

S. 2908

At the request of Mr. ROBERTS, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2908, a bill to amend title XVIII of the Social Security Act to provide for electronic prior authorization under Medicare part D for covered part D drugs, and for other purposes.

S. 2934

At the request of Mr. NELSON, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2934, a bill to increase the recruitment and retention of school-based mental health services providers by low-income local educational agencies.

S. 3172

At the request of Mr. PORTMAN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 3172, a bill to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, and for other purposes.

At the request of Mr. WARNER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 3172, *supra*.

S. 3192

At the request of Mr. MARKEY, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 3192, a bill to amend the Safe Drinking Water Act to update and modernize the reporting requirements for contaminants, including lead, in drinking water, and for other purposes.

S. 3284

At the request of Mr. TESTER, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 3284, a bill to amend the Internal Revenue Code of 1986 to require certain tax-exempt organizations to include on annual returns the names and addresses of substantial contributors, and for other purposes.

S. 3290

At the request of Mr. COTTON, the names of the Senator from Delaware (Mr. COONS) and the Senator from Louisiana (Mr. CASSIDY) were added as cosponsors of S. 3290, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of the Tomb of the Unknown Soldier.

S. 3321

At the request of Mr. COONS, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 3321, a bill to award Congressional Gold Medals to Katherine Johnson and Dr. Christine Darden and to posthumously award Congressional Gold Medals to Dorothy Vaughan and Mary Jackson in recognition of their contributions to the success of the National Aeronautics and Space Administration during the Space Race.

S. 3359

At the request of Ms. HARRIS, the names of the Senator from South Caro-

lina (Mr. SCOTT), the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 3359, a bill to posthumously award a Congressional Gold Medal to Aretha Franklin in recognition of her contributions of outstanding artistic and historical significance to culture in the United States.

S. 3388

At the request of Mr. TILLIS, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of S. 3388, a bill to amend the Health Insurance Portability and Accountability Act.

S. RES. 562

At the request of Mr. MERKLEY, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. Res. 562, a resolution expressing the sense of the Senate that the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) continues to make an invaluable contribution to United States and international security, 50 years after it opened for signature on July 1, 1968.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 621—CONGRATULATING THE HONOLULU LITTLE LEAGUE BASEBALL TEAM OF HAWAII ON WINNING THE 2018 LITTLE LEAGUE BASEBALL WORLD SERIES CHAMPIONSHIP

Ms. HIRONO (for herself and Mr. SCHATZ) submitted the following resolution; which was considered and agreed to:

S. RES. 621

Whereas the 2018 Honolulu Little League Baseball team, having proudly represented the State of Hawaii and the West region of the United States, won Hawaii's third Little League Baseball World Series Championship;

Whereas the Honolulu Little League Baseball team capped off a thrilling championship game to defeat the Asia-Pacific and International Championship team of South Korea by a score of 3 to 0;

Whereas the 2018 Honolulu Little League Baseball team demonstrated sportsmanship and humility on its path to an undefeated West Regional title in San Bernardino, California;

Whereas the 2018 Honolulu Little League Baseball team played with consistency and dominance throughout the 2018 Little League World Series in Williamsport, Pennsylvania, winning all 5 of the tournament games the team played in;

Whereas the 2018 Honolulu Little League Baseball team rode a wave of sterling pitching, shutting out opponents in 4 of 5 games, including in the first championship shutout win since 2002;

Whereas the 2018 Honolulu Little League Baseball team has brought pride and excitement to the State of Hawaii and delivered hope to the people of Hawaii in the wake of the devastating impacts of Hurricane Lane, the major flooding in April 2018, and the Kilauea volcano eruptions of 2018;

Whereas the 2018 Honolulu Little League Baseball team further galvanized the State

of Hawaii to come together and root the team to victory;

Whereas the manager of the 2018 Honolulu Little League Baseball team, Gerald Oda, the coaching staff of the team, and the parents of players of the team provided vital leadership and support, including by inculcating in the players a culture of respect and humility; and

Whereas the 2018 Honolulu Little League Baseball team included players Bruce Boucher, Kory Chu, Tanner Chun, John De la Cruz, Kaolu Holt, Aukai Kea, Mana Lau Kong, Chandler Murray, Hunter Nishina, Taylin Oana, Caleb Okada, Jace Souza, Zachary Won, and Sean Yamaguchi and coaches Keith Oda and Willis Kato: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the contributions of Little League Baseball to the State of Hawaii;

(2) congratulates the Honolulu Little League Baseball team on its 2018 Little League Baseball World Series Championship;

(3) recognizes the hard work, commitment to sportsmanship, and dignity of the players, coaches, and families of the Honolulu Little League Baseball team; and

(4) joins with all the people of Hawaii, the United States, and baseball fans everywhere in celebrating Hawaii's third Little League Baseball World Series Championship.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4009. Mr. MCCONNELL (for Ms. STABENOW) proposed an amendment to the bill S. 2553, to amend title XVIII of the Social Security Act to prohibit Medicare part D plans from restricting pharmacies from informing individuals regarding the prices for certain drugs and biologicals.

SA 4010. Mr. MCCONNELL (for Ms. STABENOW) proposed an amendment to the bill S. 2553, *supra*.

TEXT OF AMENDMENTS

SA 4009. Mr. MCCONNELL (for Ms. STABENOW) proposed an amendment to the bill S. 2553, to amend title XVIII of the Social Security Act to prohibit Medicare part D plans from restricting pharmacies from informing individuals regarding the prices for certain drugs and biologicals; as follows:

Strike section 2 and insert the following:

SEC. 2. PROHIBITION ON LIMITING CERTAIN INFORMATION ON DRUG PRICES.

(a) IN GENERAL.—Section 1860D-4 of the Social Security Act (42 U.S.C. 1395w-104) is amended by adding at the end the following new subsection:

“(m) PROHIBITION ON LIMITING CERTAIN INFORMATION ON DRUG PRICES.—A PDP sponsor and a Medicare Advantage organization shall ensure that each prescription drug plan or MA-PD plan offered by the sponsor or organization does not restrict a pharmacy that dispenses a prescription drug or biological from informing, nor penalize such pharmacy for informing, an enrollee in such plan of any differential between the negotiated price of, or copayment or coinsurance for, the drug or biological to the enrollee under the plan and a lower price the individual would pay for the drug or biological if the enrollee obtained the drug without using any health insurance coverage.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to plan years beginning on or after January 1, 2020.

SA 4010. Mr. MCCONNELL (for Ms. STABENOW) proposed an amendment to

the bill S. 2553, to amend title XVIII of the Social Security Act to prohibit Medicare part D plans from restricting pharmacies from informing individuals regarding the prices for certain drugs and biologicals; as follows:

Amend the title so as to read: "A bill to amend title XVIII of the Social Security Act to prohibit Medicare part D plans from restricting pharmacies from informing individuals regarding the prices for certain drugs and biologicals."

AUTHORITY FOR COMMITTEES TO MEET

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

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

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, September 4, 2018, at 9.30 a.m. to conduct a hearing on the nomination of the Honorable Brett M. Kavanaugh, to be an Associate Justice of the Supreme Court of the United States.

PRIVILEGES OF THE FLOOR

Mr. UDALL. Mr. President, I ask unanimous consent that Olubukola Adebayo and Christina Youn, congressional fellows in my office, be granted floor privileges for the remainder of the 115th Congress.

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

Ms. WARREN. Mr. President, I ask unanimous consent that Stephen McCall, a fellow in my office, be granted floor privileges for the remainder of today's session.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the following calendar bills en bloc: Calendar No. 420, H.R. 1109 and Calendar No. 469, S. 186.

The PRESIDING OFFICER. The clerk will read the titles of the bills en bloc.

AMENDING SECTION 203 OF THE FEDERAL POWER ACT

The senior assistant legislative clerk read as follows:

A bill (H.R. 1109) to amend Section 203 of the Federal Power Act.

FAIR RATES ACT

The senior assistant legislative clerk read as follows:

A bill (S. 186) to amend the Federal Power Act to provide that any inaction by the Federal Energy Regulatory Commission that allows a rate change to go into effect shall be treated as an order by the Commission for purposes of rehearing and court review.

There being no objection, the Senate proceeded to consider the bills en bloc as follows:

H.R. 1109, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and insert in lieu thereof the following: **SECTION 1. CLARIFICATION OF FACILITY MERGER AUTHORIZATION.**

Section 203(a)(1) of the Federal Power Act (16 U.S.C. 824b(a)(1)) is amended by striking subparagraph (B) and inserting the following:

"(B) merge or consolidate, directly or indirectly, its facilities subject to the jurisdiction of the Commission, or any part thereof, with the facilities of any other person, or any part thereof, that are subject to the jurisdiction of the Commission and have a value in excess of \$10,000,000, by any means whatsoever;"

SEC. 2. NOTIFICATION FOR CERTAIN TRANSACTIONS.

Section 203(a) of the Federal Power Act (16 U.S.C. 824b(a)) is amended by adding at the end the following new paragraph:

"(7)(A) Not later than 180 days after the date of enactment of this paragraph, the Commission shall promulgate a rule requiring any public utility that is seeking to merge or consolidate, directly or indirectly, its facilities subject to the jurisdiction of the Commission, or any part thereof, with those of any other person, to notify the Commission of such transaction not later than 30 days after the date on which the transaction is consummated if—

"(i) the facilities, or any part thereof, to be acquired are of a value in excess of \$1,000,000; and

"(ii) such public utility is not required to secure an order of the Commission under paragraph (1)(B).

"(B) In establishing any notification requirement under subparagraph (A), the Commission shall, to the maximum extent practicable, minimize the paperwork burden resulting from the collection of information."

SEC. 3. EFFECTIVE DATE.

The amendment made by section 1 shall take effect 180 days after the date of enactment of this Act.

SEC. 4. FEDERAL ENERGY REGULATORY COMMISSION REPORT.

(a) *IN GENERAL.*—Not later than 2 years after the date of enactment of this Act, the Federal Energy Regulatory Commission shall submit to Congress a report that assesses the effects of the amendment made by section 1.

(b) *REQUIREMENTS.*—In preparing the report under subsection (a), the Federal Energy Regulatory Commission shall—

(1) take into account any information collected under paragraph (7) of section 203(a) of the Federal Power Act (16 U.S.C. 824b(a)) (as added by section 2); and

(2) provide for public notice and comment with respect to the report.

S. 186, which had been reported from the Committee on Energy and Natural Resources, with an amendment as follows:

(The part of the bill intended to be stricken is shown in boldfaced brackets, and the part of the bill in be inserted is shown in italic.)

S. 186

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fair Ratepayer Accountability, Transparency, and Efficiency Standards Act" or the "Fair RATES Act".

[SEC. 2. AMENDMENT TO THE FEDERAL POWER ACT.

[Section 205(d) of the Federal Power Act (16 U.S.C. 824d(d)) is amended by adding at the end the following: "Any absence of action by the Commission that allows a change to take effect under this section (including the Commission allowing the 60 days of notice provided under this section to expire without Commission action) shall be considered to be an order issued by the Commission accepting the change for purposes of section 313.".]

SEC. 2. AMENDMENT TO THE FEDERAL POWER ACT.

Section 205 of the Federal Power Act (16 U.S.C. 824d) is amended by adding at the end the following:

"(g) *INACTION OF COMMISSIONERS.*—

"(1) *IN GENERAL.*—If the Commission permits the expiration of the 60-day period established under the first sentence of subsection (d) because the members of the Commission are divided two against two as to the lawfulness of the change, as a result of vacancy, incapacity, or recusal on the Commission—

"(A) the failure to act by the Commission shall be considered to be an order issued by the Commission accepting the change for purposes of section 313(a); and

"(B) there shall be added to the record of the proceeding of the Commission—

"(i) the proposed order;

"(ii) notice of the division of the Commissioners with respect to the proposed order; and

"(iii) the written statement of each member of the Commission explaining the views of the Commissioner with respect to the proposed order.

"(2) *APPEAL.*—If any party to a proceeding of the Commission described in paragraph (1) seeks a rehearing under section 313(a) and the Commission fails to act on the merits of the rehearing request by the date that is 30 days after the date of the rehearing request because the members of the Commission are divided two against two, as a result of vacancy, incapacity, or recusal on the Commission, any party that sought the rehearing may appeal under section 313(b)."

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the committee-reported amendments be agreed to, the bills, as amended, be considered read a third time en bloc.

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

The committee-reported amendment in the nature of a substitute was ordered to be engrossed and the bill (H.R. 1109) to be read the third time.

The bill (H.R. 1109) was read the third time.

The bill (S. 186) was ordered to be engrossed for a third reading and was read the third time.

Mr. MCCONNELL. I know of no further debate on the bills, as amended, en bloc.

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

The bill (H.R. 1109), as amended, was passed.

The bill (S. 186), as amended, was passed.

S. 186

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,