

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

Mr. PORTMAN. I ask unanimous consent that the bill be considered read three times and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bill (H.R. 1668) was ordered to a third reading, was read the third time, and passed.

INFORMATION TECHNOLOGY MODERNIZATION CENTERS OF EXCELLENCE PROGRAM ACT

Mr. PORTMAN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5901, which was received from the House and is at the desk.

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

The legislative clerk read as follows:

A bill (H.R. 5901) to establish a program to facilitate the adoption of modern technology by executive agencies, and for other purposes.

The PRESIDING OFFICER. Is there objection?

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

Mr. PORTMAN. I ask unanimous consent that the bill be considered read three times and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bill (H.R. 5901) was ordered to a third reading, was read the third time, and passed.

TEAM VETERAN CAREGIVERS ACT

Mr. PORTMAN. Madam President, I ask unanimous consent that the Senate now proceed to the immediate consideration of Calendar No. 540, S. 2216.

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

The legislative clerk read as follows:

A bill (S. 2216) to require the Secretary of Veterans Affairs to formally recognize caregivers of veterans, notify veterans and caregivers of clinical determinations relating to eligibility for caregiver programs, and temporarily extend benefits for veterans who are determined ineligible for the family caregiver program, and for other purposes.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Veterans' Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Transparency and Effective Accountability Measures for Veteran Caregivers Act" or the "TEAM Veteran Caregivers Act".

SEC. 2. MODIFICATION OF ADMINISTRATION OF CAREGIVER PROGRAMS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) OFFICIAL DESIGNATION OF CAREGIVERS.—
(1) IN GENERAL.—The Secretary of Veterans Affairs, when determined feasible by the Secretary, shall formally recognize all caregivers of veterans by identifying any caregiver of a veteran in the electronic health record of the veteran.

(2) INCLUSION.—Caregivers recognized under paragraph (1) shall include—

(A) any family caregiver who is approved as a provider of personal care services for an eligible veteran under the program of comprehensive assistance for family caregivers under subsection (a) of section 1720G of title 38, United States Code; and

(B) any caregiver of a covered veteran participating in the program of support services for caregivers under subsection (b) of such section.

(b) STANDARDIZED LETTERS REGARDING CERTAIN DETERMINATIONS UNDER FAMILY CAREGIVER PROGRAM.—

Section 1720G(a) of title 38, United States Code, is amended by adding at the end the following new paragraph:

"(12)(A) The Secretary shall notify the individuals described in subparagraph (B) regarding decisions affecting the furnishing of assistance under this subsection using standardized letters, as the Secretary determines such notifications and letters to be appropriate.

"(B) The individuals described in this subparagraph shall include—

"(i) an individual who submits an application for the program required by paragraph (1);

"(ii) an individual determined by the Secretary to be an eligible veteran pursuant to such an application; and

"(iii) a family caregiver of an eligible veteran who is—

"(I) approved as a provider of personal care services under paragraph (6)(B); or

"(II) designated as a primary provider of personal care services under paragraph (7)(A)."

(c) TEMPORARY EXTENSION OF BENEFITS FOR FAMILY CAREGIVER PROGRAM.—Upon determining that a veteran who was receiving services under the program of comprehensive assistance for family caregivers under section 1720G(a) of title 38, United States Code, is no longer clinically eligible for purposes of such program, the Secretary shall extend benefits under such program, including stipends under paragraph (3)(A)(ii)(V) of such section, for a period of time determined by the Secretary if such an extension is determined appropriate by the Secretary.

Mr. PORTMAN. I further ask that the committee-reported substitute amendment be withdrawn; that the Peters substitute amendment, which is at the desk, be considered and agreed to; that the bill, as amended, be considered read a third time and passed; that the committee-reported title amendment be considered and agreed to; and that the motion 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 committee-reported amendment in the nature of a substitute was withdrawn.

The amendment (No. 2688) in the nature of a substitute was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Transparency and Effective Accountability Measures for Veteran Caregivers Act".

ures for Veteran Caregivers Act" or the "TEAM Veteran Caregivers Act".

SEC. 2. MODIFICATION OF ADMINISTRATION OF CAREGIVER PROGRAMS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) FORMAL RECOGNITION OF CAREGIVERS.—
(1) REPORT.—

(A) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, 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 regarding the feasibility and advisability of formally recognizing all caregivers of veterans by identifying any caregiver of a veteran in the electronic health record of the veteran.

(B) CAREGIVERS RECOGNIZED.—The recognition of caregivers described in subparagraph (A) shall include recognition of—

(i) any family caregiver who is approved as a provider of personal care services for an eligible veteran under the program of comprehensive assistance for family caregivers under subsection (a) of section 1720G of title 38, United States Code; and

(ii) any caregiver of a covered veteran participating in the program of general caregiver support services under subsection (b) of such section.

(C) TIMELINE.—If the Secretary determines that formally recognizing all caregivers of veterans as described in subparagraph (A) is feasible and advisable, the report required by such subparagraph shall include a timeline for implementing such recognition.

(2) IMPLEMENTATION.—If the Secretary determines that formally recognizing all caregivers of veterans as described in paragraph (1)(A) is feasible and advisable, the Secretary shall implement such recognition in accordance with the timeline included in the report required by such paragraph.

(b) NOTIFICATIONS, EXTENSION OF BENEFITS, AND DISCHARGE FROM FAMILY CAREGIVER PROGRAM.—Section 1720G(a) of title 38, United States Code, is amended by adding at the end the following new paragraphs:

"(12)(A) The Secretary shall notify the individuals described in subparagraph (C) regarding decisions affecting the furnishing of assistance under this subsection using standardized letters, as the Secretary determines such notifications and letters to be appropriate.

"(B) A notification provided under subparagraph (A) shall include the elements required for notices of decisions under section 5104(b) of this title to the extent that those elements apply to such notification, unless, not later than 60 days after the date of the enactment of the Transparency and Effective Accountability Measures for Veteran Caregivers Act, the Secretary determines that it would not be feasible to include such elements in such notifications and submits to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth the reasons for such determination.

"(C) The individuals described in this subparagraph shall include—

"(i) an individual who submits an application for the program established under paragraph (1);

"(ii) an individual determined by the Secretary to be an eligible veteran pursuant to such an application; and

"(iii) a family caregiver of an eligible veteran who is—

"(I) approved as a provider of personal care services under paragraph (6)(B); or

"(II) designated as a primary provider of personal care services under paragraph (7)(A).

"(13)(A) If the Secretary determines that a veteran receiving services under the program

established under paragraph (1) is no longer eligible for such program solely because of improvement in the condition of the veteran—

“(i) the effective date of discharge of the veteran from the program shall be not earlier than the date that is 60 days after the date on which the Secretary provides notice of such lack of eligibility under paragraph (12)(A) to the relevant individuals described in paragraph (12)(C); and

“(ii) the Secretary shall extend benefits under the program established under paragraph (1) for a family caregiver of the veteran described in paragraph (12)(C)(iii), including stipends under paragraph (3)(A)(ii)(V), if such an extension is determined appropriate by the Secretary, for a 90-day period following discharge of the veteran from the program.

“(B) This paragraph shall not be construed to limit the authority of the Secretary—

“(i) to prescribe regulations addressing other bases for—

“(I) the discharge of a veteran from the program established under paragraph (1); or

“(II) the revocation of the designation of a family caregiver of a veteran as a primary provider of personal care services under paragraph (7)(A); or

“(ii) to provide advance notice and extended benefits under the program, as appropriate, if another basis for discharge of a veteran described in subclause (I) of clause (i) or revocation of a designation described in subclause (II) of such clause applies.”

The bill (S. 2216), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

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

Amend the title so as to read: “A bill to require the Secretary of Veterans Affairs to formally recognize caregivers of veterans, notify veterans and caregivers of clinical determinations relating to eligibility for the family caregiver program, and temporarily extend benefits for veterans who are determined ineligible for the family caregiver program, and for other purposes.”

IMPACT AID RECOGNITION DAY

Mr. PORTMAN. Madam President, I ask unanimous consent that the Senate proceed to consideration of S. Res. 775, submitted earlier today.

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. 775) designating September 30, 2020, as “Impact Aid Recognition Day” to recognize and celebrate the 70th anniversary of the establishment of the Impact Aid program.

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

Mr. PORTMAN. I know of no further debate on the measure.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the resolution.

The resolution (S. Res. 775) was agreed to.

Mr. PORTMAN. I ask unanimous consent that the preamble be agreed to and that 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 preamble was agreed to.

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

NATIONAL DIRECT SUPPORT PROFESSIONALS RECOGNITION WEEK

Mr. PORTMAN. Madam President, I ask unanimous consent that the Senate proceed to consideration of S. Res. 776, submitted earlier today.

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. 776) designating the week beginning September 13, 2020, as “National Direct Support Professionals Recognition Week”.

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

Mr. PORTMAN. I ask unanimous consent that the resolution be agreed to; that the preamble be agreed to; and that 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. 776) was agreed to.

The preamble was agreed to.

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

ORDERS FOR WEDNESDAY, NOVEMBER 18, 2020

Mr. PORTMAN. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Wednesday, November 18; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Vaden nomination; finally, that notwithstanding the provisions of rule XXII, the remaining cloture motions filed on Thursday, November 12, ripen at 11 a.m. tomorrow.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

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

There being no objection, the Senate, at 7:24 p.m., stands adjourned until Wednesday, November 18, 2020, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 17, 2020:

THE JUDICIARY

TOBY CROUSE, OF KANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF KANSAS.

BENJAMIN JOEL BEATON, OF KENTUCKY, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF KENTUCKY.

KRISTI HASKINS JOHNSON, OF MISSISSIPPI, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF MISSISSIPPI.