

the Comptroller General of the United States shall conduct a study and submit to Congress a report on access to and potential diversion of controlled substances administered by injection, implantation, or through the use of an intrathecal pump.”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of contents for the Comprehensive Drug Abuse Prevention and Control Act of 1970 is amended by inserting after the item relating to section 309 the following:

“Sec. 309A. Delivery of a controlled substance by a pharmacy to an administering practitioner.”.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be withdrawn, the Cassidy substitute amendment at the desk be agreed to, the bill, as amended, be considered read a third time and passed, the Cassidy title amendment be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The committee-reported amendment in the nature of a substitute was withdrawn.

The amendment (No. 2267) 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 “Ensuring Patient Access to Substance Use Disorder Treatments Act of 2018”.

#### SEC. 2. DELIVERY OF A CONTROLLED SUBSTANCE BY A PHARMACY TO BE ADMINISTERED BY INJECTION OR IMPLANTATION.

(a) **IN GENERAL.**—The Controlled Substances Act is amended by inserting after section 309 (21 U.S.C. 829) the following:

“DELIVERY OF A CONTROLLED SUBSTANCE BY A PHARMACY TO AN ADMINISTERING PRACTITIONER

“SEC. 309A. (a) **IN GENERAL.**—Notwithstanding section 102(10), a pharmacy may deliver a controlled substance to a practitioner in accordance with a prescription that meets the requirements of this title and the regulations issued by the Attorney General under this title, for the purpose of administering of the controlled substance by the practitioner if—

“(1) the controlled substance is delivered by the pharmacy to the prescribing practitioner or the practitioner administering the controlled substance, as applicable, at the location listed on the practitioner’s certificate of registration issued under this title;

“(2) in the case of administering of the controlled substance for the purpose of maintenance or detoxification treatment under section 303(g)(2)—

“(A) the practitioner who issued the prescription is a qualifying practitioner authorized under, and acting within the scope of that section; and

“(B) the controlled substance is to be administered by injection or implantation;

“(3) the pharmacy and the practitioner are authorized to conduct the activities specified in this section under the law of the State in which such activities take place;

“(4) the prescription is not issued to supply any practitioner with a stock of controlled substances for the purpose of general dispensing to patients;

“(5) except as provided in subsection (b), the controlled substance is to be adminis-

tered only to the patient named on the prescription not later than 14 days after the date of receipt of the controlled substance by the practitioner; and

“(6) notwithstanding any exceptions under section 307, the prescribing practitioner, and the practitioner administering the controlled substance, as applicable, maintain complete and accurate records of all controlled substances delivered, received, administered, or otherwise disposed of under this section, including the persons to whom controlled substances were delivered and such other information as may be required by regulations of the Attorney General.

“(b) **MODIFICATION OF NUMBER OF DAYS BEFORE WHICH CONTROLLED SUBSTANCE SHALL BE ADMINISTERED.**—

“(1) **INITIAL 2-YEAR PERIOD.**—During the 2-year period beginning on the date of enactment of this section, the Attorney General, in coordination with the Secretary, may reduce the number of days described in subsection (a)(5) if the Attorney General determines that such reduction will—

“(A) reduce the risk of diversion; or

“(B) protect the public health.

“(2) **MODIFICATIONS AFTER SUBMISSION OF REPORT.**—After the date on which the report described in subsection (c) is submitted, the Attorney General, in coordination with the Secretary, may modify the number of days described in subsection (a)(5).

“(3) **MINIMUM NUMBER OF DAYS.**—Any modification under this subsection shall be for a period of not less than 7 days.”.

(b) **STUDY AND REPORT.**—Not later than 2 years after the date of enactment of this section, the Comptroller General of the United States shall conduct a study and submit to Congress a report on access to and potential diversion of controlled substances administered by injection or implantation.

(c) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of contents for the Comprehensive Drug Abuse Prevention and Control Act of 1970 is amended by inserting after the item relating to section 309 the following:

“Sec. 309A. Delivery of a controlled substance by a pharmacy to an administering practitioner.”.

The bill (S. 916), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

The amendment (No. 2268) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: “To amend the Controlled Substances Act to provide for the delivery of a controlled substance by a pharmacy to an administering practitioner.”.

#### TRIBAL HUD-VASH ACT OF 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 289, S. 1333.

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

The bill clerk read as follows:

A bill (S. 1333) to provide for rental assistance for homeless or at-risk Indian veterans.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Indian Affairs, 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 “Tribal HUD-VASH Act of 2017”.

#### SEC. 2. RENTAL ASSISTANCE FOR HOMELESS OR AT-RISK INDIAN VETERANS.

Section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) is amended by adding at the end the following:

“(D) **INDIAN VETERANS HOUSING RENTAL ASSISTANCE PROGRAM.**—

“(i) **DEFINITIONS.**—In this subparagraph:

“(I) **ELIGIBLE INDIAN VETERAN.**—The term ‘eligible Indian veteran’ means an Indian veteran who is—

“(aa) homeless or at risk of homelessness; and

“(bb) living—

“(AA) on or near a reservation; or

“(BB) in or near any other Indian area.

“(II) **ELIGIBLE RECIPIENT.**—The term ‘eligible recipient’ means a recipient eligible to receive a grant under section 101 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111).

“(III) **INDIAN; INDIAN AREA.**—The terms ‘Indian’ and ‘Indian area’ have the meanings given those terms in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

“(IV) **INDIAN VETERAN.**—The term ‘Indian veteran’ means an Indian who is a veteran.

“(V) **PROGRAM.**—The term ‘Program’ means the Tribal HUD-VASH program carried out under clause (ii).

“(VI) **TRIBAL ORGANIZATION.**—The term ‘tribal organization’ has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

“(ii) **PROGRAM SPECIFICATIONS.**—The Secretary shall use not less than 5 percent of the amounts made available for rental assistance under this paragraph to carry out a rental assistance and supported housing program, to be known as the ‘Tribal HUD-VASH program’, in conjunction with the Secretary of Veterans Affairs, by awarding grants for the benefit of eligible Indian veterans.

“(iii) **MODEL.**—

“(I) **IN GENERAL.**—Except as provided in subclause (II), the Secretary shall model the Program on the rental assistance and supported housing program authorized under subparagraph (A) and applicable appropriations Acts, including administration in conjunction with the Secretary of Veterans Affairs.

“(II) **EXCEPTIONS.**—

“(aa) **SECRETARY OF HOUSING AND URBAN DEVELOPMENT.**—After consultation with Indian tribes, eligible recipients, and any other appropriate tribal organizations, the Secretary may make necessary and appropriate modifications to facilitate the use of the Program by eligible recipients to serve eligible Indian veterans.

“(bb) **SECRETARY OF VETERANS AFFAIRS.**—After consultation with Indian tribes, eligible recipients, and any other appropriate tribal organizations, the Secretary of Veterans Affairs may make necessary and appropriate modifications to facilitate the use of the Program by eligible recipients to serve eligible Indian veterans.

“(iv) **ELIGIBLE RECIPIENTS.**—The Secretary shall make amounts for rental assistance and associated administrative costs under the Program available in the form of grants to eligible recipients.

“(v) **FUNDING CRITERIA.**—The Secretary shall award grants under the Program based on—

“(I) need;

“(II) administrative capacity; and

“(III) any other funding criteria established by the Secretary in a notice published in the Federal Register after consulting with the Secretary of Veterans Affairs.

“(vi) **ADMINISTRATION.**—Grants awarded under the Program shall be administered in accordance with the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), except that recipients shall—

“(I) submit to the Secretary, in a manner prescribed by the Secretary, reports on the utilization of rental assistance provided under the Program; and

“(II) provide to the Secretary information specified by the Secretary to assess the effectiveness of the Program in serving eligible Indian veterans.

“(vii) CONSULTATION.—

“(I) GRANT RECIPIENTS; TRIBAL ORGANIZATIONS.—The Secretary, in coordination with the Secretary of Veterans Affairs, shall consult with eligible recipients and any other appropriate tribal organization on the design of the Program to ensure the effective delivery of rental assistance and supportive services to eligible Indian veterans under the Program.

“(II) INDIAN HEALTH SERVICE.—The Director of the Indian Health Service shall provide any assistance requested by the Secretary or the Secretary of Veterans Affairs in carrying out the Program.

“(viii) WAIVER.—

“(I) IN GENERAL.—Except as provided in subclause (II), the Secretary may waive or specify alternative requirements for any provision of law (including regulations) that the Secretary administers in connection with the use of rental assistance made available under the Program if the Secretary finds that the waiver or alternative requirement is necessary for the effective delivery and administration of rental assistance under the Program to eligible Indian veterans.

“(II) EXCEPTION.—The Secretary may not waive or specify alternative requirements under subclause (I) for any provision of law (including regulations) relating to labor standards or the environment.

“(ix) RENEWAL GRANTS.—The Secretary may—

“(I) set aside, from amounts made available for tenant-based rental assistance under this subsection and without regard to the amounts used for new grants under clause (ii), such amounts as may be necessary to award renewal grants to eligible recipients that received a grant under the Program in a previous year; and

“(II) specify criteria that an eligible recipient must satisfy to receive a renewal grant under subclause (I), including providing data on how the eligible recipient used the amounts of any grant previously received under the Program.

“(x) REPORTING.—

“(I) IN GENERAL.—Not later than 1 year after the date of enactment of the Tribal HUD-VASH Act of 2017, and every 5 years thereafter, the Secretary, in coordination with the Secretary of Veterans Affairs and the Director of the Indian Health Service, shall—

“(aa) conduct a review of the implementation of the Program, including any factors that may have limited its success; and

“(bb) submit a report describing the results of the review under item (aa) to—

“(AA) the Committee on Indian Affairs, the Committee on Banking, Housing, and Urban Affairs, the Committee on Veterans' Affairs, and the Committee on Appropriations of the Senate; and

“(BB) the Subcommittee on Indian, Insular and Alaska Native Affairs of the Committee on Natural Resources, the Committee on Financial Services, the Committee on Veterans' Affairs, and the Committee on Appropriations of the House of Representatives.

“(II) ANALYSIS OF HOUSING STOCK LIMITATION.—The Secretary shall include in the initial report submitted under subclause (I) a description of—

“(aa) any regulations governing the use of formula current assisted stock (as defined in section 1000.314 of title 24, Code of Federal Regulations (or any successor regulation)) within the Program;

“(bb) the number of recipients of grants under the Program that have reported the regulations described in item (aa) as a barrier to implementation of the Program; and

“(cc) proposed alternative legislation or regulations developed by the Secretary in consultation with recipients of grants under the Program to allow the use of formula current assisted stock within the Program.”.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be agreed to and the bill, as amended, be considered read a third time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. MCCONNELL. I know of no further debate on the bill.

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

The bill (S. 1333), as amended, was passed.

Mr. MCCONNELL. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

#### INSPECTOR GENERAL RECOMMENDATION TRANSPARENCY ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 409, S. 2178.

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

The bill clerk read as follows:

A bill (S. 2178) to require the Council of Inspectors General on Integrity and Efficiency to make open recommendations of Inspectors General publicly available, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment and an amendment to the title.

(Strike all after the enacting clause and insert the part printed in italic.)

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Inspector General Recommendation Transparency Act of 2018”.

#### SEC. 2. INSPECTOR GENERAL OPEN RECOMMENDATIONS.

(a) IN GENERAL.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 5—

(A) in subsection (a)—

(i) in paragraph (2), by inserting “the total number and” before “a description of”; and

(ii) by striking paragraph (3) and inserting the following:

“(3) the total number of open recommendations described in previous semiannual reports on which corrective action has not been completed, and an identification of each open recommendation, which shall include—

“(A) the title of each report in which an open recommendation was issued;

“(B) the assigned number of each open recommendation, as designated within a report described in subparagraph (A);

“(C) a short description of each open recommendation;

“(D) the date on which each open recommendation was submitted in final form to the head of the establishment;

“(E) if available, any cost savings if the corrective action with respect to the open recommendation were completed; and

“(F) any other information as determined appropriate by the Inspector General that clarifies the progress of implementing the open recommendation or the expected timeframe for implementation.”; and

(B) in subsection (f)—

(i) paragraph (6)(B), by striking “and” at the end;

(ii) in paragraph (7)(B), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(8) the term ‘open recommendation’ means a recommendation—

“(A) issued by an Inspector General of an establishment and made publicly available;

“(B) on which corrective action has not been completed by the establishment during the 1-year period following the date on which the recommendation was issued; and

“(C) that has not been otherwise closed by the Office.”; and

(2) in section 11(c), by adding at the end the following:

“(5) ESTABLISHMENT OF DATABASE.—Not later than 18 months after the date on which the first semiannual report is required to be prepared under section 5(a) after the date of enactment of this paragraph, the Council shall establish and operate a publicly available database that—

“(A) is accessible via the website of the Council in a standardized, searchable format; and

“(B) includes—

“(i) the information on open recommendations that is required to be included in each semiannual report under section 5(a)(3); and

“(ii) any other information as determined necessary by the Council.

“(6) SUBMISSION OF REPORTS.—Beginning not later than 60 days after the date of enactment of this paragraph, each Inspector General of an establishment or a designated Federal entity (as defined in section 8G(a)) shall, not later than 30 days after the date on which the Inspector General issues a public report, submit to the Council the report for publication on a centralized website.”.

(b) APPLICATION.—The amendments made by subsection (a)(1) shall apply with respect to the first semiannual report prepared under section 5(a) of the Inspector General Act of 1978 (5 U.S.C. App.) after the date that is 1 year after the date of enactment of this Act.

Mr. MCCONNELL. I ask unanimous consent that the committee-reported substitute amendment be agreed to; that the bill, as amended, be considered read a third time and passed; that the committee-reported title amendment be agreed to, and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

The bill (S. 2178), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

The committee-reported title amendment was agreed to, as follows:

Amend the title so as to read: “A bill to require the Council of the Inspectors General on Integrity and Efficiency to make open recommendations of Inspectors General publicly available, and for other purposes.”.