

S. RES. 517

Whereas President John F. Kennedy first designated May as “Senior Citizens Month” in 1963;

Whereas, in 1963, only approximately 17,000,000 individuals living in the United States were age 65 or older, approximately ⅓ of those individuals lived in poverty, and few programs existed to meet the needs of older individuals in the United States;

Whereas, in 2017, there were more than 51,600,000 individuals age 65 or older in the United States, and those individuals account for 15.8 percent of the total population of the United States;

Whereas approximately 10,000 individuals in the United States turn age 65 each day;

Whereas, in 2016, more than 9,228,000 veterans of the Armed Forces were age 65 or older;

Whereas older individuals in the United States rely on Federal programs, such as programs under the Social Security Act (42 U.S.C. 301 et seq.) (including the Medicare program under title XVIII of that Act (42 U.S.C. 1395 et seq.) and the Medicaid program under title XIX of that Act (42 U.S.C. 1396 et seq.)), for financial security and high-quality affordable health care;

Whereas the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.) provides—

(1) supportive services to help individuals in the United States who are age 60 or older maintain maximum independence in the homes and communities of those individuals; and

(2) funding for programs, including nutrition services, transportation, and care management, to assist more than 11,000,000 older individuals in the United States each year;

Whereas, compared to older individuals in the United States in past generations, older individuals in the United States in 2018 are working longer, living longer, and enjoying healthier, more active, and more independent lifestyles;

Whereas more than 5,600,000 individuals in the United States age 65 or older continue to work as full-time, year-round employees;

Whereas older individuals in the United States play an important role in society by continuing to contribute their experience, knowledge, wisdom, and accomplishments;

Whereas older individuals in the United States play vital roles in their communities and remain involved in volunteer work, the arts, cultural activities, and activities relating to mentorship and civic engagement; and

Whereas a society that recognizes the success of older individuals and continues to enhance the access of older individuals to quality and affordable health care will—

(1) encourage the ongoing participation and heightened independence of those individuals; and

(2) ensure the continued safety and well-being of those individuals: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 2018 as “Older Americans Month”; and

(2) encourages the people of the United States to provide opportunities for older individuals to continue to flourish by—

(A) emphasizing the importance and leadership of older individuals through public recognition of the ongoing achievements of the older individuals;

(B) presenting opportunities for older individuals to share their wisdom, experience, and skills with younger generations; and

(C) recognizing older individuals as valuable assets in strengthening communities across the United States.

SENATE RESOLUTION 518—RE-AFFIRMING SUPPORT FOR INCREASED MEDIA DIVERSITY, RECOGNIZING MAY 2018 AS “NATIONAL MEDIA DIVERSITY MONTH”, AND ENCOURAGING APPRECIATION, AWARENESS, AND SUPPORT FOR INDEPENDENT, DIVERSE, AND LOCAL MEDIA ENTITIES

Mr. HELLER submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 518

Whereas the principle that an informed and engaged electorate is critical to a vibrant democracy is deeply rooted in the laws of free speech in the United States and underpins the virtues on which the United States has established the Constitution of the United States and the tenets of citizenship, which are, as presented in the Preamble to the Constitution, “We the people of the United States in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity”;

Whereas an independent, diverse, and local media that provides exposure to a broad range of viewpoints and the ability to contribute to the political debate is central to sustaining that informed engagement by all citizens of the United States;

Whereas varying media entities play a significant role in how constituents are exposed to news and discussions that impact the ability of constituents—

(1) to learn about and debate local, State, and national issues central to the stability and security of the United States; and

(2) to effectively monitor their representatives;

Whereas Congress recognizes the central role of mass communication and encourages source, content, and audience diversity on the shared telecommunications and media platforms of the United States;

Whereas encouraging diversity is important to the survival of small independent and diverse media outlets that serve diverse audiences and local media markets;

Whereas, 50 years after the Kerner Commission issued its media diversity recommendations, challenges remain with underrepresentation in minority and rural populations in the media and participation in ownership and control of media decision-making, despite those populations comprising over 40 percent of the population of the United States; and

Whereas small independent and diverse media outlets positively contribute to the sense of community in the United States and the goal of increasing local civic engagement and civic knowledge, such as by increasing voting levels, participation in civic groups, and knowledge of local political and civil information: Now, therefore, be it

Resolved, That the Senate—

(1) reaffirms the commitment of the Senate to diversity as a core tenet of the “public interest standard” in media policy;

(2) pledges to work with media entities and diverse stakeholders to develop common-ground solutions to eliminate barriers to media diversity; and

(3) establishes May 2018 as “National Media Diversity Month”, during which efforts are encouraged to promote media diversity appreciation and support.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2253. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 2372, to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes; which was ordered to lie on the table.

SA 2254. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 2372, supra; which was ordered to lie on the table.

SA 2255. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 2372, supra; which was ordered to lie on the table.

SA 2256. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 2372, supra; which was ordered to lie on the table.

SA 2257. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 2372, supra; which was ordered to lie on the table.

SA 2258. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 2372, supra; which was ordered to lie on the table.

SA 2259. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 2372, supra; which was ordered to lie on the table.

SA 2260. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 2372, supra; which was ordered to lie on the table.

SA 2261. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 2372, supra; which was ordered to lie on the table.

SA 2262. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 2372, supra; which was ordered to lie on the table.

SA 2263. Mrs. ERNST (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill S. 2372, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2253. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 2372, to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes; which was ordered to lie on the table; as follows:

On page 8, line 4, insert “and” after the semicolon.

On page 8, strike line 7 through line 20.

Beginning on page 127, strike line 3 and all that follows through page 174, line 16.

SA 2254. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 2372, to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 513. IMPROVING ACCOUNTABILITY WITHIN VETERANS HEALTH ADMINISTRATION BY REQUIRING REPORTING OF MAJOR ADVERSE ACTIONS TAKEN TO NATIONAL PRACTITIONER DATA BANK AND STATE LICENSING BOARDS.

Section 7461 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(f) Whenever the Under Secretary for Health (or an official designated by the Under Secretary) brings charges based on conduct or performance against a section 7401(1) employee and as a result of those charges a major adverse action is taken against the employee, the Under Secretary shall, not later than 30 days after the date on which such major adverse action is carried out, transmit to the National Practitioner Data Bank and the applicable State licensing board the name of the employee, a description of the major adverse action, and a description of the reason for the major adverse action.”.

SA 2255. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 2372, to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 307. PILOT PROGRAM ON EXPEDITING THE DEPARTMENT OF VETERANS AFFAIRS PROCESS FOR ONBOARDING NEW MEDICAL PROVIDERS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall carry out a pilot program to assess the feasibility and advisability of expediting the onboarding process for new medical providers of the Veterans Health Administration. Under the pilot program, the Secretary shall seek to reduce the length of time of such onboarding process to not more than 60 days.

(b) LOCATIONS.—The Secretary shall select medical facilities at which to carry out the pilot program. In selecting such facilities, the Secretary shall give priority to medical facilities facing hiring shortages of licensed independent medical providers.

(c) ONBOARDING PROCESS DEFINED.—In this section, the term “onboarding process” means the process of bringing on a medical provider applicant after the medical provider is offered a tentative position, including certification of credentialing, background investigation, assessment of health status, and such other actions are necessary for starting employment.

SA 2256. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 2372, to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 307. STRATEGY TO REDUCE DURATION OF HIRING PROCESS OF DEPARTMENT OF VETERANS AFFAIRS FOR LICENSED PROFESSIONAL MEDICAL PROVIDERS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a strategy to reduce the duration of the hiring process of the Department of Veterans Affairs for licensed professional medical providers by half.

(b) EXPEDITED CERTIFICATION OF CREDENTIALS.—The strategy required by subsection (a) shall include a description of how the overall certification of credentials process for licensed professional medical providers can be expedited.

SA 2257. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 2372, to amend title

38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes; which was ordered to lie on the table; as follows:

On page 127, line 5, strike “201” and insert “200”.

On page 127, between lines 7 and 8, insert the following:

SEC. 201. SENSE OF THE SENATE.

It is the sense of the Senate that—

(1) a strong and fully resourced Veterans Health Administration (referred to in this section as the “VA”) is necessary to effectively serve our veterans community;

(2) veterans overwhelmingly report that they are satisfied with the care they receive at facilities operated by the VA;

(3) research has shown that the VA produces as good or better outcomes for its patients than private health care systems; and

(4) the Senate opposes any effort that would weaken the VA or put the VA on a path toward privatization.

SA 2258. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 2372, to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 513. APPROPRIATION OF AMOUNTS FOR HEALTH CARE FROM DEPARTMENT OF VETERANS AFFAIRS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146) established the Veterans Choice Program under section 101 of such Act (Public Law 113-146; 38 U.S.C. 1701 note) as a temporary program to address a wait time backlog for the receipt of health care from the Department of Veterans Affairs and a shortage of health care professionals at medical facilities of the Department;

(2) as of the date of the enactment of this Act, there are approximately 45,000 vacancies at the Veterans Health Administration; and

(3) of those vacancies, approximately 36,000 are vacancies for positions relating to front line care for veterans.

(b) APPROPRIATION OF AMOUNTS.—There is authorized to be appropriated, and is appropriated, to the Secretary of Veterans Affairs, out of any funds in the Treasury not otherwise appropriated, \$5,200,000,000 to carry out subsection (d).

(c) AVAILABILITY OF AMOUNTS.—The amount appropriated under subsection (b) shall be available for obligation or expenditure without fiscal year limitation.

(d) USE OF AMOUNTS.—The amount appropriated under subsection (b) shall be used by the Secretary as follows:

(1) To increase the access of veterans to care as follows:

(A) To hire primary care and specialty care physicians for employment in the Department of Veterans Affairs.

(B) To hire other medical staff, including the following:

(i) Physicians.

(ii) Nurses.

(iii) Social workers.

(iv) Mental health professionals.

(v) Dental professionals.

(vi) Other health care professionals as the Secretary considers appropriate.

(C) To carry out the following:

(i) Section 7412 of title 38, United States Code.

(ii) Section 7302(e) of such title.

(iii) Section 301(b)(2) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 7302 note).

(D) To pay for expenses, equipment, and other costs associated with the hiring of primary care physicians, specialty care physicians, and other medical staff under subparagraphs (A), (B), and (C).

(2) To improve the physical infrastructure of the Department as follows:

(A) To maintain and operate hospitals, nursing homes, domiciliary facilities, and other facilities of the Veterans Health Administration.

(B) To enter into contracts or hire temporary employees to repair, alter, or improve facilities under the jurisdiction of the Department that are not otherwise provided for under this paragraph.

(C) To carry out leases for facilities of the Department.

(D) To carry out minor construction projects of the Department.

(e) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress a report on how the Secretary has obligated the amount appropriated under subsection (b) as of the date of the submittal of the report.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Veterans’ Affairs and the Committee on Appropriations of the Senate; and

(B) the Committee on Veterans’ Affairs and the Committee on Appropriations of the House of Representatives.

(f) FUNDING PLAN.—The Secretary shall submit to Congress a funding plan describing how the Secretary intends to use the amount appropriated under subsection (b).

(g) EMERGENCY DESIGNATION.—

(1) STATUTORY PAYGO.—This section is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(2) SENATE DESIGNATION.—In the Senate, this section is designated as an emergency requirement pursuant to section 4112(a) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018.

SA 2259. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 2372, to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes; which was ordered to lie on the table; as follows:

On page 115, line 12, insert “or illness” after “serious injury”.

On page 115, line 20, insert “or illness” after “serious injury”.

On page 116, line 6, insert “or illness” after “serious injury”.

On page 120, after line 21, insert the following:

(c) APPROPRIATION OF AMOUNTS.—

(1) IN GENERAL.—There is authorized to be appropriated, and is appropriated, to the Secretary of Veterans Affairs, out of any funds in the Treasury not otherwise appropriated, \$9,500,000,000 to carry out the program of comprehensive assistance for family caregivers under section 1720G(a) of title 38, United States Code, as amended by this section.

(2) EMERGENCY DESIGNATION.—

(A) STATUTORY PAYGO.—This subsection is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(B) SENATE DESIGNATION.—In the Senate, this subsection is designated as an emergency requirement pursuant to section 4112(a) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018.

On page 124, line 3, insert “or illness” after “serious injury”.

SA 2260. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 2372, to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 513. DEMONSTRATION PROGRAM ON TRAINING AND EMPLOYMENT OF ALTERNATIVE DENTAL HEALTH CARE PROVIDERS FOR DENTAL HEALTH CARE SERVICES FOR VETERANS IN RURAL AND OTHER UNDERSERVED COMMUNITIES.

(a) **DEMONSTRATION PROGRAM AUTHORIZED.**—The Secretary of Veterans Affairs may carry out a demonstration program to establish programs to train and employ alternative dental health care providers in order to increase access to dental health care services for veterans who are entitled to such services from the Department of Veterans Affairs and reside in rural and other underserved communities.

(b) **PRIORITY.**—The Secretary shall prioritize the establishment of programs under the demonstration program under this section in States that do not have a facility of the Department that offers on-site dental services.

(c) **TELEHEALTH.**—For purposes of alternative dental health care providers and other dental care providers who are licensed to provide clinical care, dental services provided under the demonstration program under this section may be administered by such providers through telehealth-enabled collaboration and supervision when appropriate and feasible.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Secretary such sums as are necessary to carry out the demonstration program under this section.

(e) **ALTERNATIVE DENTAL HEALTH CARE PROVIDERS DEFINED.**—In this section, the term “alternative dental health care providers” has the meaning given that term in section 340G-1(a)(2) of the Public Health Service Act (42 U.S.C. 256g-1(a)(2)).

SA 2261. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 2372, to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes; which was ordered to lie on the table; as follows:

Strike title II.

SA 2262. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 2372, to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 164. CLARIFICATION THAT VETERANS ARE NOT LIABLE FOR AMOUNTS IMPROPERLY PAID TO FAMILY CAREGIVERS DUE TO AN ERROR MADE BY THE DEPARTMENT OF VETERANS AFFAIRS.

Section 1720G(a), as amended by section 161 of this Act, is further amended by adding at the end the following new paragraph:

“(12) If a family caregiver of an eligible veteran is found to be ineligible for the program required by paragraph (1) due to an error made by the Department, the eligible veteran shall not be liable for any payments made by the Department to the family caregiver.”.

SA 2263. Mrs. ERNST (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill S. 2372, to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 513. THIRD PARTY REVIEW OF APPOINTEES IN VETERANS HEALTH ADMINISTRATION WHO HAD A LICENSE, REGISTRATION, OR CERTIFICATION FOR THE PROVISION OF HOSPITAL CARE OR A MEDICAL SERVICE REVOKED.

(a) **IN GENERAL.**—The Secretary of Veterans Affairs shall enter into a contract or other agreement with an organization that is not part of the Federal Government to conduct a clinical review of a representative sample of the care provided by covered individuals.

(b) **COVERED INDIVIDUAL.**—For purposes of this section, a covered individual is an individual who was appointed to a position in the Veterans Health Administration covered by subsection (b) of section 7402 of title 38, United States Code, in violation of subsection (f) of such section because the individual had a license, registration, or certification applicable to the provision of hospital care or a medical service terminated for cause.

(c) **REPRESENTATIVE SAMPLE DEFINED.**—In this section, the term “representative sample” means, with respect to a covered individual, a collection of cases that is generated through the use of sampling methods commonly used in clinical research that would be representative of the care provided to all of the individuals cared for by the covered individual.

AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have a request for one committee to meet during today's session of the Senate. It has the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees is authorized to meet during today's session of the Senate:

SUBCOMMITTEE ON AIRLAND

The Subcommittee on Airland of the Committee on Armed Services is authorized to meet during the session of the Senate on Monday, May 21, 2018, at 5 p.m. to hold a hearing.

MEASURE PLACED ON THE CALENDAR—S. 2872

Mr. McCONNELL. Mr. President, I understand there is a bill at the desk due for a second reading.

The PRESIDING OFFICER. The leader is correct.

The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 2872) to amend the Congressional Accountability Act of 1995 to reform the procedures provided under such Act for the initiation, investigation, and resolution of claims alleging that employing offices of the legislative branch have violated the rights and protections provided to their employees under such Act, including protections against sexual harassment and discrimination, and for other purposes.

Mr. McCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

OLDER AMERICANS MONTH

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 517, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 517) designating May 2018 as “Older Americans Month.”

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

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions 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 resolution (S. Res. 517) was agreed to.

The preamble was agreed to.

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

ORDERS FOR TUESDAY, MAY 22, 2018

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, May 22; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed. I further ask that following leader remarks, the Senate proceed to executive session and resume consideration of the Baiocco nomination under the previous order. Finally, I ask that