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House of Representatives

The House was not in session today. Its next meeting will be held on Friday, March 26, 2021, at 2 p.m.

Senate

WEDNESDAY, MARCH 24, 2021

The Senate met at 10:30 a.m. and was called to order by the Honorable BEN RAY LUJÁN, a Senator from the State of New Mexico.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O Mighty God, our source of strength, we magnify Your Name. Guide our lawmakers during this challenging season. Inspire them to stay on Your path without wavering.

Lord, give them such confidence in You that, after You have tested them, they shall come forth like gold. Help them to understand that Your thoughts and ways are higher than theirs and to trust You to bring them to Your desired destination. Empower them to run without limping or stumbling because they are guided by Your wisdom.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 24, 2021.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BEN RAY LUJÁN, a Senator from the State of New Mexico, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. LUJÁN thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

MEASURE PLACED ON THE CALENDAR—S. 937

Mr. SCHUMER. Mr. President, I understand there is a bill at the desk that is due for a second reading.

The PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 937) to facilitate the expedited review of COVID–19 hate crimes, and for other purposes.

Mr. SCHUMER. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I would object to further proceeding.

The PRESIDENT pro tempore. Objection has been heard.

The bill will be placed on the calendar.

GUN VIOLENCE

Mr. SCHUMER. Mr. President, a week ago the Nation reeled in horror as a deranged gunman shot and killed eight people at three different locations across the Atlanta area. Six of them were Asian-American women.

Just 6 days later, another shooting. Ten people were shot and killed by a gunman who entered a grocery store in Boulder, CO. Some were customers, some were employees. One was as young as 20, and one was as old as 65.

One of the victims was merely walking through the parking lot after fixing the coffee machines at the nearby Starbucks, the son of Serbian refugees and the shining hope of his family.

One of the fallen was a local police officer, Eric Talley, an 11-year veteran of Boulder Police and a father of seven. You look at each of their faces—young, wise, older. You ache. Gone. You think of their families whom you don't know. They never will see them again, taken so cruelly and so quickly.

Today, flags around the Capitol will remain at half-staff in honor of the victims, and we all grieve with their families. We also grieve with the community of Boulder and the people of Colorado. And we grieve with the people of Georgia and all people across the United States whose lives have been

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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forever marred by the plague of gun violence.

COVID–19 is not the only epidemic claiming innocent lives in America. Last year alone, 20,000 Americans were killed by gun violence, the highest number in almost two decades. Most of these incidents never reached the headlines, but we cannot allow ourselves to become numb to their devastation. After one of the most difficult years in American history, we all want our lives and our country to return to normal. But not this normal—oh, no, not the normal that accepts everyday gun violence as a matter of course, an incidental risk to living in these United States of America. We cannot, we must not accept that as normal. We must not shrink from our moral obligation to act.

Two years ago, the Republican leader, then in the majority, promised that this Chamber would have a real debate on gun violence in this country. It never happened. Even the former President made some noises about supporting commonsense gun safety measures before quickly retreating, the result, once again, of bitter, reflexive opposition by the NRA to any progress and fear among so many Republicans of what the NRA might do to them if they spoke truth to power.

Well, now we don't have a Republican majority. We have a Democratic one. This time is going to be different. A Democratic majority in the Senate is going to act. I have committed to put legislation to expand background checks on the floor of the Senate. We will debate it. We will vote on it.

Just yesterday, my colleague Senator DURBIN led the Judiciary Committee in hearing from scores of witnesses about proposals to reduce gun violence that the Senate might take up.

I have started the process to make legislation to combat hate crimes against Asian Americans, led by Senators HIRONO and Representative MENG in the House, available for action on the floor.

I have been told by so many Asians in New York that they are afraid just to walk down the street, something they used to do easily. I have seen the pain and fear in their faces as I have attended the rallies in New York.

Make no mistake, under the Democratic majority the Senate will debate and address the epidemic of gun violence in this country.

NOMINATION OF RACHEL LELAND LEVINE

Mr. SCHUMER. Mr. President, now on the Levine nomination, today, the Senate will confirm the nomination of Rachel Levine, Pennsylvania's top health official, to be the next Assistant Secretary of Health and Human Services.

The Biden administration has brought many historic firsts into its ranks, including the first openly gay Cabinet Secretary of any Agency. The confirmation of Rachel Levine represents another important milestone for the American LGBTQ community. She will be the first openly transgender official ever confirmed by the U.S. Senate. The arc of history is long, but it keeps bending in the direction of justice.

As transgender Americans suffer higher rates of abuse, homelessness, and depression than almost every other group, it is important to have national figures like Dr. Levine, who, by virtue of being in the public spotlight, will help break down barriers of ignorance and fear.

Pennsylvania's political leaders say Dr. Levine has forced people in their State to better understand the transgender community. One State legislator said:

> She has robbed people of the false premise that they don't know any trans people and therefore don't need to be respectful of trans people.

The historic nature of her nomination should not be lost on anyone, but Dr. Levine thoroughly deserves to be confirmed on the strength of her qualifications.

Despite several attacks on her gender identity over the past year, Dr. Levine has stayed laser-focused on helping the State of Pennsylvania manage and respond to COVID. The quality of her public service is reflected in the fact that she was confirmed not once, not twice, but three times by the Republican-led State senate to serve first as physician general and then as health secretary.

The U.S. Senate should follow suit today and make Dr. Levine the Assistant Secretary of Health and Human Services.

FOR THE PEOPLE ACT OF 2021

Mr. SCHUMER. Mr. President, on one more issue, I was just over at the Rules Committee hearing. It is the first hearing I attended as majority leader because it was about S. 1, so important. And there, I showed—I showed my anger and frustration at what Republican legislatures are attempting to do throughout the country, take away people's right to vote, particularly people of color.

You know, it has been more than 160 years since the 13th, 14th, and 15th Amendments abolished slavery, but Jim Crow is still with us. When a State says you need a notary public to cast an absentee ballot, it is no different than asking African Americans to guess the number of jellybeans in the jar before they vote. It is certainly no different in intent to deprive them of their right, their constitutional right to vote.

And here we have Republican Senators making excuses for these vicious and often bigoted deprivations of the right to vote. They say that this is a State issue. No, Congress has passed numerous laws dealing with Federal voting rights, and, in fact, the Constitution explicitly says that the Congress has the ability and right to do it. And yet Republicans who lost the election, instead of doing what we should be doing in a democracy—when you lose, you are supposed to figure out why you lost and win over the voters you didn't, but they would just deprive the voters who voted against them of the right to vote. That is eerily reminiscent of what dictators like Erdogan in Turkey or Orban in Hungary would do.

Our Republican Party has sunk so low that they have a Republican leader who is over in the Rules Committee defending these actions by State legislatures.

I asked him and all the Republicans to give us a reason. Why did the Georgia Legislature only pick Sundays to say there should be no early voting on Sunday? We know why. It is because that is the day African Americans vote in the ''souls to the polls'' operation, where they go from church to vote. It is despicable.

Every time you think the country has moved a long way, you see steps taken backward. Let's make no mistake about it, the shadow of Donald Trump—his big lie, his incessant focus on doing anything that benefits him, no matter if it is the truth or not, if it is constitutional or not, if it is racist or not—has now fallen over this party, and they are not even standing up to protect the sacred right to vote.

Shame, shame, shame on all of them. Shame. How can you defend these actions throughout legislatures, which the Washington Post said would amount to tens of millions of people losing their right to vote?

Are we a democracy? Are we? The shadow of Donald Trump falls dark and large over this caucus when they act like that, and it happens far too often. We will not let this stand. We will not let this stand. S. 1 will pass this body.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the

Senate will proceed to executive session to resume consideration of the following nominations en bloc, which the clerk will report.

The legislative clerk read the nominations of Rachel Leland Levine, of Pennsylvania, to be an Assistant Secretary of Health and Human Services; and David Turk, of Maryland, to be Deputy Secretary of Energy.

The ACTING PRESIDENT pro tempore. The Republican whip.

FILIBUSTER

Mr. THUNE. Mr. President, I have come down to the floor multiple times in the past week to talk about the filibuster. I have talked a lot about the dangers of eliminating the filibuster, from the loss of bipartisanship to the loss of meaningful representation for Senate minorities and the constituents they serve.

One thing I haven't mentioned yet, though, is the fact that Democrats are increasingly calling for eliminating the filibuster despite the fact that Republicans haven't actually filibustered any legislation yet this Congress.

In fact, the Democratic leader was just down here talking about attacking the Republicans for opposing H.R. 1, S. 1, or whatever it is that is the election bill that Democrats have put forward, but there hasn't been any effort that I am aware of to reach out to Republicans to talk about things that they might want to be involved with in terms of election reforms or reforming our election system in this country. In fact, this last election, we saw record turnout. Millions of people more than the previous election came out and voted. It was run by the States across the country.

The proposal that is before us, the H.R. 1 proposal—now, I guess, S. 1—would attempt to federalize that election process, to nationalize the elections, to take the power away from the States that currently administer and run elections and have that run out of Washington, DC.

It seems to me that a lot of people across this country would rather deal with State leaders, State Governments, when it comes to administering our elections than having them run out of Washington, DC.

There are lots of other provisions in that bill that many of us would object to. I think, frankly, it is a good thing to have a photo ID to vote. That is something that my State of South Dakota has. I think it makes sense, when people come in to vote, to be able to prove who they are. Obviously, it is a voter fraud prevention measure that has been adopted by many States across the country and upheld by the courts.

It just strikes me that there are a lot of provisions in that bill that would need to be fixed, honestly. And, frankly, just the very premise to have the Federal Government running elections in this country, essentially taking over something that has been historically handled by the States, strikes me that that would be something the American people would have a lot of issues with.

Now, I am not sure exactly what, given the fact that we had millions more voting in the 2020 election than the previous Presidential election, would suggest that we need to make changes to election laws across this country.

The States, in my view, when they certified the election, like they typically do, in the 2020 election, did it on time, in accordance with the law, and the system, I believe, worked pretty well. But the Democrats seem to believe that there need to be changes in our elections.

But my point, simply, with respect to their arguments about that and about the need to eliminate the filibuster in order to do it is that we haven't filibustered anything yet.

Now, Democrats, when they were in the minority the last 6 years, filibustered most things that we brought up that were of major consequence, legislation that they objected to. They have used the filibuster prolifically—prolifically, you could say—in the last 6 years. But it seems a little bit odd to have them getting up and talking about eliminating something that has been a part of Senate history, Senate rules, Senate traditions for a really long time and arguing that the reason they need to do that is that Republicans have been abusing it when we have been in the majority.

We have been in the majority for the last 6 years. The filibuster is a tool employed by the minority and was employed, I would say, very freely by the minority in the past 6 years. We haven't filibustered—Republicans haven't filibustered anything yet, legislation, in this Congress. Yet Democrats are talking about eliminating the filibuster and, frankly, without attempting to reach across the aisle and engage in talks with Republicans about areas where we might find common ground. So that is what I want to talk just a little bit about today because I think Republicans have shown a genuine commitment to bipartisanship and unity, something that has not been on display from the President or the Democrat leadership.

The Senate confirmed President Biden's Cabinet nominees faster than those of both President Trump and President Obama, thanks in no small part to Republicans' willingness to move the process along, and many, if not most, of those confirmations were bipartisan.

I voted for a number of President Biden's Cabinet nominees not because they were the individuals I would have picked but because I believe that, absent serious red flags, a President deserves to have his team around him.

So I have a suggestion for Democrats: Why not try bipartisanship? And by that I don't mean holding Republicans hostage the way the Democratic leader has threatened, quote, ''Support our legislation or we will talk about eliminating the filibuster.''

I don't mean passing a few pieces of bipartisan legislation for show and then showing through the rest of your agenda or trying to—I should say shoving through the rest of your agenda through reconciliation or abolishment of the filibuster; I mean genuine bipartisanship: sitting down at the table, identifying big issues that we need to address, and then looking at proposals from both parties—both parties—and negotiating until we can find agreement. There is a lot of room for that.

While the focus often tends to be on the areas where we disagree, there are plenty of areas where Democrats and Republicans either already agree or could easily reach middle ground.

I am a conservative, but I have introduced 14 bills so far this year, and 11 of them have had Democrat cosponsors.

There is a lot of room for us to work together, so why don't Democrats try that? We could start with American economic competitiveness and global leadership legislation or infrastructure legislation—issues that both Democrats and Republicans see a pressing need to address.

The Democratic leader has mentioned his desire to bring up legislation regarding America's competitiveness vis-a-vis China, and the Republican leader has agreed that it is an issue ripe for a bipartisan, regular-order process.

There are a lot of areas where we could find bipartisan agreement on these issues: investing in our domestic manufacturing capacity so we don't have to rely as heavily on China or other countries for essential products and technologies, promoting the development of 5G technology here at home to ensure the United States wins the race to 5G, supply chain security, protecting our taxpayer-funded research and intellectual property from theft, and more.

I recently introduced the bipartisan Network Security Trade Act with Senator FISCHER and Democratic Senators STABENOW and WARNER. Currently, one of the biggest suppliers of 5G equipment worldwide is a Chinese company, Huawei, which is supported by the Chinese Communist Party. American security officials have raised concerns that much of Huawei's equipment is built with ''backdoors,'' giving the Chinese Communist Party access to global communications networks. Our bill would address this potential security risk by making telecommunications security a key objective when negotiating future trade deals.

It is important that we encourage our trading partners and allies to keep suspect technology like Huawei out of their networks. The bipartisan Network Security Trade Act would be a strong candidate for inclusion in a thoughtful, bipartisan measure meant to enhance our competitiveness with China if Democrats are willing to engage in truly bipartisan legislating.

I believe a strong China policy is a national priority, and I hope we will

consider a bill that addresses the many threats China poses in the near future, as long as Democrats don't simply turn it into a means to promote their partisan priorities under the guise of competing with China.

There is also a lot of bipartisan agreement to be found on infrastructure. In fact, there is a history of bipartisan collaboration on infrastructure legislation.

Our last major infrastructure bill, the FAST Act, was supported by both Democrats and Republicans and was a remarkably successful bill.

Last Congress, the Environment and Public Works Committee here in the Senate developed bipartisan infrastructure legislation. And there is no reason—no reason at all—that we shouldn't reach bipartisan agreement on a substantial infrastructure bill.

I know a lot of us Senators from rural States, both Democrats and Republicans, share a number of the same priorities for infrastructure legislation, like expanding broadband access in rural communities and ensuring that farmers and ranchers have a transportation system they can depend on to get their goods to market. Investments in rural infrastructure benefit our entire economy.

The vast majority of agricultural and industrial commodities originate in rural areas, and speeding the passage of those goods to market benefits everyone—those who produce those commodities and those who rely on being able to sell them or purchase them.

I have introduced two pieces of legislation with Democratic colleagues that I would hope to see included in potential bipartisan infrastructure legislation.

I recently introduced the Railroad Rehabilitation and Financing Innovation Act with my Democratic colleagues Senator HASSAN. Our bill takes important steps to improve the accessibility of the Railroad Rehabilitation and Improvement Financing Loan Program for smaller railroads, like those farmers and ranchers rely on to get their goods to market.

I also recently introduced the Tribal Transportation Equity and Transparency Improvement Act with my Democratic colleague Senator SINEMA. Tribes across the Nation have struggled to build and maintain roads and bridges within their reservations, which connect Tribal members to critical services. This is especially true for large, land-based Tribes who must maintain vast road networks in sparsely populated areas. Our bill would help Tribes address these challenges by taking steps to make the allocation of funding through the Tribal Transportation Program more equitable and transparent.

If one thing is for sure, it is that a 50–50 Senate is not a mandate for one side to force through its agenda unchecked. It is absurd for Senate Democrats or House Democrats to pretend they have a mandate for a partisan revolution.

I am not sure that the Democratic leadership realizes this, but I think there are a good number of rank-and-file Democrats who do. And I hope those rank-and-file Democrats will encourage their leaders to move away from their liberal fantasies and try for real bipartisan cooperation.

There is a lot we can do together on a lot of issues if Democrats will come to the table. I hope they will.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority whip.

Mr. DURBIN. Mr. President, first, let me salute my colleague and friend from South Dakota. I hope we can achieve what he has asked for: bipartisanship in the U.S. Senate.

He made a point that I would like to amplify: that they have not even used the filibuster; Republicans have not invoked the filibuster so far during this Senate session. Well, there is a reason—because the three things that we have done in this session are not, under the rules of the Senate, subject to filibuster.

Let me note as well—I ask unanimous consent that I be given 10 minutes to speak before the rollcall begins.

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

Mr. DURBIN. Mr. President, there are three things that are not subject to a filibuster: an impeachment trial, which we have accomplished so far this year; the nominations, which the Senator from South Dakota alluded to; and the reconciliation bill. It is true, Republicans did not apply the filibuster to that. But it wasn't their good will that motivated it; the Senate rules demanded it.

The question is, Can we reach a point where we do things on a bipartisan basis, or will it be stopped by a filibuster? So let me pause at this moment and say to those following the debate what a filibuster is all about. It is a time-honored tradition in the Senate, going back to Aaron Burr serving as Vice President, that people can speak in an unlimited fashion on the floor—there is nothing to stop them—until there came a cloture vote, which didn't appear until the early 20th century. Before that, the Senator could hold the floor indefinitely and slow things down to a crawl, to a stop if necessary. The filibuster allowed them to continue that, but then came the cloture motion, which stopped the filibustering. It initially took a two-thirds vote, 67, and eventually 60 votes. But that is what it boils down to.

If you want to get anything done on the floor and you don't want one Senator to stand up and say ''I refuse to accept the vote,'' then you have to have 60 votes. So in a majority Senate, 51 would clearly be sufficient. Under a filibuster, 60 is required. There are 50 Democrats, 50 Republicans. Vice President KAMALA HARRIS can be the tie-breaking vote, the 51st vote. So the Republicans, by applying the filibuster rule, could require 60 votes, which, of course, the Democrats by themselves, even with the Vice President, couldn't come up with.

There was a statement made by Senator MCCONNELL, the Republican leader, yesterday which was nothing short of amazing. At a press conference, he said of the filibuster: ''It has no racial history at all—none.'' Amazing that he would say that.

If you go back and study the history of this body, John Caldwell Calhoun, a Senator from South Carolina, started in the early parts of the 19th century using this unlimited debate to protect slave States, to protect the interests of the Southern States. That progressed in history to the point where, in modern times, at least in the 20th century, the filibuster was used consistently to stop federalization of the crime of lynching. I don't know who would argue in Kentucky or anywhere else that the crime of lynching has nothing to do with race, but the filibuster was used to prevent the federalization of that crime.

It was used in an effort to stop the bills that were trying to outlaw a poll tax. Poll tax? That meant you had to pay to be able to vote. It was used in the South to try to discourage African Americans from voting. It clearly was racial, and the filibuster was used over and over again to protect a vote on the Senate floor, this Senate floor, from taking place on the poll tax.

Then fast-forward several decades to the 1960s. Richard Russell of Georgia engineered—he was the architect, the legislative architect of the filibuster that stopped the civil rights bills in the 1960s. Certainly Senator MCCONNELL, who was working in the Senate at that time as an intern, if I am not mistaken, must remember the filibuster being used against the civil rights bill. And to say that the filibuster ''has no racial history at all—none'' is to ignore the obvious.

Here is the point we are getting to. Senator SCHUMER has said it on the floor, and others have said it as well. We have to be productive in this session of the Senate. After the last 4 years, we have seen the Senate really break down to the point where they weren't productive at all. We weren't productive at all.

There were 29 amendment votes in the last year of Senator MCCONNELL's reign as Republican leader. Twenty-nine amendment votes in 1 year? The previous year under Senator MCCONNELL: 22 amendment votes; no activity on the floor of the Senate. We can't let that happen. There are things that need to be done.

Let me mention, too, that one of them that certainly needs to be done is to protect America's right to vote. The Senator from South Dakota comes and says: Well, we had this big turnout on November 3, 2020, and now the Democrats are meeting and talking about changing the voting laws. Why would we want to change if we had such a big turnout?

He ignores what happened in between. After the election returns of November 3, 2020, Republicans across the Nation, in 40 different States, introduced hundreds of bills to limit people's right to vote. That is why we are responding with this Federal response that is now being considered in the Senate Rules Committee.

He missed part of the equation. It went from November 3rd's big turnout to efforts in State legislatures to restrict turnout, to limit the rights of people to vote across America, especially African Americans and Latinos and those who are not wealthy—to limit their right to vote. And then came this response on the Federal basis. That is an important point. If we believed that the filibuster would not be used against it, if there was some promise that it wouldn't be, we certainly could bring that bill to the floor for debate, and we should, if we are given that kind of assurance.

GUN VIOLENCE

Mr. President, the final point I want to make is regarding the hearing we held yesterday. It was a hearing before the Senate Judiciary Committee on guns and gun violence. I scheduled it last week, and I didn't know as I scheduled it the tragedy that was occurring in Atlanta, GA, with eight people who were murdered. We heard about that. It was an outrage, these poor, innocent people killed—coincidentally, the majority of them Asian Americans—at a time when we know hate crimes against Asian Americans are on the rise.

That was the day that I announced the hearing that occurred yesterday, but little did I know, as we prepared 2 days ago for that hearing, what would happen in Boulder, CO, just 2 days ago when 10 innocent people were killed at a supermarket.

We had a hearing yesterday. It was an important hearing. Members all attended. Sadly, one of the members on the other side came in, the junior Senator from Texas, and characterized our hearing on gun violence, in light of what is happening in America, as ''ridiculous theater.'' Those were his words, ''ridiculous theater.'' There was nothing ridiculous about the hearing that we held yesterday. It was a matter of life and death.

The grief that is being felt in Boulder, CO; Atlanta, GA; and all over America is a grief that is shared on a daily basis. Forty thousand Americans each year lose their lives to gun violence—40,000—a recordbreaking number and nothing we should be proud of as a nation.

When we address gun violence and the measures that should be taken to reduce it, it is not ridiculous; it is as serious as it gets. Furthermore, it is not theater. Theater is a depiction of reality; the Senate Judiciary Committee is reality.

We are imparted, as Senators, to change the laws of America and make it safer. That is not a theatrical performance; that is just discharging our duties as U.S. Senators.

So I would say to that Senator and others, I agree completely with Senator SCHUMER. We need to bring bills to the floor that will reduce gun violence in America, keep firearms out of the hands of people who should not have them. Convicted felons and mentally unstable people should not be having guns and buying them and be able to kill innocent people who are just stopping by the supermarket to pick up something to take home. That is what happened in Boulder, CO.

As the stories are printed in newspapers across America about those lives lost, it is a grim reminder that this is not ridiculous. It is not theater. It is a life-and-death issue which we have the power to change.

I hope we can bring this measure to the floor, the one that passed the House of Representatives—and others—to bring sanity to our Second Amendment, to make sure that we have constitutional, commonsense gun safety that is consistent with any constitutional right.

I yield the floor.

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 40, Rachel Leland Levine, of Pennsylvania, to be an Assistant Secretary of Health and Human Services.

Charles E. Schumer, Patty Murray, Benjamin L. Cardin, Jon Tester, Richard Blumenthal, Michael F. Bennet, Sheldon Whitehouse, Sherrod Brown, Jeanne Shaheen, Debbie Stabenow, Thomas R. Carper, Margaret Wood Hassan, Elizabeth Warren, Alex Padilla, Tina Smith, Tim Kaine, Christopher A. Coons.

VOTE ON THE LEVINE NOMINATION

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Rachel Leland Levine, of Pennsylvania, to be an Assistant Secretary of Health and Human Services, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 52, nays 48, as follows:

[Rollcall Vote No. 132 Ex.]

YEAS—52

Baldwin	Carper	Feinstein
Bennet	Casey	Gillibrand
Blumenthal	Collins	Hassan
Booker	Coons	Heinrich
Brown	Cortez Masto	Hickenlooper
Cantwell	Duckworth	Hirono
Cardin	Durbin	Kaine
Kelly	Murray	Smith
King	Ossoff	Stabenow
Klobuchar	Padilla	Tester
Leahy	Peters	Van Hollen
Luján	Reed	Warner
Manchin	Rosen	Warnock
Markey	Sanders	Warren
Menendez	Schatz	Whitehouse
Merkley	Schumer	Wyden
Murkowski	Shaheen	
Murphy	Sinema	

NAYS—48

Barrasso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hagerty	Romney
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Johnson	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	Lummis	Tillis
Cruz	Marshall	Toomey
Daines	McConnell	Tuberville
Ernst	Moran	Wicker
Fischer	Paul	Young

The PRESIDING OFFICER (Mr. HICKENLOOPER). On this vote, the yeas are 52, the nays are 48.

The motion is agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 38, David Turk, of Maryland, to be Deputy Secretary of Energy.

Charles E. Schumer, Patrick J. Leahy, Richard J. Durbin, Christopher A. Coons, Robert Menendez, Chris Van Hollen, Tammy Baldwin, Thomas R. Carper, Tina Smith, Richard Blumenthal, Ben Ray Luján, Debbie Stabenow, Ron Wyden, Cory A. Booker, Alex Padilla, Jack Reed, Mark R. Warner, Chris Van Hollen, Robert P. Casey, Jr.

VOTE ON THE TURK NOMINATION

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of David Turk, of Maryland, to be Deputy Secretary of Energy, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

The yeas and nays resulted—yeas 98, nays 2, as follows:

[Rollcall Vote No. 133 Ex.]

YEAS—98

Baldwin	Cardin	Duckworth
Barrasso	Carper	Durbin
Bennet	Casey	Ernst
Blackburn	Cassidy	Feinstein
Blumenthal	Collins	Fischer
Blunt	Coons	Gillibrand
Booker	Cornyn	Graham
Boozman	Cortez Masto	Grassley
Braun	Cotton	Hagerty
Brown	Cramer	Hassan
Burr	Crapo	Heinrich
Cantwell	Cruz	Hickenlooper
Capito	Daines	Hirono

Hoeven	Moran	Shaheen
Hyde-Smith	Murkowski	Shelby
Inhofe	Murphy	Sinema
Johnson	Murray	Smith
Kaine	Ossoff	Stabenow
Kelly	Padilla	Sullivan
Kennedy	Peters	Tester
King	Portman	Thune
Klobuchar	Reed	Tillis
Lankford	Risch	Toomey
Leahy	Romney	Tuberville
Lee	Rosen	Van Hollen
Luján	Rounds	Warner
Lummis	Rubio	Warnock
Manchin	Sanders	Warren
Markey	Sasse	Whitehouse
Marshall	Schatz	Wicker
McConnell	Schumer	Wyden
Menendez	Scott (FL)	Young
Merkley	Scott (SC)	

NAYS—2

Hawley	Paul

The PRESIDING OFFICER. On this vote, the yeas are 98, the nays are 2.

The motion is agreed to.

The Senator from Oklahoma.

UNANIMOUS CONSENT REQUEST—S. RES. 132

Mr. INHOFE. Thank you, Mr. President.

It is obvious to just about everyone outside of Washington that the situation on our southern border is a crisis. I can't believe that anyone wouldn't believe that it is a crisis, but there are some who would answer that it isn't a crisis.

President Biden and the DHS Secretary refused to call it a crisis. It is not just a challenge. They called it a challenge. This isn't a challenge. This is a crisis. Ask anyone you see on the street if it is a crisis—people lined up, coming in illegally.

You don't have to take my word for it. Look at the facts. We have had a 173-percent increase in border apprehensions compared with 1 year ago—173-percent increase. This past February, apprehensions were at the highest total for February in 14 years.

DHS admits that we are on track for the most illegal migrants in more than 20 years. This is on the border. This is today. This is what is happening.

Last week, mainstream media news reports found that the administration is restricting information Border Patrol agents are allowed to share with the media about the crisis. The border agents claim that they are under an unofficial gag order. These are the border agents. These are the ones who do this for a living. They are down there. They are protecting our laws, stopping illegals from coming in. That is what their job description is, and yet they are under a gag order.

They don't want the media to find out. And they are being told to deny media requests for ride-alongs at the border. Now, that is so the media can tell the people of America what is going on down there, and they are being denied that opportunity.

The DHS Secretary claims that he is committed to openness and transparency, but this is not openness and transparency. This is hiding from the people what is going on.

Maybe this administration is doing this and refusing to call it a crisis because their policies have invited this surge. This surge is coming as a result.

President Biden has frozen funds from Congress directed for the building of the wall. He ended the ''Remain in Mexico'' asylum policy that was put there by the previous administration. It is a crisis.

Illegal aliens know Biden is opening our borders up, and they intend to take advantage of that. And the illegals are wearing the Biden T-shirts. Do you see this photograph over here? There they are. Biden, we are coming in.

I know a lot about the southern border because I have been there countless times, seeing firsthand the problems on both the Mexican side and the American side of the border. I was a builder and developer for 30 years down there. I know that border. I was there for 30 years, all the way from Brownsville to McAllen, TX, on both sides. I know the individuals that are down there who are the career people protecting our borders.

I am disappointed that the administration is reversing the progress we have made over the past 4 years and shocked that they simply won't acknowledge it is a crisis.

The border security should not be a partisan issue, and I am glad there are a few Senate Democrats who share my concern about this crisis. I applaud them for speaking out. It took guts to do it.

Well, I have got a resolution, and I am going to introduce this resolution. I introduced it, actually, already. I think every Senator will agree with it. It is a simple resolution.

We haven't checked this out yet, but I think this might be the shortest resolution in the history of the U.S. Senate. I am going to read it to you.

It simply states:

> It is the sense of the Senate that the current influx of migrants at the Southern land border of the United States constitutes a crisis.

That is it. Nothing more.

So, with that, Mr. President, as in legislative session—this is a unanimous consent request, Mr. President. I am making it right now.

As if in legislative session, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 132, submitted earlier today. I further ask unanimous consent that the resolution be 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. Is there objection?

The Senator from California.

Mr. PADILLA. Mr. President, reserving the right to object.

Colleagues, what is happening at the border right now is not just another policy matter to me; it is personal.

When I see the young Latino children, alone in an unfamiliar setting, being spoken to by law enforcement and other authorities in a language that they don't understand, I actually can't help but think of my three boys. My boys are the same ages as many of the kids presenting themselves at the border seeking asylum.

They look just like those kids. I see the fear and desperation in the eyes of the children at the border, and I don't have to imagine how my boys would look and feel under such circumstances. I have tasted that already.

In 2018, we were on a family trip in Arizona—June of 2018. It was the height of Trump's cruel family separation. We took a detour to Tornillo, TX, to demand humane treatment of the children who were being intentionally separated from their parents by the previous administration.

On the way there, I tried to prepare my boys, mentally and emotionally, for what they were about to see. And it was my youngest son, Diego, who was 3 years old at the time, who turned to me and said: Dad, Donald Trump is putting kids in cages. We got to go help them.

My heart broke. Imagine how the children on the border today are feeling. Imagine how scared they must be. Consider how traumatic their young lives have already been and how anxious they are for the basic safety and comfort that so many people take for granted.

Let's think of their parents' anguish, to be so desperate to protect their children, to be so afraid for their safety, let alone their future, that they make the heartbreaking decision of sending them on a dangerous 2,000-mile journey to the U.S. border all alone, knowing that as risky and as dangerous as that journey is, it is safer than to stay in their own community.

Let's be clear. These are children. These are families, not that are well-off, trying to game the system. These are families who are desperate. Their communities have been ravaged by hurricanes, the COVID–19 pandemic, and in so many cases, decades of violence. Their families are threatened by gangs with torture and murder if they stay home. Asylum seekers aren't just seeking a better life. Many are simply just trying to stay alive.

Too many policymakers act like asylum seekers are just choosing to come here, when there is really no choice at all.

So I am deeply disappointed to see so many Members of Congress, both in the House and in the Senate, depicting desperate, young children at the border as some sort of threat to our Nation. As though 15,000 practically orphaned children trying to assimilate into our country of 330 million is some sort of existential crisis for our Nation.

The real crisis is the immigration laws that are so broken that children have to make a treacherous 2,000-mile journey to seek asylum here. The real crisis is that this situation distracts us from the more than 11 million undocumented immigrants who have been living in the United States for years, working and paying taxes in communities all across America while living

in constant fear of deportation. They are our neighbors, our teachers, our nurses, our grocery store workers, our childcare providers. They are the essential workers whom we have all thanked each and every day throughout this pandemic who live in constant fear that their lives will be upended and their families ripped apart at any moment, depending on the politics of the day in Washington.

The real crisis is that we have strayed so far from our founding principles as a Nation of immigrants and that we have strayed so far from the creed emblazoned on the very statue that we erected to welcome immigrants into New York Harbor saying:

> Give me your tired, your poor, your huddled masses yearning to breathe free, the wretched refuse of your teeming shore. Send these, the homeless, tempest-tossed to me, I lift my lamp beside the golden door!

So I am disappointed but, sadly, not surprised that this resolution is nothing more than a cynical attempt to perpetuate the semantic nonsense of the day. Our constituents didn't send us to the Senate or to Congress to identify problems. They sent us here to develop and enact solutions.

I am more than willing to sit down with my colleague here to try to come up with some solutions to address what is happening at the border—solutions that address the lack of resources and the broken processes left by the previous administration, solutions that recognize the fundamental humanity of these desperate children and families who simply want to live to see their next birthday, and solutions that stay true to the values of this Nation.

I have an amendment to the resolution at the desk to strike the text of the Inhofe resolution and to insert the following:

> Resolved, That it is the sense of the Senate that our outdated immigration laws and the lack of a pathway to citizenship for the 11 million undocumented immigrants who form the backbone of communities across the United States constitutes a crisis and that the United States Senate must take up immigration reform this year.

I ask that Senator INHOFE's request be modified as follows: that the Padilla substitute amendment at the desk to the resolution be considered and agreed to; that the resolution, as amended, 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. Is there objection to the modification?

Mr. INHOFE. I object.

The PRESIDING OFFICER. The objection is heard.

Is there objection to the original request?

Mr. PADILLA. I object.

The PRESIDING OFFICER. The objection is heard.

Mr. INHOFE. Mr. President, I hope everyone heard this. I haven't met the Senator from California real well yet. I look forward to it. I look forward to serving with him, but I hope that everyone heard what is going on now: Just open the borders.

You know, people in other countries—I won't mention some of them because I don't want them to be put in an awkward position—they say: Why in the world don't we have stronger borders in the United States of America? And we don't.

Our previous President, I talked to him this morning. I talked to former President Trump this morning, and I talked about what is going on down there at the border. And the reason I am familiar with this—much more familiar than the Senator from California or anyone else—is that I worked down there for 30 years on that border, all the way from Brownsville, TX, to McAllen. I know the border people down there. I know the agents down there. And for them to tell me that they have been told not to talk to the media about what is going on—I hope everyone knows what is going on right now, today. This is going on.

You know, President Trump is all for people coming into America the legal way. He has made that very clear over and over again. He has spent time down on the border, both borders, making sure that we can have a legal—one of the most gratifying things in my job as a U.S. Senator, and I have been in these Chambers now since 1994—one of the most enjoyable things is to go to naturalization ceremonies. And you talk to these people who have come and worked to come across legally to our country. I defy you to find any one of these individuals who has come here legally and gone through this naturalization process—they know more about the history of this country than people on the street, than people who were born here and people who are serving here in the U.S. Senate. They know the language. They learn the language. They did it the hard way. How do you tell them: You have gone through all this in the process of becoming legal, but you didn't have to do that. You just march right in. They are inviting you in. They want you in.

Put it back up. Yes, that is what is going on right now. That is what is going on at the border. So I want everyone to know what is happening now.

We can be sympathetic to a lot of people, but the idea of saying that we had a President who was putting kids in cages, come on. Let's get real. We don't want to do that. We don't have to do that. We just want to make it very clear to the American people that we have borders, and we ought to be protecting these borders.

A lot of the people who come in, they aren't necessarily from Central America or from Mexico. These are—a lot of them are terrorists coming over. They are coming from the Middle East, coming from all over the world, coming into our porous borders.

Now, is that what people want? No, it is not. Overwhelmingly, they have rejected the idea of open borders, letting everyone come in.

Well, we are to going stay with this, and I am going to resubmit this very simple resolution, as follows:

> It is the sense of the Senate that the current influx of migrants at the southern land border of the United States constitutes a crisis.

It is a crisis.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MURPHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

IMMIGRATION

Mr. MURPHY. Mr. President, Republicans are going to be on the floor today, taking a sudden 100-percent sincere interest in immigration reform. They are going to propose that the Senate take up a handful of bills to address what they call a crisis created by President Biden on our southern border.

Forgive me for being blunt, but give me a break. Republicans suddenly care about the border because they don't want to talk about the real crisis that President Donald Trump created and that President Biden is fixing: the COVID crisis and our Nation's economic crisis. Republicans don't want to fix our broken immigration laws. They want to distract Americans from the real story right now, which is the implementation of the very popular American Rescue Plan.

There are $1,400 checks that are arriving in people's bank accounts right now. School budgets finally have enough resources to catch up on all of the lost learning for our kids; childhood poverty is about to be cut in half; more production of vaccines. That is the real story.

You know how I know the Republicans are less than sincere in this interest in immigration policy? First, because they controlled the Senate for 6 years and not once during the roughly 2,100 days that they were in charge did they try to honestly bring a comprehensive immigration reform proposal to the floor.

I checked. Two of the bills they are going to ask unanimous consent for today were brought up for show votes in the middle of the 2016 Presidential election as a means of helping Donald Trump's candidacy, but in neither instance was there actually any attempt to try to find common ground to actually pass something.

Go back even further. In 2013, when Democrats were in the Senate, that is when we actually did pass a comprehensive immigration reform bill. But it was Republicans who opposed it—not all, but all of the opposition came from Republicans—and it was the House Republican majority that refused to even consider the bill. That is where it died. So spare me this sudden concern for immigration policy.

But since Republicans are now newly concerned about what is happening on the border, it probably makes sense for us to level set the facts. The facts. So here are four of them.

The first is a pretty simple one. Republicans will tell you that Joe Biden created this crisis, that his policies are the reason why we have seen an increase in migration to the border. But here is the chart, and I want you to zero in on the end of it. As you can see, apprehensions at the border, which are a pretty decent indication of the number of people who are crossing without documentation, started going up in the middle of 2020 precipitously. All that is occurring now is a continuation of these increases. Apprehensions and crossings at the border didn't start increasing on Inauguration Day; they started increasing back in the middle and end of 2020. So you can't say that this was a creation of Joe Biden's policies if what we are witnessing now is a continuation of a trend that began at the end of last year. In fact, as you can see here, the 10-year high for apprehensions at the border happened right in the middle of the Trump administration—a time during which the President was crowing that his policies at the border were the toughest ever.

Here is the second fact. The border is not open, as Republicans falsely claim. Here is what is happening right now on our southern border. Since the pandemic began, the administration invoked something called title 42 that allows, temporarily, during a public health emergency, the Border Patrol to turn everyone back around and send them back into Mexico regardless of whether they have an asylum claim that is legitimate or not. Under law, that is a temporary authority that is only allowed to be used during a public health emergency, and President Trump was using that authority.

The problem was that for these kids who were showing up at the border, who had legitimate asylum claims, right, whose lives were in danger in the places they were coming from, when we turned them around and sent them back to the Mexican border, we were essentially leaving them to die. Their parents weren't there. The smugglers who brought them to the United States had already left.

This was a disastrous, inhumane, unconscionable policy, to turn these kids back around to the border and leave them to the smugglers, to the sex traffickers with no one to help. So the only change President Biden made was to say that these unaccompanied minors need to be protected; we need to process their asylum claims. But President Biden is still turning around, under title 42 authority, every single adult, every group of adults, and every family who comes to the border, under title 42 authority.

The border is not open. All that has changed is that the prior law that was applied before the pandemic began is being applied selectively to unaccompanied minors.

Let's be clear. The authority to expel everybody being applied now to everybody except for unaccompanied minors, that is a temporary authority—an authority that Donald Trump didn't even invoke until the pandemic began.

Third, it is not even clear that what is happening now is anything other than a natural increase in migration during the winter, combined with the buildup of demand from title 42 enforcement in 2020.

The Washington Post data analysts took a look at the recent data on border crossings year to year and month to month, and here is what they said:

> We looked at data from [the] U.S. Customs and Border Protection to see whether there's a ''crisis''—or even a ''surge,'' as many news outlets have characterized it. We analyzed monthly CBP data from 2012 to now and [we] found no crisis or surge that can be attributed to Biden administration policies. Rather, the current increase in apprehensions fits a predictable pattern of seasonal changes in undocumented immigration combined with a backlog of demand because of 2020's coronavirus border closure.

What they are essentially saying is that because of conditions on the ground in Central America and Mexico, you saw an increase in crossings and apprehensions in 2018 and 2019 that vanished only in 2020 because of title 42 authority that is now starting back up again.

Again, the data backs this up. This year, from January to February, there was a 28-percent increase in crossings. January to February 2019, there was a 31-percent increase. Go back to 2018; February to March, a 25-percent increase. For the last 3 years, outside of the pandemic environment, during the winter, you will see a routine 25- to 30-percent increase in presentations at the border. This is when people normally cross, during the relatively colder weather months of the winter.

Second, these numbers are really deceiving because these aren't unique individuals; this is just total number of apprehensions. So what is happening under title 42 is that adults are being immediately removed right back to Mexico, but then they are immediately attempting to recross. So many of these numbers look high because you have individuals who never got the chance to make an asylum claim who are crossing multiple times at the border.

The fourth fact is that there is little evidence that American policy at the border has much to do with migration rates. The evidence, the facts show that it is conditions on the ground in the origin nations that are what determine whether people pack up their homes and leave for America.

Again, this chart is a good indication of that fact, because Donald Trump would tell you that his policies were tougher than anybody's, but the 10-year high in crossings, apprehensions happened in the middle of Donald Trump's inhumane border policies. Why? Because during this time, conditions are abysmal. Violence is spiking in many places from which these migrants are coming.

Just as a matter of sort of further explanation, if we brought this chart back into the Bush administration, you would find that crossings were much higher, at a much higher rate during the Bush administration than at any time during the Obama administration.

People come to the United States because they are fleeing violence, they are fleeing economic desperation, not because of some message they get from the U.S. Government.

One study I was looking at the other day, a comprehensive study of rationales for crossings data on the times that people cross, says this:

> [T]ougher border controls have had remarkably little influence on the propensity to migrate illegally.

These are the facts. These are the facts. Republicans need to stop looking at immigration as a political opportunity. We need to start dealing with the truth.

The number of immigrants showing up at the border today is large, but the winter increase isn't bigger than either of the last two winters prior to the pandemic with respect to percentage increase. It didn't start when Joe Biden became President or because of Joe Biden's policies. The increase started last year, when Donald Trump was President.

To the extent that Republicans oppose President Biden's lifting of the title 42 removal proceedings for kids, what is your alternative? Do you support just dumping these kids, these 10- and 11-year-olds, on the other side of the border, scared and alone, and just leaving them to die or to be forced into the arms of drug cartels or traffickers in Northern Mexico? That is un-American, and I am glad my President chose to end that inhumane, temporary policy.

But even if President Biden continued title 42 authority for kids for a few more months, expedited removal can't last forever. The law doesn't allow it. So once again, pretty soon, every migrant is going to be able to have the chance to apply for asylum, as they should. And herein lies an opportunity. Let's work together to fix what is a legitimately broken system.

I will give an example. People should be able to apply for asylum in the United States. We built this Nation by allowing people to come here from very dangerous places. But the asylum process takes too long—years between when you present yourself at the border and when you get a final decision on whether you can stay in the United States. Let's fix that. It is within our ability as Members of Congress to fix that. The administration can't do it. They need resources. They need new law and new authorities.

Republicans and Democrats could choose to—instead of playing politics, instead of offering up motions today that are sure to lose, we could sit down and try to do something about it. But

for 6 years, Republicans had the opportunity to bring together a conversation around comprehensive immigration reform, and they didn't. Hopefully, we will have the opportunity to do that now.

Lastly, behind every single one of these individuals coming to the border is a story, is a real human being. Ask yourself, if your child were being recruited into vicious drug gangs with a high likelihood of serious harm or death, would you not take steps to keep your child safe? Would you not bring them to a place like America that was safer for that child?

I visited, on Friday, the southwest border. I was in El Paso with a group of bipartisan colleagues and Secretary Mayorkas, who is doing a good job, who is managing this emergency with skill. I met a little girl, about 13 years old, who was in one of these processing facilities waiting to be moved into the asylum process. She was truly scared. She was truly scared. She knew she was going to have a chance to reunite with her family in the United States, but these detention centers—they are better than they were in 2019, but they are no place for kids.

That little girl was coming from Guatemala, a place where there are certain neighborhoods that are more violent than any war zone in the Middle East, a place where murder rates eclipse anything we can even imagine in the United States.

So that little girl, she needs America to survive, but I would argue that America needs her more because without her and the thousands of other children arriving at our border, hungry for a better life, we are going to risk abandoning the entire original idea of this great, one-of-a-kind Nation, a Nation that opens its arms to those who are fleeing violence and desperation. It is not just our tradition; it is our definition as a country—more reason for those of us in the U.S. Senate to resist the temptation to play politics with these kids' lives and with the very complicated, nuanced, important issue of immigration and instead find ways to be truthful about what is happening at the border as a means to come together and do something about it.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

PPP EXTENSION ACT OF 2021

Mr. CARDIN. Mr. President, I rise today to urge swift passage of the PPP Extension Act, which will extend the March 31 deadline for the Paycheck Protection Program 2 months, to May 31, and give the SBA an additional month, through June 30, to process any backlogged applications.

This Saturday, March 27, will be the 1-year date since the CARES Act was enacted. In that time, SBA has approved 8.2 million PPP loans worth more than $715 billion.

These loans have saved small businesses throughout our Nation. They would not be here today but for this program. It also saved the stress on our unemployment insurance system by keeping small business employees on the payroll. And as I am sure the Presiding Officer knows, for a small business, it is difficult to find a workforce and to keep a workforce, and the Paycheck Protection Program allowed small businesses to maintain their workforce so that when the pandemic is over, they are going to be ready for our growing economy.

The world feels a little different today than it did a year ago. The American people are finally beginning to see a light at the end of the tunnel. More than 124 million vaccine doses have been administered, and public health officials nationwide are beginning to ease restrictions on public gatherings.

We can see a light at the end of the tunnel, but we are not there yet. Small businesses are struggling, but in spite of those struggles, small businesses are still showing up for our communities.

The Baltimore Sun recently published a story about a restaurant in my hometown of Baltimore that captured the essence of the value that small businesses bring to our communities.

Steve Chu and Ephrem Abebe, co-owners of the popular restaurant in Baltimore named Ekiben, recently drove 6 hours from Baltimore to Vermont to prepare a meal for a longtime customer who was on her deathbed. They did this at their own cost because that is what small business owners do. They are part of our community. Afterward, Mr. Chu and Mr. Abebe called the decision a ''no-brainer'' and viewed their trip as a way to say thank you to a customer who had supported them for years.

That is what makes small businesses special. They are more than places we go to buy products or enjoy a meal. They are vital pillars in our community. That story and countless others like it are why we passed the PPP program initially and why we must pass the PPP Extension Act—so PPP can continue to be a lifeline for small businesses in the coming months.

Congress and the Biden administration have implemented significant improvements to the PPP in recent months that have made the program more equitable and useful. So we must now extend the deadline to allow small businesses and nonprofits to take full advantage and receive the help that they need.

In December, Congress passed the bipartisan Economic Aid Act, which provided an additional $284 billion to PPP and made second-round PPP loans available to small businesses that had spent their initial PPP loan and can demonstrate a 25-percent loss in revenue. The bill also expanded eligibility of PPP to include certain local newspapers, TV stations and radio stations, as well as 501(c)6 nonprofits.

I must remind my colleagues that while the SBA was beginning to implement the improvements we made to the PPP in the Economic Aid Act, the Agency was also undergoing a transition from the Trump administration to the Biden administration. Transitions, even under the best circumstances, can be disruptive to an Agency's work.

On February 22, the Biden administration took strong action to get funding to small businesses that were either left out or underfunded during prior rounds of PPP. The administration implemented a 14-day exclusive window for small businesses with fewer than 20 employees. It updated the maximum loan calculation formula for sole proprietors, and it eliminated rules prohibiting small businesses owned by formerly incarcerated individuals and individuals with delinquent Federal student loans from securing a PPP loan.

It made it possible and much more worthwhile for small businesses to apply for PPP loans, but it takes time. PPP is a forgivable loan, but you have to have a financial institution to make that loan. It has to be processed, it has to be approved, and it can't be done by the end of this month.

During the exclusivity period, SBA approved PPP loans for more than 400,000 small businesses and nonprofits with fewer than 20 employees, nearly half of which were first-time borrowers. We are reaching the hard to serve, the most needy of the small businesses. They finally got help.

Earlier this month, we passed the historic American Rescue Plan. The plan expanded PPP eligibility even more, to include more nonprofits as well as digital news platforms. The plan provides overdue aid to the local chapters of large nonprofits, such as the YMCA and Goodwill, which had not had prior access to PPP due to having multiple locations totaling more than 500 employees. The plan makes these nonprofits eligible for PPP loans worth up to $10 million, as long as each location does not exceed the employee limit. That makes sense.

During a hearing examining PPP last week, the small business community heard testimony from John Hoey, who leads the YMCA chapter that serves the Baltimore region. John urged us to extend the PPP to give nonprofit leaders more time to understand the program. He said:

> I can tell you that colleagues of mine who run large Ys around the country and large nonprofits in Baltimore are still trying to understand the program and figure out if they qualify. I think a 3-month extension is not only warranted but owed to all of us after what we've been through this past year.

We also heard testimony from Lisa Mensah, who leads the Opportunity Finance Network, which is the national

association of CDFIs, our mission lenders. She warned us that ''thousands of business owners will not receive access to PPP without an extension.''

She told us about a CDFI in Jackson, MS, that estimates that 1,300 loans from small businesses that applied for PPP will not receive funds if we do not extend the deadline. Of these 1,300 applicants, 98 percent are businesses with fewer than 20 employees, 95 percent are minority-owned, and nearly 100 of them are veteran- or veteran-spouse-owned small businesses.

This is only one CDFI out of hundreds nationwide. The story will be repeated—those that have been left out. The committee has also been urged to extend the deadline by the business community. On March 15, more than 90 chambers of commerce, trade groups, and business organizations sent a letter urging extension, and they said:

> Nearly one year into the COVID–19 pandemic, the continued liquidity challenges of the small business sector are acute.

It is clear that there is still an overwhelming need for PPP loans, which is why the PPP Extension Act passed the House of Representatives by a 415-to-3 vote. This is bipartisan. The bill that we are talking about is sponsored by Senator COLLINS. Senator SHAHEEN and I are also on that bill.

The good news is that the resources are there. We have been informed by the SBA that the extension of the deadline can work within the funds that have already been made available by Congress. The money is there.

This is not the first time we have done this. I must remind my colleagues that, last year, as PPP was approaching its deadline, I brought a bill to the floor of the Senate and worked with Senator RUBIO to give small businesses more time to get their applications filed. I must also remind my colleagues that we passed that extension to preserve access to PPP while we continued negotiating on broader changes to the program. We need to do the same thing again.

I know that there are other modifications to the program that we will have an opportunity to discuss, and I am committed to conducting those discussions in the same bipartisan manner that I have approached the development of these programs. In fact, later today, in just 45 minutes, there will be a hearing of the Small Business Committee where we will be doing oversight on the programs that we made available during COVID–19, and we will have representatives from government responsible for those programs, including the SBA.

But the bottom line: We first need to extend the program. We have got to make sure it doesn't expire next week. We must get this done. The need is there, and the funds are there.

EQUAL RIGHTS AMENDMENT

Mr. President, I rise to celebrate Women's History Month and support S.J. Res. 1, legislation I introduced with my partner in this effort, Senator MURKOWSKI of Alaska.

Our bipartisan legislation would remove the deadline for the States' ratification of the Equal Rights Amendment, the ERA, and I am pleased that the House adopted the companion version of this legislation, H.J. Res. 17, last week. I now urge the Senate to take up and pass this legislation.

Ratification of the ERA would expressly prohibit discrimination on the basis of sex in the U.S. Constitution. The amendment simply reads:

> Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

In January 2020, Virginia became the 38th State to ratify the ERA, which was first proposed in 1972. Congress has the authority under article V of the Constitution to set and change deadlines for the ratification of constitutional amendments and has done so on numerous occasions. Recall that, in 1992, the 27th amendment of the Constitution, prohibiting immediate congressional pay raises, was successfully ratified after 203 years. That amendment was initially proposed as part of the original Bill of Rights in 1789.

There should be no time limit on equality. Even as we celebrate America's first female Vice President, our Nation is held back as the only modern Constitution that fails to enshrine full equality for both men and women. This is unacceptable. Most Americans are surprised to learn that the ERA is not already part of the U.S. Constitution. The States have done their job to make this happen. Now Congress must finally do its job and remove any legal obstacle to certifying the ERA.

Women were indeed left out of the Constitution intentionally by our Founding Fathers. American women, however, did demand equality as our country was being founded. In a letter in March 1776, Abigail Adams wrote to her husband John Adams, urging him and other members of the Continental Congress not to forget about the Nation's women. The future First Lady wrote, in part:

> I long to hear that you have declared an independence. And, by the way, in the new code of laws which I suppose it will be necessary for you to make, I desire you would remember the ladies and be more generous and favorable to them than your ancestors. Do not put such unlimited power into of the hands of the husbands. Remember, all men would be tyrants if they could. If particular care and attention is not paid to the ladies, we are determined to foment a rebellion, and will not hold ourselves bound by any laws in which we have no voice or representation.

Sadly, the Founding Fathers did not heed Abigail Adams' call. Most notably, women were denied the right to vote for nearly 150 years. More broadly, women were treated as second-class citizens through our Nation's history and were denied other basic and fundamental rights, such as being able to own property or work in their chosen occupation.

Women comprise a majority of the underrepresented in government, elected office, the courts, and the business world. Without the ERA in the Constitution, the statutes and case law that have produced major advances in women's rights since the middle of the last century are vulnerable to being ignored, weakened, or even reversed.

Congress can amend or repeal antidiscrimination laws by a simple majority. A new administration can fail to vigorously enforce civil rights statutes. The Supreme Court can use a lower standard of intermediate scrutiny to permit certain regressive forms of sex discrimination.

Indeed, even today, women do not receive equal pay for equal work. The ERA would provide a needed constitutional basis for legislation advancing women's equality. Historically, the equal protection of the laws clause of the 14th Amendment has been used to fight discrimination on the basis of gender. However, without language in the Constitution specifically establishing that there shall be no denial or abridgement of rights on the basis of sex, the Supreme Court will likely continue to apply a lower level of scrutiny in cases related to discrimination against women. By contrast, the Supreme Court uses the ''strict scrutiny'' test in reviewing cases of racial and religious discrimination.

As former Supreme Court Justice Antonin Scalia, a fervent originalist, once stated, ''Certainly the Constitution does not require discrimination on the basis of sex. The only issue is whether it prohibits it. It doesn't.

Former Supreme Court Justice Ruth Bader Ginsburg stated:

> Every constitution written since the end of World War II includes a provision that men and women are citizens of equal stature. Ours does not. . . . If I could choose an amendment to add to the Constitution, it would be the Equal Rights Amendment. I would like my granddaughters, when they pick up the Constitution, to see that notion—that women and men are persons of equal stature—I'd like them to see that in a basic principle of our society.

Public polling indicates that the country is ready for the ERA. Today, nearly half the States—including Maryland and Alaska—have a version of the ERA written into their State constitutions. In the era of ''Me Too,'' there has been a renewed energy for adopting the ERA, as society finally addresses the longstanding problems of violence and sexual harassment against women and demanding justice and accountability.

Just a few weeks ago, we celebrated International Women's Day worldwide, on March 8, with the 2021 theme: ''Choose to Challenge.'' It is now far past the time we bring the conversation of women's equality and empowerment to center stage.

The United States of America is one of the most developed, wealthiest, and admired countries in the world today, and immigrants from all over the world continue to travel to the United States to pursue their dreams and make a better life for themselves and their families. However, to this very day, the

Constitution of the United States, our Nation's supreme law of the land, still does not declare that men and women are of equal stature. The passage of this historic amendment would truly never be more possible or needed as it is today.

Let me quote from President Biden's statement on the ERA, upon the House passage of this legislation last week:

> Gender equality is not only a moral issue. The full participation of women and girls across all aspects of our society is essential to our economic prosperity, our security, and the health of our democracy. This is especially critical right now, as the collision of a public health crisis, economic crisis, and caregiving crisis has erased decades of women's economic gains and pushed more women out of the American workforce than we've seen in more than 30 years.

President Biden concluded:

> It is long past time that we enshrine the principle of gender equality in our Constitution.

Let me address one other issue regarding a recent decision on the ERA and the validity of the State ratification under the previous congressional deadlines. In this case, decided by Judge Contreras in the United States District Court for the District of Columbia, it is just as important to discuss what the judge did not hold in his decision. Notably, the judge in this case wrote:

> Equally significant as the Court's holding is what it does not hold. . . . Congress has not tried to revive the ERA despite both deadlines' expirations, so the Court is not confronted with that difficult issue. . . . Lastly, the Court does not express an opinion on the merits of the ERA as a matter of policy. It merely enforces a procedural time limit that Congress set when proposing the amendment.

In my view, this decision makes the need for decisive congressional action clearer than ever on this procedural time limit, using the power of Congress under Article V of the Constitution. It is far past time for Congress to take up and pass this legislation that would remove the time limit for the ERA ratification, which will remove any remaining legal ambiguities about congressional intent. Let us take up and pass this legislation without further delay, and finally write equality between men and women into our Constitution.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

UNANIMOUS CONSENT REQUEST—S. 80

Ms. ERNST. Mr. President, it has become all too easy for pundits and politicians to reduce the security of our borders to a bumper sticker or billboard slogan.

As someone who appreciates the value of human life, as a survivor of sexual assault, and someone who cares deeply about the safety and security of women and children across the globe, I am horrified that we continue to put border security at the bottom of our policy to-do list.

On January 31, 2016—the same day as her college graduation—Iowan Sarah Root was killed by an illegal immigrant named Edwin Mejia. He was drag racing, with a blood alcohol level more than three times the legal limit.

Despite repeated requests by local law enforcement, Immigration and Customs Enforcement failed to detain Mejia because of a catch-and-release policy that ultimately allowed him to escape the country. Unfortunately, this is the same policy that President Biden supported during the Obama administration.

Still, more than 4 years later, Mejia remains a fugitive, denying Sarah's loved ones any sense of justice or closure. After today, I will have now live UC'd this bill twice, and I expect the same thing to happen today as did last time; that it will be objected to by my Democratic colleagues.

As a mother, I cannot fathom the grief that Sarah's family, her mother and father Michelle and Scott, her brother, and her friends continue to feel after such a devastating loss.

Sarah had her whole future in front of her, but her opportunity to make her mark on the world was tragically cut short. At the same time, while Sarah Root's mother and father grieve, a child, without a parent, continues to make the perilous journey at the hands of a smuggler. Many arrive here dehydrated and malnourished and subject to unspeakable atrocities, from rape to assaults.

Since Inauguration Day, we have seen record numbers of children at the border, a heartbreaking humanitarian crisis. Before then, the Migrant Protection Protocols, or the ''Remain in Mexico'' policy, was in place and helped keep migrants safely in Mexico until the United States had a chance to process them.

This policy singlehandedly reduced the need for bed space in the United States, protected migrants from that treacherous journey through Mexico, and kept our facilities from being dangerously overcrowded. Border Patrol agents were able to return to their originally assigned duties of patrolling for drugs and human traffickers.

But as we have heard time and again, and something that is very true, elections have consequences. President Biden, before he even had the chance to unpack, made serious changes to immigration policies—changes that have resulted in the national emergency at the U.S.-Mexico border.

First, he rolled back the ''Remain in Mexico'' policy, and that is a big reason why we have a crisis at the border today. Instead of keeping migrants in Mexico and deterring those from making the dangerous journey north, the vacancy sign is on. But the reality is, we are out of space.

It feels as if the Biden administration is starting to see the reality of the disaster they created at our southern border. They are now walking this reversal back and asking the Mexican Government to reinstate the previous administration's policy.

On his first day in office, President Biden signed an Executive order suspending all domestic deportation proceedings. If Sarah Root's story played out today, Immigration and Customs Enforcement would not pick up her killer, and the same tragedy could happen again and again.

Although nothing can bring beautiful Sarah back to her family, we can ensure that the Federal Government never makes this mistake again.

Today, I rise to call upon my Senate colleagues to help make that happen, to stop another tragedy like Sarah's from happening with a simple and clean fix. I am asking the Senate to join myself and 22 of our colleagues and pass my bill, Sarah's Law.

Sarah's Law is simple: It requires that ICE take custody of a person who is in the country illegally if they are charged with a crime that seriously injures another person. It also mandates a better victim notification system that lets victims and their families—like the Root family—know what happened to their loved ones.

Sarah's Law is about as commonsense an effort as there is. It recognizes the simple fact that all criminals should be held accountable for their actions—all criminals—and not simply allowed to slip back into the shadows. If Sarah's Law is passed, people who are in this country illegally and murder another person would be prioritized for deportation if released.

Who could be opposed to this?

In fact, a previous vote on this bill in the form of an amendment was supported by the majority of the Senate and was bipartisan.

No family should ever have to endure such a tragedy, especially one that could have been prevented.

Madam President, as in legislative session, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 80 and the Senate proceed to its immediate consideration. Further, I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER (Ms. ROSEN). Is there objection?

Mr. DURBIN. Madam President, reserving the right to object.

The PRESIDING OFFICER. The Democratic majority whip.

Mr. DURBIN. The Senator from Iowa tells us a compelling story of Sarah Root, whose death at the hands of a drunk driver is a tragedy. However, I respectfully suggest this legislation is not the answer.

This bill that she is proposing would require the mandatory detention of immigrants charged—not convicted—charged with certain crimes. The mere allegation of criminal conduct would result in months, possibly years, of detention before case adjudication.

Indefinitely detaining immigrants, regardless of whether they actually

committed a crime, regardless of circumstances, violates a principle that is deeply embedded in the American legal system: innocent until proven guilty. Under this bill, someone wrongly arrested wouldn't be eligible for individualized bond determination. This is not consistent with the basic tenets of due process in our Constitution.

Creating a new category of immigrants subject to indefinite detention for being charged also could be harmful to the survivors of domestic violence. Over 20 years ago, I was introduced to a group in Chicago. The name of the group—and I am sorry if I don't pronounce it correctly, pretty close—is Mujeres Latinas en Accion. This is a group that came together to try to protect undocumented mothers and wives from domestic abuse. The reason they came together was these poor women were being victimized and abused in ways unthinkable and were so afraid to report it to police because of their undocumented status. So this group of women in the community came together and said: We have to build a shelter. These women had to get away from their abusive husbands who, many times, were also abusing the children. That is what happened. Today it is still there, and it is still needed.

These survivors of domestic abuse, many times in desperation, would finally strike back at the abusive husband, and some of them were even subject to arrest for assault against the abusing husband. Under the proposal today that is being suggested by the Senator from Iowa, that woman, having been abused by that husband for so many years, finally striking back and assaulting the husband and being charged, would automatically be incarcerated. There wouldn't be a judge to consider the reality of the circumstances in her life.

Survivors of human trafficking, sexual assault, and domestic violence are often at risk of arrest initially, but many times in court, the circumstances are explained, and a different conclusion is reached.

In one study, nearly half of the incarcerated women in the study described assaults they had committed in their own defense. This bill has no exception for immigrants who are charged with crimes that resulted from their defending themselves against violence.

Let me add, too, that this bill is not necessary. Our immigration laws give to ICE the authority to detain people who are deported. In fact, there are thousands of people detained, right now, using this authority.

There is no question that our immigration system is far from perfect and is a broken system. We have a responsibility and we have authority in Congress to reform our immigration law.

If the Senator from Iowa is interested in working on bipartisan immigration reform, I welcome the opportunity to ask her to join us to try to find pragmatic, bipartisan solutions. We had an initial meeting today, a bipartisan meeting of Senators, to open the conversation. But trying to pass this bill by unanimous consent is not the way to approach this very complex problem. We need to roll up our sleeves and say: Let's, as Senators on a bipartisan basis, do it.

I stand ready to do so. I hope the Senator from Iowa does too. As tough as it may be, we need to tackle these issues and not ignore them as they were for the last 4 years under the previous Republican President.

For those reasons, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Iowa.

Ms. ERNST. Madam President, I appreciate the comments of my colleague, the Senator from Illinois, but there is no doubt that we have a problem in the United States today. Our immigration system does need to be reformed, but it does need to be done in a bipartisan manner.

This, when presented as an amendment on the floor of the Senate, was a bipartisan-supported amendment, and it deals with those who are charged with bodily injury of another person or of murder. That is what happened in Sarah's case.

ICE is given the opportunity to detain an individual, but in this case, ICE chose not to, even though a young woman was murdered by a man operating under multiple assumed names with no familial ties in the area. The man was allowed to slip back into the shadows, and Sarah Root's family will likely never ever see justice.

So the pendulum swings both ways. I would much rather see Edwin Mejia face justice than allow the family of a young murdered woman to go without.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

OPIOID EPIDEMIC

Mr. CORNYN. Madam President, as we all know, over the last year, COVID–19 has taken center stage as the No. 1 public health crisis facing our Nation. No community has been spared from the devastation caused by this virus, which has claimed more than 540,000 American lives.

But beneath the surface, the problems we were facing before the pandemic still exist, and, in many cases, they are getting worse. A year of stress, isolation, and loss has taken a serious toll on America's mental health and has led to increasing rates of anxiety and depression.

These same factors have led to an increase in domestic violence as families have spent more time at home, often while battling the stress of job losses, financial difficulties, and virtual learning.

And, of course, there is the opioid epidemic, which continues to destroy communities across our country.

In 2019, there were more than 70,000 overdose deaths in America—70,000. We are still waiting on the complete figures for 2020, but preliminary data shows that things are trending in the wrong direction. From June 2019 to May of 2020, more than 81,000 Americans have died from overdoses.

We know a significant portion of those deaths involve heroin—roughly 20 percent of those who overdosed in 2019. According to the Drug Enforcement Agency's ''National Drug Threat Assessment,'' the vast majority of that heroin comes from Mexico, a staggering 92 percent.

As we have discussed the crisis at the border, I have talked about ways the surge of unaccompanied children affects Customs and Border Protection's ability to carry out its other missions, including stopping the flow of these illegal drugs. Time spent processing and caring for children means less time on the frontlines catching or deterring the cartels from moving their poison across the border into the United States.

A Bloomberg report last year brought another aspect of this epidemic to light: the fact that chemicals made in the United States by U.S. companies were key ingredients in the manufacturing of heroin in Mexico. One of those companies is Avantor, a Fortune 500 company that supplies chemicals and lab materials and services across a number of industries. Avantor produces millions of products, including everything from medical masks to high-quality chemicals for pharmaceuticals, to kits for science labs in schools. But the focus here is on one particular chemical—acetic anhydride.

This is an 18-liter jug of acetic anhydride, and you can see Avantor's name on the label. Avantor sells this through a subsidiary known as J.T. Baker into Mexico. Now, there are legitimate uses for acetic anhydride. It is used to make cigarette filters and chemicals used for photographic films, but this wasn't a photo taken in a chemical lab or a manufacturing plant here in the United States. This was taken by a Bloomberg reporter in Mexico who was able to purchase this chemical online, no questions asked. This should have never happened. Why? Because acetic anhydride is a highly regulated chemical, at least in the United States and, actually, around the world. Some companies even bar the importation of acetic anhydride because of its use in manufacturing illegal drugs.

But the reason it is regulated is it is a precursor in the production of heroin. That is why many countries ban the importation outright. Without this chemical, it is virtually impossible to transform opium from a poppy seed into the more lethal drug of heroin.

Acetic anhydride, as I said, is one of the most tightly controlled chemicals worldwide and has been for some time. The International Narcotics Control Board has been sounding the alarm on this dangerous chemical since the

2000s. In fact, its annual report has described horrific examples of the dangerous precursor chemical being diverted from legitimate uses to illegitimate uses, like making heroin.

But the fact is, Mexico did not sign on to the International Narcotics Board protocol for this dangerous chemical until 2018, and even then, the enforcement, oversight, and control of this precursor was lax, at best. Even now, given the controls the cartels exert over large swaths of Mexico, I have no confidence that any controls on this chemical are effective in stopping illicit uses in that country.

The Bloomberg investigation brought to light how easy it was for the cartels to get hold of this chemical. The reporters were able to purchase this 18-liter jug online or at a medical supply store. It didn't take any special requirements. You can imagine how easy it was for the cartels to get their hands on this chemical.

While the controls, oversight, and enforcement of this chemical are much tighter in the United States and have been for years, it presents a constant challenge when Mexico does not have the same standards and enforcement.

It presents an additional hurdle for the safety of our communities when U.S. companies, like Avantor, avail themselves of foreign subsidiaries to create and manufacture the precursor chemical in a cartel's own backyard, thereby facilitating the manufacture and sale of the deadly drug known as heroin.

Of course, the winners in all of this are the cartels, in addition to their criminal network of smugglers, who move the drug across our border. The losers are our communities here in the United States and our loved ones who have been tragically affected by the opioid epidemic.

This is an open-air drug lab in Sinaloa State, the home of El Chapo's drug empire. Cartels can use this single jug of 18 liters of chemical to make heroin in this drug lab that is concealed in a rural part of Mexico. They can make out of that one jug about 80 pounds, or 90,000 hits, of heroin out of one jug. Of course, one hit is enough to destroy a life, but think of the pain that one 18-liter jug can inflict on an entire community, and Avantor knows that these jugs in this size can be easily concealed in something like the trunk of a car.

One container of this chemical costs $324. The street value of the heroin that it will yield is at least $3.6 million. One jug at $324 can produce $3.6 million worth of street value in heroin. If this doesn't make your blood boil, you are not paying attention. After all, it is simply impossible to believe that Avantor, which is a Fortune 500 company that is publicly traded here in America, was selling large quantities of this chemical—banned in many countries of the world because of its use in illegal drug manufacturing—and had no idea that it was being used for illicit purposes in Mexico. I don't think anybody would believe they didn't know.

Bloomberg reports that this has been going on for at least the last 10 years, when photos like this surfaced of the J.T. Baker line of product showing up in drug busts by the Mexican authorities.

Unfortunately, the bad news doesn't stop there. The nominee for the third highest ranking position at the Department of Justice has profited to the tune of millions of dollars from Avantor stock. Vanita Gupta has been nominated to serve as the Associate Attorney General, and she is a very large shareholder in this publicly traded company. She owns millions of dollars of Avantor stock, parked in her own accounts and in the various trusts she has identified in her financial disclosures. This isn't just a blind investment in a mutual fund; this is the family business. Ms. Gupta's father is Avantor's chairman of the board.

Following Ms. Gupta's confirmation hearing in the Judiciary Committee, Senators submitted questions for the record. One question was submitted by Senator GRASSLEY, the ranking member. He asked Ms. Gupta if she were aware that Avantor was producing and selling chemical precursors used in the illegal heroin trade in Mexico.

She said:

> I am aware of the allegations.

The next question from Senator GRASSLEY was about her financial holdings. Since she owns upwards of $55 million in Avantor stock, he asked if she had profited financially from this chemical trade of acetic anhydride by Avantor in Mexico.

Ms. Gupta said:

> As a shareholder with no role in Avantor, I am not able to say whether and how much I have profited from the various parts of Avantor's business.

I generally believe witnesses who testify under oath at Judiciary Committee hearings if there is no reason not to believe them, but it pains me to say that Ms. Gupta had already established a clear pattern of deception or of flat-out lying during her confirmation process.

Ms. Gupta wrote an op-ed piece in the HuffPost on November 4, 2012. At that time, she said that States should decriminalize the possession of all drugs—not just marijuana but all drugs—for personal use.

In the article, she said:

> States should decriminalize simple possession of all drugs, particularly marijuana, and for small amounts of other drugs.

That is a quotation. You can see that here. That would include decriminalizing fentanyl, methamphetamine, and other highly addictive, deadly drugs, including, of course, heroin.

Well, that wasn't her answer at her confirmation hearing. When asked whether she advocates for the decriminalization of all drugs, she didn't mince words.

She said:

> No, Senator. I do not.

Now, I understand that it is natural for people to change their minds, especially in light of new information or new experiences. In Ms. Gupta's case, she noted that her experience at the Department of Justice and with addiction in her own family had led her to evolve her position on these issues.

Yet, in responding to Senator GRASSLEY's written questions, she wrote:

> I have never advocated for the decriminalization of all drugs, and I do not support the decriminalization of all drugs.

That is demonstrably false. It is not true. She obviously held the view and felt so strongly about it at the time that she penned an op-ed piece in a national publication to advocate for the decriminalization of all drugs.

When a person has been nominated for a leadership position at the Department of Justice, that person has a duty to be honest and forthright. If you have learned any new information and have changed your mind, that is fine, but you can't flat-out mislead about not having held beliefs that you clearly held in the past, especially when those beliefs could interfere with your ability to do the very job for which you have been nominated.

It is not just with decriminalization that Ms. Gupta has misled the Judiciary Committee. As to qualified immunity, defunding the police, and the death penalty, Ms. Gupta has offered misleading statements on each of these issues. Policy differences, I can accept, but a lack of candor is disqualifying, especially for the Office of the Associate Attorney General.

So when Ms. Gupta said she was unaware that Avantor was profiting or that she was profiting from the illicit manufacturing of heroin in Mexico, I do not find that credible. It is just another example of saying whatever you need to say to get confirmed by the Senate.

The Department of Justice is the highest law enforcement Agency in the country, and Ms. Gupta has been nominated to serve as third in command. If confirmed, she will oversee the Civil Division, which will make major decisions about who will be investigated, who will be charged, and who will face punishment. Some of those potential targets include opioid companies, drug manufacturers, or perhaps even companies that are diverting precursor chemicals to the cartels. If you look at the work at the moment of the Civil Division of the Department of Justice, you will see a number of civil actions already related to the diversion of opioids and companies involved in illegal schemes. What does this say about her ability to supervise those kinds of cases?

The Department requires professional detachment from even the appearance of impropriety, and this conflict of interest of Ms. Gupta's goes far beyond simple appearance. Ms. Gupta has financially benefited from the sale of this chemical to cartels in Mexico.

She has financially benefited whether she knew it at the time or not, but she won't even admit it. As a result, any case that has a nexus to drugs brought by the Department of Justice while she is at the helm will have a giant cloud cast over it.

Finally, what I find most troubling, in addition to her lack of candor, is that Ms. Gupta has shown absolutely no remorse for the harm done by Avantor in facilitating the manufacture and sale of heroin here in the United States. I estimate that, in the last 10 years, more than 100,000 Americans have died of drug overdoses associated with heroin. So I cannot support the nomination of Ms. Gupta to serve as Associate Attorney General, and I urge all of my colleagues to oppose her nomination as well.

The PRESIDING OFFICER. The Senator from Tennessee.

UNANIMOUS CONSENT REQUEST—S. 903

Mrs. BLACKBURN. Madam President, last month alone, more than 100,000 migrants crossed our southern border. Our ports of entry are overrun; holding facilities are packed; and, yes, our Border Patrol agents are absolutely exhausted. They are exhausted. This isn't just a logistical challenge; it is a tragedy made worse by the Biden administration's disastrous open borders policies.

The crisis is escalating, especially for the tens of thousands of children who have arrived in this country very much alone. Unaccompanied minors accounted for nearly 10 percent of all migrants who crossed our border last month. That is roughly 10,000 children a month walking into chaos.

Anyone paying a bit of attention knows what is going on here. Customs and Border Protection has been sounding the alarm on the connection between children and human trafficking for years. The coyotes, the cartels, and the gangs use children as drug mules. They use them as sex slaves. If you don't believe me, ask anyone with the CBP why they administer pregnancy tests to little girls as young as 13 as soon as they arrive at the border.

This is a heartbreaking situation. These children are living in hell, and it is getting worse. False claims of family ties have fueled a rise in fraudulent asylum claims and in human trafficking. Adult migrants are making arrangements with cartels and smugglers to borrow children. They claim kinship and use that relationship to bolster a fraudulent asylum claim. And what do they do when they have gotten what they want? They send the child back across the border to start the entire nightmarish process with another stranger. That is correct. This is called child recycling, but I think ''recycling'' is an odd choice of words to describe one human being treating another human being like a piece of garbage. Again, this is heartbreaking.

If you want to get an idea of how big a problem we have, consider that the Department of Homeland Security says that, over the past decade, they have seen a 1,675-percent increase in asylum cases.

In 2019, Immigration and Customs Enforcement implemented a pilot DNA testing program to try to stop this rampant exploitation. They found that 20 percent of all kinship claims they were able to screen were lies—20 percent.

This is a humanitarian crisis, an environmental crisis, and a health and safety crisis. The Biden administration has lost control of this situation, but there are things we can do right now to protect these children and put the smugglers in check.

This week, I introduced the End Child Trafficking Now Act, which would require our border agents to administer DNA tests to adult migrants claiming kinship with a minor without migrants' having the legal documentation to prove it.

If the adult refuses, they will be immediately deported. Furthermore, the bill mandates a 10-year penalty for all alien adults who lie about their relationship with a minor.

The test is simple. It takes about 90 minutes. Ninety minutes could mean the difference between that child finding safety in the United States and that child being dragged back to a cartel.

We are on pace to see 17,000 more unaccompanied minors arrive this month. ICE proved this testing strategy can help protect them. There is no valid, fact-based reason not to do it.

Madam President, as if in legislative session, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 903 and the Senate proceed to its immediate consideration. Further, I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there an objection?

The Senator from California.

Mr. PADILLA. Reserving the right to object, Madam President, I share my colleague's desire to prevent child trafficking. Trust me, as a parent, I know it is a laudable goal. But as drafted—as drafted—this bill would create enormous and instant chaos at airports around the country and every other port of entry.

As written, it would require every foreign family who seeks admission to the United States, even just for a family vacation, to have a third party witness a test to their affiliation or else submit to a DNA test. I can't imagine any of our airports have the resources to implement this. It would simply lead to the same chaos we saw after the implementation of President Trump's Muslim ban, or worse, it would overwhelm our law enforcement officials and create bottlenecks at customs for citizens and noncitizens alike, not to mention the many legal and ethical questions as it pertains to genetic privacy and the storage of that information.

I would be more than happy to sit down with my colleague from Tennessee in the context of a larger discussion about immigration reform to see how we can ensure that we include provisions to prevent child trafficking, but I don't think this bill as drafted will actually accomplish that goal, and so I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Tennessee.

Mrs. BLACKBURN. Madam President, I think my colleague understands that this bill would apply to individuals, to adults who cannot show kinship and do not have legal documentation.

We know that human trafficking, sex trafficking, and child trafficking have become a major industry. We know that child recycling is a practice that is used by the cartels. We know that they are using this to move adults into the country; thereby, this is something that would put the cartels in check and show that we are not going to stand for them recycling children, claiming kinship to children who are not theirs, and trying to move drug smugglers and cartel members into this country.

Mr. PADILLA. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CRUZ. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. BALDWIN). Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—S. 890

Mr. CRUZ. Madam President, I rise today to bring attention to the serious humanitarian crisis at our southern border. Right now, as we speak, thousands of children have entered the United States illegally and sit in crowded detention centers wrapped up in emergency blankets, hundreds, even thousands, of miles away from home. They are without their families and without their parents. Many of them have been trafficked and have been physically and sexually abused along the way.

U.S. Customs and Border Protection reported that just last month alone, 29,792 unaccompanied children came across our border, including 2,942 children under the age of 12. All of these children came here without their parents, and they have come here in large numbers because they know that President Biden is promising them amnesty.

The illegal immigrants coming across our southern border right now are not just children. President Biden's Secretary of Homeland Security, Alejandro Mayorkas, has said: ''We are on pace to encounter more individuals on the southwest border than we have in the last 20 years.''

In February, more than 100,000 illegal immigrants came across our southern

border, according to the U.S. Customs and Border Protection, which is 3 times the number of illegal immigrants who came through the southern border in February of 2019, and it is almost 6 times the number of illegal immigrants who came through our southern border in February of 2018.

The Biden administration refuses to call this a crisis, but that is what it is. We have a humanitarian crisis, and we also have a security crisis.

Of the over 100,000 illegal immigrants who came here in February, 71 percent of them are single adults, according to the Pew Research Center.

The Biden administration's policy has been to welcome these illegal immigrants and to halt or slow deportations as much as possible. When Joe Biden became President, he immediately halted construction of the border wall. He ended the ''Remain in Mexico'' policy, an incredible foreign policy victory President Trump negotiated with Mexico, which stipulated that illegal immigrants from Central America crossing illegally through Mexico to seek asylum in the United States would stay in Mexico during the pendency of their proceedings. President Biden ended that, ripping apart that international agreement, and, instead, he reinstated the failed policy of catch-and-release.

So now when we apprehend illegal immigrants, we let them go, including illegal immigrants who are criminals and who are convicted criminals guilty of violent crimes. President Biden's political decisions have produced a crisis and a crisis that is growing.

What the Biden administration has made clear in the last 2 months is that their priority is illegal immigrants and not American citizens. That is why, in just a moment, I am going to propound a unanimous consent request that the Senate pass Kate's Law. Kate's Law is named for Kate Steinle, who was 32 years old when she was tragically killed on a San Francisco peer by an illegal immigrant who had several felony convictions and had been deported from the United States not once, not twice, not three times, not even four times. He had been deported five times. By the revolving door of our border, this violent criminal kept being deported, and he kept coming back, and he kept coming back, and he kept coming back. And beautiful Kate Steinle was shot and killed because of our broken immigration system.

Kate's Law is commonsense legislation. It would amend Federal law to impose a mandatory minimum sentence of 5 years for any illegal reentry offense. Kate's Law is critical to ensuring that illegal immigrants who have been deported, especially those with violent criminal records, are deterred from repeatedly entering the country illegally over and over and over again. If the illegal immigrant, violent criminal who killed Kate Steinle had been in prison for illegally entering the United States the fifth time, Kate would still be here today.

I have had the opportunity to meet Kate Steinle's family. They don't understand why our system is broken. They don't understand why we keep letting in violent, criminal, illegal aliens over and over and over again. And I will tell you, the American people—roughly 80 percent of Americans—agree with Kate's Law. This is commonsense legislation.

We are about to see a Democrat object to it because today's Democratic Party doesn't care what the American people say. But if this were in the realm of sanity, Kate's Law would pass 100 to nothing. Look, we can have disagreements about legal immigration, about what the rules are, but when it comes to violent, criminal, illegal aliens who enter the country illegally over and over and over again, it ought to be real simple. We ought to be able to come together as Democrats and Republicans and say: All right, let's draw the line there. We don't need more murderers in America.

I have spent a lot of time down in the valley and at the Texas border. I have spent a lot of time with agents from the Border Patrol. Tomorrow, I am going back to the border to see for myself what the conditions are like right now. I am leading a delegation of 17 other Senators, and we are going to go talk to Customs and Border Patrol agents. We are going to meet with CBP leadership. We are going to meet with law enforcement and community leaders. We are going to tour the detention facilities directly.

Now, you may not see that on TV because the Biden administration is refusing to allow the press to see the facilities. For 4 years, Democrats went on and on and on about kids in cages. Now, those cages were built by Barack Obama, and they are bigger and fuller under Joe Biden. And the Biden administration doesn't want you to see the Biden cages. So they have declared a media blackout, that reporters are not allowed.

The Trump administration allowed the media to go to the border. The Obama administration allowed the media to go to the border. The Bill Clinton administration allowed the media to go to the border. The George W. Bush administration allowed the media to go to the border. But Joe Biden wants to cover up the crisis that his administration has created, and it is a crisis that, sadly, Senate Democrats are complicit in creating as well.

We have yet to have a single Senate Democrat willing to break with the Biden administration on the unfolding humanitarian crisis on the border. The worse it gets, the more kids who are abused, the more kids who are assaulted, the more Americans who are put at risk of COVID, and the more Americans who are put at risk of violent crime. At some point, I hope and pray we will see Senate Democrats willing to say: Enough is enough. It is time to stop being angry partisans, and it is time to come together with common sense and protect the American citizens.

For that reason, as if in legislative session, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 890, and that the Senate proceed to its immediate consideration; further, I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. LUJÁN. Reserving the right to object.

The PRESIDING OFFICER. The junior Senator from New Mexico.

Mr. LUJÁN. Madam President, there is not a single Democratic Senator in this body who believes that someone who commits a violent crime should not feel the full weight of the U.S. judicial system for their crimes. I hope my friend from Texas would agree with that. I don't think there is a Member in this body—Democratic, Republican, Independent, the staff—not a one. I think the same holds true for our colleagues who work just down the corridor from us in the U.S. House of Representatives.

Now, we must do everything in our power to make certain that those engaged in violent crimes face prosecution and feel the full weight of the law. That is not just bipartisan; that is the right thing to do.

Where I disagree with my colleague is the assertion that immigrants are inherently criminal. They are not. They are people whom our kids go to school with, whom we work with, who grow our food in America, who work to prepare that food or even stock the shelves, teach in classrooms, serve in the U.S. military defending our freedoms in the United States of America.

So to my friend from Texas, this seems to be a continuance of the harmful proposals from the Trump administration. I certainly think that many of my colleagues from the other side of the aisle in the U.S. Senate also disagree with the hateful pronouncements from Steve Miller. This feels like a continuance of that, to strike fear in Americans and to breed distrust in immigrants.

Now, I agree with my colleague that we have to work together to stop that false narrative. This false narrative must stop because it is not contributing to fixing the broken immigration system we have in the United States.

I agree with my colleague that we should come together and work in a bipartisan way to learn from one another. I am new to this Chamber, but I am not new to these challenges.

I certainly hope that my colleagues who are traveling to the border—and I commend them for doing so because this is an important conversation we should be having. I hope they travel to Matamoros. I don't know if my colleague from Texas has done that. I did.

I traveled down there with a group of colleagues. We had a chance to visit with the Border Patrol in El Paso. We had a chance to visit with Border Patrol in Antelope Wells in New Mexico and Lordsburg in New Mexico. We have had the honor of traveling down into the Rio Grande Valley, down to Brownsville. We had a chance to visit with folks on the frontlines, not just wearing the green uniform of our Border Patrol and those working with the Department of Homeland Security but those who are also providing humanitarian relief.

Those camps in Matamoros that I went to, they still exist. And one of the questions that needs to be asked is, What are these kids going through? What are they thinking about to travel thousands of miles because of the concerns that they have for their own health and well-being? I hope we can have that conversation and solve this problem. So let's find a way to work together.

I have said it before, and I will say it again: We need to go after criminals and felons, not children and families. In truth, I think we can get there.

So as I close, I just say: Let's be a beacon of hope to the most vulnerable. Let's make sure we go after these criminals and felons, wherever they may be, and they feel the full weight of the law. But when it comes to the broken immigration system in America, let's work together to fix it.

Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CRUZ. Madam President.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Madam President, I appreciate the warm sentiments of the Senator from New Mexico, but the American people can distinguish the difference between talk and action.

The Senator from New Mexico suggested that all Democrats support holding criminals to account. I would suggest the facts are precisely to the contrary.

Just 2 weeks ago, on the floor of this body, we introduced an amendment to provide that $1,400 government stimulus checks should not go to criminals currently in prison. Every single Senate Democrat voted against that. That amendment failed by one vote. If even one Democrat had said ''OK, that is reasonable,'' it would have passed.

Yesterday, I introduced multiple unanimous consent requests to stop money from going to convicted criminals in prison and to send the money instead to the Crime Victims Fund. A Democrat objected.

I then said: All right, if you don't want to do all criminals, how about murderers? Can we agree, if you were convicted of homicide, if you killed somebody, let's not send you a government check; let's send it to the Crime Victims Fund? The Democrats objected.

I said: All right, how about rapists? The Democrats objected.

I said: How about child molesters? Surely, we can all agree child molesters are not worthy of a $1,400 taxpayer government bonus given by the Democrats. The Democrats objected.

So with all due respect to my friend from New Mexico, it is not the case that Democrats support holding prisoners to account.

Today, in the Rules Committee, the Democrats are pushing forward an election bill, the Corrupt Politicians Act, which would allow every felon in America who has been released from prison to vote. It would allow murderers to vote, rapists to vote, child molesters to vote. So it is not the case that Democrats are willing to stand up to violent crime.

Now, there are a couple of things that the Senator from New Mexico said that I wrote down. He said the only thing he disagreed with was ''the assertion that immigrants are inherently criminal.'' Well, I challenge anyone watching this exchange to read the transcript.

I am glad he disagrees with that assertion. That assertion never came from my mouth. I am the son of an immigrant who came from Cuba. We are a nation of immigrants. I am not remotely asserting that immigrants are inherently criminal. There is a right way to come, and that is to come legally.

But case law isn't about immigrants generally; it only applies to criminals. It is immigrants that have a criminal conviction, that have an aggravated felony conviction. So when my friend from New Mexico says that we need to focus on felons—and he closed his remarks with the following: ''We need to go after criminals and felons, not children and families''—the case law does exactly that.

If the Senator from New Mexico believes the words he said, the next words out of his mouth would not have been ''I object.'' By virtue of objecting, he prevented us from, in a bipartisan way, going after criminals and felons. Case law is targeted at those criminals and felons. It is not targeted at kids; it is targeted at criminals and felons.

I would ask the Senator from New Mexico and every Senate Democrat: What would you say to Kate Steinle's family? I have heard them testify in the Senate Judiciary Committee. I have visited with them personally. If you were looking them in the eyes, what would you say to a system where Kate Steinle's murderer was deported five times—multiple criminal convictions?

I am the original author of Kate's Law. We have voted on this on the Senate floor multiple times. Every time we have voted, every single Democratic Senator has voted against Kate's Law. You don't get to vote against Kate's Law, you don't get to vote against stopping violent criminals from repeatedly entering the country illegally, and then claim you are against violent criminals repeatedly entering the country illegally.

Actions mean more than words, and, unfortunately, the actions of today's Democratic Party are extreme and out of touch with the American people we were elected to represent.

I yield the floor.

The PRESIDING OFFICER. The junior Senator from Florida.

UNANIMOUS CONSENT REQUEST—S. 948

Mr. SCOTT of Florida. Madam President, I rise today to discuss another issue in the Democrats' massive COVID spending bill that we need to fix.

My Democratic colleagues want to keep spending into oblivion, taking our national debt to $30 trillion. This would be bad enough on its own, but tucked into the bloated spending package were new tax hikes on self-employed individuals.

President Biden and the Democrats didn't talk about it, and they certainly aren't talking about it as they travel the Nation to brag about their bad bill.

Democrats are quietly raising taxes, hoping the American people don't notice. The $1.9 trillion so-called American Rescue Plan Act, of which less than 10 percent went to actually help fight COVID and 1 percent to vaccines, had several tax increases and burdensome reporting requirements, including one that significantly impacts the gig workers—those who have been severely impacted by the coronavirus pandemic.

Starting in 2022, this bill requires many contractors with gig economy companies like Uber, DoorDash, Airbnb, and Lyft to file 1099 forms when they previously would not have. The new requirement dramatically lowers the annual 1099 reporting threshold from $20,000 and 200 transactions to just $600 and eliminates the transaction minimum.

In late February, before the Democrats rushed their spending bill through Congress on a purely partisan basis, a coalition of groups wrote to Speaker PELOSI and Leader SCHUMER, asking that this onerous new provision, which has nothing to do with addressing the coronavirus crisis, be removed or at least reconsidered. The letter was signed by groups such as the Small Business and Entrepreneurship Council, the National Asian American Chamber of Commerce, National Association for the Self-Employed, United States Hispanic Chamber of Commerce, and the National Association of Women Business Owners.

After receiving such a letter, one would think that Democrats would want to reconsider. Raising taxes and reporting requirements in the midst of a pandemic? This is never good policy, but I can't think of any worse timing. Of course, Democrats kept the provision buried deep within the bill, hoping the American public wouldn't notice.

The Democrats' new reporting requirements are effectively a tax hike and will ultimately hurt low- and middle-income contractors, the self-employed, and freelancers, many of whom have been devastated by the pandemic,

while Federal and State Governments will collect billions more in income tax revenue.

My Democratic colleagues want the American public to believe this is about catching tax cheats. And, to be clear, any attempt to evade taxes and defraud the public by not following the law should be condemned, and Congress should appropriately address it. However, a massive new reporting requirement of gig workers, many just trying to make ends meet in the midst of this pandemic, is not about catching tax fraud. It is about punishing the self-employed and raising revenues for the Democrats' massive spending plans.

It wasn't that long ago that President Biden promised that he wouldn't raise taxes on anyone making under $400,000. Obviously, that was not true. But this isn't the first time Democrats have tried to quietly increase taxes and saddle the self-employed with new requirements like this. They did it with ObamaCare when they required businesses to send 1099 forms for all purchases of goods and services over $600 annually. They quickly learned how unpopular and harmful this provision was, and they quickly repealed it. The Obama administration even praised the repeal as a ''big win'' for the self-employed. I guess some never learn.

What I am proposing is very simple. It is what the Democrats supported in 2011 when they repealed this bad tax increase in ObamaCare.

Today, I want to remove this new reporting requirement and simply reinstate the previous law back into U.S. code.

Increasing reporting requirements on our gig workers will create new and unexpected challenges for independent, self-employed workers and entrepreneurs, who are already facing an incredible burden created by the coronavirus.

Increasing costs and regulations on already struggling Americans is wrong, and I hope all of my colleagues will join me today and repeal this bad policy.

Madam President, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 948, introduced earlier today. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Reserving the right to object.

The PRESIDING OFFICER. The senior Senator from Oregon.

Mr. WYDEN. Madam President, the Senator from Florida claims to be looking out for gig workers and freelancers. The reality is very different.

What is in the bill, which the Senator from Florida apparently opposes, is a way to make sure that these workers can get the information they need to help meet their existing tax obligations. Without this information, for example, workers may lose out on benefits that would help them pay rent and buy groceries. They could inadvertently lose out on important tax benefits, like the earned income tax credit. The rescue plan, of course, expands the earned tax credit. We want to make sure that every eligible worker can get that financial help.

Finally, without reporting, workers might jeopardize the size of their future Social Security benefits, putting their retirement security at risk.

So what the Senator from Florida is up to here would deprive American entrepreneurs of the information they need to keep business records, comply with tax requirements, and claim important Federal benefits. For these reasons, I strongly object to this request for unanimous consent.

I yield the floor.

The PRESIDING OFFICER. Objection is heard.

The junior Senator from Florida.

Mr. SCOTT of Florida. Madam President, that sounded good, but this is clearly a tax increase. It is a massive tax increase, and it is a massive new reporting requirement on already struggling Americans. Our focus ought to be on helping support American workers, especially these gig economy workers who have been hurt so badly.

I am disappointed my colleague wants to increase costs and regulations on American families. What is strange is that my colleague from Oregon voted to repeal this bad provision when Democrats added it to ObamaCare. So what is crazy is, why is he OK today with raising taxes on the American people now? This is all part of the Democrats' tax-and-spend agenda, and it is just the beginning.

Let's remember, with the last spending bill the Democrats passed, we will have $30 trillion of debt. As Governor of Florida, I worked so that we cut taxes 100 times, and we paid off a third of our State debt.

We have to think that way here. How can we grow this economy and reduce the costs for Americans, not increase the costs to Americans? These bad types of policies will ruin our economy and a shot at the American dream, which we all believe in.

I am going to fight every day to get the government out of the way and make sure that doesn't happen.

I yield the floor.

The PRESIDING OFFICER. The junior Senator from Florida.

Mr. SCOTT of Florida. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. LEE. Madam President, I ask unanimous consent that at the conclusion of my remarks, I be allowed to present an excerpt of my speech in Spanish. I will provide transcripts both in English and in Spanish of those paragraphs.

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

UNANIMOUS CONSENT REQUEST—S. 884

Mr. LEE. Madam President, I have read the accounts and so have many of you. A young mother from Honduras, two young sisters from Guatemala, a 6-year-old child from El Salvador—they were all told by a local cartel that, for a price, a better life awaits them in America.

They are told, as evidenced by those chanting ''Biden, Biden'' at the border, that this new President has opened the borders and that amnesty is imminent, so get in while you can.

These vulnerable people are flocking to smugglers and violent criminals and paying them all that they have for their chance to get in while they can. In the last month, traffickers have allegedly made as much as $14 million a week smuggling men, women, and children across the border.

Once indebted to cartels and coyotes, the price these vulnerable people pay is far more costly than money. According to media reports, men are used as slaves; women are raped endlessly. In fact, one-third of the women making their way to the border are reportedly sexually assaulted, and 68 percent of the people coming across the border are physically assaulted.

Children are rented, trafficked, and ''recycled,'' as they put it, forced to pose as the child of one illegal immigrant after another to activate the so-called Flores get-out-of-jail-free card. One former Border Patrol agent told me that the smugglers prefer to use babies because they are unable to tell Border Patrol agents that these are not, in fact, their parents.

What of those who escape the clutches of the cartels? Well, estimates of how many children are currently in Customs and Border Patrol custody vary from more than 4,000 children to well over 15,000. Thousands of these children are being held, packed into housing facilities, for well over the 72-hour limit required by Flores—and with no end in sight.

The Biden administration is doing all it can to hide the humanitarian crisis created by its own immigration policies—a disaster that Secretary Mayorkas refuses to acknowledge as a crisis. It denied media access and appears to be enforcing an unofficial gag order on Border Patrol agents. Journalists have not been permitted inside the detention facilities since President Biden took office.

Now, it shouldn't be a surprise to any of us that the Biden administration's open border policies have resulted in this overwhelming crisis—and a crisis it is. This is what then-Candidate Biden promised us in the very first

Democratic Presidential primary debate. He promised us that when he became President, there would be immediate surges along the border. Unfortunately, in this case, he has delivered exactly what he promised. How exactly did he deliver? Well, first, he made it known that once he was elected, the border would be open for business. Then he reversed course on a number of Trump-era commonsense immigration policies. This incentivized vulnerable people to entrust their lives and the lives of their children to dangerous coyotes and cartels.

What are these policies? The safe third country policy, implemented by the Trump administration, requires asylum seekers to apply for asylum in the first safe country in which they arrive. President Biden has moved to repeal that rule.

The expansion of the Flores Settlement agreement also creates perverse incentives in our immigration law. Flores is about protecting children, and yet, in the application of the expansion, we have put children in even greater danger of becoming victims of trafficking and cartel manipulation.

The Biden policy of keeping all unaccompanied alien minors in the United States, as my fellow Senator from Utah has pointed out, actually incentivizes parents to separate themselves from their children by entrusting their children to a cartel or coyote to bring them to the United States for their chance at amnesty.

By moving to loosen the requirements of asylum and expand its application, President Biden has invited immigrants, who could find safety in other regions of their own country or an adjacent country, to make the dangerous journey to the United States.

What we need are clear requirements to preserve the opportunities for asylum for those who need it the most. America is the land to which those seeking a better life look for relief, and we should provide relief where we can. We also have a duty to protect our border, our citizens, and our laws, our national interests. At the very least, we have a duty to eliminate policies that empower cartels and coyotes to exploit women and children. We must stop incentivizing vulnerable people to make a journey that will very rarely lead to the outcome they desire.

To this end, and together with Congressman ANDY BIGGS and several of my fellow Senators, I have introduced the Stopping Border Surges Act to address some of the more egregious loopholes in our immigration laws.

This bill remedies the expansion of the Flores Settlement agreement that puts so many children in danger by requiring the release of minors with any adult claiming to be the child's parent. It provides expedited processing for unaccompanied minors from all countries—processes currently available only to children from Mexico and Canada. Immediate processing will blunt the incentive for parents to send their children on this dangerous journey alone. In an effort to end the trafficking of children by cartels, it strengthens protections for children released to adults within the United States. It tightens the asylum process so that we can better serve those who genuinely need the protections we can offer, and it incentivizes immigrants to enter our country through official ports of entry.

This bill offers a new commonsense series of reforms that will help stem the flood of immigrants at our border and free vulnerable women and children from the clutches of the cartels and of the coyotes. For that reason, I urge all of my colleagues to support it, to join it, and to vote for it.

Now, having previously received consent, I would like to conclude these remarks in Spanish, remarks directed specifically to those who might be considering making the dangerous, perilous journey to the southern border of the United States before sending their families.

(The English translation of the statement made in Spanish is as follows:)

Please do not send your wives and daughters on this journey only to be sexually assaulted by the coyotes and cartels. We hear story after story of smugglers kidnapping women and children and holding them hostage even after they cross our border. In the year 2019, the New York Times documented dozens of cases of these women. This is just one of those stories involving Melvin, a 36-year old mother of three from Guatemala:

For weeks in that locked room, the men she had paid to get her safely to the United States drugged her with pills and cocaine, refusing to let her out even to bathe. ''I think that since they put me in that room, they killed me,'' she said. ''They raped us so many times they didn't see us as human beings anymore.''

Please, listen to Melvin's story. Do not make that the story of your family.

Madam President, as if in legislative session, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 884; that the Senate proceed to its immediate consideration; I further ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Reserving the right to object.

The PRESIDING OFFICER. The senior Senator from Illinois.

Mr. DURBIN. Madam President, we face a challenge at the border; there is no question about it.

It really strikes me as strange—maybe unusual—for Members of the Senate from the other side of the aisle to come and yearn for those wonderful days of the Trump administration when it came to the issue of immigration and border policy.

Remember when we had the longest government shutdown in history, paralyzing immigration courts and other Agencies? It was, of course, a shutdown that was sanctioned by the President of the United States over his immigration demands.

Under President Trump, the Department of Homeland Security, incidentally, experienced unprecedented leadership problems. The Department of Homeland Security lurched from one Secretary or Acting Secretary to the next. Listen to this: There were six different Secretaries in that Agency in 4 years, only two Senate-confirmed—more Agency heads in the last 4 years under President Trump than in the 13-year history of the Department of Homeland Security prior to President Trump. They couldn't keep anybody on the job. They quit. They were fired. Nobody could agree with this President's bizarre ideas on what to do with immigration. Are we longing for a return to those days?

President Trump unlawfully diverted billions of dollars in Department of Defense funds to build a wasteful, ineffective border wall, which was supposed to be paid for by the Mexicans, if I remember, and then he created a humanitarian crisis at the border with a policy known as zero tolerance—zero tolerance.

I remember when Attorney General Sessions came before the American people and actually quoted the Bible to justify the forcible removal of infants, toddlers, and children from their parents' arms. Over 2,200 children were physically separated from their parents as part of the zero tolerance policy.

It wasn't until a Federal court judge in Southern California finally said to the Trump administration, ''I demand that you account for these children, and I demand that you reunite them with their parents'' that they set out to do it. Today, years later, years after zero tolerance, there are still hundreds of children separated at that time who have never been reunited with their parents.

Do we want to return to those wonderful days of the Trump administration immigration policy? I don't think so. Children in cages, children lost, adrift on the bureaucratic sea, doesn't speak well of America's values.

President Trump tried to end asylum protections for children and other vulnerable migrants. He cut aid to Central America, directly harming efforts to fight poverty and violence in the region. More refugees were driven to our border because the President shut down legal avenues for immigration and blocked all assistance to stabilize the Northern Triangle countries, El Salvador, Guatemala, and Honduras.

Now comes the Senator from Utah—and he and I have worked on legislation together in the past. I know that we can find bipartisan solutions. I don't think this approach is one of them, but perhaps it is the beginning of a conversation.

The President's former Republican allies in Congress claim that the real cause, the real problem behind immigration policy is humanitarian protection for children. They claim that we

can protect children by overturning these humanitarian protections, either that have been entered into in a consent decree in court or by law, and subjecting children at the border to indefinite detention and deportation without adequate due process. But there is no evidence that this will deter desperate families from fleeing to our border.

There is one thing the Senator from Utah and I certainly agree on. Many of these children and families are being horribly, horribly exploited by coyotes and kidnappers and very bad people. Many of these people and their children are suffering in unimaginable ways because of this.

I renew the plea that has been given across Central America by this administration: Don't send your people to our border. Don't send your children to our border.

It is not something we should encourage under the circumstances. It has to be orderly, and this is not in many respects.

There is no evidence that ending this humanitarian protection for children will deter desperate families fleeing to our border.

The bill before us today includes no assurances that children will be humanely treated or that they will be safe from violence once they are deported. This notion that once these children come across the border or are taken into custody by the U.S. Government, that sometime—2 weeks, 4 weeks, 6 weeks—later they are turned loose again does not dispense our moral obligation. We want these children to be safe, and that is what the laws are, the Flores decision and others.

This bill does nothing to address root causes that are causing migrants to flee the Northern Triangle in record numbers. If people were migrating because of so-called legal loopholes, they would be coming to our southern border from all over the region.

Instead, the vast majority come from three countries: Honduras, El Salvador, and Guatemala. Those countries have the highest homicide rates, some of them, in the world, and girls face a constant threat of sexual violence with little prosecution from local authorities. We are doing desperate things because of the desperate situations in these countries.

We are told by the Senator that we have to overturn the bipartisan Trafficking Victims Protection Reauthorization Act, which passed by unanimous consent in the Senate and was signed into law by Republican President George W. Bush. But the TVPRA ensures that the United States meets its international obligations to protect unaccompanied children seeking safe haven in our country. It was a response to bipartisan concern that children apprehended by the Border Patrol were being returned to countries where they might be exploited even more.

Under TVPRA, unaccompanied children from the Northern Triangle are transferred to the Department of Health and Human Services and placed in deportation proceedings, which gives them a chance to finally make their case to a judge.

Consider Samuel and Amelie, siblings ages 3 and 6, from Honduras. They arrived in the United States traumatized, ages 3 and 6. They said nothing—silent. After being transferred to HHS, Amelie revealed that both children had been raped by drug cartel members. Without TVPRA protection, Samuel and Amelie would have been returned to Honduras and almost certain further exploitation.

Democrats are trying to work on a bipartisan repair of this immigration system. It is long overdue.

In 2019, after President Trump finally agreed to end the longest government shutdown in history, Congress passed an omnibus appropriations bill that included $414 million for humanitarian assistance at the border and then passed an emergency supplemental for $4.6 billion of additional funding to alleviate overcrowding in detention facilities.

In 2018, Senate Democrats supported a bipartisan agreement, including robust border security funding and dozens of provisions to strengthen border security, but President Trump threatened to veto it and, instead, pushed for his hardline plan with the largest cut in legal immigration in almost a century.

When it comes to refugees, after World War II, when the United States sadly turned away hundreds and thousands of ultimate victims of the Holocaust and would not accept their refugee status, we set out to prove to the world that we had learned a valuable lesson, and we led the world in offering refugee status until President Trump, who brought the numbers down to record low levels. That does not speak well for the United States, or it shouldn't be a source of pride for anyone reflecting this administration.

We need comprehensive immigration reform. I support it. Eight years ago, in 2013, I was part of the Gang of 8, a bipartisan group of four Republican and four Democratic Senators. We produced comprehensive immigration reform legislation that passed the Senate 68 to 32. The Senator from Utah voted against it. Unfortunately, Republicans who controlled the House of Representatives refused to consider it.

So here is my invitation to the Senator from Utah and to everyone else interested. Let us sit down again and write that bill. Let's do it in a fashion that really does bring reform to our system.

I just talked at a bipartisan meeting on the subject earlier. One of the Senators from a border State said: People in my State don't expect the Federal Government to do anything because it has been so many years since they have done anything.

It is time for us to prove them wrong. We have the authority. We have the opportunity. We have the challenge.

Making this sort of request on the floor, I know, is symbolic, but I have to say that it is not the symbolism we should follow, and I object.

The PRESIDING OFFICER. Objection is heard.

The senior Senator from Utah.

Mr. LEE. Madam President, I appreciate the sentiment expressed by my friend, my distinguished colleague, the senior Senator from Illinois, particularly when he expressed the desire no longer to have people send their children on the long, perilous journey from Central America to the United States. On that, he and I certainly agree, just as we have agreed on a number of other issues over the years.

I do think it is regrettable that we are not able to reach this agreement today. This is something we ought to be able to solve right here, right now. This is a very dire set of circumstances.

We have to remember what we are talking about is dealing with the Flores agreement. We are in a position where so many of the children coming up through these caravans are in danger because we have in place policies that require the release of minors to any adult claiming to be the child's parent. We ought to have expedited processing requirements for unaccompanied minors, just as we have in place already for unaccompanied minors coming from Mexico and coming from Canada.

It makes me wonder: What is it about children from Central American countries—from any country other than Canada and Mexico—that makes them undeserving of that same expedited processing requirement? This is something we need to do.

Yes, I understand that our immigration system is a mess and needs reform, but I don't understand why it is that anyone would want to accept the default assumption that we can't fix anything with immigration; we can't even fix this problem subjecting these unaccompanied minors from Central American countries, including Guatemala, Honduras, and El Salvador. Why can't we give them any relief here until such time as we can come up with a comprehensive immigration reform proposal?

It is disappointing to me that we can't do that today. We will keep trying, keep moving on this effort. This is important.

Look, regardless of where one stands politically, what party one belongs to, I don't think it is too much to ask to suggest that we shouldn't give kids over to anyone claiming to be their parent without proof, without processes to make sure that is a safe person. We wouldn't want our own children treated that way. We shouldn't treat them that way.

Thank you.

The PRESIDING OFFICER (Ms. HASSAN). The Senator from Illinois.

ORDER OF BUSINESS

Mr. DURBIN. Madam President, I ask unanimous consent that cloture on

Calendar No. 30, the nomination of Adewale O. Adeyemo, to be Deputy Secretary of the Treasury, be withdrawn and, notwithstanding rule XXII, on Thursday, March 25, at a time to be determined by the majority leader in consultation with the Republican leader, the Senate proceed to executive session and vote on the nomination without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; further, that no further motions be in order, that any related statements be printed in the RECORD, that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

The Senator from Iowa.

Mr. GRASSLEY. Madam President, I want to come to the floor to bring up four subjects. The first one is 30 seconds.

PRESCRIPTION DRUG COSTS

Madam President, we hear from Democrats that they want to do things in a bipartisan way. Last year, Senator WYDEN and I developed a bipartisan bill that would save the taxpayers $95 billion and reduce the cost of prescription drugs.

Everybody wants that. President Trump wanted it, President Biden wanted it, and there is no reason why in 1 week we couldn't get that bill passed. We don't have to wait until several weeks down the road to do something like that.

It didn't come up last Congress because both Senator SCHUMER and Senator MCCONNELL were against it. It is bipartisan. We ought to move on that.

(The remarks of Mr. GRASSLEY pertaining to the introduction of S. 949 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

BORDER SECURITY

Madam President, on another subject, I want to speak again about the border crisis created by the Biden administration. I spoke on this subject just last week, and the situation has not improved since then.

Encounters with family units and unaccompanied alien children continue to increase. There are now new reports that at some segments of the border, illegal immigrants are being released into the interior of the United States without receiving a notice to appear in immigration court. To be clear, it appears that the administration is now releasing some illegal immigrants into the United States without even attempting to give them immigration court dates, much less taking any real steps to ensure that they actually schedule their hearings and show up for their court dates in the future.

Once again, this is totally unacceptable. This is catch-and-release without even pretending to care whether the immigrants show up for court or are removed from the country in the future. This is also not sustainable. Every sovereign nation has a right as well as a duty to its citizens to control its borders. What we are seeing from this administration isn't border control or security. You see it on television. It is chaos. It is what happens when you broadcast to the world that you have no intention of enforcing our Nation's immigration laws.

The President could take action to end this crisis today if he actually wanted to. He could restore the Migrant Protection Protocols and the asylum cooperative agreements that the Trump administration signed with El Salvador, Guatemala, and Honduras.

He could start building more physical infrastructure along our southern border as administrations of both parties have done for over 20 years, including the administration in which Biden served as Vice President. Fencing isn't something new, and it has not been a partisan issue until just here lately.

Rather than propose unserious blanket amnesty legislation that contains no real border security, the President could work with Congress on commonsense changes to our immigration laws that we all know are needed.

Finally, the President could make clear that he is in favor of fully enforcing our immigration laws as written, across the board, remembering that he takes an oath that has the words to ''faithfully execute'' the laws.

Unfortunately, this administration believes that the surge in illegal immigration at the southern border, due to its policies, is a process to be managed rather than a crisis to be stopped. As long as that is the case, we won't be able to truly secure our border and cut off the flow of illegal immigration to this country. Let's hope things change soon.

ELECTION OF MARIANNETTE MILLER-MEEKS

Madam President, on one other very short matter, I want to speak about something that is going on in the House of Representatives that I think we all ought to abhor. Congress should not overturn a legal, State-certified election.

I defended President Trump's right to litigate claims of election irregularities in our independent court system and defer to the judgment of independent judges. I was initially criticized for that position by partisans on the left who wanted me to make some sort of independent determination of election claims before the courts had ruled. I maintained my deference to the independent judges once the courts had ruled and Trump partisans did not like the rulings. So what happened? It led to criticism of me from the right then.

When objections were raised to counting certain States' electoral votes based upon State-certified elections, I voted against overturning those elections.

My position remains the same with respect to the purpose of my remarks today, and that is the State-certified election of Representative MILLER-MEEKS, who now ably represents Iowa's Second Congressional District.

MILLER-MEEKS' opponent chose to forgo her right under Iowa law to present any claims of election irregularities to an independent panel of judges. Guess what. That is because, under Iowa law, she had no legal claim. Representative MILLER-MEEKS won fair and square as certified by Iowa's bipartisan election board.

The House Administration Committee is moving forward with a process to overturn this certified election, stating it will ''exercise its discretion to depart from Iowa law.'' That is a quote I just gave from information given by the House Administration Committee.

They are proposing that the House of Representatives exercise its discretion to depart from Iowa law. They were elected under Iowa law. Every one of the 435 Congressmen were elected under the laws of their State. Isn't it a little bit outrageous that people would say we should ignore the law of Iowa in this case?

I hope that we can get every one of Iowa's four Congressmen and -women to vote to keep MILLER-MEEKS in office, and I want to hear from every one of my colleagues who decried overturning State-certified elections in January if each still holds that position.

Of course, attention to the Press Gallery—I was asked more times than I can count if I accepted the results of the Presidential election. It would be very timely and a very relevant question to ask Senators in the hallways if they accept the certified election of Representative MILLER-MEEKS.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

BORDER SECURITY

Mr. LEAHY. Madam President, I am glad to hear the distinguished Senator, my colleague and friend, speak about the problems on the southern border.

I feel for President Biden because he inherited a horrible mess from his predecessor, a man who said that he would build a wall, which he didn't—a wall that would stop illegal immigration, which it didn't—and that he would build it, saying he would get the money from Mexico, knowing that he would not get 1 cent from Mexico, but he repeated that falsehood hundreds of times around this country. He also actually took money away from housing for families on our military bases, from families living in substandard housing. It was money that Congress had voted for to repair the housing to make it safe, to remove lead, mold, and so on. He took that money to build a wall that he claimed, as I said, Mexico would pay for.

When I was the chairman of the Judiciary Committee, we passed by about a 2-to-1 margin, after months and months and months of debate and work, an immigration bill here in the

Senate. Republicans and Democrats voted for it, and it certainly could have solved all of these problems.

When it went over to the House of Representatives, there were enough votes to pass it there, but it would not be with a majority of the Republicans. The Republican Speaker said that he could not bring up the bill, even though it had passed, because it was violating a rule very sacred to them, a rule named after Dennis Hastert, a former Speaker, and they could not violate the great respect they had for Dennis Hastert and his rule. So, even though it had passed, they did not bring it up. Of course, subsequent to that, Dennis Hastert went to prison for child abuse.

REMEMBERING JUDGE PETER W. HALL

Madam President, now on an entirely different matter, I want to speak about a dear friend, U.S. Second Circuit Court Judge Peter Hall, who died on March 11.

Ever since then, I have thought back to a conversation I had with him—just like many, many conversations I had with Judge Hall over the years—just a few days before he died. He was telling me about the health concerns he had, very serious ones, but that he was going to try one other thing that weekend that he had hoped may give him a longer spell of life, but it didn't. It was only a matter of days after that last conversation. As I said, it was one of many I had with him. A few days after that last conversation, he died. He died on March 11, just 1 week after announcing his decision to take senior status.

Chief judge of the Second Circuit, Debra Ann Livingston, gave a remarkable tribute in which she acknowledged his death.

In speaking for the court, Chief Judge Livingston said:

> Judge Hall was our beloved colleague, and this is a grievous loss for our Court and for all of our judges. Over the course of nearly 17 years on the Court of Appeals, Judge Hall distinguished himself as a thoughtful and humane jurist. He was generous with his colleagues and ever considerate in matters both big and small. Judge Hall was committed to public service and taught us all by his example. He was a kind and very dear friend. This is a sad day for the judges of the Court of Appeals.

A deeper read of the two-page announcement offered more insights that help us understand what made Judge Hall the exceptional jurist that he was. Noting that Judge Hall left a ''lasting mark'' on a generation of law clerks, Chief Judge Livingston shared an anecdote as was told by one of those clerks.

She said:

> One winter morning we were working away in chambers, and he had not turned up. Not unusual, but we were all wondering if something had happened. He rolled in midday with his dirty work pants and torn flannel shirt—in other words, no more haggard than usual. He explained that he had taken his truck through the woods that morning after taking care of the horses but had gotten stuck. Luckily, he had an axe, so it was only a matter of chopping down a few trees to put under the truck tires for traction. He freed himself and made his way into chambers like it was nothing—just another day on the Second Circuit.

Chief Judge Livingston repeated that story, told by one of Judge Hall's clerks.

But, you know, the story speaks to the person Judge Hall was: never too important to carry out the chores of the day; never too far from the Vermont woods that he loved so much.

I don't know how many times I would talk with him, and we might talk a little bit about the law or things like that, and then we would quickly go to tales of other Vermonters we knew, the things they had done, the places that we liked especially in our State.

And I thought, as more tributes have flooded in, the most common remembrances, of Judge Hall include words such as ''decent,'' ''gentle,'' and ''caring.''

His long career, which spanned years in both private practice and as a Federal prosecutor before joining the bench, demonstrated his commitment to the rule of law. It was a commitment that he showed early on when he served as president of the Legal Aid Clinic, while still earning his juris doctorate at Cornell Law School.

When I was chairman of the Senate Judiciary Committee in 2003, I was proud to recommend Peter Hall for the circuit court vacancy left by the passing of another dear friend, Judge Fred I. Parker. And it was no surprise to me that his nomination was met with very little resistance, either from the White House or from Republicans and Democrats alike on the Judiciary Committee.

I teased him sometimes about the fact that he was born in Hartford, CT, but moved to Vermont at the age of 11. Did that make him a real Vermonter? And the reaction I got from him was: Patrick, my great-great-grandfather served as Governor of Vermont in the mid-1850s. I had to admit, the judge had me there.

He always considered Vermont his home, and we are grateful that he did. Marcelle and I enjoyed our friendship, and we send our sincere condolences to his wife Maria Dunton and his five children and his five grandchildren.

I would also note, in concluding, that Judge Hall's former law clerks released a touching tribute, and I ask consent—and I will ask consent in a moment that it be printed in the RECORD, along with a list of their names, over 60 law clerks.

Madam President, I ask unanimous consent that at the conclusion of my remarks, their statement and their names be included in the RECORD.

Vermont and the legal community and the Federal bench have lost a great champion of justice.

As Chief Judge Livingston concluded in her statement, ''Peter Hall lived a life of fidelity to principles, kindness to individuals, and service to the human community. He will be greatly missed.'' This is a great truth.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT HONORING JUDGE PETER W. HALL, BY HIS FORMER LAW CLERKS

On March 11, 2021, Vermont, the U.S. Court of Appeals for the Second Circuit, and our nation lost one of our best. Today, we honor Second Circuit Judge Peter W. Hall and write in honor of his memory.

Since his appointment in 2004, Judge Hall served on three-judge panels in over 750 cases and authored more than 150 opinions in published decisions. We consider ourselves extremely fortunate to have had the opportunity to assist him in that great work and to benefit from his example, mentorship, and friendship. To us, Judge Hall defines integrity and public service. His commitment to protecting and upholding the U.S. Constitution cannot be overstated.

Judge Hall was exactly what everyone should want in a jurist. If your faith in the American legal system had waned, Judge Hall could restore it. Litigants arguing before him have told us that from the bench, Judge Hall was fair-minded, engaged, perceptive, and honest. And that is exactly how he was in chambers too. Far from the cynical suggestion that federal judges are merely instruments of their appointing presidents, Judge Hall embodied the judicial oath, approaching every case individually and without any political predisposition. All that mattered was achieving the just and legally correct result in every case, no matter how high profile (or low profile) the litigants or issue.

Judge Hall kept his home chambers in the United States Post Office and Court House in downtown Rutland, Vermont. Judge Hall affectionately referred to Rutland as ''the Center of the Universe,'' and so it was for the years we were with him there. Clerking for him was not only an education in the law, but in life outside of the urban centers where many of us went to law school. Who knew there were so many nuances to the colors of fall foliage or that there was a ''mud season'' between winter and spring? Traveling down to New York City with him to hear cases once a month was a study in contrast. Judge Hall demonstrated how to flourish in both worlds; he was as comfortable in downtown Rutland as he was in the marble courtrooms of the Thurgood Marshall U.S. Courthouse at Foley Square. Judge Hall could seamlessly go from tending to his horses on a Saturday to representing the Federal Judge's Association at the International Association of Judges on a Tuesday.

Judge Hall possessed a rare and dedicated humility. You will not find indulgent, flowery, or self-aggrandizing prose in his opinions. Instead, you will find clear explanations of what the law is and how it applied to the litigants before him, written to be as understandable as possible to anyone reading the opinion later. Of the more than 100 majority opinions and countless summary orders Judge Hall authored in his time on the Second Circuit, the Supreme Court of the United States reversed only two (partially). We think that is a pretty good record, but you would never have heard Judge Hall tell you so.

We are particularly grateful to Judge Hall for his willingness to look outside the traditional boxes for his law clerks. We are a unique crew, at least as law clerks to judges on the Circuit Courts of Appeals go. Many of us were non-traditional law students. Others graduated from law schools outside of the elite institutions whose students can expect to go on to Second Circuit clerkships.

Others still took non-linear career paths to a clerkship, working in the law before coming to chambers. Some of us were all three.

Judge Hall cared deeply about giving Vermonters, particularly Vermont Law School graduates, and those from non-traditional paths and backgrounds opportunities to learn and excel. Our lives have been forever changed by the gift of having clerked in his chambers. We hope that Judge Hall's leadership in elevating diverse voices and experiences will further cement his legacy on the Court and in the law. We owe him more than we could ever repay.

Judge Hall was a hero and a guiding light to many of us. He was all a federal judge and a career public servant should be. The United States is a more just nation because of his decades of public service. We miss him dearly.

M. Michael Cole; Timothy C. Doherty, Jr.; Minor Myers; Nora Von Stange; Thomas Brad Davey; Erik W. Weibust; Robin D. Barovick; Samuel I. Portnoy; Timothy C. Perry; Stacey D. Neumann; Rachel Hannaford; Russell Plato; Jill Pfenning; Reagan Roth; Melissa Kelly; Sanja Zgonjanin; Peter Sax; Elizabeth (Betsy) Grossman; Tom Valente; Nikhil Rao; Alison Share; Nomi Barst/Berenson.

Christopher Worth; Matthew Grieco; Justin Brown; Peter Fox; Katherine Padgett; Mark W. Vorkink; Shannon Wolf; Nathan P. Murphy; Jonathan D. Lamberti; Molly E. Watson; Jonathan R. Voegele; Megan E. Larkin; John H. Bernetich; Austin Winniford; Aiysha S. Hussain; Mark Harrison Foster, Jr.; Lydie Essama; Lucas C. Buzzard; Patrick A. Woods; Peter V. Keays; Molly R. Gray; Michael A. Mcguane.

Mike L. DiGiulio; Caryn A. Devins; Stephen F. Coteus; Ryan M. Royce; Peter I. Dysart; L. Raymond Sun; Matthew J. Greer; Danielle C. Quinn; Alex Nelson; Caroline C. Cease; Spencer R. Allen; Elise Milne Keys; Leslie Cahill; Jenna Scoville; Brentley Smith; Fiona O'Carroll; Amelia Hritz; Kelly Lester; Joseph Hartunian; Zachary Dayno; Atticus DeProspo; John Howard; Jessica Bullock.

Mr. LEAHY. I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

GUN VIOLENCE

Ms. SMITH. Madam President, I want to also just thank my colleague from Vermont for that lovely tribute to Judge Hall.

I can see that he meant a lot to you and was a great public servant. So thank you, Senator LEAHY.

Madam President, in a year of so much heartbreak and grief and death, it almost escaped notice that we had gone in this country a year without a mass shooting in a public place.

But now we face the grim reminder of our American reality. In the space of a week, two separate mass shootings stole the lives of 18 people. And just weeks ago, we suffered a mass shooting in a health clinic in my home State of Minnesota.

So here we are again, thrust into a familiar cycle of collective grief and frustration and anger. Our hearts break for the families and loved ones of those whose lives were stolen. Our voices cry out for change to end the scourge of gun violence. And our anger grows as our voices are ignored and we are told by Republican leaders that there is nothing that we can do to protect American lives from gun violence.

Colleagues, it is our job to protect American lives.

Today, I want to share with you the voice of Veronique de la Rosa. Her son Noah, just 6 years old, was murdered in his classroom at Sandy Hook Elementary, and she delivered this eulogy for her son at his 2012 funeral.

I am going to read it in its entirety so that it can be included in the RECORD, the CONGRESSIONAL RECORD, and can serve as a reminder of the human toll that our gun culture has taken.

Veronique said:

The sky is crying, and the flags are at half-mast. It is a sad, sad day. But it is also your day, Noah, my little man. I will miss your forceful and purposeful little steps stomping through our house. I will miss your perpetual smile, the twinkle in your dark blue eyes, framed by eyelashes that would be the envy of any lady in this room.

Most of all, I will miss your visions of your future. You wanted to be a doctor, a soldier, a taco factory manager. It was your favorite food, and no doubt you wanted to ensure that the world kept producing tacos.

You were a little boy whose life force had all the gravitational pull of a celestial body. You were light and love, mischief and pranks. You adored your family with every fiber of your 6-year-old being. We are all of us elevated in our humanity by having known you. A little maverick, who didn't always want to do his schoolwork or clean up his toys, when practicing his ninja moves or Super Mario on the Wii seemed far more important.

Noah, you will not pass this way again. I can only believe that you were planted on Earth to bloom in heaven. Take flight, my boy. Soar. You now have the wings that you always wanted. Go to that peaceful valley that we will all one day come to know. I will join you someday. Not today. I still have lots of mommy love to give to Danielle, Michael, Sophia and Arielle.

Until then, your melody will linger in our hearts forever. Momma loves you, little man.

Veronique should not have had to eulogize Noah, her 6-year-old son—1 of 20 children killed at Sandy Hook.

So I ask my Republican colleagues to think of her when you suggest that families exaggerate their anguish for political gain.

Just yesterday, one of my Republican colleagues dismissed this grief as ''theater.'' No. This is life and death.

So I am angry. I am angry because I know that we have the power to stop this violence, and yet our Republican colleagues stand in the way. They refuse to work with us. They continue to put the demands of the NRA above the demands of the people we are elected to serve—that we stop this horrific gun violence, that we protect the people we are elected to serve.

Madam President, we need universal background checks. We need to ban assault weapons and high-capacity magazines. We need to end this cycle, and we need all of us in Congress to find the strength and the humanity to take action.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

PPP EXTENSION ACT OF 2021

Ms. COLLINS. Madam President, small businesses and their employees are the backbone of our economy, particularly in States like those of the Presiding Officer and the State that I am privileged to represent, the great State of Maine.

Later today, the Senate is slated to vote on cloture on the motion to proceed to H.R. 1799, the PPP Extension Act of 2021.

As a sponsor of the Senate companion bill, along with my colleagues Senator CARDIN and Senator SHAHEEN, I urge my colleagues to support the cloture motion.

We are also delighted that several of our colleagues have joined us as cosponsors of the Senate companion bill.

The Paycheck Protection Program continues to be a lifeline for small businesses. It has made the difference between their shutting their doors and laying off their employees and their being able to remain open, survive the pandemic, and most important of all, send paychecks to their employees.

Since the program was created last year, more than $718 billion in forgivable Small Business Administration loans have been approved, securing tens of millions of jobs in this country.

The program has also been responsible for bringing approximately $3 billion to the State of Maine in forgivable loans that have allowed our small businesses, particularly those in the hospitality industry, to survive the pandemic and continue to send paychecks to their employees.

The current application deadline for the PPP is March 31. That is just days away. I continue to hear about the urgent need for more PPP assistance from Maine's small businesses and to hear from others who are eligible for assistance but whose financial institutions are getting error messages from the Small Business Administration's computer system.

Originally, the SBA had used the E-Tran system. For some reason, it switched computers for this round of PPP, and we understand that there are more than 190,000 applications that are pending for approval that are likely eligible for assistance but are held up because of computer glitches or other errors.

The bill before us today mirrors the legislation that I introduced with Senators CARDIN and SHAHEEN in that it provides for a clean extension of the PPP application deadline. It would simply extend the application deadline for PPP loans from March 31 to May 31, just 2 more months, and then it would provide an additional 30 days for the SBA to process pending applications.

So if a small restaurant, for example, applied for a second PPP loan for which it is eligible because its revenues are down by 25 percent, comparing similar quarters in 2019 and 2020, it would not lose out because it applied in May and the SBA did not get time to process the application.

Our bill has been endorsed by more than 90 organizations, including the Nation's largest small business advocacy group, the National Federation of

Independent Business, which is key voting this vote. It has also been endorsed by the U.S. Chamber of Commerce, the American Hotel & Lodging Association, the International Franchise Association, the National Restaurant Association, the U.S. Travel Association, and the Independent Community Bankers of America.

The House passed this clean PPP extension last week by an overwhelming margin of 415 to 3.

With the House now in recess and the Senate leaving this week, advancing a clean extension through the Senate ensures the continuation of this vital relief for our small businesses and their employees. We simply have to get this done.

I agree with my colleagues that there are further improvements that could be made to PPP, such as addressing an issue facing certain sole proprietors. Unfortunately, the new administration changed the rules, so sole proprietors who applied early when the program reopened in January were treated differently than sole proprietors who are applying now. That obviously doesn't make sense. We should have the same rule.

I have talked with the new SBA Administrator about this problem. She agrees that it is unfair and needs to be fixed and has committed to working with all the sponsors and with the House and Senate Small Business Committee to find a solution to ensure that the program is implemented as Congress intended.

But in order to ensure that there is adequate time to develop and implement these improvements, we must first, without delay, pass H.R. 1799 to keep the PPP open for another 2 months.

I urge all of my colleagues to support cloture and passage of this important bipartisan legislation. It truly is bipartisan.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Madam President, I ask unanimous consent that Senator MURRAY and I be permitted to complete our remarks prior to the vote for up to 5 minutes each.

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

NOMINATION OF DAVID TURK

Mr. BARRASSO. Madam President, today the Senate is going to vote on the nomination of David Turk, who will be serving as Deputy Secretary of Energy. If confirmed, he is going to play a critical role in our Nation's energy agenda and in leading the Department.

His experience in energy policy is extensive. He served in leadership positions at the International Energy Agency, the U.S. Department of Energy, the U.S. Department of State, and the National Security Council. He is an expert in the field, and his qualifications are very clear.

It is also clear from his nomination hearing that he is dedicated to all types of American energy. This is critical if we are going to keep America an energy-dominant nation. I especially appreciated his commitment to advance nuclear and carbon capture utilization and sequestration technologies.

During his hearing, he said that there are huge opportunities on carbon capture utilization and sequestration if we can work together and really go to scale. He also emphasized the need to construct CO_2 pipelines to move the captured carbon, and I agree. Carbon capture technologies hold the key to major emission reduction while enabling America to use the tremendous natural resources with which we are blessed.

This issue has broad bipartisan support. Last Congress, I worked with Democrats, including SHELDON WHITEHOUSE and TOM CARPER, as well as Republicans, including SHELLEY MOORE CAPITO, to pass the USE IT Act into law. This bipartisan law will support the development of carbon capture and direct air capture techniques.

This kind of groundbreaking research is already happening in Wyoming. The Integrated Test Center located outside of Gillette, WY, is hosting carbon capture research teams today. These research teams are looking at how we can take captured carbon emissions and transform them into marketable products like building materials, clothing, and even hand sanitizer. So I would welcome Mr. Turk and Energy Secretary Granholm to come to Gillette to see the fantastic research taking place there.

Mr. Turk was also very responsive to the committee's questions for the record. That has not been the case with every one of President Biden's nominees so far.

If he is confirmed, Mr. Turk must prioritize policies that take advantage of the enormous economic and national security benefits generated by America's oil, natural gas, and coal resources.

The Biden administration has taken a sledgehammer to the economies of Wyoming and other Western States by declaring war on these natural resources. Let me be very clear: Coal, oil and natural gas are not going away. America is going to rely on these resources for decades to come. We need to use and promote every kind of American energy and the thousands of jobs that come with them.

Coal, oil, natural gas, nuclear power, and renewables are all essential to America's energy mix. Mr. Turk demonstrated that he understood that reality during his nomination hearing. He can be sure that I will hold him to the commitments he made during his nomination hearing to expand carbon capture as well as nuclear power. I am going to continue to hold the Biden administration accountable as well.

As I did in committee, I will support Mr. Turk's nomination on the floor today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

NOMINATION OF RACHEL LELAND LEVINE

Mrs. MURRAY. Madam President, I rise today to strongly urge my colleagues to support the nomination of Dr. Rachel Levine. She is a highly qualified public health expert to serve as Assistant Secretary for Health.

As the highest ranking health official in Pennsylvania, she led the State's COVID–19 response by focusing on transparency and clear, science-based communication; giving daily briefings on the status of the pandemic; and advocating for the resources and support Pennsylvanians needed.

Dr. Levine has been on the frontlines of this pandemic, which is why she knows firsthand what our States and communities need from the Department of Health and Human Services. Even before this crisis, Dr. Levine established herself as a trusted voice to the people of Pennsylvania on matters of public health through her work to establish opioid prescribing guidelines and education for medical students, make lifesaving treatment for opioid overdoses widely available, combat eating disorders, increase health equity, and help the LGBTQ community get healthcare.

She was confirmed to both of her positions in the State with broad bipartisan support. She passed out of the Health, Education, Labor, and Pensions Committee with support from Republican colleagues last week, and I hope she will be confirmed today in a strong bipartisan vote as well.

I want to take a moment to acknowledge what her confirmation today would represent for our country because, in addition to being a high qualified nominee, Dr. Levine is also a historic one. Upon confirmation, she will be the highest ranking openly transgender official in our government and the first one ever confirmed by the Senate.

I have always said the people in our government should reflect the people it serves, and today we will take a new, historic step toward making that a reality.

I am proud to vote for Dr. Levine and incredibly proud of the progress this confirmation will represent for our country and for transgender people all across it who are watching today. I hope all my colleagues are as well.

I would also say how glad I am that yesterday we voted to confirm Dr. Murthy as Surgeon General.

During his last tenure as Surgeon General, Dr. Murthy established himself as a trusted voice on matters of public health, helped see our Nation through the Zika outbreak, and published groundbreaking reports on the opioid epidemic and rising youth tobacco use.

I am pleased to have Dr. Murthy returning to the role of Surgeon General at this critical time.

When it comes to ending this pandemic, we have a lot of work to do and

no time to waste. We are going to need all the help we can get, particularly from experts like Dr. Murthy and Dr. Levine to get it done.

I yield the floor.

VOTE ON LEVINE NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Levine nomination?

Mrs. MURRAY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 52, nays 48, as follows:

[Rollcall Vote No. 134 Ex.]

YEAS—52

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Luján	Smith
Casey	Manchin	Stabenow
Collins	Markey	Tester
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murkowski	Warnock
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Gillibrand	Ossoff	Wyden
Hassan	Padilla	
Heinrich	Peters	

NAYS—48

Barrasso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hagerty	Romney
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Johnson	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	Lummis	Tillis
Cruz	Marshall	Toomey
Daines	McConnell	Tuberville
Ernst	Moran	Wicker
Fischer	Paul	Young

The nomination was confirmed.

VOTE ON TURK NOMINATION

The PRESIDING OFFICER (Ms. SMITH). The question is, Will the Senate advise and consent to the Turk nomination?

Mr. PETERS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 98, nays 2, as follows:

[Rollcall Vote No. 135 Ex.]

YEAS—98

Baldwin	Cantwell	Cramer
Barrasso	Capito	Crapo
Bennet	Cardin	Cruz
Blackburn	Carper	Daines
Blumenthal	Casey	Duckworth
Blunt	Cassidy	Durbin
Booker	Collins	Ernst
Boozman	Coons	Feinstein
Braun	Cornyn	Fischer
Brown	Cortez Masto	Gillibrand
Burr	Cotton	Graham
Grassley	Marshall	Scott (FL)
Hagerty	McConnell	Scott (SC)
Hassan	Menendez	Shaheen
Heinrich	Merkley	Shelby
Hickenlooper	Moran	Sinema
Hirono	Murkowski	Smith
Hoeven	Murphy	Stabenow
Hyde-Smith	Murray	Sullivan
Inhofe	Ossoff	Tester
Johnson	Padilla	Thune
Kaine	Peters	Tillis
Kelly	Portman	Toomey
Kennedy	Reed	Tuberville
King	Risch	Van Hollen
Klobuchar	Romney	Warner
Lankford	Rosen	Warnock
Leahy	Rounds	Warren
Lee	Rubio	Whitehouse
Luján	Sanders	Wicker
Lummis	Sasse	Wyden
Manchin	Schatz	Young
Markey	Schumer	

NAYS—2

Hawley	Paul

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 11, H.R. 1799, a bill to amend the Small Business Act and the CARES Act to extend the covered period for the paycheck protection program, and for other purposes.

Charles E. Schumer, Patrick J. Leahy, Brian Schatz, Debbie Stabenow, Patty Murray, Martin Heinrich, Kirsten E. Gillibrand, Jon Ossoff, Jeanne Shaheen, Mark R. Warner, Kyrsten Sinema, Catherine Cortez Masto, Tina Smith, Ron Wyden, Jacky Rosen, Benjamin L. Cardin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 1799, a bill to amend the Small Business Act and CARES Act to extend the covered period for the paycheck protection program, and for other purposes, be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

The result was announced—yeas 96, nays 4, as follows:

[Rollcall Vote No. 136 Ex.]

YEAS—96

Baldwin	Booker	Cardin
Barrasso	Boozman	Carper
Bennet	Brown	Casey
Blackburn	Burr	Cassidy
Blumenthal	Cantwell	Collins
Blunt	Capito	Coons
Cornyn	King	Rubio
Cortez Masto	Klobuchar	Sanders
Cotton	Lankford	Sasse
Cramer	Leahy	Schatz
Crapo	Lee	Schumer
Daines	Luján	Scott (FL)
Duckworth	Lummis	Scott (SC)
Durbin	Manchin	Shaheen
Ernst	Markey	Shelby
Feinstein	Marshall	Sinema
Fischer	McConnell	Smith
Gillibrand	Menendez	Stabenow
Graham	Merkley	Sullivan
Grassley	Moran	Tester
Hagerty	Murkowski	Thune
Hassan	Murphy	Tillis
Heinrich	Murray	Toomey
Hickenlooper	Ossoff	Tuberville
Hirono	Padilla	Van Hollen
Hoeven	Peters	Warner
Hyde-Smith	Portman	Warnock
Inhofe	Reed	Warren
Johnson	Risch	Whitehouse
Kaine	Romney	Wicker
Kelly	Rosen	Wyden
Kennedy	Rounds	Young

NAYS—4

Braun	Hawley
Cruz	Paul

The PRESIDING OFFICER (Mr. OSSOFF). On this vote, the yeas are 96, the nays are 4.

The motion is agreed to.

LEGISLATIVE SESSION

PPP EXTENSION ACT OF 2021—MOTION TO PROCEED

The PRESIDING OFFICER. Cloture having been invoked, the Senate will resume legislative session and the motion to proceed to H.R. 1799, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 11, H.R. 1799, an act to amend the Small Business Act and the CARES Act to extend the covered period for the paycheck protection program, and for other purposes.

PRESIDING OFFICER. The Senator from Connecticut.

ORDER OF BUSINESS

Mr. MURPHY. Mr. President, I ask unanimous consent that following morning business tomorrow, Thursday, March 25, all postcloture time on the motion to proceed to Calendar No. 11, H.R. 1799, the PPP Extension Act, be considered expired and the motion to proceed be agreed to; that the only amendments in order be the following: Kennedy, No. 1401; Rubio, No. 1405; further, that it be in order for Senator PAUL or his designee to raise a Budget Act point of order; finally, that at 11 a.m. tomorrow, the Senate vote in relation to the amendments in the order listed and on the motion to waive, if made; that if the motion to waive is agreed to, the bill be considered read a third time and the Senate vote on passage of the bill as amended, if amended, with 60 affirmative votes required for passage, all with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Colorado.

GUN VIOLENCE

Mr. BENNET. Mr. President, it is hard to believe that I am on this floor again after losing 10 more people, this time in Boulder, CO, to another horrible mass shooting in our State.

I am sure the Presiding Officer doesn't remember that last week, after the events in Atlanta, I went over to his desk, and I said that we were so sorry in Colorado for what had happened in Atlanta, and then, just 3 or 4 days later, it happened again in Colorado.

I have spent the last day learning about the victims of this terrible crime, and I want America to know what extraordinary human beings we have lost in my State. Here they are.

Denny Stong, age 20. Denny was a graduate of Fairview High School, an introverted, smart kid who loved history and model airplanes.

He had been covering shifts at the King Soopers and took enormous pride in his role as an essential worker during this pandemic. He once posted on Facebook, ''I can't stay home. I am a Grocery Store Worker.''

Neven Stanisic, age 23. Neven's dad said he was, ''a really good boy, a good kid . . . a hard-working boy.''

His parents are refugees from Bosnia, who left in the 1990s to escape the war. The reverend at their local church said: ''His family fled the war . . . and everything they had was either left behind or destroyed.

''They left everything to save their lives, and came here to have a new start,'' said the pastor.

They came to America to have a new start, only to have their son's life ended by this senseless act of violence.

Rikki Olds was 25 years old. Rikki had been working as a manager at King Soopers for 6 years. Her family described her as a ''firecracker'' who lit up a room with her infectious giggle. Her Aunt Lori said: ''She had a beautiful way of just being her. . . . When you're down, she just wanted to cheer you up, just by being around.''

Tralona Bartkowaik, age 49. She co-owned a clothing and accessory store, Umba Love, with her sister, and was a frequent presence in the Boulder arts and music scene.

She had a deep curiosity about the world that took her on travel from Nepal to Costa Rica. Her younger brother remembers her as ''a beam of light.''

Teri Leiker, age 51. She was a huge fan of the Buffalos at CU, a regular face at the Pearl Street Stampede. A friend called Teri ''the most selfless, innocent, amazing person I have had the honor of meeting.''

Suzanne Fountain, 59 years old. She worked for 15 years in the Boulder Community Hospital. She loved gardening and was passionate about music and theater. A friend described her as ''the cream of the crop and a good person, a good soul.''

Kevin Mahoney, age 61. Kevin had worked in the hotel business but retired early to spend more time traveling, skiing, and visiting his daughter Erika.

After learning of her father's death, Erica wrote: ''My dad represents all things Love. I am so thankful he could walk me down the aisle last summer.''

Lynn Murray, age 62. Lynn was a mother of two and a retired photo director for prominent national magazines.

Her husband John said: ''I just want her to be remembered as this amazing, amazing comet, spending 62 years flying across the sky.''

Jody Waters, 65 years old. Jody owned a boutique clothing store named Applause on Pearl Street Mall, where she remembered all her customers and their favorite brands. She was a mother of two and a grandmother who loved horses and hiking. A friend said: When Jody walked into the room, ''she was a breath of fresh air, a light.''

Finally, Officer Eric Talley. He is 51 years old. He is a man of deep faith and a devoted father of seven. After losing a close friend to a DUI, he joined the police academy at age 40, just 11 years ago, to give back to the community.

In 2013, he made headlines when he helped rescue 11 ducklings from a drainage ditch.

Eric's father said: He ''loved his kids and family more than anything.'' For their sake he was hoping to stay off the frontlines by learning to become a drone operator. But when the bullets rang out, he rushed into action, first on the scene, saving countless lives at the cost of his own.

Officer Talley and these other folks represent the best of Colorado, and we certainly owe Officer Talley a debt of gratitude that we will never be able to repay.

My heart goes out to all the families and the entire community of Boulder. We have endured too many tragedies in this State. So many other States are the same here.

The shootings at Columbine High School happened right before my oldest daughter was born, Caroline. She is 21 years old, and her entire generation has grown up in the shadow of gun violence—something none of us had to do.

I remember after a gunman in Las Vegas took the lives of 59 Americans. That Monday I came to work and realized during the course of the day that I was having meeting after meeting after meeting, and nobody was mentioning the massacre of 59 Americans. I don't know if it was two or three or four of these events before that that we began to somehow accept this as normal—that we can lose that many people and not have a conversation about what had happened, the headlines all moving on to the next thing.

We can't allow this to become normal, and it is not just the mass shootings. It is the daily shootings. The Presiding Officer and I talked about it last week, what happened in Atlanta over the last couple of weekends, or on the West Side of Chicago. So we can't move on.

Boulder will heal, but this scar will always be there. My daughter's generation will always bear the burden of a national government that did nothing to protect them. They and the children that I used to work for in the Denver Public Schools carry a burden that we didn't carry. They have grown up with a reasonable fear that they will be shot in their classrooms or in their schools or at a movie theater or in any public place.

I didn't grow up in an America with more gun-related deaths than virtually any country in this world, and we can't accept it for their America. I am not asking anybody here to show the courage that Officer Talley showed or the other men and women of law enforcement who constantly have to deal with the inability of this place's capacity to deal with these issues. I am just asking us to show an ounce of their courage by doing whatever we can to keep weapons of war out of our community, to pass universal background checks, to limit the size of magazines, and to address the epidemic crisis of mental health in this country. It seems like that would be the least that we could do.

In the wake of one of these incidents, I heard somebody say on a radio program that this is just the price of freedom, that these murders are the price of freedom. What a shame that somebody would say that and mean it. What a surrender that represents to our children and to the victims of these crimes. What a sacrifice of their right to be free from fear.

Who are we to insist that they live terrified in their own country? Nobody insisted that we live that way.

But our failure to act has helped create these conditions, and we can't wait any longer. The Senate needs to act. There is nobody else to act but the U.S. Senate.

I want to end by thanking my colleagues from Connecticut, Senator BLUMENTHAL and Senator MURPHY, for their incredibly steadfast leadership for long before they came to the Senate. But I remember one of the darkest moments of my Senate career, the votes that we took after Newtown, when that elementary school, Sandy Hook, was shot up and 20 students were killed, and this Senate couldn't even pass universal background checks. They are here tonight to continue to make the case that we need to act, and I want to again thank them for their resilience and for caring about the people who lived and died in Colorado. I am extremely grateful for their example.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I thank my friend Senator BENNET for those remarks, for honoring the memories of those we have lost and commanding us to action.

I remember getting a phone call from MICHAEL BENNET that Friday morning as Senator BLUMENTHAL and I were sitting at a firehouse in Sandy Hook, CT,

learning what had happened just around the corner at a schoolhouse.

I remember getting advice from MICHAEL BENNET about what you do as an elected official in the midst of this tragedy because he had already been through it once before. Colorado had already been through it more than once before.

I think about this macabre club that an increasing number of Members of the Senate and House belong to in which we have this memory bank of what to do when a mass shooting happens in your district or your State—a set of capacities that no Member of the House or Senate, no Governor ever had to think about or ever consider possessing decades ago. Now, we call each other when these things happen to impart advice as to how to be helpful to communities that are grieving.

I am thankful to have friends like Senator BENNET, who can be with others at moments like this, but I hate the fact that he knows all too well what communities go through when something happens like happened earlier this week in Boulder.

We thought about what to do to try to move this country and our colleagues to action after another spate of mass shootings. This is a really old chart that I brought down to the floor for years. These numbers are out of date, unfortunately, because, well, in 2019, we were losing 100 people a day from gun violence. That is not the number from 2020 or 2021. We have seen a dramatic increase in gun violence.

While in 2020 we didn't see the mass shootings that we have been accustomed to in years prior, we are now seeing them once again pop up on our TV screens in 2021. But the lack of mass shootings masked the reality, which was a dramatic increase in the number of people who were felled by guns over the course of last year. We thought about what we could do to try to make more real for our colleagues the scope of this epidemic, and we thought of maybe something simple, you know, to make people understand that these aren't really numbers. The numbers are just a way to explain in aggregate who these people are, because each one of them is an individual. Each one of them led a life. Each one of them had people who loved them. Each one of them loved people. So many of them, you can just see by these snapshots, were young. They had full lives ahead of them, businesses to start, and families to begin. None of that happened for them because they were shot, often at the beginning or the peak of their early life.

So tonight I am hopeful that I will be joined by a number of my colleagues to do something simple, just to read into the RECORD, the permanent CONGRESSIONAL RECORD, the names of those who have died just in 2021. Every single day, there are over 100 people dying right now. I don't think America has ever seen this rate of gun violence, with the exception of wartime, in our history.

While we won't have time to tell you the story of all these people, as MICHAEL did about those whom we lost in Boulder, at least we can make sure that forever their name and a link to their story is in the CONGRESSIONAL RECORD.

Senator BENNET already talked about Lynn Murray and Suzanne Fountain, Teri Leiker, Kevin Mahoney, Tralona Bartkowiak, Rikki Olds, Neven Stanisic, Denny Stong, Jody Waters, and Eric Talley. Those are the victims from Colorado. I am sorry if I didn't get the pronunciations perfectly. But we also lost, over the course of the first 3 months of this year Patrice Lynette Jones in Indiana; Kelvin Darnell from Illinois; Kevon Dickerson from Kentucky; Leah Brooke Hines from Ohio; Linda McMurry in Tennessee; Michael Uttley in Missouri; Jarrea Gardner in Pennsylvania; Robert Randall Turner III from Maryland; Maddox Jones in Georgia; Joseph Jackson in Florida.

On Monday, the same day as the shooting, in Boulder, Alessia Mesquita, 28 years old, was shot and killed in New Haven, CT, with her 1-year-old daughter sitting in the back seat of her car. She and her boyfriend were arguing in the car when he shot her to death. According to her mother, Alessia had been trying to leave her boyfriend.

Alessia is described as a devoted mother who loved her children with all of her heart. Many of her friends really relied on her for advice and guidance. They said she would give the shirt off her back to help a friend.

Her mom said:

> My heart has been shattered, and I don't think I'm ever going to be right again.

She was the second of eight children. She had two children of her own, and her mother will now raise her two grandchildren.

Nobody heard about Alessia Mesquita being shot with her daughter in the back seat in New Haven, CT, on Monday. Her life isn't less valuable than any of those who were killed in mass shootings. But this country's attention to the pandemic of gun violence, the epidemic of gun violence, seems to surface only when there is a mass shooting.

Benjamin Bagley was shot last week in Bridgeport, CT. He was 22 years old. He was remembered by friends and family as somebody who always kept a smile on the faces of people who loved him. He was a doting father. He was a loving son and brother and always made people smile.

His friends wrote:

> He was taken from us far before his light was fully able to shine its brightest.

He was one of six siblings, two brothers and four sisters. He had two children and one on the way. He was born and raised in Bridgeport. He was involved in his church.

His mom Michelle Brown said:

> I had to kiss my son lying in a hospital bed dead. I don't wish this on nobody, not even my worst enemy.

This wasn't the first time Benjamin had been shot. He had been previously wounded in a shooting in 2016, but he had recovered.

Kevin Jang was 26 years old. About a month and a half ago, in early February, he was killed by gun violence. He had moved to New Haven just 2 years ago to pursue a master's degree at the Yale School of the Environment. He was a west coast native. He had gotten engaged 1 week before his death. He had earned a degree. He was an Army veteran. He was a present Army National Guard member.

He was shot outside his fiance's apartment. His fiance said:

> Kevin was . . . a gift from God. He was a true and righteous man after God's own heart. Life is so precious and short. My only hope is that he is with his Heavenly Father now in perfect peace.

''An extraordinary young man,'' said Yale University's president.

I mean, I have a stack of names, 20, 25 per page. We don't have enough time tonight to read into the RECORD the number of victims of gun violence in 2021 alone—alone. There is Adam Todd Saeed from South Carolina; Andrew Wesley from Ohio; Antonio Rowban Thompson from South Carolina; Artrell Conner, Louisiana; Beau Michael Wasmer, West Virginia; Brittany Wagoner-Moore in Ohio; Byron ''B'' Donnell Ross in Texas; Carolyn Ann Stephenson, North Carolina; Christian Parra, New Jersey; Christopher Bess, Illinois; David Caballero, California; David Prince, Illinois; Dean Wagstaff, Washington; Devin Dawkins, Missouri; Dolores Reyes, California; Eric Thompson, Tennessee; Glorida Dean Eddington Lewis, Ohio; Harold Edward Dennison, West Virginia; Javontae Hendricks, Illinois; Jeffrey Gillespie, Mississippi; Justin Bartley Williams, Texas; Keldrick Love, Louisiana; Kiron Golden, Alabama; Lesean Long, Illinois; Malcolm Fitts, Illinois; Marcel Tramon Pimpton, Texas; Mario Vines, Oklahoma; Melissa Marie Nease, Florida; Nestor Gregorio, Texas; Pedro Arturo Delgado Tagle, Texas; Rene Hernandez, Texas; Robert ''Trey'' Scott III, Indiana; Ryan Abraham Whiteis-Saks, Minnesota; Satnam Singh, Utah; Shamso Gedi-Abdi, Minnesota; Teresa Ratliff, Ohio; Thomas ''TJ'' Carr, Ohio; Timothy Alfred Nelson, Texas; Timothy Dugar, Ohio; Tony Nichols, Missouri; Tre'Veon D. Buckner; Victor Zuniga; Xavier Crosby; Adam David-Lawrence Arrambide; Bobby King; Brandon Chunko; Carol Tinsley; Cecilia Apolo; Christian Joseph Jones; Christopher Benton McLeod; Cory McHaffie; Curtis Lee Upshaw; DeAndre Carter; Dominicko Howell; Donnell Hoskin; Grayson Babbs; Jamie Bull. It is two pages. I have 20 more here. My colleagues will hopefully join me on the floor tonight to read some of these names into the RECORD.

This is as astonishing as it is heartbreaking. This country allows for this to happen, allows these individuals to effectively be nameless and to be anonymous. Tonight we are reading into the RECORD only the names of individuals

who died in this year, and the year isn't even 90 days old. How is it that we pay attention during the mass shootings but just sleep through the days in which all of these people are stolen from us through an epidemic that is preventable?

This doesn't happen anywhere else in the high-income world. No other nation permits this level of gun violence. Don't tell me it is the price of admission to America. Don't tell me it is not preventable. Don't tell me it is inevitable. It only happens here. It only happens here, and it is really hard to comprehend the impact this has on people.

I was in an elementary school in Baltimore, MD, about 2 years ago. I had gone there to see an afterschool program that I had heard was very successful. The school had started about an hour late that day because of a weather delay, and so when I was inside the school, at about 10 o'clock, kids were still just arriving.

I went upstairs to join the young lady who ran this program, and we were about a half an hour into our conversation when buzzers started going off, and the lights flickered, and the intercom system lit up with somebody from the central office repeating over and over again: Code green, code green, code green.

I didn't know what a code green was. The person I was meeting with, who was just running this afterschool program, didn't know what code green was.

Luckily, the front office called up and told us that ''code green'' means there has been an active shooting somewhere in and around the school and that everybody needs to turn the lights off, lock the doors, and shut the blinds. So that is what we did.

It was 10:30 in the morning. After about 20 minutes, code green ended, lights turned back on, and we continued our discussion. I was shaken.

This is a school I had never set foot in. I had only been there about 20 minutes, and there was an active shooting within a handful of blocks. So I wanted to know what happened. I stayed in touch with personnel at the school. I read the Baltimore papers over the course of the next few days to find out what had happened, and here is what I found out. A young man by the name of Corey Dodd, who lived just down the street from the school, had told his wife—I believe her name is Marissa, if I remember correctly—that he would drop their twins off at Matthew Henson Elementary School that morning. They had two other kids. She was busy with them. He said: I will drop the kids off this morning.

So he drove the kids to Matthew Henson Elementary School, the twin girls, and brought them into the building. I could have been in that lobby with him that morning as I was coming in and he was leaving. He got into his car. He drove a few blocks home, and in between his car and the door, he was shot dead—10 o'clock in the morning.

His little girl, the youngest, always waited for him at the door when he was arriving. Well, he never showed up to that door because he died that day. And his two little twin girls in that school at the same time that I was there, who might have been giggling as they took a break from instruction and the lights went off, and they got to chat with their friends, didn't know that they were never going to see their father again.

Think about it, how the lives of those children change when their dad vanishes from the Earth just like that. Think about how the lives of all the children in that school change when they have to contemplate the fact that their dads might not be home when they arrive next week or the week after, if it could happen to Mr. Dodd. Think about how the entire neighborhood goes through trauma after trauma when that happens so routinely in a place like Baltimore.

You can't understand the scope of this epidemic by just reading off these names. Adam Todd Saeed died. Jason Wilson died. Jath Burns died. Johnjairo Brito died. Johnnie Clark died. Jonathan Joseph died. Jose Medero died. Joseph Carney died. Justin Locklear died. Justin Marshall died of gun violence. So did Kristen Slack and Latarous Harris and Lieutenant Justin Bedwell.

They all died of gunshot wounds just in 2021, but they simply represent the surface. You scratch just a bit, and you will find their kids and their moms and their dads and their neighbors who are going through trauma right now because of their deaths.

Research tells us that often there are 20 people who experience definable trauma when someone close to them dies. And so even the names that we read into the record tonight don't accurately represent the scope of this trauma. Those kids' lives will never ever be the same in Sandtown, the neighborhood of Baltimore in which this elementary school sits, neither will be the lives of those kids who go to that school.

And maybe what was so inexplicable to me was that I had to work really hard to find out anything about that young man. It was barely a story the next day that he had died bringing his daughters to school and then returning home. Had there been six more people shot, maybe it would have made the papers. Maybe America would have paid attention.

But think of it this way: What if that same story played out not in Baltimore, MD, with an African-American father and African-American girls, what if that story played out in Westport, CT, with a White father and two twin, blond-haired, White girls? Do we care less because Corey was African American? You better believe it. You better believe that headline news would have been running stories about an affluent, White, suburban father dropping his kids off at an affluent, White, suburban school and being shot before he entered his suburban home.

We don't care about individual loss of life like we care about the victims of mass shootings. That is a tragedy. We also don't care about the loss of Black life. We don't care about the people of color who die in the same way that we care when White people die in this country. That is just the truth.

So, tonight, my colleagues and I are going to come to the floor—and I hope some will join me. I thank Senator BLUMENTHAL for being here to start us off—to read into the RECORD the names of individuals who have been lost to gun violence in 2021 as a way to make sure we recognize who they were and the lives that they led, but also as a last-gasp effort to try to convince our colleagues to do something.

Tonight isn't really going to be the night to go deep into policy. Senator BENNET talked about what we know we need to do. We can have that debate at another time. Tonight is a night to just recognize the scope of this epidemic, how many people are being lost, how many lives are being impacted in mass shootings and in individual acts of violence, in homicides and suicides and domestic violence incidences. And maybe, maybe by pounding into people's brains the human toll of this tragedy in mass shootings and in other forms, we can inch this body a little bit closer to doing the right thing.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am honored to follow my colleagues Senators MURPHY and BENNET, two fellow champions of this cause.

Again, again, we have stood here so many times to advocate for measures that very simply would make Americans safe.

And I don't accept that it will be our last gasp. I don't accept that we will ever go away, that we will ever abandon this cause, no matter how long and how hard it is.

Senator MURPHY and I were in Sandy Hook the afternoon of that massacre. We went through an excruciatingly heartbreaking, gut-wrenching, stunning experience, but nothing compared to the children who were taken out of the school. Nothing compared to the teachers who shepherded them. Nothing compared to anyone who lived through it or the emergency responders who had to see the scene of carnage that day and, of course, nothing approaching the trauma of parents and loved ones.

So our club, as he called it, is one that pales in significance to the club of survivors and victims. It is more than the names we read tonight. It is the children who take cover when that code is rung. It is the teachers who suffer the apprehension of wondering whether that day will be the one when there is a shooter. It is the parents of all children who send their kids to school and wonder whether, at the end of the day, they will see them again. At some level, maybe not all, maybe not

always, not every day, but that fear in the gut, that powerfully important apprehension is there for many.

When I was in elementary school, the fear was of nuclear annihilation. And the drills we did were to dive beneath our desks, as though somehow those desks could be protected in the midst of a nuclear attack. Absurd as it seems looking back, every one of us, during those years, wondered would that be the day. And on the days before the Cuban missile crisis, it became more real than ever.

And for that generation, it was the fear. For this generation, gun violence is the fear that lurks constantly in the heart, in the back of the mind, and always a presence.

The names that we are going to read tonight are a very partial list of the injuries because we are reading the ones who died, but many others were injured severely and horrifically: bones shattered, flesh torn, futures changed forever, and, of course, the emotional trauma of living through it. But we have to read these names because it is part of our responsibility to make them real and to remind ourselves, as much as anyone, that this issue is a matter of life and death in the way that few others that we debate in this Chamber evoke.

At the beginning of the Judiciary Committee hearing the other day, just this week, we had a moment of silence. But we cannot be silent. Yes, we will offer thoughts and prayers, but we cannot be silent, and we must do more than speak. We must act—honor with action.

We cannot let these brave, wonderful souls go gently into this good night. We must rage, rage against the dying of the life. And that is what we are doing by reading these names, reminding ourselves that we cannot accept these deaths as a normal. Even with the pandemic receding, we hope, the epidemic of gun violence continues.

A gun, a firearm, especially an assault weapon, makes fatal and irreversible some of the most serious problems. Whether it is domestic violence, suicide, or simply a profoundly disturbed young man walking into a grocery store, or a racist and misogynist man going into a spa, the involvement of guns and firearms makes those incidents deadly.

The names that I will read will be of all ethnicities and religions and backgrounds and races because firearms can be an equal opportunity killer. But Senator MURPHY is right that communities of color suffer disproportionately. And in Atlanta, who can doubt that a hate crime turned deadly, potentially, because of that gun.

Dominick Boston, Brad Keel, Ildiko Papp, James Ray Huddleston, Glenda Swain Toms, Kayla Marie Keatts, Ethan Delicat, Paula Marie Booth, Raymond Robinson, Delaina Ashley Yaun, Hyun Jung Grant, Daoyou Feng, Soon Chung Park, Suncha Kim, Xiaojie Tan, Young Ae Yue, Paul Andre Michels.

Last week, eight lives were taken by gun violence, and they should be remembered and their lives counted.

Delaina Ashley Yaun was a 33-year-old newlywed and mother of two, including a daughter she gave birth to this summer. She put her family above all else and cared for family members and friends who needed help or a place to stay during tough times.

Her manager said:

> Her heart was so big. She loved people.

He describes how she would feed diners at the restaurant where she worked who were homeless and bring them home to offer them showers and clean clothes.

One friend described Delaina as ''a light. She just made everybody happy. She loves to smile and joke and hang out with her kids and make sure they always had fun. She was a happy person.''

Hyun Jung Grant was 51 years old. She worked as a schoolteacher in South Korea before immigrating to the United States. She was a hard-working and loving single mother of two, who loved karaoke, dancing, and electronic music, and made the world's best kimchi stew.

One of her sons, Randy, wrote:

> She was a single mother who dedicated her whole life to providing for my brother and I. It is only my brother and I in the United States. . . . She was one of my best friends and the strongest influence on who we are today.

Daoyou Feng was 44 years old. What we know about her from her friends is that she was sweet and kind. That is how she was described by her coworkers as well.

Soon Chung Park was an active 74-year-old mother and mother-in-law. She lived in Atlanta. She moved there several years ago to be closer to friends. And she was well on her way to living past 100. Because of the pandemic, she missed chances to visit her family in the Northeast but was planning to move back this summer to be closer to relatives and friends.

Her son-in-law described that Soon ''just liked to work. It wasn't for the money. She just wanted a little bit of work for her life.''

Suncha Kim, 69 years old. She was married for more than 50 years, and she was a fighter and a rock for her two children and three grandchildren. She was a hard worker and enjoyed line dancing.

Suncha came to the United States around 1980. She spoke little English and worked two to three jobs, putting her children first and always seeking to help others. She volunteered by cooking and fundraising. One of her grandchildren wrote:

> My grandmother was an angel. . . . As an immigrant, all my grandmother ever wanted in life was to grow old with my grandfather and watch her children and grandchildren live the life she never got to live.

Xiaojie Tan, killed that day, before her 50th birthday. She was a dedicated wife, mother, friend. She was devoted to her job and dedicated to her fellow employees. Her husband said:

> She donated and gave money to her employees and treated them so well. She was always celebrating their birthdays, doing good things for them.

She was curious, hard-working, and caring, always filled with joy. She worked long hours, every day, to give her family a better life. Her daughter said that Xiao was her best friend and that ''[s]he did everything for me and the family. She provided everything.''

Yong Ae Yue, 63 years old. She was an amazing mother of two sons and loved to cook Korean food. She came to the United States in the 1970s, and after being laid off during the pandemic, she was excited to be back at work. She enjoyed visiting friends, watching movies and soap operas, and reading. She always loved to read and have her dog at her side.

Paul Andre Michels. He was a 54-year-old Army veteran, one of nine children, and he had been married for more than 20 years. He loved to fish and collect rare coins. He treated everyone like he was their uncle and did what he could to help others.

One friend said of Paul that ''[h]e would give you the shirt off his back.''

His younger brother, John, said:

> He'd loan you money if you needed it sometimes. You never went away from his place hungry.

My home State of Connecticut is not immune to gun violence. Sandy Hook is the best known of the tragedies, but there are others—many, many, many others—all around the State, in big cities, in small towns, in rural areas, suburban.

Nobody is immune. Nobody is protected against gun violence so long as the pipeline, the iron pipeline, even with Connecticut's strong laws, draws guns across State borders.

Here are some of the names and stories of people whose lives have been taken in Connecticut:

Jaqhawn Walters was killed on September 19, 2020, in Hartford. He was 24 years old. His mother Trician writes:

> There was an altercation with someone inside a store. The fight was broken up, but the other young man still shot him and then stood over him a second time and shot him again.
>
> Jaqhawn was a college graduate. He was known as a big basketball player for Albertus Magnus. He played overseas for two seasons before COVID hit.
>
> My son saw a lot of gun violence growing up in the city, and he became victim to it even though he tried his best to beat all odds with a bachelor's degree in communications.
>
> He even played in Argentina as a professional basketball player, mentored kids through basketball. He got a proclamation for his work at the Parker Memorial Center and the Village, where he worked with troubled kids.

Jaqhawn's coach at Albertus Magnus described him as ''the type of kid that got along with everyone. His likability crossed every age generation. When I ran camp, 8-year-old kids, instantly, he was the guy. They'd all gravitate toward him. Same thing with our team.

They loved him. Opponents loved him. I've gotten a lot of texts, and I got one from a Northeast coach who said, 'He had that thing where he'd drop 30 [points] on you, and every opponent not only respected him but genuinely liked him.' ''

Another coach said:

> Jaqhawn was very, very rooted in the Hartford community, and he loved his town. So he was always going to be one of those people that came back and gave as much as he was able.

Another coach said:

> He had such an impact. The guy had so much more to give.

That is the story of every one of these victims: so much more to give; so much more to give back, whether to Hartford or sons and daughters or parents.

Ethan Song was killed in Guilford on January 31, 2018, 12 days after his 15th birthday, with an unsecured firearm in his neighbor's house. He lived a life filled with laughter, adventure, and passion. He lived with adoring family members Kristin and Michael Song.

Ethan loved to ski and hike and play spikeball too. He helped his mom Kristin in finding homes for abandoned puppies. Ethan loved food. He and his dad Mike ventured to find the best lobster roll in New England. They sampled 15 locations.

He loved lacrosse, and he was good at it, making the all-star team one season. He was always interested in his family's history. He tried to learn all that he could about his grandmother's experience as a Holocaust survivor and went so far as to divert a family trip to the UK to see the Anne Frank house in the Netherlands.

Ethan was also fascinated by his grandfather's experience as a decorated intelligence officer in the Korean war.

I am always so inspired by Kristin and Michael Song and Ethan's sister, their strength and courage, their joy in life, and their unquenchable loyalty and love for Ethan. I have stood on the green in Guilford announcing my introduction of Ethan's Law, a safe storage law that they have championed with grace and dignity and power beyond words.

And let's say it out loud: This gun violence is every parent's worst nightmare, every parent's worst fear—going to school, going to a neighbor's house, going to a grocery store—wrong place at the wrong time: a neighbor's house where a firearm was unsafely stored, watching the emergency response team pull to that neighbor's house and knowing something is terribly, terribly wrong. Every parent's worst nightmare.

And Lori Jackson's parents know very graphically about that nightmare because their daughter, Lori Jackson, of Oxford, CT, came to their house seeking refuge from an estranged husband. And that night, while her infant children slept, Lori Jackson was gunned down by that husband, who was under a protective order which should have barred his having a firearm, but at that point Connecticut law applied only to permanent protective orders.

She was killed by that man even though he was under a protective order. She was 32 years old. She was a loving daughter and a mother of twins. And her mother also was severely injured.

And her parents, with that same grace and dignity and strength and courage, have championed protection for domestic violence victims and survivors.

She had so much to give—like Ethan, like so many others.

And we remember Noah, Charlotte, Jack, Olivia, Dylan, Catherine, Avielle, Jessica, James, Josephine, Caroline, Benjamin, Chase, Ana, Grace, Emilie, Madeleine, Allison, Daniel, and Jesse—20 beautiful, innocent children taken at Sandy Hook Elementary School in Newtown more than 8 years ago.

We remember them for bringing bursts of light and laughter into the lives of their family and friends, for bringing love into the lives of all who knew them, and for their joy and boundless energy. Only 6 years old, but they had so much to give, and their lives cut short at Sandy Hook that day.

And we remember the heroism of those brave, courageous educators that December morning: Victoria, Lauren, Anne Marie, Rachel, Mary, and Dawn. We remember their courage, some of them physically shielding students with their own bodies, running unhesitatingly toward danger, barricading classrooms, drawing on all their reserves of calm and professionalism to protect and shield the children in their care.

We read these names, I feel, almost as a form of prayer. We cannot save any of these victims, but we know we can save others. And that is our work.

As John F. Kennedy said in his inaugural speech, ''here on earth God's work must truly be our own.'' Thank you.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

Ms. CORTEZ MASTO. Mr. President, I rise today to join my colleagues. At this juncture, it is hard to find the words. How many more shootings, how many more individuals have to die before we take action? And I rise because the Senator—my colleague, the great Senator from Connecticut—was identifying these names as a form of prayer, which I could not have said that better, because this is about recognizing those we have lost in order to prevent future loss of life.

So I join them to recognize individuals across the country and in my home State of Nevada who have lost their lives: Vincent Brown of Colorado; Zaimier Bell of New Jersey; Anthony Stanley of Missouri; Bao Yang, Minnesota; Daisy Navarrete of Texas; David Camacho, Rhode Island; Deonte Minor, Washington, DC; Ronald B. Williams from Indiana. All of these individuals were killed by gun violence. And just those names would be too many. Yet they represent a few and a heartbreakingly long list of victims, families, and communities whose lives have been ripped apart by senseless gun violence just this year.

Sadly, my home State of Nevada has been no stranger to this pain. In Las Vegas, on October 1, 2017, a gunman opened fire on a crowd of thousands of people at the Route 91 Harvest Music Festival. He killed 58 people that night. Two more victims have since died from injuries they received that evening. And hundreds, hundreds more were injured—people who just wanted to enjoy an evening of celebration with their friends and family.

I know the fear and the trauma that so many families experienced that day. My niece was at that concert, and my family and I are incredibly grateful that she made it home safely. But I will never forget—never forget—on that Monday after the horrific shooting that took place, sitting at the Reconciliation Center in Las Vegas with the families, with the parents, the uncles, the aunts, the siblings, who were waiting to find out what happened to their loved one.

Can you imagine? It is the most horrific thing any family member could go through. You are waiting to hear what happened to your family member—your child, your son, daughter, your niece, your nephew, your father, your mother—and you are hoping that as time and the clock ticks away, your child is not one that is in the backroom with a coroner right now.

I cannot tell you how heartbreaking it was to be with those families and talking to them and the fear and the anxiety and the helplessness and the hope that still they clung to that they would find out that their child or their brother or their mother or sister was really safe somewhere in one of the hospitals in Las Vegas.

No one can imagine that, and no one should have to imagine it. And no one should ever have to go through that. But that is what families and loved ones have been going through over the years because of the senseless gun violence that is happening across this country.

Every day, more than 100 families lose a loved one to gun violence. Austin Cooper Meyer, age 24, from Sparks, NV; Brennan Lee Stewart, age 30, from North Las Vegas; Cameron Lee Robinson, age 28, from Las Vegas; Charleston Hartfield, age 34, from Henderson, NV, a police officer; Erick Steven Silva, age 21, from Las Vegas; Laura Ann Shipp, age 50, from Las Vegas; Neysa Christina Tonks, age 46, from Las Vegas; Quinton Joe Robbins, age 20, from Henderson—those are just 8 of the 60 Americans who lost their lives during the Route 91 Harvest festival shooting in Las Vegas on October 1, and their names and stories will stick with us forever.

But we also have to remember the loved ones they have left behind. So

many of these names I know now not just because of the horrific shooting but because I have met their family members whom they have left behind—children who were left behind, children who lost their parent to this horrific gunfire, husbands and wives, mothers and fathers. It just goes on and on and on.

In the next few minutes, I want to share some stories of Nevadans whose lives have been altered by gun violence. Many of these stories are heartbreaking, and they stem from the October 1 mass shooting that took place in Las Vegas.

Before I talk about them, however, I have to also recognize and praise the many heroes who stood up and worked to protect our community that night.

After the bullets stopped raining down on the Las Vegas Strip, a former marine turned a truck into a makeshift ambulance and drove more than two dozen people to one of our hospitals. A couple provided CPR to injured victims on the site. And hundreds of concertgoers risked their lives carrying fellow concertgoers to safety.

In fact, many younger attendees already had a sense of what to do to stop the bleeding from bullet holes and knew to run for safety in the breaks in between the sounds of gunshots because of training they had received in their schools and workplaces.

But after the shooting, I received a letter from a constituent who survived the Las Vegas shooting, and she wrote:

> On October 1st, 2017, our life was forever changed. . . . My husband and I attended the Route 91 Harvest Festival. We were having the time of our lives, enjoying the different bands we got to see and singing along with all our favorite songs. [My husband] and I were so moved when [one of the bands] led the audience singing God Bless America. Who would have known that just a few hours later our lives would be changed forever?
>
> When the shooting . . . started, I thought it was firecrackers. We looked around and then there were more shots. My husband pulled me to the ground, laying on top of me, shielding me from gunfire. He laid there tense waiting to be shot while I laid there waiting for him to go limp. We prayed and told each other we loved [one] another. I prayed we would live to see our children raise their children and I felt Jesus' hands covering us. During a pause in the shooting, my husband pulled me up to start running. I was terrified, [because] we could hear bullets whizzing by and [we] could smell gun powder. There were three people, that I know of, who were shot right around us. The shooting continued for what felt like forever. We continued running and ran across Las Vegas Boulevard while the shooting continued. There was so much confusion and we didn't know if there were more shooters.
>
> By the grace of God, my husband [and] I are unharmed physically. Our emotional scars are still to be determined. Sleeping has been difficult. I have had periods of uncontrollable shaking. I have chronic stomach pain and have . . . difficulty eating. All of this seems trivial compared to the families who have lost mothers, fathers, sons, and daughters and the hundreds of people still suffering with physical injuries.

Now, I read that letter because it is not just, as I have said before, about the lives we have lost, but it is about the lives who are affected by gun violence. Reading that letter is just heartbreaking—and to think that her trauma is experienced by so many other Americans from Las Vegas, from Parkland, from Orlando, and from Boulder. It is a stain on our Nation.

And I have, since that shooting, been able to meet so many incredible survivors of this shooting, including two sisters, the Marano sisters, who were at the concert that night and are still living with the emotional scars from being there in that horrific shooting.

Geena Marano has learned to prepare herself for Independence Day and New Year's Eve, when the sounds of fireworks can sound eerily similar to gunfire. But if a car backfires unexpectedly, she has to start the process of reminding herself: ''You're safe. It's OK. Don't worry.''

And her sister Marisa, who was also at the festival, says her own daughter has picked up on the habit of reacting to loud noises. She said: ''It breaks my heart because my trauma has [now] passed on to her.''

The fear resurfaces for these sisters in so many situations: on anniversaries, including of all the shootings since then; at high schools, where Geena was doing outreach to students and feared that she was putting herself at risk of another shooting; passing the Strip, eerily during the COVID pandemic, like it was on the day of the festival, because the Strip was shut down. Anywhere there is darkness and music, even on an evening out, the sisters still feel the repercussions of that night at the concert.

And they are not alone. While the tragedy of the Route 91 shooting may be 3 years behind us, for many survivors a moment can bring it all roaring back, and many more live in fear that it could happen again.

Telemachus Orfanos, a survivor of the Route 91 Harvest Festival shooting, was killed when a gunman entered the Borderline Bar & Grill and shot 12 innocent people on November 7, 2018.

What happened to Telemachus and other October 1 survivors in the restaurant that night was a uniquely American phenomenon that we should not be proud of. We keep having these mass shootings in our country, and it is past time that we acted. It is not only what our Nation deserves. It is what these families and these survivors and those who lost their lives deserve.

The Nevadan who shared her October 1 experience with me ended her letter by stating:

> I am urging you to pass thoughtful, reasonable controls that will enhance the safety of our society. It is time to take . . . action to protect our mothers, fathers, sons, daughters, nieces, nephews, cousins, and friends. Please, do not sit back and do nothing.

And she is right. We cannot sit back and do nothing. We must pass commonsense gun legislation, like universal background checks that we have passed in the State of Nevada. That will help keep Americans safe. We owe it to our friends and families and all of the victims who have already been irrevocably marked by gun violence to take action.

Thank you.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I thank my friend Senator CORTEZ MASTO for that powerful testimony, for sharing some of these stories talking about the impact on families in Las Vegas and throughout her State, and to talk about what this means from a parent's perspective, to think that her own family had to wonder whether their loved one was going to come back from that shooting that dominated the news, to think about how many lives were changed.

Senator BLUMENTHAL made a really important observation earlier and that was that the numbers we are using here, 39,000 people dying a year, and the names that we are reading into the RECORD, these are the names of the individuals who have died, but what we know is there are hundreds of thousands of others who have survived gunshot wounds. The trauma is different, but it is still serious and acute.

When a loved one is shot, obviously, that comes with a moral disruption to the family that is hard to calculate. Often that injury has lifelong consequences. The individual is bound to a wheelchair, losing the use of legs and arms. These are serious consequences that affect the rest of your life.

While today we are reading into the RECORD the names of those who have died, this stack represents, I think, just a fraction of those who have died in 2021. It could be four times as high if we had talked about those who have been injured in episodes of gun violence.

Other colleagues are going to join us here tonight on the floor. While they do, let me just read into the RECORD a handful of additional names: Carlesa Taylor; Cleveland Sanders; Cortney Smith, Missouri; Corporal Martinus Mitchum from Louisiana; Daniel Bonham from Georgia; Darrell Merriwether from Iowa; Devon Lon Remmel from Minnesota; Diontaye Petty from Kentucky; Gregory Marchand from Missouri; Gwendolyn McMillan from Georgia; Irvinn Villalba from New Mexico; Jakob Lee Haines from Pennsylvania; Jonatan Jose Martinez, Pennsylvania; Julian Castro, Illinois; Julie Lee Karvelis, Mississippi; Keith Hawkins, Arkansas; Lee Patrick David, West Virginia; Manyari Smith, Illinois; Mario Turner, Illinois; Marquise Jones, Louisiana; Nazeer Defares, California; Nicolette Sheridan Law, Pennsylvania; Officer Dominic Jared Winum, Virginia; Peter Vanvallis, Montana; Qualil Terrion Young, Texas; Raymond William Nieman, Kansas; Reginald Copning, Louisiana; Reginald James, California; Robert Bigger, Illinois.

I am sure some cynical viewer tonight may listen to a name they recognize on this list and say: Oh, well, wait a second. I know that guy. He had a criminal record. That individual was involved with some bad people.

There is never a justification for a gun homicide. No matter whether the individuals on these lists were perfect angels or individuals who had made mistakes, none of them deserved to die in an episode of vigilante or random justice. So to answer a hypothetical question, I haven't vetted the names that I am reading because not a single person on this list deserved to go in the way that they did.

I remember talking to a woman who has become a friend in Hartford, CT. She lost her son just about a month before Sandy Hook. She remembers when Sandy Hook happened that she latched onto the number of children who were killed. Twenty kids were killed that day in Sandy Hook. I asked Senator BENNET were there survivors from the shooting in the supermarket in Boulder, and he said he had to check, and I will check as well, but he wasn't sure that there were individuals who were seriously injured. If that is the case, there are parallels to Sandy Hook.

The weapons that are being used in these crimes are so lethal, so powerful that, increasingly, it is hard to survive wounds when a bullet enters your body at the speed that bullets are traveling when they come from an AR–15 or AR–15-style weapon as was used in Sandy Hook.

In Sandy Hook, 20 kids were shot. All 20 of them died. The number 20 was meaningful to my friend because her son was 20 years old when he was killed on October 20 of 2012, the year of Sandy Hook. He was killed by a 20-year-old, and he was the 20th victim of gun violence that year in Hartford, CT.

She told this story about what her life was like after her son was killed, after Shane was killed. She said that first she just didn't want to leave the house ever. She didn't want to see anybody. She would always walk down the street to the corner bodega to pick up groceries. I think it was only a block or so away. She came to driving there so there was no chance that she would have to meet people she knew along the way. Her life became fundamentally different. Her life ended, as she described it, in so many ways when her only son disappeared from the Earth.

She talked about this strange habit that came to dominate some of her evenings. She would get up in the middle of the night and she would get in her car and she would drive to the site where Shane was shot. Shane was shot about two blocks from my house where I live in Hartford, CT. I drive by the site of Shane's shooting almost every day when I am going back to our home. She would drive to that site. She would stop her car, and she would turn on her high beams as if she were waiting for Shane to show up, as if she were waiting for him to come back. She knew he never was, but this became a habit.

It just speaks to this immense, incalculable trauma that families go through when they lose a loved one, a trauma that you can't truly understand.

In Sandy Hook, one mother adopted another curious but understandable habit in the years after Sandy Hook. She would, during an afternoon on a Saturday or a Sunday, convince herself that her son who had been killed in Sandy Hook was at a friend's house. She would sort of create this fantasy, this fiction in her mind. She would find it a little bit easier to go about cleaning up the house or doing laundry or playing with her other children if, in her mind, she could pretend just for a half hour or an hour that her son was safe at a friend's house. She was successful in contorting her mind to give her that space for that short period of time. It is what she needed to do.

It is something that you never ever want to have to contemplate, creating these fictions in your minds to allow you to survive just for an hour at a time, shining bright lights on an empty space near downtown Hartford, thinking maybe that your son will show up. These are contortions of action and thinking that nobody should have to deal with.

Roshawn Tate from California; Shana Lynn Williams from North Carolina; Stanley Taylor from Missouri; Ty'Reece Thomas from Mississippi; Tyrone Brown from Ohio; Tyrone Gregory from Ohio; Anthony Collins from Georgia; Anthony Milian from Indiana; Antoine Jamil Johnson from Missouri; Brad Rumfield from Texas; Brittany Dawn Scruggs from Texas; Bryan Fundora, Kentucky; Carlesa Taylor, Michigan; Curtis Smith, Oregon; Dae'Vion Pullum, Indiana; Detraio Deshawn Whorton, Alabama; Enelrae Collier Rubenstahl, North Carolina; James Delgiorno, Florida; Jessica Morehouse, Missouri; Jordan Reen, New York; Joseph Marwan Brown, Michigan; Jovanne Hollman, California; Kevin Neal, Georgia; Kimberly Marcum, Ohio; Lentavius Cortez Hall, Louisiana; Leonne Kellam, Delaware; Lovelle Laramore, New Jersey; Luis Rafael Lopez, Arizona; Michael Vines, Michigan.

I apologize if I am mispronouncing some of these names. I am seeing many of them for the first time. But it is important for us to read these names into the RECORD so that at least they live in that space because the numbers aren't moving our colleagues to action.

So far this year, just 2021, there have been 9,649 gun-related deaths. These include homicides and murders, accidental shootings, and suicides. Some people take issue with the fact that when we talk about the gun violence epidemic, that we are including suicides in these numbers. There have been thousands of suicides in the United States this year, but it is important that we talk about these deaths together.

Again, this evening is not going to be a time to go deep into the question of policy change, but when you do start to explore interventions and causes, you will find that many of the same causes for homicides cause suicides as well.

For instance, there is a very clear correlation between poverty and gun homicide. There is a very clear correlation between poverty and your risk of suicide. There is a clear correlation between the ease of access to a firearm and homicide as there is to suicide. In States that have universal background checks, there are generally lower rates of homicide and there are generally lower rates of suicide as well. We talk about suicides together.

People are paying attention today to this epidemic because of what has happened in Atlanta and what has happened in Colorado. I understand why we pay more attention to mass shootings. There is something unique and frightening about large-scale, indiscriminate slaughter.

But mass shootings are just not those incidences where 10 people die; there are mass shootings where 3 or 4 people are shot. That is still a significant crime. So far, this year, there have been 104 of those. There have been 104 mass shootings this year. You didn't know that, right? You thought there was just Atlanta and Boulder. No, not true. There have been 104 mass shootings.

I believe most times mass shootings are defined as when four or more people are shot at the same time, not necessarily killed but shot. There have been 104 mass shootings this year and 191 deaths and injuries of children aged 11 and younger. Think about that. In this year alone, almost 200 kids, aged 11 and younger, have been killed and 128 deaths and injuries of teenagers, aged 12 to 17.

In May 2020—think about this—there were 61 mass shootings. Now, in May 2020, we were emotionally focused on the pandemic, and we were focused on trying to get people well. The country was not talking about gun violence in the way it normally would if there were 61 mass shooting in 1 month. That is the highest monthly total ever tallied by the Gun Violence Archive, which is a nonprofit research group where a lot of our data and names come from. They began tracking data in 2013. Since they have been tracking the data, May 2020 was the highest number of mass shootings, but you didn't hear about it because most of those mass shootings were of 4 or 5 or 6 people, not of 20 or 30 or 40, and, honestly, many of those mass shootings were likely people of color, which don't get as much attention either.

Mushab Mohamud Ali, Minnesota; Rasaan Mack, Illinois; RoCoby Rodgers, Missouri; Roxann Martinez, Colorado; Samuel Lee Pollard, Mississippi; Steve Alphonso, North Carolina; Terrance Armour, Michigan; Timothy Swope, Illinois; Windy Lee Higgins, Florida; Xzavior Frost, Oklahoma; Anne-Marie Winters Wilson, Georgia; Audrey Isham, Indiana; Cameron Watkins, Virginia.

I am not even close to the 9,649 gun-related deaths in 2021 alone.

I am glad to be joined on the floor by my colleague Senator KLOBUCHAR, to whom I will yield in a moment. I want to thank her for being a real steadfast partner in these efforts and, in particular, on focusing, as she has, on the crime of domestic violence.

Senator KLOBUCHAR, earlier this evening, I was describing a murder in New Haven, CT, that happened on the same day as Colorado's, in which a young woman was sitting in a car with her boyfriend and with her 1-year-old in the backseat. They were in an argument, and she was trying to leave him, and she shot him while in the car with the child in the backseat. I was talking about how little attention that got in Connecticut, never mind in the country, in how we pay attention to these mass shootings—and for good reason—and how every one of these individuals has a story attached to them. She was someone her friends relied on for counsel and for moral support, and it is how that death initiates so many other traumas.

I was honored to be able to read her name into the RECORD tonight. She is one of many who will now find their names in the CONGRESSIONAL RECORD so that, at the very least, the RECORD of our proceedings will remember her life and think about what could have been had we not been so cavalier with her life and her safety through our inaction.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank Senator MURPHY so much for those beautiful words.

When you honor the victims as you did, you honor all victims. What I have found about these crimes, particularly the crime of domestic violence, is, so often, the victims have been hidden from view. It is a crime that takes place in someone's bedroom with the door closed. It is a crime that takes place in a house, a crime that no one ever sees. As you know, in a situation like this, when there is a gun, it becomes deadly.

One of my memories is of years ago when a police officer in a small town in Minnesota responded to a domestic violence call. What a lot of people don't know is that, oftentimes, those are the most dangerous calls police officers take. It was a victim—very young—who had called the police, and it was of someone who had severe mental illness problems, her boyfriend. The police went to the door, and the door was answered, and the guy shot the police officer. He was wearing a bulletproof vest, but he shot him in the head. I was at that funeral.

It is a reminder that the crime of domestic violence isn't just about one victim; it is about an entire community.

As the widow walked down the aisle of the church, she had her two little boys with her, and she was holding this little girl in a dress that was covered in stars. The last time that family had been in that church was for the Nativity play that the boys had been in. The dad had been sitting proudly in the front row, and now they were at his funeral. That is what we are talking about with gun violence.

I join my colleagues on the floor to honor Americans whose lives were cruelly and unjustly taken from us by gun violence, and I am going to read some names of people who should never be forgotten.

In Alabama, Chase Green; in Arizona, Isaias Garcia Tovar, Sr., Isaias Tovar, Jr., and Delia Noriega; in Connecticut, Dwaneia Turner; in Delaware, Demier Chambers; in Florida, Earnest Lee ''Bug'' Riggs, Jr.; in Illinois, Brenda Poss-Barnes, Greg Barnes, Sr., and Daniel Kinney; in Indiana, Chanel Neal; in Kentucky, Kenya Renee Cunningham, Demontray Rhodes, and Katherine Bryan; in Missouri, Johnnie Jones; in Ohio, Alonzo Lewis; in Tennessee, Kevin Niyibizi; in Virginia, Eddie Jenkins; in Wisconsin, Kevin Kloth and Kevin Schneider.

Those are just 20 names out of the thousands of people lost to gun violence every year—an average of 100 gun violence deaths each day. That is three classrooms of children.

We also know the communities where mass shootings occur will never be the same. Atlanta, GA, and Boulder, CO, are now part of the ever growing list of cities and towns forever altered but never forgotten—Midland, Odessa, Dayton, El Paso, Virginia Beach, Pittsburgh, Parkland, Las Vegas, Orlando, Charleston, Newtown, to name a few—and I am greatly saddened that my home State of Minnesota also has communities on that list. On average, someone is killed with a gun every 21 hours in my State. That is 422 people each year.

Tonight, I am going to focus on the loss of two women from Minnesota, both of whom were healthcare workers and both of whom were moms. For the past year, frontline healthcare workers protected us from the pandemic, but for Lindsay Overbay and Bao Yang, we failed to protect them.

In February, Lindsay was killed in a horrible shooting at the Allina Health Clinic in Buffalo, MN, where four of her coworkers were also injured. This just happened last month. She was a medical assistant at the clinic, and she devoted her life to healing others. She had a wonderful laugh that would make a room spark to life. Her husband said that her laugh was so distinctive that, if you walked into the clinic and you heard her laughing, you knew exactly who it was.

The spark of her own life was her family—her husband of 10 years and her beloved children, an 8-year-old boy and a 5-year-old girl. Friends said that she lived and breathed her kids and that she cherished every moment spent with them. Her field of cardiology put her in contact with older patients whom she loved caring for because she said, ''They are at an age where they say what they are thinking.'' It is gut-wrenching and heartbreaking to think that Lindsay won't get to that age, won't get that happy freedom, won't get to see her two children grow up and graduate and have families of their own.

It has been reported that the shooter, whom some described as being a disgruntled patient, had previously made threats against the clinic.

Although we don't know whether this tragedy could have been prevented, in some way, we know it could have been. We should be doing more to encourage States to pass commonsense laws and to pass laws right here in this body that allow family members or law enforcement to get a court order to temporarily prevent a person from buying a gun who is in crisis.

By the way—and Senator MURPHY knows this—after Parkland, I was in the White House when Donald Trump was President. I was seated across from him, and I was seated next to former Vice President Pence. I was there because of the domestic violence bill that I lead, and I still have the piece of paper on which I wrote the hashtags when Donald Trump said that he was for universal background checks not once, not twice, not three times, but multiple times. When we talked about this very issue—the idea of getting a court order to temporarily prevent a person who is in crisis from buying a gun, which is something that Vice President Pence supported because of what had happened in Indiana, and they had a similar law—President Trump said he was for it, that he was for this stuff.

Then what happened? We all know this. The next day or 2 days later, after this meeting that we had that was on TV, he met with the NRA, and he backed down. We can't keep backing down, and we know we now have a President in Joe Biden who will not back down.

Here is another story.

Just days ago, we lost another mother of two, Ms. Bao Yang of St. Paul, MN. She worked hard to raise her sons, ages 21 and 11, as a single mom. She held multiple jobs while she studied to be a nurse—graduating and getting her license a few years ago.

According to her son, ''all she ever wanted was to raise my little brother in the best life she could give him. I could see how much stress she carried every day but still always managed to provide for'' us.

Bao's sister said she was a sweet, loving, caring, hard-working person who only wanted the best for everyone.

But a few days ago—right around the time as what happened in Atlanta; these stories are both completely fresh; they just happened—on Saturday morning at 8:30, the police were called to her house, and they found that she had been shot. She died later that

morning. According to her family, she was a victim of domestic violence, turned deadly because of a gun. Her killer was her former boyfriend.

Unfortunately, her story is far too common. According to the Department of Justice, nearly half of the women who are killed by intimate partners are killed by current or former dating partners.

Violence Free Minnesota, which is a statewide coalition of organizations that provides services to victims of domestic abuse, said of her homicide that she was the eighth Minnesotan to die due to domestic violence this year. There were 29 domestic violence-related deaths in Minnesota last year. Yet Federal law does not prohibit abusive dating partners or convicted stalkers from buying a gun, which is a problem I have been trying to fix since I got to Washington.

We had hearings on this bill. We had a hearing in the Judiciary Committee years ago where the Republican witnesses agreed that we should close what is called the ''boyfriend loophole.'' As one of the conservative sheriffs from Wisconsin testified, he said that, basically, mean boyfriends shoot just as hard and hit just as hard as mean husbands. Yet that discrepancy exists in a number of States.

And what just happened just a few weeks ago? The Violence Against Women Act passed in the House of Representatives, Senator MURPHY. It passed in the House of Representatives with 29 Republican votes, and that provision is in there. That is now coming over to the U.S. Senate, and it has been one of the reasons this bill has been stalled out.

I do not know how after what we have seen with the numbers of domestic violence cases, after the story I just told of a woman we just lost this weekend, and how after what happened in Atlanta, we cannot acknowledge this violence against women and, in particular, against women of color. This is one thing that we can do right now. We literally can pass that bill as we work on background checks and all of the other things that we need to do.

I will end with this, Senator MURPHY, that what happened in your State with the Sandy Hook shooting is forever etched in all of our minds and memories. When people ask, ''What was your best day in the Senate?'' I talk about a bill I passed—maybe little known to some—involving a young girl who was killed as a result of a swimming pool tragedy. We fixed that rule about pools at least a few years ago, and no one has died since.

Then they ask about my saddest day. For me, it was when the bipartisan background check went down, because those parents whom Senator MURPHY knows so well were in my office, and I was one of the several Senators who had to tell them ''no'' even though they had had the courage to come before the Senate. In particular, one woman told me that story of waiting in the firehouse, waiting as, one by one, the kids would come in, and, pretty soon, they knew that they would never see their little boy again.

And as she just broke down crying, remembering the last thing she had seen him do, which was point to the picture of the school aide on their refrigerator, and as she sat there, crumpled on the floor, crying, she thought of that aide and thought: She will never leave his side. And when they found them, shot in the school, that woman had her arms around that little boy, and they were both shot to death.

And we all had to look at those families and say: You had the courage to come forward to fight for a bill that wouldn't have even prevented the killing of children, but you knew it was the best thing to prevent violence around the country, and that was background checks, but the Senate did not have the courage to pass it. That time has come. The courage must be in all of us, and we must get this done.

Thank you, Senator MURPHY.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I rise, as my colleagues have tonight, to talk about gun violence again. It seems that only a few months pass, and we are here over and over again, talking about this uniquely American problem.

Tonight, we gather in grief—a lot of sadness throughout the country, people offering, as I do tonight, once again, condolences to the families in both the State of Georgia, the State of Colorado, and so many others—so many other families throughout the country who have lost a loved one just in the last week or month or within the last year.

But we also, I think, tonight have to do more than just offer condolences and offer support for the families. We have to ask ourselves some basic questions, and one question that keeps coming back every time we gather—at least for me it does and, I know, probably for a lot of Americans—is not simply why are we not beginning to solve this problem, why aren't we taking action. They are obvious questions we all ask. But one question that keeps coming to me over and over again is a simple question about the U.S. Senate: Will the U.S. Senate, once again, as it has now we can say year after year—will the U.S. Senate surrender to gun violence?

That is a question I have been asking myself. I have certainly asked it on this floor. Will the Senate continue to surrender to gun violence? And, by extension, therefore, the country is not taking action when we don't take action. The only way that we can begin to solve this problem over time is to take action here in the Senate.

The House has acted over and over again, as we know, bill after bill. In a larger sense, we have to ask ourselves: Is it really true? Will it be true again that the most powerful Nation on Earth—really, the most powerful Nation in the history of the human race—will that Nation once again surrender to this problem because of inaction here?

I know this is true in every State in the Union, but I certainly know it is true in Pennsylvania: The people of my home State and the people of America expect us to act. They don't expect us to surrender once again to this problem. They expect us to take action to pass commonsense gun measures that will, at a minimum, reduce the likelihood that we will have more mass shootings like we have experienced just in the last week and over and over again over months and now years. And even—even now we are moving into decades of mass casualty events involving guns.

So they expect us to act, not to genuflect to the gun lobby. And tonight we have to ask that question again: Will the U.S. Senate surrender to this problem and, really, by implication, surrender and genuflect to the gun lobby?

Tonight, I know that my colleague from Connecticut, Senator MURPHY, and others have read through some names of victims of gun violence, and I will add to that list. It is about 20. Just—just a fraction, a tiny fraction, of those we lost just in the last couple of years from so many different States:

Kortlin Williams from the State of Missouri; Marcus Obrian Young from the State of North Carolina; Marquez Warden from Virginia; Marvin Scott from Maryland; Melvin Porter from Georgia; Omar Mohamed Juma from Texas; Russell Jones, also from Texas; Saveon Th'Marcus Washington from the State of Alabama; Angela Thompson from Oklahoma; Stephanie Lee from Ohio; Tahjier Lafleur from California; Teon Burwell from Virginia; Xavier Cancer from South Carolina; Brenda Sue Strawser Sines, Maryland; Tera'Lynn Cantrell from Arkansas; Teshundra Fortune from Mississippi; Quindarious Ford from Georgia; Raemel Richardson from Louisiana; Sarah Larocca from Colorado; and, finally, Andre Odom from Ohio.

I am not sure it is possible for any one of us who hasn't been—whose family has not been a victim of gun violence to in any way not only understand but even to offer the appropriate words that we try to offer to these families on a night like this and on so many other days and nights.

I always turn back to the words of others about what this might mean to those families. I just can't even imagine what it would be like to lose a family member to gun violence or to any violence, for that matter.

Remember the words of the great recording artist Bruce Springsteen. He wrote a song in the aftermath—the horror of the aftermath of 9/11, and he was trying to capture in a series of songs that he wrote and put in an album at the time capturing the loss, the pain, the pain of the loss that so many American families felt at that

time. And I always thought it was applicable, that kind of loss, to what these families feel when a member of their family is killed by gun violence.

Springsteen's refrain in that song—the name of the song is ''You're Missing,'' and he keeps using that refrain:

You're missing when I shut out the lights.
You're missing when I close my eyes.
You're missing when I see the sunrise.

That is the reality for these families. Every moment of their day will be a time when they will be missing that family member for God only knows how long.

So we are thinking of those families tonight who have loved and lost.

We are also remembering—and this is another area where we have not taken action—we are also remembering families that had a member of their family become a victim of gun violence, but they survived, but their life is changed unalterably. The life of that individual has changed. The life of his or her family changes and so many burdens they have to carry, having survived gun violence.

We know that 100 are killed each day—more than 40,000 across the country in our country. But we also know numbers about those who have survived: 230 people sustain a nonfatal gun injury every day, and it is estimated that about 10 million Americans have been shot and injured during their lifetime—10 million Americans.

We also know that gun violence injuries are more likely to occur in younger people. Each year, approximately 15,600 children and teenagers are shot and injured. Black children and teenagers are 14 times more likely than their White peers to die by gun homicide.

Those who survive—those huge numbers who survive—have their lives changed forever. The role that that victim plays in the family is made exponentially more different.

I will talk about one of those individuals tonight. His name is Azir Harris.

Azir Harris was 17 years old in February of 2018—February 15, to be exact. It was the day after the Parkland shooting in Florida. Azir was shot five times on his way to grab something to eat with two of his friends in South Philadelphia.

He was paralyzed from the waist down, caught in the crossfire of gun violence as an innocent bystander. Azir's life and his family's lives were turned upside down in seconds. Their house was just blocks away from where he almost lost his life—again, as I said, shot five times.

To navigate their two-story home, Azir's father would carry him up and down the stairs in their home. They searched desperately to relocate but were having trouble finding housing, which is often nearly impossible for victims of gun violence.

The family was eventually able to relocate into a home in North Philadelphia, but in the process, they were forced to leave behind some of their adult children in the old home they came from.

Azir continues to learn about how to navigate his new life in a wheelchair, and the family continues to struggle to find ways to improve his quality of life.

Now they are searching for housing outside of the city so they might be able to find a home with a backyard for Azir to enjoy.

Azir and his family will never be able to forget about this shooting—and he was shot five times—because they live with the consequences of that violence every single day. They are just one of millions who struggle financially, who struggle physically, who struggle emotionally because of the trauma of gun violence that has ravaged our communities, our schools, our churches, and our businesses.

So the U.S. Senate has an obligation on this part of the problem as well. We can't surrender to gun violence, and we can't surrender to the question of what we are going to do to help those who survive.

We certainly have to pass commonsense gun measures, as I mentioned before—something as simple and as overwhelmingly popular as universal background checks. And at the same time, we can pass a number of other commonsense measures, including a bill that I am leading here in the Senate and paired up with U.S. Representative DWIGHT EVANS in the House, a great leader in our State from the city of Philadelphia. This bill is the Resources for Victims of Gun Violence, and DWIGHT EVANS and I are working to get it passed.

The bill would create an interagency advisory council with experts from Federal Agencies, victims of gun violence, and victim assistance professionals. Among other things, this council would make it easier for victims of gun violence to access resources by assessing, gathering, and disseminating information about different benefits and programs that could assist the victims—the victims of gun violence, like Azir and his family.

But I come back to where I started as I conclude my remarks. We have to ask that question: Will the U.S. Senate once again surrender to gun violence, do nothing about the tragic loss of life that we have seen just in the last week, surrender to the carnage that we see not just this week and last week and month after month but now literally decade after decade?

There hasn't been on the floor of the U.S. Senate a significant, substantial debate on gun violence in I don't know how long; I guess since maybe 2013—8 years. There has been 8 years of virtually no debate and 8 years of not voting, not even passing a vote on these commonsense gun measures, because the gun lobby has created a blockade. So the Senate was not even permitted, I guess, under their rules—the rules of the gun lobby and the rules of the majority until recently—prohibited from even debating, let alone voting on commonsense measures.

So while the victims of gun violence are burdened by all the changes in their lives and the expense and the trauma they live through, while others suffer through the consequence of losing a loved one and feeling that sense of missing someone every day, while all that is happening, the U.S. Senate has been frozen in place for 8 years at least. We haven't even voted on commonsense measures.

It is time for the Senate to act, not to genuflect to the gun lobby like so many in this Chamber seem to want to do year after year. It is time for the Senate to act, to pass commonsense gun reform at long last.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I want to thank Senator CASEY for his very powerful remarks and all of my colleagues for coming to the floor tonight in this event that Senator MURPHY and I are helping to lead.

Now I recognize Senator VAN HOLLEN of Maryland, a great friend and colleague who knows a lot about this topic.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, I want to thank Senator BLUMENTHAL, Senator MURPHY, and everybody who has been brought together by this tragedy that we witnessed in our country—first a few days ago in Atlanta and then Boulder.

The tragedy is that these are not isolated events; these are the kinds of tragedies we see all too often and, indeed, every day in neighborhoods and streets around our country. So it is important that we come together to talk about the horror of the daily toll of gun violence and also highlight the horror of the fact that this body and the Federal Government have not taken action to stop those daily horrors.

Mr. President, I want to begin by joining my colleagues in reading out loud the names of 20 of our fellow Americans who have perished from gun violence just this year, 15 from across the country and 5 from my home State of Maryland. This is just this year, and this is just a few of those who have been shot down through gun violence: Caleb Day of Ohio, age 19; Cody Nichols Campbell of Indiana, age 27; Alex Jackson of New Mexico, age 15; Gregory Dewayne Lynn Chandler of Texas, age 32; Debra Derrick of New Jersey, age 63; Jason B. West, of North Carolina, age 36; Jeremiah Lowery of Louisiana, age 17; Caleb Martin of South Carolina, age 18; Lavontae Sharron Johnson of Virginia, age 23; Holly Elizabeth Beard Montana of Alabama, March 11, 2021, age 51; Jessica Ruiz of Texas, age 20; Najeebat Sule of Pennsylvania, age 24; Ricardo M. Lopez of New York, age 37; Richard Douglas Sloane of Kentucky, age 33; and Tyree Riley of Indiana, age 18.

In Maryland, my State of Maryland, just this year: April Renee Lawson, age

18; Genesis Garrett, age 22; Terry Williams, age 18; Ken Gerstley, age 50; and Guy Thomas, age 52.

We read these names tonight and remember these lives because it is important to pay tribute to those whom we have lost, but it is also to make sure that tonight is not the end of their story and that we dedicate ourselves to turning words into action here in the Senate.

Our country is now experiencing an upswing in gun violence, the largest increase in gun violence since 1960. Between the years 2019 and 2020, we have seen that big jump, and it should horrify everyone and give us pause and cause us to reflect.

I have been texting back and forth in the last few days after the shootings in Atlanta and Boulder with a friend of mine whom I first met two decades ago. Her name is Carole Price. I met her under the most tragic of circumstances. Carole and her husband John lost their beloved 13-year-old son John to gun violence. Their beautiful 13-year-old boy John went next door to play at a neighbor's house. There was a loose gun, and it was an accidental shooting. John died. He was 13 years old.

Like so many other parents or loved ones of victims of shooting deaths, Carole had the courage to take her pain, take her tragedy, and work to try to make sure that kind of pain and tragedy didn't happen to another family in the State of Maryland or in the country. She did what was within her power.

At the time, I was in the Maryland Legislature, and she came and implored the Maryland Legislature to do something—something to prevent this kind of horrible tragedy from being experienced by other Maryland families, and the legislature acted. Maryland became the first State in the country at that time to require that guns sold in our State have embedded trigger locks, safety locks, so that if they were left lying around, it would be less likely that some 13-year-old boy or girl would pick it up and shoot their friend. That bill saved lives in Maryland, and that is because of Carole Price.

Think of what is happening today in our country. The pandemic hit. What did we do? We worked to follow the advice of public health experts—social distance, wear masks—and we went into overdrive. We went into overdrive to develop a vaccine to stop the deaths. When it comes to the epidemic of gun violence, we see no such actions being taken here at the Federal level. The normal thing to do would be to do what the Maryland State Legislature did in response to that tragedy Carole Price went through—try to take some action to prevent other families from experiencing that tragedy.

When Carole texted me the other day, it was just another reminder that the pain of losing a loved one to gun violence never goes away. In fact, that pain comes back again and again when we see these mass shootings, and it comes back and again when Carole Price reads about another boy or girl or another person who died from gun violence in their home. Again, we see it on a daily basis.

The reason it is so important that we come together and focus on this is that there are some, I think, in our country who have lost the capacity to be surprised. I know we were all shocked and surprised after Columbine, after Sandy Hook, after the Pulse nightclub and the Mother Emanuel AME shootings, maybe the shooting in Las Vegas. We were shocked at some point in the past that people would indiscriminately take the lives of others. We were shocked at the daily toll of gun violence. Even if it was in a place like Baltimore or another city in Maryland and it didn't make the national news, it still was a shocking thing that somebody would just gun down a fellow human being. But now when we see it happen time and again, mass shootings and the daily toll, nobody can claim surprise. What is surprising is that, as a nation, we haven't summoned the will to do something about it the same way we have worked to summon the will to defeat the coronavirus pandemic.

In 2019, 757 Marylanders died from gun violence. In fact, it has become so routine that by this time tomorrow, on the current trajectory, 2 more—2 more Marylanders will have died from gun violence. That is 1 State out of our 50 States. This is something that tears at the fabric of communities in our country. It has had a disproportionate impact and pain on communities of color.

I want to tell my colleagues about Denise Reid, who knows what it is like to carry the burden and pain of losing loved ones to gun violence. Denise grew up in Baltimore. She lost her uncle to gun violence. She lost her cousin to gun violence. She lost her cousin's girlfriend to gun violence. Her mother was shot standing in the doorway of their Baltimore home. Thankfully, she survived. In October 2006, Denise's son Tavon was shot and gravely wounded, paralyzed from the neck down. He survived his injury for 3 years but passed away after that.

So tonight, I ask all of us to pay tribute to Denise and to her son Tavon Terrell Water, Sr., who was gone too soon, but I want to tell you about Denise because she is an inspiration to us all. She still lives in Baltimore. She works as the chaplain with the Baltimore City Police, working every day to serve her community and give back to the city she loves but wants to make better and safer.

My State of Maryland has thankfully joined Denise and Carole Price and all those who have lost someone to gun violence by passing commonsense measures in our State of Maryland. But the State of Maryland, like every other State, is not an island. We can't do it alone. We need for the Congress to take action.

If you look at guns that were used in Maryland in crimes, 54 percent of them come from outside of the State of Maryland, from States that do not have those kinds of commonsense gun laws that make people safe.

So, Maryland, like so many other States, is calling upon our brothers and sisters from across the Union to help us take action, and we know that the public believes and understands that too. Some of my colleagues have said 90 percent of the American public supports basic background checks for people purchasing guns.

I want to tell my colleagues about Michael Derrick Baughan, who was born March 18, 1983, excelled in school throughout his life. He went to college in Maryland, and then he moved to Delaware. His mother Cheryl remembers picking up the phone one day and hearing her son at other end of the line saying: Mom, I went to Walmart and got a gun in 15 minutes. I can't get a driver's license that fast, but I got a gun because I am feeling pain, and I have a gun to my head.

Cheryl and Michael spoke on the phone for 2 hours before Michael agreed to take the bullets out of his gun. But that wasn't the last time he made an attempt, and Michael died of suicide, gunshot, February 2014.

Whether it is the ease of getting a gun to commit suicide or the ease of getting a gun to shoot down others, what we have in the country today is simply unacceptable. As Daniel Webster, who is a public health researcher at Johns Hopkins University of Maryland, said: Gun violence is not inevitable. It is very preventable.

We know that. We know there are things we can do to prevent gun violence. I am not going to go into a litany of legislation that we could pass to make things better. I do want to point out, though, that we have an organization, the Bureau of Alcohol, Tobacco, Firearms and Explosives—the ATF, as it is commonly referred to—whose job it is, who is charged with protecting the public from the illegal use of trafficking of firearms. And yet, while we give them that charge, we give them that responsibility, the House and the Senate, over the years, have tied their hands. We have handcuffed them. We made it very difficult for them to do their job. We prevent them from sharing trace crime gun data on firearms with the public and on people doing research into the gun violence epidemic. We bar the ATF from legally requiring gun dealers to keep accurate inventories of their guns and report lost or stolen firearms. Simple things like that that we say they can't do.

I want to end by talking about an initiative of the mayor of Baltimore City, Mayor Brandon Scott, who has worked with Everytown, the organization, to create a cutting-edge internal system to help law enforcement track and understand and disrupt the stream of firearms entering the city of Baltimore. They have worked hard to try to

overcome these obstacles that we put in the way of ATF. But that is a challenge, and it shouldn't be so hard.

We had a program in the city of Baltimore—still do. It is called Safe Streets. It is headed by a person called Dante Barksdale. He went by the name of ''Tater.'' He was known throughout Baltimore as the smiling face of Safe Streets, which was a gun violence prevention program.

Dante was committed to the mission. He helped others learn to put down their guns. Dante was shot to death on January 17 of this year. In that moment, Maryland lost a son, a mentor, a hero, and as Mayor Scott called him, a man who saved thousands of lives in our city, thousands of lives, and yet his was taken by gun violence—gun violence that is preventable.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey.

Mr. BOOKER. Mr. President, Member after Member has come down tonight to speak, and the conversation, as we all have come down here, was to come do something that I think is extraordinarily poignant.

This is the floor where policy is debated and where ideas of governance are discussed. It is a deliberative body, but we are in a democracy, and we represent people. So, tonight, the idea was that we would come down here and talk about people, but the pain is that they are not alive; that we would discuss the deceased, the dead, the murdered, the killed.

I believe that if America has not broken your heart, then you don't love her enough. Name after name tonight has been spoken by colleague after colleague, and, dear God, every single name is a son or daughter. It is a brother or sister. It is a family member. They are a person, part of a community, and they are dead.

But this is not just any limited list. It seems to grow like a cancer on the soul of our country. You take my age, 51 years old. Well, in just the time of my life, the death in our country has been something like has never before been seen in even a country at war because the people who have died, the human beings who have been lost, the family members who have been slain, their total number, in just my lifetime, add up to more than all of the Americans who have died in every single war from the Revolution to our current wars in the Middle East.

So my friends and my colleagues have read name after name after name, but the painful, heartbreaking reality is we could have taken hour after hour over days after days to name the total who have died in my lifetime. And the heartbreaking stories have to stagger you when you hear the testimony. On March 1, Kaiden Alex Peak, who was 4 years old, and his brother, Mayson Paul Peak, who was 3 years old, were gunned down, killed in Warsaw, MO. Jennifer Garcia, 21 years of age, and Charlie Borbon Lopez, 20 years, both killed in Portland, OR. Say their names. Say their names. Say their names.

Cobe Hilliard, 19, killed in Temple, TX. April Williams, 21, and her mom Tammy Briggs, 46, killed in Augusta, GA. Say their names. Say their names.

Christine Ruffin, age 61, was killed with a gun in Palm City, FL. Delquan Daniels, 23 years old, was killed with a gun in Rochester, NY. Say their names. Say their names.

Gerson Aleman Velasquez, 19, was killed with a gun in Myrtle Beach, SC. Lionel Darling, age 39, and Rayneesha Dotson, age 30, were both killed with guns—killed with guns. Say their name. Say their name.

Maritza Remijio Paniagua, age 20, was killed with a gun in Los Angeles. Merlyn McCallister, age 51, was killed with a gun in Chicago. Mishealia Marie Meredith, age 19, was killed with a gun in Eldorado, IL. Victor Brooks, age 20, was killed with a gun in Phoenix, AZ. Ronald Jeffery Laroy Jones, Jr., age 25, was killed with a gun in Columbus, OH. Say their names. Say their names.

This is the question of our country. What is the quality of our mercy? How courageous is our empathy? How destitute is our compassion? How anemic is our love for one another that this many Americans are dying hour after hour, day after day, month after month, year after year? Carnage in our country like never before seen in humanity, and we do nothing as a society and a government that was formed for a more perfect Union, for domestic tranquility, and for justice. At the top of our Federal Government's Constitution is the very ideal that we are for the common defense. Say their names.

Do we honor them? Do we love their survivors? Love is not sentimentality. It is not words. It demands something. It necessitates sacrifice. And I can tell you I am one of those folks who, serving in an American city, would have my police officers show me the films of murders from our cameras—human beings being shot and killed. How could it not shake the core of your soul? How could it not rip open wounds that cannot be healed?

My colleagues reading names of people, children lost, kids lost to suicide, bodies mangled, people paralyzed, how could it not call to your conscience? How could it not demand from all of us not to sit idly by and watch and witness? We are wounded as a society. We are hurting. There is pain that is unspoken, and that is so dangerous.

In 2018, Shahad Smith, I knew him well. I used to live in high-rise projects at the top of my block. There was a group of boys there, led by this young man named Hassan Washington. Hassan was brilliant. He was funny. He had a sharp wit. He had charisma. Shahad was one of the young men in high school who hung out with him in the lobby of my building. I would come home and I would see them there.

And I tell you, in 2018, I make it to the U.S. Senate, and I get a call from Jimmy Wright, a police officer from those buildings who—he is a beautiful man, and he was shaken. They killed Shahad on my block, where I live as a U.S. Senator, at the top of my block, and I will never forget how Jimmy described it. He said: CORY, I talked to the police officer. He was killed with an assault rifle. And he said: CORY, the police officer told me his head exploded.

And I—I had to hold onto something because most of those kids from that lobby, the children I watched grow up in my 8 years living in those projects, in those buildings, Black boys in a world where there is so much assault—the first of them to die.

In 2005, I would come home at night. I was chasing my dream to be the mayor of the largest city in my State. I was getting ready to run for office, and I came home and I smelled marijuana in the lobby.

Now, we live in a country where it is a lot different watching kids at Stanford, Yale smoke pot and have no worries. But for inner city Black kids, I will tell you right now, they have no margins for experimentation. And I said to myself: Oh, I have to intervene here. So I started asking them: Let's get out of this lobby. Let's go do something. Let's go to the movies. Let's eat. And I will never forget. I made a mistake, y'all. I said: You guys choose a movie. That was a mistake because they took me to something called ''Saw II.'' Do not see that movie.

And we went out to dinner at a diner, Andrew's Diner. I remember the conversations with them. I asked them what their dreams were. And this moved me because their dreams, they were humble dreams.

And I said that I would connect them with mentors, and I had all these plans about how to help these young men get out of the danger zone. Then I got too busy with my campaign. And I remember feeling a little guilty that I was too busy to follow through on the commitments I had made. And I consoled myself that I was running for mayor: When I become mayor, God, I will be able to help all children in the city. I will step up then. Let me just get through the campaign.

Well, I would still come home at night, and the boys weren't mad at me or anything like that. They would still greet me and cheer me on when I came into the lobby, Shahad and Hassan. It was amazing. They would lift me up.

One day they had lawn signs, my lawn signs, waving them, and formed a parade line. And I walked out and waved and got in the elevator until I realized, where did they get those lawn signs from? They are kind of expensive.

I ended up winning. And I had death threats on me. And when you are elected to office, get death threats, you have security. And next thing you know, I had police officers stationed in the lobby, and the boys weren't there anymore. They didn't want to hang out where the police officers were.

And I didn't think too much about it because I was running at full speed as a new mayor. I was 36, 37 years old. The violent crime in our city was peaking. There were too many shooters in that hot summer. I will never forget. And I would run to every street corner I could where there was a shooting in our city. And I would stand there, and I would say: This is not who we are. This is not America. This is not Newark. We are going to overcome this. And I would give street-level sermons telling people about the vision for our city. And, God, we would eventually turn down the violence.

But in those early days, a month into my office, I show up on a street corner, and there is a body covered by a sheet and another one being loaded on the back of an ambulance. And I barely paid attention to the humanity on the street. I didn't even ask for the names. I was too busy ministering to the living.

I get home that night to steal a couple hours of sleep in my early days as mayor. And I will never forget sitting in my bedroom with my BlackBerry, going through it, and I saw the name on the homicide report. At that moment in my life, something broke in me that will never fix. It wasn't an anonymous name that I didn't know. It wasn't just a cold issuance of another crime in a big city. The name was Hassan Washington. Four floors below me he lived with his grandma, a kid I promised to help with his dreams.

I will never forget his funeral for as long as I live. Perry's Funeral Home—God bless them, those professionals. I entered that funeral home as the newly minted mayor. And I was so upset when I saw it was in their basement room because going in that room was like descending into the bowel of a ship, a narrow staircase. And I get into this room. We were piled in on top of each other like we were chained together in grief, and people were crying. Everybody was showing up. Everybody was there for what is an American tradition: almost every day, another boy, another Black boy in a box killed by a gun.

And I wish I could tell you that I was strong in that moment. I wish I could tell you that I was mayoral, that I was a leader and the father of a city, but I wasn't. I felt shame. I felt hurt. I felt embarrassment.

I tried to lean on other people in that room. There were folk I had known for years, but, finally, I had enough. I had to run. I left there. I jumped in my SUV, drove to my new office in City Hall. And for the first time—not the last but for the first time as the mayor of New Jersey's great and largest city, I sat in that office, and I wept over a dead boy. And all I could think about was climbing through the feelings of shame and hurt and pain. All I could think about was that funeral in that basement room, packed full of people. All of us were there for his death, but where were we for his life?

What a morbid thing we have been doing here tonight, reading the names of dead people killed in our country, hoping that somehow—somehow we could change. Well, I will tell you this right now: We are in a distraught moment in our Nation, where most of us agree on solid steps. It won't solve all the problems, but it would make a difference. It would save a Hassan. It would save a Shahad. It would save the 3- and 4-year-olds, the names I have read.

The question is, How courageous are we? How much do we truly love one another? What will we do? This is a moment in American history that could be the inflection point. If we act now, we could end some of this nightmare. If we fail to do anything, we will be back here again. The list of the dead will be longer. The heartache and the pain and the wounds and the grief and the sorrow and the shame will be deeper in America, the world's greatest country.

We must demand of each other a greater love. We must end the poverty of empathy. We must free ourselves from this prison, from this dungeon. We must release ourselves from these chains. We must demand that this Nation be the Nation we want it to be, be the Nation we hope it should be, be the Nation that those in military uniform died for—a nation where we make real the greatest principles of humanity, the greatest calling of every faith that there is—not words, but real, true, manifestation of the principle and the call.

Will we be silent? Will we be ignorant? Will we avoid? Will we do nothing? Will we be passive? Or will we truly be a nation that loves one another?

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. MURPHY. Mr. President, Marcia Reitman Currie from New York; Mitchell Wright, Jr., from Missouri; Nicholas Tarpley from Pennsylvania; Reuben Lewis III from California; Rhyce Wingate-Bey, Maryland; Robert Crochiere, Massachusetts; Samuel Lamont Smith-Williams, Tennessee; Spencer Wilcox, Oregon; Anthony Castillo, New York—we didn't come close to finishing this list tonight. We didn't make a dent in the list of those names of the people who have died from gun violence in 2021 alone, a year in which almost 10,000 people have died in less than 3 months in suicides and homicides and accidental shootings.

It is a choice. None of this is inevitable. Almost all of it is preventable. It only happens here in the United States of America because other countries make different choices.

Congress goes the next 2 weeks on a district work period. We wanted to come to the floor tonight to make clear that we are not going to forget those who have died through the inaction of this body, their national leaders; that we are going to renew our commitment to be better and to change and to begin that process in the wake of the shootings in Boulder and Atlanta by making sure that everybody hears the names of those who have died.

I yield to Senator BLUMENTHAL to wrap up for the evening.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, there is no last word tonight. There is no final saying here. There are no final names. Nora Beller, Tito Roman, Aaliyah Eubanks, Dominick Boston, Brad Keel, James Ray Huddelston—we could be here a long time. But the tragedy is there will be more names, 100 more, at this time tomorrow night.

And every one of these names is a future cut short. Every one of them is a life that could have given so much, bringing more light and joy, pride, grace, dignity.

My colleagues have come to the floor with great eloquence. I want to thank them. But the most eloquent part tonight is the names. And we should take inspiration from the courage of their families, the strength of the survivors, advocates, and activists who are forming a political movement that is creating ripples turning into waves that will overcome. They will overcome the intransigence and cowardice of colleagues who fail to heed the American public, and they will be held accountable.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MURPHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

WOMEN'S HISTORY MONTH

Mr. DURBIN. Mr. President, the clock struck 12, and the chaos of whistles, bells, and sirens echoed down Michigan Avenue. All across Chicago, you could hear—feel—the jubilance erupting in the streets. Women of all ages sat on the hoods of Studebakers and Model Ts, waving American flags as they rode through The Loop in celebration.

A decades-long fight for equality had finally come to an end. Just days earlier, on August 26, 1920, U.S. Secretary of State Bainbridge Colby had issued a proclamation. The 19th Amendment had been ratified, and women in America had secured the right to vote, once and for all. And though this victory was monumental, America still had a long way to go.

Nearly a century later, on the morning of Saturday, November 7, 2020,

jubilance once again erupted in the streets of Chicago. Drivers honked their horns all along Michigan Avenue, while passengers leaned out of their windows, waving American flags. Joe Biden had finally been declared the victor of the 2020 Presidential election, his running mate: KAMALA HARRIS, the first African-American and first woman Vice President of the United States. The scene in Chicago was a fitting tribute to the 100th anniversary of the 19th Amendment's ratification.

This month, America celebrates Women's History Month. And the people of my State are proud of the leading role Illinois has played in America's long struggle for gender equality. In 2018, Illinois lawmakers ratified the Equal Rights Amendment. Our State attorney general, along with the attorneys general of two other States, is now pressing in Federal court for the ERA to be officially recognized as the 28th Amendment to the U.S. Constitution, as it should be.

We are proud of the remarkable women our State has produced. Some were Illinoisans by birth, others by choice. They include Ida B. Wells, the courageous journalist, anti-lynching leader, and suffragist; Jane Addams, the first American woman to win the Nobel Peace Prize and a cofounder of the Hull House, a Chicago landmark; Mamie Till Mobley, a mother who forced the world to reckon with the brutality of racism when she opened the casket of her only son, Emmett; Betty Friedan, author of ''The Feminine Mystique,'' a book that inspired a new wave of American feminism; Gwendolyn Brooks, poet laureate of Illinois from 1968 until her death in 2000 and the first Black woman inducted into the American Academy of Arts and Letters; Sandra Cisneros, a renowned writer and educator whose work is taught in classrooms across the country; Jeanne Gang, a world-class architect whose work graces the skyline of Chicago, including the tallest building in the world designed by a woman, the St. Regis Chicago; Jackie Joyner-Kersee, one of the world's greatest track and field athletes and the founder of the Jackie Joyner-Kersee Foundation, which offers athletic and educational programming to kids in my hometown of East St. Louis, IL; Precious Brady-Davis, an environmentalist and transgender woman who has shed light on the experiences of transgender parents; Oprah Winfrey, the host of a daytime talk show you may have heard of—her career as a talk show host actually began on ''A.M. Chicago''; Hillary Clinton, the first woman to be nominated for President by a major political party, she may have represented New York in the U.S. Senate, but her roots are firmly planted in Park Ridge, IL; Michelle Obama, another former First Lady who broke barriers—she is the pride of Chicago's South Side, and I am grateful to call her a friend; and my colleague in this body, Senator TAMMY DUCKWORTH, an American hero.

In 2018, the people of Illinois elected Juliana Stratton as our 48th Lieutenant Governor, the first woman of color ever elected to hold a constitutional office in our State. She is a dynamo and part of a new generation of women who are taking their rightful place as political leaders in our Nation. In the 2020 elections, women across America turned out in historic numbers, and voters elected a record number of women to higher office.

But we still have a long way to go. America lags well behind other developed nations when it comes to gender equality in our government. Women account for fewer than 30 percent of our representatives in either Chamber of Congress. Countries like Finland, Sweden, and New Zealand are far closer to 50 percent, meaning complete gender parity.

So it is certainly welcome news that President Biden has nominated 12 women for Cabinet and Cabinet-level positions, including Janet Yellen, the first female Secretary of Treasury, and Congresswoman DEB HAALAND, who would be the first Native American to ever serve as a Cabinet Secretary.

While the past year has been one of historic triumph for women, it has also been one of unprecedented challenge. The pandemic has disproportionately devastated women. In December, the Bureau of Labor Statistics reported that the United States lost 140,000 jobs in a single month. A staggering number that is even worse than it seems, women accounted for every single one of those job losses. Men, meanwhile, managed to gain 16,000 jobs that month.

Working women, and especially working women of color, have been hardest hit by this pandemic. When schools across the country were forced to shut their doors, these women were thrust into the dual roles of breadwinner and primary caregiver. They shouldered the burden of keeping our families and children safe. This is essential work. And just as frontline workers need PPE to safely do their jobs, working mothers need economic relief to do theirs.

That is what the American Rescue Plan President Biden signed into law this month delivers. It expands the child tax credit, offering up to $3,600 per child; it invests in our families, by increasing the value of SNAP benefits and expanding childcare assistance; and it gives every working American $1,400. The American Rescue Plan will help working mothers weather this once-in-a-century public health and economic crisis.

After a year of COVID lockdowns and losses, America is finally beginning to feel a sense of hope that the end of this pandemic is coming, and looking at the headlines, it is hard not to share that optimism.

Under President Biden, we are vaccinating more than 2 million Americans a day. As of last week, more people in the United States have been fully vaccinated than our total number of coronavirus cases since the beginning of the pandemic. By the beginning of summer, we should have a large enough supply of vaccines to inoculate every adult in America. This is one of the greatest scientific feats in modern history.

A major reason we were able to develop COVID–19 vaccines at such lightning-fast speed is because of the pioneering research conducted over decades by a brilliant scientist, one of the unsung heroes of our world. Her name is Katalin Karikó. Like many American heroes, she is an immigrant. She began her research in a lab in Hungary, when it was still under Communist rule. Back then, she believed that synthetic messenger RNA could hold the key to treating some of the world's most debilitating diseases.

She followed that dream across continents, immigrating to the United States in the 1980s. But people—and, let's be honest, men—doubted her at every turn. Her grants were rejected. She faced demotions. She was even threatened with deportation. One of the few institutions that supported Katalin's work was the National Institutes of Health. The experts at NIH didn't just follow the science; they supported the visionary behind the science. And that investment paid off. Her research into messenger RNA eventually blazed a trail for the Moderna and Pfizer-BioNTech vaccines, which are helping curb the spread of COVID–19 at this very moment.

As we turn the corner of this pandemic, let us remember that it was not a miracle that got us here. It was science. It was dedication. It was the work of trailblazers like Katalin Karikó.

As I mentioned, Betty Friedan is one of the great women leaders to come out of Illinois. In her seminal work, ''The Feminine Mystique,'' she asked: ''Who knows what women can be when they are finally free to become themselves?''

As we celebrate women's history, let us also renew our commitment to investing in women's futures. Who knows how many Katalin Karikós are out there, ready to change the world?

For our own good, for the good of humankind, let's ensure every woman has an opportunity to ''become themselves.''

AFFORDABLE CARE ACT

Mr. DURBIN. Mr. President, as a Member of Congress, I have cast a number of important votes over the years, votes on whether to send our Nation's brave servicemembers to war or to impeach a President, but perhaps the most important vote I have ever cast was 11 years ago this week, in support of the Affordable Care Act.

Since the law's passage in 2010, the ACA has provided health insurance to more than 23 million Americans, including nearly 1 million Illinoisans. That is almost 1 out of every 20 people

living in my home State. Thanks to the ACA, they are now covered. That measure was called the Affordable Care Act for a reason: It is estimated to have saved every family in America about $4,000 in health insurance premiums.

I don't think any of us could have predicted 11 years ago just how important the protections it guaranteed to Americans would become. Then came the coronavirus. In the year since the pandemic was declared, the virus has claimed more than half a million American lives. That is more than the number of American lives lost in World War I, World War II, and the Vietnam war combined.

We grieve with every family who has suffered a loss, and we know there are millions more Americans who have been affected by the virus. Thirty million of our family members, friends, colleagues, and neighbors have been diagnosed with COVID–19. That is 30 million Americans who are now living with a preexisting condition. We have heard stories about the so-called long-haulers, individuals who report they are still having health problems months after their original diagnosis. They are struggling with shortness of breath, trouble sleeping, severe fatigue, and other symptoms that NIH Director Dr. Francis Collins has deemed a ''significant public health concern.''

These Americans have enough to worry about as it is with their recovery; could you imagine if they also had to worry about being able qualify for health coverage? In a world without the ACA, they would have. Before the ACA was the law of the land, people could be denied health coverage or charged significantly higher premiums for having diabetes or asthma—even acne.

Could you imagine if this pandemic hit before we passed that law? The tens of millions of Americans who would have to wonder how they were going to pay for their care, their children's care, in the middle of a pandemic?

Thanks to the ACA, they are covered. It has been a lifeline for millions of Americans, like Michelle Crifasi, one of my neighbors in Springfield, IL. Recently, Michelle wrote to me about what the ACA has meant for her and her family. For much of her life, Michelle was burdened with an unknown illness, until she was finally diagnosed with common variable immune deficiency in her mid-thirties. It is a rare condition that limits the immune system's ability to fight infection. The diagnosis was bittersweet. While she could finally begin to understand and treat her condition, she later learned that she had passed it down to her daughter. Her husband also developed it after undergoing cancer treatment.

The good news is that Michelle and her family have health insurance through her employer, and because of the Affordable Care Act, this employer-based health plan can no longer deny Michelle health coverage or charge her higher premiums because she has a preexisting condition. Her insurer can no longer impose annual or lifetime caps on her care. It can't cut her off right when she needs healthcare the most. Michelle's daughter, Meredith, a junior at the University of Illinois-Springfield, is able to stay on her parents' plan until age 26. Because of the ACA, Michelle's health plan must cover her family's prescription drug costs.

Without insurance coverage, treating common variable immune deficiency can cost patients more than $100,000 a year. Put simply, these protections were not in place before the Affordable Care Act, and Michelle and her family are alive today because of these protections. This family's story is proof that the ACA is one of the greatest legislative accomplishments in modern American history, and it is also proof that there is a lot more we can do to protect people like her and her family.

While Michelle is grateful for the ACA, she recently told me that ''I feel there is more work to be done.'' And she is right, which is why we fought, as part of the American Rescue Plan, to expand health insurance subsidies and eligibility for plans covered under the ACA. These provisions will ensure that no enrollee spends more than 8.5 percent of their income on health insurance premiums. The typical 60-year-old couple in Illinois could see their premiums reduced by $1,300.

The ARP also increases eligibility for premium subsidies to working-class American families earning more than 400 percent of the Federal poverty level.

Outside of the ARP, the Biden-Harris administration has taken other steps to bolster the ACA, like creating a special open enrollment period and ensuring that the DOJ defends the law in the case before the Supreme Court. All of this is welcome news, and I look forward to working with the Biden-Harris administration to accomplish even more. That is why we not only celebrate the historic passage of the ACA but all of the lives it has saved as well.

After years of unrelenting, unjustified attacks on this critical piece of legislation, we are finally in a position to build on it. I am ready to work with the Biden-Harris administration to create a public option, lower prescription drug prices, and address racial and ethnic disparities in our healthcare system.

After 11 years since its passage, I am proud to declare: The ACA is here to stay.

And here in Congress, we will continue working to perfect it.

NOTICE OF A TIE VOTE, UNDER S. RES. 27

Mr. REED. Mr. President, I ask unanimous consent to print the following letter in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

The Secretary of the Senate:

PN79–6, the nomination of Colin Hackett Kahl, of California, to be Under Secretary of Defense for Policy, having been referred to the Committee on Armed Services, the Committee, with a quorum present, has voted on the nomination as follows—

On the question of reporting the nomination favorably with the recommendation that the nomination be confirmed, 13 ayes to 13 noes; and

In accordance with section 3, paragraph (1)(A) of S. Res. 27 of the 117th Congress, I hereby give notice that the Committee has not reported the nomination because of a tie vote, and ask that this notice be printed in the RECORD pursuant to the resolution.

ARMS SALES NOTIFICATION

Mr. MENENDEZ. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD–423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

Hon. ROBERT MENENDEZ,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 21–31 concerning the Army's proposed Letter(s) of Offer and Acceptance to the Republic of Korea for defense articles and services estimated to cost $36 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

HEIDI H. GRANT,
Director.

Enclosures.

TRANSMITTAL NO. 21–31

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Republic of Korea

(ii) Total Estimated Value:

Major Defense Equipment * $33 million.

Other $3 million.

Total $36 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Two hundred eighty-eight (288) AGM–114R Hellfire Missiles

Non-MDE: Also included are AGM–114R spare parts; U.S. Government and contractor engineering, technical, and logistics support services; repair and return; storage; and other related elements of logistical and program support.

(iv) Military Department: Army (KS–B–ZIG).

(v) Prior Related Cases, if any: KS–B–ZHW.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: March 19, 2021.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Korea–AGM–114R Hellfire Missiles

The Republic of Korea (ROK) has requested to buy two hundred eighty-eight (288) AGM–114R Hellfire missiles. Also included are AGM–114R spare parts; U.S. Government and contractor engineering, technical, and logistics support services; repair and return; storage; and other related elements of logistical and program support. The estimated total cost is $36 million.

This proposed sale will support the foreign policy and national security objectives of the United States by meeting the legitimate security and defense needs of one of the closest allies in the INDOPACOM Theater. The ROK is one of the major political and economic powers in East Asia and the Western Pacific and a key partner of the United States in ensuring peace and stability in that region. It is vital to U.S. national interests to assist the ROK in developing and maintaining a strong and ready self-defense capability.

The ROK intends to use these Hellfire missiles to supplement its existing missile capability and current weapon inventory for its AH–64E aircraft. The proposed sale will improve the ROK's capability to meet current and future threats and ensure interoperability with other AGM–114R Hellfire missile users in the region. The Republic of Korea will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be Lockheed Martin Corporation, Orlando, FL. The purchaser typically requests offsets. Any offset agreements will be defined in negotiations between the purchaser and the contractor.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to the Republic of Korea.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 21–31

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The AGM–114R is used against heavy and light armored targets, thin skinned vehicles, urban structures, bunkers, caves and personnel. The missile is Inertial Measurement Unit (IMU) based, with a variable delay fuse, improved safety and reliability.

2. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware or software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that the Republic of Korea can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This proposed sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the Republic of Korea.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS RULES OF PROCEDURE

Mr. CARPER. Mr. President, the Committee on Environment and Public Works has adopted rules governing its procedures for the 117th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent that a copy of the committee rules be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS JURISDICTION

(PURSUANT TO RULE XXV, STANDING RULES OF THE SENATE)

1. The following standing committees shall be appointed at the commencement of each Congress, and shall continue and have the power to act until their successors are appointed, with leave to report by bill or otherwise on matters within their respective jurisdictions:

(h)(1) Committee on Environment and Public Works, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Air pollution.
2. Construction and maintenance of highways.
3. Environmental aspects of Outer Continental Shelf lands.
4. Environmental effects of toxic substances, other than pesticides.
5. Environmental policy.
6. Environmental research and development.
7. Fisheries and wildlife.
8. Flood control and improvement of rivers and harbors, including environmental aspects of deepwater ports.
9. Noise pollution.
10. Nonmilitary environmental regulation and control of nuclear energy.
11. Ocean dumping.
12. Public buildings and improved grounds for the United States generally, including Federal buildings in the District of Columbia.
13. Public works, bridges, and dams.
14. Regional economic development.
15. Solid waste disposal and recycling.
16. Water pollution.
17. Water resources.

(2) Such committee shall also study and review, on a comprehensive basis, matters relating to environmental protection and resource utilization and conservation, and report thereon from time to time.

RULES OF PROCEDURE

RULE 1. COMMITTEE MEETINGS IN GENERAL

(a) Regular Meeting Days: For purposes of complying with paragraph 3 of Senate Rule XXVI, the regular meeting day of the committee is the first and third Thursday of each month at 10:00 a.m. If there is no business before the committee, the regular meeting shall be omitted.

(b) Additional Meetings: The chair may call additional meetings, after consulting with the ranking minority member. Subcommittee chairs may call meetings, with the concurrence of the chair, after consulting with the ranking minority members of the subcommittee and the committee.

(c) Presiding Officer:

(1) The chair shall preside at all meetings of the committee. If the chair is not present, the ranking member shall preside. If neither the chair nor the ranking member is present, the responsibility for presiding shall alternate between the parties, beginning with the chair's party and based on seniority.

(2) Subcommittee chairs shall preside at all meetings of their subcommittees. If the subcommittee chair is not present, the ranking majority member of the subcommittee shall preside.

(3) Notwithstanding the rule prescribed by paragraphs (1) and (2), any member of the committee may preside at a hearing.

(d) Open Meetings: Meetings of the committee and subcommittees, including hearings and business meetings, are open to the public. A portion of a meeting may be closed to the public if the committee determines by roll call vote of a majority of the members present that the matters to be discussed or the testimony to be taken—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) relate solely to matters of committee staff personnel or internal staff management or procedure; or

(3) constitute any other grounds for closure under paragraph 5(b) of Senate Rule XXVI.

(e) Broadcasting:

(1) Public meetings of the committee or a subcommittee may be televised, broadcast, or recorded by a member of the Senate press gallery or an employee of the Senate.

(2) Any member of the Senate Press Gallery or employee of the Senate wishing to televise, broadcast, or record a committee meeting must notify the staff director or the staff director's designee by 5:00 p.m. the day before the meeting.

(3) During public meetings, any person using a camera, microphone, or other electronic equipment may not position or use the equipment in a way that interferes with the seating, vision, or hearing of committee members or staff on the dais, or with the orderly process of the meeting.

RULE 2. QUORUMS

(a) Business Meetings: At committee business meetings, and for the purpose of approving the issuance of a subpoena or approving a committee resolution, six members of the committee, at least three of whom are members of the minority party, constitute a quorum, except as provided in subsection (d).

(b) Subcommittee Meetings: At subcommittee business meetings, a majority of the subcommittee members, at least one of whom is a member of the minority party, constitutes a quorum for conducting business.

(c) Continuing Quorum: Once a quorum as prescribed in subsections (a) and (b) has been established, the committee or subcommittee may continue to conduct business.

(d) Reporting: No measure or matter may be reported to the Senate by the committee unless a majority of committee members cast votes in person.

(e) Hearings: One member constitutes a quorum for conducting a hearing.

RULE 3. HEARINGS

(a) Announcements: Before the committee or a subcommittee holds a hearing, the chair of the committee or subcommittee shall, after consultation with the ranking member, make a public announcement and provide notice to members of the date, place, time, and subject matter of the hearing. The announcement and notice shall be issued at least one week in advance of the hearing, unless the chair of the committee or subcommittee, with the concurrence of the ranking minority member of the committee or subcommittee, determines that there is good cause to provide a shorter period, in which event the announcement and notice shall be issued at least twenty-four hours in advance of the hearing. The chair and the ranking member shall seek to attain an equal balance of the two parties when selecting subjects for and scheduling hearings.

(b) Statements of Witnesses:

(1) A witness who is scheduled to testify at a hearing of the committee or a subcommittee shall file 100 copies of the written testimony at least 48 hours before the hearing. If a witness fails to comply with this requirement, the presiding officer may preclude the witness' testimony. This rule may be waived for field hearings, except for witnesses from the Federal Government.

(2) Any witness planning to use at a hearing any exhibit such as a chart, graph, diagram, photo, map, slide, or model must submit one identical copy of the exhibit (or representation of the exhibit in the case of a model) and 100 copies reduced to letter or legal paper size at least 48 hours before the hearing. Any exhibit described above that is not provided to the committee at least 48 hours prior to the hearing cannot be used for purpose of presenting testimony to the committee and will not be included in the hearing record.

(3) The presiding officer at a hearing may have a witness confine the oral presentation to a summary of the written testimony.

(4) For any hearing, both the chair and the ranking member are entitled to an equal number of non-federal government witnesses.

(5) Notwithstanding a request that a document be embargoed, any document that is to be discussed at a hearing, including, but not limited to, those produced by the General Accounting Office, Congressional Budget Office, Congressional Research Service, a Federal agency, an Inspector General, or a nongovernmental entity, shall be provided to all members of the committee at least 72 hours before the hearing.

RULE 4. BUSINESS MEETINGS: NOTICE AND FILING REQUIREMENTS

(a) Notice: The chair of the committee or the subcommittee shall, after consultation with the ranking member of the committee or the subcommittee, provide notice, the agenda of business to be discussed, and the text of agenda items to members of the committee or subcommittee at least 72 hours before a business meeting. If the 72 hours falls over a weekend, all materials will be provided by close of business on Friday. The chair and the ranking member shall seek to attain an equal balance of the interests of the two parties when setting the agenda of business meetings.

(b) Amendments: First-degree amendments must be filed with the chair of the committee or the subcommittee at least 24 hours before a business meeting. After the filing deadline, the chair shall promptly distribute all filed amendments to the members of the committee or subcommittee.

(c) Modifications: The chair of the committee or the subcommittee may modify the notice and filing requirements to meet special circumstances, with the concurrence of the ranking member of the committee or subcommittee.

RULE 5. BUSINESS MEETINGS: VOTING

(a) Proxy Voting:

(1) Proxy voting is allowed on all measures, amendments, resolutions, or other matters before the committee or a subcommittee.

(2) A member who is unable to attend a business meeting may submit a proxy vote on any matter, in writing, orally, or through personal instructions.

(3) A proxy given in writing is valid until revoked. A proxy given orally or by personal instructions is valid only on the day given.

(b) Subsequent Voting: Members who were not present at a business meeting and were unable to cast their votes by proxy may record their votes later, so long as they do so that same business day and their vote does not change the outcome.

(c) Public Announcement:

(1) Whenever the committee conducts a rollcall vote, the chair shall announce the results of the vote, including a tabulation of the votes cast in favor and the votes cast against the proposition by each member of the committee.

(2) Whenever the committee reports any measure or matter by rollcall vote, the report shall include a tabulation of the votes cast in favor of and the votes cast in opposition to the measure or matter by each member of the committee.

RULE 6. SUBCOMMITTEES

(a) Regularly Established Subcommittees: The committee has four subcommittees: Transportation and Infrastructure; Clean Air, Climate and Nuclear Safety; Chemical Safety, Waste Management, Environmental Justice and Regulatory Oversight; and Fisheries, Water, and Wildlife.

(b) Membership: The committee chair, after consulting with the ranking minority member, shall select members of the subcommittees.

RULE 7. STATUTORY RESPONSIBILITIES AND OTHER MATTERS

(a) Environmental Impact Statements: No project or legislation proposed by any executive branch agency may be approved or otherwise acted upon unless the committee has received a final environmental impact statement relative to it, in accordance with section 102(2)(C) of the National Environmental Policy Act, and the written comments of the Administrator of the Environmental Protection Agency, in accordance with section 309 of the Clean Air Act. This rule is not intended to broaden, narrow, or otherwise modify the class of projects or legislative proposals for which environmental impact statements are required under section 102(2)(C).

(b) Project Approvals:

(1) Whenever the committee authorizes a project under Public Law 89–298, the Rivers and Harbors Act of 1965; Public Law 83–566, the Watershed Protection and Flood Prevention Act; or Public Law 86–249, the Public Buildings Act of 1959, as amended; the chairman shall submit for printing in the Congressional Record, and the committee shall publish periodically as a committee print, a report that describes the project and the reasons for its approval, together with any dissenting or individual views.

(2) Proponents of a committee resolution shall submit appropriate evidence in favor of the resolution.

(c) Building Prospectuses:

(1) When the General Services Administration submits a prospectus, pursuant to section 7(a) of the Public Buildings Act of 1959, as amended, for construction (including construction of buildings for lease by the government), alteration and repair, or acquisition, the committee shall act with respect to the prospectus during the same session in which the prospectus is submitted.

A prospectus rejected by majority vote of the committee or not reported to the Senate during the session in which it was submitted shall be returned to the General Services Administration and must then be resubmitted in order to be considered by the committee during the next session of the Congress.

(2) A report of a building project survey submitted by the General Services Administration to the committee under section 11(b) of the Public Buildings Act of 1959, as amended, may not be considered by the committee as being a prospectus subject to approval by committee resolution in accordance with section 7(a) of that Act. A project described in the report may be considered for committee action only if it is submitted as a prospectus in accordance with section 7(a) and is subject to the provisions of paragraph (1) of this rule.

(d) Naming Public Facilities: The committee may not name a building, structure or facility for any living person, except former Presidents or former Vice Presidents of the United States, former Members of Congress over 70 years of age, former Justices of the United States Supreme Court over 70 years of age, or Federal judges who are fully retired and over 75 years of age or have taken senior status and are over 75 years of age.

RULE 8. AMENDING THE RULES

The rules may be added to, modified, amended, or suspended by vote of a majority of committee members at a business meeting if a quorum is present.

STOP ILLEGAL TRAFFICKING IN FIREARMS ACT

Ms. COLLINS. Mr. President, earlier this week, I joined Senator LEAHY in introducing the Stop Illegal Trafficking in Firearms Act. Our bill would strengthen Federal law by making it easier for prosecutors to go after gun traffickers and straw purchasers, those individuals without criminal records who buy firearms for other people so they can bypass the Federal background checks law. Our bill would also fully protect the rights of the vast majority of gun owners who are law-abiding citizens.

Straw purchasing is intended to achieve one result: to put a gun in the hands of a criminal who cannot legally obtain one. Today, traffickers, in particular, exploit weaknesses in Federal law by targeting people who can lawfully purchase guns. Then, those traffickers use those guns to commit crimes or sell them to other criminals. They often ship them across State lines, straight up I–95's ''Iron Pipeline'' and other interstate highways. They frequently connect with criminal gangs that are ready to sell or trade those guns for prescription opioids, heroin, and fentanyl, and commit other crimes.

Yet right now, a straw purchaser can be prosecuted only for lying on a Federal form, a paperwork violation. Our bill would create new criminal offenses for straw purchasing, which would help law enforcement officials take down these criminal enterprises.

The heroin and fentanyl epidemic is taking a devastating toll on all of our communities. Police officers in Maine tell me about the familiar patterns they see: Drug dealers and gang members, often from out-of-State and with criminal records, cross into Maine and approach drug addicts to be their straw buyers, people with clean records who may legally purchase firearms. They target addicts, who exchange guns for heroin to support their drug dependencies, and the cycle repeats time and again.

I received a briefing from Federal law enforcement officials about a case in Maine fitting this exact pattern. Gang members trafficked crack cocaine and heroin between New Haven, CT, and Bangor, ME, and committed acts of violence including assaults, armed robberies, attempted murder, and murder. They traded narcotics for firearms and then distributed those firearms to other gang members. This is exactly the criminal activity our bill aims to prevent. And our bill would complement existing laws that target criminals who are profiting off of firearm and drug trafficking.

It is very difficult to prevent and prosecute straw purchasing offenses under current Federal law. As I stated, right now, a straw purchaser can be prosecuted only for lying on a Federal form, which amounts to a paperwork violation.

The Stop Illegal Trafficking in Firearms Act would create new, specific criminal offenses for straw purchasing and trafficking in firearms. Instead of a slap on the wrist, these crimes would be punishable by up to 15 years in prison. For those straw purchasers who know or have reasonable cause to believe that the firearm they are acquiring will be used to commit a crime of violence, that crime would be punishable by up to 25 years in prison.

Our bill would also strengthen existing laws that prohibit gun smuggling. Right now, it is illegal for someone to smuggle a firearm into the United States with the intent to engage in drug trafficking or violent crime. To combat the drug cartels operating across our southern border, however, we must also prohibit firearms and ammunition from being trafficked out of the United States for these illegal purposes. In doing so, our bill would provide an important tool to combat trafficking organizations that are exporting firearms and ammunition from the United States and into Mexico where they are used by drug cartels that are in turn fueling the heroin crisis here at home.

I also want to emphasize that our bill protects the Second Amendment right of law-abiding citizens. It protects legitimate private gun sales and is drafted to avoid sweeping in innocent transactions and placing unnecessary burdens on lawful, private sales. It expressly exempts certain transactions that are allowed under current law, such as gifts, raffles, and auctions. Furthermore, the bill expressly prohibits any authority provided by this act from being used to establish a Federal firearms registry.

The Stop Illegal Trafficking and Firearms Act will help keep guns out of the hands of criminals without infringing upon the constitutional rights of law-abiding citizens. I urge my colleagues to support this legislation.

IRISH-AMERICAN HERITAGE MONTH

Mr. CARDIN. Mr. President, today I wish to commemorate Irish-American Heritage Month and the many contributions of Irish immigrants to the United States of America. The Irish have been a part of our country since its foundation. Donegal-born Richard Montgomery was the first American general to lose his life in the Revolutionary War. Especially during the 19th and early 20th centuries, many Irish immigrants came to America to escape religious persecution, famine, and economic hardship, and to seek new opportunities for themselves and their families.

Maryland's long tradition of religious tolerance provided safe haven for many Irish Catholics fleeing religious persecution as early as the 17th century. Maryland again became a leading destination for the Irish during the Great Hunger in the early 19th century. The Irish helped build and defend our country. They became farmers, soldiers, firefighters, police officers, factory workers, labor organizers, and politicians. Many Irish immigrants settled in southwest Baltimore and contributed great numbers to the workforce that built America's first railroad, the Baltimore & Ohio Railroad.

Irish Marylanders have made notable contributions to both our Nation and our State in politics, science, and education. Marylander Charles Carroll of Carrollton, a third-generation Irish American, signed the Declaration of Independence, was a Founding Father, and served as the first U.S. Senator for Maryland. Medical trailblazer John Crawford emigrated from Ireland to Maryland and became famous for his contributions to eradicating smallpox, helping to identify transmission pathways, and improving vaccine distribution. Maryland has been home to numerous Irish Catholic bishops including John Carroll, James Gibbons, and Michael Curley. Bishop Carroll founded two universities, including St. Mary's College and Seminary. Bishop Gibbons advocated for the protection of exploited laborers during industrial expansion. Bishop Curley expanded education opportunities throughout Maryland. Descendants of Irish immigrants have also left their mark on America and on Maryland. Famous Marylanders with Irish ancestry include Edgar Allen Poe and Michael Phelps.

When the Irish came to America, they brought a tremendous sense of pride and grit. The resiliency of Irish Americans has helped pull our Nation through difficult times. Irish Americans, despite facing trials and persecution, have persevered and have left a lasting, beneficial impact on our Nation; Yet they also maintain a strong and unique sense of identity and love for the Emerald Isle, enriching the diversity of our lives and communities. So, this month, in addition to donning your green and enjoying a pint of Guinness, I call on all Americans to remember and appreciate the many contributions of the Irish here in America.

HONORING OFFICER TYLER HERDON

Mr. BURR. Mr. President, I want to honor the life of Officer Tyler Avery Herndon of the Mount Holly Police Department. On December 11, 2020, Officer Herndon's life was tragically cut short at just 25 years old while responding to a report of a break-in. I want to take a moment to remember him and his commitment to his community.

Officer Herndon had served in the Mount Holly Police Department for just shy of 2 years before his young life was taken. He had ambitions of becoming an FBI agent and was approaching the time needed as a police officer to become eligible to apply. He was described by his fellow officers as ''the guy you just can't help but like'' and someone who ''lived a life of service, and always wanted to do what he could to help others.''

Officer Herndon served the people of Mount Holly, NC, and today, we remember how he made the ultimate sacrifice. I want his family and the Mount Holly Police Department to know that my thoughts and prayers are with them as they grieve the loss of this exceptional young man. I know that Officer Herndon will be forever missed, and his service and sacrifice will not be forgotten.

ADDITIONAL STATEMENTS

40TH ANNIVERSARY OF THE FOOD BANK OF DELAWARE

• Mr. CARPER. Mr. President, I rise today on behalf of Delaware's congressional delegation in honor of the Food Bank of Delaware, which has provided healthy, nutritious food and education to Delaware families for 40 years.

The Food Bank of Delaware began its work in 1981 out of a modest basement in the Northeast State Services Center in Wilmington. Today, it is the largest hunger relief organization in the State. In the last fiscal year alone, the Food Bank of Delaware distributed more than 15 million pounds of food, served more than 49,000 households through its mobile pantry program, distributed 143,000 backpacks stocked with food to at-risk youth, provided nearly 28,000 supplemental food boxes to seniors, and inspired volunteers to give 49,000 hours of their time to help at its 2 warehouses and food distribution events.

But the Food Bank's work didn't stop there—it continues to address root causes of hunger by providing education and resources to those experiencing food insecurity so they can lift themselves out of poverty and advocate for others. Its culinary program has successfully graduated more than 700 students since the program began in 2002, and its graduates can be found in some of the finest restaurants around the country.

I particularly want to highlight the work the Food Bank of Delaware and its 54 full- and part-time employees have done and continue to do since March 16, 2020, when they were called to respond to the overwhelming need brought on by the COVID–19 pandemic. During this time they facilitated 33 mass drive through food distribution events throughout Delaware serving 42,847 households, served 34,706 households through the Healthy Pantry Centers at its Newark and Milford locations, distributed 153,431 Farmers to Families Food Boxes, and provided 353,009 meals and snacks to homeless Delawareans housed throughout the State to slow the spread of the coronavirus.

On behalf of both, U.S. Senator CHRIS COONS and U.S. Representative LISA BLUNT ROCHESTER, I rise today to honor the Food Bank of Delaware, its employees, and volunteers for 40 years of continued dedication to the health and nourishment of the citizens of Delaware. We know your impact on the lives of so many has been great, and your goal of ending hunger is one we will continue to work together on until we can reach the goal of eradicating food insecurity for all in Delaware.●

TRIBUTE TO ALEC FRAZIER

● Mr. VAN HOLLEN. Mr. President, I rise today to honor the life and legacy of Alexander Fuld Frazier, a remarkable constituent who tirelessly advocated for disability rights for himself and on behalf of others.

Alec emerged as a leader and powerful advocate for disability rights and inclusion early in life. When he was 13, he spoke before sessions of Colorado's House and Senate Education Committees about the importance of special education funding. Thanks to his efforts, Colorado ultimately lifted the cap on funds for special education through a State constitutional amendment. At an early age, Alec was successful in pushing for change that meaningfully improved the lives of others.

I first met Alec in 2017 through his advocacy on Capitol Hill. He shared firsthand how Medicaid made it possible for him to lead a complete, fulfilling life. Alec was diagnosed with autism at a young age, and some professionals suggested institutionalization as he grew up. With the help of Medicaid, he benefitted from many services including therapy and an emergency brain surgery that saved his life. Through his advocacy, he stood up for the millions of people who would have been severely harmed by past legislative proposals to slash Medicaid.

Alec was a man of many talents and pursuits. He attained his bachelor's degree in political science and master's degree in disability studies. In 2014, he founded his own advocacy firm called Autistic Reality and served as a powerful peer advocate, mentor, and advisor to others. Alec also published two books, ''Without Fear: The First Autistic Superhero'' and ''Veni! Vidi! Autism!,'' that shape how we think about the representation of people with autism and disabilities in the arts. Through his written and spoken words, Alec sought to deepen others' understanding and appreciation of the varied experiences of people living with autism and disabilities.

Alec believed in and exemplified the motto, ''nothing about us without us.'' Any individual or group of people deserve to shape the decisions made about them. Alec shaped his own path and destiny, and he empowered others to do the same along the way.

I ask my colleagues to join me in sending our gratitude for Alec Frazier's life, as well as our condolences to his father Donald Frazier, his mother Danielle Fuld, and his brother Nicholas Fuld Frazier. May we carry on his work to build a more inclusive society where all Americans can thrive and reach their highest potential.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Commerce, Science, and Transportation.

(The messages received today are printed at the end of the Senate proceedings.)

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 937. A bill to facilitate the expedited review of COVID–19 hate crimes, and for other purposes.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 1868. An act to prevent across-the-board direct spending cuts, and for other purposes.

S. 963. A bill to authorize dedicated domestic terrorism offices within the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation to analyze and monitor domestic terrorist activity and require the Federal Government to take steps to prevent domestic terrorism, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MANCHIN, from the Committee on Energy and Natural Resources:

Special Report entitled ''History, Jurisdiction, and a Summary of Activities of the Committee on Energy and Natural Resources During the 116th Congress'' (Rept. No. 117–4).

By Mr. SCHATZ, from the Committee on Indian Affairs, without amendment:

S. 144. A bill to authorize the Secretary of Health and Human Services, acting through the Director of the Indian Health Service, to acquire private land to facilitate access to the Desert Sage Youth Wellness Center in Hemet, California, and for other purposes (Rept. No. 117–5).

S. 371. A bill to direct the Secretary of the Interior to take certain land located in Pinal County, Arizona, into trust for the benefit of the Gila River Indian Community, and for other purposes (Rept. No. 117–6).

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 22. A resolution reaffirming the partnership between the United States and the Republic of Ecuador and recognizing the restoration and advancement of economic relations, security, and development opportunities in both nations.

S. Res. 34. A resolution recognizing the 200th anniversary of the independence of Greece and celebrating democracy in Greece and the United States.

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 35. A resolution condemning the military coup that took place on February 1, 2021, in Burma and the Burmese military's detention of civilian leaders, calling for an immediate and unconditional release of all those detained and for those elected to serve in parliament to resume their duties without impediment, and for other purposes.

S. Res. 36. A resolution reaffirming the strategic partnership between the United States and Mongolia and recognizing the 30th anniversary of democracy in Mongolia.

S. Res. 37. A resolution expressing solidarity with the San Isidro Movement in Cuba, condemning escalated attacks against artistic freedoms in Cuba, and calling for the repeal of laws that violate freedom of expression and the immediate release of arbitrarily detained artists, journalists, and activists.

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 44. A resolution denouncing the Maduro regime's fraudulent legislative elections, the absence of acceptable conditions to ensure free, fair, and transparent electoral processes in Venezuela, and the further erosion of Venezuelan democracy.

S. Res. 81. A resolution honoring Las Damas de Blanco, a women-led nonviolent movement in support of freedom and human rights in Cuba, and calling for the release of all political prisoners in Cuba.

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and an amendment to the title and with an amended preamble:

S. Res. 97. A resolution calling on the Government of Ethiopia, the Tigray People's Liberation Front, and other belligerents to

cease all hostilities, protect human rights, allow unfettered humanitarian access, and cooperate with independent investigations of credible atrocity allegations pertaining to the conflict in the Tigray Region of Ethiopia.

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 99. A resolution observing the 10th anniversary of the uprising in Syria.

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 117. A resolution expressing support for the full implementation of the Good Friday Agreement, or the Belfast Agreement, and subsequent agreements and arrangements for implementation to support peace on the island of Ireland.

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment and with an amended preamble:

S. Res. 120. A resolution recognizing the Ninth Summit of the Americas and reaffirming the commitment of the United States to a more prosperous, secure, and democratic Western Hemisphere.

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 122. A resolution reaffirming the importance of United States alliances and partnerships.

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment:

S. 335. A bill to reauthorize the Tropical Forest and Coral Reef Conservation Act of 1998.

By Mr. CARPER, from the Committee on Environment and Public Works, without amendment:

S. 400. A bill to designate the headquarters building of the Department of Transportation located at 1200 New Jersey Avenue, SE, in Washington, DC, as the ''William T. Coleman, Jr., Federal Building''.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. CARPER for the Committee on Environment and Public Works.

*Brenda Mallory, of Maryland, to be a Member of the Council on Environmental Quality.

*Janet Garvin McCabe, of Indiana, to be Deputy Administrator of the Environmental Protection Agency.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WHITEHOUSE (for himself and Ms. COLLINS):

S. 939. A bill to encourage the research and use of innovative materials and associated techniques in the construction and preservation of the domestic transportation and water infrastructure system, and for other purposes; to the Committee on Environment and Public Works.

By Mr. VAN HOLLEN (for himself and Mr. CARDIN):

S. 940. A bill to amend title 49, United States Code, to establish a National Transit Frontline Workforce Training Center, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CORNYN (for himself and Mr. KAINE):

S. 941. A bill to amend title 23, United States Code, to improve the transportation infrastructure finance and innovation (TIFIA) program, and for other purposes; to the Committee on Environment and Public Works.

By Ms. BALDWIN (for herself, Ms. STABENOW, Mr. CASEY, Mr. MERKLEY, Mr. BROWN, Mr. WARNER, Mr. MURPHY, Mr. BLUMENTHAL, Mr. MENENDEZ, Ms. ROSEN, Mr. KAINE, Mrs. MURRAY, Mrs. SHAHEEN, Ms. SMITH, Mr. VAN HOLLEN, Mr. KING, Mr. BENNET, Ms. KLOBUCHAR, Mr. REED, Ms. DUCKWORTH, Mr. CARPER, Mr. WYDEN, Mr. DURBIN, Mr. LEAHY, Mr. BOOKER, Ms. CORTEZ MASTO, Ms. WARREN, Mrs. FEINSTEIN, Mr. TESTER, and Mr. PETERS):

S. 942. A bill to provide that the rule entitled ''Short-Term, Limited Duration Insurance'' shall have no force or effect; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRAHAM (for himself and Mr. SCOTT of South Carolina):

S. 943. A bill to prohibit the use of Federal funds to close or realign the Marine Corps Recruit Depot located at Parris Island, South Carolina; to the Committee on Armed Services.

By Mr. GRAHAM (for himself and Mr. SCOTT of South Carolina):

S. 944. A bill to amend the Communications Act of 1934 to establish a program to expand access to broadband in unserved and underserved areas, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. HIRONO (for herself, Mrs. GILLIBRAND, Ms. SMITH, Ms. KLOBUCHAR, Ms. BALDWIN, Mr. PADILLA, Mrs. FEINSTEIN, Mr. HEINRICH, Ms. DUCKWORTH, Mr. TESTER, and Mr. BLUMENTHAL):

S. 945. A bill to provide temporary impact aid construction grants to eligible local educational agencies, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LANKFORD (for himself and Mr. PETERS):

S. 946. A bill to amend title 40, United States Code, to modify the treatment of certain bargain-price options to purchase at less than fair market value, and for other purposes; to the Committee on Environment and Public Works.

By Mr. RUBIO:

S. 947. A bill to provide standards for physical condition and management of housing receiving assistance payments under section 8 of the United States Housing Act of 1937; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCOTT of Florida:

S. 948. A bill to protect American small businesses, gig workers, and freelancers by repealing the burdensome American Rescue Plan Act of 2021 transactions reporting threshold; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Mr. TESTER, Mr. HOEVEN, Ms. SMITH, Ms. ERNST, Mr. WYDEN, Mr. ROUNDS, Mr. BOOKER, and Mr. DAINES):

S. 949. A bill to amend the Agricultural Marketing Act of 1946 to foster efficient markets and increase competition and transparency among packers that purchase livestock from producers; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BRAUN (for himself, Mr. MANCHIN, Mr. SCOTT of Florida, Mr. BARRASSO, Mr. BURR, Mrs. CAPITO, Ms. ERNST, Ms. HASSAN, and Ms. SINEMA):

S. 950. A bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. FISCHER (for herself, Mr. BOOKER, Ms. CORTEZ MASTO, Mr. MENENDEZ, Mr. SCOTT of Florida, Ms. ROSEN, Mr. RUBIO, Ms. WARREN, and Mr. CORNYN):

S. 951. A bill to direct the Secretary of Veterans Affairs to make grants to eligible organizations to provide service dogs to veterans with severe post-traumatic stress disorder, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. GILLIBRAND (for herself and Mr. RUBIO):

S. 952. A bill to amend title 38, United States Code, to provide for a presumption of service connection for certain diseases associated with exposure to toxins, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 953. A bill to provide for drought preparedness and improved water supply reliability; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND (for herself and Mr. WARNOCK):

S. 954. A bill to modernize voter registration, promote access to voting for individuals with disabilities, protect the ability of individuals to exercise the right to vote in elections for Federal office, and for other purposes; to the Committee on Rules and Administration.

By Mr. TESTER (for himself and Mrs. FISCHER):

S. 955. A bill to require the Federal Railroad Administration and the Federal Highway Administration to provide recommendations for reducing the number of very rural highway-rail grade crossing collisions, to authorize a public outreach and educational program to reduce such collisions, and to authorize grants to improve grade crossing safety; to the Committee on Commerce, Science, and Transportation.

By Mr. KENNEDY:

S. 956. A bill to require adequate reporting of ethics, personal finance, and disclosure reports for justices of the Supreme Court of the United States; to the Committee on the Judiciary.

By Mr. KENNEDY (for himself and Mr. BRAUN):

S. 957. A bill to direct the Secretary of Veterans Affairs to ensure that certain medical facilities of the Department of Veterans Affairs have physical locations for the disposal of controlled substances medications; to the Committee on Veterans' Affairs.

By Ms. ROSEN (for herself and Ms. COLLINS):

S. 958. A bill to amend the Public Health Service Act to expand the allowable use criteria for new access points grants for community health centers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRAHAM (for himself, Mr. TILLIS, and Mr. BARRASSO):

S. 959. A bill to amend the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 to protect alien minors and to amend the Immigration and Nationality Act to end abuse of the asylum system and establish refugee application and processing centers outside the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. CRUZ (for himself, Mr. SCOTT of Florida, Mr. HAWLEY, Mr. SASSE, Mr. CORNYN, Mr. BRAUN, Mr. COTTON, Mrs. BLACKBURN, and Mr. RUBIO):

S. 960. A bill to provide for proper treatment of Taiwan government representatives; to the Committee on Foreign Relations.

By Mr. DURBIN (for himself, Mr. VAN HOLLEN, Mr. BROWN, Mr. SCHATZ, and Ms. BALDWIN):

S. 961. A bill to prioritize funding for an expanded and sustained national investment in basic science research; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Mr. VAN HOLLEN, Ms. BALDWIN, Mr. BROWN, Mr. CARDIN, Mr. BLUMENTHAL, and Ms. KLOBUCHAR):

S. 962. A bill to prioritize funding for an expanded and sustained national investment in biomedical research; to the Committee on Appropriations.

By Mr. DURBIN (for himself, Ms. HIRONO, and Ms. DUCKWORTH):

S. 963. A bill to authorize dedicated domestic terrorism offices within the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation to analyze and monitor domestic terrorist activity and require the Federal Government to take steps to prevent domestic terrorism, and for other purposes; read the first time.

By Mr. DURBIN:

S. 964. A bill to authorize dedicated domestic terrorism offices within the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation to analyze and monitor domestic terrorist activity and require the Federal Government to take steps to prevent domestic terrorism; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. INHOFE (for himself, Mr. HOEVEN, Mr. ROUNDS, Mrs. HYDE-SMITH, Mr. RISCH, Mr. RUBIO, Mr. CRAPO, Mr. BARRASSO, Ms. LUMMIS, Mr. BOOZMAN, Mr. COTTON, Mr. CRAMER, Mr. YOUNG, Ms. ERNST, Mr. BRAUN, Mrs. BLACKBURN, Mrs. CAPITO, Mr. THUNE, Mr. SCOTT of Florida, Mr. SULLIVAN, Mr. CRUZ, Mr. DAINES, and Mr. SCOTT of South Carolina):

S. Res. 132. A resolution expressing the sense of the Senate that the current influx of migrants is causing a crisis at the Southern border; to the Committee on the Judiciary.

By Ms. HIRONO (for herself, Ms. DUCKWORTH, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. COONS, Ms. CORTEZ MASTO, Mr. DURBIN, Mrs. FEINSTEIN, Mr. KAINE, Ms. KLOBUCHAR, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mr. MURPHY, Mrs. MURRAY, Mr. PADILLA, Mr. REED, Ms. ROSEN, Mr. SANDERS, Mr. SCHATZ, Mrs. SHAHEEN, Ms. SMITH, Ms. STABENOW, Mr. VAN HOLLEN, Mr. WARNER, Mr. WARNOCK, Ms. WARREN, Mr. WHITEHOUSE, Mr. WYDEN, Mr. BENNET, and Mrs. GILLIBRAND):

S. Res. 133. A resolution condemning all forms of anti-Asian sentiment as related to COVID–19; to the Committee on the Judiciary.

By Mr. LEE (for himself, Mr. SCOTT of Florida, Mr. MORAN, Mr. CRAMER, Mr. LANKFORD, and Mr. BRAUN):

S. Res. 134. A resolution expressing the sense of the Senate that the President should work with the Government of the United Kingdom to conclude negotiations for a comprehensive free trade agreement between the United States and the United Kingdom; to the Committee on Finance.

By Ms. CORTEZ MASTO (for herself, Mr. MENENDEZ, Mr. BENNET, Mr. WHITEHOUSE, Ms. SMITH, Mr. BOOKER, Ms. CANTWELL, Mrs. FEINSTEIN, Ms. ROSEN, Mr. SANDERS, Mr. REED, Mr. VAN HOLLEN, Ms. SINEMA, Mr. KAINE, Ms. WARREN, Mr. COONS, Ms. HASSAN, Mrs. MURRAY, Ms. DUCKWORTH, Ms. KLOBUCHAR, Mr. MERKLEY, Mr. DURBIN, Mr. BLUMENTHAL, Mr. MARKEY, Ms. HIRONO, Mr. BROWN, Mr. CARDIN, Ms. BALDWIN, Mrs. SHAHEEN, Mr. PADILLA, Mr. CASEY, Mr. HEINRICH, Mr. KELLY, Ms. STABENOW, Mr. WYDEN, and Mr. LUJÁN):

S. Res. 135. A resolution recognizing the heritage, culture, and contributions of Latinas in the United States; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 51

At the request of Mr. CARPER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 51, a bill to provide for the admission of the State of Washington, D.C. into the Union.

S. 115

At the request of Ms. KLOBUCHAR, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 115, a bill to direct the Secretary of Commerce to conduct a study and submit to Congress a report on the effects of the COVID–19 pandemic on the travel and tourism industry in the United States, and for other purposes.

S. 127

At the request of Mr. REED, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 127, a bill to support library infrastructure.

S. 145

At the request of Mr. DAINES, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 145, a bill to amend title 5, United States Code, to repeal the requirement that the United States Postal Service prepay future retirement benefits, and for other purposes.

S. 193

At the request of Mr. THUNE, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 193, a bill to require the Administrator of the Environmental Protection Agency to update the modeling used for lifecycle greenhouse gas assessments for corn-based ethanol and biodiesel, and for other purposes.

S. 222

At the request of Mr. BOOKER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 222, a bill to establish American opportunity accounts, and for other purposes.

S. 403

At the request of Mr. YOUNG, the names of the Senator from North Dakota (Mr. CRAMER), the Senator from Idaho (Mr. RISCH) and the Senator from Kansas (Mr. MARSHALL) were added as cosponsors of S. 403, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects, and for other purposes.

S. 450

At the request of Mr. BURR, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. 450, a bill to award posthumously the Congressional Gold Medal to Emmett Till and Mamie Till-Mobley.

S. 457

At the request of Mr. BOOKER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 457, a bill to establish a grant program for innovative partnerships among teacher preparation programs, local educational agencies, and community-based organizations to expand access to high-quality tutoring in hard-to-staff schools and high-need schools, and for other purposes.

S. 479

At the request of Mr. WICKER, the names of the Senator from Arizona (Ms. SINEMA) and the Senator from California (Mr. PADILLA) were added as cosponsors of S. 479, a bill to amend the Internal Revenue Code of 1986 to reinstate advance refunding bonds.

S. 488

At the request of Mr. HAGERTY, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 488, a bill to provide for congressional review of actions to terminate or waive sanctions imposed with respect to Iran.

S. 543

At the request of Mrs. FISCHER, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 543, a bill to amend the Packers and Stockyards Act, 1921, to establish a cattle contract library, and for other purposes.

S. 552

At the request of Mr. CARDIN, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 552, a bill to direct the Administrator of the United States Agency for International Development to submit to Congress a report on the impact of the COVID–19 pandemic on global basic education programs.

S. 611

At the request of Mr. DURBIN, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 611, a bill to deposit certain funds into the Crime Victims Fund, to waive matching requirements, and for other purposes.

S. 623

At the request of Mr. RUBIO, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 623, a bill to make daylight saving time permanent, and for other purposes.

S. 632

At the request of Ms. HIRONO, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 632, a bill to amend chapter 11 of title 35, United States Code, to require the voluntary collection of demographic information for patent inventors, and for other purposes.

S. 644

At the request of Mr. DURBIN, the names of the Senator from South Dakota (Mr. ROUNDS) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 644, a bill to amend title XVIII of the Social Security Act to restore State authority to waive for certain facilities the 35-mile rule for designating critical access hospitals under the Medicare program, and for other purposes.

S. 662

At the request of Mrs. FISCHER, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 662, a bill to establish an interactive online dashboard to allow the public to review information for Federal grant funding related to mental health programs.

S. 701

At the request of Mr. MORAN, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 701, a bill to amend titles XVIII and XIX of the Social Security Act to provide equal coverage of in vitro specific IgE tests and percutaneous tests for allergies under the Medicare and Medicaid programs, and for other purposes.

S. 723

At the request of Ms. COLLINS, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 723, a bill to amend the Small Business Act and the CARES Act to extend the covered period for the paycheck protection program, and for other purposes.

S. 745

At the request of Ms. KLOBUCHAR, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 745, a bill to make high-speed broadband internet service accessible and affordable to all Americans, and for other purposes.

S. 774

At the request of Mr. TILLIS, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 774, a bill to amend title 18, United States Code, to punish criminal offenses targeting law enforcement officers, and for other purposes.

S. 805

At the request of Mr. LEE, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 805, a bill to repeal the wage requirements of the Davis-Bacon Act.

S. 834

At the request of Mr. MENENDEZ, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 834, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 844

At the request of Mr. THUNE, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 844, a bill to amend the Internal Revenue Code of 1986 to treat certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care.

S. 864

At the request of Mr. KAINE, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 864, a bill to extend Federal Pell Grant eligibility of certain short-term programs.

S. 874

At the request of Ms. WARREN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 874, a bill to establish a green transportation infrastructure grant program, and for other purposes.

S. 881

At the request of Mr. CORNYN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 881, a bill to amend the Internal Revenue Code of 1986 to increase the national limitation amount for qualified highway or surface freight transfer facility bonds.

S. 884

At the request of Mr. LEE, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 884, a bill to close loopholes in the immigration laws that serve as incentives to aliens to attempt to enter the United States unlawfully, and for other purposes.

S. 888

At the request of Mr. BOOKER, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 888, a bill to prohibit discrimination based on an individual's texture or style of hair.

S. 891

At the request of Mr. KING, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 891, a bill to amend the Internal Revenue Code of 1986 to establish a refundable tax credit for the installation of energy efficient air source heat pumps.

S. 903

At the request of Mrs. BLACKBURN, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 903, a bill to amend the Immigration and Nationality Act to require a DNA test to determine the familial relationship between an alien and an accompanying minor, and for other purposes.

S. 910

At the request of Mr. MERKLEY, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 910, a bill to create protections for financial institutions that provide financial services to cannabis-related legitimate businesses and service providers for such businesses, and for other purposes.

S. 918

At the request of Mr. BARRASSO, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 918, a bill to offer financial support to health care providers, and for other purposes.

S. 937

At the request of Ms. HIRONO, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Rhode Island (Mr. REED) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 937, a bill to facilitate the expedited review of COVID–19 hate crimes, and for other purposes.

S.J. RES. 10

At the request of Mr. KAINE, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S.J. Res. 10, a joint resolution to repeal the authorizations for use of military force against Iraq, and for other purposes.

S. RES. 34

At the request of Mr. MENENDEZ, the names of the Senator from Virginia (Mr. KAINE), the Senator from Georgia (Mr. WARNOCK) and the Senator from Nevada (Ms. CORTEZ MASTO) were added as cosponsors of S. Res. 34, a resolution recognizing the 200th anniversary of the independence of Greece and celebrating democracy in Greece and the United States.

S. RES. 99

At the request of Mr. MENENDEZ, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of S. Res. 99, a resolution observing the 10th anniversary of the uprising in Syria.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTION

By Ms. HIRONO (for herself, Mrs. GILLIBRAND, Ms. SMITH, Ms. KLOBUCHAR, Ms. BALDWIN, Mr. PADILLA, Mrs. FEINSTEIN, Mr. HEINRICH, Ms. DUCKWORTH, Mr. TESTER, and Mr. BLUMENTHAL):

S. 945. A bill to provide temporary impact aid construction grants to eligible local educational agencies, and for

other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. HIRONO. Mr. President, during the last year we have all experienced the impacts of the coronavirus on everyday life. The coronavirus has shuttered businesses, closed schools, cancelled events, and overwhelmed hospitals and other health care facilities. It has fundamentally changed how we live our lives.

I can think of few better examples of where this has been the case than in our K–12 schools. Hawaii public school students, parents, and teachers have told me about how they have been impacted by the coronavirus. I have learned about the challenges they have faced with school closures, and heard about how they have adjusted to distance and hybrid learning—two terms that were pretty unfamiliar just a year ago. They are ready to return to the classroom.

But they need to return safely. That's why Congress recently provided an additional $130 billion for K–12 schools—to make sure that when they do reopen, they have the necessary resources to provide healthy and safe learning environments for students. If nothing else, the coronavirus has demonstrated how important these environments are for student success.

Unfortunately, however, we know that even before the coronavirus many students lacked access to these environments—including students in federally impacted school districts.

In many ways it comes down to school facilities. A recent survey identified $4.2 billion in school facility needs in federally impacted schools. These were basic health and safety needs to address issues like lead and mold remediation; electrical, HV AC, and plumbing upgrades; leaky roofs; expired boilers; outdated technology; and others—hardly conditions where students can be expected to succeed.

We need to make bold investments. We need to make them now.

That's why I am reintroducing the Impact Aid Infrastructure Act (or ''IAIA'') for the 117th Congress. IAIA provides $1 billion in supplemental funding for Impact Aid Construction Grants in FY2022. Specifically, the bill provides funding for competitive and formula grants that would help our federally impacted schools build, renovate, repair, and otherwise improve their facilities.

With these funds, federally impacted schools that are severely disadvantaged when it comes to raising revenue to finance projects would receive much-needed assistance.

We can certainly do more for these districts, but this investment is a start.

I urge my colleagues to support this important legislation.

I yield the floor.

By Mr. GRASSLEY (for himself, Mr. TESTER, Mr. HOEVEN, Ms. SMITH, Ms. ERNST, Mr. WYDEN, Mr. ROUNDS, Mr. BOOKER, and Mr. DAINES):

S. 949. A bill to amend the Agricultural Marketing Act of 1946 to foster efficient markets and increase competition and transparency among packers that purchase livestock from producers; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. GRASSLEY. Mr. President, on another subject, over the years, the consolidation of the beef industry has threatened the livelihood of Iowa farm families and rural communities where they reside, and it isn't limited to just Iowa. This would be farmers all over the country.

I have been working since 2002 to increase the producers' leverage against processors, improve market price discovery, and better situate independent Iowa cattlemen in the fed cattle markets.

This past year, these issues became even more apparent and urgent because of the COVID pandemic. While the cattle industry has internally looked for ways to increase the amount of cash trade, it has not been able to find a solution.

Unfortunately, this means that government intervention is needed as it is past time for a solution. The government needs to step in to guarantee that the free market treats cattlemen fairly.

From the 2012 USDA ''Agriculture Census'' to the 2017 ''Agriculture Census,'' Iowa lost nearly 1,500 cattle producers. While we don't have USDA statistics from the past 2 years, the release of the 2022 USDA ''Agriculture Census'' will likely see an even more dramatic loss of producers because of the pandemic. I know this because of my many conversations I have with independent cattle producers from nearly every county in Iowa.

During my meetings in all 99 Iowa counties, cattle market transparency and my bill introduced last Congress with Senator TESTER, mandating 50 percent of negotiated cash trade in the cattle markets, is one of the most mentioned topics at those county meetings. The aid that Congress offered via the USDA Coronavirus Food Assistance Program provided over $7 billion in assistance to cattle producers so far.

However, this assistance is merely a bandaid covering a gaping wound. Congress must step up again and, instead of providing payments to producers, make sure that producers have access to fair and transparent markets. From the Holcomb, KS, fire at a Tyson's facility to the widely reported closures of processing plants due to the coronavirus outbreaks, we continue to see a wide disparity between the cash price of fed cattle and the price of boxed beef, which, in turn, affects consumer costs.

Normally, the packer spread between the price of live cattle and boxed beef is about $21 per hundredweight, but USDA's report on the coronavirus shutdowns showed that, last May, this spread was $279, as opposed to that usual $21 per hundredweight, the highest since reporting began 20 years ago.

It is just part of a pattern that has evolved during my time in the Senate. That pattern is that farmers are getting a smaller amount of the overall dollar for their food production.

I appreciate the leadership from Secretary Perdue in issuing their USDA report last August. That report helps the cause for the Grassley-Tester legislation. Beyond just highlighting problems, Perdue also offered recommendations, one of which was for Congress to consider a mechanism to mandate a level of negotiated cash trade. This is not a new issue in the beef industry. In fact, I first introduced a bill that would mandate cash trade way back almost 20 years.

Today, on behalf of Iowa's independent cattle producers, I am proud to reintroduce my bill with Senator TESTER to mandate negotiated cash trade at 50 percent. Without a mandated amount of cash trade, producers continue to be residual suppliers and will lack leverage to fairly negotiate with packing companies.

Earlier this month, Senator DEB FISCHER of Nebraska introduced the Cattle Market Transparency Act of 2021. There are some excellent provisions in Senator FISCHER's bill, such as the creation of a contract library, as well as new required reports on the number of cattle scheduled for delivery. These provisions will add great transparency and great price discovery. They are important to Iowans, as they are to Nebraskans.

However, when it comes to a negotiated amount of cash trade, Senator FISCHER's bill only mandates a regional minimum. This means price discovery would still be reliant upon cattle producers who already are negotiating.

So what is price discovery?

Well, put simply, price discovery is where a buyer and a seller agree on a price and a transaction occurs.

Cattle producers of all sizes and in all regions recognize that price discovery is a public good, a very good public good. These producers also realize that the thinning of the cash market is a serious problem for all market participants. Producers in the Midwest of the U.S. reporting regions already provide ample price discovery by putting in hard work and selling cattle using negotiated means at nearly 60 percent. They do this while producers who sell with formulas use these prices in their contracts. That is why something must be done. Any legislative solution should address the imbalance of the cash trade across the entire beef belt.

My bill with Senator TESTER would simply shift the burden of price discovery from independent producers, like those in Iowa, and spread it evenly among all cattle producers.

I am looking forward to working with Senator FISCHER and the entire Senate Agriculture Committee to

make permanent changes in mandatory price reporting, which needs to be reauthorized by September 30 of this year.

Cattle producers are counting on us to make changes. We can no longer take a wait-and-see approach. The beef industry employs hundreds of thousands of hard-working men and women who work each day to help feed our country and the world, but the USDA Agriculture Census shows we are losing these producers.

I am asking my colleagues in the Senate to cosponsor my bill with Senator TESTER to ensure the strength of the beef supply chain and to support our cattle producers.

By Mr. DURBIN (for himself, Mr. VAN HOLLEN, Mr. BROWN, Mr. SCHATZ, and Ms. BALDWIN):

S. 961. A bill to prioritize funding for an expanded and sustained national investment in basic science research; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 961

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 ''American Innovation Act''.

SEC. 2. APPROPRIATIONS FOR INNOVATION.

(a) IN GENERAL.—There are hereby authorized to be appropriated, and appropriated, out of any monies in the Treasury not otherwise appropriated, the following:

(1) NATIONAL SCIENCE FOUNDATION.—For the National Science Foundation—

(A) for fiscal year 2022, $9,081,000,000;
(B) for fiscal year 2023, $9,716,000,000;
(C) for fiscal year 2024, $10,397,000,000;
(D) for fiscal year 2025, $11,124,000,000;
(E) for fiscal year 2026, $11,903,000,000;
(F) for fiscal year 2027, $12,736,000,000;
(G) for fiscal year 2028, $13,628,000,000;
(H) for fiscal year 2029, $14,582,000,000;
(I) for fiscal year 2030, $15,603,000,000;
(J) for fiscal year 2031, $16,695,000,000; and
(K) for fiscal year 2032 and each fiscal year thereafter, the amount appropriated under this paragraph for the previous fiscal year, increased by the percentage increase (if any), during the previous fiscal year, in the Consumer Price Index for all urban consumers published by the Bureau of Labor Statistics.

(2) DEPARTMENT OF ENERGY, OFFICE OF SCIENCE.—For the Office of Science at the Department of Energy—

(A) for fiscal year 2022, $7,518,000,000;
(B) for fiscal year 2023, $8,044,000,000;
(C) for fiscal year 2024, $8,607,000,000;
(D) for fiscal year 2025, $9,210,000,000;
(E) for fiscal year 2026, $9,854,000,000;
(F) for fiscal year 2027, $10,544,000,000;
(G) for fiscal year 2028, $11,282,000,000;
(H) for fiscal year 2029, $12,072,000,000;
(I) for fiscal year 2030, $12,917,000,000;
(J) for fiscal year 2031, $13,821,000,000; and
(K) for fiscal year 2032 and each fiscal year thereafter, the amount appropriated under this paragraph for the previous fiscal year, increased by the percentage increase (if any), during the previous fiscal year, in the Consumer Price Index for all urban consumers published by the Bureau of Labor Statistics.

(3) DEPARTMENT OF DEFENSE SCIENCE AND TECHNOLOGY PROGRAMS.—For the Department of Defense science and technology programs—

(A) for fiscal year 2022, $18,054,000,000;
(B) for fiscal year 2023, $19,318,000,000;
(C) for fiscal year 2024, $20,670,000,000;
(D) for fiscal year 2025, $22,117,000,000;
(E) for fiscal year 2026, $23,665,000,000;
(F) for fiscal year 2027, $25,322,000,000;
(G) for fiscal year 2028, $27,094,000,000;
(H) for fiscal year 2029, $28,991,000,000;
(I) for fiscal year 2030, $31,020,000,000;
(J) for fiscal year 2031, $33,192,000,000; and
(K) for fiscal year 2032 and each fiscal year thereafter, the amount appropriated under this paragraph for the previous fiscal year, increased by the percentage increase (if any), during the previous fiscal year, in the Consumer Price Index for all urban consumers published by the Bureau of Labor Statistics.

(4) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES.—For the scientific and technical research and services of the National Institute of Standards and Technology at the Department of Commerce—

(A) for fiscal year 2022, $843,000,000;
(B) for fiscal year 2023, $902,000,000;
(C) for fiscal year 2024, $965,000,000;
(D) for fiscal year 2025, $1,033,000,000;
(E) for fiscal year 2026, $1,105,000,000;
(F) for fiscal year 2027, $1,183,000,000;
(G) for fiscal year 2028, $1,265,000,000;
(H) for fiscal year 2029, $1,354,000,000;
(I) for fiscal year 2030, $1,449,000,000;
(J) for fiscal year 2031, $1,550,000,000; and
(K) for fiscal year 2032 and each fiscal year thereafter, the amount appropriated under this paragraph for the previous fiscal year, increased by the percentage increase (if any), during the previous fiscal year, in the Consumer Price Index for all urban consumers published by the Bureau of Labor Statistics.

(5) NATIONAL AERONAUTICS AND SPACE ADMINISTRATION SCIENCE MISSION DIRECTORATE.—For the Science Mission Directorate at the National Aeronautics and Space Administration—

(A) for fiscal year 2022, $7,728,000,000;
(B) for fiscal year 2023, $8,268,000,000;
(C) for fiscal year 2024, $8,847,000,000;
(D) for fiscal year 2025, $9,467,000,000;
(E) for fiscal year 2026, $10,129,000,000;
(F) for fiscal year 2027, $10,838,000,000;
(G) for fiscal year 2028, $11,597,000,000;
(H) for fiscal year 2029, $12,409,000,000;
(I) for fiscal year 2030, $13,277,000,000;
(J) for fiscal year 2031, $14,207,000,000; and
(K) for fiscal year 2032 and each fiscal year thereafter, the amount appropriated under this paragraph for the previous fiscal year, increased by the percentage increase (if any), during the previous fiscal year, in the Consumer Price Index for all urban consumers published by the Bureau of Labor Statistics.

(b) AVAILABILITY.—Amounts appropriated under subsection (a) shall remain available until expended.

(c) DEFINITIONS.—In this section:

(1) DEPARTMENT OF DEFENSE SCIENCE AND TECHNOLOGY PROGRAMS.—The term ''Department of Defense science and technology programs'' means the appropriations accounts that support the various institutes, offices, and centers that make up the Department of Defense science and technology programs.

(2) NATIONAL SCIENCE FOUNDATION.—The term ''National Science Foundation'' means the appropriations accounts that support the various institutes, offices, and centers that make up the National Science Foundation.

(3) OFFICE OF SCIENCE AT THE DEPARTMENT OF ENERGY.—The term ''Office of Science at the Department of Energy'' means the appropriations accounts that support the various institutes, offices, and centers that make up the Department of Energy Office of Science.

(4) SCIENCE MISSION DIRECTORATE AT THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.—The term ''Science Mission Directorate at the National Aeronautics and Space Administration'' means the appropriations accounts that support the various institutes, offices, and centers that make up the National Aeronautics and Space Administration Science Mission Directorate.

(5) SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES OF THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—The term ''scientific and technical research and services of the National Institute of Standards and Technology'' means the appropriations accounts that support the various institutes, offices, and centers that make up the National Institute of Standards and Technology scientific and technical research and services.

(d) EXEMPTION OF CERTAIN APPROPRIATIONS FROM SEQUESTRATION.—

(1) IN GENERAL.—Section 255(g)(1)(A) of the Balanced Budget and Emergency Deficit Control Act (2 U.S.C. 905(g)(1)(A)) is amended by inserting after ''Advances to the Unemployment Trust Fund and Other Funds (16–0327–0–1–600).'' the following:

''Appropriations under the American Innovation Act.''.

(2) APPLICABILITY.—The amendment made by this section shall apply to any sequestration order issued under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) on or after the date of enactment of this Act.

(e) BUDGETARY EFFECTS.—

(1) STATUTORY PAYGO SCORECARDS.—The budgetary effects of this section shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay As-You-Go Act of 2010 (2 U.S.C. 933(d)).

(2) SENATE PAYGO SCORECARDS.—The budgetary effects of this section shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

By Mr. DURBIN (for himself, Mr. VAN HOLLEN, Ms. BALDWIN, Mr. BROWN, Mr. CARDIN, Mr. BLUMENTHAL, and Ms. KLOBUCHAR):

S. 962. A bill to prioritize funding for an expanded and sustained national investment in biomedical research; to the Committee on Appropriations.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 962

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 ''American Cures Act''.

SEC. 2. APPROPRIATIONS FOR INNOVATION.

(a) IN GENERAL.—There are hereby authorized to be appropriated, and appropriated, out of any monies in the Treasury not otherwise appropriated, the following:

(1) NATIONAL INSTITUTES OF HEALTH.—For the National Institutes of Health at the Department of Health and Human Services—

(A) for fiscal year 2022, $45,903,000,000;
(B) for fiscal year 2023, $49,116,000,000;
(C) for fiscal year 2024, $52,554,000,000;
(D) for fiscal year 2025, $56,233,000,000;
(E) for fiscal year 2026, $60,169,000,000;
(F) for fiscal year 2027, $64,380,000,000;

(G) for fiscal year 2028, $68,890,000,000;
(H) for fiscal year 2029, $73,710,000,000;
(I) for fiscal year 2030, $78,870,000,000;
(J) for fiscal year 2031, $84,390,000,000; and
(K) for fiscal year 2032 and each fiscal year thereafter, the amount appropriated under this paragraph for the previous fiscal year, increased by the percentage increase (if any), during the previous fiscal year, in the Consumer Price Index for all urban consumers published by the Bureau of Labor Statistics.

(2) CENTERS FOR DISEASE CONTROL AND PREVENTION.—For the Centers for Disease Control and Prevention at the Department of Health and Human Services—
(A) for fiscal year 2022, $8,453,000,000;
(B) for fiscal year 2023, $9,044,000,000;
(C) for fiscal year 2024, $9,667,000,000;
(D) for fiscal year 2025, $10,354,000,000;
(E) for fiscal year 2026, $11,079,000,000;
(F) for fiscal year 2027, $11,850,000,000;
(G) for fiscal year 2028, $12,680,000,000;
(H) for fiscal year 2029, $13,570,000,000;
(I) for fiscal year 2030, $14,520,000,000;
(J) for fiscal year 2031, $15,540,000,000; and
(K) for fiscal year 2032 and each fiscal year thereafter, the amount appropriated under this paragraph for the previous fiscal year, increased by the percentage increase (if any), during the previous fiscal year, in the Consumer Price Index for all urban consumers published by the Bureau of Labor Statistics.

(3) RESEARCH, DEVELOPMENT, TEST, AND EVALUATION PROGRAM OF THE DEPARTMENT OF DEFENSE HEALTH PROGRAM.—For the research, development, test, and evaluation program of the Department of Defense health program—
(A) for fiscal year 2022, $2,890,000,000;
(B) for fiscal year 2023, $3,090,000,000;
(C) for fiscal year 2024, $3,310,000,000;
(D) for fiscal year 2025, $3,540,000,000;
(E) for fiscal year 2026, $3,790,000,000;
(F) for fiscal year 2027, $4,060,000,000;
(G) for fiscal year 2028, $4,340,000,000;
(H) for fiscal year 2029, $4,640,000,000;
(I) for fiscal year 2030, $4,970,000,000;
(J) for fiscal year 2031, $5,320,000,000; and
(K) for fiscal year 2032 and each fiscal year thereafter, the amount appropriated under this paragraph for the previous fiscal year, increased by the percentage increase (if any), during the previous fiscal year, in the Consumer Price Index for all urban consumers published by the Bureau of Labor Statistics.

(4) MEDICAL AND PROSTHETICS RESEARCH PROGRAM OF THE DEPARTMENT OF VETERANS AFFAIRS.—For the medical and prosthetics research program of the Department of Veterans Affairs—
(A) for fiscal year 2022, $872,000,000;
(B) for fiscal year 2023, $933,000,000;
(C) for fiscal year 2024, $998,000,000;
(D) for fiscal year 2025, $1,070,000,000;
(E) for fiscal year 2026, $1,140,000,000;
(F) for fiscal year 2027, $1,220,000,000;
(G) for fiscal year 2028, $1,310,000,000;
(H) for fiscal year 2029, $1,400,000,000;
(I) for fiscal year 2030, $1,500,000,000;
(J) for fiscal year 2031, $1,600,000,000; and
(K) for fiscal year 2032 and each fiscal year thereafter, the amount appropriated under this paragraph for the previous fiscal year, increased by the percentage increase (if any), during the previous fiscal year, in the Consumer Price Index for all urban consumers published by the Bureau of Labor Statistics.

(b) AVAILABILITY.—Amounts appropriated under subsection (a) shall remain available until expended.

(c) DEFINITIONS.—In this section:

(1) CENTERS FOR DISEASE CONTROL AND PREVENTION.—The term ''Centers for Disease Control and Prevention'' means the appropriations accounts that support the various institutes, offices, and centers that make up the Centers for Disease Control and Prevention.

(2) RESEARCH, DEVELOPMENT, TEST, AND EVALUATION PROGRAM OF THE DEPARTMENT OF DEFENSE HEALTH PROGRAM.—The term ''research, development, test, and evaluation program of the Department of Defense health program'' means the appropriations accounts that support the various institutes, offices, and centers that make up the research, development, test, and evaluation program of the Department of Defense health program.

(3) MEDICAL AND PROSTHETICS RESEARCH PROGRAM OF THE DEPARTMENT OF VETERANS AFFAIRS.—The term ''medical and prosthetics research program of the Department of Veterans Affairs'' means the appropriations accounts that support the various institutes, offices, and centers that make up the medical and prosthetics research program of the Department of Veterans Affairs.

(4) NATIONAL INSTITUTES OF HEALTH.—The term ''National Institutes of Health'' means the appropriations accounts that support the various institutes, offices, and centers that make up the National Institutes of Health.

(d) EXEMPTION OF CERTAIN APPROPRIATIONS FROM SEQUESTRATION.—

(1) IN GENERAL.—Section 255(g)(1)(A) of the Balanced Budget and Emergency Deficit Control Act (2 U.S.C. 905(g)(1)(A)) is amended by inserting after ''Advances to the Unemployment Trust Fund and Other Funds (16–0327–0–1–600).'' the following:

''Appropriations under the American Cures Act.''.

(2) APPLICABILITY.—The amendment made by this section shall apply to any sequestration order issued under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) on or after the date of enactment of this Act.

(e) BUDGETARY EFFECTS.—

(1) STATUTORY PAYGO SCORECARDS.—The budgetary effects of this section shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay As-You-Go Act of 2010 (2 U.S.C. 933(d)).

(2) SENATE PAYGO SCORECARDS.—The budgetary effects of this section shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

By Mr. DURBIN (for himself, Ms. HIRONO, and Ms. DUCKWORTH):

S. 963. A bill to authorize dedicated domestic terrorism offices within the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation to analyze and monitor domestic terrorist activity and require the Federal Government to take steps to prevent domestic terrorism, and for other purposes; read the first time.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 963

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 ''Domestic Terrorism and Hate Crimes Prevention Act of 2021''.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term ''Director'' means the Director of the Federal Bureau of Investigation;

(2) the term ''domestic terrorism'' has the meaning given the term in section 2331 of title 18, United States Code, except that it does not include acts perpetrated by individuals associated with or inspired by—

(A) a foreign person or organization designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189);

(B) an individual or organization designated under Executive Order 13224 (50 U.S.C. 1701 note); or

(C) a state sponsor of terrorism as determined by the Secretary of State under section 6(j) of the Export Administration Act of 1979 (50 U.S.C. 4605), section 40 of the Arms Export Control Act (22 U.S.C. 2780), or section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371);

(3) the term ''Domestic Terrorism Executive Committee'' means the committee within the Department of Justice tasked with assessing and sharing information about ongoing domestic terrorism threats;

(4) the term ''hate crime incident'' means an act described in section 241, 245, 247, or 249 of title 18, United States Code, or in section 901 of the Civil Rights Act of 1968 (42 U.S.C. 3631);

(5) the term ''Secretary'' means the Secretary of Homeland Security; and

(6) the term ''uniformed services'' has the meaning given the term in section 101(a) of title 10, United States Code.

SEC. 3. OFFICES TO COMBAT DOMESTIC TERRORISM.

(a) AUTHORIZATION OF OFFICES TO MONITOR, ANALYZE, INVESTIGATE, AND PROSECUTE DOMESTIC TERRORISM.—

(1) DOMESTIC TERRORISM UNIT.—There is authorized a Domestic Terrorism Unit in the Office of Intelligence and Analysis of the Department of Homeland Security, which shall be responsible for monitoring and analyzing domestic terrorism activity.

(2) DOMESTIC TERRORISM OFFICE.—There is authorized a Domestic Terrorism Office in the Counterterrorism Section of the National Security Division of the Department of Justice—

(A) which shall be responsible for investigating and prosecuting incidents of domestic terrorism; and

(B) which shall be headed by the Domestic Terrorism Counsel.

(3) DOMESTIC TERRORISM SECTION OF THE FBI.—There is authorized a Domestic Terrorism Section within the Counterterrorism Division of the Federal Bureau of Investigation, which shall be responsible for investigating domestic terrorism activity.

(4) STAFFING.—The Secretary, the Attorney General, and the Director shall each ensure that each office authorized under this section in their respective agencies shall—

(A) have adequate number of employees to perform the required duties;

(B) have not less than one employee dedicated to ensuring compliance with civil rights and civil liberties laws and regulations; and

(C) require that all employees undergo annual anti-bias training.

(5) SUNSET.—The offices authorized under this subsection shall terminate on the date that is 10 years after the date of enactment of this Act.

(b) JOINT REPORT ON DOMESTIC TERRORISM.—

(1) BIANNUAL REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act, and each 6 months thereafter for the 10-year period beginning on the date of enactment of this Act, the Secretary of Homeland Security, the Attorney General, and the Director of the Federal Bureau of Investigation shall submit a joint report authored by the domestic terrorism offices authorized under paragraphs (1), (2), and (3) of subsection (a) to—

(A) the Committee on the Judiciary, the Committee on Homeland Security and Governmental Affairs, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on the Judiciary, the Committee on Homeland Security, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include—

(A) an assessment of the domestic terrorism threat posed by White supremacists and neo-Nazis, including White supremacist and neo-Nazi infiltration of Federal, State, and local law enforcement agencies and the uniformed services; and

(B)(i) in the first report, an analysis of incidents or attempted incidents of domestic terrorism that have occurred in the United States since April 19, 1995, including any White-supremacist-related incidents or attempted incidents; and

(ii) in each subsequent report, an analysis of incidents or attempted incidents of domestic terrorism that occurred in the United States during the preceding 6 months, including any White-supremacist-related incidents or attempted incidents; and

(C) a quantitative analysis of domestic terrorism for the preceding 6 months, including—

(i) the number of—

(I) domestic terrorism related assessments initiated by the Federal Bureau of Investigation, including the number of assessments from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism;

(II) domestic terrorism-related preliminary investigations initiated by the Federal Bureau of Investigation, including the number of preliminary investigations from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism, and how many preliminary investigations resulted from assessments;

(III) domestic terrorism-related full investigations initiated by the Federal Bureau of Investigation, including the number of full investigations from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism, and how many full investigations resulted from preliminary investigations and assessments;

(IV) domestic terrorism-related incidents, including the number of incidents from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism, the number of deaths and injuries resulting from each incident, and a detailed explanation of each incident;

(V) Federal domestic terrorism-related arrests, including the number of arrests from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism, and a detailed explanation of each arrest;

(VI) Federal domestic terrorism-related indictments, including the number of indictments from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism, and a detailed explanation of each indictment;

(VII) Federal domestic terrorism-related prosecutions, including the number of incidents from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism, and a detailed explanation of each prosecution;

(VIII) Federal domestic terrorism-related convictions, including the number of convictions from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism, and a detailed explanation of each conviction; and

(IX) Federal domestic terrorism-related weapons recoveries, including the number of each type of weapon and the number of weapons from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism; and

(ii) an explanation of each individual case that progressed through more than 1 of the stages described under clause (i)—

(I) including the specific classification or subcategory for each case; and

(II) not including personally identifiable information not otherwise releasable to the public.

(3) HATE CRIMES.—In compiling a joint report under this subsection, the domestic terrorism offices authorized under paragraphs (1), (2), and (3) of subsection (a) shall, in consultation with the Civil Rights Division of the Department of Justice and the Civil Rights Unit of the Federal Bureau of Investigation, review each hate crime incident reported during the preceding 6 months to determine whether the incident also constitutes a domestic terrorism-related incident.

(4) CLASSIFICATION AND PUBLIC RELEASE.—Each report submitted under paragraph (1) shall be—

(A) unclassified, to the greatest extent possible, with a classified annex only if necessary; and

(B) in the case of the unclassified portion of the report, posted on the public websites of the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation.

(5) NONDUPLICATION.—If two or more provisions of this subsection or any other law impose requirements on an agency to report or analyze information on domestic terrorism that are substantially similar, the agency shall construe such provisions as mutually supplemental, so as to provide for the most extensive reporting or analysis, and shall comply with each such requirement as fully as possible.

(c) DOMESTIC TERRORISM EXECUTIVE COMMITTEE.—There is authorized a Domestic Terrorism Executive Committee, which shall—

(1) meet on a regular basis, and not less regularly than 4 times each year, to coordinate with United States Attorneys and other key public safety officials across the country to promote information sharing and ensure an effective, responsive, and organized joint effort to combat domestic terrorism; and

(2) be co-chaired by—

(A) the Domestic Terrorism Counsel authorized under subsection (a)(2)(B);

(B) a United States Attorney or Assistant United States Attorney;

(C) a member of the National Security Division of the Department of Justice; and

(D) a member of the Federal Bureau of Investigation.

(d) FOCUS ON GREATEST THREATS.—The domestic terrorism offices authorized under paragraphs (1), (2), and (3) of subsection (a) shall focus their limited resources on the most significant domestic terrorism threats, as determined by the number of domestic terrorism-related incidents from each category and subclassification in the joint report for the preceding 6 months required under subsection (b).

SEC. 4. TRAINING TO COMBAT DOMESTIC TERRORISM.

(a) REQUIRED TRAINING AND RESOURCES.—The Secretary, the Attorney General, and the Director shall review the anti-terrorism training and resource programs of their respective agencies that are provided to Federal, State, local, and Tribal law enforcement agencies, including the State and Local Anti-Terrorism Program that is funded by the Bureau of Justice Assistance of the Department of Justice, and ensure that such programs include training and resources to assist State, local, and Tribal law enforcement agencies in understanding, detecting, deterring, and investigating acts of domestic terrorism and White supremacist and neo-Nazi infiltration of law enforcement and corrections agencies. The domestic-terrorism training shall focus on the most significant domestic terrorism threats, as determined by the quantitative analysis in the joint report required under section 3(b).

(b) REQUIREMENT.—Any individual who provides domestic terrorism training required under this section shall have—

(1) expertise in domestic terrorism; and

(2) relevant academic, law enforcement, or other community-based experience in matters related to domestic terrorism.

(c) REPORT.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act and twice each year thereafter, the Secretary, the Attorney General, and the Director shall each submit a biannual report to the committees of Congress described in section 3(b)(1) on the domestic terrorism training implemented by their respective agencies under this section, which shall include copies of all training materials used and the names and qualifications of the individuals who provide the training.

(2) CLASSIFICATION AND PUBLIC RELEASE.—Each report submitted under paragraph (1) shall be—

(A) unclassified, to the greatest extent possible, with a classified annex only if necessary; and

(B) in the case of the unclassified portion of each report, posted on the public website of the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation.

SEC. 5. INTERAGENCY TASK FORCE.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General, the Director, the Secretary, and the Secretary of Defense shall establish an interagency task force to analyze and combat White supremacist and neo-Nazi infiltration of the uniformed services and Federal law enforcement agencies.

(b) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the interagency task force is established under subsection (a), the Attorney General, the Director, the Secretary, and the Secretary of Defense shall submit a joint report on the findings of the task force and the response of the Attorney General, the Director, the Secretary, and the Secretary of Defense to such findings, to—

(A) the Committee on the Judiciary of the Senate;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Select Committee on Intelligence of the Senate;

(D) the Committee on Armed Services of the Senate;

(E) the Committee on the Judiciary of the House of Representatives;

(F) the Committee on Homeland Security of the House of Representatives;

(G) the Permanent Select Committee on Intelligence of the House of Representatives; and

(H) the Committee on Armed Services of the House of Representatives.

(2) CLASSIFICATION AND PUBLIC RELEASE.—The report submitted under paragraph (1) shall be—

(A) submitted in unclassified form, to the greatest extent possible, with a classified annex only if necessary; and

(B) in the case of the unclassified portion of the report, posted on the public website of the Department of Defense, the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation.

SEC. 6. DEPARTMENT OF JUSTICE SUPPORT FOR HATE CRIME INCIDENTS WITH A NEXUS TO DOMESTIC TERRORISM.

(a) COMMUNITY RELATIONS SERVICE.—The Community Relations Service of the Department of Justice, authorized under section 1001(a) of the Civil Rights Act of 1964 (42 U.S.C. 2000g), may offer the support of the Service to communities where the Department of Justice has brought charges in a hate crime incident that has a nexus to domestic terrorism.

(b) FEDERAL BUREAU OF INVESTIGATION.—Section 249 of title 18, United States Code, is amended by adding at the end the following:

''(e) FEDERAL BUREAU OF INVESTIGATION.—The Attorney General, acting through the Director of the Federal Bureau of Investigation, shall assign a special agent or hate crimes liaison to each field office of the Federal Bureau of Investigation to investigate hate crimes incidents with a nexus to domestic terrorism (as such term is defined in section 2 of the Domestic Terrorism and Hate Crimes Prevention Act of 2021).''.

SEC. 7. REVIEW OF COVID–19 HATE CRIMES.

(a) IN GENERAL.—Not later than 14 days after the date of enactment of this Act, the Attorney General shall designate an officer or employee of the Department of Justice whose sole responsibility during the applicable period shall be to facilitate the expedited review of COVID–19 hate crimes and reports of any such crime to Federal, State, or local law enforcement agencies.

(b) DEFINITIONS.—In this section:

(1) APPLICABLE PERIOD.—The term ''applicable period'' means the period beginning on the date on which the officer or employee is designated under subsection (a), and ending on the date that is 1 year after the date on which the emergency period described in subparagraph (B) of section 1135(g)(1) of the Social Security Act (42 U.S.C. 1320b–5(g)(1)) ends, except that the Attorney General may extend such period as appropriate.

(2) COVID–19 HATE CRIME.—The term ''COVID–19 hate crime'' means a crime of violence (as such term is defined in section 16 of 18, United States Code) that is motivated by—

(A) the actual or perceived race, ethnicity, age, color, religion, national origin, sexual orientation, gender, gender identity, or disability of any person; and

(B) the actual or perceived relationship to the spread of COVID–19 of any person because of the characteristic described in subparagraph (A).

(c) GUIDANCE.—

(1) GUIDANCE FOR LAW ENFORCEMENT AGENCIES.—The Attorney General shall issue guidance for State and local law enforcement agencies on how to—

(A) establish online reporting of hate crimes or incidents, and to have online reporting available in multiple languages as determined by the Attorney General; and

(B) expand culturally competent and linguistically appropriate public education campaigns, and collection of data and public reporting of hate crimes.

(2) GUIDANCE RELATING TO COVID–19 PANDEMIC.—The Attorney General and the Secretary of Health and Human Services, in coordination with the COVID–19 Health Equity Task Force and community-based organizations, shall issue guidance describing best practices to mitigate racially discriminatory language in describing the COVID–19 pandemic.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Department of Justice, the Federal Bureau of Investigation, the Department of Homeland Security, and the Department of Defense such sums as may be necessary to carry out this Act.

By Mr. DURBIN:

S. 964. A bill to authorize dedicated domestic terrorism offices within the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation to analyze and monitor domestic terrorist activity and require the Federal Government to take steps to prevent domestic terrorism; to the Committee on the Judiciary.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 964

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 ''Domestic Terrorism Prevention Act of 2021''.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term ''Director'' means the Director of the Federal Bureau of Investigation;

(2) the term ''domestic terrorism'' has the meaning given the term in section 2331 of title 18, United States Code, except that it does not include acts perpetrated by individuals associated with or inspired by—

(A) a foreign person or organization designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189);

(B) an individual or organization designated under Executive Order 13224 (50 U.S.C. 1701 note); or

(C) a state sponsor of terrorism as determined by the Secretary of State under section 6(j) of the Export Administration Act of 1979 (50 U.S.C. 4605), section 40 of the Arms Export Control Act (22 U.S.C. 2780), or section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371);

(3) the term ''Domestic Terrorism Executive Committee'' means the committee within the Department of Justice tasked with assessing and sharing information about ongoing domestic terrorism threats;

(4) the term ''hate crime incident'' means an act described in section 241, 245, 247, or 249 of title 18, United States Code, or in section 901 of the Civil Rights Act of 1968 (42 U.S.C. 3631);

(5) the term ''Secretary'' means the Secretary of Homeland Security; and

(6) the term ''uniformed services'' has the meaning given the term in section 101(a) of title 10, United States Code.

SEC. 3. OFFICES TO COMBAT DOMESTIC TERRORISM.

(a) AUTHORIZATION OF OFFICES TO MONITOR, ANALYZE, INVESTIGATE, AND PROSECUTE DOMESTIC TERRORISM.—

(1) DOMESTIC TERRORISM UNIT.—There is authorized a Domestic Terrorism Unit in the Office of Intelligence and Analysis of the Department of Homeland Security, which shall be responsible for monitoring and analyzing domestic terrorism activity.

(2) DOMESTIC TERRORISM OFFICE.—There is authorized a Domestic Terrorism Office in the Counterterrorism Section of the National Security Division of the Department of Justice—

(A) which shall be responsible for investigating and prosecuting incidents of domestic terrorism; and

(B) which shall be headed by the Domestic Terrorism Counsel.

(3) DOMESTIC TERRORISM SECTION OF THE FBI.—There is authorized a Domestic Terrorism Section within the Counterterrorism Division of the Federal Bureau of Investigation, which shall be responsible for investigating domestic terrorism activity.

(4) STAFFING.—The Secretary, the Attorney General, and the Director shall each ensure that each office authorized under this section in their respective agencies shall—

(A) have adequate number of employees to perform the required duties;

(B) have not less than one employee dedicated to ensuring compliance with civil rights and civil liberties laws and regulations; and

(C) require that all employees undergo annual anti-bias training.

(5) SUNSET.—The offices authorized under this subsection shall terminate on the date that is 10 years after the date of enactment of this Act.

(b) JOINT REPORT ON DOMESTIC TERRORISM.—

(1) BIANNUAL REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act, and each 6 months thereafter for the 10-year period beginning on the date of enactment of this Act, the Secretary of Homeland Security, the Attorney General, and the Director of the Federal Bureau of Investigation shall submit a joint report authored by the domestic terrorism offices authorized under paragraphs (1), (2), and (3) of subsection (a) to—

(A) the Committee on the Judiciary, the Committee on Homeland Security and Governmental Affairs, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on the Judiciary, the Committee on Homeland Security, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include—

(A) an assessment of the domestic terrorism threat posed by White supremacists and neo-Nazis, including White supremacist and neo-Nazi infiltration of Federal, State, and local law enforcement agencies and the uniformed services; and

(B)(i) in the first report, an analysis of incidents or attempted incidents of domestic terrorism that have occurred in the United States since April 19, 1995, including any White-supremacist-related incidents or attempted incidents; and

(ii) in each subsequent report, an analysis of incidents or attempted incidents of domestic terrorism that occurred in the United States during the preceding 6 months, including any White-supremacist-related incidents or attempted incidents; and

(C) a quantitative analysis of domestic terrorism for the preceding 6 months, including—

(i) the number of—

(I) domestic terrorism related assessments initiated by the Federal Bureau of Investigation, including the number of assessments from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism;

(II) domestic terrorism-related preliminary investigations initiated by the Federal Bureau of Investigation, including the number of preliminary investigations from each classification and subcategory, with a specific

classification or subcategory for those related to White supremacism, and how many preliminary investigations resulted from assessments;

(III) domestic terrorism-related full investigations initiated by the Federal Bureau of Investigation, including the number of full investigations from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism, and how many full investigations resulted from preliminary investigations and assessments;

(IV) domestic terrorism-related incidents, including the number of incidents from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism, the number of deaths and injuries resulting from each incident, and a detailed explanation of each incident;

(V) Federal domestic terrorism-related arrests, including the number of arrests from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism, and a detailed explanation of each arrest;

(VI) Federal domestic terrorism-related indictments, including the number of indictments from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism, and a detailed explanation of each indictment;

(VII) Federal domestic terrorism-related prosecutions, including the number of incidents from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism, and a detailed explanation of each prosecution;

(VIII) Federal domestic terrorism-related convictions, including the number of convictions from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism, and a detailed explanation of each conviction; and

(IX) Federal domestic terrorism-related weapons recoveries, including the number of each type of weapon and the number of weapons from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism; and

(ii) an explanation of each individual case that progressed through more than 1 of the stages described under clause (i)—

(I) including the specific classification or subcategory for each case; and

(II) not including personally identifiable information not otherwise releasable to the public.

(3) HATE CRIMES.—In compiling a joint report under this subsection, the domestic terrorism offices authorized under paragraphs (1), (2), and (3) of subsection (a) shall, in consultation with the Civil Rights Division of the Department of Justice and the Civil Rights Unit of the Federal Bureau of Investigation, review each hate crime incident reported during the preceding 6 months to determine whether the incident also constitutes a domestic terrorism-related incident.

(4) CLASSIFICATION AND PUBLIC RELEASE.—Each report submitted under paragraph (1) shall be—

(A) unclassified, to the greatest extent possible, with a classified annex only if necessary; and

(B) in the case of the unclassified portion of the report, posted on the public websites of the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation.

(5) NONDUPLICATION.—If two or more provisions of this subsection or any other law impose requirements on an agency to report or analyze information on domestic terrorism that are substantially similar, the agency shall construe such provisions as mutually supplemental, so as to provide for the most extensive reporting or analysis, and shall comply with each such requirement as fully as possible.

(c) DOMESTIC TERRORISM EXECUTIVE COMMITTEE.—There is authorized a Domestic Terrorism Executive Committee, which shall—

(1) meet on a regular basis, and not less regularly than 4 times each year, to coordinate with United States Attorneys and other key public safety officials across the country to promote information sharing and ensure an effective, responsive, and organized joint effort to combat domestic terrorism; and

(2) be co-chaired by—

(A) the Domestic Terrorism Counsel authorized under subsection (a)(2)(B);

(B) a United States Attorney or Assistant United States Attorney;

(C) a member of the National Security Division of the Department of Justice; and

(D) a member of the Federal Bureau of Investigation.

(d) FOCUS ON GREATEST THREATS.—The domestic terrorism offices authorized under paragraphs (1), (2), and (3) of subsection (a) shall focus their limited resources on the most significant domestic terrorism threats, as determined by the number of domestic terrorism-related incidents from each category and subclassification in the joint report for the preceding 6 months required under subsection (b).

SEC. 4. TRAINING TO COMBAT DOMESTIC TERRORISM.

(a) REQUIRED TRAINING AND RESOURCES.—The Secretary, the Attorney General, and the Director shall review the anti-terrorism training and resource programs of their respective agencies that are provided to Federal, State, local, and Tribal law enforcement agencies, including the State and Local Anti-Terrorism Program that is funded by the Bureau of Justice Assistance of the Department of Justice, and ensure that such programs include training and resources to assist State, local, and Tribal law enforcement agencies in understanding, detecting, deterring, and investigating acts of domestic terrorism and White supremacist and neo-Nazi infiltration of law enforcement and corrections agencies. The domestic-terrorism training shall focus on the most significant domestic terrorism threats, as determined by the quantitative analysis in the joint report required under section 3(b).

(b) REQUIREMENT.—Any individual who provides domestic terrorism training required under this section shall have—

(1) expertise in domestic terrorism; and

(2) relevant academic, law enforcement, or other community-based experience in matters related to domestic terrorism.

(c) REPORT.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act and twice each year thereafter, the Secretary, the Attorney General, and the Director shall each submit a biannual report to the committees of Congress described in section 3(b)(1) on the domestic terrorism training implemented by their respective agencies under this section, which shall include copies of all training materials used and the names and qualifications of the individuals who provide the training.

(2) CLASSIFICATION AND PUBLIC RELEASE.—Each report submitted under paragraph (1) shall be—

(A) unclassified, to the greatest extent possible, with a classified annex only if necessary; and

(B) in the case of the unclassified portion of each report, posted on the public website of the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation.

SEC. 5. INTERAGENCY TASK FORCE.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General, the Director, the Secretary, and the Secretary of Defense shall establish an interagency task force to analyze and combat White supremacist and neo-Nazi infiltration of the uniformed services and Federal law enforcement agencies.

(b) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the interagency task force is established under subsection (a), the Attorney General, the Director, the Secretary, and the Secretary of Defense shall submit a joint report on the findings of the task force and the response of the Attorney General, the Director, the Secretary, and the Secretary of Defense to such findings, to—

(A) the Committee on the Judiciary of the Senate;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Select Committee on Intelligence of the Senate;

(D) the Committee on Armed Services of the Senate;

(E) the Committee on the Judiciary of the House of Representatives;

(F) the Committee on Homeland Security of the House of Representatives;

(G) the Permanent Select Committee on Intelligence of the House of Representatives; and

(H) the Committee on Armed Services of the House of Representatives.

(2) CLASSIFICATION AND PUBLIC RELEASE.—The report submitted under paragraph (1) shall be—

(A) submitted in unclassified form, to the greatest extent possible, with a classified annex only if necessary; and

(B) in the case of the unclassified portion of the report, posted on the public website of the Department of Defense, the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation.

SEC. 6. DEPARTMENT OF JUSTICE SUPPORT FOR HATE CRIME INCIDENTS WITH A NEXUS TO DOMESTIC TERRORISM.

(a) COMMUNITY RELATIONS SERVICE.—The Community Relations Service of the Department of Justice, authorized under section 1001(a) of the Civil Rights Act of 1964 (42 U.S.C. 2000g), may offer the support of the Service to communities where the Department of Justice has brought charges in a hate crime incident that has a nexus to domestic terrorism.

(b) FEDERAL BUREAU OF INVESTIGATION.—Section 249 of title 18, United States Code, is amended by adding at the end the following:

''(e) FEDERAL BUREAU OF INVESTIGATION.—The Attorney General, acting through the Director of the Federal Bureau of Investigation, shall assign a special agent or hate crimes liaison to each field office of the Federal Bureau of Investigation to investigate hate crimes incidents with a nexus to domestic terrorism (as such term is defined in section 2 of the Domestic Terrorism Prevention Act of 2021).''.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Department of Justice, the Federal Bureau of Investigation, the Department of Homeland Security, and the Department of Defense such sums as may be necessary to carry out this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 132—EXPRESSING THE SENSE OF THE SENATE THAT THE CURRENT INFLUX OF MIGRANTS IS CAUSING A CRISIS AT THE SOUTHERN BORDER

Mr. INHOFE (for himself, Mr. HOEVEN, Mr. ROUNDS, Mrs. HYDE-SMITH, Mr. RISCH, Mr. RUBIO, Mr. CRAPO, Mr. BARRASSO, Ms. LUMMIS, Mr. BOOZMAN, Mr. COTTON, Mr. CRAMER, Mr. YOUNG, Ms. ERNST, Mr. BRAUN, Mrs. BLACKBURN, Mrs. CAPITO, Mr. THUNE, Mr. SCOTT of Florida, Mr. SULLIVAN, Mr. CRUZ, Mr. DAINES, and Mr. SCOTT of South Carolina) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 132

Now, therefore, be it

Resolved, That it is the sense of the Senate that the current influx of migrants at the Southern land border of the United States constitutes a crisis.

SENATE RESOLUTION 133—CONDEMNING ALL FORMS OF ANTI-ASIAN SENTIMENT AS RELATED TO COVID–19

Ms. HIRONO (for herself, Ms. DUCKWORTH, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. COONS, Ms. CORTEZ MASTO, Mr. DURBIN, Mrs. FEINSTEIN, Mr. KAINE, Ms. KLOBUCHAR, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mr. MURPHY, Mrs. MURRAY, Mr. PADILLA, Mr. REED, Ms. ROSEN, Mr. SANDERS, Mr. SCHATZ, Mrs. SHAHEEN, Ms. SMITH, Ms. STABENOW, Mr. VAN HOLLEN, Mr. WARNER, Mr. WARNOCK, Ms. WARREN, Mr. WHITEHOUSE, Mr. WYDEN, Mr. BENNET, and Mrs. GILLIBRAND) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 133

Whereas there are 23,000,000 Asian Americans and Pacific Islanders in the United States, constituting 7 percent of the population of the United States;

Whereas over 2,000,000 Asian Americans and Pacific Islanders are working on the front lines of the COVID–19 pandemic as first responders and in health care, law enforcement, transportation, supermarkets, and other service industries;

Whereas the use of anti-Asian terminology and rhetoric related to COVID–19, such as the ''Chinese Virus'', ''Wuhan Virus'', and ''Kung-flu'' have perpetuated anti-Asian stigma;

Whereas the use of anti-Asian rhetoric has resulted in Asian Americans being harassed, assaulted, and scapegoated for the COVID–19 pandemic;

Whereas, since January 2020, there has been a dramatic increase in reports of hate crimes and incidents against those of Asian descent in all 50 States and the District of Columbia;

Whereas, according to a recent report, there were nearly 3,800 reported cases of anti-Asian discrimination related to COVID–19 between March 19, 2020 and February 28, 2021;

Whereas, in incidents of anti-Asian violence occurring in March 2020—

(1) a woman wearing a mask was kicked and punched at a New York City subway station;

(2) 2 children and 2 adults were stabbed at a wholesale grocery in Midland, Texas;

(3) a couple was assaulted and robbed by a group of attackers in Philadelphia; and

(4) a 16-year-old boy was sent to the hospital after being attacked by bullies in Los Angeles, California;

Whereas since the start of the COVID–19 outbreak, anti-Asian discrimination and hate has continued;

Whereas a disproportionate number of attacks, approximately 68 percent, have been directed at Asian American women;

Whereas since the start of 2021, there has been a surge in anti-Asian attacks targeting predominantly elderly Asian Americans;

Whereas, on January 30, 2021, an 84-year-old Thai man, Vicha Ratanapakdee, died from injuries sustained from an unprovoked assault while on his routine morning walk in San Francisco, California;

Whereas, in January 2021, a series of attacks occurred in Oakland's Chinatown targeting Asian American seniors, and victims included a 60-year-old man and a 55-year-old woman, who, in separate incidents, were violently shoved to the ground;

Whereas, in February 2021, victims of anti-Asian violence included—

(1) a 61-year-old Filipino man who was attacked and slashed across his face on a New York City subway;

(2) a Filipino woman in her eighties who was punched in an unprovoked attack while riding a trolley in San Diego; and

(3) a 52-year-old Asian woman who was attacked and forcefully shoved while waiting in line outside a bakery in Flushing, New York;

Whereas, on March 16, 2021, 8 people, including 6 women of Asian descent, were shot to death at 3 Atlanta-area businesses and this violence has heightened the pain and fear in the Asian American and Pacific Islander community;

Whereas anti-Asian racism has also resulted in Asian American businesses being targeted for vandalism;

Whereas there are approximately 2,000,000 Asian American-owned businesses that generate over $700,000,000,000 in annual revenue and employ millions of workers;

Whereas more than 1,900,000 Asian American and Pacific Islander older adults, particularly those older adults who are recent immigrants or have limited English proficiency, may face even greater challenges in dealing with the COVID–19 pandemic, including discrimination, economic insecurity, and language isolation;

Whereas the World Health Organization (referred to in this preamble as the ''WHO'') and the Centers for Disease Control and Prevention (referred to in this preamble as the ''CDC'') recognize that naming COVID–19 using geographic terms or linking it to a specific ethnicity perpetuates stigma;

Whereas in 2015, the WHO issued guidance calling on media outlets, scientists, and national authorities to avoid naming infectious diseases for locations to avoid stigmatizing groups of people;

Whereas, on February 27, 2020, the Secretary of Health and Human Services stated, ''Ethnicity is not what causes the novel coronavirus'' and that it is inappropriate and inaccurate to call COVID–19 ''the Chinese virus'';

Whereas, on February 28, 2020, the Chief Medical Officer of the CDC said that ''stigma is the enemy of public health'';

Whereas, on March 10, 2020, the Director of the CDC testified that use of the term ''Chinese coronavirus'' is wrong and inappropriate;

Whereas the Secretary General of the United Nations called for international solidarity and an end to any ill-founded discrimination; and

Whereas, on January 26, 2021, the President issued a Presidential Memorandum ''Condemning and Combating Racism, Xenophobia, and Intolerance Against Asian Americans and Pacific Islanders in the United States'': Now, therefore, be it

Resolved, That the Senate—

(1) condemns and denounces all forms of anti-Asian sentiment, including those relating to COVID–19;

(2) recognizes that the health and safety of all people of the United States, regardless of background, must be the utmost priority;

(3) condemns all manifestations and expressions of racism, xenophobia, discrimination, anti-Asian sentiment, scapegoating, and ethnic or religious intolerance;

(4) calls on Federal law enforcement officials, working with State and local agencies—

(A) to expeditiously investigate and document all credible reports of hate crimes, harassment, bullying, and threats against the Asian American and Pacific Islander communities in the United States;

(B) to expand collection of data and public reporting to document the rise in the incidence of hate crimes relating to COVID–19; and

(C) to hold the perpetrators of those crimes, incidents, or threats accountable and bring such perpetrators to justice, including through investigation and prosecution;

(5) calls on the Attorney General to work with State and local agencies and Asian American and Pacific Islander community-based organizations to prevent discrimination, and expand culturally competent and linguistically appropriate education campaigns on public reporting of hate crimes;

(6) calls on the Secretary of Health and Human Services, in coordination with the COVID–19 Health Equity Task Force and Asian American and Pacific Islander community-based organizations, to issue guidance describing best practices to mitigate racially discriminatory language in describing the COVID–19 pandemic; and

(7) recommits the United States to serving as a model for the world in building a more inclusive, diverse, and tolerant society—

(A) by prioritizing language access and inclusivity in communication practices; and

(B) by combating misinformation and discrimination that puts Asian Americans and Pacific Islanders at risk.

Ms. HIRONO. Mr. President. I rise today to condemn violence and discrimination against Asian Americans and Pacific Islanders (AAPI) that has surged during the COVID–19 pandemic. Since March 2020, Stop AAPI Hate has received nearly 3,800 reports of discrimination and hate incidents nationwide. Unfortunately, the recent surge in xenophobia and hate specifically targeted against AAPIs is not new.

More than 180 years ago, when the first Asian immigrants came to the United States, members of the AAPI community experienced prejudice and legalized discrimination. Xenophobic policies such as the Chinese Exclusion Act of 1882 and the Federal government's incarceration of more than 120,000 Japanese Americans during World War II, were born from fear, ignorance, and anti-immigrant hostility. More recently, after the 9/11 terrorist

attacks, Arab, Muslim, Sikh, and South Asian Americans faced a wave of hate incidents and blame similar to what AAPI individuals are experiencing today. As George Santayana said, ''Those who do not remember the past are condemned to repeat it.''

The former president espoused and amplified virulent intolerance using slurs such as the ''China virus'' and ''kung flu'' to characterize the COVID–19 virus, putting the lives of 23,000,000 AAPIs at risk, including more than 2,000,000 AAPI frontline workers. Every day, these heroic individuals put their personal health and safety on the line to serve other Americans as health care professionals, first responders, transit operators, and in supermarkets and other essential service industries. However, AAPI frontline workers are not immune from discrimination and hate, which impacts both their personal and professional lives. Some AAPI nurses and doctors have reported workplace harassment from other staff and patients who refuse their care, while others have experienced terrifying encounters, including being violently shoved, spit on, and called racial slurs during their evening commute.

The rise in attacks against older AAPI individuals are both alarming and unconscionable. In January 2021, three AAPI elders were violently attacked in separate incidents in California. Tragically, one of these individuals, Vicha Ratanapakdee, died from injuries he sustained during an unprovoked assault, which his family believes was racially motivated. This discrimination which includes acts of physical violence is an additional threat elders now face as a result of the pandemic. Older adults are at higher risk of contracting severe COVID–19 and AAPI elders, particularly those who are recent immigrants or have limited English proficiency, may face additional challenges in obtaining health care, enduring economic insecurity, and suffering from language isolation.

Recently, on March 16, 2021, eight people, including six women of Asian descent, were shot to death at three Atlanta-area businesses. During a year of increasing racism and attacks targeting AAPIs, this latest senseless act of violence adds to the pain and fear felt by many in the AAPI community. Our leaders must step up and confront racial hatred and violence.

At Merrick Garland's hearing to be Attorney General of the United States, I highlighted the surge in discrimination and hate crimes against the AAPI community. In contrast to the Department of Justice under the Trump administration, then-Judge Garland recognized the harm and fear that these incidents have caused and pledged that under his leadership, the Civil Rights Division would vigorously review and prosecute these cases. This is the kind of leadership we need in order to combat these crimes. I will continue to raise the issue of anti-Asian hate with other nominees and officials to call attention to the alarming rise of hate crimes against AAPIs and the critical need for action.

The legislation that I have introduced, the COVID–19 Hate Crimes Act, will help to address the ongoing surge in violence against AAPI communities. It will focus federal leadership to investigate and report hateful acts of violence, and provide resources for our communities to come together and take a stand against intolerance and hate. The actions of our leaders matter, and I call on my colleagues in the United States Senate to condemn anti-Asian racism, and swiftly pass the COVID–19 Hate Crimes Act during the 117th Congress.

I yield the floor.

SENATE RESOLUTION 134—EXPRESSING THE SENSE OF THE SENATE THAT THE PRESIDENT SHOULD WORK WITH THE GOVERNMENT OF THE UNITED KINGDOM TO CONCLUDE NEGOTIATIONS FOR A COMPREHENSIVE FREE TRADE AGREEMENT BETWEEN THE UNITED STATES AND THE UNITED KINGDOM

Mr. LEE (for himself, Mr. SCOTT of Florida, Mr. MORAN, Mr. CRAMER, Mr. LANKFORD, and Mr. BRAUN) submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 134

Whereas, on March 5, 1946, Sir Winston Churchill delivered the Iron Curtain speech in Fulton, Missouri, solidifying the ''Special Relationship'' between the United States and the United Kingdom;

Whereas, since the end of World War II, the United States and the United Kingdom have been beacons of freedom to the world, standing together in the fight against tyranny;

Whereas the Special Relationship between the United States and the United Kingdom has driven economic prosperity and security cooperation in both nations for more than 70 years;

Whereas the United States and the United Kingdom share the world's largest bilateral trade and investment relationship;

Whereas, while the United States and the United Kingdom already share a robust economic partnership, there remain clear opportunities for both countries to further strengthen economic ties;

Whereas the United States Trade Representative and United Kingdom Department for International Trade have engaged in substantive negotiations towards the conclusion of a comprehensive free trade agreement since May 2020; and

Whereas the constitutional power of making treaties with foreign nations includes both the legislative and executive branches: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the United States should strengthen their close and mutually beneficial trading and economic partnership with the United Kingdom;

(2) the President, with the support of Congress, should work to conclude negotiations for a comprehensive future trade agreement between the United States and the United Kingdom; and

(3) during the course of finalizing a trade agreement, the President, in consultation with Congress, should strive to reach a mutually advantageous resolution of commercial disagreements between the United States and the United Kingdom.

SENATE RESOLUTION 135—RECOGNIZING THE HERITAGE, CULTURE, AND CONTRIBUTIONS OF LATINAS IN THE UNITED STATES

Ms. CORTEZ MASTO (for herself, Mr. MENENDEZ, Mr. BENNET, Mr. WHITEHOUSE, Ms. SMITH, Mr. BOOKER, Ms. CANTWELL, Mrs. FEINSTEIN, Ms. ROSEN, Mr. SANDERS, Mr. REED, Mr. VAN HOLLEN, Ms. SINEMA, Mr. KAINE, Ms. WARREN, Mr. COONS, Ms. HASSAN, Mrs. MURRAY, Ms. DUCKWORTH, Ms. KLOBUCHAR, Mr. MERKLEY, Mr. DURBIN, Mr. BLUMENTHAL, Mr. MARKEY, Ms. HIRONO, Mr. BROWN, Mr. CARDIN, Ms. BALDWIN, Mrs. SHAHEEN, Mr. PADILLA, Mr. CASEY, Mr. HEINRICH, Mr. KELLY, Ms. STABENOW, Mr. WYDEN, and Mr. LUJÁN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 135

Whereas the United States celebrates National Women's History Month every March to recognize and honor the achievements of women throughout the history of the United States;

Whereas there are nearly 29,000,000 Latinas living in the United States;

Whereas 1 in 6 women in the United States is a Latina;

Whereas Latinas have helped shape the history of the United States since its inception;

Whereas Latinas contribute to the society of the United States through working in many industries, including business, education, science and technology, medicine, engineering, mathematics, literature and the arts, the military, agriculture, hospitality, and public service;

Whereas Latinas serve as essential workers during the COVID–19 pandemic, filling vital positions that keep the economy going and the people of the United States safe;

Whereas Latinas come from diverse cultures across North America, Central America, South America, and the Caribbean, and Afro-Latinas face disparities in recognition;

Whereas Latinas are dedicated public servants, holding posts at the highest levels of the Federal Government, including the Supreme Court of the United States, Cabinet-level positions, the United States Senate, and the United States House of Representatives;

Whereas Latinas make up an estimated 19 percent of women serving in the Armed Forces, and the first Latina to become a general in the Marine Corps reached that rank in 2006;

Whereas Latinas are breaking the glass ceiling in science, technology, engineering, and mathematics, with the first Latina to travel into space doing so during a 9-day Space Shuttle Discovery mission in 1993;

Whereas Latinas own more than 2,000,000 businesses, and 18 percent of all women-owned companies in the United States are owned by a Latina;

Whereas Latina activists have led the fight for civil rights, including labor rights, LGBTQ rights, women's rights, and racial equality;

Whereas Latinas create award-winning art and are recipients of Emmy, Grammy, Oscar, and Tony awards;

Whereas Latina singers and songwriters, like Selena, also known as the Queen of

Tejano music, and Celia Cruz, also known as the Queen of Salsa, have made lasting and significant contributions to music throughout the world;

Whereas Latinas serve in the medical profession, and the first female and first Hispanic Surgeon General of the United States was appointed in 1990;

Whereas Latinas serve as journalists, reporting vital news and information to the public;

Whereas Latinas are world-class athletes, representing the United States in the Olympics and other international competitions;

Whereas Latinas are paid just 55 cents for every dollar paid to White, non-Hispanic men;

Whereas, in the face of societal obstacles, including unequal pay, disparities in education, health care needs, and civil rights struggles, Latinas continue to break through and thrive;

Whereas the United States should continue to invest in the future of Latinas to address the barriers they face; and

Whereas, by 2060, Latinas will represent ¼ of the female population of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates and honors the successes of Latinas and the contributions they have made and continue to make to the United States; and

(2) recognizes the changes that are still to be made to ensure that Latinas can realize their full potential as equal members of society.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1402. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill H.R. 1799, to amend the Small Business Act and the CARES Act to extend the covered period for the paycheck protection program, and for other purposes; which was ordered to lie on the table.

SA 1403. Mr. MARSHALL (for himself and Ms. ERNST) submitted an amendment intended to be proposed by him to the bill H.R. 1799, supra; which was ordered to lie on the table.

SA 1404. Mr. RISCH submitted an amendment intended to be proposed by him to the bill H.R. 1799, supra; which was ordered to lie on the table.

SA 1405. Mr. RUBIO (for himself, Mr. KENNEDY, Mr. MARSHALL, Mrs. CAPITO, Mr. CRAMER, Mr. BRAUN, Mr. LANKFORD, Mr. BARRASSO, Mr. RISCH, and Mr. SCOTT of South Carolina) submitted an amendment intended to be proposed by him to the bill H.R. 1799, supra; which was ordered to lie on the table.

SA 1406. Mr. MARSHALL (for himself, Mr. RISCH, Mr. DAINES, Mr. LANKFORD, Mr. RUBIO, and Ms. ERNST) submitted an amendment intended to be proposed by him to the bill H.R. 1799, supra; which was ordered to lie on the table.

SA 1407. Mr. MURPHY (for Mr. DURBIN) proposed an amendment to the bill H.R. 1651, to amend the CARES Act to extend the sunset for the definition of a small business debtor, and for other purposes.

SA 1408. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 1799, to amend the Small Business Act and the CARES Act to extend the covered period for the paycheck protection program, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1402. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill H.R. 1799, to amend the Small Business Act and the CARES Act to extend the covered period for the paycheck protection program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REVISIONS TO LOAN AMOUNT CALCULATION AND ELIGIBILITY.

(a) DEFINITIONS.—In this section—

(1) the term ''covered loan'' means a loan made under paragraph (36) or (37) of section 7(a) of the Small Business Act (15 U.S.C. 636(a));

(2) the term ''eligible applicant'' means a taxpayer that files Internal Revenue Service Form 1040, Schedule C; and

(3) the term ''interim final rule'' means the interim final rule of the Small Business Administration entitled ''Business Loan Program Temporary Changes; Paycheck Protection Program – Revisions to Loan Amount Calculation and Eligibility'', Docket Number SBA–2021–0010.

(b) CALCULATION OF MAXIMUM LOAN AMOUNT FOR CERTAIN APPLICANTS.—

(1) IN GENERAL.—An eligible applicant applying for a covered loan may calculate the maximum amount of the covered loan using the gross income of the eligible applicant, as reported on the applicable Internal Revenue Service Form 1040, Schedule C filed by the eligible applicant.

(2) RETROACTIVE EFFECT.—Notwithstanding any provision of the interim final rule, paragraph (1) shall apply with respect to any covered loan made to an eligible applicant that is approved on or after the date of enactment of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116–260).

(c) RECALCULATION.—

(1) IN GENERAL.—With respect to a covered loan made to an eligible applicant that was approved during the period beginning on the date of enactment of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116–260) and ending on the day before the date of enactment of this Act, the eligible applicant may submit to the lender with respect to the covered loan a request to recalculate the amount of the covered loan based on the application of this section.

(2) SUPPLEMENTAL PAYMENTS.—If, after receiving a request from an eligible applicant under paragraph (1), the applicable lender determines that the amount of the applicable covered loan, because of the application of this section, would be greater than the amount of the covered loan originally made to the eligible applicant, the lender shall provide to the eligible applicant a payment that is equal to the difference between the amount of the covered loan originally made to the eligible applicant and the amount of the covered loan based on the application of this section.

SA 1403. Mr. MARSHALL (for himself and Ms. ERNST) submitted an amendment intended to be proposed by him to the bill H.R. 1799, to amend the Small Business Act and the CARES Act to extend the covered period for the paycheck protection program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. PARTNERSHIP PAYCHECK PROTECTION PROGRAM LOAN CALCULATION AS FARMER OR RANCHER.

(a) IN GENERAL.—Section 7(a)(36)(V)(i)(I) of the Small Business Act (15 U.S.C. 636(a)(36)(V)(i)(I)) is amended by inserting ''is a partnership,'' after ''independent contractor,''.

(b) EFFECTIVE DATE; APPLICABILITY.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendment made by subsection (a) shall be effective as if included in the CARES Act (Public Law 116–136; 134 Stat. 281) and shall apply to any loan made pursuant to section 7(a)(36) of the Small Business Act (15 U.S.C. 636(a)(36)) before, on, or after the date of enactment of this Act, including forgiveness of such a loan.

(2) EXCLUSION OF LOANS ALREADY FORGIVEN.—The amendments made by subsection (a) shall not apply to a loan made pursuant to section 7(a)(36) of the Small Business Act (15 U.S.C. 636(a)(36)) for which the borrower received forgiveness before the date of enactment of this Act under section 1106 of the CARES Act (15 U.S.C. 9005).

SA 1404. Mr. RISCH submitted an amendment intended to be proposed by him to the bill H.R. 1799, to amend the Small Business Act and the CARES Act to extend the covered period for the paycheck protection program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. INELIGIBILITY OF CERTAIN NONPROFIT ORGANIZATIONS UNDER THE PAYCHECK PROTECTION PROGRAM.

Clause (xvii)(I) of section 7(a)(36)(A) of the Small Business Act (15 U.S.C. 636(a)(36)(A)), as added by section 5001(a)(1)(A)(iii) of Public Law 117–2, is amended by inserting ''(5) (if the organization is subject to reporting requirements under the Labor-Management Reporting and Disclosure Act of 1959 (29 U.S.C. 401 et seq.)),'' after ''(4),''.

SA 1405. Mr. RUBIO (for himself, Mr. KENNEDY, Mr. MARSHALL, Mrs. CAPITO, Mr. CRAMER, Mr. BRAUN, Mr. LANKFORD, Mr. BARRASSO, Mr. RISCH, and Mr. SCOTT of South Carolina) submitted an amendment intended to be proposed by him to the bill H.R. 1799, to amend the Small Business Act and the CARES Act to extend the covered period for the paycheck protection program, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, between lines 15 and 16, insert the following:

(d) LIMITATION ON PRIORITIZATION.—During the period beginning on the date of enactment of this Act and ending on the last day of the covered period, as defined in section 7(a)(36)(A)(iii) of the Small Business Act (15 U.S.C. 636(a)(36)(A)(iii)), as amended by this Act, the Administrator of the Small Business Administration may not establish or enforce any priority for processing lender applications under paragraph (36) or (37) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)), except for any priority reasonably necessary to carry out the set-asides established under section 323(d) of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116–260).

SA 1406. Mr. MARSHALL (for himself, Mr. RISCH, Mr. DAINES, Mr. LANKFORD, Mr. RUBIO, and Ms. ERNST) submitted an amendment intended to be proposed by him to the bill H.R. 1799, to amend the Small Business Act

and the CARES Act to extend the covered period for the paycheck protection program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. LIMITATION.

(a) IN GENERAL.—Section 7(a)(36)(D) of the Small Business Act (15 U.S.C. 636(a)(36)(D)) is amended by adding at the end the following:

''(x) PROHIBITION ON COVERED LOANS FOR PLANNED PARENTHOOD.—Planned Parenthood Federation of America, Inc. and any affiliate or clinic of Planned Parenthood Federation of America, Inc. shall not be eligible to receive a covered loan.''.

(b) SECOND DRAW LOANS.—Section 7(a)(37)(A)(iv)(III) of the Small Business Act (15 U.S.C. 636(a)(37)(A)(iv)(III)) is amended—

(1) in item (aa), by striking ''or'' at the end;

(2) in item (dd), by striking ''or'' at the end;

(3) in item (ee), by striking ''and'' at the end and inserting ''or''; and

(4) by adding at the end the following:

''(ff) Planned Parenthood Federation of America, Inc. and any affiliate or clinic of Planned Parenthood Federation of America, Inc.; and''.

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective as if included in the enactment of the CARES Act (Public Law 116–136).

SA 1407. Mr. MURPHY (for Mr. DURBIN) proposed an amendment to the bill H.R. 1651, to amend the CARES Act to extend the sunset for the definition of a small business debtor, and for other purposes; as follows:

Strike section 2(c).

SA 1408. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 1799, to amend the Small Business Act and the CARES Act to extend the covered period for the paycheck protection program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PPP AND SECOND DRAW LOANS FOR BUSINESSES THAT EXPERIENCED EXTREME HARDSHIP.

(a) PPP.—Section 7(a)(36) of the Small Business Act (15 U.S.C. 636(a)(36)) is amended—

(1) in subparagraph (E), in the matter preceding clause (i), by striking ''subparagraph (V)'' and inserting ''subparagraphs (V) and (W)''; and

(2) by adding at the end the following:

''(W) CALCULATION OF MAXIMUM LOAN AMOUNT FOR BUSINESSES THAT EXPERIENCED EXTREME HARDSHIP.—

''(i) DEFINITION.—In this subparagraph, the term 'extreme hardship' means, with respect to an eligible recipient applying for assistance under this paragraph—

''(I) except as provided in subclauses (II), (III), and (IV), that the eligible recipient had gross receipts during the first, second, third, or, only with respect to an application submitted on or after January 1, 2021, fourth quarter in 2020 that demonstrate not less than a 75 percent reduction from the gross receipts of the eligible recipient during the same quarter in 2019;

''(II) if the eligible recipient was not in business during the first or second quarter of 2019, but was in business during the third and fourth quarter of 2019, that the eligible recipient had gross receipts during the first, second, third, or, only with respect to an application submitted on or after January 1, 2021, fourth quarter of 2020 that demonstrate not less than a 75 percent reduction from the gross receipts of the eligible recipient during the third or fourth quarter of 2019;

''(III) if the eligible recipient was not in business during the first, second, or third quarter of 2019, but was in business during the fourth quarter of 2019, that the eligible recipient had gross receipts during the first, second, third, or, only with respect to an application submitted on or after January 1, 2021, fourth quarter of 2020 that demonstrate not less than a 75 percent reduction from the gross receipts of the eligible recipient during the fourth quarter of 2019; or

''(IV) if the eligible recipient was not in business during 2019, but was in operation on February 15, 2020, that the eligible recipient had gross receipts during the second, third, or, only with respect to an application submitted on or after January 1, 2021, fourth quarter of 2020 that demonstrate not less than a 75 percent reduction from the gross receipts of the eligible recipient during the first quarter of 2020.

''(ii) MAXIMUM LOAN AMOUNT.—In calculating the maximum covered loan amount under subparagraph (E) with respect to an eligible recipient that experienced extreme hardship, subclauses (I)(aa)(BB) and (II)(aa)(BB), as applicable, of subparagraph (E)(i) shall be applied by substituting '3.5' for '2.5'.''.

(b) SECOND DRAW.—Section 7(a)(37) of the Small Business Act (15 U.S.C. 636(a)(37)) is amended—

(1) in subparagraph (A)(i), by inserting ''''extreme hardship,''' after ''''eligible self-employed individual,''''; and

(2) in subparagraph (C), by adding at the end the following:

''(v) EXTREME HARDSHIP.—In calculating the maximum loan amount under clause (i), (ii), or (iii) with respect to an eligible entity that experienced extreme hardship, clause (i)(I)(bb), (ii)(I)(bb), and (iii)(I)(bb), as applicable, shall be applied by substituting '3.5' for '2.5'.''.

(c) COVERED PERIOD FOR LOAN FORGIVENESS FOR SECOND DRAW LOANS.—Section 7(a)(37)(J)(i) of the Small Business Act (15 U.S.C. 636(a)(37)(J)(i)) is amended to read as follows:

''(i) DEFINITION OF COVERED PERIOD.—In this subparagraph, the term 'covered period' means the period—

''(I) beginning on the date of the origination of a covered loan; and

''(II) ending on a date selected by the eligible recipient of the covered loan that occurs during the period—

''(aa) beginning on the date that is 8 weeks after such date of origination; and

''(bb) ending on the date that is 52 weeks after such date of origination.''.

(d) APPLICABILITY.—The amendments made by this section shall apply—

(1) for the amendments made by subsections (a) and (b), with respect to an applicant for a loan under paragraph (36) or (37) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)(37)) before, on, or after the date of enactment of this Act; and

(2) for the amendment made by subsection (c), with respect to an applicant for loan forgiveness under section 7(a)(37)(J) of that Act (15 U.S.C. 636(a)(37)(J)) that has not yet received the loan forgiveness.

AUTHORITY FOR COMMITTEES TO MEET

Mr. XXX. Mr. President, I have 14 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 BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Wednesday, March 24, 2021, at 10 a.m., to conduct a hearing on a nomination.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, March 24, 2021, at 10 a.m., to conduct a hearing.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, March 24, 2021, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, March 24, 2021, at 10 a.m., to conduct a hearing.

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 Wednesday, March 24, 2021, at 10 a.m., to conduct a hearing.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, March 24, 2021, at 2:30 p.m., to conduct a hearing.

COMMITTEE ON RULES AND ADMINISTRATION

The Committee on Rules and Administration is authorized to meet during the session of the Senate on Wednesday, March 24, 2021, at 10 a.m., to conduct a hearing.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship is authorized to meet during the session of the Senate on Wednesday, March 24, 2021, at 2:30 p.m., to conduct a hearing.

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, March 24, 2021, at 3 p.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, March 24, 2021, at 2 p.m., to conduct a closed briefing.

SUBCOMMITTEE ON CYBERSECURITY

The Subcommittee on Cybersecurity of the Committee on Armed Services is

authorized to meet during the session of the Senate on Wednesday, March 24, 2021, at 2:30 p.m., to conduct a closed hearing.

SUBCOMMITTEE ON PERSONNEL

The Subcommittee on Personnel of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, March 24, 2021, at 2:30 p.m., to conduct a closed hearing.

SUBCOMMITTEE ON WATER AND POWER

The Subcommittee on Water and Power of the Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, March 24, 2021, at 2:30 p.m., to conduct a hearing.

SUBCOMMITTEE ON FEDERAL SPENDING OVERSIGHT AND EMERGENCY MANAGEMENT

The Subcommittee on Federal Spending Oversight and Emergency Management of the Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, March 24, 2021, at 2:30 p.m., to conduct a hearing.

MEASURE READ THE FIRST TIME—S. 963

Mr. MURPHY. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 963) to authorize dedicated domestic terrorism offices within the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation to analyze and monitor domestic terrorist activity and require the Federal Government to take steps to prevent domestic terrorism, and for other purposes.

Mr. MURPHY. Mr. President, I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be receive a second reading on the next legislative day.

COVID–19 BANKRUPTCY RELIEF EXTENSION ACT OF 2021

Mr. MURPHY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1651, which was received from the House and is at the desk.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1651) to amend the CARES Act to extend the sunset for the definition of a small business debtor, and for other purposes.

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

Mr. MURPHY. I further ask that the Durbin amendment at the desk be considered and agreed to; that the bill, as amended, be considered read three times and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The amendment (No. 1407) was agreed to, as follows:

(Purpose: To improve the bill)

Strike section 2(c).

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. 1651), as amended, was passed.

ORDERS FOR THURSDAY, MARCH 25, 2021

Mr. MURPHY. Finally, I would ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, March 25; 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; that upon conclusion of morning business, the Senate resume the motion to proceed to Calendar No. 11, H.R. 1799, as provided under the previous order; finally, that the votes scheduled for 11 a.m. begin at 10:45 a.m.

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

Mr. MURPHY. For the information of Senators, we expect to have four rollcall votes beginning at 10:45 a.m. tomorrow. Additional rollcall votes are expected during Thursday's session.

ORDER FOR ADJOURNMENT

Mr. MURPHY. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order following the remarks of Senators SULLIVAN and SASSE.

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

The Senator from Alaska.

CHINA

Mr. SULLIVAN. Mr. President, I wanted to come down to the Senate floor for a couple reasons, but first I want to talk a little bit about what happened in Alaska last weekend—actually, a really important meeting between the United States and China, our senior diplomats, their senior diplomats. It took place in Anchorage, and let's just say the meeting was as frosty as the Alaska air.

It was a tough meeting. The Chinese came out, kind of took a little advantage of being extra verbose in their opening statements, going against the 2-minute, agreed-upon time limit.

It was a bit of a tongue-lashing, I think, of the U.S. team, our Secretary of State, Tony Blinken. I think our team pushed back appropriately—the National Security Advisor, Jake Sullivan; Kurt Campbell, who also works at the National Security Council. But this was the first face-to-face meeting between the United States and Chinese diplomats with the Biden administration.

What we saw was a very confident China, a very aggressive China that showed up in Alaska. For example, they were talking about ''Chinese-style democracy.'' We also know that as a dictatorship.

Earth to the Chinese Communist Party: There is no democracy in China. You run an authoritarian regime, so don't try to fool anybody. It is a dictatorship, not a democracy.

But the bigger issue is this: Xi Jinping and the Chinese Communist Party clearly believe that it is rising, that its rise for this century is unstoppable, and that the United States—and the West but particularly the United States, our country—is declining and there is nothing we can do to stop this. They say this in private. They say it in public. And they believe it. They are confident to the point of being cocky, as we saw in Alaska, to the point of calling their dictatorship a democracy, which, of course, it isn't.

Now, my view—and I think it is the view of every Senator here; I certainly hope it is; I think it is—is that it is never a good idea to bet against the United States. Every major power in the world that has done so has lost that bet. That is a fact, but we clearly have work to do. We have a lot of work to do as it relates to this challenge.

I have been coming to the Senate floor for the last 6 years talking about this issue, talking about this challenge, talking about some of the things that we need to do to address the biggest U.S. strategic challenge for this century. It is the rise of China.

Now we have a new administration in power, and it was clear from the Alaska meeting that the Chinese Communist Party plans to aggressively challenge the Biden administration.

Now, I have a lot of disagreements already with the Biden administration, especially the way in which they are treating my State. I have been speaking on the Senate floor—eight Executive orders focused on Alaska, shutting down our economy, killing jobs. And I will fight them hard on this. But, on China, I believe it is imperative that we all work together, not as Democrats and Republicans but as Americans, as we have done when other major powers have threatened the United States.

The Communist Party of China clearly sees one of our major weaknesses as our political divisions. They write about it. It is in all the intel. They talk about it. Look, we are a democracy. We are transparent, unlike them. Our political divisions are on full display. You see them tonight. By the

way, we have had political divisions since the founding of the Republic.

China doesn't share their political divisions with the world, but they have them, no doubt about it. But here is a fact. Here is a fact, and we all need to know this. Every American needs to know this. Xi Jinping and the Chinese Communist Party's worst nightmare is seeing a determined, long-term, bipartisan, strong U.S. strategy to deal with the rise of China, to deal with the rise of China for what they are: our No. 1 geostrategic challenge for this century. That is why we need to work together on this issue. It is something I have been calling for for a long time. And here is the good news: It is something that is starting to happen. It is something that is starting to happen.

Now, I had a good opportunity to meet with Secretary Blinken, to meet with National Security Advisor Jake Sullivan and his top China national security official, Kurt Campbell, when they were in Alaska. I also was able to get a good debrief from Secretary Austin about his visits in Asia, particularly in India.

The Secretary of State and the National Security Advisor talk about dealing with China from what they call positions or situations of strength—situations of strength. They actually took that term from former Secretary of State Dean Acheson when he was doing something that they are currently trying to do now: putting together a coalition, a long-term strategy, in 1947, 1948, 1949 to deal with the Soviet Union, and they did it with Democrats and Republicans. NATO, the strategy of containment—these were all things that came together in this body.

So I want to talk very briefly about some of these positions of strength that the administration is trying to put together as it relates to China, and I think it is in our interest to help them.

First of all, I think it was important and, of course, as an Alaska Senator, I was glad that meeting took place in Anchorage, but it was also a symbol. One of the things that the Chinese Communist Party frequently states—Xi Jinping frequently states it—is that Asia should be for Asians. The subtext of that is, we are trying to kick the United States out of Asia.

Well, here is more news for the Chinese, for the Communist Party of China: We are an Asian nation. We have been an Asian nation for centuries. My hometown of Anchorage, where this meeting took place, is closer to Tokyo than it is to this city, Washington, DC. The Aleutian Island chain goes to the other side of the international dateline. We are an Asian nation. We are not leaving. We have been there 200 years; we will be there 200, 300, 500 more.

So that is No. 1, and I am glad they held the meeting in Alaska for that reason, on American soil, and they chose to do that purposely. But let me talk about a couple of other positions of strength that I think it is incumbent upon us to try to help this administration with, help our country with. Some are going to be up to the Senate and the House. A lot more are going to be up to the President and his team. Where we can influence it, we should.

As I mentioned, politically being unified on issues that relate to China is exactly what the Chinese Communist Party fears the most, and it is starting to happen. Legislation to outcompete China economically—critical, critical. The more that we can do that, the more that we can show we are united, the more important what we do here is going to matter in the long-term competition with regard to China.

Let me give another one. Allies. Allies. The United States is an ally-rich nation. China is an ally-poor country. They have very few allies: maybe North Korea; Russia maybe, maybe not. China doesn't really have allies; they have customers.

We have a network, and it is one of our most important strategic advantages. We need to build upon that network of allies, deepen it, expand it. And I will give the administration a lot of credit for setting this up in an important way for their first meeting, the leaders of the quad.

The quad is the United States, Japan, Australia, and India, started by President George W. Bush, taken to another level by President Trump, and taken to a really high level by President Biden, the leader level. It was a really smart move. The quad can help anchor our alliances in the region in a critical way. Three of the four biggest economies in the world are part of the quad. Some of the best militaries in the world are part of the quad. So to have that meeting, even though it was virtual, with the leaders—the President, Prime Ministers—of the quad was smart and something I think they should be commended on. Then to have the Secretary of State and the Secretary of Defense go to Korea, go to Japan; continue on, the Secretary of Defense, to India—also very smart.

The Chinese know this is a huge weakness of theirs, and it is a huge strength of ours. As Senators, the more that we can do to encourage this on our own, go to these countries, reinforce the importance of these alliances—it is clearly a position of strength that the administration is off to a good start with.

Let me give another one, a position of strength. Our military. Our military. This is going to be pretty simple. If we see dramatic cuts to our military—and right now the Biden administration is debating this. There is a real fight going on internally: Where is the budget going to be? We can't see cuts.

The second term of the Obama-Biden administration cut defense spending by 25 percent. They gutted readiness. The Chinese and the Russians were applauding that whole period. We have worked hard to build that up under the Trump administration and Republican Senate. They need to keep it going.

And here is going to be a test. Last year in the NDAA, we put in the Defense bill a bipartisan piece of legislation called the Pacific Deterrence Initiative. The admiral in charge of the INDOPACOM region testified in front of the Armed Services Committee very recently. His replacement testified yesterday. All of them said we need to fully fund the Pacific Deterrence Initiative—a bipartisan part of the Defense bill last year—and $4.6 billion is what they think we need to reorder the balance, particularly in the area of the Taiwan Strait. That is public.

The administration is debating this right now. They need to fund it. This body will approve it. That is going to be a position of strength that is up to them, but people are watching. We are watching, our allies are watching, and, of course, the Chinese Communist Party is watching.

Let me give one more, one more that I think is critical: taking advantage of America's resources, critical minerals: Yes, energy; yes, natural gas; yes, oil. Prior to the pandemic, we were the world's energy superpower, largest producer of oil in the world, largest producer of natural gas in the world, largest producer of renewables in the world.

This is a good thing for our country. Our allies in the region know it; the Chinese know it. And again, there is a debate within the administration right now on energy.

The President has recently told some of our great Union leaders he is ''all in for natural gas.'' We should do that. That is the reason we reduced greenhouse gas emissions over the last 15 years, more than any other country—big country—in the world because of the revolution of natural gas. Our allies need that. They know it is a national security strength that we have.

On the other hand, we have other elements in the administration that clearly want to unilaterally give away our energy comparative advantage, restrict production of oil and gas. It makes no sense.

So energy, energy is another position of strength that we should be encouraging, and I certainly am encouraging the Biden administration to recognize it as something good for our economy, good for jobs and, yes, really good for our national security and really important in our competition with China. The Biden administration national security team knows this. I think they recognize it. But again, we will be watching. It is important.

This is going to be an issue that we are going to be focused on here in the U.S. Senate, in my view, for the next 50 to 100 years, if we are doing it right. If we work together, if we work from positions of strength, as the Secretary of State and National Security Advisor have mentioned, are focused on, the way this is going to end is the way it ended with other major powers that

have challenged the United States. I am very confident of that, and I think most of my colleagues on both sides of the aisle are. We need to get working together on that.

TRIBUTE TO ROD BOYCE

Mr. SULLIVAN. Mr. President, it is not Thursday yet, but it is almost Thursday, and that is when I love to come down to the floor of the U.S. Senate to recognize an Alaskan who is doing something great for our State. And as many know here, we call this person our Alaskan of the Week.

Now, it is one of my favorite times of the week. I know that a couple of Hill watchers like it too. I want to give a shout-out to Chris Cioffi from Roll Call. He actually did a piece in Roll Call today about the ''Alaskan of the Week'' series. So thank you, Chris. I hope you are watching. It is a little late, and it is not Thursday. But anyway, I appreciate the shout-out in your series today.

I am going to get to the punch. Our Alaskan of the Week tonight, this week, is Rod Boyce, a friend of mine, a former longtime editor of one of my favorite—actually, it is my favorite newspaper in Alaska, the Fairbanks Daily News-Miner. He clearly is deserving of this great, important award.

But before I talk about Rod, let me give you a little update about what is going on in the State. First, some good news, something we are all very proud of in Alaska. The economy is hurting; we are not proud of that. But in terms of the pandemic, the health elements, our State continues to be the No. 1 State vaccinated per capita of any State in the country. This is a minimiracle, by the way, because we are a really big State, and we are really spread out, a really small population. And yet, the Federal Government, Tribal healthcare system, VA, State of Alaska, everybody coming together is making it happen.

About 3 weeks ago, we announced that anyone over 16 could get a vaccine. And some communities are hitting 60, 70 percent vaccinated already in Alaska. Really important. We are opening up. If you are watching, and you don't live in Alaska, come visit. It is going to be safe, but we are very proud of that accomplishment because it has taken a lot of work.

Of course, it is cold in Alaska, but the Sun has been shining. The snow has been amazing. We have had a lot of it recently. The spirits are up. We have an Iditarod winner. Congratulations to Dallas Seavey on your fifth Iditarod win. Incredible, incredible.

You know, some may take issue with the claim that Alaska is the most unique State in the Union, but consider this: Every year, teams of mushers and their dogs barrel hundreds of miles across the State toward the city of Nome, in some of the harshest conditions, rugged conditions on the planet Earth.

Certainly, these are the kind of events that we think make Alaska unique and a big sense of community. I have said it before: Alaska isn't always the easiest place to live. It is far from the lower 48. The weather can be extreme, very tough. But as a result, the people and communities bond, and they work together, particularly in some of our most remote communities. We are one big community in the great State of Alaska, as my colleague from Nebraska knows.

Every community in Alaska, in America, needs to be able to share reliable, credible information. On that topic, of course, there has been a lot of negative attention in the past couple of years paid to some in the national media, particularly in the last few years. But the vital role, the vital role of local journalism and how that role that plays in different communities across our country, in my view, hasn't had nearly enough attention, and it is a positive role, our local reporters.

So our Alaskan of the Week, Rod Boyce, who, until just a few weeks ago was the longtime editor of the Fairbanks Daily News-Miner, spent nearly his entire career, 35 years, ensuring that Alaskans stayed connected through local news.

Now, Rod himself hasn't made huge headlines in the State. As a matter of fact, that is one of the reasons for the Alaskan of the Week, to do a shout-out to someone who has not gotten a lot of recognition. The only time Rod has gotten a lot of headlines was one instance of a mushing mishap. I am going to talk briefly about that. But as an old-school newsman, he liked to stay behind the headlines, behind the scenes.

But he has been behind the scenes of so many of those headlines in our State. For years, he worked tirelessly—first at papers across the State and then for 27 years at the News-Miner—to keep the great community of Fairbanks and North Pole, AK, the interior part of our State, connected and informed.

So here is a little bit about Rod. Born in London, England—I have known Rod for many years, but I did not know that fact. Born in London, England, his family moved to Southern California in the 1960s. His father designed and engineered refineries. And Rod's father and his wife—Rod's mom—raised both him and his sister.

He wasn't sure what he wanted to do in life, but he was inspired by a trip he took to England early in his college career, came back with a camera that he actually found on a bench in the Heathrow Airport. It is an interesting detail. And he found his calling in journalism. He was the editor of the school newspaper at Humboldt State University and did some stints at small papers, landed at the Sacramento Union—the oldest paper in the West, by the way—one that Mark Twain used to write for. It was his first experience with a good old-fashioned newspaper war. The younger, afternoon paper, the Sacramento Bee, decided to take on the establishment Sacramento Union. Eventually, the Bee won. But by then, Rod had made his way to the great State of Alaska to enter another, even bigger newspaper war: the Anchorage Times, the established paper, versus the upstart Anchorage Daily News.

Any person in news in Alaska who has been around a while will talk about that newspaper war with something of awe in their voice. Both papers then were fully staffed up, at least 30 reporters each, bureaus all across the State, even bureaus here in DC, pre-social media days, pre-Twitter days. Reporters spent their days on the streets, knocking on doors, stealing each other's scoops. It was called shoe leather reporting, and some great journalism in Alaska emerged.

Eventually, the upstart, the young Anchorage Daily News—still around—won the war. So Rod was on the losing team. He began to work for a small chain of six or seven rural papers called Alaska Newspapers, Inc. It was here that Rod got his first glimpse of rural Alaska. He learned about fisheries issues, ate his first piece of muktuk. That is whale blubber. He experienced the beauty and became aware of the heartbreak of rural Alaska, the true spiritual soul of our State, one of the spiritual souls of America, I would argue.

After a few years with Alaska newspapers, he took the job that he has been so good at for almost three decades, editor of the Fairbanks Daily News-Miner, which is my wonderful wife Julie's hometown. It is the first city I lived in with Julie and our brandnew daughter of ours, Meghan, and, of course, I can still consider the News-Miner to be my hometown newspaper.

As I mentioned, Rod was an editor for 27 years for this great interior Alaska paper. The News-Miner is small but mighty in Alaska, punching way above its weight, winning numerous journalism awards, breaking important stories on health crises, injustice, scandals, economic opportunities, everyday stories about everyday people, the kind of stories that draw us together as communities.

As Rod said, ''It's not just national journalism that matters. Local journalism matters [too].''

To that end, it was his policy, until he just retired a couple of weeks ago, to have at least 95 percent of the front page of the News-Miner devoted to local news. That is a great idea.

So many Alaskans have interests, hobbies, lifestyles that many here in the lower 48 just don't understand, Rod included. For many years, he spent his days in the newsroom and his evenings and weekends mushing dogs. And he still mushes. He loves it. It is a family affair. He and his wife Julie used to put their daughter, Edie, in a sled when she was just in diapers. And Edie is still doing it. The most dogs they have ever

had now is 27. It is down to 18. This is hard work. It is tons of work. My wife Julie and her family also raised sled dogs. It is really hard work, particularly in the cold, interior Alaska winters. And it is also dangerous, as Rod can attest.

In 2000, when competing for the first time in the 200-mile Tustumena 200 Sled Dog Race on the Kenai Peninsula, he took a wrong turn. It was snowing hard. It was difficult to see. The trail got obliterated. And he couldn't figure out how to get back on the trail. So he staked his dogs and hunkered down on a ridge to build camp. He had some candy, Reese's Pieces, dried lamb for the dogs. He had a cooker, thermos, some fuel, some twigs. He had bunny boots, fortunately, but not a parka.

He spent his days exploring, going as far as he dared to try to find the trail at night. At night, he could hear the helicopters above, looking for Rod, but they couldn't see him through the cloud cover.

What was going on turned out to be one of the largest land search and rescue missions in Alaska history, trying to find Rod Boyce, the intrepid editor of the News-Miner. But he didn't know that. He just knew that his days were ticking away. Rod's wife Julie was worried sick, of course, but kept it together throughout. On the sixth day—sixth day—almost a week, when the sky cleared, he headed out again and a snow machine came his way. ''I think I am the guy you're looking for,'' he told the driver, Ron Poston. Ron gave him a candy bar and a ride to safety.

That night, he and his wife celebrated with a beer and a cheeseburger. His feet were in bad shape, but otherwise he was unharmed. When he made it back to the newsroom, his fellow reporters put up markers that led from his parking space into the building in case he got lost again. He thought it was pretty funny.

On January 22, Rod Boyce left the News-Miner to take a job as a science writer and public information officer at the very cool and esteemed Geophysical Institute at the University of Alaska Fairbanks. He spends his days now writing about Tsunamis and the skies and the heavens. He said:

> It is a nerd's dream . . . I had a good 35-year run in newspapers and was very fortunate to experience the things that I did and interact with all sorts of public officials and regular folks on the street. I got to see them at their highs and lows, their tragedies and their happiest moments.

He still has hopes for local news. ''A local news outlet can tie a local community together and that is super important. I hope that never changes,'' said Rod.

Me, too, Rod. Here is to local journalism. Here is to the mighty Fairbanks News-Miner, and here is to Rod Boyce. Thank you for being the guy behind the headlines all these many years. Thank you for keeping our communities and interior connected, and congratulations on perhaps one of the biggest awards you have ever received, our Alaskan of the Week.

I yield the floor.

The PRESIDING OFFICER (Mr. MURPHY). The majority leader.

MEASURE READ THE FIRST TIME—H.R. 1868

Mr. SCHUMER. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The bill clerk read as follows:

> A bill (H.R. 1868), to prevent across-the-board direct spending cuts, and for other purposes.

Mr. SCHUMER. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection being heard, the bill will be read on the next legislative day.

The PRESIDING OFFICER. The Senator from Nebraska.

FILIBUSTER

Mr. SASSE. Mr. President, I rise today to speak at some length, if time will permit me, about the same subject my friend from Washington State so eloquently addressed. My colleagues know that although when I speak, I sometimes get very passionate, I have not very often, in past years, risen to the floor for any extended period of time. I do that today because so much is at stake.

For over 200 years, the Senate has embodied the brilliance of our Founding Fathers in creating an intricate system of checks and balances among the three branches of Government. This system has served two critical purposes, both allowing the Senate to act as an independent, restraining force on the excesses of the executive branch, and protecting minority rights within the Senate itself. The Framers used this dual system of checks and balances to underscore the independent nature of the Senate and its members.

The Framers sought not to ensure simple majority rule, but to allow minority views—whether they are conservative, liberal, or moderate—to have an enduring role in the Senate in order to check the excesses of the majority. This system is now being tested in the extreme.

I believe the proposed course of action we are hearing about these days is one that has the potential to do more damage to this system than anything that has occurred since I have become a Senator.

History will judge us harshly, in my view, if we eliminate over 200 years of precedent and procedure in this body and, I might add, doing it by breaking a second rule of the Senate, and that is changing the rules of the Senate by a mere majority vote.

When examining the Senate's proper role in our system of Government generally and in the process of judicial nominations specifically, we should begin, in my view, but not end with our Founding Fathers. As any grade school student knows, our Government is one that was infused by the Framers with checks and balances.

I should have said at the outset that I owe special thanks—and I will list them—to a group of constitutional scholars and law professors in some of our great universities and law schools for editing this speech for me and for helping me write this speech because I think it may be one of the most important speeches for historical purposes that I will have given in the 32 years since I have been in the Senate.

When examining the Senate's proper role in our system of Government and in the process of judicial nominations, as I said, we have to look at what our Founders thought about when they talked about checks and balances.

The theoretical underpinning of this system can be found in Federalist 51 where the architect of our Constitution, James Madison, advanced his famous theory that the Constitution set up a system in which ''ambition must be made to counteract ambition.''

''Ambition must be made to counteract ambition.'' As Madison notes, this is because ''[The] great security against a gradual concentration of the several powers in the same department consists in giving those who administer each department the necessary constitutional means and personal motives to resist encroachments by the other.''

Our Founders made the conscious decision to set up a system of government that was different from the English parliamentary system—the system, by the way, with which they were the most familiar. The Founders reacted viscerally to the aggrandizement of power in any one branch or any person, even in a person or body elected by the majority of the citizens of this country.

Under the system the Founders created, they made sure that no longer would any one person or one body be able to run roughshod over everyone else. They wanted to allow the sovereign people—not the sovereign Government, the sovereign people—to pursue a strategy of divide and conquer and, in the process, to protect the few against the excesses of the many which they would witness in the French Revolution.

The independence of the judiciary was vital to the success of that venture. As Federalist 78 notes:

> The complete independence of the courts of justice is peculiarly essential in a limited Constitution.

Our Founders felt strongly that judges should exercise independent judgment and not be beholden to any one person or one body. John Adams, in 1776, stated:

> The dignity and stability of government in all its branches, the morals of the people,

and every blessing of society, depend so much upon an upright and skillful administration of justice, that the judicial power ought to be distinct from both the legislative and executive, and independent upon both, that so it may be a check upon both, as both should be checks upon that.

Adams continues:

The judges, therefore, should always be men of learning and experience in the laws, of exemplary morals, great patience, calmness and attention; their minds should not be distracted with jarring interests; they should not be dependent upon any one man or any body of men.

In order to ensure that judicial independence, the very independence of which Adams spoke, the Founders did not give the appointment power to any one person or body, although it is instructive for us, as we debate this issue in determining the respective authority of the Senate and the Executive, it is important to note that for much of the Constitutional Convention, the power of judicial appointment was solely—solely—vested in the hands of the legislature. For the numerous votes taken about how to resolve this issue, never did the Founders conclude that it should start with the Executive and be within the power of the Executive. James Madison, for instance, was ''not satisfied with referring the appointment to the Executive;'' instead, he was ''rather inclined to give it to the Senatorial branch'' which he envisioned as a group ''sufficiently stable and independent'' to provide ''deliberative judgments.''

It was widely agreed that the Senate ''would be composed of men nearly equal to the Executive and would, of course, have on the whole more wisdom'' than the Executive. It is very important to point out that they felt ''it would be less easy for candidates''—referring to candidates to the bench—''to intrigue with [the Senators], more than with the Executive.''

In fact, during the drafting of the Constitution, four separate attempts were made to include Presidential involvement in judicial appointments, but because of the widespread fear of Presidential power, they all failed. There continued to be proponents of Presidential involvement, however, and finally, at the eleventh hour, the appointment power was divided and shared, as a consequence of the Connecticut Compromise I will speak to in a minute, between the two institutions, the President and the Senate.

In the end, the Founders set up a system in which the President nominates and the Senate has the power to give or withhold—or withhold—its ''advice and consent.'' The role of ''advice and consent'' was not understood to be purely formal. The Framers clearly contemplated a substantive role on the part of the Senate in checking the President.

This bifurcation of roles makes a lot of sense, for how best can we ensure that an independent judiciary is beholden to no one man or no one group than by requiring two separate and wholly independent entities to sign off before a judge takes the bench?

There is a Latin proverb which translates to ''Who will guard the guardians?'' Our judges guard our rights, and our Founders were smart enough to put both the President and the Senate, acting independently, in charge of guarding our judicial guardians. Who will guard the guardians?

As a Senator, I regard this not as just a right but as a solemn duty and responsibility, one that transcends the partisan disputes of any day or any decade. The importance of multiple checks in determining who our judges would be was not lost on our Founders, even on those who were very much in favor of a strong Executive.

For example, Alexander Hamilton, probably the strongest advocate for a stronger Executive, wrote:

The possibility of rejection [by the Senate] would be a strong motive to [take] care in proposing [nominations. The President] . . . would be both ashamed and afraid to bring forward . . . candidates who had no other merit, than that . . . of being in some way or other personally allied to him, or of possessing the necessary insignificance and pliancy to render them the obsequious instrument of his pleasure.

Hamilton also rebutted the argument that the Senate's rejection of nominees would give it an improper influence over the President, as some here have suggested, by stating:

If by influencing the President be meant restraining him, this is precisely what must have been intended. And it has been shown that the restraint would be salutary.

The end result of our Founders was a system in which both the President and the Senate had significant roles, a system in which the Senate was constitutionally required to exercise independent judgment, not simply to rubberstamp the President's desires.

As Senator William Maclay said:

[W]hoever attends strictly to the Constitution of the United States will readily observe that the part assigned to the Senate was an important one—no less that of being the great check, the regulator and corrector, or, if I may so speak, the balance of this government. . . .The approbation of the Senate was certainly meant to guard against the mistakes of the President in his appointments to office . . . The depriving power should be the same as the appointing power.

The Founders gave us a system in which the Senate was to play a significant and substantive role in judicial nominations. They also provided us guidance on what type of legislative body they envisioned. In this new type of governance system they set up in 1789 where power would be separated and would check other power, the Founders envisioned a special unique role for the Senate that does not exist anywhere else in governance or in any parliamentary system.

There is the oft-repeated discussion between two of our most distinguished Founding Fathers, Thomas Jefferson and George Washington. Reportedly, at a breakfast that Jefferson was having with Washington upon returning from Paris, because he was not here when the Constitution was written, Jefferson was somewhat upset that there was a bicameral legislative body, that a Senate was set up. He asked Washington: Why did you do this, set up a Senate? And Washington looked at Jefferson as they were having tea and said: Why did you pour that tea into your saucer? And Jefferson responded: To cool it.

I might note parenthetically that was the purpose of a saucer originally. It was not to keep the tablecloth clean.

Jefferson responded: To cool it, and Washington then sagely stated: Even so, we pour legislation into the senatorial saucer to cool it.

The Senate was designed to play this independent and, I might emphasize, moderating—a word not heard here very often—moderating and reflective role in our Government. But what aspects of the Senate led it to become this saucer, cooling the passions of the day for the betterment of America's long-term future? First, the Founders certainly did not envision the Senate as a body of unadulterated majoritarianism. In fact, James Madison and other Founders were amply concerned about the majority's ability, as they put it, ''to oppress the minority.'' It was in this vein the Senate was set up ''first to protect the people against their rulers; secondly, to protect the people against the transient impressions into which they themselves might be led. . . .The use of the Senate is to consist in its proceeding with more coolness, with more system, and with more wisdom, than the popular branch.''

Structurally, the Founders set up a ''different type of legislature'' by ensuring that each citizen—now here is an important point, and if anybody in this Chamber understands this, the Presiding Officer does—the Founders set up this different type of legislative body by ensuring that each citizen did not have an equal say in the functioning of the Senate—that sounds outrageous, to ensure they did not have an equal say—but that each State did have an equal say. In fact, for over a century, Senators were not originally chosen by the people, as the Presiding Officer knows, and it was not until 1913 that they were elected by the people as opposed to selected by their State legislative bodies.

Today, Mr. President, you and I do stand directly before the people of our State for election, but the Senate remains to this day a legislative body that does not reflect the simple popular majority because representation is by States.

That means someone from Maine has over 25 times as much effective voting power in this body as the Senator from California. An interesting little fact, and I do not say this to say anything other than how the system works, there are more desks on that side of the aisle. That side has 55. Does that side of the aisle realize this side of the aisle, with 45 desks, represents more

Americans than they do? If we add up all the people represented by the Republican Party in the Senate, they add up to fewer people than the Democratic Party represents in the Senate. We represent the majority of the American people, but in this Chamber it is irrelevant and it should be because this was never intended in any sense to be a majoritarian institution.

This distinctive quality of the Senate was part of that Great Compromise without which we would not have a Constitution referred to as the Connecticut Compromise. Edmund Randolph, who served as the first Attorney General of the United States and would later be Secretary of State, represented Virginia at the Constitutional Convention, and in that context he argued for fully proportionate representation in the debates over the proper form of the legislative branch, but ultimately he agreed to the Connecticut Compromise. After reflection, that so seldom happens among our colleagues, myself included, he realized his first position was incorrect and he stated:

> The general object was to provide a cure for the evils under which the United States labored; that in tracing these evils to their origin every man—

Referring to every man who agreed to the compromise—

> had found it in the turbulence and follies of democracy; that some check therefore was to be sought against this tendency of our Governments; and that a good Senate seemed most likely to answer this purpose.

So the Founders quite intentionally designed the Senate with these distinctive features.

Specifically, article 1, section 5 of the Constitution states that each House may determine its own rules for its own proceedings. Precisely: ''Each House may determine the Rules of its Proceedings.'' The text contains no limitations or conditions. This clause plainly vests the Senate with plenary power to devise its internal rules as it sees fit, and the filibuster was just one of those procedural rules of the many rules that vest a minority within the Senate with the potential to have a final say over the Senate's business.

It was clear from the start that the Senate would be a different type of legislative body; it would be a consensus body that respects the rights of minorities, even the extreme minority power of a single Senator because that single Senator can represent a single and whole State. The way it is played out in practice was through the right of unlimited debate.

I find it fascinating, we are talking about the limitation of a right that has already limited the original right of the Founding Fathers. The fact was there was no way to cut off debate for the first decades of this Republic.

Joseph Story, famous justice and probably one of the best known arbiters of the Constitution in American history, his remark about the importance of the right of debate was ''the next great and vital privilege is the freedom of speech and debate, without which all other privileges would be comparatively unimportant, or ineffectual.'' And that goes to the very heart of what made the Senate different.

In the Senate, each individual Senator was more than a number to be counted on the way to a majority vote, something I think some of us have forgotten. Daniel Webster put it this way:

> This is a Senate of equals, of men of individual honor and personal character, and of absolute independence. We know no masters, we acknowledge no dictators. This is a hall for mutual consultation and discussion; not an arena for the exhibition of champions.

Extended debate, the filibuster, was a means to reach a more modest and moderate result to achieve compromise and common ground to allow Senators, as Webster had put it, to be men—and now men and women—of absolute independence.

Until 1917, there was no method to cut off debate in the Senate, to bring any measure to a vote, legislative or nomination—none, except unanimous consent. Unanimous consent was required up until 1917 to get a vote on a judge, on a bill, on anything on the Executive Calendar. The Senate was a place where minority rights flourished completely, totally unchecked, a place for unlimited rights of debate for each and every Senator.

In part this can be understood as a recognition of our federal system of government in which we were not just a community of individuals but we were also a community of sovereign States. Through the Senate, each State, through their two Senators, had a right to extensive debate and full consideration of its views.

For much of the Senate's history, until less than 100 years ago, to close off debate required not just two-thirds of the votes, but it required all of the votes. The Senate's history is replete with examples of situations in which a committed minority flexed its ''right to debate'' muscles. In fact, there was a filibuster over the location of the Capitol of the United States in the First Congress. But what about how this tradition of allowing unlimited debate and respect for minority rights played out in the nomination context, as opposed to the legislative process?

First, the text of the Constitution makes no distinction whatsoever between nominations and legislation. Nonetheless, those who are pushing the nuclear option seem to suggest that while respect for minority rights has a long and respected tradition on the legislative side of our business, things were somehow completely different when it came to considering nominations. In fact, it is the exact opposite.

The history of the Senate shows, and I will point to it now, that previous Senates certainly did not view that to be the case. While it is my personal belief that the Senate should be more judicious in the use of the filibuster, that is not how it has always been. For example, a number of President Monroe's nominations never reached the floor by the end of his administration and were defeated by delay, in spite of his popularity and his party's control of the Senate.

Furthermore, President Adams had a number of judicial nominations blocked from getting to the floor. More than 1,300 appointments by President Taft were filibustered. President Wilson also suffered from the filibusters of his nominees.

Not only does past practice show no distinction between legislation and judicial nominations in regards to the recognition of minority rights, the formal rules of the Senate have never recognized such a distinction, except for a 30–year stretch in the Senate history, 1917 to 1949, when legislation was made subject to cloture but nominations were not. Do my colleagues hear this? All of those who think a judge is more entitled to a vote than legislation, in 1917 it was decided that absolute unlimited debate should be curtailed, and there needs to be a two-thirds vote to cut off debate in order to bring legislation to the floor.

But there was no change with regard to judicial nominees. There was a requirement of unanimous consent to get a nominee voted on. So much for the argument that the Constitution leans toward demanding a vote on nominations more than on legislation. It flies in the face of the facts, the history of America and the intent of our Framers. This fact in itself certainly undercuts the claim that there has been, by tradition, the insulating of judicial nominees from filibusters.

In both its rules and its practices, the Senate has long recognized the exercise of minority rights with respect to nominations. And it should come as no surprise that in periods where the electorate is split very evenly, as it is now, the filibustering of nominations was used extensively. For example, my good friend Senator HATCH who is on the Senate floor—as my mother would say, God love him, because she likes him so much, and I like him, too—he may remember when I was chairman of the Judiciary Committee back in the bad old days when the Democrats controlled the Senate during President Clinton's first 2 years in office, a time when the Democrats controlled both the Presidency and the Senate but nonetheless the country remained very divided, numerous filibusters resulted, even in cases not involving the judiciary.

I remind my friends, for example, that the nomination of Dr. Henry Foster for Surgeon General, Sam Brown to be ambassador to the Conference on Cooperation and Security in Europe, Janet Napolitano to be U.S. attorney in the District of Arizona, and Ricki Tigert for the Federal Deposit Insurance Corporation head, were all filibustered. We controlled the Senate, the House, the Presidency, but the Nation was nonetheless divided.

Some may counter that there should be a difference between how judicial

nominees should be treated versus the treatment accorded executive branch nominees, the Cabinet, and the rest. Constitutional text, historical practice and principle all run contrary to that proposition.

On the textual point, we only have one appointments clause. It is also instructive to look at a few historical examples. In 1881, Republican President Rutherford B. Hayes nominated Stanley Matthews to the Supreme Court. A filibuster was mounted, but the Republican majority in the Senate was unable to break the filibuster, and Stanley Matthews' Supreme Court nomination failed without getting a vote.

In 1968, the filibuster to block both Justice Abe Fortas from becoming Chief Justice and Fifth Circuit Court Judge Homer Thornberry to occupy the seat that Justice Fortas was vacating was one where the Democrats controlled the Senate, and the Republicans filibustered. The leader of that successful filibuster effort against Justice Fortas was Republican Senator Robert Griffin from Michigan. In commenting on the Senate's rejection of President George Washington's nomination of John Rutledge to be Chief Justice of the Supreme Court, the Republican Senator who mounted a successful filibuster against Fortas on the floor—translated, Fortas never got a vote, even though he was a sitting Supreme Court Justice about to be elevated to Chief Justice—what did the Senator from Michigan who led that fight say about the first fight in the Senate?

> That action in 1795 said to the President then in office and to future Presidents: ''Don't expect the Senate to be a rubberstamp. We have an independent coequal responsibility in the appointing process; and we intend to exercise that responsibility, as those who drafted the Constitution so clearly intended.''

There is also a very important difference between judicial and executive nominees that argued for greater Senate scrutiny of judicial nominees. It should be noted that legislation is not forever. Judicial appointments are for the life of the candidate.

Of course, no President has unlimited authority, even related to his own Cabinet. But when you look at judges, they serve for life.

An interesting fact that differentiates us from the 1800s, when these filibusters took place, and 1968, when they took place: The average time a Federal judge spends on the bench, if appointed in the last 10 years from today, has increased from 15 years to 24 years. That means that on average, every judge we vote for will be on that bench for a quarter century. Since the impeachment clause is fortunately not often used, the only opportunity the Senate has to have its say is in this process.

The nuclear option was so named because it would cause widespread bedlam and dysfunction throughout the Senate, as the minority party, my party, has pledged to render its vigorous protest. But I do not want to dwell on those immediate consequences which, I agree with my Senate Judiciary Committee chairman, would be dramatic. He said:

> If we come to the nuclear option the Senate will be in turmoil and the Judiciary Committee will be in hell.

However serious the immediate consequences may be, and however much such dysfunction would make both parties look juvenile and incompetent, the more important consequence is the long-term deterioration of the Senate. Put simply, the nuclear option threatens the fundamental bulwark of the constitutional design. Specifically, the nuclear option is a double-barreled assault on this institution. First, requiring only a bare majority of Senators to confirm a judicial nominee is completely contrary to the history and intent of the Senate. The nuclear option also upsets a tradition and history that says we are not going to change the rules of the Senate by a majority vote. It breaks the rule to change the rule. If we go down this path of the nuclear option, we will be left with a much different system from what our Founders intended and from how the Senate has functioned throughout its history.

The Senate has always been a place where the structure and rules permit fast-moving partisan agendas to be slowed down; where hotheads could cool and where consensus was given a second chance, if not a third and a fourth.

While 90 percent of the business is conducted by unanimous consent in this body, those items that do involve a difference of opinion, including judicial nominations, must at least gain the consent of 60 percent of its Members in order to have that item become law. This is not a procedural quirk. It is not an accident of history. It is what differentiates the Senate from the House of Representatives and the English Parliament.

President Lyndon Johnson, the ''Master of the Senate,'' put it this way:

> In this country, a majority may govern but it does not rule. The genius of our constitutional and representative government is the multitude of safeguards provided to protect minority interests.

And it is not just leaders from the Democratic Party who understand the importance of protecting minority rights. Former Senate Majority Leader Howard Baker wrote in 1993 that compromising the filibuster:

> would topple one of the pillars of American Democracy: the protection of minority rights from majority rule. The Senate is the only body in the federal government where these minority rights are fully and specifically protected.

Put simply, the nuclear option'' would eviscerate the Senate and turn it into the House of Representatives. It is not only a bad idea, it upsets the Constitutional design and it disserves the country. No longer would the Senate be that different kind of legislative body'' that the Founders intended. No longer would the Senate be the saucer'' to cool the passions of the immediate majority.

Without the filibuster, more than 40 Senators would lack the means by which to encourage compromise in the process of appointing judges. Without the filibuster, the majority would transform this body into nothing more than a rubber stamp for every judicial nomination.

The Senate needs the threat of filibuster to force a President to appoint judges who will occupy the sensible center rather than those who cater to the whim of a temporary majority. And here is why—it is a yes or no vote; you can't amend a nomination.

With legislation, you can tinker around the edges and modify a bill to make it more palatable. You can't do that with a judge. You either vote for all of him or her, or none. So only by the threat of filibuster can we obtain compromise when it comes to judges.

We, as Senators, collectively need to remember that it is our institutional duty to check any Presidential attempt to take over the Judiciary. As the Congressional Research Service, the independent and non-partisan research arm of Congress, stated, the ''nuclear option'' would:

> . . . strengthen the executive branch's hand in the selection of federal judges.

This shouldn't be a partisan issue, but an institutional one. Will the Senate aid and abet in the erosion of its Article I power by conceding to another branch greater influence over our courts? As Senator Stennis once said to me in the face of an audacious claim by President Nixon:

> Are we the President's men or the Senate's?

He resolved that in a caucus by speaking to us as only John Stennis could, saying:

> I am a Senate man, not the President's man.

Too many people here forget that.

Earlier, I explained that for much of the Senate's history, a single Senator could stop legislation or a nomination dead in its tracks. More recent changes to the Senate Rules now require only ⅗ of the Senate, rather than all of its Members, to end debate. Proponents of the ''nuclear option'' argue that their proposal is simply the latest iteration of a growing trend towards majoritarianism in the Senate. God save us from that fate, if it is true.

I strongly disagree. Even a cursory review of these previous changes to the Senate Rules on unlimited debate show that these previous mechanisms to invoke cloture always respected minority rights.

The ''nuclear option'' completely eviscerates minority rights. It is not simply a change in degree but a change in kind. It is a discontinuous action that is a sea change, fundamentally restructuring what the Senate is all about.

It would change the Senate from a body that protects minority rights to one that is purely majoritarian. Thus, rather than simply being the next logical step in accommodating the Senate Rules to the demands of legislative and policy modernity, the ''nuclear option'' is a leap off the institutional precipice.

And so here we collectively stand—on the edge of the most important procedural change during my 32-year Senate career, and one of the most important ever considered in the Senate; a change that would effectively destroy the Senate's independence in providing advice and consent.

I ask unanimous consent to be able to continue for another 15 minutes.

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

Mr. BIDEN. The ''nuclear option'' would gut the very essence and core of what the Senate is about as an institution—flying directly in the face of our Founders who deliberately rejected a parliamentary system. A current debate, over a particular set of issues, should not be permitted to destroy what history has bestowed on us.

And the stakes are much, much higher than the contemporary controversy over the judiciary. Robert Caro, the noted author on Senate history, wrote the following in a letter to the Chairman and Ranking Member of the Senate Committee on Rules and Administration:

> [I]n considering any modification [to the right of extended debate in the Senate Senators should realize they are dealing not with the particular dispute of the moment, but with the fundamental character of the Senate of the United States, and with the deeper issue of the balance between majority and minority rights . . ., you need only look at what happened when the Senate gradually surrendered more and more of its power over international affairs to learn the lesson that once you surrender power, you never get it back.

The fight over the nuclear option is not just about the procedure for confirming judges. It is also, fundamentally, about the integrity of the Senate. Put simply, the ''nuclear option'' changes the rules midstream. Once the Senate starts changing the rules outside of its own rules, which is what the nuclear option does, there is nothing to stop a temporary majority from doing so whenever a particular rule would pose an obstacle.

It is a little akin to us agreeing to work together on a field. I don't have to sit down and agree with you that we are going to divide up this field, but I say, OK, I will share my rights in this field with you. But here is the deal we agree to at the start. Any change in the agreements we make about how to run this field have to be by a super-majority. OK? Because that way I am giving up rights—which all the Founders did in this body, this Constitution—rights of my people, for a whole government. But if you are going to change those rules with a pure majority vote, then I would have never gotten into the deal in the first place.

I suffer from teaching constitutional law for the last 13 years, an advanced class on constitutional law at Widener University, a seminar on Saturday morning, and I teach this clause. I point out the essence of our limited constitutional government, which is so different than every other, is that it is based on the consent of the governed. The governed would never have given consent in 1789 if they knew the outfit they were giving the consent to would be able, by a simple majority, to alter their say in their governance.

The Senate is a continuing body, meaning the rules of the Senate continue from one session to the next. Specifically, rule V provides:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

I say to my colleague from North Carolina, on the floor, I say to my colleague from South Carolina, I say to my colleague from Utah: If you vote for this ''nuclear option'' you are about to break faith with the American people and the sacred commitment that was made on how to change the rules.

Senate rule XXII allows only a rule change with two-thirds votes. The ''continuing body'' system is unlike many other legislative bodies and is part of what makes the Senate different and allows it to avoid being captured by the temporary passions of the moment. It makes it different from the House of Representatives, which comes up with new rules each and every Congress from scratch.

The ''nuclear option'' doesn't propose to change the judicial filibuster rule by securing a two-thirds vote, as required under the existing rules. It would change the rule with only a bare majority. In fact, as pointed out recently by a group of legal scholars:

> On at least 3 separate occasions, the Senate has expressly rejected the argument that a simple majority has the authority claimed by the proponents of the [nuclear option].

One historical incident is particularly enlightening. In 1925, the Senate overwhelmingly refused to agree to then-Vice President Dawes' suggestion that the Senate adopt a proposal for amending its rules identical to the nuclear option.

On this occasion, an informal poll was taken of the Senate. It indicated over 80 percent of the Senators were opposed to such a radical step.

Let me be very clear. Never before have Senate rules been changed except by following the procedures laid out in the Senate rules. Never once in the history of the Senate.

The Congressional Research Service directly points out that there is no previous precedent for changing the Senate rules in this way.

The ''nuclear option'' uses an ultra-vires mechanism that has never before been used in the Senate—''Employment of the [nuclear option] would require the chair to overturn previous precedent.

The Senate Parliamentarian, the nonpartisan expert on the Senate's procedural rules—who is hired by the majority—has reportedly said that Republicans will have to overrule him to employ the ''nuclear option''.

Adopting the ''nuclear option'' would send a terrible message about the malleability of Senate rules. No longer would they be the framework that each party works within.

I've been in the Senate for a long time, and there are plenty of times I would have loved to change this rule or that rule to pass a bill or to confirm a nominee I felt strongly about.

But I didn't, and it was understood that the option of doing so just wasn't on the table.

You fought political battles; you fought hard; but you fought them within the strictures and requirements of the Senate rules. Despite the short-term pain, that understanding has served both parties well, and provided long-term gain.

Adopting the ''nuclear option'' would change this fundamental understanding and unbroken practice of what the Senate is all about. Senators would start thinking about changing other rules when they became ''inconvienent.'' Instead of two-thirds of the vote to change a rule, you'd now have precedent that it only takes a bare majority. Altering Senate rules to help in one political fight or another could become standard operating procedure, which, in my view, would be disastrous.

The Congressional Research Service has stated that adopting the ''nuclear option'' would set a precedent that could apply to virtually all Senate business. It would ultimately threaten both parties, not just one. The Service report states:

> The presence of such a precedent might, in principle, enable a voting majority of the Senate to alter any procedure at-will by raising a point of order . . . by such means, a voting majority might subsequently impose limitations on the consideration of any item of business, prohibiting debate or amendment to any desired degree. Such a majority might even alter applicable procedures from one item of business to the next, from one form of proceeding to a contrary one, depending on immediate objects.

Just as the struggle over the ''nuclear option'' is about constitutional law and Senate history, it is also about something much more simple and fundamental—playing by the rules.

I reiterate that I think Senator Frist and his allies think they are acting on the basis of principle and commitment, but I regret to say they are also threatening to unilaterally change the rules in the middle of the game. Imagine a baseball team with a five-run lead after eight innings unilaterally declaring that the ninth inning will consist of one out per team.

Would the fans—for either side—stand for that? If there is one thing this country stands for it's fair play—not tilting the playing field in favor of one side or the other, not changing the

rules unilaterally. We play by the rules, and we win or lose by the rules.

That quintessentially American trait is abandoned in the ''nuclear option.'' Republican Senators as well as Democratic ones have benefited from minority protections. Much more importantly, American citizens have benefited from the Senate's check on the excesses of the majority.

But this is not just about games, and playing them the right way. This is about a more ethereal concept—justice. In his groundbreaking philosophical treatise, A Theory of Justice, the philosopher John Rawls points to the importance of what he calls procedural justice.

Relying on this predecessors such as Immanuel Kant, Thomas Hobbes, Jean Jacques Rousseau, and John Locke, Rawls argues that, in activities as diverse as cutting a birthday cake and conducting a criminal trial, it is the procedure that makes the outcome just. An outcome is just if it has been arrived at through a fair procedure.

This principle undergirds our legal system, including criminal and civil trials. Moreover it is at the very core of our Constitution. The term ''due process of law'' appears not once but twice in our Constitution, because our predecessors recognized the vital importance of setting proper procedures—proper rules—and abiding by them.

It is also the bedrock principle we Senators rely on in accepting outcomes with which we may disagree. We know the debate was conducted fairly—the game was played by the rules. A decision to change the Senate's rules in violation of those very same rules abandons the procedural justice that legitimates everything we do.

It is interesting to ask ourselves what's different about now, why are we at this precipice where the ''nuclear option'' is actually being seriously debated and very well might be utilized? Why have we reached this point when such a seemingly radical rule change is being seriously considered by a majority of Senators? It's a good question, and I don't have an easy answer.

We have avoided such fights in the past largely because cooler heads have prevailed and accommodation was the watchword.

As Senator Sam Ervin used to say—the separation of powers should not, as President Woodrow Wilson warned, become an invitation for warfare between the two branches.

Throughout this country's history—whether during times of war or political division, for example—Presidents have sometimes extended an olive branch across the aisle. Past Presidents have in these circumstances made bipartisan appointments, selecting nominees who were consensus candidates and often members of the other party.

President Clinton had two Supreme Court nominees, and the left was pushing us as hard as the right is pushing you. What did he do? I spent several hours with him consulting on it. He picked two people on his watch who got 90 or so votes. Moderate, mainstream appointments. He did not appoint Scalias. He did not appoint Thomases. He appointed people acceptable to the Republicans because he was wise enough to know, even though he was President, we were still a divided Nation.

History provides ample examples. During the midst of the Civil War, President Lincoln selected members of the opposition Democratic party for key positions, naming Stephen Field to the Supreme Court in 1863 and Andrew Johnson as his Vice Presidential candidate in 1864.

On the brink of American entrance into WWII, President Roosevelt likewise selected members of the opposition Republican party, elevating Harlan Fiske Stone to be Chief Justice and naming Henry Stimson as Secretary of War.

Other 20th Century Presidents followed suit. In 1945, President Truman named Republican Senator Harold Burton to the Supreme Court. In 1956, President Eisenhower named Democrat William Brennan to the Supreme Court. What has happened to us? What have we become?

Does anyone not understand this Nation is divided red and blue and what it needs is a purple heart and not a red heart or a blue heart.

Lest any of my colleagues think these examples are merely culled from the dusty pages of history, let me remind them that the Senate has witnessed recent examples of consensus appointments during times of close political division. As I already mentioned, President Clinton followed this historic practice during vacancies to the Supreme Court a decade ago.

As explained by my friend, the Senior Senator from Utah, who was then the ranking member of the Senate Judiciary Committee, President Clinton consulted with him and the Republican Caucus during the High Court vacancies in 1993 and 1994. The result was President Clinton's selection of two outstanding and consensus nominees—Ruth Bader Ginsburg and Stephen Breyer—both of whom were confirmed overwhelmingly by the Senate, by votes of 97–3 and 87–9, respectively.

Indeed, the last two vacancies to the Supreme Court are text book examples of the executive branch working in cooperative and collegial fashion with its Senate counterpart to secure consensus appointments, thus averting an ideological showdown. The two constitutional partners given roles in the nomination process engaged in a consultative process that respected the rights and obligations of both branches as an institutional matter, while also producing outstanding nominees who were highly respected by both parties.

To be sure, a careful review of our Nation's history does not always provide the examples of consultation, comity, or consensus in the nomination process. Presidents of both parties have at times attempted to appoint nominees—or remove them once confirmed—over the objections of the Senate, including in some instances where the Senate was composed of a majority of the President's own party. And sometimes the Senate has had to stand strong and toe the line against imperialist Presidential leanings.

Our first President, George Washington, saw one of his nominees to the Supreme Court rejected by this Senate in 1795. The Senate voted 14 to 10 to reject the nomination of John Rutledge of South Carolina to be Chief Justice. What is historically instructive, I believe, is that while the Senate was dominated by the Federalists, President Washington's party, 13 of the 14 Senators who rejected the Rutledge nomination were Federalists.

The Senate also stood firm in the 1805 impeachment of Supreme Court Justice Samuel Chase. President Jefferson's party had majorities in both the House and the Senate, and Jefferson set his sights on the Supreme Court. Specifically, he wanted to remove Justice Chase, a committed Federalist and frequent Jefferson critic, from the Court.

Jefferson was able to convince the House to impeach Justice Chase on a party-line vote, and the President had enough members of his party in the Senate to convict him. But members of the President's own party stood up to their President; the Senate as an institution stood up against executive overreaching. Justice Chase was not convicted, and the independence of the judiciary was preserved.

The Senate again stood firm in the 1937 court-packing plan by President Franklin Roosevelt.

This particular example of Senate resolve is instructive for today's debates, so let me describe it in some detail. It was the summer of 1937 and President Roosevelt had just come off a landslide victory over Alf Landon, and he had a Congress made up of solid New Dealers. But the ''nine old men'' of the Supreme Court were thwarting his economic agenda, overturning law after law overwhelmingly passed by the Congress and from statehouses across the country.

In this environment, President Roosevelt unveiled his court-packing plan—he wanted to increase the number of Justices on the court to 15, allowing himself to nominate these additional judges. In an act of great courage, Roosevelt's own party stood up against this institutional power grab. They did not agree with the judicial activism of the Supreme Court, but they believed that Roosevelt was wrong to seek to defy established traditions as a way of stopping that activism.

In May 1937, the Senate Judiciary Committee—a committee controlled by the Democrats and supportive of his political ends—issued a stinging rebuke. They put out a report condemning Roosevelt's plan, arguing it was an effort ''to punish the justices''

and that executive branch attempts to dominate the judiciary lead inevitably to autocratic dominance, ''the very thing against which the American Colonies revolted, and to prevent which the Constitution was in every particular framed.''

Our predecessors in the Senate showed courage that day and stood up to their President as a coequal institution. And they did so not to thwart the agenda of the President, which in fact many agreed with; they did it to preserve our system's checks and balances; they did it to ensure the integrity of the system. When the Founders created a ''different kind of legislative body'' in the Senate, they envisioned a bulwark against unilateral power—it worked back then and I hope that it works now.

The noted historian Arthur Schlesinger, Jr., has argued that in a parliamentary system President Roosevelt's effort to pack the court would have succeeded. Schlesinger writes: ''The court bill couldn't have failed if we had had a parliamentary system in 1937.'' A parliamentary legislature would have gone ahead with their President, that's what they do, but the Founders envisioned a different kind of legislature, an independent institution that would think for itself. In the end, Roosevelt's plan failed because Democrats in Congress thought court-packing was dangerous, even if they would have supported the newly-constituted court's rulings. The institution acted as an institution.

In summary, then, what do the Senate's action of 1795, 1805, and 1937 share in common? I believe they are examples of this body acting at its finest, demonstrating its constitutional role as an independent check on the President, even popularly elected Presidents of the same political party.

One final note from our Senate history. Even when the Senate's rules have been changed in the past to limit extended debate, it has been done with great care, remarkable hesitancy, and by virtual consensus. Take what occurred during the Senate's two most important previous changes to the filibuster rule: the 1917 creation of cloture and the 1975 lowering of the cloture threshold.

First, let's examine 1917. On the eve of the United States' entry into WWI, with American personnel and vessels in great danger on the high seas, President Wilson asked that Congress authorize the arming of American merchant vessels. Over three-fourths of the Senate agreed with this proposal on the merits, but a tiny minority opposed it. With American lives and property at grave risk, the Senate still took over 2 months to come to the point of determining to change its rules to permit cloture.

When they did so, they did it by virtual consensus, and in a supremely bipartisan manner. A conference committee composed equally of Democrats and Republicans, each named to the committee by their party leadership, drafted and proposed the new rule. It was then adopted by an overwhelming vote of 76–3.

In 1975, I was part of a bipartisan effort to lower the threshold for cloture from two-thirds to three-fifths. Many of us were reacting against the filibustering for so many years of vital civil rights legislation. Civil rights is an issue I feel passionately about and was a strong impetus for me seeking public office in the first place. Don't get me wrong—I was not calling the shots back in 1975; I was a junior Senator having been in the chamber for only 2 years.

But I will make no bones about it—for about two weeks in 1975—I was part of a slim bipartisan majority that supported jettisoning established Senate rules and ending debate on a rules change by a simple majority.

The rule change on the table in 1975 was not to eliminate the filibuster in its entirety, which is what the current ''nuclear option'' would do for judicial nominations; rather it was to change from the then-existing two-thirds cloture requirement to three-fifths. It was a change in degree, not a fundamental restructuring of the Senate to completely do away with minority rights.

The rule change was also attempted at the beginning of the Senate session and applied across the board, as opposed to the change currently on the table, brought up mid-session concerning only a very small subset of the Senate's business. Nonetheless, my decision to support cutting off debate on a rules change by a simple majority vote was misguided.

I carefully listened to the debate in 1975 and learned much from my senior colleagues. In particular, I remember Senator Mansfield being a principled voice against the effort to break the rules to amend the rules.

Senator Mansfield stood on this floor and said the following:

> [T]he fact that I can and do support [changing the cloture threshold from ⅔ to ⅗] does not mean that I condone or support the route taken or the methods being used to reach the objective of Senate rule 22. The present motion to invoke cloture by a simple majority, if it succeeds would alter the concept of the Senate so drastically that I cannot under any circumstances find any justification for it. The proponents of this motion would disregard the rules which have governed the Senate over the years, over the decades, simply by stating that the rules do not exist. They insist that their position is right and any means used are, therefore, proper. I cannot agree.

Senator Mansfield's eloquent defense of the Senate's institutional character and respect for its rules rings as true today as it did 30 years ago. Senator Mansfield's courage and conviction in that emotionally charged time is further evidence, I believe, of why he is one of the giants of the Senate.

In the end, cooler heads prevailed and the Senate came together in a way only the Senate can. I changed my mind; I along with my Senate colleagues. We reversed ourselves and changed the cloture rule but only by following the rules. Ultimately, over ¾ of the voting Senators—a bipartisan group—voted to end debate. In fact, the deal that was struck called for reducing the required cloture threshold from ⅔ to ⅗; but it retained the higher ⅔ threshold for any future rules changes.

Now I understand that passions today are running high on both sides of the ''nuclear option'' issue, and I can relate to my current Republican colleagues. I agree with my distinguished Judiciary Committee Chairman that neither side has clean hands in the escalating judicial wars.

I also understand the frustration of my Republican colleagues—especially those who are relatively new to this Chamber—that a minority of Senators can have such power in this body.

For me, the lesson from my 1975 experience, which I believe strongly applies to the dispute today, is that the Senate ought not act rashly by changing its rules to satisfy a strong-willed majority acting in the heat of the moment.

Today, as in 1975, the solution to what some have called a potential constitutional crisis lies in the deliberate and thoughtful effort by a bipartisan majority of Senators to heed the wisdom of those who established the carefully crafted system of checks and balances protecting the rights of the minority. It's one thing to change Senate rules at the margins and in degrees, it's quite another to overturn them.

Federalist No. 1 emphasizes that Americans have a unique opportunity—to choose a form of government by ''reflection and choice'':

> It has been frequently remarked that it seems to have been reserved to the people of this country . . . to decide the important question, whether societies of men are really capable or not of establishing good government from reflection and choice, or whether they are forever destined to depend for their political constitutions on accident and force.

We need to understand that this is a question posed at the time of the founding and also a question posed to us today. At the time of the founding, it was a question about whether America would be able to choose well in determining our form of government.

We know from the experience of the last 225 years that the founding generation chose well. As a question posed to citizens and to Senators of today, it is a question about whether we will be able to preserve the form of government they chose.

The Framers created the Senate as a unique legislative body designed to protect against the excesses of any temporary majority, including with respect to judicial nominations; and they left all of us the responsibility of guaranteeing an independent Federal judiciary, one price of which is that it sometimes reaches results Senators do not like.

It is up to us to preserve these precious guarantees. Our history, our

American sense of fair play, and our Constitution demand it.

I would ask my colleagues who are considering supporting the ''nuclear option''—those who propose to ''jump off the precipice''—whether they believe that history will judge them favorably.

In so many instances throughout this esteemed body's past, our forefathers came together and stepped back from the cliff. In each case, the actions of those statesmen preserved and strengthened the Senate, to the betterment of the health of our constitutional republic and to all of our advantage.

Our careers in the Senate will one day end—as we are only the Senate's temporary officeholders—but the Senate itself will go on.

Will historians studying the actions taken in the spring of 2005 look upon the current Members of this Senate as statesmen who placed the institution of the United States Senate above party and politics?

Or will historians see us as politicians bending to the will of the Executive and to political exigency?

I, for one, am comfortable with the role I will play in this upcoming historic moment.

I hope all my colleagues feel the same.

Thank you.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 11:03 p.m., adjourned until Thursday, March 25, 2021, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

FEDERAL TRADE COMMISSION

LINA M. KHAN, OF NEW YORK, TO BE A FEDERAL TRADE COMMISSIONER FOR THE UNEXPIRED TERM OF SEVEN YEARS FROM SEPTEMBER 26, 2017, VICE JOSEPH SIMONS.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

BILL NELSON, OF FLORIDA, TO BE ADMINISTRATOR OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, VICE JAMES BRIDENSTINE.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 24, 2021:

DEPARTMENT OF ENERGY

DAVID TURK, OF MARYLAND, TO BE DEPUTY SECRETARY OF ENERGY.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

RACHEL LELAND LEVINE, OF PENNSYLVANIA, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES.