

SA 2993. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, *supra*; which was ordered to lie on the table.

SA 2994. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, *supra*; which was ordered to lie on the table.

SA 2995. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, *supra*; which was ordered to lie on the table.

SA 2996. Mr. WARNER (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, *supra*; which was ordered to lie on the table.

SA 2997. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, *supra*; which was ordered to lie on the table.

SA 2998. Mr. HEINRICH (for himself and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, *supra*; which was ordered to lie on the table.

SA 2999. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, *supra*; which was ordered to lie on the table.

SA 3000. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, *supra*; which was ordered to lie on the table.

SA 3001. Mr. BENNET submitted an amendment intended to be proposed by him to the bill H.R. 5895, *supra*; which was ordered to lie on the table.

SA 3002. Mr. BENNET submitted an amendment intended to be proposed by him to the bill H.R. 5895, *supra*; which was ordered to lie on the table.

SA 3003. Ms. MURKOWSKI (for herself and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, *supra*; which was ordered to lie on the table.

SA 3004. Mr. TOOMEY (for himself and Mr. YOUNG) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, *supra*; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 2916.** Mr. CASSIDY (for himself and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division C, add the following:

#### **SEC. 2. PUBLICATION OF QUALITY RATING OF NURSING HOMES OF THE DEPARTMENT OF VETERANS AFFAIRS.**

Not later than 90 days after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary of Veterans Affairs shall publish in the Federal Register and on a publicly available Internet website of the Department of Veterans Affairs the rating with respect to quality of care assigned by the Department to each nursing home of the Department.

**SA 2917.** Mr. CASSIDY submitted an amendment intended to be proposed to

amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division C, add the following:

#### **SEC. 2. PILOT PROGRAM ON SECURE, PATIENT-CENTERED, PORTABLE MEDICAL RECORDS STORAGE SYSTEM OF DEPARTMENT OF VETERANS AFFAIRS.**

(a) **PILOT PROGRAM.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall commence a pilot program under which veterans who are enrolled in the patient enrollment system of the Department of Veterans Affairs under section 1705 of title 38, United States Code, use a portable medical records storage system described in subsection (e) to store and share with health care providers of the Department and community health care providers records of their individual medical history.

(b) **SELECTION OF LOCATIONS.**—The Secretary shall select not less than one Veterans Integrated Services Network of the Department in which to carry out the pilot program under subsection (a).

(c) **CONTRACTS.**—

(1) **AUTHORITY.**—The Secretary shall seek to enter into a contract using competitive procedures with an appropriate entity for the provision of the medical records storage system described in subsection (e).

(2) **NOTICE OF COMPETITION.**—Not later than 60 days after the date of the enactment of this Act, the Secretary shall issue a request for proposals for the contract described in paragraph (1). Such request shall be full and open to any contractor that has an existing commercially available medical records storage capability described in subsection (e).

(3) **SELECTION.**—Not later than 120 days after the date of the enactment of this Act, the Secretary shall award a contract to an offeror pursuant to the request for proposals under paragraph (2) if at least one acceptable offer is submitted.

(d) **DURATION OF PILOT PROGRAM.**—

(1) **IN GENERAL.**—The Secretary shall carry out the pilot program under this section for a period of not less than one year.

(2) **AFTER INITIAL PERIOD.**—After carrying out the pilot program for one year, the Secretary may terminate the program, continue the program, expand the program to include additional locations, or implement the use of portable medical records storage systems on a national basis.

(e) **REQUIREMENTS OF PORTABLE MEDICAL RECORDS STORAGE SYSTEM.**—A medical records storage system described in this subsection is a physical device that meets the following requirements:

(1) Capability to store not less than four gigabytes of electronic health records on a physical device, which is not larger than the dimensions of a credit card, issued to each veteran enrolled in the pilot program.

(2) Capability to be used by substantially all electronic health records systems certified by the Office of the National Coordinator for Health IT on or before January 1, 2017.

(3) Capability to limit access to electronic health records stored on each device to the patient and health care providers.

(4) Capability for health care providers to securely access, annotate, and add electronic health records to the physical device, including in instances in which the health care provider is not in possession of the physical storage device.

(5) Requirement that all electronic health records transferred from a health care provider over the internet to the physical storage device be encrypted.

(6) Requirement that the portable medical records system can operate without persistent storage of any electronic health records on the internet or within a cloud computing repository.

(7) Capability to provide a replacement device containing up-to-date electronic health records if the original physical storage device has been removed from the owner's possession or otherwise rendered inoperable.

(f) **DEFINITIONS.**—In this section:

(1) **DIMENSIONS OF A CREDIT CARD.**—The term “dimensions of a credit card” means three and three-eighths inches in width, two and one-eighth inches in length, and five-one hundred twenty-eighths of one inch in depth.

(2) **ELECTRONIC HEALTH RECORDS.**—The term “electronic health records” means electronic documentation of physicians' notes, electronic viewing of lab test results, diagnostic images and video, clinical decision support, and interoperability with other systems.

(g) **PROHIBITION ON NEW APPROPRIATIONS.**—No additional funds are authorized to be appropriated to carry out the requirements of this section. Such requirements shall be carried out using amounts otherwise authorized to be appropriated for the Department of Veterans Affairs.

**SA 2918.** Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division C, add the following:

#### **SEC. 2. CARE FOR SPOUSES OF VETERANS AT CERTAIN STATE HOMES FOR WHICH PAYMENT IS MADE BY THE SECRETARY OF VETERANS AFFAIRS.**

(a) **IN GENERAL.**—If a State home for which payment is made by the Secretary of Veterans Affairs under subchapter V of chapter 17 of title 38, United States Code, is below 90 percent occupancy, the State home may provide care to spouses of veterans such that the percentage of individuals receiving care at the State home who are veterans is not less than 60 percent.

(b) **APPLICATION FOR CONSTRUCTION OR ACQUISITION.**—Section 8135(a)(4) of title 38, United States Code, is amended—

(1) by striking “Reasonable assurance” and inserting “(A) Reasonable assurance”;

(2) by inserting “, except as provided in subparagraph (B),” after “and that”;

(3) by adding at the end the following new subparagraph:

“(B) Reasonable assurance that, for purposes of providing care to spouses of veterans, during a period in which a facility is operating with a bed occupancy rate of 90 percent or less, not more than 40 percent of the bed occupancy at any one time will consist of patients who are not receiving such level of care as veterans.”.

(c) **STATE HOME DEFINED.**—In this section, the term “State home” has the meaning given that term in section 101 of title 38, United States Code.

**SA 2919.** Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes;

which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

**SEC. \_\_\_\_ . EXPANSION OF ELIGIBILITY FOR INTERMENT IN NATIONAL CEMETERIES OF HMONG VETERANS.**

(a) IN GENERAL.—Section 2402(a)(10) of title 38, United States Code, is amended—

(1) in subparagraph (A)(ii), by striking the period and inserting “; or”; and

(2) by adding at the end the following new subparagraph:

“(B) who—

“(i) the Secretary determines served honorably with a special guerrilla unit or irregular forces operating from a base in Laos in support of the Armed Forces of the United States at any time during the period beginning February 28, 1961, and ending May 7, 1975; and

“(ii) at the time of the individual’s death—

“(I) was a citizen of the United States or an alien lawfully admitted for permanent residence in the United States; and

“(II) resided in the United States.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to an individual dying on or after the date of the enactment of this Act.

**SA 2920.** Mr. CARPER (for himself and Mr. ALEXANDER) proposed an amendment to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; as follows:

On page 14, between lines 18 and 19, insert the following:

SEC. 106. Not later than 120 days after the date of enactment of this Act, the Secretary of the Army shall submit to the Committee on Environment and Public Works of the Senate, the Committee on Appropriations of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Appropriations of the House of Representatives a report that—

(1) includes a list of all cost-shared Corps projects that, as of the date of enactment of this Act—

(A) are physically and fiscally complete; and

(B) for which excess non-Federal funds have not been returned to the non-Federal project sponsor; and

(2) with respect to each project listed under paragraph (1), describes the status of—

(A) returning the excess funds to the non-Federal project sponsor; and

(B) providing the non-Federal project sponsor a final accounting of the project.

**SA 2921.** Mr. HEINRICH (for himself and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division A, add the following:

SEC. 311. (a) Congress finds the following:

(1) The National Nuclear Security Administration recommended a plutonium pit production strategy to the congressional defense committees in a letter dated May 10, 2018.

(2) The Chairperson of the Nuclear Weapons Council established under section 179 of title 10, United States Code, certified the letter described in paragraph (1) to the congressional defense committees in a letter dated May 4, 2018, pursuant to section 3141 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91).

(b) Not later than April 1, 2019, and annually thereafter through 2025, the Chairperson of the Nuclear Weapons Council shall submit to the Secretary of Defense, the Administrator for Nuclear Security, and the congressional defense committees a written certification that the plutonium pit production strategy described in subsection (a)(1) is on track to meet—

(1) the requirement to begin production of 30 war reserve pits per year at Los Alamos National Laboratory, Los Alamos, New Mexico, by 2026; and

(2) the timelines for demonstrating a capability to produce an additional 50 war reserve plutonium pits per year, as required by section 4219 of the Atomic Energy Defense Act (50 U.S.C. 2538a).

(c) In this section, the term “congressional defense committees” has the meaning given that term in section 101(a)(16) of title 10, United States Code.

**SA 2922.** Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division C, insert the following:

**SEC. \_\_\_\_ . DEBARMENT OF CONTRACTORS THAT FRAUDULENTLY MISREPRESENT STATUS FOR PURPOSES OF OBTAINING CERTAIN SET ASIDE CONTRACTS.**

(a) SHORT TITLE.—This section may be cited as the “Stolen Valor in Contracting Act”.

(b) CIVILIAN CONTRACTS.—

(1) IN GENERAL.—Chapter 47 of title 41, United States Code, is amended by adding at the end the following new section:

**“§ 4713. Debarment of contractors that fraudulently misrepresent status for purposes of obtaining certain set aside contracts**

“(a) IN GENERAL.—Any business concern that is determined by the head of an executive agency to have willfully and intentionally misrepresented the status of that concern as a small business concern owned and controlled by veterans or as a small business concern owned and controlled by service-disabled veterans for the purpose of qualifying for a contract awarded in accordance with section 8127 of title 38 or as a small business concern owned and controlled by service-disabled veterans for the purpose of qualifying for a contract awarded in accordance with the Government-wide goals for procurement pursuant to section 15(g)(1) of the Small Business Act (15 U.S.C. 644(g)(1)) shall be debarred from contracting with the Federal Government for a period of not less than five years.

“(b) PROCESS.—In the case of a debarment under subsection (a), the head of the executive agency shall commence debarment action against the business concern by not later than 30 days after determining that the concern willfully and intentionally misrepresented the status of the concern as described in subsection (a) and shall complete debarment actions against such concern by not later than 90 days after such determination.

“(c) CONSULTATION.—In making a determination under this section, the head of an executive agency shall, as appropriate, consult with the Secretary of Veterans Affairs and the Administrator of the Small Business Administration.

“(d) APPLICABILITY.—The debarment of a business concern under subsection (a) includes the debarment of all principals in the business concern for a period of not less than five years.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘small business concern’ has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632).

“(2) The term ‘small business concern owned and controlled by veterans’ has the meaning given the term in section 8127(1) of title 38.

“(3) The term ‘small business concern owned and controlled by service-disabled veterans’ has the meaning given the term in section 3(q)(2) of the Small Business Act (15 U.S.C. 632(q)(2)).”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 4712 the following new item:

“4713. Debarment of contractors that fraudulently misrepresent status for purposes of obtaining certain set aside contracts.”.

(c) DEFENSE CONTRACTS.—

(1) IN GENERAL.—Chapter 137 of title 10, United States Code, as amended by section 801, is further amended by inserting after section 2339a the following new section:

**“§ 2339b. Debarment of contractors that fraudulently misrepresent status for purposes of obtaining certain set aside contracts**

“(a) IN GENERAL.—Any business concern that is determined by the head of an agency to have willfully and intentionally misrepresented the status of that concern as a small business concern owned and controlled by service-disabled veterans for the purpose of qualifying for a contract awarded in accordance with the Government-wide goals for procurement pursuant to section 15(g)(1) of the Small Business Act (15 U.S.C. 644(g)(1)) shall be debarred from contracting with the Federal Government for a period of not less than five years.

“(b) PROCESS.—In the case of a debarment under subsection (a), the head of the agency shall commence debarment action against the business concern by not later than 30 days after determining that the concern willfully and intentionally misrepresented the status of the concern as described in subsection (a) and shall complete debarment actions against such concern by not later than 90 days after such determination.

“(c) CONSULTATION.—In making a determination under this section, the head of an agency shall, as appropriate, consult with the Secretary of Veterans Affairs and the Administrator of the Small Business Administration.

“(d) APPLICABILITY.—The debarment of a business concern under subsection (a) includes the debarment of all principals in the business concern for a period of not less than five years.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘small business concern’ has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632).

“(2) The term ‘small business concern owned and controlled by service-disabled veterans’ has the meaning given the term in section 3(q)(2) of the Small Business Act (15 U.S.C. 632(q)(2)).”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter, as amended by section 801, is further amended

by inserting after the item relating to section 2339a the following new item:

“2339b. Debarment of contractors that fraudulently misrepresent status for purposes of obtaining certain set aside contracts.”.

**SA 2923.** Ms. BALDWIN (for herself and Mr. JONES) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division C, add the following:

**SEC. \_\_\_\_ . EXEMPTION FROM CALCULATION OF MONTHLY INCOME, FOR PURPOSES OF BANKRUPTCY LAWS, CERTAIN PAYMENTS FROM DEPARTMENT OF VETERANS AFFAIRS AND DEPARTMENT OF DEFENSE.**

Section 101(10A) of title 11, United States Code, is amended by striking subparagraph (B) and inserting the following:

“(B)(i) includes any amount paid by any entity other than the debtor (or in a joint case the debtor and the debtor’s spouse), on a regular basis for the household expenses of the debtor or the debtor’s dependents (and in a joint case the debtor’s spouse if not otherwise a dependent); and

“(ii) excludes—

“(I) benefits received under the Social Security Act;

“(II) payments to victims of war crimes or crimes against humanity on account of their status as victims of such crimes;

“(III) payments to victims of international terrorism (as defined in section 2331 of title 18) or domestic terrorism (as defined in section 2331 of title 18) on account of their status as victims of such terrorism;

“(IV) compensation under chapter 11 of title 38;

“(V) compensation under chapter 13 of title 38;

“(VI) pension under chapter 15 of title 38;

“(VII) retired pay payable to members of the Armed Forces retired under section 1201 or 1204 of title 10;

“(VIII) retired pay payable to members of the Armed Forces placed on the temporary disability retired list under section 1202 or 1205 of title 10;

“(IX) disability severance pay payable under section 1212 of title 10 to members separated from the Armed Forces under section 1203 or 1206 of that title;

“(X) retired pay payable in accordance with section 1201 or 1202 of title 10, or disability severance pay payable in accordance with section 1203 of that title, to members of the Armed Forces eligible for such pay by reason of section 1207a of that title;

“(XI) combat-related special compensation payable under section 1413a of title 10;

“(XII) any monthly annuity payable under the Survivor Benefit Plan under subchapter II of chapter 73 of title 10 if the participant in the Plan with respect to whom the annuity is payable was retired for physical disability under chapter 61 of that title;

“(XIII) the special survivor indemnity allowance payable under section 1450(m) of title 10; and

“(XIV) any monthly special compensation payable to members of the uniformed services with catastrophic injuries or illnesses under section 439 of title 37.”.

**SA 2924.** Mr. BOOZMAN (for himself, Mr. BLUNT, Mrs. MCCASKILL, Mr. COT-

TON, Mr. INHOFE, and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division C, add the following:

**SEC. 2 \_\_\_\_ . PLAN TO AVOID CLINICAL MISTAKES BY EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS THAT RESULT IN ADVERSE EVENTS THAT REQUIRE CERTAIN DISCLOSURES.**

(a) **PLAN REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress a plan to reduce the chances that clinical mistakes by employees of the Department of Veterans Affairs will result in adverse events that require institutional or clinical disclosures and to prevent any unnecessary hardship for patients and families impacted by such adverse events.

(b) **ELEMENTS.**—The plan required by subsection (a) shall include the following:

(1) A description of a process for the timely identification of individuals impacted by disclosures described in subsection (a) and the process for contacting those individuals or their next of kin.

(2) A description of procedures for expediting any remedial or follow-up care required for those individuals.

(3) A detailed outline of proposed changes to the process of the Department for clinical quality checks and oversight.

(4) A communication plan to ensure all facilities of the Department are made aware of any requirements updated pursuant to the plan.

(5) A timeline detailing the implementation of the plan.

(6) An identification of the senior executive of the Department responsible for ensuring compliance with the plan.

(7) An identification of potential impacts of the plan on timely diagnoses for patients.

(8) An identification of the processes and procedures for employees of the Department to make leadership at the facility and the Department aware of adverse events that are concerning and that result in disclosures and to ensure that the medical impact on veterans of such disclosures is minimized.

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

(1) the Committee on Veterans’ Affairs and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate; and

(2) the Committee on Veterans’ Affairs and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives.

**SA 2925.** Mr. BOOZMAN (for himself and Mr. SCHATZ) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 168, line 17, strike “\$15,000” and insert “\$42,000”.

**SA 2926.** Mr. YOUNG (for himself and Mr. DONNELLY) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 232 of title II of division C, add the following:

(c)(1) The Secretary of Veterans Affairs shall conduct a study on the effectiveness of the hotline specified in subsection (a) during the five-year period beginning on January 1, 2016, based on an analysis of national suicide data and data collected from such hotline.

(2) At a minimum, the study required by paragraph (1) shall—

(A) determine the number of veterans who contact the hotline who are not referred to, or do not continue receiving, mental health care who commit suicide; and

(B) determine the number of veterans who contact the hotline who are not referred to, or do not continue receiving, mental health care who commit suicide; and

(C) determine the number of veterans described in subparagraph (A) who commit or attempt suicide.

**SA 2927.** Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division C, add the following:

**SEC. 2 \_\_\_\_ . AUTHORITY FOR SECRETARY OF VETERANS AFFAIRS TO FURNISH MEDICALLY-NECESSARY TRANSPORTATION FOR NEWBORN CHILDREN OF CERTAIN WOMEN VETERANS.**

(a) **IN GENERAL.**—Section 1786 of title 38, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter before paragraph (1)—

(i) by inserting “and transportation necessary to receive such services” after “described in subsection (b)”;

(ii) by inserting “, except as provided in subsection (e),” after “seven days”;

(B) in paragraph (1), by striking “or”;

(C) in paragraph (2), by striking the period at the end and inserting “; or”;

(D) by adding at the end the following new paragraph:

“(3) another location, including a health care facility, if the veteran delivers the child before arriving at a facility described in paragraph (1) or (2).”.

(2) in subsection (b), by inserting before the period at the end the following: “, including necessary health care services provided by a facility other than the facility where the newborn child was delivered (including a specialty pediatric hospital) that accepts transfer of the newborn child and responsibility for treatment of the newborn child”.

(3) by adding at the end the following new subsections:

“(c) **TRANSPORTATION.**—(1) Transportation furnished under subsection (a) to, from, or between, care settings to meet the needs of a newborn child includes costs for either or both the newborn child and parents.

“(2) Transportation furnished under subsection (a) includes transportation by ambulance, including air ambulance, or other appropriate medically staffed modes of transportation—

“(A) to another health care facility (including a specialty pediatric hospital) that accepts transfer of the newborn child or otherwise provides post-delivery care services when the treating facility is not capable of furnishing the care or services required; or

“(B) to a health care facility in a medical emergency of such nature that a prudent layperson reasonably expects that delay in seeking immediate medical attention would be hazardous to life or health.

“(3) Amounts paid by the Department for transportation under this section shall be derived from the Medical Services appropriations account of the Department.

“(d) REIMBURSEMENT OR PAYMENT FOR HEALTH CARE SERVICES OR TRANSPORTATION.—(1) Pursuant to regulations the Secretary shall prescribe to establish rates of reimbursement and any limitations thereto under this section, the Secretary shall directly reimburse a covered entity for health care services or transportation services provided under this section, unless the cost of the services or transportation is covered by an established agreement or contract. Where such an agreement or contract already exists, its negotiated payment terms shall apply.

“(2)(A) Reimbursement or payment by the Secretary under this section on behalf of an individual to a covered entity shall, unless rejected and refunded by the covered entity within 30 days of receipt, extinguish any liability on the part of the individual for the health care services or transportation covered by such payment.

“(B) Neither the absence of a contract or agreement between the Secretary and a covered entity nor any provision of a contract, agreement, or assignment to the contrary shall operate to modify, limit, or negate the requirements of subparagraph (A).

“(3) In this subsection, the term ‘covered entity’ means any individual, transportation carrier, organization, or other entity that furnished or paid for health care services or transportation under this section.

“(e) EXCEPTION.—Pursuant to such regulations as the Secretary shall prescribe to carry out this section, the Secretary may furnish more than seven days of health care services described in subsection (b), and transportation necessary to receive such services, to a newborn child based on medical necessity if the child is in need of additional care, including a case in which the newborn child has been discharged or released from a hospital and requires readmittance to ensure the health and welfare of the newborn child.”

(b) TREATMENT OF CERTAIN DEBTS ALREADY INCURRED.—Pursuant to such regulations as the Secretary of Veterans Affairs shall prescribe, the Secretary may waive a debt for or reimburse a veteran billed for the cost of transportation that was furnished in order for a newborn child to receive health care services under section 1786 of title 38, United States Code, before the date of the enactment of this Act.

**SA 2928.** Mrs. GILLIBRAND (for herself, Ms. BALDWIN, and Mr. JOHNSON) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I of division C, add the following:

SEC. \_\_\_\_\_. (a) FINDING.—Congress finds that, given that the Air Force maintains a so-called “scorecard” to determine where to place aircraft and missions, Congress requires a report on the criteria and any analytical models employed in such determinations in order to ensure that future appropriations for military construction in connection with such determinations with respect to KC-46 aircraft are appropriate in light of the needs of the Air Force regarding such aircraft.

(b) REPORT.—

(1) IN GENERAL.—Not later than December 31, 2019, the Secretary of Air Force shall submit to the congressional defense committees a report setting forth the results of a review, conducted by the Secretary for purposes of the report, of the analytical model used for strategic basing of KC-46 aircraft.

(2) PARTICULAR ELEMENT.—The report shall include such recommendations of the Secretary for the analytical model as the Secretary considers appropriate in order to ensure that the model addresses changes in refueling requirements along the Northern Tier of the United States as a result of the 2018 National Defense Strategy and associated mobility capability requirements, including, in particular, in connection with the growth of activities in the Northern Polar region by global and regional powers.

**SA 2929.** Mr. JONES (for himself, Mr. TESTER, Mr. NELSON, Mrs. GILLIBRAND, Mrs. MURRAY, Mr. BROWN, and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division C, add the following:

SEC. 2. ANNUAL REPORT ON RATINGS OF NURSING HOMES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Subchapter II of chapter 73 of title 38, United States Code, is amended by adding at the end the following:

“§ 7330D. Annual report on ratings of nursing homes of the Department

“(a) IN GENERAL.—Not later than November 11 of each year, the Secretary shall submit to the appropriate committees of Congress a report on the ratings of nursing homes of the Department.

“(b) DATA INCLUDED.—Each report required by subsection (a) shall include data sets for long-term and short-term care furnished by nursing homes of the Department, including with respect to the following:

“(1) Pain.

“(2) Ulcers.

“(3) Use of anti-psychotic medication.

“(4) Use of catheters.

“(5) Patient wellbeing, such as a fall or major injury.

“(6) Ability to perform daily activities, such as bathing, eating, and using the restroom.

“(7) Mobility limits of high-risk patients, such as patients with severe ulcers or bed sores.

“(8) Physically restrained patients.

“(9) Patients with urinary tract infections.

“(c) PERIOD COVERED BY REPORT.—Each report submitted under subsection (a) shall include data covering the 5-year period preceding the submittal of the report.

“(d) PROHIBITION ON USE OF AMOUNTS TO WITHHOLD DATA.—No amounts appropriated

or otherwise made available to the Department may be used to withhold data regarding ratings of nursing homes of the Department.

“(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘appropriate committees of Congress’ means—

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

“(2) the Committee on Veterans’ Affairs and the Committee on Appropriations of the House of Representatives.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 73 of such title is amended by inserting after the item relating to section 7330C the following new item:

“7330D. Annual report on ratings of nursing homes of the Department.”

**SA 2930.** Ms. BALDWIN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 32, line 16, strike the period at the end and insert the following: “; *Provided*, That of the amounts appropriated under this heading, \$20,000,000 shall be for cooperative agreements to accelerate the domestic production of Molybdenum-99.”

**SA 2931.** Mr. TESTER submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V, insert the following:

SEC. \_\_\_\_\_. INSPECTORS GENERAL.

(a) PROHIBITION ON USE OF FUNDS.—None of the funds appropriated by this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency of the United States Government over which such Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede the access of such Inspector General to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to such Inspector General and expressly limits the right of access of such Inspector General.

(b) TIMELY ACCESS.—A department or agency of the United States Government covered by this section shall provide its Inspector General access to all records, documents, and other materials in a timely manner.

(c) COMPLIANCE.—Each Inspector General covered by this section shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) REPORT.—Each Inspector General covered by this section shall report to the Committees on Appropriations within 5 calendar days of any failure by any department or agency of the United States Government to

provide its Inspector General access to all requested records, documents, and other materials.

**SA 2932.** Mr. TESTER (for himself, Ms. BALDWIN, Mrs. MURRAY, and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division C, insert the following:

**SEC. \_\_\_\_ . REQUIREMENTS RELATING TO PRESIDENT'S ANNUAL BUDGET REQUEST FOR THE DEPARTMENT OF VETERANS AFFAIRS.**

Whenever the President submits a budget pursuant to section 1105(a) of title 31, United States Code, the President shall ensure that such budget includes specific amounts to be appropriated for programs of the Department of Veterans Affairs relating to the following:

- (1) Homeless veterans.
- (2) Women veterans.
- (3) Prosthetics.
- (4) Health care for veterans in rural areas.

**SA 2933.** Mr. TESTER submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division C, add the following:

**SEC. 2 \_\_\_\_ . CONDUCT OF RESEARCH INTO EFFECTS OF CANNABIS ON HEALTH OUTCOMES OF CERTAIN VETERANS.**

(a) **RESEARCH REQUIRED.**—In carrying out the responsibilities of the Secretary of Veterans Affairs under section 7303 of title 38, United States Code, the Secretary may conduct and support research relating to the efficacy and safety of forms of cannabis and methods of cannabis delivery described in subsection (c) on the health outcomes of covered veterans diagnosed with chronic pain, post-traumatic stress disorder, and other conditions the Secretary determines appropriate.

(b) **DATA PRESERVATION.**—Research conducted pursuant to subsection (a) shall include a mechanism to ensure the preservation of all data, including all data sets, collected or used for purposes of the research required by subsection (a) in a manner that will facilitate further research.

(c) **FORMS OF CANNABIS AND METHODS OF DELIVERY TO BE RESEARCHED.**—The forms of cannabis and methods of cannabis delivery described in this subsection are—

- (1) varying forms of cannabis, including—
  - (A) full plants and extracts;
  - (B) at least three different strains of cannabis with significant variants in phenotypic traits and various ratios of tetrahydrocannabinol and cannabidiol in chemical composition; and
  - (C) other chemical analogs of tetrahydrocannabinol; and
- (2) varying methods of cannabis delivery, including topical application, combustible and non-combustible inhalation, and ingestion.

(d) **IMPLEMENTATION.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall—

(1) develop a plan to implement this section and submit such plan to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives; and

(2) issue any requests for proposals the Secretary determines appropriate for such implementation.

(e) **REPORTS.**—During the five-year period beginning on the date of the enactment of this Act, the Secretary shall submit periodically, but not less frequently than annually, to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives reports on the implementation of this section.

(f) **COVERED VETERAN DEFINED.**—In this section, the term “covered veteran” means a veteran who is enrolled in the patient enrollment system of the Department of Veterans Affairs under section 1705 of title 38, United States Code.

**SA 2934.** Mr. TESTER (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

**SEC. \_\_\_\_ . TRACKING AND MONITORING INFORMATION ABOUT DEBTS TO UNITED STATES INCURRED FROM OVERPAYMENT BY DEPARTMENT OF VETERANS AFFAIRS OR FOR OTHER REASONS.**

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall develop a means to track and monitor information on—

- (1) the age and amount of debts of persons to the United States by virtue of the persons' participation in a benefits program administered by the Secretary of Veterans Affairs;
- (2) whether such debts may be the result of delays in Department of Veterans Affairs processing of changes to beneficiary status or other actions of the Department; and
- (3) whether such debts are disputed by such persons.

(b) **REPORT.**—The Department should also be required to submit a report to congress no later than 90 days after development of the tracking means (so, 270 days after enactment).

**SA 2935.** Mr. TESTER submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

**SEC. \_\_\_\_ . PILOT PROGRAM ON COMMUNITY CARE COORDINATION AND SUPPORTIVE SERVICES FOR FAMILIES OF VETERANS AND MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES WHO LACK ADEQUATE ACCESS TO SERVICES.**

(a) **PILOT PROGRAM REQUIRED.**—Commencing not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall, after consultation with the Secretary of Defense, carry out a pilot program with community

partners to assess the feasibility and advisability of providing intensive community care coordination and supportive services to covered families who lack adequate access to services furnished by the Department of Veterans Affairs or other entities of Federal, State, and local governments.

(b) **COMMUNITY CARE COORDINATION AND SUPPORTIVE SERVICES DESCRIBED.**—For purposes of the pilot program, intensive community care coordination and supportive services are services provided by a community partner to improve the well-being and address the needs of covered families who live in rural or underserved areas or who otherwise lack access to adequate services furnished by the Department of Veterans Affairs, the Federal Government, or State and local governments. Intensive community care coordination and supportive services may include the following:

- (1) Care coordination and case management services.
- (2) Outreach services.
- (3) Assistance in obtaining any benefits from the Department which the veteran (or member of a reserve component of the Armed Forces) may be eligible to receive, including the following:
  - (A) Vocational and rehabilitation counseling.
  - (B) Employment and training services.
  - (C) Educational assistance.
  - (D) Health care services.
- (4) Assistance in obtaining and coordinating the provision of other public benefits or available services provided by the Federal Government, State or local governments, or other community partners, including the following:

- (A) Marriage counseling.
- (B) Services for children.
- (C) Suicide prevention.
- (D) Substance abuse awareness and treatment.
- (E) Mental health awareness and treatment.
- (F) Financial counseling.
- (G) Employment assistance.
- (H) Transportation services.
- (I) Child care.
- (J) Housing counseling.
- (K) Preparing and updating family care plans.
- (L) Development of strategies for living with a veteran with post traumatic stress disorder or traumatic brain injury.
- (M) Accessing emergency financial assistance through philanthropic efforts.
- (N) Such other services as may be appropriate to improve the well-being and address the unique needs of veterans families who live in rural or underserved areas or otherwise lack access to adequate services furnished by the Department of Veterans Affairs, the Federal Government, or State and local governments.

(5) Providing direct services, described in paragraph (4), that are necessary to address the needs of the covered families but are otherwise unavailable through existing public or private programs.

(c) **AGREEMENTS AND GRANTS.**—

(1) **AGREEMENTS.**—The Secretary of Veterans Affairs shall carry out the pilot program by entering into partnership agreements with community partners to provide intensive community care coordination and supportive services.

(2) **GRANTS.**—

(A) **IN GENERAL.**—The Secretary shall, using a competitive and merit-based process, award grants to community partners with whom the Secretary has entered into agreements under paragraph (1).

(B) **USE OF FUNDS.**—The amounts of grants awarded under subparagraph (A) shall be used to provide intensive community care

coordination and supportive services under the pilot program and to assess service delivery efficiencies.

(C) LOCATIONS.—The Secretary may award grants under subparagraph (A) on an individual location basis and may award grants for the provision of certain services at locations that also provide other services.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of Veterans Affairs to carry out the pilot program \$5,000,000 for each of fiscal years 2019, 2020, and 2021.

(e) REPORT.—

(1) IN GENERAL.—Not later than 340 days before the completion of the pilot program, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the results of the pilot program.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) The number of covered families served under the pilot program.

(B) The number of covered families who received service linkages or referrals under the pilot program.

(C) A description and assessment of the effectiveness and achievements of the pilot program with respect to services and treatments and mitigation of risks, including risks relating to homelessness, unemployment, and suicide.

(f) DEFINITIONS.—In this section:

(1) COMMUNITY PARTNER.—The term “community partner” means a private nonprofit organization.

(2) COVERED FAMILY.—The term “covered family” means a family with respect to which the head of the household or the spouse of the head of the household is a veteran or a member of a reserve component of the Armed Forces. A family that consists of a single individual who is a veteran or a member of a reserve component of the Armed Forces shall be considered a covered family.

**SA 2936.** Mr. HOEVEN (for himself and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division C, insert the following:

**SEC. \_\_\_\_ . INCLUSION OF CERTAIN NAMES ON THE VIETNAM VETERANS MEMORIAL.**

The Secretary of Defense shall provide for the inclusion on the Vietnam Veterans Memorial in the District of Columbia the names of the seventy-four crew members of the USS Frank E. Evans killed on June 3, 1969.

**SA 2937.** Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division C, add the following:

**SEC. 1 \_\_\_\_ . REQUIREMENT FOR PHYSICAL EXAMINATIONS OF MEMBERS OF THE SELECTED RESERVE OF THE READY RESERVE OF THE RESERVE COMPONENTS OF THE ARMED FORCES WHO ARE SEPARATING FROM THE SELECTED RESERVE.**

Section 1145(d) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “pursuant to” and inserting “described in”; and

(B) in subparagraph (A)—

(i) by striking “(A)” and inserting “(A)(i)”;

(ii) by striking the semicolon at the end and inserting “; or”; and

(iii) by adding at the end the following new clause:

“(ii) is a member of the Selected Reserve of the Ready Reserve of a reserve component who is scheduled to separate from the Selected Reserve within 90 days;” and

(2) in paragraph (2)(A)—

(A) by striking “examination under paragraph (1) to a” and inserting “examination—“(i) under paragraph (1)(A)(i) to a”;

(B) in clause (i), as designated by subparagraph (A), by striking “; and” and inserting “; or”; and

(C) by adding at the end the following new clause:

“(ii) under paragraph (1)(A)(ii) to a member of the Selected Reserve of the Ready Reserve of a reserve component during the 90-day period before the date on which the member is scheduled to be separated from the Selected Reserve; and”.

**SA 2938.** Mrs. ERNST (for herself and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 50, strike line 20 and all that follows through page 51, line 4.

Beginning on page 51, strike line 12 and all that follows through page 53, line 2.

**SA 2939.** Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I of division A, add the following:

**SEC. 1 \_\_\_\_ .** Not later than 180 days after the date of enactment of this Act, the Secretary of the Army shall submit to Congress a report that—

(1) describes the history of Corps of Engineers funding requests and actual appropriations for the last 10 fiscal years preceding the date of enactment of this Act for the flood and coastal storm damage reduction business line, including a list of all requests for coastal and inland investigations, construction, and operation and maintenance;

(2) provides a definition for the terms “coastal project” and “inland project” that the Corps of Engineers uses with respect to those projects under the flood and coastal storm damage reduction business line;

(3) provides an analysis of the changes in the comparative funding for coastal projects and inland projects under that business line;

(4) provides an explanation for the discrepancy in funding between coastal projects and inland projects under that business line; and

(5) includes recommendations on ways to correct the discrepancy described in paragraph (4).

**SA 2940.** Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . UPDATED MANUALS AND GUIDES.**

(a) ENGINEERING MANUALS.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Army shall prepare and submit to Congress a report making recommendations for a regular schedule for the review and revision of relevant manuals developed and used by the Corps of Engineers in the design and construction of projects in the coastal region.

(b) UNIFIED FACILITIES GUIDE SPECIFICATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Army shall develop guidelines and recommendations for the incorporation of innovative materials and associated techniques into the Unified Facilities Guide Specifications.

**SA 2941.** Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I of division A, add the following:

**SEC. 1 \_\_\_\_ .** The Secretary of the Army may enter into financial assistance agreements with congressionally chartered entities for the purposes of furthering the conservation of natural resources, water resources, and coastal habitats.

**SA 2942.** Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At end of title II of division A, add the following:

**SEC. 203. COLORADO RIVER SYSTEM WATER PILOT PROJECTS.**

Section 206(c)(2) of the Energy and Water Development and Related Agencies Appropriations Act, 2015 (43 U.S.C. 620 note; Public Law 113-235) is amended by striking “2018” and inserting “2022: *Provided*, The Secretary shall not fund pilot projects in the Upper Colorado River Basin without the participation of the Upper Colorado River Division States, acting through the Upper Colorado River Commission”.

**SEC. 204. WATER MANAGEMENT IMPROVEMENT.**

Section 9504(e) of the Secure Water Act of 2009 (42 U.S.C. 10364(e)) is amended by striking “\$450,000,000” and inserting “\$500,000,000”.



**SA 2943.** Mr. MCCONNELL (for Mr. CRAPO (for himself, Mr. WHITEHOUSE, and Mr. RISCH)) proposed an amendment to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; as follows:

On page 24, line 2, strike the period at the end and insert the following: “: *Provided further*, That of the funds made available under this heading, \$15,000,000 shall be for a material recovery demonstration project to provide high assay low enriched low uranium to support advanced reactors.”.

**SA 2944.** Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. Of the amount appropriated or otherwise made available under this title for “MILITARY CONSTRUCTION, ARMY”, \$120,000,000 shall be made available for Tactical Equipment Facilities construction.

**SA 2945.** Mr. HELLER submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division A, add the following:

SEC. 2 \_\_\_\_\_. (a) Section 206(c)(2) of the Energy and Water Development and Related Agencies Appropriations Act, 2015 (43 U.S.C. 620 note; Public Law 113-235) is amended by striking “2018.” and inserting the following: “2022: *Provided*, That the Secretary shall not fund pilot projects in the Upper Colorado River Basin without the participation of the Upper Colorado River Division States, acting through the Upper Colorado River Commission.”.

(b) Section 9504(e) of the Omnibus Public Land Management Act of 2009 (42 U.S.C. 10364(e)) is amended by striking “\$450,000,000” and inserting “\$480,000,000”.

**SA 2946.** Mrs. ERNST (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division C, add the following:

SEC. 2 \_\_\_\_\_. **THIRD PARTY REVIEW OF APPOINTEES IN VETERANS HEALTH ADMINISTRATION WHO HAD A LICENSE, REGISTRATION, OR CERTIFICATION FOR THE PROVISION OF HOSPITAL CARE OR MEDICAL SERVICES REVOKED AND NOTICE TO INDIVIDUALS TREATED BY THOSE APPOINTEES.**

(a) **THIRD PARTY REVIEW.**—The Secretary of Veterans Affairs shall enter into a con-

tract or other agreement with an organization that is not part of the Federal Government to conduct a clinical review of the hospital care and medical services furnished by covered individuals.

(b) **NOTICE TO PATIENTS TREATED BY COVERED INDIVIDUALS.**—With respect to hospital care or medical services furnished by a covered individual under the laws administered by the Secretary of Veterans Affairs, if a clinical review determines that an experienced, competent practitioner would have managed the care or services differently, the Secretary shall notify any individual who received such care or services from the covered individual.

(c) **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 medical services terminated for cause.

(d) **HOSPITAL CARE AND MEDICAL SERVICES DEFINED.**—In this section, the terms “hospital care” and “medical services” have the meanings given those terms in section 1701 of title 38, United States Code.

**SA 2947.** Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### **TITLE \_\_\_\_—NO BUDGET, NO PAY**

##### **SEC. \_\_\_\_01. SHORT TITLE.**

This title may be cited as the “No Budget, No Pay Act”.

##### **SEC. \_\_\_\_02. DEFINITION.**

In this title, the term “Member of Congress”—

(1) has the meaning given the term under section 2106 of title 5, United States Code; and

(2) does not include the Vice President.

##### **SEC. \_\_\_\_03. TIMELY APPROVAL OF CONCURRENT RESOLUTION ON THE BUDGET AND THE APPROPRIATIONS BILLS.**

If both Houses of Congress have not approved a concurrent resolution on the budget as described under section 301 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 632) for a fiscal year before October 1 of that fiscal year and have not passed all the regular appropriations bills for the next fiscal year before October 1 of that fiscal year, the pay of each Member of Congress may not be paid for each day following that October 1 until the date on which both Houses of Congress approve a concurrent resolution on the budget for that fiscal year and all the regular appropriations bills.

##### **SEC. \_\_\_\_04. NO PAY WITHOUT CONCURRENT RESOLUTION ON THE BUDGET AND THE APPROPRIATIONS BILLS.**

(a) **IN GENERAL.**—Notwithstanding any other provision of law, no funds may be appropriated or otherwise made available from the United States Treasury for the pay of any Member of Congress during any period determined by the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate or the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives under section \_\_\_\_05.

(b) **NO RETROACTIVE PAY.**—A Member of Congress may not receive pay for any period determined by the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate or the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives under section \_\_\_\_05, at any time after the end of that period.

##### **SEC. \_\_\_\_05. DETERMINATIONS.**

###### **(a) SENATE.—**

(1) **REQUEST FOR CERTIFICATIONS.**—On October 1 of each year, the Secretary of the Senate shall submit a request to the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate for certification of determinations made under subparagraphs (A) and (B) of paragraph (2).

(2) **DETERMINATIONS.**—The Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate shall—

(A) on October 1 of each year, make a determination of whether Congress is in compliance with section \_\_\_\_03 and whether Senators may not be paid under that section;

(B) determine the period of days following each October 1 that Senators may not be paid under section \_\_\_\_03; and

(C) provide timely certification of the determinations under subparagraphs (A) and (B) upon the request of the Secretary of the Senate.

###### **(b) HOUSE OF REPRESENTATIVES.—**

(1) **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 subparagraphs (A) and (B) of paragraph (2).

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

(A) on October 1 of each year, make a determination of whether Congress is in compliance with section \_\_\_\_03 and whether Members of the House of Representatives may not be paid under that section;

(B) determine the period of days following each October 1 that Members of the House of Representatives may not be paid under section \_\_\_\_03; and

(C) provide timely certification of the determinations under subparagraphs (A) and (B) upon the request of the Chief Administrative Officer of the House of Representatives.

##### **SEC. \_\_\_\_06. EFFECTIVE DATE.**

This title shall take effect on February 1, 2019.

**SA 2948.** Mr. HELLER submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division C, insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the Secretary of Veterans Affairs to transfer funds made available for the following programs:

(1) The Homeless Providers Grant and Per Diem program.

(2) The Domiciliary Care for Homeless Veterans program.

(3) The Supportive Services for Veteran Families program.

(4) The Department of Housing and Urban Development Department of Veterans Affairs Supported Housing (HUD-VASH) programs.

**SA 2949.** Mr. HELLER submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division C, add the following:

**SEC. 2. REPORT ON CAREGIVER SUPPORT PROGRAM.**

Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Appropriations and the Committee on Veterans' Affairs of the Senate and the Committee on Appropriations and the Committee on Veterans' Affairs of the House of Representatives a report that contains—

(1) the number of coordinators of caregiver support services under the program of support services for caregivers of veterans under section 1720G(b) of title 38, United States Code, at each medical center of the Department of Veterans Affairs;

(2) the number of staff assigned to appeals for such program at each such medical center; and

(3) a determination by the Secretary of the appropriate staff-to-participant ratio for such program.

**SA 2950.** Mr. HELLER submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division C, add the following:

SEC. 2. Of the amounts made available in this title for fiscal year 2019 for the Veterans Health Administration for medical services, not less than \$1,000,000 shall be made available to the Secretary of Veterans Affairs for the Office of Rural Health of the Department of Veterans Affairs to expand the number of Rural Health Resource Centers.

**SA 2951.** Mr. CASSIDY (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division A (relating to the Department of Energy), under the heading "GENERAL PROVISIONS—DEPARTMENT OF ENERGY", insert the following:

SEC. 3. Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended—

(1) by striking "(c) For purposes of" and inserting the following:

"(c) EXPEDITED APPLICATION AND APPROVAL PROCESS.—

"(1) FREE TRADE AGREEMENTS IN EFFECT.—For purposes of"; and

(2) by adding at the end the following:

"(2) SMALL-SCALE NATURAL GAS EXPORTS.—For purposes of subsection (a), any application for the exportation of natural gas in a volume that is equal to or less than 51,100,000,000 cubic feet per year of natural gas shall be—

"(A) deemed to be consistent with the public interest; and

"(B) granted without modification or delay.

"(3) EXCLUSIONS.—Paragraphs (1) and (2) shall not apply to any nation subject to sanctions imposed by the United States."

**SA 2952.** Ms. MURKOWSKI (for herself and Mr. SULLIVAN) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I of division A, add the following:

SEC. 1. Section 2008(c) of the Water Resources Development Act of 2007 (33 U.S.C. 2340(c)) is amended by striking "before, on, or after" and inserting "on or after".

**SA 2953.** Mrs. HYDE-SMITH submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, line 18, insert "": *Provided further*, That of the total amount appropriated, \$250,000 shall remain available until expended for the Surplus Books Program to promote the program and facilitate a greater number of donations to eligible entities across the United States" before the period.

**SA 2954.** Mr. YOUNG submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division C, add the following:

**SEC. 2. ANNUAL ASSESSMENT AND RATING OF NURSING HOMES OF DEPARTMENT OF VETERANS AFFAIRS.**

(a) IN GENERAL.—Subchapter II of chapter 73 of title 38, United States Code, is amended by adding at the end the following:

**"§ 7330D. Annual assessment and rating of nursing homes**

"(a) IN GENERAL.—The Secretary shall conduct an annual assessment of all nursing homes operated by the Department and prepare ratings and rankings of all such nursing homes.

"(b) ELEMENTS OF RATINGS AND RANKINGS.—The nursing home ratings and rankings prepared by the Secretary under subsection (a) shall, at a minimum, include the following information:

"(1) The metrics and criteria for determining the ranking of a nursing home of the Department.

"(2) An identification and review of any categories comprising the overall ranking of a nursing home of the Department.

"(3) An identification of the division or business unit of the Department responsible for conducting the assessment under subsection (a) and determining rankings of nursing homes.

"(4) An explanation of the methods used by such division or business unit in conducting the assessment and determining the rankings.

"(5) A comparison of the current rankings of nursing homes of the Department with all previous rankings of the Department for such nursing homes.

"(6) An identification of a high-risk list consisting of the lowest-ranked nursing homes of the Department.

"(7) An analysis of how the ratings of nursing homes of the Department compare to private sector nursing homes rated by the Centers for Medicare & Medicaid Services.

"(c) PUBLICATION.—Not less frequently than annually, the Secretary shall publish the ratings and rankings prepared under subsection (a), including the information required by subsection (b), on a publicly available Internet website of the Department.

"(d) REPORT.—Not less frequently than annually, upon the publication of the annual ratings and rankings under subsection (c), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report that includes the following:

"(1) An action plan for improving the quality of care and ranking of the nursing homes of the Department identified on the high-risk list under subsection (b)(6).

"(2) An identification of the resources necessary to implement corrective actions, including funding, stakeholder support, and technology, and an identification of the senior officials of the Department responsible for implementing those corrective actions and supporting results.

"(3) An identification of metrics that can be used to assess progress in improving nursing homes of the Department and assign responsibility for tracking such progress, including the mechanism to be used to keep senior leadership of the Department informed about progress made or challenges encountered.

"(4) A list of key outcomes and goals that demonstrate progress in addressing the concerns with nursing homes of the Department identified on the high-risk list under subsection (b)(6).

"(5) An identification of timeframes for the improvement of nursing homes of the Department, with overall and interim milestones."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 73 of such title is amended by inserting after the item relating to section 7330C the following new item:

"7330D. Annual assessment and rating of nursing homes."

**SA 2955.** Ms. HASSAN (for herself and Mrs. SHAHEEN) submitted an amendment intended to be proposed by her to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division C, add the following:

SEC. 2. None of the funds made available by this Act may be used by the Department of Veterans Affairs for the modernization or realignment of facilities of the Veterans Health Administration in States in



which the Department does not operate a full-service medical facility pursuant to recommendations by the Asset and Infrastructure Review Commission under the VA Asset and Infrastructure Review Act of 2018 (sub-title A of title II of Public Law 115-182) until the Secretary of Veterans Affairs submits to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and the Commission a report certifying that such modernization or realignment will not result in a disruption or reduction of services for veterans residing in those States.

**SA 2956.** Mr. COONS (for himself and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I of division A, add the following:

**SEC. 1. LAND DISPOSAL, FORT DUPONT, DELAWARE.**

(a) IN GENERAL.—Notwithstanding any other provision of law and subject to subsection (b), not later than 180 days after the date of enactment of this Act, the Secretary of the Army shall transfer—

(1) all right, title, and interest in and to a parcel of land known as that part of the Original Acquisition (OADE) Tract that includes the bed and banks of the Delaware Branch Channel on the north side of the Fifth Street Bridge, Delaware City, Delaware, containing approximately 31.6 acres of land, to the Fort DuPont Redevelopment and Preservation Corporation; and

(2) all right, title, and interest in and to the Fifth Street Bridge, together with the land known as that part of the Original Acquisition (OADE) Tract that includes the banks and bed of the Delaware Branch Channel, Delaware City, Delaware, containing approximately 0.27 acres of land, to the State of Delaware.

**(b) CONDITIONS.—**

(1) STATE APPROVAL.—Before making a transfer under subsection (a), the Secretary of the Army shall ensure that the Governor of Delaware agrees to the transfer.

(2) TOLL-FREE BRIDGE.—Before making a transfer under subsection (a)(2), the Governor of Delaware shall agree to ensure that no toll is imposed for use of the bridge referred to in that subsection, in accordance with section 109 of the River and Harbor Act of 1950 (33 U.S.C. 534).

(3) SURVEY.—The exact acreage and legal description of the land to be transferred under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Army and the Governor of Delaware.

**SA 2957.** Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division A, add the following:

**SEC. 3.** (a) The Secretary of Energy (referred to in this section as the “Secretary”) shall conduct a study on the potential for natural gas demand response across energy sectors and geographic regions.

(b) Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to Congress a report on the results of study conducted under subsection (a), including—

(1) a description and quantification of—

(A) a potential natural gas and energy savings and load shifting; and

(B) the costs and benefits associated with those savings, including avoided energy costs, reduced market price volatility, improved electric and gas system reliability, deferred or avoided pipeline or utility capital investment, and air emissions reductions;

(2) an identification of geographic areas that would benefit most from implementing demand response measures for natural gas infrastructure; and

(3) a description of—

(A) existing and emerging technologies that can be used for demand response in the natural gas sector; and

(B) best practices for developing a strategy for deployment of those technologies in the natural gas sector.

**SA 2958.** Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division A, add the following:

**SEC. 3. (a)** In this section:

(1) The term “Commission” means the Federal Energy Regulatory Commission.

(2) The term “pilot program” means the natural gas demand response pilot program established under subsection (b)(1).

(3) The term “Secretary” means the Secretary of Energy.

(b)(1) Not later than 150 days after the date of enactment of this Act, the Secretary, in consultation with the Commission, shall establish a natural gas demand response pilot program to use the latest demand response technology from the energy sector for natural gas—

(A) to reduce the cost of energy for consumers;

(B) to reduce market price volatility;

(C) to increase reliability of the energy system; and

(D) to achieve reductions in air emissions and other benefits.

(2)(A) Except as provided in subparagraph (B), to be eligible to participate in the pilot program, an entity shall be—

(i) a gas utility, including a local distribution company;

(ii) a State public utilities commission;

(iii) an electric utility, including a local distribution company;

(iv) a municipality;

(v) a large industrial consumer, large commercial consumer, or retail marketer of natural gas; or

(vi) a third-party energy efficiency program administrator.

(B) An entity described in any of clauses (ii) through (v) of subparagraph (A) shall not be eligible to participate in the pilot program if the State law to which the entity is subject specifically precludes the participation of the entity in a natural gas demand response pilot program.

(3) The Secretary shall carry out the pilot program under different scenarios, including in a region that is experiencing fuel shortages or natural gas infrastructure constraints that cause the cost of energy to increase for consumers.

(4)(A) In carrying out the pilot program, the Secretary shall collect data, including data on, with respect to the regions in which the pilot program is carried out—

(i) the reduction in natural gas usage;

(ii) decreases in the frequency and severity of natural gas infrastructure constraints; and

(iii) changes in energy costs and reliability.

(B) The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report describing—

(i) how to improve data collection;

(ii) the metrics that should be used to quantify natural gas demand response usage; and

(iii) opportunities to improve the measurement and verification of changes in natural gas consumption resulting from natural gas demand response measures, including opportunities to collect data that could be used to estimate the quantity of natural gas that could be shifted through the implementation of natural gas demand response measures.

(c)(1) On establishment of the pilot program under subsection (b)(1), the Secretary shall submit to all relevant eligible entities notice that the Secretary is accepting applications for the pilot program.

(2)(A) Not later than 200 days after the date of enactment of this Act, each eligible entity desiring certification to participate in the pilot program shall submit to the Secretary an application containing such information as the Secretary may require.

(B) The Secretary may require as part of the application under subparagraph (A) information on—

(i) the current energy prices and energy supply issues in the region in which the eligible entity is located; and

(ii) how implementation of the pilot program in the region in which the eligible entity is located can alleviate the current energy prices and energy supply issues in the region.

(3) Not later than 250 days after the date of enactment of this Act, the Secretary shall notify each eligible entity that applied for certification under paragraph (2)(A) of whether the eligible entity is certified to participate in the pilot program.

(d) TERMINATION.—The pilot program shall terminate on the date that is 2 years after the date on which the pilot program is established under subsection (b)(1).

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the pilot program \$4,000,000.

**SA 2959.** Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I of division C, add the following:

**SEC. 1. EXPOSURE TO OPEN BURN PITS AND TOXIC AIRBORNE CHEMICALS AS PART OF PERIODIC HEALTH ASSESSMENTS AND OTHER PHYSICAL EXAMINATIONS OF DEPARTMENT OF DEFENSE.**

(a) PERIODIC HEALTH ASSESSMENT.—The Secretary of Defense shall ensure that any periodic health assessment provided to members of the Armed Forces includes an evaluation of whether the member has been—

(1) based or stationed at a location where an open burn pit was used; or

(2) exposed to toxic airborne chemicals, including any information recorded as part of

the Airborne Hazards and Open Burn Pit Registry.

(b) **SEPARATION HISTORY AND PHYSICAL EXAMINATIONS.**—Section 1145(a)(5) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(C) The Secretary concerned shall ensure that each physical examination of a member under subparagraph (A) includes an assessment of whether the member was—

“(i) based or stationed at a location where an open burn pit, as defined in subsection (c) of section 201 of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note), was used; or

“(ii) exposed to toxic airborne chemicals, including any information recorded as part of the registry established by the Secretary of Veterans Affairs under such section 201.”.

(c) **DEPLOYMENT ASSESSMENTS.**—Section 1074f(b)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(D) An assessment of whether the member was—

“(i) based or stationed at a location where an open burn pit, as defined in subsection (c) of section 201 of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note), was used; or

“(ii) exposed to toxic airborne chemicals, including any information recorded as part of the registry established by the Secretary of Veterans Affairs under such section 201.”.

(d) **SHARING OF INFORMATION.**—

(1) **DOD-VA.**—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly enter into a memorandum of understanding providing for the sharing by the Department of Defense with the Department of Veterans Affairs of the results of covered evaluations regarding the exposure by a member of the Armed Forces to toxic airborne chemicals.

(2) **REGISTRY.**—If a covered evaluation of a member of the Armed Forces establishes that the member was based or stationed at a location where an open burn pit was used, or the member was exposed to toxic airborne chemicals, the member shall be enrolled in the Airborne Hazards and Open Burn Pit Registry, unless the member elects to not so enroll.

(e) **DEFINITIONS.**—In this section:

(1) The term “Airborne Hazards and Open Burn Pit Registry” means the registry established by the Secretary of Veterans Affairs under section 201 of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note).

(2) The term “covered evaluation” means—

(A) a periodic health assessment conducted in accordance with subsection (a);

(B) a separation history and physical examination conducted under section 1145(a)(5) of title 10, United States Code, as amended by this section; and

(C) a deployment assessment conducted under section 1074f(b)(2) of such title, as amended by this section.

(3) The term “open burn pit” has the meaning given that term in section 201(c) of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note).

**SA 2960.** Ms. KLOBUCHAR (for herself and Mr. TILLIS) submitted an amendment intended to be proposed by her to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division C, add the following:

**SEC. 2. ESTABLISHMENT OF CENTER OF EXCELLENCE IN PREVENTION, DIAGNOSIS, MITIGATION, TREATMENT, AND REHABILITATION OF HEALTH CONDITIONS RELATING TO EXPOSURE TO BURN PITS AND OTHER ENVIRONMENTAL EXPOSURES.**

(a) **IN GENERAL.**—Subchapter II of chapter 73 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 7330D. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures

“(a) **ESTABLISHMENT.**—(1) The Secretary shall establish within the Department a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures to carry out the responsibilities specified in subsection (d).

“(2) The Secretary shall establish the center of excellence under paragraph (1) through the use of—

“(A) the directives and policies of the Department in effect as of the date of the enactment of this section;

“(B) the recommendations of the Comptroller General of the United States and Inspector General of the Department in effect as of such date; and

“(C) guidance issued by the Secretary of Defense under section 313 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 10 U.S.C. 1074 note).

“(b) **SELECTION OF SITE.**—In selecting the site for the center of excellence established under subsection (a), the Secretary shall consider entities that—

“(1) are equipped with the specialized equipment needed to study, diagnose, and treat health conditions relating to exposure to burn pits and other environmental exposures;

“(2) have a track record of publishing information relating to post-deployment health exposures among veterans who served in the Armed Forces in support of Operation Iraqi Freedom and Operation Enduring Freedom;

“(3) have access to animal models and in vitro models of dust immunology and lung injury consistent with the injuries of members of the Armed Forces who served in support of Operation Iraqi Freedom and Operation Enduring Freedom; and

“(4) have expertise in allergy, immunology, and pulmonary diseases.

“(c) **COLLABORATION.**—The Secretary shall ensure that the center of excellence collaborates, to the maximum extent practicable, with the Secretary of Defense, institutions of higher education, and other appropriate public and private entities (including international entities) to carry out the responsibilities specified in subsection (d).

“(d) **RESPONSIBILITIES.**—The center of excellence shall have the following responsibilities:

“(1) To provide for the development, testing, and dissemination within the Department of best practices for the treatment of health conditions relating to exposure to burn pits and other environmental exposures.

“(2) To provide guidance for the health systems of the Department and the Department of Defense in determining the personnel required to provide quality health care for members of the Armed Forces and veterans with health conditions relating to exposure to burn pits and other environmental exposures.

“(3) To establish, implement, and oversee a comprehensive program to train health professionals of the Department and the Department of Defense in the treatment of health conditions relating to exposure to burn pits and other environmental exposures.

“(4) To facilitate advancements in the study of the short-term and long-term effects of exposure to burn pits and other environmental exposures.

“(5) To disseminate within medical facilities of the Department best practices for training health professionals with respect to health conditions relating to exposure to burn pits and other environmental exposures.

“(6) To conduct basic science and translational research on health conditions relating to exposure to burn pits and other environmental exposures for the purposes of understanding the etiology of such conditions and developing preventive interventions and new treatments.

“(7) To provide medical treatment to veterans diagnosed with medical conditions specific to exposure to burn pits and other environmental exposures.

“(e) **USE OF BURN PITS REGISTRY DATA.**—In carrying out its responsibilities under subsection (d), the center of excellence shall have access to and make use of the data accumulated by the burn pits registry established under section 201 of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note).

“(f) **FUNDING.**—The Secretary shall carry out this section using amounts appropriated to the Department for such purpose.

“(g) **DEFINITIONS.**—In this section:

“(1) The term ‘burn pit’ means an area of land located in Afghanistan or Iraq that—

“(A) is designated by the Secretary of Defense to be used for disposing solid waste by burning in the outdoor air; and

“(B) does not contain a commercially manufactured incinerator or other equipment specifically designed and manufactured for the burning of solid waste.

“(2) The term ‘other environmental exposures’ means exposure to environmental hazards, including burn pits, dust or sand, hazardous materials, and waste at any site in Afghanistan or Iraq that emits smoke containing pollutants present in the environment or smoke from fires or explosions.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 73 of such title is amended by inserting after the item relating to section 7330C the following new item:

“7330D. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures.”.

**SA 2961.** Mr. TESTER (for himself and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

**SEC. \_\_\_\_.** Section 9 of the Fort Peck Reservation Rural Water System Act of 2000 (Public Law 106-382; 114 Stat. 1457, 123 Stat. 2856, 128 Stat. 164) is amended by striking “2020” each place it appears in subsections (a)(1) and (b) and inserting “2026”.

**SA 2962.** Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At end of title II of division A, add the following:

**SEC. 203. COLORADO RIVER SYSTEM WATER PILOT PROJECTS.**

Section 206(c)(2) of the Energy and Water Development and Related Agencies Appropriations Act, 2015 (43 U.S.C. 620 note; Public Law 113-235) is amended by striking “2018” and inserting “2022; *Provided*, The Secretary shall not fund pilot projects in the Upper Colorado River Basin without the participation of the Upper Colorado River Division States, acting through the Upper Colorado River Commission”.

**SEC. 204. WATER MANAGEMENT IMPROVEMENT.**

Section 9504(e) of the Secure Water Act of 2009 (42 U.S.C. 10364(e)) is amended by striking “\$450,000,000” and inserting “\$480,000,000”.

**SA 2963.** Mr. SANDERS (for himself and Mr. NELSON) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 22, line 25, strike the period and insert the following: “: *Provided further*, That of the amounts appropriated under this heading, \$4,050,000 shall be made available for the Photovoltaic Regional Test Centers for Solar Technologies of the Department of Energy to ensure the continued operation of each Regional Test Center for Solar Technologies of the Department of Energy, as in existence on the date of enactment of this Act.”.

**SA 2964.** Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division C, add the following:

**SEC. 2. PROGRAM ON USE OF WELLNESS PROGRAMS AS COMPLEMENTARY APPROACH TO MENTAL HEALTH CARE FOR VETERANS AND FAMILY MEMBERS OF VETERANS.**

(a) PROGRAM REQUIRED.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall carry out a program through the award of grants to public or private nonprofit entities to assess the feasibility and advisability of using wellness programs to complement the provision of mental health care to veterans and family members eligible for counseling under section 1712A(a)(1)(C) of title 38, United States Code.

(2) MATTERS TO BE ADDRESSED.—The program shall be carried out so as to assess the following:

(A) Means of improving coordination between Federal, State, local, and community providers of health care in the provision of mental health care to veterans and family members described in paragraph (1).

(B) Means of enhancing outreach, and coordination of outreach, by and among providers of health care referred to in subparagraph (A) on the mental health care services available to veterans and family members described in paragraph (1).

(C) Means of using wellness programs of providers of health care referred to in subparagraph (A) as complements to the provision by the Department of Veterans Affairs of mental health care to veterans and family members described in paragraph (1).

(D) Whether wellness programs described in subparagraph (C) are effective in enhancing the quality of life and well-being of veterans and family members described in paragraph (1).

(E) Whether wellness programs described in subparagraph (C) are effective in increasing the adherence of veterans described in paragraph (1) to the primary mental health services provided such veterans by the Department.

(F) Whether wellness programs described in subparagraph (C) have an impact on the sense of wellbeing of veterans described in paragraph (1) who receive primary mental health services from the Department.

(G) Whether wellness programs described in subparagraph (C) are effective in encouraging veterans receiving health care from the Department to adopt a more healthy lifestyle.

(b) DURATION.—The Secretary shall carry out the program for a period of three years beginning on the date that is one year after the date of the enactment of this Act.

(c) LOCATIONS.—The Secretary shall carry out the program at facilities of the Department providing mental health care services to veterans and family members described in subsection (a)(1).

(d) GRANT PROPOSALS.—

(1) IN GENERAL.—A public or private nonprofit entity seeking the award of a grant under this section shall submit an application therefor to the Secretary in such form and in such manner as the Secretary may require.

(2) APPLICATION CONTENTS.—Each application submitted under paragraph (1) shall include the following:

(A) A plan to coordinate activities under the program, to the extent possible, with Federal, State, and local providers of services for veterans to enhance the following:

(i) Awareness by veterans of benefits and health care services provided by the Department.

(ii) Outreach efforts to increase the use by veterans of services provided by the Department.

(iii) Educational efforts to inform veterans of the benefits of a healthy and active lifestyle.

(B) A statement of understanding from the entity submitting the application that, if selected, such entity will be required to report to the Secretary periodically on standardized data and other performance data necessary to evaluate individual outcomes and to facilitate evaluations among entities participating in the program.

(C) Other requirements that the Secretary may prescribe.

(e) GRANT USES.—

(1) IN GENERAL.—A public or private nonprofit entity awarded a grant under this section shall use the award for purposes prescribed by the Secretary.

(2) ELIGIBLE VETERANS AND FAMILY.—In carrying out the purposes prescribed by the Secretary in paragraph (1), a public or private nonprofit entity awarded a grant under this section shall use the award to furnish services only to individuals specified in section 1712A(a)(1)(C) of title 38, United States Code.

(f) REPORTS.—

(1) PERIODIC REPORTS.—

(A) IN GENERAL.—Not later than 180 days after the date of the commencement of the program, and every 180 days thereafter, the Secretary shall submit to Congress a report on the program.

(B) REPORT ELEMENTS.—Each report required by subparagraph (A) shall include the following:

(i) The findings and conclusions of the Secretary with respect to the program during the 180-day period preceding the report.

(ii) An assessment of the benefits of the program to veterans and their family members during the 180-day period preceding the report.

(2) FINAL REPORT.—Not later than 180 days after the end of the program, the Secretary shall submit to Congress a report detailing the recommendations of the Secretary as to the advisability of continuing or expanding the program.

(g) WELLNESS DEFINED.—In this section, the term “wellness” has the meaning given that term in regulations prescribed by the Secretary.

**SA 2965.** Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division C, add the following:

**SEC. 2. 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) of title 38, United States Code, is 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 2966.** Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division C, add the following:

**SEC. 2. PILOT PROGRAM ON PROVISION OF MEDICALLY-TAILORED MEALS TO VETERANS.**

(a) IN GENERAL.—The Secretary of Veterans Affairs shall conduct a pilot program to assess the feasibility and advisability of providing medically-tailored meals for veterans living with one or more chronic conditions that may be improved as follows by access to a healthy diet:

(1) Improvement in the health of the veteran, as measured by—

(A) a health outcome measure associated with the identified chronic condition or the overall health of the veteran;

(B) a reduction on the reliance of the veteran on medication to control the identified chronic condition;

(C) the perception by the veteran of their overall health and wellness; and

(D) such other measures as determined by the Secretary to be clinically significant in coordination with the Secretary of Health and Human Services.

(2) The reduction of individual and household food insecurity.

(3) The increased consumption of domestic fruits and vegetables.

(b) GRANTS.—

(1) IN GENERAL.—In carrying out the pilot program, the Secretary may award grants to programs receiving Federal funding and serving veterans, including the following:

(A) An emergency feeding organization (as defined in section 201A of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501)).

(B) A federally-qualified health center (as defined in section 1905(1)(2)(B) of the Social Security Act (42 U.S.C. 1396d(1)(2)(B))).

(C) A facility operated by the Indian Health Service or the governing body of an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).

(D) An institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)).

(2) GRANT DURATION.—The period covered by a grant awarded under paragraph (1) may not be less than two years.

(c) DURATION OF PROGRAM.—

(1) IN GENERAL.—The Secretary shall carry out the pilot program for a period of five years beginning on the date that is one year after the date of the enactment of this Act.

(2) INDIVIDUAL PARTICIPATION.—Veterans participating in the pilot program shall participate in the pilot program for a period of not less than one year.

(d) LOCATION.—The pilot program shall be carried out at not fewer than 10 locations in 10 different States.

(e) PROGRAM REQUIREMENTS.—In carrying out the pilot program, the Secretary shall include the following program requirements:

(1) A methodology for how the pilot program would be targeted to low-income veterans and households with individuals with one or more chronic conditions.

(2) A plan for screening and enrolling veterans in the pilot program.

(3) A methodology for the evaluation of participants in the pilot program at the time of enrollment, after six months, and after one year of participation focused on the purposes of the pilot program under subsection (a), including—

(A) a comprehensive health assessment of each participant;

(B) an evaluation of each participant's perception of their wellness;

(C) an assessment of the eligibility of the participant and the participation of the participant in programs of the Federal Government designed to reduce food insecurity, including the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) and the Meals on Wheels program; and

(D) an assessment of the eligibility of the participant and the participation of the participant in programs of the Federal Government designed to provide access to health care, including the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.), and health insurance purchased through a health insurance exchange under title I of the Patient Protection and Affordable Care Act (Public Law 111-148).

(4) The inclusion of nutrition education opportunities for participants.

(5) A methodology for the collection and aggregation of data for purposes of analyzing the benefit of medically-tailored meals on participants.

(f) REPORT TO CONGRESS.—Not later than 180 days after the completion of the pilot program, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report detailing the recommendations of the Secretary as to the feasibility and advisability of continuing or expanding the pilot program, based on the following:

(1) The improvement of health outcomes of participants in the pilot program.

(2) The reduction in the reliance of such participants on medications to control identified chronic conditions.

(3) The reduction of health care costs for Federal agencies resulting from the pilot program.

(4) The overall impact of the pilot program on spending in other programs of the Federal Government that are utilized by such participants.

(g) FUNDING.—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2019 through 2023.

(h) DEFINITIONS.—In this section:

(1) MEDICALLY-TAILORED MEALS.—The term “medically-tailored meals” means meals or food packages designed by a registered dietitian or other nutrition professional to be beneficial for someone with one or more chronic conditions.

(2) WELLNESS.—The term “wellness” has the meaning given that term by the Secretary of Health and Human Services and incorporates the eight dimensions of wellness set forth by the Substance Abuse and Mental Health Service Administration of the Department of Health and Human Services.

**SA 2967.** Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division C, add the following:

**SEC. 2. CONSTRUCTION OR LEASE OF DENTAL CLINICS OF DEPARTMENT OF VETERANS AFFAIRS.**

(a) IN GENERAL.—The Secretary of Veterans Affairs shall construct or lease a dental clinic of the Department of Veterans Affairs in any State that does not have a facility of the Department that offers on-site dental services.

(b) FACILITY OF THE DEPARTMENT DEFINED.—In this section, the term “facility of the Department” has the meaning given the term “facilities of the Department” in section 1701 of title 38, United States Code.

(c) FUNDING.—

(1) IN GENERAL.—No new amounts are authorized to be appropriated to carry out this section.

(2) USE OF EXISTING AMOUNTS.—Not less than \$5,000,000 and not more than \$10,000,000 of the amounts appropriated to the Department of Veterans Affairs under this Act for construction shall be used to carry out this section.

**SA 2968.** Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 50, between lines 17 and 18, insert the following:

(i) WEST VALLEY DEMONSTRATION PROJECT.—All radioactive waste at the high-level radioactive waste management demonstration project at the Western New York Service Center in West Valley, New York, carried out under the West Valley Demonstration Project Act (42 U.S.C. 2021a note; Public Law 96-368) shall be considered to be waste resulting from atomic energy defense activities, as defined in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

**SA 2969.** Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division A (relating to the Department of Energy), under the heading “GENERAL PROVISIONS—DEPARTMENT OF ENERGY”, insert the following:

SEC. 3. (a) Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 13287, the Federal Energy Regulatory Commission (referred to in this section as the “Commission”) may, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the procedures of the Commission under that section, extend the time period during which the licensee is required to commence construction of the project for up to 4 consecutive 2-year periods after the required date of the commencement of construction described in Article 301 of the license.

(b)(1) If the period required for the commencement of construction of the project described in subsection (a) has expired prior to the date of enactment of this Act, the Commission may reinstate the license effective as of that date of expiration.

(2) If the Commission reinstates the license under paragraph (1), the first extension authorized under subsection (a) shall take effect on the date of that expiration.

**SA 2970.** Mrs. FEINSTEIN (for herself and Mr. REED) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division A, add the following:

SEC. 305. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to commence the engineering development phase, or any subsequent phase, of the development of a low-yield nuclear weapon unless such development is specifically authorized by an Act of Congress.

**SA 2971.** Mr. TESTER (for himself, Ms. BALDWIN, Mrs. MURRAY, Mr. ISAKSON, Ms. DUCKWORTH, Mr. BLUMENTHAL, Ms. HIRONO, Mrs. GILLIBRAND, Mr.

MANCHIN, and Mr. KING) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division C, insert the following:

**SEC. \_\_\_\_ . INSPECTORS GENERAL.**

(a) **PROHIBITION ON USE OF FUNDS.**—None of the funds appropriated or otherwise made available by this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency of the United States Government over which such Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede the access of such Inspector General to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to such Inspector General and expressly limits the right of access of such Inspector General.

(b) **TIMELY ACCESS.**—A department or agency covered by this section shall provide its Inspector General access to all records, documents, and other materials in a timely manner.

(c) **COMPLIANCE.**—Each Inspector General covered by this section shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) **REPORT.**—Each Inspector General covered by this section shall report to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives within 5 calendar days of any failure by any department or agency covered by this section to comply with this section.

**SA 2972.** Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division A, insert the following:

**SEC. 305.** (a) Of the funds appropriated by this Act or otherwise made available for fiscal year 2019 for the W76-2 warhead modification program, not more than 50 percent may be obligated or expended until the date on which the Secretary of Energy and the Secretary of Defense jointly submit to the congressional defense committees a report—

(1) assessing the potential effects of the modification of the W76-2 warhead and the development of a low-yield nuclear warhead for submarine-launched ballistic missiles on strategic stability;

(2) providing evidence for the conclusion in the 2018 Nuclear Posture Review that adversaries have a “mistaken perception of an exploitable ‘gap’” in United States regional deterrence capabilities; and

(3) assessing options—

(A) to reduce the risk of miscalculation associated with adversaries being unable to distinguish between a submarine-launched ballistic missile carrying a low-yield warhead and such a missile carrying several high-yield warheads; and

(B) to preserve the survivability and the second-strike capability of ballistic missile submarines without increasing risk.

(b) The report described in subsection (a) shall be submitted in unclassified form but may include a classified annex.

(c) In this section, the term “congressional defense committees” has the meaning given that term in section 101(a)(16) of title 10, United States Code.

**SA 2973.** Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I of division A, add the following:

**SEC. 1 \_\_\_\_ .** None of the funds made available by this Act may be used by the Secretary of the Army—

(1) to enforce any requirements of the Rough River Lake Flowage Easement Encroachment Resolution Plan of the Corps of Engineers, dated January 2017; or

(2) to exercise any eminent domain power under that Plan.

**SA 2974.** Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I of division A, add the following:

**SEC. 1 \_\_\_\_ .** None of the funds made available by this Act may be used by the Secretary of the Army to complete the survey around Rough River Lake, Kentucky, by the Corps of Engineers for the purposes of the Rough River Lake Flowage Easement Encroachment Resolution Plan of the Corps of Engineers, dated January 2017.

**SA 2975.** Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I of division A, add the following:

**SEC. 1 \_\_\_\_ .** None of the funds made available by this Act may be used to carry out any water supply reallocation study for the Wolf Creek Dam, Lake Cumberland, Kentucky, project authorized under the Act of July 24, 1946 (60 Stat. 636, ch. 595).

**SA 2976.** Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I of division A, add the following:

**SEC. 1 \_\_\_\_ .** None of the funds made available by this Act may be used to carry out the

final rule issued by the Administrator of the Environmental Protection Agency and the Secretary of the Army entitled “Clean Water Rule: Definition of ‘Waters of the United States’” (80 Fed. Reg. 37054 (June 29, 2015)).

**SA 2977.** Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division A, insert the following:

**SEC. 5 \_\_\_\_ .** Notwithstanding any other provision of this Act, each amount provided by this division is reduced by such amount as is necessary to ensure that the amount is equal to the lower of—

(1) the amount described in the budget request submitted to Congress by the President for the applicable heading, program, or account; and

(2) the amount recommended by the Committees on Appropriations of the Senate and the House of Representatives for the applicable heading, program, or account.

**SA 2978.** Mr. THUNE (for himself, Mr. DURBIN, Mr. ALEXANDER, Ms. KLOBUCHAR, Mr. ROUNDS, and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 4, strike line 18 and all that follows through page 16, line 25, and insert the following:

ment to construction); \$2,148,000,000, to remain available until expended; of which such sums as are necessary to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund as authorized by Public Law 104-303; and of which such sums as are necessary to cover one-half of the costs of construction, replacement, rehabilitation, and expansion of inland waterways projects, except for Chickamauga Lock, Tennessee River, Tennessee, which shall be 15 percent during the fiscal year covered by this Act, shall be derived from the Inland Waterways Trust Fund, except as otherwise specifically provided for in law: *Provided*, That of the funds made available under this heading, \$102,130,000 shall be for Additional Funding, Inland Waterways Trust Fund Revenues, as designated in the report accompanying this Act: *Provided further*, That of the funds made available under this heading, \$507,870,000 shall be for Additional Funding, Navigation, as designated in the report accompanying this Act.

**MISSISSIPPI RIVER AND TRIBUTARIES**

For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, \$350,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund.

**OPERATION AND MAINTENANCE**

For expenses necessary for the operation, maintenance, and care of existing river and

harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; providing security for infrastructure owned or operated by the Corps, including administrative buildings and laboratories; maintaining harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation, \$3,740,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund; of which such sums as become available from the special account for the Corps of Engineers established by the Land and Water Conservation Fund Act of 1965 shall be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available from fees collected under section 217 of Public Law 104-303 shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which such fees have been collected: *Provided*, That 1 percent of the total amount of funds provided for each of the programs, projects, or activities funded under this heading shall not be allocated to a field operating activity prior to the beginning of the fourth quarter of the fiscal year and shall be available for use by the Chief of Engineers to fund such emergency activities as the Chief of Engineers determines to be necessary and appropriate, and that the Chief of Engineers shall allocate during the fourth quarter any remaining funds which have not been used for emergency activities proportionally in accordance with the amounts provided for the programs, projects, or activities.

#### REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, \$200,000,000, to remain available until September 30, 2020.

#### FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites in the United States resulting from work performed as part of the Nation's early atomic energy program, \$120,000,000, to remain available until expended.

#### FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary to prepare for flood, hurricane, and other natural disasters and support emergency operations, repairs, and other activities in response to such disasters as authorized by law, \$35,000,000, to remain available until expended.

#### EXPENSES

For expenses necessary for the supervision and general administration of the civil works program in the headquarters of the Corps of Engineers and the offices of the Division Engineers; and for costs of management and operation of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the United States Army Engineer Research and Development Center, and the United States Army Corps of Engineers Finance Center allocable to the civil works program, \$193,000,000, to remain available until September 30, 2020, of which not to exceed \$5,000 may be used for official reception and representation purposes and only during the current fiscal year: *Provided*,

That no part of any other appropriation provided in this title shall be available to fund the civil works activities of the Office of the Chief of Engineers or the civil works executive direction and management activities of the division offices: *Provided further*, That any Flood Control and Coastal Emergencies appropriation may be used to fund the supervision and general administration of emergency operations, repairs, and other activities in response to any flood, hurricane, or other natural disaster.

#### OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

For the Office of the Assistant Secretary of the Army for Civil Works as authorized by 10 U.S.C. 3016(b)(3), \$5,000,000, to remain available until September 30, 2020: *Provided*, That not more than 75 percent of such amount may be obligated or expended until the Assistant Secretary submits to the Committees on Appropriations of both Houses of Congress a work plan that allocates at least 95 percent of the additional funding provided under each heading in this title, as designated under such heading in the report of the Committee on Appropriations accompanying this Act, to specific programs, projects, or activities.

#### GENERAL PROVISIONS—CORPS OF ENGINEERS—CIVIL

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 101. (a) None of the funds provided in title I of this Act, or provided by previous appropriations Acts to the agencies or entities funded in title I of this Act that remain available for obligation or expenditure in fiscal year 2019, shall be available for obligation or expenditure through a reprogramming of funds that:

- (1) creates or initiates a new program, project, or activity;
- (2) eliminates a program, project, or activity;
- (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by this Act, unless prior approval is received from the House and Senate Committees on Appropriations;
- (4) proposes to use funds directed for a specific activity for a different purpose, unless prior approval is received from the House and Senate Committees on Appropriations;
- (5) augments or reduces existing programs, projects, or activities in excess of the amounts contained in paragraphs (6) through (10), unless prior approval is received from the House and Senate Committees on Appropriations;

(6) INVESTIGATIONS.—For a base level over \$100,000, reprogramming of 25 percent of the base amount up to a limit of \$150,000 per project, study or activity is allowed: *Provided*, That for a base level less than \$100,000, the reprogramming limit is \$25,000: *Provided further*, That up to \$25,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation for existing obligations and concomitant administrative expenses;

(7) CONSTRUCTION.—For a base level over \$2,000,000, reprogramming of 15 percent of the base amount up to a limit of \$3,000,000 per project, study or activity is allowed: *Provided*, That for a base level less than \$2,000,000, the reprogramming limit is \$300,000: *Provided further*, That up to \$3,000,000 may be reprogrammed for settled contractor claims, changed conditions, or real estate deficiency judgments: *Provided further*, That up to \$300,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation for existing obligations and concomitant administrative expenses;

(8) OPERATION AND MAINTENANCE.—Unlimited reprogramming authority is granted for the Corps to be able to respond to emergencies: *Provided*, That the Chief of Engineers shall notify the House and Senate Committees on Appropriations of these emergency actions as soon thereafter as practicable: *Provided further*, That for a base level over \$1,000,000, reprogramming of 15 percent of the base amount up to a limit of \$5,000,000 per project, study, or activity is allowed: *Provided further*, That for a base level less than \$1,000,000, the reprogramming limit is \$150,000: *Provided further*, That \$150,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation;

(9) MISSISSIPPI RIVER AND TRIBUTARIES.—The reprogramming guidelines in paragraphs (6), (7), and (8) shall apply to the Investigations, Construction, and Operation and Maintenance portions of the Mississippi River and Tributaries Account, respectively; and

(10) FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM.—Reprogramming of up to 15 percent of the base of the receiving project is permitted.

(b) DE MINIMUS REPROGRAMMINGS.—In no case should a reprogramming for less than \$50,000 be submitted to the House and Senate Committees on Appropriations.

(c) CONTINUING AUTHORITIES PROGRAM.—Subsection (a)(1) shall not apply to any project or activity funded under the continuing authorities program.

(d) Not later than 60 days after the date of enactment of this Act, the Secretary shall submit a report to the House and Senate Committees on Appropriations to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year which shall include:

(1) A table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if applicable, and the fiscal year enacted level; and

(2) A delineation in the table for each appropriation both by object class and program, project and activity as detailed in the budget appendix for the respective appropriations; and

(3) An identification of items of special congressional interest.

(e) The Secretary shall allocate funds made available in this Act solely in accordance with the provisions of this Act and the report of the Committee on Appropriations accompanying this Act, including the determination and designation of new starts.

(f) None of the funds made available in this title may be used to award or modify any contract that commits funds beyond the amounts appropriated for that program, project, or activity that remain unobligated, except that such amounts may include any funds that have been made available through reprogramming pursuant to this section.

SEC. 102. The Secretary of the Army may transfer to the Fish and Wildlife Service, and the Fish and Wildlife Service may accept and expend, up to \$5,400,000 of funds provided in this title under the heading "Operation and Maintenance" to mitigate for fisheries lost due to Corps of Engineers projects.

SEC. 103. None of the funds in this Act shall be used for an open lake placement alternative for dredged material, after evaluating the least costly, environmentally acceptable manner for the disposal or management of dredged material originating from Lake Erie or tributaries thereto, unless it is approved under a State water quality certification pursuant to section 401 of the Federal Water Pollution Control Act (33 U.S.C. 1341): *Provided*, That until an open lake placement alternative for dredged material is approved



under a State water quality certification, the Corps of Engineers shall continue upland placement of such dredged material consistent with the requirements of section 101 of the Water Resources Development Act of 1986 (33 U.S.C. 2211).

SEC. 104. None of the funds made available in this title may be used for any acquisition of buoy chain that is not consistent with 48 CFR 225.7007, subsections (a)(1) and (a)(2).

SEC. 105. None of the funds made available by this Act may be used to require a permit for the discharge of dredged or fill material under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) for the activities identified in subparagraphs (A) and (C) of section 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

## TITLE II

### DEPARTMENT OF THE INTERIOR

#### CENTRAL UTAH PROJECT

##### CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, \$15,000,000, to remain available until expended, of which \$898,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission: *Provided*, That of the amount provided under this heading, \$1,398,675 shall be available until September 30, 2020, for expenses necessary in carrying out related responsibilities of the Secretary of the Interior: *Provided further*, That for fiscal year 2019, of the amount made available to the Commission under this Act or any other Act, the Commission may use an amount not to exceed \$1,500,000 for administrative expenses.

#### BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

#### WATER AND RELATED RESOURCES (INCLUDING TRANSFERS OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, federally recognized Indian tribes, and others, \$1,395,000,000, to remain available until expended, of which \$67,693,000 shall be available for transfer to the Upper Colorado River Basin Fund and \$5,551,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: *Provided*, That such transfers may be increased or decreased within the overall appropriation under this heading: *Provided further*, That within available funds, \$250,000 shall be for grants and financial assistance for educational activities: *Provided further*, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 6806 shall be derived from that Fund or account: *Provided further*, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which the funds were contributed: *Provided further*, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: *Provided further*, That of the amounts provided herein, funds may be used for high-priority projects which shall be car-

ried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706: *Provided further*, That of the funds made available under this heading, \$99,500,000 shall be for Additional Funding for Ongoing Work: Rural Water, as designated in the report accompanying this Act.

**SA 2979.** Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division A, add the following:

SEC. 3 \_\_\_\_\_. (a) Pursuant to the special message transmitted by the President on May 8, 2018, to the Senate and the House of Representatives proposing the rescission of budget authority under section 1012 of part B of title X of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 683), the rescissions described in subsection (b) shall take effect immediately on the date of enactment of this Act.

(b) The rescissions referred to in subsection (a) are as follows:

(1) Any unobligated balances of amounts provided by section 129 of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110-329; 122 Stat. 3578) for the cost of direct loans under section 136(d) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013(d)) are rescinded.

(2) Of the unobligated balances made available by section 1425 of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Public Law 112-10; 125 Stat. 126) for the cost of loan guarantees for renewable energy or efficient end-use energy technologies under section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513), \$160,682,760 are rescinded.

(3) Any unobligated balances of amounts made available under the heading "TITLE 17—INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM" under the heading "ENERGY PROGRAMS" under the heading "DEPARTMENT OF ENERGY" in title IV of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 140) for the cost of guaranteed loans authorized by section 1705 of the Energy Policy Act of 2005 (42 U.S.C. 16516) are rescinded.

**SA 2980.** Mr. HEINRICH (for himself and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3 \_\_\_\_\_. In making awards from the Energy Technology Commercialization Fund established under section 1001(e) of the Energy Policy Act of 2005 (42 U.S.C. 16391(e)), the requirements for matching funds shall be determined by the Secretary of Energy in accordance with section 988 of that Act (42 U.S.C. 16352).

**SA 2981.** Mr. DURBIN (for Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations

for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division C, insert the following:

#### SEC. \_\_\_\_\_. PILOT PROGRAM TO EXTEND PAVEMENT LIFE.

(a) **AUTHORITY.**—The Secretary of the Army may carry out a pilot program to design, build, and test technologies and innovative pavement materials in order to extend the service life of military roads and runways.

(b) **SCOPE.**—The pilot program authorized by subsection (a) shall include the following:

(1) The design, test and assembly of technologies and systems suitable for pavement applications.

(2) Research, development, and testing of new pavement materials for road and runway use in different geographic areas in the United States.

(3) Design and procurement of platforms and equipment to test performance, cost, feasibility, and effectiveness.

(c) **COMPETITION REQUIREMENTS.**—Any award of a contract or grant under the pilot program authorized by subsection (a) shall be made using merit-based selection procedures.

#### (d) **REPORT.**—

(1) **IN GENERAL.**—Not later than two years after the commencement of the pilot program, the Secretary of the Army shall submit to the congressional defense committees a report on the pilot program.

(2) **CONTENTS.**—The report required by paragraph (1) shall include the following:

(A) An assessment of the effectiveness of activities under the pilot program in improving the service life of military roads and runways.

(B) An analysis of potential lifetime cost-savings associated with the extended service life of the runways and roads as well as potential reduction in energy demands.

(e) **TERMINATION OF AUTHORITY.**—The authorities under this section shall terminate on September 30, 2024.

**SA 2982.** Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 66, between lines 13 and 14, insert the following:

#### TRANSIT BENEFITS FOR INTERNS

SEC. 104. Section 7905(a) of title 5, United States Code, is amended—

(1) in paragraph (1), by inserting ", a Senate intern" before ", and a student";

(2) in paragraph (3), by striking "and" at the end;

(3) in paragraph (4), by striking the period at the end and inserting "; and"; and

(4) by adding at the end the following:

"(5) the term 'Senate intern' means an individual—

"(A) who serves in the office of a Senator or a committee of the Senate on a temporary basis for a period not to exceed 12 months (without regard to whether the individual is compensated for the service); and

"(B) whose service is primarily for the educational experience of the individual."

**SA 2983.** Mr. BENNET (for himself, Mr. GARDNER, and Ms. DUCKWORTH)

submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division A, add the following:

SEC. 3 \_\_\_\_\_. (a) The Secretary of Energy, in consultation with the Secretary of Defense, shall evaluate the military installations at which it would be cost-effective to establish a partnership with community colleges, institutions of higher education, and the private sector to train veterans and members of the Armed Forces transitioning to civilian life to enter the cybersecurity, energy, and artificial intelligence workforces.

(b) Not later than 120 days after the date of enactment of this Act, the Secretary of Energy, in consultation with the Secretary of Defense, shall submit to the congressional defense and energy committees and make publicly available a report describing the results of the evaluation conducted under subsection (a).

**SA 2984.** Mr. TESTER submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division C, insert the following:

**SEC. \_\_\_\_\_. PILOT PROGRAM ON COMMUNITY CARE COORDINATION AND SUPPORTIVE SERVICES FOR FAMILIES OF VETERANS AND MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES WHO LACK ADEQUATE ACCESS TO SERVICES.**

(a) **PILOT PROGRAM REQUIRED.**—

(1) **IN GENERAL.**—Commencing not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall, after consultation with the Secretary of Defense, carry out a pilot program with community partners to assess the feasibility and advisability of providing intensive community care coordination and supportive services to covered families who lack adequate access to services furnished by the Department of Veterans Affairs or other entities of Federal, State, and local governments.

(2) **LIMITATION.**—The Secretary shall ensure that no coordination or supportive service is provided under the pilot program to a covered family unless the Secretary has certified that the Department cannot otherwise provide the coordination or supportive service to the covered family, including by a telehealth or other function of the Department.

(b) **COMMUNITY CARE COORDINATION AND SUPPORTIVE SERVICES DESCRIBED.**—For purposes of the pilot program, intensive community care coordination and supportive services are services provided by a community partner to improve the well-being and address the needs of covered families who live in rural or underserved areas or who otherwise lack access to adequate services furnished by the Department of Veterans Affairs, the Federal Government, or State and local governments. Intensive community care coordination and supportive services may include the following:

(1) Care coordination and case management services.

(2) Outreach services.

(3) Assistance in obtaining any benefits from the Department which the veteran (or member of a reserve component of the Armed Forces) may be eligible to receive, including the following:

(A) Vocational and rehabilitation counseling.

(B) Employment and training services.

(C) Educational assistance.

(D) Health care services.

(4) Assistance in obtaining and coordinating the provision of other public benefits or available services provided by the Federal Government, State or local governments, or other community partners, including the following:

(A) Marriage counseling.

(B) Services for children.

(C) Suicide prevention.

(D) Substance abuse awareness and treatment.

(E) Mental health awareness and treatment.

(F) Financial counseling.

(G) Employment assistance.

(H) Transportation services.

(I) Child care.

(J) Housing counseling.

(K) Preparing and updating family care plans.

(L) Development of strategies for living with a veteran with post traumatic stress disorder or traumatic brain injury.

(M) Accessing emergency financial assistance through philanthropic efforts.

(N) Such other services as may be appropriate to improve the well-being and address the unique needs of veterans families who live in rural or underserved areas or otherwise lack access to adequate services furnished by the Department of Veterans Affairs, the Federal Government, or State and local governments.

(5) Providing direct services, described in paragraph (4), that are necessary to address the needs of the covered families but are otherwise unavailable through existing public or private programs.

(c) **AGREEMENTS AND GRANTS.**—

(1) **AGREEMENTS.**—The Secretary of Veterans Affairs shall carry out the pilot program by entering into partnership agreements with community partners to provide intensive community care coordination and supportive services.

(2) **GRANTS.**—

(A) **IN GENERAL.**—The Secretary shall, using a competitive and merit-based process, award grants to community partners with whom the Secretary has entered into agreements under paragraph (1).

(B) **USE OF FUNDS.**—The amounts of grants awarded under subparagraph (A) shall be used to provide intensive community care coordination and supportive services under the pilot program and to assess service delivery efficiencies.

(C) **LOCATIONS.**—The Secretary may award grants under subparagraph (A) on an individual location basis and may award grants for the provision of certain services at locations that also provide other services.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Department of Veterans Affairs to carry out the pilot program \$5,000,000 for each of fiscal years 2019, 2020, and 2021.

(e) **REPORT.**—

(1) **IN GENERAL.**—Not later than 340 days before the completion of the pilot program, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the results of the pilot program.

(2) **CONTENTS.**—The report required by paragraph (1) shall include the following:

(A) The number of covered families served under the pilot program.

(B) The number of covered families who received service linkages or referrals under the pilot program.

(C) A description and assessment of the effectiveness and achievements of the pilot program with respect to services and treatments and mitigation of risks, including risks relating to homelessness, unemployment, and suicide.

(f) **DEFINITIONS.**—In this section:

(1) **COMMUNITY PARTNER.**—The term “community partner” means a private nonprofit organization.

(2) **COVERED FAMILY.**—The term “covered family” means a family with respect to which the head of the household or the spouse of the head of the household is a veteran or a member of a reserve component of the Armed Forces. A family that consists of a single individual who is a veteran or a member of a reserve component of the Armed Forces shall be considered a covered family.

**SA 2985.** Mr. McCONNELL (for Ms. BALDWIN (for herself and Mr. PORTMAN)) proposed an amendment to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; as follows:

On page 32, line 16, strike the period at the end and insert the following: “: *Provided*, That of the amounts appropriated under this heading, \$20,000,000 shall be for cooperative agreements and laboratory support to accelerate the domestic production of Molybdenum-99.”.

**SA 2986.** Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 24, line 16, insert “That using funds made available under this heading, the Secretary of Energy shall continue to carry out external Department of Energy activities for advanced coal processing research and development, including by advancing early stage research for converting coal pitch and coal to carbon fiber and other value-added products for alternative uses of coal: *Provided further*,” before “That of such amount”.

**SA 2987.** Mr. PERDUE (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I of division A, add the following:

SEC. 1 \_\_\_\_\_. Of the funds made available under this title for construction that are in excess of the amount requested for that purpose in the budget of the United States Government most recently submitted by the President under section 1105 of title 31, United States Code, not less than \$100,000,000 shall be used for projects related to deep-draft navigation.

**SA 2988.** Mr. PERDUE (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V of division A, insert the following:

SEC. 5 \_\_\_\_\_. None of the funds made available in this Act may be used to reevaluate or revise any jurisdictional determination for wetland delineations for the Atlantic and Gulf Coast region that was valid as of January 1, 2008, or that has an effective approval date of January 1, 2008, through December 31, 2014.

**SA 2989.** Mr. PERDUE submitted an amendment intended to be proposed by him to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. PROHIBITION ON OFFICIAL TRAVEL BY MEMBERS OF CONGRESS AND CONGRESSIONAL STAFF IF APPROPRIATIONS NOT COMPLETED.**

On and after October 1, 2018, if both Houses of Congress have not approved all the regular appropriations bills for fiscal year 2019, no amounts made available under this Act may be obligated or expended for official travel by a Member of Congress or an employee whose pay is disbursed by the Secretary of the Senate or the Clerk of the House of Representatives.

**SA 2990.** Mrs. GILLIBRAND (for herself, Ms. BALDWIN, and Mr. JOHNSON) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I of division C, add the following:

SEC. \_\_\_\_\_. (a) **REPORT.**—Not later than December 31, 2019, the Secretary of Air Force shall submit to the congressional defense committees a report setting forth the results of a review, conducted by the Secretary for purposes of the report, of the analytical model used for strategic basing of KC-46 aircraft.

(b) **PARTICULAR ELEMENT.**—The report shall include such recommendations of the Secretary for the analytical model as the Secretary considers appropriate in order to ensure that the model addresses changes in refueling requirements along the Northern Tier of the United States as a result of the 2018 National Defense Strategy and associated mobility capability requirements, including, in particular, in connection with the growth of activities in the Northern Polar region by global and regional powers.

**SA 2991.** Ms. STABENOW (for herself, Ms. BALDWIN, and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 2910 pro-

posed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 50, between lines 17 and 18, insert the following:

**SEC. 305. SENSE OF CONGRESS REGARDING THE CONSTRUCTION OF A PERMANENT GEOLOGICAL REPOSITORY FOR NUCLEAR WASTE AND RADIOACTIVE MATERIALS IN THE GREAT LAKES BASIN.**

(a) **FINDINGS.**—Congress finds the following:

(1) The water resources of the Great Lakes Basin are precious public natural resources, which are shared by the Great Lakes States and the Canadian Provinces.

(2) Since 1909, the United States and Canada have worked to maintain and improve the water quality of the Great Lakes through water quality agreements.

(3) More than 40,000,000 people, in both Canada and the United States, depend on fresh water from the Great Lakes for drinking water.

(4) Ontario Power Generation is proposing to build a permanent geological repository for nuclear waste less than 1 mile from Lake Huron in Kincardine, Ontario, Canada.

(5) Nuclear waste is highly toxic and can take tens of thousands of years to decompose to safe levels.

(6) A spill of nuclear waste into the Great Lakes could have lasting and severely adverse environmental, health, and economic impacts on the Great Lakes and the people who depend on the Great Lakes for their livelihood.

(7) At least 187 State, tribal, county, and local governments have passed resolutions opposing Ontario Power Generation's proposed nuclear waste repository.

(8) Tribes and First Nations' citizens have a strong spiritual and cultural connection to the Great Lakes, and the protection of the Great Lakes is fundamental to treaty rights.

(9) Ontario Power Generation has promised not to move forward with its current proposal without the support of the First Nations that would be impacted.

(10) During the 1980s, when the Department of Energy, in accordance with the Nuclear Waste Policy Act of 1982, was studying potential sites for a permanent nuclear waste repository in the United States, the Government of Canada expressed concern with locating a permanent nuclear waste repository within shared water basins of the 2 countries.

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

(1) the Government of Canada should not allow a permanent nuclear waste repository to be built within the Great Lakes Basin;

(2) the President, the Secretary of Energy, and the Secretary of State should take appropriate action to work with the Government of Canada to prevent a permanent nuclear waste repository from being built within the Great Lakes Basin; and

(3) the President, the Secretary of Energy, and the Secretary of State should work together with the Government of Canada to consider other avenues to identify safer and more responsible solutions for addressing the long-term storage of nuclear waste.

**SA 2992.** Mr. KENNEDY (for himself and Mr. JONES) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making

appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division C, add the following:

SEC. 2 \_\_\_\_\_. None of the funds made available in this Act may be used in a manner that would increase wait times for veterans who seek care at medical facilities of the Department of Veterans Affairs.

**SA 2993.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division C, insert the following:

**SEC. \_\_\_\_\_. PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.**

(a) **IN GENERAL.**—Section 4001(a) of title 18, United States Code, is amended to read as follows:

“(a) No citizen or lawful permanent resident of the United States shall be imprisoned or otherwise detained by the United States except consistent with the Constitution and pursuant to an Act of Congress that expressly authorizes such imprisonment or detention.”.

(b) **RELATIONSHIP TO AN AUTHORIZATION TO USE MILITARY FORCE, DECLARATION OF WAR, OR SIMILAR AUTHORITY.**—Section 4001 of title 18, United States Code, as amended by subsection (a) is further amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

“(b)(1) A general authorization to use military force, a declaration of war, or any similar authority, on its own, shall not be construed to authorize the imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States.

“(2) Paragraph (1) applies to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of the Due Process Guarantee Act.

“(3) This section shall not be construed to authorize the imprisonment or detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.”.

**SA 2994.** Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 22, strike line 23 and all that follows through page 24, line 15 and insert the following:

\$2,330,000,000, to remain available until expended: *Provided*, That of such amount, \$162,500,000 shall be available until September 30, 2020, for program direction: *Provided further*, That of such amount, \$256,000,000 shall be used for grants under the weatherization assistance program for low-

income persons established under part A of title IV of the Energy Conservation and Production Act (42 U.S.C. 6861 et seq.).

**CYBERSECURITY, ENERGY SECURITY, AND EMERGENCY RESPONSE**

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy sector cybersecurity, energy security, emergency response, and electricity delivery activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$260,000,000, to remain available until expended: *Provided*, That of such amount, \$28,500,000 shall be available until September 30, 2020, for program direction.

**NUCLEAR ENERGY**

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$1,206,000,000, to remain available until expended: *Provided*, That of such amount, \$80,000,000 shall be available until September 30, 2020, for program direction.

**FOSSIL ENERGY RESEARCH AND DEVELOPMENT**

For Department of Energy expenses necessary in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), \$716,000,000, to remain available until expended: *Pro-*

**SA 2995.** Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division C, add the following:

**SEC. 2. DEMONSTRATION PROGRAM ON FURNISHING DENTAL HEALTH CARE SERVICES FOR VETERANS IN RURAL AND OTHER UNDERSERVED COMMUNITIES.**

(a) IN GENERAL.—The Secretary of Veterans Affairs shall carry out a demonstration program to assess the feasibility and advisability of furnishing dental health care services, including through the use of alternative dental health care providers, to increase access to such services for eligible veterans who reside in rural and other underserved communities.

(b) LOCATIONS.—

(1) IN GENERAL.—The Secretary shall carry out the demonstration program in not more than four rural States, as determined by the Secretary.

(2) 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 of Veterans Affairs that offers on-site dental services.

(c) ELIGIBLE VETERANS.—A veteran is eligible for dental health care services under the demonstration program under this section if—

(1) the veteran is entitled to dental health care services from the Department; or

(2) the veteran is enrolled in the system of patient enrollment of the Department under section 1705 of title 38, United States Code, but is not eligible for dental health care services from the Department under authorities other than this section.

(d) 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.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out the demonstration program under this section \$20,000,000.

(f) 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 2996.** Mr. WARNER (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 31, line 16, insert “: *Provided*, That of such amount, such amounts as are necessary shall be available to ensure that the Office of the Inspector General fully meets the requirements of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note; Public Law 109–292)” before the period.

**SA 2997.** Mr. BROWN submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 22, line 25, strike “direction.” and insert “direction: *Provided further*, That of such amount, not less than \$1,000,000 shall be used to support the development and deployment of high-efficiency linear generator power plant technology, which, for purposes of stationary electric power production, is equivalent to fuel cell power plant technology.”.

**SA 2998.** Mr. HEINRICH (for himself and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division A, add the following:

SEC. 305. (a) Not later than April 1, 2019, and annually thereafter through 2025, the Chairperson of the Nuclear Weapons Council established under section 179 of title 10, United States Code, shall submit to the Secretary of Defense, the Administrator for Nuclear Security, and the congressional defense committees a written certification that the plutonium pit production strategy recommended by the Administrator in a letter to the congressional defense committees dated May 10, 2018, is on track to meet—

(1) the requirement to begin production of 30 war reserve pits per year at Los Alamos National Laboratory, Los Alamos, New Mexico, by 2026; and

(2) the timelines for demonstrating a capability to produce an additional 50 war reserve plutonium pits per year, as required by section 4219 of the Atomic Energy Defense Act (50 U.S.C. 2538a).

(b) In this section, the term “congressional defense committees” has the meaning given that term in section 101(a)(16) of title 10, United States Code.

**SA 2999.** Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I of division A, add the following:

SEC. 106. None of the funds made available by this title may be used by the Corps of Engineers to conduct a release or discharge of water from Lake Okeechobee to the Caloosahatchee Estuary or the Indian River Lagoon unless the discharge or release—

(1) is conducted in pulses to minimize downstream impacts from reduced water quality and harmful algal blooms to local communities and wildlife habitat; or

(2) is necessary—

(A) to protect the integrity of the Herbert Hoover Dike; and

(B) to minimize threats to lives and human health in the communities surrounding Lake Okeechobee.

**SA 3000.** Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I of division A, add the following:

SEC. 1 \_\_\_\_\_. (a) Congress finds that—

(1) the restoration of the Everglades, as described in the Comprehensive Everglades Restoration Plan authorized by title VI of the Water Resources Development Act of 2000 (Public Law 106–541; 114 Stat. 2680) (referred to in this section as the “Plan”), is the most ambitious environmental restoration program in history;

(2) the overarching objectives of the Plan are the restoration, preservation, and protection of the south Florida ecosystem, while providing for other water-related needs of the region, including water supply and flood protection;

(3) the Plan should continue to be implemented as authorized—

(A) to ensure—

(i) the protection of water quality in the south Florida ecosystem;

(ii) the reduction of the loss of fresh water from the south Florida ecosystem; and

(iii) the improvement of the environment of the south Florida ecosystem; and

(B) to achieve and maintain the benefits to the natural system and human environment described in the Plan; and

(4) the equal partnership between the Federal Government and the State of Florida remains essential to accomplishing the objectives of the Plan.

(b) It is the sense of the Congress that—

(1) the discharge of excess water by the Corps of Engineers from Lake Okeechobee to the Caloosahatchee Estuary and the Indian River Lagoon conflicts with the objectives of the Plan;

(2) the diversion of those Lake Okeechobee discharges to project features like the Everglades Agricultural Area Storage Reservoir, designed to store and treat water prior to release into the Central Everglades, is an essential source of fresh water for meeting the objectives of the Plan;

(3) the peer-reviewed Dynamic Model for Everglades Stormwater Treatment Areas developed by the Department of the Interior is wholly satisfactory for demonstrating compliance of congressionally authorized Plan projects with water quality standards; and

(4) the Plan authorizes a 50/50 Federal-State cost share for all aspects of congressionally authorized restoration projects, including water quality projects.

**SA 3001.** Mr. BENNET submitted an amendment intended to be proposed by him to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

**SEC. \_\_\_\_.** **IMPROVEMENTS TO AUTHORIZATION OF MONTHLY ASSISTANCE FROM THE DEPARTMENT OF VETERANS AFFAIRS FOR DISABLED VETERANS COMPETING FOR SLOTS ON THE UNITED STATES OLYMPIC TEAM.**

Subparagraph (B) of section 322(d)(1) of title 38, United States Code, is amended to read as follows:

“(B) a veteran with a service-connected disability rated as 30 percent or greater who is training to compete for a slot on the United States Olympic Team and the Secretary determines, on a case-by-case basis, is training at an elite level or is invited by the United States Olympic Committee (or a national governing body recognized by such committee under section 220521 of title 36) to compete for a slot on, or selected for, the United States Olympic Team for any month in which the veteran is training or competing in any event sanctioned by the United States Olympic Committee (or a national governing body).”.

**SA 3002.** Mr. BENNET submitted an amendment intended to be proposed by him to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

**SEC. \_\_\_\_.** **GRANTS FOR PROVISION OF TRANSITION ASSISTANCE TO MEMBERS OF THE ARMED FORCES AFTER SEPARATION, RETIREMENT, OR DISCHARGE.**

(a) **IN GENERAL.**—The Secretary of Veterans Affairs shall, in coordination with the Secretary of Labor, award grants to eligible organizations for the provision of transition assistance to members of the Armed Forces who are separated, retired, or discharged from the Armed Forces, and spouses of such members.

(b) **USE OF FUNDS.**—The recipient of a grant under this section shall use the grant to coordinate for members of the Armed Forces and spouses described in subsection (a) the following:

- (1) Résumé assistance.
- (2) Interview training.
- (3) Job recruitment training.
- (4) Behavioral health services.
- (5) Financial services.
- (6) Legal assistance.
- (7) Educational supportive services.

(8) Assistance with accessing benefits provided under laws administered by the Secretary of Veterans Affairs.

(9) Non-clinical case management.

(10) Such other services that may be related to the assistance and services set forth in this subsection as the Secretary of Veterans Affairs determines may lead directly to successful transition to civilian life.

(c) **ELIGIBLE ORGANIZATIONS.**—To be eligible for a grant under this section, an organization shall submit to the Secretary an application containing such information and assurances as the Secretary, in consultation with the Secretary of Labor, may require.

(d) **PRIORITY FOR HUBS OF SERVICES.**—In awarding grants under this section, the Secretary shall give priority to an organization that provides multiple forms of services described in subsection (b).

(e) **INCLUSION IN TRANSITION ASSISTANCE PROGRAM COUNSELING.**—The Secretary of the military department concerned shall include in the information provided to a member of the Armed Forces during Transition Assistance Program information regarding any recipient of a grant under this section that is located in the community in which that member will reside after separation, retirement, or discharge from the Armed Forces.

(f) **AMOUNT OF GRANT.**—A grant under this section shall be in an amount that does not exceed 50 percent of the amount required by the organization to provide the services described in subsection (b).

(g) **DEADLINE.**—The Secretary of Veterans Affairs shall commence the awarding of grants under this section not later than six months after the date of the enactment of this Act.

(h) **TERMINATION.**—The authority to provide a grant under this section shall terminate on the date that is five years after the date on which the Secretary commences the awarding of grants under this section.

(i) **DERIVATION OF FUNDS.**—Amounts used to carry out this section shall be derived from amounts appropriated or otherwise made available for the General Administrative Office of the Secretary of Veterans Affairs.

(j) **DEFINITIONS.**—In this section:

(1) **SECRETARY CONCERNED.**—The term “Secretary concerned” has the meaning given such term in section 101 of title 10, United States Code.

(2) **TRANSITION ASSISTANCE PROGRAM.**—The term “Transition Assistance Program” means the Transition Assistance Program under sections 1142 and 1144 of title 10, United States Code.

**SA 3003.** Ms. MURKOWSKI (for herself and Mr. MANCHIN) submitted an

amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division A, add the following:

**SEC. 305.** (a) Section 5 of the Federal Power Act (16 U.S.C. 798) is amended—

(1) in subsection (a), by striking “three” and inserting “4”; and

(2) in subsection (b)—

(A) by striking “Commission may extend the period of a preliminary permit once for not more than 2 additional years beyond the 3 years” and inserting the following: “Commission may—

“(1) extend the period of a preliminary permit once for not more than 4 additional years beyond the 4 years”;

(B) by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(2) after the end of an extension period granted under paragraph (1), issue an additional permit to the permittee if the Commission determines that there are extraordinary circumstances that warrant the issuance of the additional permit.”.

(b) Section 13 of the Federal Power Act (16 U.S.C. 806) is amended in the second sentence by striking “once but not longer than two additional years” and inserting “for not more than 8 additional years.”.

(c) Any obligation of a licensee or exemptee for the payment of annual charges under section 10(e) of the Federal Power Act (16 U.S.C. 803(e)) for a project that has not commenced construction as of the date of enactment of this Act shall commence not earlier than the latest of—

(1) the date by which the licensee or exemptee is required to commence construction; or

(2) the date of any extension of the deadline under paragraph (1).

(d) If the period required for commencement of construction of any project licensed by the Federal Energy Regulatory Commission (referred to in this subsection as the “Commission”) under part I of the Federal Power Act (16 U.S.C. 792 et seq.) has expired during the 3-year period ending on the date of enactment of this Act—

(1) the Commission may reinstate the license for the applicable project effective as of the date of expiration of the license; and

(2) the first extension authorized under section 13 of the Federal Power Act (16 U.S.C. 806) (as amended by subsection (b)) shall take effect on that expiration.

**SEC. 306.** Not later than 18 months after the date of enactment of this Act, the Secretary of the Interior, after consultation with the Secretary of Agriculture, shall—

(1) survey the exterior boundaries of the tract of Federal land within the project boundary of the Swan Lake Hydroelectric Project (FERC No. 2911) as generally depicted and labeled “Lost Creek” on the map entitled “Swan Lake Project Boundary—Lot 2” and dated February 1, 2016; and

(2) issue a patent to the State of Alaska for the tract described in paragraph (1) in accordance with—

(A) the survey authorized under paragraph (1);

(B) section 6(a) of the Act of July 7, 1958 (commonly known as the “Alaska Statehood Act”) (48 U.S.C. note prec. 21; Public Law 85-508); and

(C) section 24 of the Federal Power Act (16 U.S.C. 818).

SEC. 307. (a) In this section:

(1) The term “Commission” means the Federal Energy Regulatory Commission.

(2) The term “Terror Lake Hydroelectric Project” means the project identified in section 1325 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3212), and which is the Commission project numbered 2743.

(3) The term “Upper Hidden Basin Diversion Expansion” means the expansion of the Terror Lake Hydroelectric Project as generally described in exhibit E to the Upper Hidden Basin Grant Application dated July 2, 2014, and submitted to the Alaska Energy Authority Renewable Energy Fund Round VIII by Kodiak Electric Association, Inc.

(b) The licensee for the Terror Lake Hydroelectric Project may occupy not more than 20 acres of Federal land to construct, operate, and maintain the Upper Hidden Basin Diversion Expansion without further authorization of the Secretary of the Interior or under the Alaska National Interest Lands Conservation Act (16 U.S.C. 3101 et seq.).

(c) The Upper Hidden Basin Diversion Expansion shall be subject to appropriate terms and conditions included in an amendment to a license issued by the Commission pursuant to the Federal Power Act (16 U.S.C. 791a et seq.), including section 4(e) of that Act (16 U.S.C. 797(e)), following an environmental review by the Commission under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 308. (a) In this section:

(1) The term “Commission” means the Federal Energy Regulatory Commission.

(2) The term “license” means the license for the Commission project numbered 11393.

(3) The term “licensee” means the holder of the license.

(b) On the request of the licensee, the Commission shall issue an order continuing the stay of the license.

(c) On the request of the licensee, but not later than 10 years after the date of enactment of this Act, the Commission shall—

(1) issue an order lifting the stay of the license under subsection (b); and

(2) make the effective date of the license the date on which the stay is lifted under paragraph (1).

(d)(1) Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Commission project numbered 11393, the Commission may, at the request of the licensee, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of, and the procedures of the Commission under, that section, extend the time period during which the licensee is required to commence the construction of the project for not more than 3 consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.

(2)(A) If the period required for the commencement of construction of the project described in paragraph (1) has expired prior to the date of enactment of this Act, the Commission may reinstate the license effective as of the date of the expiration of the license.

(B) If the Commission reinstates the license under subparagraph (A), the first extension authorized under paragraph (1) shall take effect on the date of that expiration.

(e) Nothing in this section prioritizes, or creates any advantage or disadvantage to, Commission project numbered 11393 under Federal law, including the Federal Power Act (16 U.S.C. 791a et seq.) or the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2601 et seq.), as compared to—

(1) any electric generating facility in existence on the date of enactment of this Act; or

(2) any electric generating facility that may be examined, proposed, or developed during the period of any stay or extension of the license under this section.

SEC. 309. (a) Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to Federal Energy Regulatory Commission project numbers 12756, 12757, and 12758, the Federal Energy Regulatory Commission (referred to in this section as the “Commission”) may, at the request of the licensee for the applicable project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the procedures of the Commission under that section, extend the time period during which the licensee is required to commence the construction of the applicable project for up to 3 consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.

(b) If the time period required for commencement of construction of a project described in subsection (a) has expired prior to the date of enactment of this Act—

(1) the Commission may reinstate the license for the applicable project effective as of the date of the expiration of the license; and

(2) the first extension authorized under subsection (a) shall take effect on that expiration date.

SEC. 310. (a) Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12478–003, the Federal Energy Regulatory Commission (referred to in this section as the “Commission”) may, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of, and the procedures of the Commission under, that section, extend the time period during which the licensee is required to commence construction of the project for not more than 3 consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.

(b)(1) If the period required for the commencement of construction of the project described in subsection (a) has expired prior to the date of enactment of this Act, the Commission may reinstate the license effective as of that date of expiration.

(2) If the Commission reinstates the license under paragraph (1), the first extension authorized under subsection (a) shall take effect on the date of that expiration.

SEC. 311. (a) Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 13287, the Federal Energy Regulatory Commission (referred to in this section as the “Commission”) may, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the procedures of the Commission under that section, extend the time period during which the licensee is required to commence construction of the project for up to 4 consecutive 2-year periods after the required date of the commencement of construction described in Article 301 of the license.

(b)(1) If the period required for the commencement of construction of the project described in subsection (a) has expired prior to the date of enactment of this Act, the Commission may reinstate the license effective as of that date of expiration.

(2) If the Commission reinstates the license under paragraph (1), the first extension au-

thorized under subsection (a) shall take effect on the date of that expiration.

SEC. 312. (a) Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12642, the Federal Energy Regulatory Commission (referred to in this section as the “Commission”) may, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the procedures of the Commission under that section, extend the time period during which the licensee is required to commence the construction of the project for up to 3 consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.

(b) If the period required for commencement of construction of the project described in subsection (a) has expired prior to the date of enactment of this Act—

(1) the Commission may reinstate the license effective as of the date of the expiration of the license; and

(2) the first extension authorized under subsection (a) shall take effect on that expiration date.

SEC. 313. (a) Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission projects numbered 12737 and 12740, the Federal Energy Regulatory Commission (referred to in this section as the “Commission”) may, at the request of the licensee for the applicable project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the procedures of the Commission under that section, extend the time period during which the licensee is required to commence the construction of the applicable project for up to 3 consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.

(b) If the period required for commencement of construction of a project described in subsection (a) has expired prior to the date of enactment of this Act—

(1) the Commission may reinstate the license for the applicable project effective as of the date of the expiration of the license; and

(2) the first extension authorized under subsection (a) shall take effect on that expiration date.

SEC. 314. (a) Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12715 (referred to in this section as the “project”), the Federal Energy Regulatory Commission (referred to in this section as the “Commission”) may, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of, and the procedures of the Commission under, that section, extend the time period during which the licensee is required to commence the construction of the project for not more than 3 consecutive 2-year periods that begin on the date of the expiration of the extension originally issued by the Commission.

(b)(1) If the period required for the commencement of construction of the project has expired before the date of enactment of this Act, the Commission may reinstate the license effective as of the date of the expiration of the license.

(2) If the Commission reinstates the license under paragraph (1), the first extension authorized under subsection (a) shall take effect on the date of that expiration.



**SA 3004.** Mr. TOOMEY (for himself and Mr. YOUNG) submitted an amendment intended to be proposed to amendment SA 2910 proposed by Mr. SHELBY to the bill H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 101, between lines 2 and 3, insert the following:

**SEC. 210. REPEAL OF MEDICAL DEVICE EXCISE TAX.**

(a) IN GENERAL.—Chapter 32 of the Internal Revenue Code of 1986 is amended by striking subchapter E.

(b) CONFORMING AMENDMENTS.—

(1) Subsection (a) of section 4221 of the Internal Revenue Code of 1986 is amended by striking the last sentence.

(2) Paragraph (2) of section 6416(b) of such Code is amended by striking the last sentence.

(c) CLERICAL AMENDMENT.—The table of subchapters for chapter 32 of the Internal Revenue Code of 1986 is amended by striking the item related to subchapter E.

**AUTHORITY FOR COMMITTEES TO MEET**

Mr. ALEXANDER. Mr. President, I have 7 requests for committees to meet during today's session of the Senate. They have 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 are authorized to meet during today's session of the Senate:

**COMMITTEE ON ARMED SERVICES**

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, June 19, 2018, at 10 a.m., to conduct a hearing on the nomination of Lieutenant General Austin S. Miller, USA, to be general and Commander, Resolute Support Mission, North Atlantic Treaty Organization/Commander, United States Forces-Afghanistan, Department of Defense.

**COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS**

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, June 19, 2018, at 10 a.m., to conduct a hearing entitled "Effective Administration of the 340B Drug Pricing Program".

**COMMITTEE ON THE JUDICIARY**

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, June 19, 2018, at 10 a.m., to conduct a hearing entitled "Citizenship for Sale: Oversight of the EB-5 Investor Visa Program."

**COMMITTEE ON VETERANS' AFFAIRS**

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Tuesday, June 19, 2018 during votes to conduct a hearing the nomination of John Lowry III, of Illinois, to be Assistant Secretary of Labor for Veterans' Employment and Training.

**SELECT COMMITTEE ON INTELLIGENCE**

The Select Committee on Intelligence is authorized to meet during

the session of the Senate on Tuesday, June 19, 2018, at 2:30 p.m., to conduct a closed hearing.

**SPECIAL COMMITTEE ON AGING**

The Special Committee on Aging is authorized to meet during the session of the Senate on Tuesday, June 19, 2018, at 2:30 p.m., to conduct a hearing entitled "Changing the Trajectory of Alzheimer's Reducing Risk, Detecting Early Symptoms, and Improving Data.

**SUBCOMMITTEE ON CONSUMER PROTECTION, PRODUCT SAFETY, INSURANCE, AND DATA SECURITY**

The Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, June 19, 2018, at 2:30 p.m., to conduct a hearing entitled "Cambridge Analytica and other Facebook Partners: Examining Data Privacy Risk."

**PRIVILEGES OF THE FLOOR**

Mr. BOOZMAN. Mr. President, I ask unanimous consent that Molly Marsh, a fellow in Senator ALEXANDER's office, and Megan Parrott, a fellow in my office, be granted floor privileges for the remainder of the consideration of H.R. 5895, the Energy and Water Development and Related Agencies Appropriations Act.

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

Mr. SCHATZ. Mr. President, I ask unanimous consent that Olivia Harris, Ramsay Eyre, Madeleine Granda, Brendon McGovern, and Jack Plunkett be granted floor privileges for the length of the current debate on H.R. 5895, an act making appropriations for Energy and Water Development, the Legislative Branch, and Military Construction and Veterans Affairs for fiscal year 2019.

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

Mr. CARPER. Mr. President, I ask unanimous consent that privileges of the floor for the remainder of this Congress be granted to the following members of my staff: Andrew Wishnia, Zachary Pilchen, Christina Baysinger, and Skylar Bayer.

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

**NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2019**

On Monday, June 18, 2018, the Senate passed H.R. 5515, as amended, as follows:

**H.R. 5515**

*Resolved*, That the bill from the House of Representatives (H.R. 5515) entitled "An Act to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes," do pass with the following amendment:

Strike out all after the enacting clause and insert:

**SECTION 1. SHORT TITLE.**

(a) IN GENERAL.—This Act may be cited as the "John S. McCain National Defense Authorization Act for Fiscal Year 2019".

(b) REFERENCES.—Any reference in this or any other Act to the "National Defense Authorization Act for Fiscal Year 2019" shall be deemed to be a reference to the "John S. McCain National Defense Authorization Act for Fiscal Year 2019".

**SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.**

(a) DIVISIONS.—This Act is organized into four divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

(4) Division D—Funding Tables.

(5) Division E—Additional Provisions.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Organization of Act into divisions; table of contents.

Sec. 3. Congressional defense committees.

Sec. 4. Budgetary effects of this Act.

**DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS**

**TITLE I—PROCUREMENT**

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

Sec. 111. Deployment by the Army of an interim cruise missile defense capability.

Subtitle C—Navy Programs

Sec. 121. Multiyear procurement authority for F/A-18E/F Super Hornet and EA-18G aircraft program.

Sec. 122. Multiyear procurement authority for E-2D Advanced Hawkeye (AHE) aircraft program.

Sec. 123. Extension of limitation on use of sole-source shipbuilding contracts for certain vessels.

Sec. 124. Prohibition on availability of funds for Navy port waterborne security barriers.

Sec. 125. Multiyear procurement authority for Standard Missile-6.

Sec. 126. Limitation on availability of funds for the Littoral Combat Ship.

Sec. 127. Nuclear refueling of aircraft carriers.

Sec. 128. Limitation on funding for Amphibious Assault Vehicle Product Improvement Program.

Subtitle D—Air Force Programs

Sec. 141. Prohibition on availability of funds for retirement of E-8 JSTARS aircraft.

Sec. 142. B-52H aircraft system modernization report.

Sec. 143. Repeal of funding restriction for EC-130H Compass Call Recapitalization Program and review of program acceleration opportunities.

Subtitle E—Defense-wide, Joint, and Multiservice Matters

Sec. 151. Multiyear procurement authority for C-130J aircraft program.

Sec. 152. Quarterly updates on the F-35 Joint Strike Fighter program.

Sec. 153. Authority to procure additional polar-class icebreakers.

**TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.