

from further consideration of S. Res. 612 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 612) designating September 2018 as “National Child Awareness Month” to promote awareness of charities that benefit children and youth-serving organizations throughout the United States and recognizing the efforts made by those charities and organizations on behalf of children and youth as critical contributions to the future of the United States.

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

Mr. McCONNELL. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 612) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of August 22, 2018, under “Submitted Resolutions.”)

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COMMEMORATING ARTHUR ASHE ON THE 50TH ANNIVERSARY OF HIS HISTORIC WIN AT THE 1968 U.S. OPEN TENNIS CHAMPIONSHIP AND HONORING HIS HUMANITARIAN CONTRIBUTIONS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 624, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 624) commemorating Arthur Ashe, a native of Richmond, Virginia, on the 50th anniversary of his historic win at the 1968 U.S. Open Tennis Championship and honoring his humanitarian contributions to civil rights, education, the movement against apartheid in South Africa, and HIV/AIDS awareness.

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

Mr. McCONNELL. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 624) was agreed to.

The preamble was agreed to.

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

SPORTS MEDICINE LICENSURE CLARITY ACT OF 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of H.R. 302 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 302) to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

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

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Alexander amendment at the desk be agreed to, the bill be considered read a third time and passed, and the motions to reconsider be considered made and laid upon the table.

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

The amendment (No. 4014) was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the Sports Medicine Licensure Clarity Act of 2017.

**SEC. 2. PROTECTIONS FOR COVERED SPORTS MEDICINE PROFESSIONALS.**

(a) IN GENERAL.—In the case of a covered sports medicine professional who has in effect medical professional liability insurance coverage and provides in a secondary State covered medical services that are within the scope of practice of such professional in the primary State to an athlete or an athletic team (or a staff member of such an athlete or athletic team) pursuant to an agreement described in subsection (c)(4) with respect to such athlete or athletic team—

(1) such medical professional liability insurance coverage shall cover (subject to any related premium adjustments) such professional with respect to such covered medical services provided by the professional in the secondary State to such an individual or team as if such services were provided by such professional in the primary State to such an individual or team; and

(2) to the extent such professional is licensed under the requirements of the primary State to provide such services to such an individual or team, the professional shall be treated as satisfying any licensure requirements of the secondary State to provide such services to such an individual or team to the extent the licensure requirements of the secondary State are substantially similar to the licensure requirements of the primary State.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed—

(1) to allow a covered sports medicine professional to provide medical services in the secondary State that exceed the scope of that professional’s license in the primary State;

(2) to allow a covered sports medicine professional to provide medical services in the secondary State that exceed the scope of a substantially similar sports medicine professional license in the secondary State;

(3) to supersede any reciprocity agreement in effect between the two States regarding such services or such professionals;

(4) to supersede any interstate compact agreement entered into by the two States regarding such services or such professionals; or

(5) to supersede a licensure exemption the secondary State provides for sports medicine professionals licensed in the primary State.

(c) DEFINITIONS.—In this Act, the following definitions apply:

(1) ATHLETE.—The term “athlete” means—

(A) an individual participating in a sporting event or activity for which the individual may be paid;

(B) an individual participating in a sporting event or activity sponsored or sanctioned by a national governing body; or

(C) an individual for whom a high school or institution of higher education provides a covered sports medicine professional.

(2) ATHLETIC TEAM.—The term “athletic team” means a sports team—

(A) composed of individuals who are paid to participate on the team;

(B) composed of individuals who are participating in a sporting event or activity sponsored or sanctioned by a national governing body; or

(C) for which a high school or an institution of higher education provides a covered sports medicine professional.

(3) COVERED MEDICAL SERVICES.—The term “covered medical services” means general medical care, emergency medical care, athletic training, or physical therapy services. Such term does not include care provided by a covered sports medicine professional—

(A) at a health care facility; or

(B) while a health care provider licensed to practice in the secondary State is transporting the injured individual to a health care facility.

(4) COVERED SPORTS MEDICINE PROFESSIONAL.—The term “covered sports medicine professional” means a physician, athletic trainer, or other health care professional who—

(A) is licensed to practice in the primary State;

(B) provides covered medical services, pursuant to a written agreement with an athlete, an athletic team, a national governing body, a high school, or an institution of higher education; and

(C) prior to providing the covered medical services described in subparagraph (B), has disclosed the nature and extent of such services to the entity that provides the professional with liability insurance in the primary State.

(5) HEALTH CARE FACILITY.—The term “health care facility” means a facility in which medical care, diagnosis, or treatment is provided on an inpatient or outpatient basis. Such term does not include facilities at an arena, stadium, or practice facility, or temporary facilities existing for events where athletes or athletic teams may compete.

(6) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(7) LICENSE.—The term “license” or “licensure”, as applied with respect to a covered sports medicine professional, means a professional that has met the requirements and is approved to provide covered medical services in accordance with State laws and regulations in the primary State. Such term may include the registration or certification, or any other form of special recognition, of an individual as such a professional, as applicable.

(8) NATIONAL GOVERNING BODY.—The term “national governing body” has the meaning given such term in section 220501 of title 36, United States Code.

(9) PRIMARY STATE.—The term “primary State” means, with respect to a covered sports medicine professional, the State in which—

(A) the covered sports medicine professional is licensed to practice; and

(B) the majority of the covered sports medicine professional’s practice is underwritten for medical professional liability insurance coverage.

(10) SECONDARY STATE.—The term “secondary State” means, with respect to a covered sports medicine professional, any State that is not the primary State.

(11) STATE.—The term “State” means each of the several States, the District of Columbia, and each commonwealth, territory, or possession of the United States.

(12) SUBSTANTIALLY SIMILAR.—The term “substantially similar”, with respect to the licensure by primary and secondary States of a sports medicine professional, means that both the primary and secondary States have in place a form of licensure for such professionals that permits such professionals to provide covered medical services.

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

The bill was read the third time.

The bill (H.R. 302), as amended, was passed.

#### UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that at a time to be determined by the majority leader in consultation with the Democratic leader, the Senate proceed to the consideration of Calendar No. 549, S. 2554, and that Senator LEE or his designee be recognized to call up amendment No. 4011; that there be 1 hour of debate equally divided; that upon the use or yielding back of that time, the Senate vote on adoption of the Lee amendment No. 4011 without intervening action or debate; and that upon disposition of the Lee amendment, S. 2554 be read a third time and the Senate vote on the bill as amended, if amended.

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

#### UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that at a time to be determined by the majority leader in consultation with the Democratic leader, the Senate proceed to the consideration of Calendar No. 485, H.R. 6, and that Senator ALEXANDER or his designee be recognized to call up amendment No. 4013; that there be 1 hour of debate equally divided; that upon the use or yielding back of that time, the Alexander amendment No. 4013 be agreed to; and that H.R. 6, as amended, be read a third time and the Senate vote without intervening action or debate on the bill as amended.

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

ORDERS FOR FRIDAY, SEPTEMBER 7, 2018, THROUGH WEDNESDAY, SEPTEMBER 12, 2018

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn, to then convene for pro forma sessions only, with no business being conducted, on the following dates and times and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, September 7, at 9 a.m., and Tuesday, September 11, at 5 p.m. I further ask that when the Senate adjourns on Tuesday, September 11, it convene at 3 p.m., Wednesday, September 12; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Rettig nomination; finally, that notwithstanding the provision of rule XXII, the cloture motion filed during today’s session ripen at 5:30 p.m., Wednesday, September 12.

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

#### ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent it stand adjourned under the previous order.

There being no objection, the Senate, at 5:35 p.m., adjourned until Friday, September 7, 2018, at 9 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### METROPOLITAN WASHINGTON AIRPORTS AUTHORITY

WILLIAM SHAW McDERMOTT, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY FOR A TERM EXPIRING MAY 30, 2024, VICE NINA MITCHELL WELLS, TERM EXPIRED.

##### DEPARTMENT OF THE INTERIOR

RAYMOND DAVID VELA, OF TEXAS, TO BE DIRECTOR OF THE NATIONAL PARK SERVICE, VICE JONATHAN B. JARVIS.

##### ENVIRONMENTAL PROTECTION AGENCY

ALEXANDRA DAPOLITO DUNN, OF VIRGINIA, TO BE ASSISTANT ADMINISTRATOR FOR TOXIC SUBSTANCES OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE JAMES J. JONES.

##### DEPARTMENT OF STATE

DENNIS WALTER HEARNE, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MOZAMBIQUE.

##### UNITED STATES POSTAL SERVICE

RON A. BLOOM, OF NEW YORK, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2020, VICE MICKEY D. BARNETT, TERM EXPIRED.

ROMAN MARTINEZ IV, OF FLORIDA, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2024, VICE JAMES C. MILLER III, TERM EXPIRED.

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. DAVID P. GARFIELD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES AIR FORCE ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 9333(B) AND 9336(A):

*To be colonel*

THOMAS T. SWAIM

**IN THE ARMY**

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

ERIC D. BARGER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

JOSEPH V. DERMENJIAN

MICHAEL J. TROFINOFF

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be colonel*

CHRISTOPHER G. HOSSFELD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

DEJUAN E. GIBLERT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be lieutenant colonel*

JOHN H. BARKEMEYER

JEFFREY P. BARTELS

NED BARTLEBAUGH

PRIMITIVO R. DAVIS

SHAREEN S. FISCHER

JONATHAN W. FOWLER

EMMITT M. FURNER II

THOMAS E. GIDLEY

BRADLEY C. GODDING

WILLIAM E. GRAHAM

ERIK J. GRAMLING

MICHAEL J. HART

CLAUDE E. HOFFMAN

GREGORY S. JACKSON

STANISLAW JASIURKOWSKI

PETER E. KEOUGH

SAMUEL E. KIM

BRIAN G. KOYN

LUIS V. KRUGER, JR.

MARK C. LEE

JAMES M. LESTER

WILLIE MASHACK

BRANDON R. MOORE

SCOTT E. NICHOLS

JASON K. NOBLES

KELLY L. OLEAR

CHARLES S. PAUL

MYUNG Y. RYU

VERNON L. SHACKELFORD

JOHN P. SMITH, JR.

MICHAEL W. SPIKES

DAVID R. STONER

JORGE L. TORRES

VALERIA R. VANDRESS

CODY J. VEST

ERNEST P. WEST, JR.

RICHARD W. WEST

MICHAEL T. WILLIAMS

DONALD A. WILLIAMSON

TIMOTHY E. WILSON

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THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

JOHN T. WINKLER

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant colonel*

PEDRO O. AGAPAY III

*To be major*

THOMAS E. AXTELL

JONATHAN C. BROOKS

EARL D. HILDEBRAND

CYNTHIA A. LAMBERT

JUSTIN A. MCPEAK

SCOTT A. MONSON

JASON W. NAPIER

MICHAEL B. SIMMONS

JOHN W. SPROUL

MEGAN C. SWANGER

DERICK S. TAYLOR

DAVID A. VIRGINIA

MARK A. WHITE