

VETERANS TREATMENT COURT IMPROVEMENT ACT OF 2017

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of S. 946 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 946) to require the Secretary of Veterans Affairs to hire additional Veterans Justice Outreach Specialists to provide treatment court services to justice-involved veterans, and for other purposes.

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

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Flake substitute amendment be considered and agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 2042) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans Treatment Court Improvement Act of 2018".

SEC. 2. HIRING BY DEPARTMENT OF VETERANS AFFAIRS OF ADDITIONAL VETERANS JUSTICE OUTREACH SPECIALISTS.

(a) **HIRING OF ADDITIONAL VETERANS JUSTICE OUTREACH SPECIALISTS.**—

(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall hire not fewer than 50 Veterans Justice Outreach Specialists and place each such Veterans Justice Outreach Specialist at an eligible Department of Veterans Affairs medical center in accordance with this section.

(2) **REQUIREMENTS.**—The Secretary shall ensure that each Veterans Justice Outreach Specialist employed under paragraph (1)—

(A) serves, either exclusively or in addition to other duties, as part of a justice team in a veterans treatment court or other veteran-focused court; and

(B) otherwise meets Department hiring guidelines for Veterans Justice Outreach Specialists.

(3) **SUPPLEMENT NOT SUPPLANT.**—The Secretary shall ensure that the total number of Veterans Justice Outreach Specialists employed by the Department is not less than the sum of—

(A) the total number of Veterans Justice Outreach Specialists that were employed by the Department on the day before the date of the enactment of this Act; and

(B) the number of Veterans Justice Outreach Specialists set forth in paragraph (1).

(b) **ELIGIBLE DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTERS.**—For purposes of this section, an eligible Department of Veterans Affairs medical center is any Department of Veterans Affairs medical center that—

(1) complies with all Department guidelines and regulations for placement of a Veterans Justice Outreach Specialist;

(2) works within a local criminal justice system with justice-involved veterans;

(3) maintains an affiliation with one or more veterans treatment courts or other veteran-focused courts; and

(4) either—

(A) routinely provides Veterans Justice Outreach Specialists to serve as part of a justice team in a veterans treatment court or other veteran-focused court; or

(B) establishes a plan that is approved by the Secretary to provide Veterans Justice Outreach Specialists employed under subsection (a)(1) to serve as part of a justice team in a veterans treatment court or other veteran-focused court.

(c) **PLACEMENT PRIORITY.**—The Secretary shall prioritize the placement of Veterans Justice Outreach Specialists employed under subsection (a)(1) at eligible Department of Veterans Affairs medical centers that have or intend to establish an affiliation, for the purpose of carrying out the Veterans Justice Outreach Program, with a veterans treatment court, or other veteran-focused court, that—

(1) was established on or after the date of the enactment of this Act; or

(2)(A) was established before the date of the enactment of this Act; and

(B) is not fully staffed with Veterans Justice Outreach Specialists.

(d) **REPORTS.**—

(1) **PERIODIC REPORTS BY SECRETARY OF VETERANS AFFAIRS.**—

(A) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act and not less frequently than once every year thereafter, the Secretary of Veterans Affairs shall submit to Congress a report on the implementation of this section and its effect on the Veterans Justice Outreach Program.

(B) **CONTENTS.**—Each report submitted under paragraph (1) shall include the following:

(i) The status of the efforts of the Secretary to hire Veterans Justice Outreach Specialists pursuant to subsection (a)(1), including the total number of Veterans Justice Outreach Specialists hired by the Secretary pursuant to such subsection and the number that the Secretary expects to hire pursuant to such subsection.

(ii) The total number of Veterans Justice Outreach Specialists assigned to each Department of Veterans Affairs medical center that participates in the Veterans Justice Outreach Program, including the number of Veterans Justice Outreach Specialists hired under subsection (a)(1) disaggregated by Department of Veterans Affairs medical center.

(iii) The total number of eligible Department of Veterans Affairs medical centers that sought placement of a Veterans Justice Outreach Specialist under subsection (a)(1), how many Veterans Justice Outreach Specialists each such center sought, and how many of such medical centers received no placement of a Veterans Justice Outreach Specialist under subsection (a)(1).

(iv) The total number of justice-involved veterans who were served or are expected to be served by a Veterans Justice Outreach Specialist hired under subsection (a)(1).

(2) **REPORT BY COMPTROLLER GENERAL OF THE UNITED STATES.**—

(A) **IN GENERAL.**—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 of this section and the effectiveness of the Veterans Justice Outreach Program.

(B) **CONTENTS.**—The report required by subparagraph (A) shall include the following:

(i) An assessment of whether the Secretary has fulfilled the Secretary's obligations under this section.

(ii) The number of veterans who are served by Veterans Justice Outreach Specialists

hired under subsection (a)(1), disaggregated by demographics (including discharge status).

(iii) An identification of any subgroups of veterans who underutilize services provided under laws administered by the Secretary and to which they are referred by a Veterans Justice Outreach Specialist.

(iv) Such recommendations as the Comptroller General may have for the Secretary to improve the effectiveness of the Veterans Justice Outreach Program.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—There is authorized to be appropriated to the Secretary of Veterans Affairs to carry out subsection (a) \$5,500,000 for each of fiscal years 2018 through 2028.

(2) **IDENTIFICATION OF OFFSETS.**—The Secretary shall submit to Congress a report that identifies such legislative or administrative actions as the Secretary determines will result in a reduction in expenditures by the Department of Veterans Affairs that is equal to or greater than the amounts authorized to be appropriated by paragraph (1).

(f) **DEFINITIONS.**—In this section:

(1) **JUSTICE TEAM.**—The term "justice team" means the group of individuals, which may include a judge, court coordinator, prosecutor, public defender, treatment provider, probation or other law enforcement officer, program mentor, and Veterans Justice Outreach Specialist, who assist justice-involved veterans in a veterans treatment court or other veteran-focused court.

(2) **JUSTICE-INVOLVED VETERAN.**—The term "justice-involved veteran" means a veteran with active, ongoing, or recent contact with some component of a local criminal justice system.

(3) **LOCAL CRIMINAL JUSTICE SYSTEM.**—The term "local criminal justice system" means law enforcement, jails, prisons, and Federal, State, and local courts.

(4) **VETERANS JUSTICE OUTREACH PROGRAM.**—The term "Veterans Justice Outreach Program" means the program through which the Department of Veterans Affairs identifies justice-involved veterans and provides such veterans with access to Department services.

(5) **VETERANS JUSTICE OUTREACH SPECIALIST.**—The term "Veterans Justice Outreach Specialist" means an employee of the Department of Veterans Affairs who serves as a liaison between the Department and the local criminal justice system on behalf of a justice-involved veteran.

(6) **VETERANS TREATMENT COURT.**—The term "veterans treatment court" means a Federal, State, or local court that is participating in the veterans treatment court program (as defined in section 2991(i)(1) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa(i)(1))).

The bill (S. 946), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

DIRECTING THE SECRETARY OF VETERANS AFFAIRS TO SUBMIT CERTAIN REPORTS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 1725 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1725) to direct the Secretary of Veterans Affairs to submit certain reports relating to medical evidence submitted in support of claims for benefits under the laws administered by the Secretary.

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

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the bill be considered 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 bill (H.R. 1725) was ordered to a third reading, was read the third time, and passed.

VETERANS CARE FINANCIAL PROTECTION ACT OF 2017

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 3122 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3122) to direct the Secretary of Veterans Affairs to include on the internet website of the Department of Veterans Affairs a warning regarding dishonest, predatory, or otherwise unlawful practices targeting individuals who are eligible for increased pension on the basis of need for regular aid and attendance, and for other purposes.

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

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the bill be considered 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 bill (H.R. 3122) was ordered to a third reading, was read the third time, and passed.

LEXINGTON VA HEALTH CARE SYSTEM

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4533, which was received from the House.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 4533) to designate the health care system of the Department of Veterans Affairs in Lexington, Kentucky, as the "Lexington VA Health Care System" and to make certain other designations.

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

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 4533) was ordered to a third reading, was read the third time, and passed.

APPOINTMENTS AUTHORITY

Mr. ALEXANDER. Mr. President, I ask unanimous consent that notwithstanding the upcoming adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

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

APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the majority leader, pursuant to the provisions of Public Law 93-112, as amended by Public Law 112-166, and further amended by Public Law 113-128, the reappointment of the following to serve as a member of the National Council on Disability: Neil Romano of Maryland.

ORDERS FOR FRIDAY, FEBRUARY 16, 2018, THROUGH MONDAY, FEBRUARY 26, 2018

Mr. ALEXANDER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn, to then convene for pro forma sessions only, with no business being conducted, on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, February 16 at 12 noon; Tuesday, February 20 at 5 p.m.; Friday, February 23 at 2 p.m. I further ask that when the Senate adjourns on Friday, February 23, it next convene at 3 p.m., Monday, February 26, and that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following the closing of morning business, Senator PETERS be recognized to deliver Washington's Farewell Address; further, that following the address, the Senate proceed to executive session and resume consideration of the Branch nomination; finally, that notwithstanding the provisions of rule XXII, the cloture vote on the Branch nomination occur at 5:30 p.m., Monday, February 26.

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

ADJOURNMENT UNTIL TOMORROW

Mr. ALEXANDER. Mr. President, if there is no further business to come be-

fore the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:58 p.m., adjourned until Friday, February 16, 2018, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF AGRICULTURE

NAOMI C. EARP, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF AGRICULTURE, VICE JOE LEONARD, JR.

DEPARTMENT OF TRANSPORTATION

THELMA DRAKE, OF VIRGINIA, TO BE FEDERAL TRANSPORTATION ADMINISTRATOR, VICE PETER M. ROGOFF, RESIGNED.

DEPARTMENT OF THE INTERIOR

JAMES REILLY, OF COLORADO, TO BE DIRECTOR OF THE UNITED STATES GEOLOGICAL SURVEY, VICE SUZETTE M. KIMBALL.

DEPARTMENT OF STATE

JOSEPH CELLA, OF MICHIGAN, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF FIJI, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KIRIBATI, THE REPUBLIC OF NAURU, THE KINGDOM OF TONGA, AND TUVALU.

DAVID B. CORNSTEIN, OF NEW YORK, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO HUNGARY.

GEORGETTE MOSBACHER, OF FLORIDA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF POLAND.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

JEAN CAROL HOVLAND, OF SOUTH DAKOTA, TO BE COMMISSIONER OF THE ADMINISTRATION FOR NATIVE AMERICANS, DEPARTMENT OF HEALTH AND HUMAN SERVICES, VICE LILLIAN A. SPARKS.

THE JUDICIARY

MARK JEREMY BENNETT, OF HAWAII, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE RICHARD R. CLIFTON, RETIRED.

NANCY E. BRASEL, OF MINNESOTA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MINNESOTA, VICE ANN D. MONTGOMERY, RETIRED.

THOMAS S. KLEEH, OF WEST VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF WEST VIRGINIA, VICE IRENE M. KEELEY, RETIRED.

ANDREW S. OLDHAM, OF TEXAS, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIFTH CIRCUIT, VICE EDWARD C. PRADO, RETIRING.

PETER J. PHIPPS, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA, VICE TERENCE F. MCVERRY, RETIRED.

MICHAEL Y. SCUDDER, OF ILLINOIS, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SEVENTH CIRCUIT, VICE RICHARD A. POSNER, RETIRED.

AMY J. ST. EVE, OF ILLINOIS, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SEVENTH CIRCUIT, VICE ANN CLAIRE WILLIAMS, RETIRED.

ERIC C. TOSTRUD, OF MINNESOTA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MINNESOTA, VICE DONOVAN W. FRANK, RETIRED.

CHARLES J. WILLIAMS, OF IOWA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF IOWA, VICE LINDA R. READE, RETIRED.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 15, 2018:

DEPARTMENT OF HOMELAND SECURITY

JOHN MARSHALL MITNICK, OF VIRGINIA, TO BE GENERAL COUNSEL, DEPARTMENT OF HOMELAND SECURITY.

DEPARTMENT OF JUSTICE

JOHN C. DEMERS, OF VIRGINIA, TO BE AN ASSISTANT ATTORNEY GENERAL.

DEPARTMENT OF COMMERCE

NEIL JACOBS, OF NORTH CAROLINA, TO BE AN ASSISTANT SECRETARY OF COMMERCE.

DEPARTMENT OF JUSTICE

JOSEPH D. BROWN, OF TEXAS, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF TEXAS FOR THE TERM OF FOUR YEARS.

MATTHEW D. KRUEGER, OF WISCONSIN, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF WISCONSIN FOR THE TERM OF FOUR YEARS.

NORMAN EUCELL ARFLACK, OF KENTUCKY, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF KENTUCKY FOR THE TERM OF FOUR YEARS.