for Total Force Integration throughout the defense cyber community.

(4) Recruitment strategies to attract individuals with critical cyber training and skills to join the reserve components.

(c) METRICS.—The plan shall include appropriate metrics for use in the evaluation of the implementation of the plan.

AMENDMENT NO. 780

(Purpose: To increase the maximum term for intergovernmental support agreements to provide installation support services)

At the appropriate place, insert the following:

SEC. ___. INCREASED TERM LIMIT FOR INTERGOVERNMENTAL SUPPORT AGREEMENTS TO PROVIDE INSTALLATION SUPPORT SERVICES.

Section 2679(a)(2)(A) of title 10, United States Code, is amended by striking ''five years'' and inserting ''ten years.''

AMENDMENT NO. 873

(Purpose: To require the Administrator of the Small Business Administration to submit to Congress a report on the utilization of small businesses with respect to certain Federal contracts)

At the appropriate place, insert the following:

SEC. ___. REPORT ON UTILIZATION OF SMALL BUSINESSES FOR FEDERAL CONTRACTS.

(a) FINDINGS.—Congress finds that—

(1) since the passage of the Budget Control Act of 2011 (Public Law 112–25; 125 Stat. 240), many Federal agencies have started favoring longer-term Federal contracts, including multiple award contracts, over direct individual awards;

(2) these multiple award contracts have grown to more than one-fifth of Federal contract spending, with the fastest growing multiple award contracts surpassing $100,000,000 in obligations for the first time between 2013 and 2014;

(3) in fiscal year 2017, 17 of the 20 largest Federal contract opportunities are multiple award contracts;

(4) while Federal agencies may choose to use any or all of the various socio-economic groups on a multiple award contract, the Small Business Administration only examines socio-economic performance through the small business procurement scorecard and does not examine potential opportunities by those groups; and

(5) Congress and the Department of Justice have been clear that no individual socio-economic group shall be given preference over another.

(b) DEFINITIONS.—In this section—

(1) the term ''Administrator'' means the Administrator of the Small Business Administration;

(2) the term ''covered small business concerns'' means—

(A) HUBZone small business concerns;

(B) small business concerns owned and controlled by service-disabled veterans;

(C) small business concerns owned and controlled by women; and

(D) socially and economically disadvantaged small business concerns, as defined in section 8(a)(4)(A) of the Small Business Act (15 U.S.C. 637(a)(4)(A)), receiving assistance under such section 8(a); and

(3) the terms ''HUBZone small business concern'', ''small business concern'', ''small business concern owned and controlled by service-disabled veterans'', and ''small business concern owned and controlled by women'' have the meanings given those terms in section 3 of the Small Business Act (15 U.S.C. 632).

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report that includes—

(A) a determination as to whether small business concerns and each category of covered small business concerns described in

subparagraphs (A) through (D) of subsection (b)(2) are being utilized in a significant portion of the Federal market on multiple award contracts, including—

(i) whether awards are being reserved for 1 or more of those categories; and

(ii) whether each such category is being given the opportunity to perform on multiple award contracts;

(B) a determination as to whether performance requirements for multiple award contracts, as in effect on the day before the date of enactment of this Act, are feasible and appropriate for small business concerns; and

(C) any additional information as the Administrator may determine necessary.

(2) REQUIREMENT.—In making the determinations required under paragraph (1), the Administrator shall use information from multiple award contracts—

(A) with varied assigned North American Industry Classification System codes; and

(B) that were awarded by not less than 8 Federal agencies.

AMENDMENT NO. 874

(Purpose: To limit authorized cost increases in military construction projects)

At the end of subtitle A of title XXVIII, add the following:

SEC. ___. AUTHORIZED COST INCREASES.

Section 2853 of title 10, United States Code, is amended—

(1) in subsection (a), by inserting ''by not more than 10 percent'' after ''may be increased''; and

(2) in subsection (c)—

(A) by striking ''limitation on cost variations'' and inserting ''limitation on cost decreases''; and

(B) in paragraph (1)—

(i) by striking ''case of a cost increase or a reduction'' and inserting ''case of a reduction''; and

(ii) in subparagraph (A)—

(I) by striking ''cost increase or reduction in scope, the reasons therefor,'' and inserting ''reduction in scope, the reasons therefor, and''; and

(II) by striking '', and a description of the funds proposed to be used to finance any increased costs''.

AMENDMENT NO. 879

(Purpose: To amend title 46, United States Code, to provide greater flexibility to the Coast Guard in deciding the Federal district court in which to prosecute individuals engaged in drug trafficking)

At the appropriate place, insert the following:

SEC. ___. VENUE FOR PROSECUTION OF MARITIME DRUG TRAFFICKING.

(a) IN GENERAL.—Section 70504(b) of title 46, United States Code, is amended to read as follows:

''(b) VENUE.—A person violating section 70503 or 70508—

''(1) shall be tried in the district in which such offense was committed; or

''(2) if the offense was begun or committed upon the high seas, or elsewhere outside the jurisdiction of any particular State or district, may be tried in any district.''.

(b) CONFORMING AMENDMENT.—Section 1009(d) of the Controlled Substances Import and Export Act (21 U.S.C. 959(d)) is amended—

(1) in the subsection title, by striking ''; VENUE''; and

(2) by striking ''Any person who violates this section shall be tried in the United States district court at the point of entry where such person enters the United States, or in the United States District Court for the District of Columbia.''.

AMENDMENT NO. 908

(Purpose: To authorize the modification of the Second Division Memorial)

At the end of subtitle D of title III, add the following:

SEC. 3_____. MODIFICATION OF THE SECOND DIVISION MEMORIAL.

(a) AUTHORIZATION.—The Second Indianhead Division Association, Inc., Scholarship and Memorials Foundation, an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code, may place additional commemorative elements or engravings on the raised platform or stone work of the existing Second Division Memorial located in President's Park, between 17th Street Northwest and Constitution Avenue in the District of Columbia, to further honor the members of the Second Infantry Division who have given their lives in service to the United States.

(b) APPLICATION OF COMMEMORATIVE WORKS ACT.—Chapter 89 of title 40, United States Code (commonly known as the ''Commemorative Works Act''), shall apply to the design and placement of the commemorative elements or engravings authorized under subsection (a).

(c) FUNDING.—Federal funds may not be used for modifications of the Second Division Memorial authorized under subsection (a).

AMENDMENT NO. 927

(Purpose: Requiring a report on the availability of postsecondary credit for skills acquired during military service)

At the end of subtitle D of title V, add the following:

SEC. ___. REPORT ON AVAILABILITY OF POSTSECONDARY CREDIT FOR SKILLS ACQUIRED DURING MILITARY SERVICE.

Not later than 60 days after the date of enactment of this Act, the Secretary of Defense, in consultation with the Secretaries of Veterans Affairs, Education, and Labor, shall submit to Congress a report on the transfer of skills into equivalent postsecondary credits or technical certifications for members of the armed forces leaving the military. Such report shall describe each the following:

(1) Each skill that may be acquired during military service that is eligible for transfer into an equivalent postsecondary credit or technical certification.

(2) The academic level of the equivalent postsecondary credit or technical certification for each such skill.

(3) Each academic institution that awards an equivalent postsecondary credit or technical certification for such skills, including—

(A) each such academic institution's status as a public or private institution, and as a non-profit or for-profit institution; and

(B) the number of veterans that applied to such academic institution who were able to receive equivalent postsecondary credits or technical certifications in the preceding fiscal year, and the academic level of the credits or certifications.

(4) The number of members of the armed forces who left the military in the preceding fiscal year, and the number of such members who met with an academic or technical training advisor as part of the member's participation in the Transition Assistance Program of the Department of Defense.

AMENDMENT NO. 943

(Purpose: To authorize the Secretary of the Air Force to enter into an agreement providing for the joint use of Dobbins Air Reserve Base, Marietta, Georgia, with civil aviation)

At the end of subtitle E of title XXVIII, add the following:

SEC. ___. JOINT USE OF DOBBINS AIR RESERVE BASE, MARIETTA, GEORGIA, WITH CIVIL AVIATION.

(a) IN GENERAL.—The Secretary of the Air Force may enter into an agreement that would provide or permit the joint use of Dobbins Air Reserve Base, Marietta, Georgia, by the Air Force and civil aircraft.

(b) CONFORMING REPEAL.—Section 312 of the National Defense Authorization Act, Fiscal Year 1989 (Public Law 100–456; 102 Stat. 1950) is hereby repealed.

AMENDMENT NO. 945

(Purpose: To require information on Department of Defense funding in Department press releases and related public statements on programs, projects, and activities funded by the Department)

At the end of subtitle A of title X, add the following:

SEC. _____. INFORMATION ON DEPARTMENT OF DEFENSE FUNDING IN DEPARTMENT PRESS RELEASES AND RELATED PUBLIC STATEMENTS ON PROGRAMS, PROJECTS, AND ACTIVITIES FUNDED BY THE DEPARTMENT.

(a) INFORMATION REQUIRED.—

(1) IN GENERAL.—Subchapter II of chapter 134 of title 10, United States Code, is amended by inserting after section 2257 the following new section:

''§ 2258. Department of Defense press releases and related public statements on Department funded programs, projects, and activities

''Any press release, statement, or other document issued to the public by the Department of Defense that describes a program, project, or activity funded, whether in whole or in part, by amounts provided by the Department, including any project, project, or activity of a foreign, State, or local government, shall clearly state the following:

''(1) That the program, project, or activity is funded, in whole or in part (as applicable), by funds provided by the Department.

''(2) An estimate of the amount of funding from the Department that the program, project, or activity currently receives.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 134 of such title is amended by inserting after the item relating to section 2257 the following new item:

''2258. Department of Defense press releases and related public statements on Department funded programs, projects, and activities.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to programs, projects, and activities funded by the Department of Defense with amounts authorized to be appropriated for fiscal years after fiscal year 2018.

AMENDMENT NO. 1006

(Purpose: To modernize Government information technology, and for other purposes)

(The amendment is printed in the RECORD of September 13, 2017, under ''Text of Amendments.'')

AMENDMENT NO. 1031

(Purpose: To require a certification and report related to the enhanced multi mission parachute system)

At the end of subtitle C of title I, add the following:

SEC. _____. CERTIFICATION OF THE ENHANCED MULTI MISSION PARACHUTE SYSTEM FOR THE UNITED STATES MARINE CORPS.

(a) CERTIFICATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to

the congressional defense committees a certification—

(1) whether either the Marine Corps' currently fielded multi mission parachute system or the Army's RA–1 parachute system meet the Marine Corps requirements;

(2) whether the Marine Corps' PARIS, Special Application Parachute meets the Marine Corps requirement;

(3) whether the testing plan for the enhanced multi mission parachute system meets all regulatory requirements; and

(4) whether the Department of the Navy has determined that a high glide canopy is as safe and effective as the currently fielded free fall parachute systems.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report that includes—

(1) an explanation for using the Parachute Industry Association specification for a military parachute given that sports parachutes are employed from relatively slow flying civilian aircraft at altitudes below 10,000 feet;

(2) a cost estimate for any new equipment and training that the Marine Corps will require in order to employ a high glide parachute;

(3) justification of why the Department of the Navy is not conducting any testing until first article testing; and

(4) an assessment of the risks associated with high glide canopies with a focus on how the Department of the Navy will mitigate the risk for malfunctions experienced in other high glide canopy programs.

AMENDMENT NO. 1033

(Purpose: To require a report related to the E–8C JSTARS recapitalization program)

At the end of subtitle D of title I, add the following:

SEC. ___. REQUIREMENT FOR CONTINUATION OF E–8 JSTARS RECAPITALIZATION PROGRAM.

If the Secretary of the Air Force proposes in a budget request to cancel or modify the current E–8C JSTARS recapitalization program as presented to Congress in May 2017, the Secretary of Defense shall submit a report at the same time as the Secretary of the Air Force makes such a request budget request. That report shall set forth the following:

(1) The rationale and appropriate supporting analysis for the proposed cancellation or modification.

(2) An assessment of the implications of such cancellation or modification for the Air Force, Air National Guard, Army, Army National Guard, Navy and Marine Corps, and combatant commands' mission needs.

(3) A certification that such cancellation or modification of the previous recapitalization program plan would not result in an increased time during which there is a capability gap in providing Battlefield Management, Command and Control/Intelligence, Surveillance, and Reconnaissance (BMC2/ISR) to the combatant commanders.

(4) Such other matters relating to the proposed cancellation or modification as the Secretary considers appropriate.

AMENDMENT NO. 1034

(Purpose: To express the sense of Congress regarding fire protection in Department of Defense facilities)

At the appropriate place, insert the following:

SEC. ___. SENSE OF CONGRESS ON FIRE PROTECTION IN DEPARTMENT OF DEFENSE FACILITIES.

It is the sense of Congress that—

(1) portable fire extinguishers are essential to the safety of members of the Armed Forces and their families;

(2) the current United Facilities Criteria could be updated to ensure it provides members of the Armed Forces, their families, and other Department of Defense personnel with the most modern fire protection standards that are met by their civilian counterparts, including requiring portable fire extinguishers on military installations;

(3) United Facilities Criteria 3-600-01, Section 4-9, dated September 26, 2006, addresses the national and international standards for fire safety and Department of Defense Facilities; and

(4) the Secretary of Defense should consider amending the current United Facilities Criteria Section 9-17.1 to address the standards outlined by United Facilities Criteria 3-600-01, Section 4-9, dated September 26, 2006.

AMENDMENT NO. 1038

(Purpose: To ensure transparency in acquisition programs)

At the end of subtitle A of title VIII, add the following:

SEC. ___. ENSURING TRANSPARENCY IN ACQUISITION PROGRAMS.

(a) IN GENERAL.—The Secretary of Defense shall establish and implement a policy that will ensure the acquisition programs of major systems establish cost, schedule, and performance goals at the onset of the program. The policy shall also ensure that acquisition programs of major systems report on the original cost, schedule, and performance goals throughout the program to ensure transparency.

(b) MAJOR SYSTEM DEFINED.—In this section, the term ''major system'' has the meaning given the term in section 2302d of title 10, United States Code.

AMENDMENT NO. 1039

(Purpose: To devolve acquisition authority from the Office of the Secretary of Defense to the military services)

At the end of subtitle C of title VIII, add the following:

SEC. ___. ROLE OF THE CHIEF OF THE ARMED FORCE IN MATERIAL DEVELOPMENT DECISION AND ACQUISITION SYSTEM MILESTONES.

Section 2547(b) of title 10, United States Code, is amended—

(1) by striking ''The Secretary'' and inserting ''(1) The Secretary''; and

(2) by adding at the end the following new paragraph:

''(2) Consistent with the performance of duties under subsection (a), the Chief of the armed force concerned, with respect to major defense acquisition programs, shall—

''(A) concur with the need for a material solution as identified in the Material Development Decision Review prior to entry into the Material Solution Analysis Phase under Department of Defense Instruction 5000.02;

''(B) concur with the cost, schedule, technical feasibility, and performance trade-offs that have been made with regard to the program before Milestone A approval is granted under section 2366a of this title;

''(C) concur that appropriate trade-offs among cost, schedule, technical feasibility, and performance objectives have been made to ensure that the program is affordable when considering the per unit cost and the total life-cycle cost before Milestone B approval is granted under section 2366b of this title; and

''(D) concur that the requirements in the program capability document are necessary and realistic in relation to program cost and fielding targets as required by paragraph (1) before Milestone C approval is granted.''.

AMENDMENT NO. 1050

(Purpose: To increase funding for research, development, test, and evaluation for historically Black colleges and universities and other minority-serving institutions of higher education)

At the end of subtitle C of title II of division A, add the following:

SEC. ____. IMPORTANCE OF HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY-SERVING INSTITUTIONS.

(a) FINDINGS.—Congress finds that—

(1) historically Black colleges and universities (HBCUs) and minority-serving institutions play a vital role in educating low-income and underrepresented students in areas of national need;

(2) HBCUs and minority-serving institutions presently are collaborating with the Department of Defense in research and development efforts that contribute to the defense readiness and national security of the Nation;

(3) by their research these institutions are helping to develop the next generation of scientists and engineers who will help lead the Department of Defense in addressing high-priority national security challenges; and

(4) it is important to further engage HBCUs and minority-serving institutions in university research and innovation, especially in prioritizing software development and cyber security by utilizing existing Department of Defense labs, and collaborating with existing programs that help attract candidates, including programs like the Air Force Minority Leaders Programs, which recruit Americans from diverse background to serve their country through service in our Nation's military.

(b) INCREASE.—Funds authorized to be appropriated in Research, Development, Test, and Evaluation, Defense-wide, PE 61228D8Z, section 4201, for Basic Research, Historically Black Colleges and Universities/Minority Institutions, Line 006, are hereby increased by $12,000,000.

(c) OFFSET.—Funding in section 4101 for Other Procurement, Army, for Automated Data Processing Equipment, Line 108, is hereby reduced by $12,000,000.

AMENDMENT NO. 1055

(Purpose: To require a report on cyber applications of blockchain technology)

At the end of subtitle C of title XVI, add the following:

SEC. 1630C. REPORT ON CYBER APPLICATIONS OF BLOCKCHAIN TECHNOLOGY.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the heads of such other agencies and departments as the Secretary considers appropriate, shall submit to the appropriate committees of Congress a report on the potential offensive and defensive cyber applications of blockchain technology and other distributed database technologies and an assessment of efforts by foreign powers, extremist organizations, and criminal networks to utilize these technologies. Such report shall also include an assessment of the use or planned use of blockchain technologies by the United States Government or critical infrastructure networks and the vulnerabilities of such networks to cyber attacks.

(b) FORM OF REPORT.—The report required by (a) may be submitted—

(1) in classified form; or

(2) in unclassified form with a classified annex.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Select Committee on Intelligence, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) Committee on Armed Services, the Permanent Select Committee on Intelligence, and the Committee on Homeland Security of the House of Representatives.

AMENDMENT NO. 1063

(Purpose: To modify the definition of custom-developed computer software)

In section 886, beginning in the new section 2320a of title 10, United States Code, as added by subsection (a)(1) of such section 886, strike subsection (c) of such section 2320a and all that follows through the end of subsection (d)(1) of such section 886 and insert the following:

''(c) APPLICABILITY TO EXISTING SOFTWARE.—The Secretary of Defense shall, where appropriate—

''(1) seek to negotiate open source licenses to existing custom-developed computer software with contractors that developed it; and

''(2) release related source code and technical data in a public repository location approved by the Department of Defense.

''(d) DEFINITIONS.—In this section:

''(1) CUSTOM-DEVELOPED COMPUTER SOFTWARE.—The term 'custom-developed computer software'—

''(A) means human-readable source code, including segregable portions thereof, that is—

''(i) first produced in the performance of a Department of Defense contract, grant, cooperative agreement, or other transaction; or

''(ii) developed by a contractor or subcontractor exclusively with Federal funds (other than an item or process developed under a contract or subcontract to which regulations under section 9(j)(2) of the Small Business Act (15 U.S.C. 638(j)(2)) apply); and

''(B) does not include Commercial Off-The-Shelf software, or packaged software developed exclusively at private expense, whether delivered as a Cloud Service, in binary form, or by any other means of software delivery.

''(2) TECHNICAL DATA.—The term 'technical data' has the meaning given the term in section 2302 of this title.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 2320 the following new item:

''2320a. Use of open source software.''.

(b) PRIZE COMPETITION.—The Secretary of Defense shall create a prize for a research and develop program or other activity for identifying, capturing, and storing existing Department of Defense custom-developed computer software and related technical data. The Secretary of Defense shall create an additional prize for improving, repurposing, or reusing software to better support the Department of Defense mission. The prize programs shall be conducted in accordance with section 2374a of title 10, United States Code.

(c) REVERSE ENGINEERING.—The Secretary of Defense shall task the Defense Advanced Research Program Agency with a project to identify methods to locate and reverse engineer Department of Defense custom-developed computer software and related technical data for which source code is unavailable.

(d) DEFINITIONS.—In this section:

(1) CUSTOM-DEVELOPED COMPUTER SOFTWARE.—The term ''custom-developed computer software''—

(A) means human-readable source code, including segregable portions thereof, that is—

(i) first produced in the performance of a Department of Defense contract, grant, cooperative agreement, or other transaction; or

(ii) developed by a contractor or subcontractor exclusively with Federal funds (other than an item or process developed under a contract or subcontract to which regulations under section 9(j)(2) of the Small Business Act (15 U.S.C. 638(j)(2)) apply); and

(B) does not include Commercial Off-The-Shelf software, or packaged software developed exclusively at private expense, whether delivered as a Cloud Service, in binary form, or by any other means of software delivery.

AMENDMENT NO. 1073

(Purpose: To improve section 1653, relating to ground-based interceptor capability, capacity, and reliability)

Strike section 1653 and insert the following:

SEC. 1653. GROUND-BASED INTERCEPTOR CAPABILITY, CAPACITY, AND RELIABILITY.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that it is the policy of the United States to maintain and improve, with the allies of the United States, an effective, robust layered missile defense system capable of defending the citizens of the United States residing in territories and States of the United States, allies of the United States, and deployed Armed Forces of the United States.

(b) INCREASE IN CAPACITY AND CONTINUED ADVANCEMENT.—The Secretary of Defense shall—

(1) subject to the annual authorization of appropriations and the annual appropriation of funds for National Missile Defense, increase the number of United States ground-based interceptors, unless otherwise directed by the Ballistic Missile Defense Review, by up to 28;

(2) develop a plan to further increase such number to the currently available missile field capacity of 104 and to plan for any future capacity at any site that may be identified by the Ballistic Missile Defense Review; and

(3) continue to rapidly advance missile defense technologies to improve the capability and reliability of the ground-based midcourse defense element of the ballistic missile defense system.

(c) DEPLOYMENT.—Not later than December 31, 2021, the Secretary of Defense shall—

(1) execute any requisite construction to ensure that Missile Field 1 or Missile Field 2 at Fort Greely or alternative missile fields at Fort Greely which may be identified pursuant to subsection (b), are capable of supporting and sustaining additional ground-based interceptors;

(2) deploy up to 14 additional ground-based interceptors to Missile Field 1 or up to 20 additional ground-based interceptors to an alternative missile field at Fort Greely as soon as technically feasible; and

(3) identify a ground-based interceptor stockpile storage site for the remaining ground-based interceptors required by subsection (b).

(d) REPORT.—

(1) IN GENERAL.—Unless otherwise directed or recommended by the Ballistic Missile Defense Review (BMDR), the Director of the Missile Defense Agency shall submit to the congressional defense committees, not later than 90 days after the completion of the Ballistic Missile Defense Review, a report on options to increase the capability, capacity, and reliability of the ground-based midcourse defense element of the ballistic missile defense system and the infrastructure requirements for increasing the number of ground-based interceptors in currently feasible locations across the United States.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) An identification of potential sites in the United States, whether existing or new on the East Coast or in the Midwest, for the deployment of 104 ground-based interceptors.

(B) A cost-benefit analysis of each such site, including tactical, operational, and cost-to-construct considerations.

(C) A description of any completed and outstanding environmental assessments or impact statements for each such site.

(D) A description of the existing capacity of the missile fields at Fort Greely and the infrastructure requirements needed to increase the number of ground-based interceptors to 20 ground-based interceptors each.

(E) A description of the additional infrastructure and components needed to further outfit missile fields at Fort Greely before emplacing additional ground-based interceptors configured with the redesigned kill vehicle, including with respect to ground excavation, silos, utilities, and support equipment.

(F) A cost estimate of such infrastructure and components.

(G) An estimated schedule for completing such construction as may be required for such infrastructure and components.

(H) An identification of any environmental assessments or impact studies that would need to be conducted to expand such missile fields at Fort Greely beyond current capacity.

(I) An operational evaluation and cost analysis of the deployment of transportable ground-based interceptors, including an identification of potential sites, including in the eastern United States and at Vandenberg Air Force Base, and an examination of any environmental, legal, or tactical challenges associated with such deployments, including to any sites identified in subparagraph (A).

(J) A determination of the appropriate fleet mix of ground-based interceptor kill vehicles and boosters to maximize overall system effectiveness and increase its capacity and capability, including the costs and benefits of continued inclusion of capability enhancement II (CE-II) Block 1 interceptors after the fielding of the redesigned kill vehicle.

(K) A description of the planned improvements to homeland ballistic missile defense sensor and discrimination capabilities and an assessment of the expected operational benefits of such improvements to homeland ballistic missile defense.

(L) The benefit of supplementing ground-based midcourse defense elements with other, more distributed, elements, including both Aegis ships and Aegis Ashore installations with Standard Missile-3 Block IIA and other interceptors in Hawaii and at other locations for homeland missile defense.

(3) FORM.—The report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

AMENDMENT NO. 1086

(Purpose: To authorize $600,000,000 in increased funding for the procurement of one Littoral Combat Ship for the Navy above the President's budget request)

In the funding table in section 4101, in the item relating to Littoral Combat Ship, increase the amount in the Senate Authorized column by $600,000,000.

In line 999 of the funding table in section 4301, in the item relating to fuel savings, increase the reduction by $600 million.

AMENDMENT NO. 1096

(Purpose: To prohibit multichannel video programming distributors from being required to carry certain video content that is owned or controlled by the Government of the Russian Federation)

At the end of subtitle G of title X, add the following:

SEC. _____. CARRIAGE OF CERTAIN PROGRAMMING.

(a) DEFINITIONS.—In this section—

(1) the term ''local commercial television station'' has the meaning given the term in section 614(h) of the Communications Act of 1934 (47 U.S.C. 534(h));

(2) the term ''multichannel video programming distributor'' has the meaning given the term in section 602 of the Communications Act of 1934 (47 U.S.C. 522);

(3) the term ''qualified noncommercial educational television station'' has the meaning given the term in section 615(l) of the Communications Act of 1934 (47 U.S.C. 535(l));

(4) the term ''retransmission consent'' means the authority granted to a multichannel video programming distributor under section 325(b) of the Communications Act of 1934 (47 U.S.C. 325(b)) to retransmit the signal of a television broadcast station; and

(5) the term ''television broadcast station'' has the meaning given the term in section 76.66(a) of title 47, Code of Federal Regulations.

(b) CARRIAGE OF CERTAIN CONTENT.—Notwithstanding any other provision of law, a multichannel video programming distributor may not be directly or indirectly required, including as a condition of obtaining retransmission consent, to—

(1) carry non-incidental video content from a local commercial television station, qualified noncommercial educational television station, or television broadcast station to the extent that such content is owned, controlled, or financed (in whole or in part) by the Government of the Russian Federation; or

(2) lease, or otherwise make available, channel capacity to any person for the provision of video programming that is owned, controlled, or financed (in whole or in part) by the Government of the Russian Federation.

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed as applying to the editorial use by a local commercial television station, qualified noncommercial educational television station, or television broadcast station of programming that is owned, controlled, or financed (in whole or in part) by the Government of the Russian Federation.

AMENDMENT NO. 1032

(Purpose: To prohibit the availability of funds for retirement of E–8 JSTARS aircraft)

At the end of subtitle D of title I, add the following:

SEC. ____. PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF E–8 JSTARS AIRCRAFT.

(a) PROHIBITION ON AVAILABLE OF FUNDS FOR RETIREMENT.—Except as provided by subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Air Force may be obligated or expended to retire, or prepare to retire, any E-8 Joint Surveillance Target Attack Radar System aircraft.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to individual Joint Surveillance Target Attack Radar System aircraft that the Secretary of the Air Force determines, on a case-by-case basis, to be non-operational because of mishaps, other damage, or being uneconomical to repair.

Mr. MCCAIN. Mr. President, I yield back my remaining time.

The PRESIDING OFFICER. All postcloture time has expired.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. ENZI. 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 Florida (Mr. RUBIO) and the Senator from South Carolina (Mr. GRAHAM).

Further, if present and voting, the Senator from Florida (Mr. RUBIO) would have voted ''yea''.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) is necessarily absent.

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

The result was announced—yeas 89, nays 8, as follows:

[Rollcall Vote No. 199 Leg.]

YEAS—89

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

NAYS—8

Corker	Lee	Sanders
Gillibrand	Merkley	Wyden
Leahy	Paul	

NOT VOTING—3

Graham	Menendez	Rubio

The bill (H.R. 2810), as amended, was passed.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that H.R. 2810, as amended, be printed as passed by the Senate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

(The bill, H.R. 2810, as amended, will be printed in a future edition of the RECORD.)

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 176, William J. Emanuel.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of William J. Emanuel, of California, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2021.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

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

The bill 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 the nomination of William J. Emanuel, of California, to be a Member of the National Labor Relations Board.

Mitch McConnell, John Hoeven, Joni Ernst, Thom Tillis, Steve Daines, Mike Crapo, Jerry Moran, Tom Cotton, Roger F. Wicker, Pat Roberts, James M. Inhofe, Johnny Isakson, John Cornyn, James Lankford, John Boozman, James E. Risch, John Thune.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call be waived.

Is there objection?

Without objection, it is so ordered.

The Senator from Illinois.

HEALTHCARE

Mr. DURBIN. Mr. President, the Senate has spent a great deal of time over the last 6 or 7 months on healthcare in America. For years after the passage of the Affordable Care Act, the Republican Party—the House and Senate—has called for repeal of the bill. Yet, when the time came, with the majority of Republicans in the House and the Senate and, of course, a Republican President, and the task was immediately before them, they faltered because they didn't have a replacement. They didn't have something to propose that was better. As a consequence, their efforts stopped short—one vote short—on the floor of the Senate several weeks ago.

We still face some significant challenges. Some of those are very immediate.

Before the end of September, we will face the prospect of needing to reauthorize the Children's Health Insurance Program, known as CHIP. This program provides health insurance coverage for more than 9 million children and pregnant women across the country—350,000 in my State. This vital program, the CHIP program, has had two decades of broad bipartisan support, and it is going to expire in 12 days.

The good news is that the Finance Committee chairman, ORRIN HATCH of Utah, and his ranking member, RON WYDEN of Oregon, have reached a bipartisan agreement on a 5-year reauthorization of the CHIP program.