

(ii) determine the period of days following each October 1 that Senators may not be paid under subsection (c); and

(iii) provide timely certification of the determinations under clauses (i) and (ii) upon the request of the Secretary of the Senate.

(2) HOUSE OF REPRESENTATIVES.—

(A) REQUEST FOR CERTIFICATIONS.—On October 1 of each year, the Chief Administrative Officer of the House of Representatives shall submit a request to the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives for certification of determinations made under clauses (i) and (ii) of subparagraph (B).

(B) DETERMINATIONS.—The Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives shall—

(i) on October 1 of each year, make a determination of whether Congress is in compliance with subsection (c) and whether Members of the House of Representatives may not be paid under that subsection;

(ii) determine the period of days following each October 1 that Members of the House of Representatives may not be paid under subsection (c); and

(iii) provide timely certification of the determinations under clauses (i) and (ii) upon the request of the Chief Administrative Officer of the House of Representatives.

(f) EFFECTIVE DATE.—This section shall take effect on February 1, 2017.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. DAINES. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 28, 2015, at 5 p.m., to conduct a hearing entitled “Migration Crisis in Middle East/Europe.”

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

IMPROVING ACCESS TO EMERGENCY PSYCHIATRIC CARE ACT

Mr. DAINES. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 180, S. 599.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 599) to extend and expand the Medicaid emergency psychiatric demonstration project.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Improving Access to Emergency Psychiatric Care Act”.

SEC. 2. EXTENSION AND EXPANSION OF MEDICAID EMERGENCY PSYCHIATRIC DEMONSTRATION PROJECT.

(a) IN GENERAL.—Subsection (d) of section 2707 of Public Law 111-148 (42 U.S.C. 1396a note) is amended to read as follows:

“(d) LENGTH OF DEMONSTRATION PROJECT.—

“(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the demonstration project established under this section shall be conducted for a period of 3 consecutive years.

“(2) TEMPORARY EXTENSION OF PARTICIPATION ELIGIBILITY FOR SELECTED STATES.—

“(A) IN GENERAL.—Subject to subparagraph (B) and paragraph (4), a State selected as an eligible State to participate in the demonstration project on or prior to March 13, 2012, shall, upon the request of the State, be permitted to continue to participate in the demonstration project through September 30, 2016, if—

“(i) the Secretary determines that the continued participation of the State in the demonstration project is projected not to increase net program spending under title XIX of the Social Security Act; and

“(ii) the Chief Actuary of the Centers for Medicare & Medicaid Services certifies that such extension for that State is projected not to increase net program spending under title XIX of the Social Security Act.

“(B) NOTICE OF PROJECTIONS.—The Secretary shall provide each State selected to participate in the demonstration project on or prior to March 13, 2012, with notice of the determination and certification made under subparagraph (A) for the State.

“(3) EXTENSION AND EXPANSION OF DEMONSTRATION PROJECT.—

“(A) ADDITIONAL EXTENSION.—Taking into account the recommendations submitted to Congress under subsection (f)(3), the Secretary may permit an eligible State participating in the demonstration project as of the date such recommendations are submitted to continue to participate in the project through December 31, 2019, if, with respect to the State—

“(i) the Secretary determines that the continued participation of the State in the demonstration project is projected not to increase net program spending under title XIX of the Social Security Act; and

“(ii) the Chief Actuary of the Centers for Medicare & Medicaid Services certifies that the continued participation of the State in the demonstration project is projected not to increase net program spending under title XIX of the Social Security Act.

“(B) OPTION FOR EXPANSION TO ADDITIONAL STATES.—Taking into account the recommendations submitted to Congress pursuant to subsection (f)(3), the Secretary may expand the number of eligible States participating in the demonstration project through December 31, 2019, if, with respect to any new eligible State—

“(i) the Secretary determines that the participation of the State in the demonstration project is projected not to increase net program spending under title XIX of the Social Security Act; and

“(ii) the Chief Actuary of the Centers for Medicare & Medicaid Services certifies that the participation of the State in the demonstration project is projected not to increase net program spending under title XIX of the Social Security Act.

“(C) NOTICE OF PROJECTIONS.—The Secretary shall provide each State participating in the demonstration project as of the date the Secretary submits recommendations to Congress under subsection (f)(3), and any additional State that applies to be added to the demonstration project, with notice of the determination and certification made for the State under subparagraphs (A) and (B), respectively, and the standards used to make such determination and certification—

“(i) in the case of a State participating in the demonstration project as of the date the Secretary submits recommendations to Congress under subsection (f)(3), not later than August 31, 2016; and

“(ii) in the case of an additional State that applies to be added to the demonstration project, prior to the State making a final election to participate in the project.

“(4) AUTHORITY TO ENSURE BUDGET NEUTRALITY.—The Secretary annually shall review each participating State’s demonstration project expenditures to ensure compliance with the re-

quirements of paragraphs (2)(A)(i), (2)(A)(ii), (3)(A)(i), (3)(A)(ii), (3)(B)(i), and (3)(B)(ii) (as applicable). If the Secretary determines with respect to a State’s participation in the demonstration project that the State’s net program spending under title XIX of the Social Security Act has increased as a result of the State’s participation in the project, the Secretary shall treat the demonstration project excess expenditures of the State as an overpayment under title XIX of the Social Security Act.”.

(b) FUNDING.—Subsection (e) of section 2707 of such Act (42 U.S.C. 1396a note) is amended—

(1) in the subsection heading, by striking “LIMITATIONS ON FEDERAL”;

(2) in paragraph (2)—

(A) in the paragraph heading, by striking “5-YEAR”; and

(B) by striking “through December 31, 2015” and inserting “until expended”;

(3) by striking paragraph (3);

(4) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(5) in paragraph (3) (as so redesignated), by striking “and the availability of funds” and inserting “(other than States deemed to be eligible States through the application of subsection (c)(4))”; and

(6) in paragraph (4) (as so redesignated)—

(A) in the first sentence—

(i) by inserting “(other than a State deemed to be an eligible State through the application of subsection (c)(4))” after “eligible State”; and

(ii) by striking “paragraph (4)” and inserting “paragraph (3)”; and

(B) by inserting after the first sentence the following: “In addition to any payments made to an eligible State under the preceding sentence, the Secretary shall, during any period in effect under paragraph (2) or (3) of subsection (d), or during any period in which a law described in subsection (f)(4)(C) is in effect, pay each eligible State (including any State deemed to be an eligible State through the application of subsection (c)(4)), an amount each quarter equal to the Federal medical assistance percentage of expenditures in the quarter during such period for medical assistance described in subsection (a). Payments made to a State for emergency psychiatric demonstration services under this section during the extension period shall be treated as medical assistance under the State plan for purposes of section 1903(a)(1) of the Social Security Act (42 U.S.C. 1396b(a)(1)).”.

(c) RECOMMENDATIONS TO CONGRESS.—Subsection (f) of section 2707 of such Act (42 U.S.C. 1396a note) is amended by adding at the end the following:

“(3) RECOMMENDATION TO CONGRESS REGARDING EXTENSION AND EXPANSION OF PROJECT.—Not later than September 30, 2016, the Secretary shall submit to Congress and make available to the public recommendations based on an evaluation of the demonstration project, including the use of appropriate quality measures, regarding—

“(A) whether the demonstration project should be continued after September 30, 2016; and

“(B) whether the demonstration project should be expanded to additional States.

“(4) RECOMMENDATION TO CONGRESS REGARDING PERMANENT EXTENSION AND NATIONWIDE EXPANSION.—

“(A) IN GENERAL.—Not later than April 1, 2019, the Secretary shall submit to Congress and make available to the public recommendations based on an evaluation of the demonstration project, including the use of appropriate quality measures, regarding—

“(i) whether the demonstration project should be permanently continued after December 31, 2019, in 1 or more States; and

“(ii) whether the demonstration project should be expanded (including on a nationwide basis).

“(B) REQUIREMENTS.—Any recommendation submitted under subparagraph (A) to permanently continue the project in a State, or to expand the project to 1 or more other States (including on a nationwide basis) shall include a certification from the Chief Actuary of the Centers for Medicare & Medicaid Services that permanently continuing the project in a particular State, or expanding the project to a particular State (or all States) is projected not to increase net program spending under title XIX of the Social Security Act.

“(C) CONGRESSIONAL APPROVAL REQUIRED.—The Secretary shall not permanently continue the demonstration project in any State after December 31, 2019, or expand the demonstration project to any additional State after December 31, 2019, unless Congress enacts a law approving either or both such actions and the law includes provisions that—

“(i) ensure that each State’s participation in the project complies with budget neutrality requirements; and

“(ii) require the Secretary to treat any expenditures of a State participating in the demonstration project that are excess of the expenditures projected under the budget neutrality standard for the State as an overpayment under title XIX of the Social Security Act.

“(5) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, there is appropriated to the Centers for Medicare & Medicaid Services Program Management Account to carry out this subsection, \$100,000 for fiscal year 2015, to remain available until expended.”

(d) CONFORMING AMENDMENTS.—Section 2707 of such Act (42 U.S.C. 1396a note) is amended—

(1) in subsection (a), in the matter before paragraph (1), by inserting “publicly or” after “institution for mental diseases that is”;

(2) in subsection (c)—

(A) in paragraph (1), by striking “An eligible State” and inserting “Except as otherwise provided in paragraph (4), an eligible State”;

(B) in paragraph (3), by striking “A State shall” and inserting “Except as otherwise provided in paragraph (4), a State shall”; and

(C) by adding at the end the following:

“(4) NATIONWIDE AVAILABILITY.—In the event that the Secretary makes a recommendation pursuant to subsection (f)(4) that the demonstration project be expanded on a national basis, any State that has submitted or submits an application pursuant to paragraph (2) shall be deemed to have been selected to be an eligible State to participate in the demonstration project.”; and

(3) in the heading for subsection (f), by striking “AND REPORT” and inserting “, REPORT, AND RECOMMENDATIONS”.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

Mr. DAINES. Mr. President, I ask unanimous consent that the committee-reported substitute be agreed to; the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 599), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

RECOGNIZING THE 100TH ANNIVERSARY OF DINOSAUR NATIONAL MONUMENT

Mr. DAINES. Mr. President, I ask unanimous consent that the Senate

proceed to the consideration of S. Res. 271, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 271) recognizing the 100th anniversary of Dinosaur National Monument and designating October 4, 2015, as “Dinosaur National Monument Day.”

There being no objection, the Senate proceeded to consider the resolution.

Mr. DAINES. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 271) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

MEASURE READ THE FIRST TIME—S. 2089

Mr. DAINES. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 2089) to provide for investment in clean energy, to empower and protect consumers, to modernize energy infrastructure, to cut pollution and waste, to invest in research and development, and for other purposes.

Mr. DAINES. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

ORDERS FOR TUESDAY, SEPTEMBER 29, 2015

Mr. DAINES. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, September 29; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate resume consideration of the message to accompany H.R. 719 postcloture; further, that all time during the recess or adjournment of the Senate count postcloture on the motion to concur with amendment No. 2689; finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. DAINES. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:28 p.m., adjourned until Tuesday, September 29, 2015, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 28, 2015:

IN THE COAST GUARD

COAST GUARD NOMINATION OF BRIAN J. MAGGI, TO BE LIEUTENANT COMMANDER.

COAST GUARD NOMINATIONS BEGINNING WITH ANNA W. HICKEY AND ENDING WITH KIMBERLY C. YOUNGMCLEAR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 21, 2015.

IN THE AIR FORCE

AIR FORCE NOMINATION OF KYLE J. WELD, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH KATHLEEN E. AKERS AND ENDING WITH SAIPRASAD M. ZEMSE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 9, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH PAUL R. BREZINSKI AND ENDING WITH THOMAS E. WILLIFORD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 9, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH DWAYNE A. BACA AND ENDING WITH LIANA LUCAS VOGEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 9, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH RENI B. ANGELOVA AND ENDING WITH GRANT W. WISNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 9, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH DAVID R. ALANIZ AND ENDING WITH DEVON L. WENTZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 9, 2015.

AIR FORCE NOMINATION OF JOHN M. GOOCH, TO BE COLONEL.

AIR FORCE NOMINATION OF HERMAN W. DYKES, JR., TO BE LIEUTENANT COLONEL.

IN THE ARMY

ARMY NOMINATIONS BEGINNING WITH JONATHAN S. ACKISS AND ENDING WITH D012659, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2015.

ARMY NOMINATIONS BEGINNING WITH MICHAEL H. ADORJAN AND ENDING WITH G010310, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2015.

ARMY NOMINATIONS BEGINNING WITH MATTHEW T. ADAMCZYK AND ENDING WITH D012593, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2015.

ARMY NOMINATION OF GREGORY I. KELTIS, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH STEPHEN H. COOPER AND ENDING WITH DAVID G. WORTMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2015.

ARMY NOMINATION OF LESLEY A. WATTS, TO BE COLONEL.

ARMY NOMINATION OF KIRBY R. GROSS, TO BE COLONEL.

ARMY NOMINATION OF FRANCESCA M. DESRIVIERE, TO BE MAJOR.

ARMY NOMINATION OF JERRY L. TOLBERT, TO BE COLONEL.

ARMY NOMINATION OF CHRISTOPHER R. FORSYTHE, TO BE COLONEL.

ARMY NOMINATION OF FRANCIS G. MARESCO, JR., TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH DAVID S. ABRAMS AND ENDING WITH D012627, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 16, 2015.

ARMY NOMINATIONS BEGINNING WITH STEPHANIE R. AHERN AND ENDING WITH G010384, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 16, 2015.

ARMY NOMINATIONS BEGINNING WITH CHRISTOPHER W. ABBOTT AND ENDING WITH D011026, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 16, 2015.

ARMY NOMINATION OF NEIL I. NELSON, TO BE COLONEL.

ARMY NOMINATION OF BENJAMIN J. BIGELOW, TO BE COLONEL.