activities relating to the training and readiness of the reserve components of the Armed Forces during a lapse in appropriations shall constitute voluntary services that may be accepted by the United States.

S. 2500

At the request of Mr. CASEY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2500, a bill to award a Congressional Gold Medal, collectively, to the women in the United States who joined the workforce during World War II, providing the vehicles, weaponry, and ammunition to win the war, that were referred to as ''Rosie the Riveter'', in recognition of their contributions to the United States and the inspiration they have provided to ensuing generations.

S. 2507

At the request of Mr. BARRASSO, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2507, a bill to require short-term limited duration insurance issuers to renew or continue in force such coverage at the option of the enrollees.

S. CON. RES. 7

At the request of Mr. ROBERTS, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

S. RES. 434

At the request of Mr. COONS, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. Res. 434, a resolution recognizing the contributions of AmeriCorps members and alumni to the lives of the people of the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY (for himself, Mrs. FEINSTEIN, Mr. CORKER, Mr. MENENDEZ, Mr. HATCH, Ms. HARRIS, and Mr. LEAHY):

S. 2559. A bill to amend title 17, United States Code, to implement the Marrakesh Treaty, and for other purposes; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, I rise today to introduce legislation that would implement the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who are Blind, Visually Impaired, or Otherwise Print Disabled (''Marrakesh Treaty''). I'm pleased that Senators FEINSTEIN, CORKER, MENENDEZ, HATCH, HARRIS and LEAHY are joining me as original cosponsors.

The Marrakesh Treaty was signed by the United States in October 2013. It seeks to help address the global ''book famine'' and facilitate access to printed works for visually impaired individuals by providing, with appropriate safeguards, that copyright protection should not impede the creation and distribution of accessible format copies, including the exchange of such copies internationally.

The Marrakesh Treaty Implementation Act represents a consensus approach developed by the Senate Judiciary and Foreign Relations Committees with stakeholders within the publishers, libraries and print disabilities communities, in consultation with the U.S. Patent and Trademark Office and the U.S. Copyright Office as well as other interested industry and public interest stakeholders. I particularly want to commend the National Federation of the Blind, the Association of American Publishers and the Library Copyright Alliance for working with us in reaching an agreement on legislative text and proposed legislative history. We would not be here today without their efforts.

I look forward to working with my colleagues on the Foreign Relations Committee, Chairman CORKER and Ranking Member MENENDEZ, on ratification of the Marrakesh Treaty in the Senate, and with Judiciary Committee Ranking Member FEINSTEIN on passing the Marrakesh Treaty Implementation Act.

By Mrs. FEINSTEIN (for herself and Mrs. CAPITO):

S. 2561. A bill to authorize the Attorney General to suspend a controlled substances registration if there is a likelihood of a threat of diversion of a controlled substance, and for other purposes; to the Committee on the Judiciary.

Ms. FEINSTEIN. Mr. President, I rise today with my colleague, Senator CAPITO, to introduce the Stopping Suspicious Orders of Opioids Act.

In 2016, the opioid epidemic caused more than 42,000 deaths in the United States.

In 2017, this epidemic was declared a public health emergency.

Now, more than 400 State, local, and Tribal governments have filed suits (some consolidated, some individual) against opioid manufacturers and distributors for their alleged roles in fueling and perpetuating this devastating crisis. The U.S. Justice Department, or DOJ, has filed a statement of interest in these lawsuits, which are currently pending.

As our Nation struggles to effectively address the opioid epidemic, one thing is clear: there is no silver bullet.

Yet, it is also clear that law enforcement can play a critical role in preventing and reducing overdose deaths.

That is why we must ensure that law enforcement has and uses the necessary tools to hold opioid manufacturers, distributors and others accountable when they fail to properly disclose to the Drug Enforcement Administration, or the DEA, opioid orders that are suspicious because of their size, frequency, or patterns. This simple disclosure could prevent millions of prescription opioid pills from ending up on the black market.

Unfortunately, current law has inadvertently created a standard that is too high for DOJ to meet in order to take immediate action against those who fail to make these disclosures to the DEA or who fail to adequately protect against diversion.

For instance, the DEA has told my staff that under current law, in order to immediately stop a drug manufacturer or distributor from distributing opioids, a pharmacy from dispensing opioids, or a practitioner from prescribing opioids, it must prove that the distribution, dispensation, or prescription of the drugs directly resulted in an immediate and substantial likelihood that death, serious bodily harm, or abuse of a controlled substance occurred.

For this reason, the bill Senator CAPITO and I are introducing today would change the standard in current law to make it easier to immediately stop potentially dangerous shipments of prescription opioids. It would allow DOJ to take action when it can demonstrate that an opioid manufacturer or distributor's lack of control over a prescription opioid would likely result in the drugs winding up in the hands of someone other than the intended recipient or on the black market.

This change will compel opioid manufacturers and distributors to be more vigilant in their efforts to report and stop the delivery of suspicious orders of opioids as well as to protect against diversion. In the absence of such vigilance, our bill would allow DOJ to immediately stop the delivery of opioids.

Our bill further ensures that bad actors are held accountable by establishing backstops and consequences for when opioid manufacturers, distributors, dispensers, and prescribers fail to take corrective action.

Under current law, if there is no immediate threat to the public health or safety, opioid manufacturers, distributors, dispensers and prescribers can submit a corrective action plan to DOJ before their registrations can be revoked or suspended. DOJ does not have to accept this plan, but if it does, current law does not outline a timeframe by which the plan must be fully implemented or consequences for failure to do so.

Given the magnitude of the opioid epidemic, this is unacceptable.

That is why our bill would require those who manufacture, distribute, dispense or prescribe opioids to fully implement any plan that is accepted by DOJ within 30 days. Failure to do so will result in the immediate suspension of a registration until the reinstated proceedings to deny, revoke, or suspend the registration permanently have concluded.

Mr. President, I have been struck by the seemingly countless examples of opioid manufacturers and distributors that have done little to safeguard

against diversion that have been raised in hearings, roundtables, and in the news over the last several years.

The example most often cited is that of Kermit, West Virginia, where, over a two year period nine million opioids were delivered to a single pharmacy. Between 2007 and 2012, 780 million oxycodone and hydrocodone pills were delivered to pharmacies throughout that state. This resulted in 1,728 fatal overdoses that were largely preventable.

We cannot allow this to happen again.

The bill Senator CAPITO and I are introducing today will strengthen current law by providing law enforcement with the additional tools it needs to better and more proactively combat the opioid epidemic and hold bad actors accountable.

I hope my colleagues will join us in supporting this important legislation.

Thank you, Mr. President. I yield the floor.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2210. Mr. MCCONNELL (for Mr. JOHNSON (for himself and Mrs. MCCASKILL)) proposed an amendment to the bill H.R. 3210, to require the Director of the National Background Investigations Bureau to submit a report on the backlog of personnel security clearance investigations, and for other purposes.

SA 2211. Mr. MCCONNELL (for Mr. GRASSLEY) proposed an amendment to the bill S. 1869, to reauthorize and rename the position of Whistleblower Ombudsman to be the Whistleblower Protection Coordinator.

TEXT OF AMENDMENTS

SA 2210. Mr. MCCONNELL (for Mr. JOHNSON (for himself and Mrs. MCCASKILL)) proposed an amendment to the bill H.R. 3210, to require the Director of the National Background Investigations Bureau to submit a report on the backlog of personnel security clearance investigations, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Securely Expediting Clearances Through Reporting Transparency Act of 2018'' or the ''SECRET Act of 2018''.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term ''Bureau'' means the National Background Investigations Bureau of the Office;

(2) the term ''Director'' means the Director of National Intelligence acting as the Security Executive Agent; and

(3) the term ''Office'' means the Office of Personnel Management acting as the Suitability and Credentialing Executive Agent.

SEC. 3. REPORT ON BACKLOG OF PERSONNEL SECURITY CLEARANCE INVESTIGATIONS.

Not later than 90 days after the date of enactment of this Act, and quarterly thereafter for 5 years, the Director of the Bureau, in coordination with the Director, shall submit to Congress a report on the backlog of personnel security clearance investigations at the Bureau for the most recent full calendar quarter, which shall include—

(1) the size of the backlog of personnel security clearance investigations of the Bureau, including, for each sensitivity level—

(A) the number of interim clearances granted;

(B) the number of initial investigations for Federal employees;

(C) the number of periodic reinvestigations for Federal employees;

(D) the number of initial investigations for employees of Federal contractors;

(E) the number of periodic reinvestigations for employees of Federal contractors;

(F) the number of initial investigations for employees of, and employees of contractors of, the Department of Defense;

(G) the number of periodic reinvestigations for employees of and employees of contractors of the Department of Defense;

(H) the number of employees of the Bureau conducting background investigations for the Bureau; and

(I) the number of employees of contractors of the Bureau conducting background investigations for the Bureau;

(2) the average length of time, for each sensitivity level, for the Bureau to carry out an initial investigation and a periodic reinvestigation;

(3) a discussion of the factors contributing to the average length of time to carry out an initial investigation and a periodic reinvestigation;

(4) a backlog mitigation plan, which shall include—

(A) the identification of the cause of, and recommendations to remedy, the backlog at the Bureau;

(B) the steps the Director of the Bureau shall take to reduce the backlog;

(C) process reforms to improve efficiencies in, and the quality of, background investigations by the Bureau; and

(D) a projection of when the backlog at the Bureau will be sufficiently reduced to meet required timeliness standards; and

(5) a description of improvements in the information and data security of the Bureau.

SEC. 4. REPORT ON SECURITY CLEARANCE INVESTIGATIONS OF PERSONNEL OF THE EXECUTIVE OFFICE OF THE PRESIDENT.

Not later than 90 days after the date of enactment of this Act, the Director of the Office of Administration of the Executive Office of the President, in coordination with the Director and the Director of the Office, shall submit to Congress a report that explains the process for conducting and adjudicating security clearance investigations for personnel of the Executive Office of the President, including personnel of the White House Office.

SEC. 5. REPORT ON COSTS ASSOCIATED WITH BIFURCATED BACKGROUND INVESTIGATION SYSTEMS.

Not later than 120 days after the date of enactment of this Act, the Director of the Office, in consultation with the other members of the Suitability and Security Clearance Performance Accountability Council established under Executive Order 13467 (73 Fed. Reg. 38103) and the Under Secretary of Defense for Intelligence, shall submit to Congress a report on the cost of maintaining comprehensive background investigations capability within the Office under the control or direction of the Bureau and a background investigations capability for Department of Defense personnel under the control or direction of the Department of Defense for implementation of the plan referenced in section 925 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91), as compared to the cost of sustaining a single Government-wide background investigations enterprise.

SEC. 6. REPORTS ON CONTINUOUS EVALUATION, RECIPROCITY, AND TIMELINESS MEASURES.

Not later than 120 days after the date of enactment of this Act, the Director shall submit to Congress reports that provide—

(1) the status of implementing continuous evaluation Government-wide, including—

(A) the number of agencies with continuous evaluation programs and how many of those programs are currently conducting automated records checks of the required data sources as identified by the Director; and

(B) a discussion of the barriers for agencies to implement continuous evaluation programs, including any requirement under a statute, regulation, Executive Order, or other administrative requirement;

(2) a detailed explanation of efforts by agencies to meet requirements for reciprocal recognition to access classified information, including—

(A) the range of the length of time for agencies to grant reciprocal recognition to access classified information;

(B) additional requirements for reinvestigations or readjudications, by agency; and

(C) any other barriers to the timely granting of reciprocity, by agency, including any requirement under a statute, regulation, Executive Order, or other administrative requirement; and

(3) a review of whether the schedule for processing security clearances under section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341) should be modified.

SEC. 7. REVIEW AND UPDATE OF POSITION DESIGNATION GUIDANCE.

(a) DEFINITIONS.—In this section—

(1) the term ''agency'' has the meaning given the term in Executive Order 13467 (73 Fed. Reg. 38103), or any successor thereto;

(2) the term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Oversight and Government Reform and the Permanent Select Committee on Intelligence of the House of Representatives;

(3) the term ''background investigation'' means any investigation required for the purpose of determining the—

(A) eligibility of a covered individual for logical and physical access to Federally controlled facilities or information systems;

(B) suitability or fitness of a covered individual for Federal employment;

(C) eligibility of a covered individual for access to classified information or to hold a national security sensitive position; or

(D) fitness of a covered individual to perform work for or on behalf of the United States Government as a contractor employee; and

(4) the term ''covered individual''—

(A) means a person who performs work for or on behalf of the executive branch or seeks to perform work for or on behalf of the executive branch;

(B) is not limited to Federal employees;

(C) includes all persons, not excluded under subparagraph (D), who require eligibility for access to classified information or eligibility to hold a sensitive position, including, but not limited to, contractors, subcontractors, licensees, certificate holders, grantees, experts, consultants, and government employees; and

(D) does not include—

(i) the President;