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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

THURSDAY, MARCH 25, 2021

The Senate met at 10 a.m. and was called to order by the Honorable JACKY ROSEN, a Senator from the State of Nevada.

PRAYER

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

Let us pray.

Eternal God, who sends the rain that satisfies the parched Earth, we honor Your Name.

Today, give our lawmakers the wisdom to understand that You are their sure foundation. Inspire them to seek Your guidance as they strive to do Your will. Lead them by Your truth and teach them, for You are the God who saves them.

May their quest to fulfill Your purposes motivate them to bring You their requests and to wait patiently for Your response.

Lord, show them clearly what to do and which way to turn. Surround them with the shield of Your love.

We pray in Your marvelous 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 25, 2021.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JACKY ROSEN, a Senator from the State of Nevada, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Ms. ROSEN 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 ACTING PRESIDENT pro tempore. The majority leader is recognized.

MEASURES PLACED ON THE CALENDAR—S. 963 and H.R. 1868

Mr. SCHUMER. Madam President, first, I understand that there are two bills at the desk due for a second reading en bloc.

The ACTING PRESIDENT pro tempore. The leader is correct.

The clerk will read the bills by title for a second time.

The senior assistant 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.

A bill (H.R. 1868) to prevent across-the-board direct spending cuts, and for other purposes.

Mr. SCHUMER. In order to place the bills on the calender under the provisions of rule XIV, I would object to further proceeding en bloc.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bills will be placed on the calendar.

BUSINESS BEFORE THE SENATE

Mr. SCHUMER. Madam President, despite unprecedented obstacles, the Senate has had an extremely productive first period of business.

It has been a little over 60 days since Democrats assumed the majority in the Senate and Joe Biden was sworn in as President. In that relatively short amount of time, the Senate has confirmed every available Cabinet Secretary—a group filled with a bevy of historic firsts—faster than under the prior two administrations.

Every single Cabinet nominee has received a bipartisan vote of approval here on the floor, a tribute to their character, their qualifications, and their caliber.

The Senate also conducted a fair and honest impeachment trial of the former President, resulting in the largest and most bipartisan conviction

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

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vote in the history, in the history of Presidential impeachments.

And, of course, the Democratic majority in the Senate passed the most sweeping Federal recovery effort in decades, the American Rescue Plan.

Again, despite several unprecedented obstacles, not only did we get a late start on our work, a result of the runoff elections in Georgia, we have had to contend with the aftermath of an armed insurrection at the Capitol, an impeachment trial, and the difficulty of navigating an evenly divided Senate.

Let's take a quick look at the scoreboard.

Economists project that the American Rescue Plan could double economic growth while cutting child poverty in half—the biggest anti-poverty effort in a generation.

We have made the single largest investment in American education and Native Tribes ever.

Experts have called the American Rescue Plan the most significant legislation for Black farmers since the Civil Rights Act.

The American Rescue Plan provides a lifeline to Main Street businesses from one end of the country to the other. Companies are already scaling back layoffs.

In less than 100 days, the Biden administration and Democratic majorities have helped deliver more than 100 million shots in people's arms and 100 million checks in people's pockets. As a result, the American people are more optimistic than at any time over the past year, and for the first time since the COVID–19 pandemic began, a clear majority of Americans believe our country is back on track.

Just this morning, the jobs report showed that applications for unemployment benefits fell by nearly 100,000 people—a sign that businesses are reopening and Americans are optimistic about getting back to work. After one of the most difficult years in American history, the country is finally turning the corner, and the Senate is off to a fantastic start.

Now looking forward, of course the job certainly isn't done yet. Now that we have passed the American Rescue Plan, the Senate must continue to make progress on other issues facing the American people. When the Senate returns to session, our agenda will be no less ambitious than it was over the past few months.

We will focus on three areas: one, voting rights, civil rights; two, economic recovery and jobs, with an emphasis on climate change and building back better; and three, health and gun safety.

This Senate will once again be the forum where civil rights are debated and historic action is taken to secure them for all Americans.

Last week, the Judiciary Committee held the first-ever hearing on the Equality Act, landmark legislation that would enshrine as a matter of law that no American shall be denied justice based on their gender or sexual orientation.

In the coming work period, the Democratic majority will also seek to repeal a Trump administration rule that gives employers an unfair advantage over workers when settling discriminatory claims.

At the same time, the Judiciary and Rules Committees have started their work responding to the concerted, nationwide, despicable attack on voting rights. In one State after another, new restrictions on the franchise are taking aim at communities of color in ways we haven't seen since the days of Jim Crow.

Yesterday, I attended the Rules Committee hearing on S. 1, the For the People Act, and I listened to my Republican colleagues try to defend these outrageous voter suppression laws. One member on the committee told us not to worry about them because many are just proposals and won't become law. Later that day, the same day, the Montana State Senate advanced a bill to end same-day voter registration.

Another member on the committee defended limits to early voting on Sundays—a day when many African Americans go to vote after church—by quoting the Bible and the Commandment to keep the Sabbath holy. I don't know where to begin with that one, but I will start by reminding my colleagues of the separation between church and state, and, frankly, the Bible passage she talked about comes from the Old Testament, when the Sabbath was on Saturday.

This is getting beyond ridiculous. Across the country, the Republican Party seems to believe that the best strategy for winning elections is not to win more voters but to try to prevent the other side from voting. That is not America. That is not democracy. And this Senate will take action to protect the voting rights of tens of millions of Americans. The Senate will vote on the For the People Act.

We will also keep a laser focus on our economic recovery. In the coming months, the Senate will consider legislation to rebuild our infrastructure and fight climate change, boost research and development and domestic manufacturing, reform our broken immigration system, and grow the power of American workers. Finally, the Senate will address health and gun safety.

When the Senate gavels back into session, we will vote on Senator HIRONO's COVID hate crimes bill, which my colleague GRACE MENG has sponsored in the House. It will give the Department of Justice and our local police departments crucial tools to fight the wave of racist violence we have seen against Asian Americans.

I have also committed to put a bill on expanded background checks on the floor of the Senate.

On the health front, we will take aim against the former administration's decision to roll back limits on methane emissions from oil and gas production—gases that pack a much greater punch than carbon dioxide when it comes to our climate. Senators HEINRICH, KING, and MARKEY have been working very hard on this issue. I applaud them. The Senate will take up a Congressional Review Act measure to reinstate the commonsense regulation of methane emissions to fight climate change.

The bottom line is this: The Senate of the 117th Congress has accomplished a lot in its first few months, but we have a lot of work left to do. The challenges our country still faces are immense, and there is no reason both sides cannot work together on issues that will affect our country and our children's future. We won't agree on everything, but we must agree that inaction is unacceptable. The Senate must help the country finish the job against COVID while continuing to build a more equal economy and a more just society.

I yield the floor.

LEGISLATIVE SESSION

PPP EXTENSION ACT OF 2021—MOTION TO PROCEED—Resumed

The ACTING PRESIDENT pro tempore. The clerk will report the pending business.

The senior assistant legislative clerk read as follows:

Motion to proceed to 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.

The ACTING PRESIDENT pro tempore. Under the previous order, all postcloture time for the motion to proceed to H.R. 1799 has expired, and the motion to proceed is agreed to.

The clerk will report the bill by title.

PPP EXTENSION ACT OF 2021

The senior assistant legislative clerk read as follows:

A 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.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

IMMIGRATION

Mr. MCCONNELL. Madam President, the crisis on our southern border continues to escalate. CBP is tracking the largest surge in migrant apprehensions in 20 years. Unaccompanied children are literally piling up in close quarters. It turns out when politicians spend a 2-year campaign advertising amnesty, people actually listen. As one senior CBP official said, there is ''no end in sight.'' No end in sight.

The administration still refuses to even admit there is a crisis, much less address it. We keep hearing strange mixed messaging from the White House

podium like ''now is not the time to come,'' as if there will be a good time to break the law and come illegally, and the White House will let us all know when that time is, I assume.

The Washington Post put it gently: ''Administration officials have been plagued by muddled messaging.'' Boy, that is an understatement. But actually, when you look at Democrats' actions, the message isn't mixed at all. That is the problem. For months on the campaign trail, President Biden spoke directly to potential migrants. At one point, he said, ''You want to flee . . . you should come.'' That was President Biden.

President Lopez Obrador of Mexico himself stated this week that President Biden's campaign created expectations that ''caused Central American migrants, and also from our country, wanting to cross the border, thinking that it is easier to do so.'' That was the President of Mexico.

On Inauguration Day, the President followed through—five Executive orders to roll back immigration enforcement and open up the border. The administration wasted no time rolling back the policies from the prior administration that had guarded against this exact outcome. South of the border, message received. Some migrants are arriving with Biden campaign flags and T-shirts. One arriving person said, ''Biden promised us that everything was going to change.''

So what about the Democrats here in Congress? Are the House Democrats rising to the occasion with solutions? Well, not exactly. They prioritized passing another amnesty bill. They doubled down on the wrong direction and the wrong incentives.

The situation is raising eyebrows among Democrats' own rank and file. As one Texas Democrat put it, ''When you create a system that incentivizes people to come across . . . that immediately sends a message.''

Here, in the Senate, our Democratic colleagues decided to go the route of obstruction. Yesterday, Republicans tried to pass serious proposals to help address parts of the immigration system. Democrats rejected every single one of them.

Senator ERNST had a proposal to require detention for migrants charged with violent crimes. It is not exactly a radical idea. Democrats blocked it.

Senator CRUZ had legislation to raise the stakes for repeated illegal entry. It is not exactly rocket science. Democrats blocked that one too.

Senator BLACKBURN and Senator LEE tried to combat child trafficking within the asylum process, and Democrats even blocked that.

The furthest left ideology on these issues is keeping Washington Democrats from upholding the basic responsibility of government: ensuring the integrity of our borders and protecting our national security.

ELECTION SECURITY

Madam President, now, on another matter. Yesterday, the Rules Committee held a hearing on the Democrats' proposal to tilt our entire political system on a partisan basis. It would forcibly rewrite every State's election laws in ways that defy common sense and are deeply unpopular with American voters.

It would mandate nearly unrestricted same-day registration. It would mandate big loopholes that would render voter ID almost meaningless. It would make every State legalize ballot harvesting, where paid operatives can turn up carrying big piles of ballots with other people's names on them, zero chain of custody.

Democrats want to hide behind the mantle of voting rights. What they are really proposing is less security, less integrity, and a grab bag of changes that are deeply, deeply unpopular. Just look at the other changes with zero relationship to voting rights that Democrats want to smuggle in behind that smokescreen.

This bill would take the Federal Election Commission from an evenly split, bipartisan panel to a partisan body so that Democrats could rule unilaterally over politics as well as citizens' speech, turn the neutral judge into a partisan prosecutor, and it would send taxpayers' money to fund political campaigns.

It contains a massive attack on the privacy of citizens who engage in free speech, a massive and intentional gift to cancel culture. That led even the leftwing ACLU to oppose this bill 2 years ago and lead senior ACLU lawyers to torch it again in the Washington Post just recently.

Democrats are desperate to avoid talking about any of these things. They are desperate to convince the media that a partisan takeover at the FEC, socialism for political ad makers, and an assault on free speech and Americans' privacy are just ''voting rights,'' a shameless, shameless bait and switch.

I noticed something funny yesterday. Remember, this is the same bill Democrats were shopping around 2 years ago in response to the 2016 election, which they said was a disaster. Now, 2 years ago, Democrats were marketing this bill as a massive shakeup that our broken elections badly needed.

Our democracy was in shambles after they lost in 2016. It was broken, they said. It was insecure, they said, and only this sweeping transformation could possibly repair it. Of course, it didn't pass, and the 2020 election came and went without the liberal takeover, and yet Democrats say it was a huge success.

Democrats said the 2020 election was beyond reproach. They said the integrity and security were beyond question. They have said only conspiracy theorists would complain about the last election.

Oh, but curiously enough, they are now still pushing this very same bill. Now, instead of a sweeping transformation, they are trying to say it would just preserve our smoothly functioning system so State legislatures can't mess it up.

So let's get this straight. Two years ago, in 2019, Democrats suggested this bill was a bold, radical overhaul for a broken system. In the meantime, what happened was, they got an election they liked, and now they claim the exact same legislation just does a few modest things to protect our system just the way it is.

What utter nonsense—utter nonsense. This legislation has but one goal, just one. It has only ever had one goal, just one. That goal was the same in 2019 as it is today. And that goal is to let Washington Democrats rig the rules of democracy from top down to hide that partisan project behind the smokescreen, the smokescreen of voting rights.

BUSINESS BEFORE THE SENATE

Madam President, now one final matter. Senators will soon head home for the State work period. We will be seeing an Easter recess of optimism and hope as the tide of the pandemic continues to turn. Thanks to science and fueled by five bipartisan bills we passed last year, vaccines were developed, approved, and preordered in record time. America was delivering more than a million doses per day before the current administration even took office.

And because of last year's bipartisan work, our economy was already poised for a historic comeback. I am also going to be talking with Kentuckians about their confusion and concern surrounding the multitrillion-dollar partisan spending plan that Democrats just rushed through Congress recently, like why teachers unions got huge sums for schools, much of which won't be spent until years, years into the future, without any meaningful requirement to reopen, even though science says it is safe. There are concerns like why Kentucky and other States whose budgets have come through the crisis intact will actually be subsidizing massive bailouts to other States for mismanagement that predates the pandemic, and confusion and concern about the radical, last-minute provision that tries to prevent States from implementing any policy, any policy that might be interpreted as a tax cut.

That one could wreak havoc on the plans of local officials in my State and entire industries as they try to get the Bluegrass growing again. This provision has the potential to shoot down a State law designed to help the Commonwealth's small businesses deduct PPP expenses from their State taxes and unwind planned waivers of hikes on their unemployment taxes.

Secretary Yellen was asked about this huge uncertainty in a hearing yesterday, about how this will be defined or enforced. She essentially had no answers.

So I will be joining Kentuckians to celebrate what has gone well, thanks to our bipartisan work just last year; to hear their concerns about all the

consequences of the Democrats' go-it-alone effort; and to hear what they think about the multimillion-dollar cousin of the Green New Deal that Democrats are reportedly planning for a sequel.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

UNANIMOUS CONSENT REQUEST—AMENDMENT NO. 1402

Mr. LANKFORD. Madam President, there is a problem with the Paycheck Protection Program. It passed with overwhelming bipartisan support last December, but the implementation has been botched.

Let me explain what I mean. If you are a small business owner, if you are an individual that is a sole proprietor of what is called a schedule C, if you had major issues in trying to be able to cover your employment last year, you would turn in—make a request for the Paycheck Protection Program. It was extended in December of last year for only the hardest hit businesses, those that had a 25-percent loss or more. Those businesses could not survive into the next year.

So we extended it out and allowed them to be able to get additional time and an additional couple of months of payroll to be able to make sure they make it. Now, for these extremely small businesses, these sole proprietors, and these individuals who are out there, this means just them or sometimes them and one other person whom they are actually covering the expenses for. These are not our megabusinesses. These are our backbone small businesses. This is the truckdriver in Oklahoma. This is the piano teacher in Oklahoma. These are folks who are actually trying to be able to make a living the best way they know how.

When it was passed in December, the Small Business Administration interpreted that rule to say you can only use your net expenses for that—your net expenses. Then, in March, the Small Business Administration reinterpreted that and said: No, you could use your gross expenses on that.

Now, for a lot of folks, they would say: What is the difference on that?

Well, the difference is usually about $5,000 or $10,000. That is an enormous difference. And for some folks in this room, $5,000 or $10,000 may not be very much, but it is a lot more for that truck driver and that piano teacher.

So the logical thing for the Small Business Administration to do would be to say: OK. We changed the rule in March from what it was earlier so let's make it retroactive. Then folks who apply early, the most desperate folks, could actually still get the difference.

But that is not what happened. The Small Business Administration said: No, if you received the loan earlier, you received the smaller amount. If you waited and applied later, you get the larger amount.

It is the exact same type of business, exact same situation, but basically the Small Business Administration said: This is too complicated to go back and redo this. So we will just allow folks who applied early, the most desperate, to get the least, and folks who applied later to get more.

We are bringing an amendment that would just fix that and would allow the folks who applied early, the most desperate folks, to be able to get the same level of help as the folks that applied later.

So, Madam President, I ask unanimous consent that it be in order for me to offer my Amendment 1402.

The ACTING PRESIDENT pro tempore. Is there an objection?

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

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Mr. CARDIN. Madam President, first, let me thank the Senator from Oklahoma for bringing this to the floor.

Here is our challenge. If it gets onto the bill that we have before us, it will delay the continuation of the Paycheck Protection Program because it terminates on March 31. We are not going to have any program to modify. And the House is not in session until the second week in April so it is not possible to get this done before the program expires.

So, for that reason, we have to oppose any amendment on the underlying bill, which is a clean extension of the PPP.

But I want to thank my friend from Oklahoma for bringing this forward because I agree with you. As chairman of the Small Business and Entrepreneurship Committee, I support making the changes that the administration made in regard to the determination for self-employed retroactive. I think that is a fair thing to do. I also support making sure that the business structure that is chosen by a small business also qualifies, whether it be a partnership or a traditional business arrangement.

I think we need to make those changes, and I know our staffs are working on the exact language. There is some challenge on how we draft the language. And you have my commitment that we will work during this recess, and I assure you that I want to see this done. I hope we can do it by UC when we return, when the House is in session, and get this done as quickly as possible.

The point the Senator from Oklahoma raises is very valid, but let me go back to the original bill for the self-employed that used, as you said, a formula that didn't work. In some cases, it was $50 or $80 that they got on the PPP, which was ridiculous because a self-employed person doesn't have the same payroll expenses that a traditional small business has.

We based the PPP calculations on the payroll amount. That didn't apply to the self-employed. So that is why the gross receipts are the right way to make those calculations, and that is what we want to do. That is what this administration did in its recalculation, but it made it prospective only. It needs to be retroactive.

So I agree with the gentleman, but I cannot consent to agree to it today. And it is not going to delay the Senate consideration of it because the House is not in session for the next 2 weeks.

So the first time we can really get this done is the second week in April, and you have my commitment that we will work together to get the provision made retroactive and to cover the legal structures that are used by some of our small businesses that are not currently covered under the current interpretation—I think legal, this is a legal issue that we have to resolve.

For all those reasons, I do object.

The ACTING PRESIDENT pro tempore. The objection is heard.

The Senator from Oklahoma.

Mr. LANKFORD. Madam President, I do want to thank my friend from Maryland. This is an important issue. It does need to be resolved. It has not had enough attention on this. As he and I talked about it the last several days, and several others joined in, this deals with partnerships, whether it be ag. This deals with individuals.

So my friend from Kansas, he and I worked together on this to be able to combine a piece of legislation to make sure we are dealing with all types of businesses that will be affected, and I do hope to be able to get this through by unanimous consent in the days ahead to get this resolved as quickly as possible as well as continue to reach out to the Small Business Administration and to see what they can to do to be able to communicate with those folks.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

AMENDMENT NO. 1403

Mr. MARSHALL. Madam President, I ask unanimous consent that I be allowed to complete my remarks.

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

Mr. MARSHALL. Madam President, I thank the gentleman, my neighbor from Oklahoma, for yielding. And I thank the gentleman from Maryland, our chairman of the Small Business Committee, for his cooperation.

Our amendment will allow farmers and ranchers categorized as a partnership, including LLPs, S corps, to utilize gross income when calculating their PPP maximum loan amount.

It is no secret that our Nation's farmers and ranchers have faced incredible difficulties through the COVID–19 pandemic when we literally couldn't pay people to come get our cattle and hogs. In December, we made changes to allow farmers to use gross income in calculating their PPP loan. Before it passed, the payments were based on farmers' net income. This net income number is often low or negative because of the amount of depreciation farmers claim on equipment. These changes were helpful and provided assistance for much of the agriculture industry.

Unfortunately, certain farm and ranch partnerships, many of which are small family partnerships, were left out of changes made in the program in December. I believe Congress intended to include partnerships; however, the SBA, interpreting the statute we passed, did not. They made it crystal clear, short of legislation, they would not include partnerships under this new interpretation.

My amendment, in a nutshell, would let farmers categorized as a partnership use gross income rather than net income for the PPP loan. I encourage all my colleagues to support this amendment and help our farmers during this difficult time.

I yield back to the gentleman from Oklahoma. Thank you.

Mr. CARDIN. Madam President.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Mr. CARDIN. I ask unanimous consent that there be two minutes of debate, equally divided, before each vote in today's series.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The Senator from Louisiana.

AMENDMENT NO. 1401

Mr. KENNEDY. Madam President, without order, there can be no justice. We all know that. Without order, there can be no justice.

This past year, we have seen felony rioting throughout the United States. It doesn't matter whether that felony rioting happened here at the Capitol. It doesn't matter whether it happened in Portland or Chicago or Atlanta or at any of our other wonderful communities throughout the United States. It is wrong, and we have all condemned it. It should be punished, and it certainly shouldn't be rewarded.

My amendment is very simple. It says that if you were one of those rioters and you have received due process, you have been convicted by a court of law of competent jurisdiction, and you have been adjudged to have committed a felony with respect to a riot or civil disorder in the past 2 years, then you cannot participate in the PPP program. We already have that law at the SBA for disaster loans. This would extend it to the PPP program.

What you allow is what will continue. What you allow is what will continue, and that is why I would respectfully ask consideration for my amendment.

Mr. CARDIN. Madam President.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Mr. CARDIN. I rise in opposition to the Kennedy amendment.

Let me be clear. Any amendment that is put on this clean extension will mean that the program will terminate in less than 1 week, and hundreds of thousands of small businesses will not be able to get their PPP loans. These are newly eligible. We changed the calculations on how much you can apply for. Those who have difficulty finding a financial institution to write the forgivable loan, those in hard-to-serve communities, all are going to be denied. The SBA has indicated there are hundreds of thousands of eligible applicants that have not been able to get in by the due date.

Now, in regard to the Kennedy amendment, the SBA COVID–19 relief is for existing businesses and current business owners with proven reentry track records. Anyone who has rebuilt their life after being incarcerated should be celebrated and supported. There is no reason why a business owned by someone with an unrelated criminal record should be treated any differently.

I would urge my colleagues, for the sake of getting this bill to the President and signed so we can help our small businesses, to reject the Kennedy amendment.

Mr. KENNEDY. Madam President.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. KENNEDY. How much time do I have left?

The ACTING PRESIDENT pro tempore. No time remaining.

Mr. KENNEDY. Could I ask unanimous consent for another 30 seconds?

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

Mr. KENNEDY. Madam President, this is the third time I have brought this amendment—the third time.

Now, you either approve of the rioting that happened this summer and at the Capitol or you don't. The riots this summer killed 47 people. There was well over $1 billion worth of damage.

No. 2, I can't help it if Speaker PELOSI has decided to go home, which prevents us from offering amendments to make this bill better. We all support extension of the PPP program, but this is not right, and it would be a lot more intellectually honest if my colleague, who opposed my amendment, said: Look, we just don't think that if you rioted you should be punished with respect to the PPP program, because that is what a ''no'' vote is saying.

The ACTING PRESIDENT pro tempore. Time has expired.

Mr. CARDIN. Madam President, I ask unanimous consent for 30 seconds to respond.

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

Mr. CARDIN. The gentleman's amendment goes well beyond that. The gentleman's amendment goes back 2 years. It could have been a civil disturbance on a college campus if someone now has an existing business totally unrelated to any economic crime. It is just something that should not be in this law, and I urge my colleagues to reject it.

Mr. KENNEDY. Madam President.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. KENNEDY. I would like to ask my colleague for 30 more seconds.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. KENNEDY. Madam President, I just wanted to read the language to you. It says that you are prohibited from getting a PPP loan if you have been convicted of a felony in relation to a riot or a civil disorder in the past 2 years. You either support violence or you don't.

Madam President, I would like to ask that my amendment, Kennedy amendment No. 1401, be called up.

The ACTING PRESIDENT pro tempore. The clerk will report.

The bill clerk read as follows:

The Senator from Louisiana [Mr. KENNEDY] proposes an amendment numbered 1401.

Mr. KENNEDY. Madam President, I ask unanimous consent that we dispense with the reading.

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

The amendment is as follows:

(Purpose: To prohibit paycheck protection program loans and second draw loans for applicants convicted of a felony in relation to a riot or civil disorder during the 2-year period preceding the date of the application)

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON PAYCHECK PROTECTION PROGRAM LOANS AND SECOND DRAW LOANS FOR APPLICANTS CONVICTED OF A FELONY IN RELATION TO A RIOT OR CIVIL DISORDER.

(a) IN GENERAL.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended—

(1) in paragraph (36), by adding at the end the following:

''(W) PROHIBITION.—An applicant is not eligible to receive a covered loan if an owner of 20 percent or more of the equity of the applicant has, as of the date of the application, been convicted of a felony in relation to a riot or civil disorder during the 2-year period preceding the date of the application.''; and

(2) in paragraph (37), by adding at the end the following:

''(P) PROHIBITION.—An applicant is not eligible to receive a covered loan if an owner of 20 percent or more of the equity of the applicant has, as of the date of the application, been convicted of a felony in relation to a riot or civil disorder during the 2-year period preceding the date of the application.''.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply with respect to an application for a loan under paragraph (36) or (37) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)(36)) that is submitted on or after the date of enactment of this Act.

VOTE ON AMENDMENT NO. 1401

The ACTING PRESIDENT pro tempore. The question occurs on agreeing to the amendment.

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

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

(Mr. HICKENLOOPER assumed the Chair.)

(Mr. SCHATZ assumed the Chair.)

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

[Rollcall Vote No. 137 Leg.]

YEAS—48

Barrasso	Graham	Paul
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	Murkowski	Young

NAYS—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	Murphy	Warnock
Durbin	Murray	Warren
Feinstein	Ossoff	Whitehouse
Gillibrand	Padilla	Wyden
Hassan	Peters	
Heinrich	Portman	

The amendment (No.1401) was rejected.

The PRESIDING OFFICER. The Senator from Florida.

AMENDMENT NO. 1405

Mr. RUBIO. Mr. President, I call up my amendment No. 1405 and ask that it be reported by number.

The PRESIDING OFFICER. Without objection, the clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Florida [Mr. RUBIO], for himself and others, proposes an amendment numbered 1405.

The amendment is as follows

(Purpose: To establish appropriate limitations on the Administrator of the Small Business Administration establishing new priorities for processing lender applications)

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).

Mr. RUBIO. Mr. President, the very reason we even have to do an extension is that the new administration has unfairly and unnecessarily restricted eligible businesses and nonprofits from applying. It has created confusion.

People haven't been able to get in by the deadlines, and unless we put in more guardrails, there is little assurance that this is not going to continue. In particular, the one thing that would undermine this popular, bipartisan program is if people came to the conclusion that it was being used arbitrarily to give priority to politically favored groups.

So all this amendment does is prohibit the Small Business Administration from setting up any new set-asides beyond those that this Congress, on a bipartisan basis, already created last year when we passed this at the end of 2020.

What were those priorities? Smaller businesses, businesses in low-income areas, community financial institutions. All it says is, if you want to change those priorities, Congress has to do it, not the Small Business Administration.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I rise in opposition to the Rubio amendment.

The policy that Senator RUBIO is objecting to is implemented by the Small Business Administration to help the underserved communities.

During that 14-day period, 400,000 small businesses with 20 employees or less were able, at long last, to get PPP help. And almost half were first-time borrowers under the PPP program, those that had been shut out in the past.

But, specifically, the Rubio amendment, if it were adopted—and it is wrong policy—would require the House to concur. The House is not in session for 2 weeks. That could take us beyond the 31st of March, and the program would end, costing hundreds of thousands of small businesses the opportunity that—some are now eligible for the first time; some are trying to figure out the calculations.

So for all those reasons—and one last point: The Chamber of Commerce of the United States urges all of us to vote in favor of the underlying bill and oppose any amendment that would derail the expeditious approval of this measure.

Let's follow the Chamber's advice. Let's vote down the Rubio amendment.

VOTE ON AMENDMENT NO. 1405

The PRESIDING OFFICER. The question is on agreeing to the Rubio amendment.

Mr. RUBIO. Mr. President, 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 senior assistant legislative clerk called the roll.

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

[Rollcall Vote No. 138 Leg.]

YEAS—48

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

NAYS—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	Murphy	Warnock
Durbin	Murray	Warren
Feinstein	Ossoff	Whitehouse
Gillibrand	Padilla	Wyden
Hassan	Peters	
Heinrich	Portman	

The amendment (No. 1405) was rejected.

The PRESIDING OFFICER. The Senator from Kentucky.

POINT OF ORDER

Mr. PAUL. Mr. President, in 2010, Congress passed what is known as pay-go. Pay-go was signed into law and requires that if you want to spend new money, you have to spend for it, hence the name ''pay as you go.''

The idea was that if you wanted to spend money on something, you would either need to cut spending or raise taxes, but you couldn't just simply borrow more money. And if you don't cut something, the cuts would be automatic. Except we have now waived pay-go 60 times since we passed pay-go. Debt has gone from $13.5 trillion to $30 trillion because Congress continues to evade the rules they put in place.

It brings us back to the $1.9 trillion spending bill the other side just passed. They want to now waive the pay-go rule. This will be the 61st time to waive pay-go.

Some will say that Republicans didn't seem to care about the debt when they voted to cut taxes. However, honest observers will note that I also forced a vote on pay-go when we cut taxes. Interestingly, every Democrat in this body at that time voted to evade the pay-go rules and add taxes to the deficit, as I am sure they will today.

So do deficits matter? The answer is a resounding yes. There is no free money. When we borrow or print new money, that money must be repaid. We have racked up nearly $30 trillion in debt. That is almost 150 percent of our entire economy. We borrow $6.6 million every minute. Get that. We borrow $6.6—

The PRESIDING OFFICER. The Senator's time has expired.

Mr. PAUL. I ask unanimous consent to have 1 minute to conclude my remarks.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. PAUL. The deficit has gone from $3 trillion last year; it will be $3.5 trillion this year.

In Washington, every day is a good day to spend money. Big spenders like to say the Federal Government is no different than a family budget. We have the Federal Reserve that can print money to buy our debt, but all that does is cause inflation. Even with inflation not spiking, we have lost 17 percent of the dollar over the last several years.

Who is responsible for the $30 trillion debt? Republicans? Democrats? The answer is yes and yes. Both parties are to blame. The vote I have called for is a litmus test for fiscal responsibility. Anyone who cares about the debt should vote to enforce the pay-go rule.

According to the CBO, the bill before us will increase the deficit by $15 billion in fiscal year 2021; therefore, I raise a point of order against the measure pursuant to section 404(a) of S. Con. Res. 13 of the 111th Congress.

The PRESIDING OFFICER. The Senator from Maryland.

MOTION TO WAIVE

Mr. CARDIN. Mr. President, I have been advised by the administration there is an excess of $50 billion available at the end of this month for the extension. So pursuant to section 904 of the Congressional Budget Act of 1974, the waiver provisions of applicable budget resolutions in section 4(g)(3) of the Statutory Pay-As-You-Go Act of 2010, I move to waive all applicable sections of those acts and applicable budget resolutions for purpose of the pending measure, and 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 senior assistant bill clerk called the roll.

The yeas and nays resulted—yeas 64, nays 36, as follows:

[Rollcall Vote No. 139 Leg.]

YEAS—64

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

NAYS—36

Barrasso	Boozman	Cassidy
Blackburn	Braun	Cornyn
Blunt	Capito	Cotton
Crapo	Kennedy	Rubio
Cruz	Lankford	Sasse
Daines	Lee	Scott (FL)
Ernst	Lummis	Scott (SC)
Grassley	Marshall	Tillis
Hagerty	Moran	Toomey
Hawley	Paul	Tuberville
Hyde-Smith	Risch	Wicker
Johnson	Rounds	Young

The PRESIDING OFFICER (Mr. KING). On this vote, the yeas are 64, the nays are 36.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, I ask unanimous consent for 6 minutes, 3 minutes equally divided.

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

Mr. PAUL. Since the implementation of PPP last April, 38 Planned Parenthood affiliates applied for and received $80 million in taxpayer funds meant for small business relief.

Pursuant to the longstanding affiliation rules, which stipulate that affiliated organizations are considered one organization, the Small Business Administration found that Planned Parenthood was ineligible for PPP funds and sent letters to each of the 38 organizations that wrongfully received funds.

After months of delay, though, SBA finally revealed that they have now given secondary loans to more Planned Parenthood organizations. These approvals come long after the SBA had determined that the initial ones were illegal.

Further extending the PPP program could allow all 49 Planned Parenthood affiliates time to access both the first or second draw of PPP loans, given the Biden administration's apparent recent actions.

I urge everyone who believes that taxpayers should not be forced to pay for abortion to vote no.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, first, I want to thank Senator COLLINS for her leadership on this issue. I want to thank Senator SHAHEEN for her help in getting this done.

This bill is widely supported. It passed the House by 415 to 3, supported by the U.S. Chamber of Commerce, the NFIB, and numerous other stakeholders in small business.

It will be 1 year since the passage of the CARES Act, and the PPP program has saved millions of small businesses from being shuttered. It has helped save our unemployment insurance system by keeping small-employer employees on the payroll. It has kept workforce together for small businesses, which is critically important to get through this pandemic.

Small businesses need additional time because we have changed the eligibility, we have changed the calculation, and you have to find private banks that are willing to take on this loan. And we are now into a second round. There is over $50 billion available at the end of this month to continue the program.

I would urge my colleagues to support this legislation.

I would yield the remainder of our time to Senator COLLINS.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I rise to urge my colleagues to support passage of H.R. 1799, the PPP Extension Act of 2021. It is imperative that we act immediately to pass this bill because we are just days away from the PPP being closed to applications for assistance. This bill mirrors legislation I introduced with my colleagues, Senators CARDIN and SHAHEEN, which is cosponsored by Senators MARSHALL, SULLIVAN, ROSEN, MURKOWSKI, LEAHY, WYDEN, TILLIS, OSSOFF, CAPITO, MERKLEY, HEINRICH, PORTMAN, KLOBUCHAR, and MANCHIN.

Last March, Senators RUBIO, CARDIN, SHAHEEN, and I crafted the Paycheck Protection Program, PPP—a forgivable loan program designed to help keep small employers afloat and their employees paid during the pandemic.

The bipartisan bill we are considering today would simply extend the current application deadline for new PPP loans from March 31 to May 31 of this year and then provide an additional 30-day period during which time the Small Business Administration may continue processing applications received prior to the new May 31 deadline. This bipartisan bill passed the House last week by an overwhelming margin of 415 to 3.

The PPP has been a lifeline for small businesses in Maine and across the country, providing the support they need to survive the pandemic and continue paying their employees. In 2020, more than 5 million small employers received forgivable PPP loans, helping to sustain upwards of 50 million American jobs. This included more than 28,000 Maine small businesses, which received nearly $2.3 billion in forgivable PPP loans. The average loan size in Maine during this time was $80,000.

Recognizing the importance of this program for our Nation's small employers, the bipartisan December 2020 COVID-relief law provided an additional $284.5 billion to reopen the Paycheck Protection Program and allow the hardest hit small employers to receive a second forgivable loan. The December law also made other improvements to the PPP, such as expanding forgivable overhead expenses to include supplier costs and investments in facility modifications and personal protective equipment needed to operate safely.

Since reopening in January, more than 3.1 million additional forgivable loans—totaling nearly $196 billion—have been approved for small businesses across the country. In Maine, more than 12,700 small employers have

been approved for $797 million in forgivable loans since PPP's reopening. In total, Maine small employers have been approved for upwards of $3 billion in forgivable loans since the program was created last year.

I have heard from numerous small employers about the impact this program has had on them and their employees. The PPP has helped the owners of Pottle Transportation in Hermon, Anglers Restaurants in Hampden, and the Harraseeket Inn in Freeport keep their businesses alive and their employees paid. Hodgdon, America's oldest boat builder, was able to keep its family-owned East Boothbay business in operation with the help of two forgivable PPP loans. The owner of Channel X Radio in Aroostook County told me that two forgivable PPP loans kept his business going. The Boys & Girls Clubs of Southern Maine and the Y in Bangor have been able to provide childcare and other services to children due to support from the PPP.

With the ongoing distribution of COVID–19 vaccines and reopening of our Nation's economy, I am hopeful that better times will soon be ahead. We are not there yet, which is why we need to extend the deadline to apply for new PPP loans. Extending the deadline would provide more time for the Small Business Administration to resolve error messages generated by its computer systems that prevented eligible small businesses from receiving approval for a PPP Loan. It would also give us more time to address an inequity facing certain sole proprietors who received their PPP loans before the Biden administration unexpectedly announced a change in the maximum loan amount calculation for these types of businesses.

By extending the PPP for another 2 months and then providing an additional 30 days after that time for the SBA to process applications that are still pending, the bill before us today would help our Nation's small employers retain access to forgivable PPP loans.

This bill has been endorsed by more than 90 organizations, including the National Federation of Independent Business, U.S. Chamber of Commerce, American Hotel & Lodging Association, International Franchise Association, National Restaurant Association, the U.S. Travel Association, and the Independent Community Bankers of America. I would ask unanimous consent that these letters of support be printed in the RECORD at the conclusion of my statement.

I would like to once again thank my colleagues, Senators CARDIN and SHAHEEN, for partnering with me on this legislation, and Senator RUBIO for working to craft the PPP and oversee its implementation. I look forward to working with them and the new administrator of the Small Business Administration to ensure that the PPP is implemented according to Congressional intent.

I urge my colleagues to support passage of this bill.

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

CONSUMER BANKERS ASSOCIATION,
Washington, DC, March 15, 2021.

Hon. SUSAN COLLINS,
U.S. Senate, Washington, DC.
Hon. BEN CARDIN,
Chairman, U.S. Senate Committee on Small Business, Washington, DC.
Hon. JEANNE SHAHEEN,
U.S. Senate, Washington, DC.

DEAR SENATOR COLLINS, CHAIRMAN CARDIN, AND SENATOR SHAHEEN: On behalf of the Consumer Bankers Association (CBA), I write to express our support of S. 723, The PPP Extension Act of 2021. I thank you for your continued leadership as our nation rises to meet the challenges posed by the COVID–19 crisis. CBA commends the work of Congress, the Small Business Administration (SBA), and all the lenders across the country who together worked dutifully to make the Paycheck Protection Program (PPP) a reality and provide much needed relief to millions of small businesses.

Lenders remain committed to serve their small business customers and have engaged considerable resources to process PPP loan applications so they can ensure our nation's small businesses have the support they need to endure these challenging economic times. Unfortunately, operational changes made by SBA during this current round of PPP lending has slowed the funding of PPP loan applications.

With just weeks before the program sunsets, our members are working tirelessly to resolve complications with the processing and approval of PPP applications. Issues flagged during SBA's processing of applications, such as loan hold and error codes, continue to be major hurdles for successful PPP funding. Despite lenders' efforts to work with their customers and the SBA to quickly resolve them, these issues continue to significantly delay the funding of requests to businesses that have very pressing financial concerns. This, coupled with the recent changes by the SBA allowing Schedule C borrowers to qualify for more PPP relief, makes it imperative that more time is provided.

Extending the PPP and providing a window for lenders and the SBA to process received applications will ensure any small business that wants access to the program is able to do so. The PPP Extension Act of 2021 will provide the SBA, lenders, and small businesses the critical time that is needed to properly implement recent alterations to the program and resolve any outstanding processing issues, ultimately allowing small businesses to fully realize the benefits of the PPP.

Again, thank you for your time and consideration on these important matters. CBA and our members remain eager to work with Congress and the SBA to help small businesses in these uncertain economic times.

Sincerely,

RICHARD HUNT,
President and CEO,
Consumer Bankers Association.

MARCH 15, 2021.

Hon. BEN CARDIN,
Chair, Senate Small Business Committee, Washington, DC.
Hon. SUSAN COLLINS,
U.S. Senate, Washington, DC.
Hon. JEANNE SHAHEEN,
U.S. Senate, Washington, DC.
Hon. CAROLYN BOURDEAUX,
House of Representatives, Washington, DC.
Hon. NYDIA VELÁZQUEZ,
Chair, House Small Business Committee, Washington, DC.
Hon. BLAINE LUETKEMEYER,
Ranking Member, House Small Business Committee, Washington, DC.
Hon. YOUNG KIM,
House of Representatives, Washington, DC.

DEAR SENATORS CARDIN, COLLINS AND SHAHEEN AND REPRESENTATIVES VELÁZQUEZ, LUETKEMEYER, BOURDEAUX AND KIM: The undersigned organizations are writing to thank you for your bicameral leadership and swift bipartisan action to provide relief to America's small businesses through this economic emergency. We strongly support the PPP Extension Act of 2021, which will extend the Small Business Administration's (SBA) Paycheck Protection Program (PPP) application period beyond the March 31, 2021 sunset date.

While we realize the Small Business Administration (SBA) is under tremendous time constraints and is struggling with internal resource issues, our members are highly concerned by the lack of progress on major Paycheck Protection Program (PPP) processing issues, including hold/error codes and application rejections due to Taxpayer Identification Number (''TIN'') issues or mismatches, in addition to many unresolved technical problems with the current PPP process. These delays and denials may put many applicants in danger of not making the March 31st authorization deadline.

Nearly one year into the COVID–19 pandemic, the continued liquidity challenges of the small business sector are acute, especially for those business limited by dramatic capacity restrictions and other critical health and safety protocols in place to protect the public, consumers and workers from COVID–19. Thank you for extending the window of opportunity for pandemic programs to effectively impact the affected small business sector, especially those traditionally under-invested and underserved groups which must also be given the chance to succeed.

We stand ready to work with you during this critical moment, and thank you for considering our views.

Sincerely,

Accessories Council (AC); AICC, The Independent Packaging Association; American Apparel & Footwear Association (AAFA); American Bankers Association; American Beverage Licensees; American Council of Engineering Companies; American Dental Association; American Farm Bureau Federation; American Hotel & Lodging Association; American Lighting Association; American Mold Builders Association; American Rental Association; American Society of Travel Advisors; American Subcontractors Association; American Supply Association; AMT—The Association For Manufacturing Technology; Asian American Hotel Owners Association; Associated Builders and Contractors; Associated General Contractors of America; Association of the Wall and Ceiling Industry; Auto Care Association.

Bank Policy Institute; Brea Chamber of Commerce; Building Owners and Managers Association (BOMA) International; Chemical Fabrics & Film Association (CFFA); Coalition of Franchisee Associations; Consumer Bankers Association; Council of Fashion Designers of America (CFDA); Economic Innovation Group; Electronics Representatives

Association; Energy Marketers of America; Foodservice Consultants Society International—The Americas; Foodservice Equipment Distributors Association; Franchise Business Services; Global Business Travel Association; Global Cold Chain Alliance; Golf Course Superintendents Association of America; Independent Electrical Contractors; International Council of Shopping Centers; International Franchise Association; ISSA—The Worldwide Cleaning Industry Association.

Korean American Chamber of Commerce of Orange County; La Habra Chamber of Commerce; National Association of Development Companies (NADCO); National Association of Government Guaranteed Lenders (NAGGL); National Association of Home Builders; National Association of Professional Insurance Agents; National Association of the Remodeling Industry; National Association of Theatre Owners; National Association of Trailer Manufacturers; National Association of Women Business Owners (NAWBO); National Automatic Merchandising Association (NAMA); National Community Pharmacists Association; National Cotton Council; National Council of Chain Restaurants; National Electrical Contractors Association; National Electrical Manufacturers Representatives Association (NEMRA); National Federation of Independent Business (NFIB); National Fisheries Institute; National Franchisee Association.

National Independent Venue Association; National Ready Mixed Concrete Association; National Restaurant Association; National Retail Federation; National Roofing Contractors Association; National RV Dealers Association (RVDA); National Small Business Association; National Tooling and Machining Association; North American Association of Food Equipment Manufacturers (NAFEM); North American Die Casting Association; Orange County Business Council; Pet Industry Distributors Association; Precision Machined Products Association; Precision Metalforming Association; Promotional Products Association International (PPAI); San Gabriel Valley Economic Partnership; Secondary Materials and Recycled Textiles Association; Service Station Dealers of America and Allied Trades (SSDA–AT).

Small Business Council of America; Small Business & Entrepreneurship Council; Small Business Legislative Council; Small Business Majority; Specialty Equipment Market Association; Specialty Tools & Fasteners Distributors Association (STAFDA); SPRI; Tile Roofing Industry Alliance; Tire Industry Association (TIA); The Real Estate Roundtable; Travel Goods Association (TGA); United States Hispanic Chamber of Commerce; United Veterinary Services Association; U.S. Chamber of Commerce; U.S. Travel Association; Yorba Linda Chamber of Commerce.

INDEPENDENT COMMUNITY BANKERS OF AMERICA,
Washington, DC, March 16, 2021.

Hon. BEN CARDIN,
Chairman, Committee on Small Business & Entrepreneurship, U.S. Senate, Washington, DC.

Hon. SUSAN COLLINS,
U.S. Senate, Washington, DC.

Hon. JEANNE SHAHEEN,
U.S. Senate, Washington, DC.

DEAR CHAIRMAN CARDIN AND SENATORS COLLINS AND SHAHEEN: On behalf of community banks across the country, with more than 50,000 locations, I write to thank you for introducing the PPP Extension Act of 2021 (S. 723). This legislation is needed to ensure that thousands of Paycheck Protection Program applicants—small businesses, churches, and other non-profit employers—are not stranded by an abrupt shutdown of the Program and would do so using funds that have already been appropriated.

Community banks are doing everything in their power to complete and submit PPP applications to the SBA before the March 31 deadline. Unfortunately, they have no assurances that qualified applications submitted timely will be approved. The CARES Act does not allow for approval of applications after March 31, regardless of when they were submitted and the quality of the applications. Unless a statutory change is made, thousands of applications will be rejected simply because the clock has run out.

This outcome would be especially unfair because of the thousands of applications have been in limbo at the SBA for weeks because they were flagged and put on hold by an automated program for possible waste, fraud, or abuse. These applications require SBA review in order to be cleared of holds and approved for funding. If they cannot be cleared by March 31, cash starved applicants and the people they employ will be denied access to funds they had anticipated and planned for. We do not believe this outcome was intended by Congress.

The PPP Extension Act would resolve this problem by extending the application deadline until May 31 and creating a second deadline of June 30 for SBA approval. This will give applicants more time, and the two-tiered deadline will ensure the Program does not end abruptly.

ADDITIONAL CHANGES NEEDED TO ENSURE EQUITABLE DISTRIBUTION OF PPP FUNDS

Any extension of the deadline will give Congress the opportunity to refine and improve the Program rules and formulas to ensure equitable distribution of funds to those borrowers that can make the best use of them. ICBA urges Congress and the SBA to make fixes to resolve the problems identified below.

First Draw Increase Eligibility. Certain borrowers who have not yet filed for and received forgiveness of their first draw 2020 PPP loan may apply for an increase in that loan. However, borrowers whose first draw 2020 loans have already been forgiven cannot apply for a first draw loan increase, even if they otherwise meet the criteria for an increase. This is unfair because it punishes borrowers who filed forgiveness applications early. The statute should be amended to allow borrowers who have received first draw loan forgiveness to be eligible to receive a first draw loan increase.

Second Draw Eligibility. Those applying for a first draw in 2021 should be allowed access to a second draw. Community bankers have solicited and received numerous applications for first draw loans in 2021. In many cases, these applicants would have applied for first draw loans in 2020, if they had the benefit of better information and advice, and would now be eligible for second draw loans. They have effectively left money on the table that could be used for critical expenditures.

Second Draw Use of Proceeds Requirement. Borrowers with a modest shortfall in using first draw dollars for eligible purposes shouldn't be shut out from second draw loans, especially if they've already repaid the remaining balance on the first draw loan. Congress should consider creating a percentage-based de minimis test to define a level of spending on ineligible expenses that would not disqualify a borrower for a second draw loan.

Farm Partnerships. Current law allows self-employed farmers and ranchers that report farm income on Schedule F to use the gross income method, rather than the net income method, to calculate their maximum loan amount and owner's compensation. However, SBA has limited this treatment to 1040 Schedule F filers. It is not available to thousands of self-employed farmers and ranchers whose businesses are organized as partnerships or S corporations. Congress should direct the SBA to make the gross income method available to these farmers and ranchers.

Schedule C Borrowers. Schedule C filers should be able to apply for an increase under new SBA rules that allow Schedule C borrowers with no employees to use gross income rather than net profit to determine the loan amount. This is a welcome change, but those borrowers who have already obtained loans have no opportunity to apply for an increase based on the new rules. They may qualify for significantly larger loans but are effectively being punished for submitting their applications early.

Save Our Stages Applicants. Live action venues eligible for Save Our Stages grants should be allowed to apply for PPP loans while waiting to find out if they will receive a grant. If such a venue eventually does receive a grant, the amount of the grant could be reduced by the amount of the PPP loan, thereby avoiding the double dipping prohibited by the statute.

Thank you again for introducing the PPP Extension Act. We look forward to working with you to advance this important legislation. We urge you to use this opportunity to address the problems with the Program discussed above.

Sincerely,

REBECA ROMERO RAINEY,
President & CEO.

NFIB,
March 25, 2021.

DEAR SENATOR: On behalf of NFIB, the nation's leading small business advocacy organization, I write in support of H.R. 1799, the PPP Extension Act of 2021, which will extend authorization for the Paycheck Protection Program (PPP) beyond March 31, 2021. H.R. 1799 will be considered an NFIB Key Vote for the 117th Congress.

NFIB research indicates economic conditions remain challenging for our nation's small businesses. According to NFIB's latest monthly survey, small business optimism remains below its historic 47-year average. Small business owners expecting better business conditions over the next six months remains at a net negative 19%, a poor reading. Moreover, the economic recovery continues to be uneven for small businesses, especially those still managing state and local regulations and restrictions, with 15% recently reporting that they will have to close their doors if current economic conditions do not improve over the next six months.

Many small business owners are continuing to evaluate their financial needs as they assess the future of government restrictions on their businesses as well as progress in controlling the COVID–19 pandemic. Unfortunately, the timeframe for making decisions regarding a first or second draw PPP loan after passage of the Consolidated Appropriations Act of 2021 has been short, particularly as Congress and the Administration have recently made additional changes to the program.

For these reasons and given the high level of uncertainty over future economic conditions, it makes sense to extend the authorization of the PPP program through May 31, 2021 to give small businesses additional time to consider their needs and apply. NFIB is also pleased that this legislation will provide an additional 30 days for SBA to process pending applications, which will help to ensure small businesses are not unfairly harmed by PPP processing delays, which continue to pose a challenge to the program.

NFIB supports H.R. 1799, the PPP Extension Act of 2021 and will consider final passage of the legislation as an NFIB Key Vote for the 117th Congress.

Sincerely,

KEVIN KUHLMAN,
Vice President,
Federal Government Relations, NFIB.

Ms. COLLINS. Mr. President, I urge all of our colleagues to vote yes on this bill, which will provide a crucial 2-month extension for the Paycheck Protection Program.

This program has been a lifeline to countless small businesses and has saved more than 50 million jobs in this country.

I salute my colleagues Senator CARDIN and Senator SHAHEEN for their work on this extension, which was overwhelmingly passed by the House.

Let's talk about briefly what would happen if we do not act. If we do not act, there are approximately 190,000 loans still under review, which prevents any of these businesses from receiving a second PPP loan. These small businesses need this assistance now in order to pay their employees and stay afloat during this pandemic.

We cannot wait. The House has gone home. We cannot allow an interruption of this vital program that has made such a difference to our small businesses and their employees.

I urge all of my colleagues to support this 2-month extension, with an additional month for SBA to review the applications.

VOTE ON H.R. 1799

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

Mr. CARDIN. 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.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Nebraska (Mr. SASSE).

Further, if present and voting, the Senator from Nebraska (Mr. SASSE) would have voted ''yea.''

The result was announced—yeas 92, nays 7, as follows:

[Rollcall Vote No. 140 Leg.]

YEAS—92

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

NAYS—7

Crapo	Lee	Shelby
Cruz	Paul	
Hawley	Risch	

NOT VOTING—1

Sasse

The bill (H.R. 1799) passed.

The PRESIDING OFFICER (Mr. VAN HOLLEN). The majority leader.

PREVENTING ACROSS-THE-BOARD DIRECT SPENDING CUTS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1868; that the Shaheen-Collins substitute amendment No. 1410 and the Scott of Florida amendment No. 1411 be made pending and reported by number; further, that the Senate vote in relation to the Scott amendment and the substitute, that upon disposition of the amendments, the bill be considered read a third time, the Senate vote on passage of the bill as amended, if amended, with 60 affirmative votes required for passage; further, that there be 2 minutes for debate, equally divided, prior to each vote; and finally, that the motions to reconsider be considered made and laid upon the table, all with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Indiana. Mr. BRAUN. Mr. President, reserving the right to object, I rise today to ask support of this body to fix a problem in the American Rescue Plan, a bill that was passed in a rushed manner with no input from Republicans.

I do not rise today to debate the underlying bill, although there could be plenty to debate about it, but to make the point we can multitask and address more than one time-sensitive issue at a time.

We need to protect senior citizens and ensure we aren't making cuts to a vital program like Medicare, and today we will do that.

But we have another issue that we can address today as well.

In the American Rescue Plan, Democrats punished red States, like Indiana, for keeping unemployment low, by taking a smart approach to COVID, by balancing public safety with the economy.

Now they want to tell States that they can't cut taxes through 2024, despite being good stewards day in and day out of taxpayer money over the past year.

This provision is so troubling that 21 State AGs sent a letter to the Treasury raising the following concerns about the tax cut prohibition:

It imposes an ambiguous condition on Federal funding; it results in Federal conditions that don't relate to the Federal interest for which the program was established; it violates separation of powers and fundamental democratic principles and effectively commandeers half of the States' fiscal ledgers; and, ultimately, it is unconstitutionally coercive.

Treasury said last week that States can still cut their taxes; they just can't use American Rescue Plan money to do it. But Governors and State legislatures are still confused.

One midwestern attorney general has asked a Federal judge to block the tax cut prohibition. Multiple tax professionals and outside groups say there are many questions still left unanswered.

We can stop this entire mess by adopting my amendment, the Let States Cut Taxes Act, an amendment to stop the Federal Government's unconstitutional overreach on States' rights.

Therefore, I ask that the Senator modify his request to include my amendment, which is at the desk, and that following disposition of the Scott amendment, the Senate vote on my amendment with a 60-affirmative-vote threshold for adoption.

The PRESIDING OFFICER. Does the Senator so modify his request?

The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I reserve the right to object.

I have a statement to make.

Last week, my friend from Indiana and I were last down here discussing this issue.

There seemed to be a lot of confusion about the Treasury—or how the Treasury would interpret the net tax revenue provision. There seemed to be a fear that this language would prevent States from cutting any taxes whatsoever.

And the good news is that we received some guidance earlier this week from Secretary Yellen that should put those concerns to bed once and for all.

Mr. President, I ask unanimous consent to have printed in the RECORD the letter from Secretary Yellen.

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

DEPARTMENT OF THE TREASURY,
Washington, DC, March 23, 2021.

Hon. MARK BRNOVICH,
Attorney General, State of Arizona,
Phoenix, AZ.

DEAR ATTORNEY GENERAL BRNOVICH: I write in reply to your March 16, 2021 letter regarding Treasury's implementation of section 9901 of the American Rescue Plan Act (the ''Act''), which provides funds to States, territories, Tribal governments, and localities to help them manage the economic consequences of COVID–19.

In the Act, Congress has provided funding to help States manage the public health and economic consequences of COVID–19 and it has given States considerable flexibility to use that money to address the diverse needs of their communities. At the same time, Congress placed limitations to ensure that

the money is used to achieve those purposes—including provisions stating that this funding may not be used to offset a reduction in net tax revenue resulting from certain changes in state law.

It is well established that Congress may place such reasonable conditions on how States may use federal funding. Congress includes those sorts of reasonable funding conditions in legislation routinely, including with respect to funding for Medicaid, education, and highways. Here, the Act provides a broad outlay of federal funds, and accordingly includes restrictions to ensure that those funds are properly applied. Earlier COVID–19 relief measures providing state funding also included restrictions that barred States from spending those funds on certain ineligible expenditures.

Nothing in the Act prevents States from enacting a broad variety of tax cuts. That is, the Act does not ''deny States the ability to cut taxes in any manner whatsoever.'' It simply provides that funding received under the Act may not be used to offset a reduction in net tax revenue resulting from certain changes in state law. If States lower certain taxes but do not use funds under the Act to offset those cuts—for example, by replacing the lost revenue through other means—the limitation in the Act is not implicated.

It is also important to note that States choosing to use the federal funds to offset a reduction in net tax revenue do not thereby forfeit their entire allocation of funds appropriated under this statute. The limitation affects States' ability to retain only those federal funds used to offset a reduction in net tax revenue resulting from certain changes in state law.

Treasury is crafting further guidance—including guidance to address more specifically the issues raised by your letter and the procedures Treasury will use for any future recoupment—that will provide additional information about how this provision will be administered. We will provide this guidance before a State must submit a certification under 602(d)(1). We also expect to engage in an ongoing dialogue throughout the program.

These funds will provide transformative relief to States, territories, and Tribal governments, and our communities should be able to use the funds to recover from the economic fallout due to the pandemic, which is what Congress intended. I hope to work with your State, as well as others across the country, to ensure these funds can be used in ways that align with the goals of the statute without undue restrictions.

Sincerely,

JANET L. YELLEN.

Mr. MANCHIN. Mr. President, I will enter this letter into the RECORD, but I would like to read the key sentences. And to the Senator from Indiana, if I could read this letter to you and to make sure that—I don't know how—I have spoken to my attorney general, who was one of the original cosigners, and I said: Mr. Attorney General, I want to explain this in English because it is very easy to understand. It says this:

Nothing in the Act prevents States from enacting a broad variety of tax cuts.

Do whatever you want.

That is, the Act does not ''deny States the ability to cut taxes in any manner whatsoever.''

This comes from the Secretary of Treasury.

It simply provides that funding received under the Act may not be used to offset a reduction. . . .

That you choose, unless it is COVID related. It makes all the sense in the world. It has to be COVID related.

If States lower certain taxes but do not use funds under the Act to offset those cuts—for example, by replacing the lost revenue through other means—the limitation in the Act is not implicated.

They can do whatever they want to. And if they can show other revenue to offset it, that is great. They just cannot use the Treasury's money that the people have invested in their States for that purpose.

It also says this:

It is . . . important to note that the States choosing to use the Federal funds to offset a reduction in net tax revenue do not thereby forfeit their entire allocation of funds appropriated under this statute.

They have alluded to that, which is not accurate.

The limitation affects States' ability to retain only those Federal funds used to offset a reduction in . . . tax revenue resulting from certain changes in [the] state law.

That is it. That is not—and these are all supposed to be educated attorneys that are writing letters wanting explanations.

This is as common sense as it gets. It is a bipartisan guardrail to simply make sure the emergency funds make it to the people who need it most, and the States can do whatever they think they should do and could do.

As a former Governor, I would have been offended if I thought it was hampered. I am not. I have got to make good decisions here. I have other revenue coming in. I want to cut this tax. That is fine. I just can't cut a tax to be popular and then say: OK. Mr. Senators here, please send us money so we can be popular back home but use your money to make us look good. That is about it in a nutshell.

So it is for those reasons, and many, many more, I object.

The PRESIDING OFFICER. Objection is heard to the modification.

Is there objection to the original request?

Mr. BRAUN. Reserving the right to object, coming from the world of business, I have been dismayed by Washington's inability to fix problems in a timely, rational manner, and that has been over a stretch of many years before I got here.

I do, respectfully, disagree with my friend from West Virginia. We should fix this tax cut prohibition right now that was forced into the American Rescue Plan in the wee hours of the morning.

If we want to fix a commonsense problem, we are being told that our only choice is to hold Hoosier seniors hostage. This is the most deliberative body in the world; this cannot be the best the Senate has to offer.

We must get the Federal Government out of the way and stop complicating and confusing States. They should be allowed to do their jobs.

And, by the way, they do their jobs—balancing their budgets every year, living within their means. Most of the rest of the country accepts that as well.

Given the looming April 1 deadline for cuts to return to Medicare, I am not willing to let Hoosier seniors suffer. As a result, I will withdraw my amendment in the interest of seniors across Indiana.

I look forward to working with the two leaders after the recess to fix this issue. I will not object.

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

Under the previous order, the Senate will proceed to the consideration of H.R. 1868, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1868) to prevent across-the-board direct spending cuts, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the clerk will now report the amendments numbered 1410 and 1411 by number.

AMENDMENT NO. 1410

The senior assistant legislative clerk read as follows:

The Senator from New Hampshire [Mrs. SHAHEEN] for herself and Ms. COLLINS proposes an amendment numbered 1410.

The amendment is as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. EXTENSION OF TEMPORARY SUSPENSION OF MEDICARE SEQUESTRATION.

(a) EXTENSION.—

(1) IN GENERAL.—Section 3709(a) of division A of the CARES Act (2 U.S.C. 901a note) is amended by striking ''March 31, 2021'' and inserting ''December 31, 2021''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as if enacted as part of the CARES Act (Public Law 116–136).

(b) OFFSET.—Section 251A(6)(C) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(6)(C)) is amended—

(1) in clause (i)—

(A) by striking ''first 6 months'' and inserting ''first 5 ½ months'';

(B) by striking ''4.0 percent'' and inserting ''2.0 percent''; and

(C) by striking ''and'' at the end;

(2) in clause (ii)—

(A) by striking ''second 6 months'' and inserting ''6-month period beginning on the day after the last day of the period described in clause (i)''; and

(B) by striking ''0.0 percent.'' and inserting ''4.0 percent; and''; and

(3) by adding at the end the following:

''(iii) with respect to the remaining ½ month in which such order is so effective for such fiscal year, the payment reduction shall be 0.0 percent.''.

SEC. 2. TECHNICAL CORRECTIONS.

(a) RURAL HEALTH CLINIC PAYMENTS.—

(1) IN GENERAL.—Section 1833(f)(3) of the Social Security Act (42 U.S.C. 1395l(f)(3)) is amended—

(A) in subparagraph (A)—

(i) in clause (i), by striking subclauses (I) and (II) and inserting the following:

''(I) with respect to a rural health clinic that had a per visit payment amount established for services furnished in 2020—

''(aa) the per visit payment amount applicable to such rural health clinic for rural

health clinic services furnished in 2020, increased by the percentage increase in the MEI applicable to primary care services furnished as of the first day of 2021; or

''(bb) the limit described in paragraph (2)(A); and

''(II) with respect to a rural health clinic that did not have a per visit payment amount established for services furnished in 2020—

''(aa) the per visit payment amount applicable to such rural health clinic for rural health clinic services furnished in 2021; or

''(bb) the limit described in paragraph (2)(A); and''; and

(ii) in clause (ii)(I), by striking ''under clause (i)(I)'' and inserting ''under subclause (I) or (II) of clause (i), as applicable,''; and

(B) by striking subparagraph (B) and inserting the following:

''(B) A rural health clinic described in this subparagraph is a rural health clinic that—

''(i) as of December 31, 2020, was in a hospital with less than 50 beds and after such date such hospital continues to have less than 50 beds (not taking into account any increase in the number of beds pursuant to a waiver under subsection (b)(1)(A) of section 1135 during the emergency period described in subsection (g)(1)(B) of such section); and

''(ii)(I) as of December 31, 2020, was enrolled under section 1866(j) (including temporary enrollment during such emergency period for such emergency period); or

''(II) submitted an application for enrollment under section 1866(j) (or a request for such a temporary enrollment for such emergency period) that was received not later than December 31, 2020.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect as if included in the enactment of the Consolidated Appropriations Act, 2021 (Public Law 116–260).

(b) ADDITIONAL AMOUNT FOR CERTAIN HOSPITALS WITH HIGH DISPROPORTIONATE SHARE.—Effective as if included in the enactment of section 203(a) of title II of division CC of Public Law 116–260, subsection (g) of section 1923 of the Social Security Act (42 U.S.C. 1396r–4), as amended by such section, is amended by adding at the end the following:

''(3) CONTINUED APPLICATION OF GRANDFATHERED TRANSITION RULE.—Notwithstanding paragraph (2) of this subsection (as in effect on October 1, 2021), paragraph (2) of this subsection (as in effect on September 30, 2021, and as applied under section 4721(e) of the Balanced Budget Act of 1997, and amended by section 607 of the Medicare, Medicaid, and SCHIP Balanced Budget Refinement Act of 1999 (Public Law 106–113)) shall apply in determining whether a payment adjustment for a hospital in a State referenced in section 4721(e) of the Balanced Budget Act of 1997 during a State fiscal year shall be considered consistent with subsection (c).''.

AMENDMENT NO. 1411 TO AMENDMENT NO. 1410

The senior assistant legislative clerk read as follows:

The Senator from Florida [Mr. SCOTT] proposes an amendment numbered 1411 to amendment No. 1410.

The amendment is as follows:

(Purpose: To improve the bill)

Strike section 2(b).

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 1411.

The Senator from Florida is recognized.

Mr. SCOTT of Florida. Mr. President, it must be nice to be the Speaker of the House. Speaker PELOSI gets to push around our new majority leader and my Democratic colleagues, and they get nothing in return.

This bill is a bailout for Speaker PELOSI and gives California's healthcare system the ability to claim up to 175 percent of uncompensated care costs in their DSH Program while all the other States can only claim up to 100 percent of costs.

How is that fair to Florida?

How can the majority leader and my new colleagues from Georgia, Colorado, New Mexico, and Arizona justify a vote that is unfair to their States? Well, welcome to Pelosi's U.S. Senate.

Seriously, how can anyone in this body, except, perhaps, my two colleagues from California, possibly justify voting against this amendment?

This is a very simple concept. All 50 States should be treated equally. One State should not be given special treatment over the others. This is a bailout for Speaker PELOSI, period.

I want to be very clear. I oppose any cuts to Medicare benefits. So what I am offering protects Medicare benefits, and the only change it makes to this bill is to strip out this ridiculous Pelosi bailout.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SCOTT of Florida. Mr. President, I ask unanimous consent that I have another 30 seconds.

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

Mr. SCOTT of Florida. What I am offering protects Medicare benefits, and the only change it makes to this bill is to strip out this ridiculous Pelosi bailout.

A vote for my amendment is a vote to ensure that all 50 States play by the same rules. It is to preserve the current law.

A vote against my amendment is a vote to say that your State plays by the rules, but PELOSI gets her own set of rules.

I yield the floor.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. FEINSTEIN. Mr. President, I rise in strong opposition to this amendment.

The bill before us today fixes a drafting error from legislation enacted last December. The unintentional error occurred accidentally against a longstanding rule under which California is able to use Medicaid funding to reimburse hospitals serving uninsured and Medicaid patients.

Today's bill fixes that drafting error. It makes no other changes to law and does not provide additional funds to California or any other State. CBO says that this provision has no budgetary effect.

Because of the sheer number of Medicaid and uninsured patients that receive care in California's safety net hospitals, Congress, in 1997, granted the State additional flexibility. It can use Federal funds it receives to cover hospital expenses for those in need.

If the Scott amendment passes, hospital care for half of the children in California and the vulnerable populations most affected by COVID would be at risk.

Please vote no on this amendment.

VOTE ON AMENDMENT NO. 1411

The PRESIDING OFFICER. The question is on agreeing to the Scott amendment.

Mr. SCOTT of Florida. Mr. President, 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 senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Nebraska (Mr. SASSE), the Senator from Kansas (Mr. MORAN), and the Senator from Mississippi (Mrs. HYDE-SMITH).

Further, if present and voting, the Senator from Kansas (Mr. MORAN) would have voted ''yea'' and the Senator from Nebraska (Mr. SASSE) would have voted ''yea.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote or to change their vote?

The result was announced—yeas 47, nays 50, as follows:

[Rollcall Vote No. 141 Ex.]

YEAS—47

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

NAYS—50

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
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden
Heinrich	Peters	

NOT VOTING—3

Hyde-Smith	Moran	Sasse

The amendment (No. 1411) was rejected.

AMENDMENT NO. 1410

The PRESIDING OFFICER. There will be 2 minutes of debate on the Shaheen-Collins amendment.

The Senator from New Hampshire.

Mrs. SHAHEEN. If we are quiet, we will be quick.

I urge my colleagues on both sides of the aisle to come together and help ensure that our Nation's hospitals, nursing homes, physicians, and other healthcare providers have the support they need to get through the COVID–19 pandemic.

This substitute amendment that Senator COLLINS and I are offering is a compromise that delays the Medicare payment cuts through December 31 and ensures that the cost of this delay is paid for.

I hope you will support it.

Senator COLLINS.

Ms. COLLINS. Mr. President.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I rise today to support the Shaheen-Collins substitute to prevent a cut in Medicare reimbursements for hospitals, nursing homes, home health agencies and other healthcare providers who continue to care for their patients in this era of COVID. Congress twice last year suspended the 2-percent Medicare sequester in bipartisan COVID relief packages, and I hope we can do so once again.

At a time when our country is relying so heavily on our healthcare providers to help get us back to normal, we cannot ignore the financial realities they face. Almost half—17 out of 36—of Maine hospitals finished last year with a negative operating margin. According to Northern Light Health in Maine, relief from the Medicare sequester amounts to $1 million per month.

The Shaheen-Collins amendment will extend the current sequester moratorium until the end of the year. This financial certainty is needed in these uncertain times.

I urge my colleagues to support the Shaheen-Collins substitute.

Thank you.

VOTE ON AMENDMENT NO. 1410

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1410) in the nature of a substitute was agreed to.

The PRESIDING OFFICER. Under the previous order, the bill is considered read a third time.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. There are 2 minutes of debate.

Mrs. SHAHEEN. Mr. President, I rise today to urge my colleagues on both sides of the aisle to come together and help ensure that our Nation's hospitals, nursing homes, physicians, and other healthcare providers have the financial support they need to get through the COVID–19 pandemic.

On March 25, 2020, this body came together and passed the CARES Act, by a 96–0 vote—exactly 1 year ago today.

The CARES Act helped to provide the resources needed to ramp up testing and vaccine development, ensure that small businesses would have support to continue to pay their workers, and provide much-needed financial relief for healthcare providers on the frontlines of this pandemic.

A year later, we can start to see the light at the end of the very long tunnel that is this public health crisis. More than 100 million doses of COVID–19 vaccines have been administered across the country. And we are starting to see job growth as more companies start hiring again.

However, with hundreds of millions of Americans still needing to be vaccinated and the threat of COVID–19 variants still looming, we need to continue to support our frontline healthcare providers and help keep them financially strong for the months ahead.

That is why Senator COLLINS and I came together to introduce the Medicare Sequester Relief Act, a bill that would suspend the 2 percent Medicare payment cuts that are scheduled to hit healthcare providers starting on April 1.

As a result of the CARES Act and through subsequent relief measures, these payment cuts have been suspended through March 31, and they need to be suspended again.

With American hospitals and nursing homes projecting tens of billions of dollars in additional financial losses this year due to the COVID–19 crisis, we need to continue to avert these Medicare payment cuts until we are further past the worst of the pandemic.

The substitute amendment that Senator COLLINS and I are offering today is a reasonable compromise. It delays the Medicare payment cuts through December 31. And it ensures that the cost of this delay is paid for, so that we do not increase the Federal budget deficit.

This week, I heard from Wentworth-Douglass Hospital in Dover, NH.

They highlighted that this legislation would result in $2.1 million in desperately needed additional revenue for the hospital.

The hospital's chief financial officer, Peter Walcek told me: ''These are real dollars supporting our organization's recovery from tens of millions in lost revenue and added costs during the pandemic. . . . By passing a continued moratorium through 2021, Wentworth-Douglass will be in a better place to care for those in need and respond to any future crisis affecting the health of our community.''

I also heard about the importance of Medicare sequester relief for New Hampshire nursing homes. Patricia Ramsey, from the Edgewood Centre nursing facility in Portsmouth, NH, said ''the Medicare sequestration suspension, although not a cure, will help us mitigate the added operating expenses and losses we continue to experience, especially with the exacerbated workforce shortage.''

I have heard stories like these from so many healthcare providers across New Hampshire, and I believe there are healthcare providers in each of our communities that would share similar stories.

We need to provide them with more financial support so that they can be there to care for patients, as we continue to make progress in combating this pandemic.

We cannot allow our hospitals and healthcare providers to go under as we fight through the worst public health crisis of our lifetimes.

I urge my colleagues to come together again, like we did in the CARES Act, and support this legislation when it comes up for a vote today.

Thank you.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, 30 seconds' worth.

First of all, we are protecting the lifeline for senior citizens by delaying the sequester cut to Medicare. We would have extraordinary problems if this cut were to be allowed to take effect.

Second, we have defeated the Scott amendment which, if adopted, would have set a horrible precedent by refusing to fix Congress's mistake and forcing hospitals in one Senator's State to take on draconian Medicaid cuts.

I urge an ''aye'' vote.

VOTE ON H.R. 1868

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass, as amended?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Texas (Mr. CORNYN), the Senator from Texas (Mr. CRUZ), the Senator from Mississippi (Mrs. HYDE-SMITH), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Kansas (Mr. MORAN), the Senator from Nebraska (Mr. SASSE), and the Senator from Alabama (Mr. TUBERVILLE).

Further, if present and voting, the Senator from Kansas (Mr. MORAN) would have voted ''yea.''

The result was announced—yeas 90, nays 2, as follows:

[Rollcall Vote No. 142 Ex.]

YEAS—90

Baldwin	Cassidy	Grassley
Bennet	Collins	Hagerty
Blackburn	Coons	Hassan
Blumenthal	Cortez Masto	Hawley
Blunt	Cotton	Heinrich
Booker	Cramer	Hickenlooper
Boozman	Crapo	Hirono
Braun	Daines	Hoeven
Brown	Duckworth	Inhofe
Burr	Durbin	Kaine
Cantwell	Ernst	Kelly
Capito	Feinstein	Kennedy
Cardin	Fischer	King
Carper	Gillibrand	Klobuchar
Casey	Graham	Lankford

Leahy	Peters	Sinema
Lee	Portman	Smith
Luján	Reed	Stabenow
Lummis	Risch	Sullivan
Manchin	Romney	Tester
Markey	Rosen	Thune
Marshall	Rounds	Tillis
McConnell	Rubio	Van Hollen
Menendez	Sanders	Warner
Merkley	Schatz	Warnock
Murkowski	Schumer	Warren
Murphy	Scott (FL)	Whitehouse
Murray	Scott (SC)	Wicker
Ossoff	Shaheen	Wyden
Padilla	Shelby	Young

NAYS—2

Paul	Toomey

NOT VOTING—8

Barrasso	Hyde-Smith	Sasse
Cornyn	Johnson	Tuberville
Cruz	Moran	

The bill (H.R. 1868), as amended, was passed.

The PRESIDING OFFICER (Ms. CORTEZ MASTO). On this vote, the yeas are 90, the nays are 2.

The 60-vote threshold having been achieved, the bill, as amended, is passed.

The bill (H.R. 1868), as amended, passed. The majority leader.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 55.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Polly Ellen Trottenberg, of New York, to be Deputy Secretary of Transportation.

CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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. 55, Polly Ellen Trottenberg, of New York, to be Deputy Secretary of Transportation.

Charles E. Schumer, Patrick J. Leahy, Richard J. Durbin, Christopher A. Coons, Patty Murray, Jeff Merkley, Tammy Baldwin, Elizabeth Warren, Robert Menendez, Richard Blumenthal, Kirsten E. Gillibrand, Chris Van Hollen, Ron Wyden, Angus S. King, Jr., Robert P. Casey, Jr., Amy Klobuchar, Christopher Murphy.

LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Wendy Ruth Sherman, of Maryland, to be Deputy Secretary of State.

CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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. 35, Wendy Ruth Sherman, of Maryland, to be Deputy Secretary of State.

Charles E. Schumer, Robert Menendez, Chris Van Hollen, Tammy Baldwin, Richard J. Durbin, 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.

LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 33.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Gary Gensler, of Maryland, to be a Member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 2021.

CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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. 33, Gary Gensler, of Maryland, to be a Member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 2021.

Charles E. Schumer, Patrick J. Leahy, Richard J. Durbin, Christopher A. Coons, Patty Murray, Jeff Merkley, Tammy Baldwin, Elizabeth Warren, Robert Menendez, Richard Blumenthal, Kirsten E. Gillibrand, Chris Van Hollen, Ron Wyden, Angus S. King, Jr., Robert P. Casey, Jr., Amy Klobuchar, Christopher Murphy.

LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 53.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Brenda Mallory, of Maryland, to be a Member of the Council on Environmental Quality.

CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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. 53, Brenda Mallory, of Maryland, to be a Member of the Council on Environmental Quality.

Charles E. Schumer, Ron Wyden, Maria Cantwell, Richard J. Durbin, Robert P. Casey, Jr., Jeanne Shaheen, Tim Kaine, Angus S. King, Jr., Tammy Duckworth, John Hickenlooper, Gary C. Peters, Brian Schatz, Patty Murray, Tina Smith, Mazie K. Hirono, Sheldon Whitehouse, Alex Padilla.

LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

COVID–19 HATE CRIMES ACT—Motion to Proceed

Mr. SCHUMER. Madam President, I move to proceed to Calendar No. 13, S. 937.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

MOTION TO PROCEED

Mr. SCHUMER. Madam President, I move to proceed to Calendar No. 13, S. 937.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 13, S. 937, a bill to facilitate the expedited review of COVID–19 hate crimes, and for other purposes.

CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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

Charles E. Schumer, Mazie K. Hirono, Tammy Duckworth, Richard J. Durbin, Patty Murray, Jeff Merkley, Tammy Baldwin, Elizabeth Warren, Robert Menendez, Bernard Sanders, Kirsten E. Gillibrand, Jacky Rosen, Chris Van Hollen, Ron Wyden, Richard Blumenthal, Amy Klobuchar, Christopher Murphy.

Mr. SCHUMER. Finally, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, March 25, be waived.

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

MORNING BUSINESS

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

EQUAL PAY DAY

Mr. DURBIN. Mr. President, our Nation is built on some fundamental ideas. One of those ideas is fairness.

But there are millions of women across this country today who are doing the same job as their male colleagues and are being paid less.

That is why on this National Equal Pay Day, I stand with my fellow Senators to close the pay equity gap and ensure equal pay for equal work.

Fifty-eight years after the passage of the Equal Pay Act, women still only earn, on average, 82 cents for every dollar paid to men.

This wage gap is even worse for women of color.

African-American women who work full time make only 63 cents for every dollar paid to White males.

Hispanic women make only 55 cents on the dollar.

In nearly every industry in our country, women's median earnings remain less than their male counterparts.

There has been one profound change since the passage of the Equal Pay Act 58 years ago. Forty-one percent of women are now the primary-or only-breadwinners for their families.

In my own State of Illinois, women earn, on average, just 81 cents for every dollar earned by men.

African-American women in Illinois make just 63 cents for every dollar paid to White males. Hispanic women are paid even less-just 49 cents on the dollar.

This pay discrimination hurts working families. More than one-third of households led by women in Illinois live in poverty.

Over their lifetimes, this persistent pay equity gap will cost the average woman in my State nearly $500,000 in lost wages.

This is not right, and it is not fair. And it means women have to work that much harder to support their families and retire in dignity, and too many can't achieve those goals no matter how long or hard they work.

The coronavirus pandemic has underscored just how deep and damaging pay inequality is in the United States.

Nearly 2 in 3 frontline workers are women. Yet they-nearly universally-are paid less than men in the same roles.

For example, 88 percent of registered nurses are women. Yet they make 93 cents for every dollar a male nurse makes.

Women who work as home health aides, personal care aides, or nursing assistants typically lose $250 per month, or $3,000 per year, because of the gender wage gap.

While our economy is slowing starting to recover as people become vaccinated and the virus is brought under control, economists warn that it may take years for women to recover from the economic and career setbacks they have suffered during this pandemic.

Four times as many women as men left the workforce in September of 2020 alone. More than 860,000 women compared to 216,000 men.

From wage discrimination to the unavailability of childcare, women are not getting a fair deal. That means working families are not getting a fair deal. That must change.

This Senate should pass the Paycheck Fairness Act reintroduced by Senator MURRAY.

The Paycheck Fairness Act would build on the successes of the Lilly Ledbetter Fair Pay Act, which was the first bill signed into law by President Obama back in 2009.

The Lily Ledbetter Act prohibits gender-based pay discrimination, but it is hard to enforce because many employers still maintain policies that punish employees who voluntarily share salary information with their coworkers.

Workers can't demand equal pay if they don't know that they are being underpaid.

The Paycheck Fairness Act would close loopholes that still permit retaliation against workers who disclose their wages.

It would prohibit employers from asking prospective employees about their salary history.

It would require that employers prove that pay disparities exist for legitimate, job-related reasons, not simply because they think that ''women's work'' is worth less.

I am disappointed that Republican opposition has prevented the Senate from passing this bill, which is vital to the economic security of millions of American women and their families. But we are not giving up.

Women have carried America's families and our economy through this pandemic. As the pandemic begins to end, so should the persistent pay discrimination against women.

I urge my colleagues across the aisle to commit to passing the Paycheck Fairness Act and working with us to close this gender wage gap once and for all.

DOMESTIC TERRORISM PREVENTION ACT

Mr. DURBIN. Mr. President, I'm reintroducing a piece of legislation that I first introduced in 2017: the Domestic Terrorism Prevention Act.

Back then, we knew there was an urgent need to address the crisis of hate and violent extremism in America.

In the years since, that crisis has only gotten worse, and Congress has failed to take meaningful steps to address it.

We can change that, and we can change it now.

Earlier this week, the Judiciary Committee held a hearing on gun violence in America.

It happened just one day after a mass shooting in Boulder, CO claimed 10 lives and just 1 week after a shooting spree at 3 Atlanta-area spas claimed 8 lives.

During the hearing, I mentioned how these tragedies—mass shootings, acts of terror, hate crimes—they occur with such frequency, that we can't keep track.

Each life lost is added to our national tally of failure. A failure to save American lives.

And behind each number is a person.

We lost eight of them last week in the Atlanta area in a hateful act of violence.

Each of them had a name and a story.

Xiaojie Tan was a hard-working mother, wife, and business-owner.

Soon Chung Park was a mother and grandmother who loved to stay active. Her family was sure she was going to live to 100.

Hyun Jung Kim was a former elementary school teacher who had immigrated to the United States from South

Korea. She dedicated her life to raising her two sons.

Delaina Ashley Yaun was a newlywed and a mother of two, one of whom was an 8-month-old baby. She and her husband were getting a couple's massage at the time of the shooting.

Young Ae Yue was a wife and mother of two sons who looked forward to sitting down for a traditional Korean dinner every Sunday night.

Paul Andre Michels was a loving husband and a U.S. Army veteran.

Daoyou Feng had recently started working at one the massage parlors that was attacked. She was described by a friend as ''kind and quiet.''

Sooncha Kim was a wife, mother, grandmother, and avid line dancer. She and her husband had been married for 50 years.

All of their lives were cut short by a lone gunman with hate in his heart.

How many more lives must we lose before we act?

How many more vigils, funerals must we hold?

How many more families must be devastated forever?

While the motives behind these horrific attacks are still being investigated, it is impossible to ignore that six of the victims in the Atlanta attack were Asian-American women.

It happened at a moment when violence against members of the Asian-American and Pacific Islander community has been on the rise.

Two of my colleagues in the Senate have shown tremendous courage in the wake of last week's attack in Atlanta.

I am proud to have Senator HIRONO as my colleague on the Senate Judiciary Committee, and I am proud to serve alongside Senator DUCKWORTH and represent our home State of Illinois.

The two of them have, rightfully, criticized the Federal Government for failing to protect members of the AAPI community from acts of hate and violent extremism.

And they have every reason to be angry.

A year ago, they warned us.

They-along with Vice President Harris, who was serving in the Senate at the time-introduced a resolution expressing alarm that people are, quote, ''living in fear and terror following the dramatic increase of threats and attacks against those of Asian descent.''

They called on us, the Members of this body, to have a ''singular focus'' on protecting the safety of AAPI people, along with every American.

We failed to do that.

Since the pandemic began last March, nearly 3,800 hate incidents targeting members of the AAPI community have been reported.

Now these Americans are afraid to walk the streets of their own neighborhoods.

It is one of many examples that highlight the dire need to transform the way we deal with domestic terrorism in this country.

Even before the pandemic began, a tide of hatred had begun sweeping over America.

In 2019, the FBI reported that hate crimes had increased to the highest level in more than a decade.

Another report, from the Center for the Study of Hate and Extremism, found that the number of hate-motivated aggravated assaults in America had increased by nearly 50 percent between 2013 and 2019.

Since hate crimes are historically underreported, we know that the increase is probably much greater.

Recently, the Department of Homeland Security warned that violent, White supremacy is now ''the most persistent and lethal threat in the homeland.''

Violent extremism is a threat to all of us, whether it is a lone gunman in Atlanta or hordes of blood-thirsty extremists battering down the doors of this very chamber.

The Domestic Terrorism Prevention Act will enhance the Federal Government's ability to prevent these acts of extremist violence.

It will establish offices to combat domestic terrorism at the Department of Justice, the FBI, and the Department of Homeland Security.

Those offices would regularly assess the threat of violent extremism so law enforcement can focus their limited resources on the most significant ones.

The Domestic Terrorism Prevention Act would also provide training and resources to assist State, local, and tribal law enforcement in addressing those threats.

I want to thank Majority Leader SCHUMER for working expeditiously to bring this bill to the floor.

I want to thank Senators HIRONO and DUCKWORTH for their leadership and for joining me in cosponsoring a version of this legislation that combines the Domestic Terrorism Prevention Act with their COVID–19 Hate Crimes Act.

This combined bill, which we have named the ''Domestic Terrorism and Hate Crimes Prevention Act of 2021'', would both combat the broader threat of domestic terrorism and ensure that the Department of Justice is promptly addressing the particular threats facing the AAPI community.

Over the past week, in response to the attacks in Atlanta and Boulder, CO, I have heard Senators on both sides of the aisle make speeches about taking action to prevent acts of domestic terrorism.

Well, I can think of no better first step than voting in support of this legislation. To be clear, it is just one step. There is more we can and must do to combat domestic terrorism.

But we have been waiting 4 years too long to sign this bill into law.

Too many Americans have died.

Let's work to save ourselves from another 4 years of unthinkable tragedies. I yield the floor.

NOTICE OF TIE VOTE UNDER S. RES. 27

Mr. DURBIN. 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:

To the Secretary of the Senate:

PN79–4, the nomination of Vanita Gupta, of Virginia, to be Associate Attorney General, having been referred to the Committee on the Judiciary, the Committee, with a quorum present, has voted on the nomination as follows—

(1) On the question of reporting the nomination favorably with the recommendation that the nomination be confirmed, 11 ayes to 11 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.

NOMINATION OF ADEWALE O. ADEYEMO

Mr. HAWLEY. Mr. President, had there been a recorded vote, I would have voted no on the confirmation of Executive Calendar No. 30, Adewale O. Adeyemo, of California, to be Deputy Secretary of the Treasury.

SENATE COMMITTEE ON FOREIGN RELATIONS RULES OF PROCEDURE

Mr. MENENDEZ. Mr. President, the Committee on Foreign Relations has adopted rules governing its procedures for the 117th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator RISCH, 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:

RULES OF THE COMMITTEE ON FOREIGN RELATIONS

(Adopted February 22, 2021)

RULE 1—JURISDICTION

(a) Substantive.—In accordance with Senate Rule XXV.1(j)(1), the jurisdiction of the committee shall extend to all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Acquisition of land and buildings for embassies and legations in foreign countries.
2. Boundaries of the United States.
3. Diplomatic service.
4. Foreign economic, military, technical, and humanitarian assistance.
5. Foreign loans.
6. International activities of the American National Red Cross and the International Committee of the Red Cross.
7. International aspects of nuclear energy, including nuclear transfer policy.
8. International conferences and congresses.
9. International law as it relates to foreign policy.
10. International Monetary Fund and other international organizations established primarily for international monetary purposes

(except that, at the request of the Committee on Banking, Housing, and Urban Affairs, any proposed legislation relating to such subjects reported by the Committee on Foreign Relations shall be referred to the Committee on Banking, Housing, and Urban Affairs).

11. Intervention abroad and declarations of war.

12. Measures to foster commercial intercourse with foreign nations and to safeguard American business interests abroad.

13. National security and international aspects of trusteeships of the United States.

14. Ocean and international environmental and scientific affairs as they relate to foreign policy.

15. Protection of United States citizens abroad and expatriation.

16. Relations of the United States with foreign nations generally.

17. Treaties and executive agreements, except reciprocal trade agreements.

18. United Nations and its affiliated organizations.

19. World Bank group, the regional development banks, and other international organizations established primarily for development assistance purposes.

The committee is also mandated by Senate Rule XXV.1(j)(2) to study and review, on a comprehensive basis, matters relating to the national security policy, foreign policy, and international economic policy as it relates to foreign policy of the United States, and matters relating to food, hunger, and nutrition in foreign countries, and report thereon from time to time.

(b) Oversight.—The committee also has a responsibility under Senate Rule XXVI.8(a)(2), which provides that ". . . . each standing committee . . . shall review and study, on a continuing basis, the application, administration, and execution of those laws or parts of laws, the subject matter of which is within the jurisdiction of the committee."

(c) "Advice and Consent" Clauses.—The committee has a special responsibility to assist the Senate in its constitutional function of providing "advice and consent" to all treaties entered into by the United States and all nominations to the principal executive branch positions in the field of foreign policy and diplomacy.

RULE 2—SUBCOMMITTEES

(a) Creation.—Unless otherwise authorized by law or Senate resolution, subcommittees shall be created by majority vote of the committee and shall deal with such legislation and oversight of programs and policies as the committee directs. Legislative measures or other matters may be referred to a subcommittee for consideration in the discretion of the chairman or by vote of a majority of the committee. If the principal subject matter of a measure or matter to be referred falls within the jurisdiction of more than one subcommittee, the chairman or the committee may refer the matter to two or more subcommittees for joint consideration.

(b) Assignments.—Assignments of members to subcommittees shall be made in an equitable fashion. No member of the committee may receive assignment to a second subcommittee until, in order of seniority, all members of the committee have chosen assignments to one subcommittee, and no member shall receive assignments to a third subcommittee until, in order of seniority, all members have chosen assignments to two subcommittees.

No member of the committee may serve on more than four subcommittees at any one time.

The chairman and ranking member of the committee shall be ex officio members, without vote, of each subcommittee.

(c) Hearings.—Except when funds have been specifically made available by the Senate for a subcommittee purpose, no subcommittee of the Committee on Foreign Relations shall hold hearings involving expenses without prior approval of the chairman of the full committee or by decision of the full committee. Hearings of subcommittees shall be scheduled after consultation with the chairman of the committee with a view toward avoiding conflicts with hearings of other subcommittees insofar as possible. Hearings of subcommittees shall not be scheduled to conflict with meetings or hearings of the full committee.

The proceedings of each subcommittee shall be governed by the rules of the full committee, subject to such authorizations or limitations as the committee may from time to time prescribe.

RULE 3—MEETINGS AND HEARINGS

(a) Regular Meeting Day.—The regular meeting day of the Committee on Foreign Relations for the transaction of committee business shall be on Wednesday of each week, unless otherwise directed by the chairman.

(b) Additional Meetings and Hearings.—Additional meetings and hearings of the committee may be called by the chairman as he may deem necessary. If at least three members of the committee desire that a special meeting of the committee be called by the chairman, those members may file in the offices of the committee their written request to the chairman for that special meeting. Immediately upon filing of the request, the chief clerk of the committee shall notify the chairman of the filing of the request. If, within three calendar days after the filing of the request, the chairman does not call the requested special meeting, to be held within seven calendar days after the filing of the request, a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held, specifying the date and hour of that special meeting. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk shall notify all members of the committee that such special meeting will be held and inform them of its date and hour.

(c) Hearings, Selection of Witnesses.—To ensure that the issue which is the subject of the hearing is presented as fully and fairly as possible, whenever a hearing is conducted by the committee or a subcommittee upon any measure or matter, the ranking member of the committee or subcommittee may select and call an equal number of non-governmental witnesses to testify at that hearing.

(d) Public Announcement.—The committee, or any subcommittee thereof, shall make public announcement of the date, place, time, and subject matter of any meeting or hearing to be conducted on any measure or matter at least seven calendar days in advance of such meetings or hearings, unless the chairman of the committee, or subcommittee, in consultation with the ranking member, determines that there is good cause to begin such meeting or hearing at an earlier date.

(e) Procedure.—Insofar as possible, proceedings of the committee will be conducted without resort to the formalities of parliamentary procedure and with due regard for the views of all members. Issues of procedure which may arise from time to time shall be resolved by decision of the chairman, in consultation with the ranking member. The chairman, in consultation with the ranking member, may also propose special procedures to govern the consideration of particular matters by the committee.

(f) Closed Sessions.—Each meeting and hearing of the Committee on Foreign Relations, or any subcommittee thereof shall be open to the public, except that a meeting or hearing or series of meetings or hearings by the committee or a subcommittee on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in paragraphs (1) through (6) would require the meeting or hearing to be closed followed immediately by a record vote in open session by a majority of the members of the committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or hearing or series of meetings or hearings—

(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) will relate solely to matters of committee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct; to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by government officers and employees; or

(B) the information has been obtained by the government on a confidential basis, other than through an application by such person for a specific government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person, or

(6) may divulge matters required to be kept confidential under other provisions of law or government regulations.

A closed meeting or hearing may be opened by a majority vote of the committee.

(g) Staff Attendance.—A member of the committee may have one member of his or her personal staff, for whom that member assumes personal responsibility, accompany and be seated nearby at committee meetings and hearings. The chairman or ranking member may authorize the attendance and seating of such a staff member at committee meetings and hearings where the member of the committee is not present.

Each member of the committee may designate members of his or her personal staff for whom that member assumes personal responsibility, who holds, at a minimum, a top secret security clearance, for the purpose of their eligibility to attend closed sessions of the committee, subject to the same conditions set forth for committee staff under Rules 12, 13, and 14.

In addition, the majority leader and the minority leader of the Senate, if they are not otherwise members of the committee, may designate one member of their staff for whom that leader assumes personal responsibility and who holds, at a minimum, a top secret security clearance, to attend closed sessions of the committee, subject to the same conditions set forth for committee staff under Rules 12, 13, and 14.

Staff of other Senators who are not members of the committee may not attend closed sessions of the committee.

Attendance of committee staff at meetings and hearings shall be limited to those designated by the staff director or the minority staff director.

The committee, by majority vote, or the chairman, with the concurrence of the ranking member, may limit staff attendance at specified meetings or hearings.

RULE 4—QUORUMS

(a) Testimony.—For the purpose of taking sworn or unsworn testimony at any duly scheduled meeting a quorum of the committee and each subcommittee thereof shall consist of one member of such committee or subcommittee.

(b) Business.—A quorum for the transaction of committee or subcommittee business, other than for reporting a measure or recommendation to the Senate or the taking of testimony, shall consist of one-third of the members of the committee or subcommittee, including at least one member from each party.

(c) Reporting.—A majority of the membership of the committee, including at least one member from each party, shall constitute a quorum for reporting any measure or recommendation to the Senate. No measure or recommendation shall be ordered reported from the committee unless a majority of the committee members is physically present, including at least one member from each party, and a majority of those present concurs.

RULE 5—PROXIES

Proxies must be in writing with the signature of the absent member. Subject to the requirements of Rule 4 for the physical presence of a quorum to report a matter, proxy voting shall be allowed on all measures and matters before the committee. However, proxies shall not be voted on a measure or matter except when the absent member has been informed of the matter on which he is being recorded and has affirmatively requested that he or she be so recorded.

RULE 6—WITNESSES

(a) General.—The Committee on Foreign Relations will consider requests to testify on any matter or measure pending before the committee.

(b) Presentation.—If the chairman so determines, the oral presentation of witnesses shall be limited to 10 minutes. However, written statements of reasonable length may be submitted by witnesses and other interested persons who are unable to testify in person.

(c) Filing of Statements.—A witness appearing before the committee, or any subcommittee thereof, shall submit an electronic copy of the written statement of his proposed testimony at least 24 hours prior to his appearance, unless this requirement is waived by the chairman and the ranking member following their determination that there is good cause for failure to file such a statement.

(d) Expenses.—Only the chairman may authorize expenditures of funds for the expenses of witnesses appearing before the committee or its subcommittees.

(e) Requests.—Any witness called for a hearing may submit a written request to the chairman no later than 24 hours in advance for his testimony to be in closed or open session, or for any other unusual procedure. The chairman shall determine whether to grant any such request and shall notify the committee members of the request and of his decision.

RULE 7—SUBPOENAS

(a) Authorization.—The chairman or any other member of the committee, when authorized by a majority vote of the committee at a meeting or by proxies, shall have authority to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials. At the request of any member of the committee, the committee shall authorize the issuance of a subpoena only at a meeting of the committee. When the committee authorizes a subpoena, it may be issued upon the signature of the chairman or any other member designated by the committee.

(b) Return.—A subpoena, or a request to an agency, for documents may be issued whose return shall occur at a time and place other than that of a scheduled committee meeting. A return on such a subpoena or request which is incomplete or accompanied by an objection constitutes good cause for a hearing on shortened notice. Upon such a return, the chairman or any other member designated by him may convene a hearing by giving 4 hours notice by telephone or electronic mail to all other members. One member shall constitute a quorum for such a hearing. The sole purpose of such a hearing shall be to elucidate further information about the return and to rule on the objection.

(c) Depositions.—At the direction of the committee, staff is authorized to take depositions from witnesses.

RULE 8—REPORTS

(a) Filing.—When the committee has ordered a measure or recommendation reported, the report thereon shall be filed in the Senate at the earliest practicable time.

(b) Supplemental, Minority and Additional Views.—A member of the committee who gives notice of his intentions to file supplemental, minority, or additional views at the time of final committee approval of a measure or matter, shall be entitled to not less than 3 calendar days in which to file such views, in writing (including by electronic mail), with the chief clerk of the committee, with the 3 days to begin at 11:00 p.m. on the same day that the committee has ordered a measure or matter reported. Such views shall then be included in the committee report and printed in the same volume, as a part thereof, and their inclusion shall be noted on the cover of the report. In the absence of timely notice, the committee report may be filed and printed immediately without such views.

(c) Roll Call Votes.—The results of all roll call votes taken in any meeting of the committee on any measure, or amendment thereto, shall be announced in the committee report. The announcement shall include a tabulation of the votes cast in favor and votes cast in opposition to each such measure and amendment by each member of the committee.

RULE 9—TREATIES

(a) General.—The committee is the only committee of the Senate with jurisdiction to review and report to the Senate on treaties submitted by the President for Senate advice and consent to ratification. Because the House of Representatives has no role in the approval of treaties, the committee is therefore the only congressional committee with responsibility for treaties.

(b) Committee Proceedings.—Once submitted by the President for advice and consent, each treaty is referred to the committee and remains on its calendar from Congress to Congress until the committee takes action to report it to the Senate or recommend its return to the President, or until the committee is discharged of the treaty by the Senate.

(c) Floor Proceedings.—In accordance with Senate Rule XXX.2, treaties which have been reported to the Senate but not acted on before the end of a Congress ''shall be resumed at the commencement of the next Congress as if no proceedings had previously been had thereon.''

(d) Hearings.—Insofar as possible, the committee should conduct a public hearing on each treaty as soon as possible after its submission by the President. Except in extraordinary circumstances, treaties reported to the Senate shall be accompanied by a written report.

RULE 10—NOMINATIONS

(a) Waiting Requirement.—Unless otherwise directed by the chairman and the ranking member, the Committee on Foreign Relations shall not consider any nomination until 5 business days after it has been formally submitted to the Senate.

(b) Public Consideration.—Nominees for any post who are invited to appear before the committee shall be heard in public session, unless a majority of the committee decrees otherwise, consistent with Rule 3(f).

(c) Required Data.—No nomination shall be reported to the Senate unless (1) the nominee has been accorded a security clearance on the basis of a thorough investigation by executive branch agencies; (2) the nominee has filed a financial disclosure report and a related ethics undertaking with the committee; (3) the committee has been assured that the nominee does not have any interests which could conflict with the interests of the government in the exercise of the nominee's proposed responsibilities; (4) for persons nominated to be chief of mission, ambassador-at-large, or minister, the committee has received a complete list of any contributions made by the nominee or members of his immediate family to any Federal election campaign during the year of his or her nomination and for the 4 preceding years; (5) for persons nominated to be chiefs of mission, the report required by Section 304(a)(4) of the Foreign Service Act of 1980 on the demonstrated competence of that nominee to perform the duties of the position to which he or she has been nominated; and (6) the nominee has provided the committee with a signed and notarized copy of the committee questionnaire for executive branch nominees.

RULE 11—TRAVEL

(a) Foreign Travel.—No member of the Committee on Foreign Relations or its staff shall travel abroad on committee business unless specifically authorized by the chairman, who is required by law to approve vouchers and report expenditures of foreign currencies, and the ranking member. Requests for authorization of such travel shall state the purpose and, when completed, a full substantive and financial report shall be filed with the committee within 30 days. This report shall be furnished to all members of the committee and shall not be otherwise disseminated without authorization of the chairman and the ranking member. Except in extraordinary circumstances, staff travel shall not be approved unless the reporting requirements have been fulfilled for all prior trips. Except for travel that is strictly personal, travel funded by non-U.S. Government sources is subject to the same approval and substantive reporting requirements as U.S. Government-funded travel. In addition, members and staff are reminded to consult the Senate Code of Conduct, and, as appropriate, the Senate Select Committee on Ethics, in the case of travel sponsored by non-U.S. Government sources.

Any proposed travel by committee staff for a subcommittee purpose must be approved by the subcommittee chairman and ranking member prior to submission of the request to the chairman and ranking member of the full committee.

(b) Domestic Travel.—All official travel in the United States by the committee staff

shall be approved in advance by the staff director, or in the case of minority staff, by the minority staff director.

(c) Personal Staff Travel.—As a general rule, no more than one member of the personal staff of a member of the committee may travel with that member with the approval of the chairman and the ranking member of the committee. During such travel, the personal staff member shall be considered to be an employee of the committee.

(d) PRM Travel.—For the purposes of this rule regarding staff foreign travel, the officially-designated personal representative of the member pursuant to rule 14(b), shall be deemed to have the same rights, duties, and responsibilities as members of the staff of the Committee on Foreign Relations.

RULE 12—TRANSCRIPTS AND MATERIALS PROVIDED TO THE COMMITTEE

(a) General.—The Committee on Foreign Relations shall keep verbatim transcripts of all committee and subcommittee meetings and hearings and such transcripts shall remain in the custody of the committee, unless a majority of the committee decides otherwise. Transcripts of public hearings by the committee shall be published unless the chairman, with the concurrence of the ranking member, determines otherwise.

The committee, through the chief clerk, shall also maintain at least one copy of all materials provided to the committee by the Executive Branch; such copy shall remain in the custody of the committee and be subject to the committee's rules and procedures, including those rules and procedures applicable to the handling of classified materials.

Such transcripts and materials shall be made available to all members of the committee, committee staff, and designated personal representatives of members of the committee, except as otherwise provided in these rules.

(b) Classified or Restricted Transcripts or Materials.—

(1) The chief clerk of the committee shall have responsibility for the maintenance and security of classified or restricted transcripts or materials, and shall ensure that such transcripts or materials are handled in a manner consistent with the requirements of the United States Senate Security Manual.

(2) A record shall be maintained of each use of classified or restricted transcripts or materials as required by the Senate Security Manual.

(3) Classified transcripts or materials may not leave the committee offices, or SVC–217 of the Capitol Visitors Center, except for the purpose of declassification or archiving, consistent with these rules.

(4) Extreme care shall be exercised to avoid taking notes or quotes from classified transcripts or materials. Their contents may not be divulged to any unauthorized person.

(5) Subject to any additional restrictions imposed by the chairman with the concurrence of the ranking member, only the following persons are authorized to have access to classified or restricted transcripts or materials:

(A) Members and staff of the committee in the committee offices or in SVC–217 of the Capitol Visitors Center;

(B) Designated personal representatives of members of the committee, and of the majority and minority leaders, with appropriate security clearances, in the committee offices or in SVC–217 of the Capitol Visitors Center;

(C) Senators not members of the committee, by permission of the chairman, in the committee offices or in SVC–217 of the Capitol Visitors Center; and

(D) Officials of the executive departments involved in the meeting, hearing, or matter, with authorization of the chairman, in the committee offices or SVC–217 of the Capitol Visitors Center.

(6) Any restrictions imposed by the committee upon access to a meeting or hearing of the committee shall also apply to the transcript of such meeting, except by special permission of the chairman and ranking member.

(7) In addition to restrictions resulting from the inclusion of any classified information in the transcript of a committee meeting or hearing, members and staff shall not discuss with anyone the proceedings of the committee in closed session or reveal information conveyed or discussed in such a session unless that person would have been permitted to attend the session itself or is a member or staff of a relevant committee or executive branch agency and possess an appropriate security clearance, or unless such communication is specifically authorized by the chairman, the ranking member, or in the case of staff, by the staff director or minority staff director. A record shall be kept of all such authorizations.

(c) Declassification.—

(1) All noncurrent records of the committee are governed by Rule XI of the Standing Rules of the Senate and by S. Res. 474 (96th Congress). Any classified transcripts or materials transferred to the National Archives and Records Administration under Rule XI may not be made available for public use unless they have been subject to declassification review in accordance with applicable laws or Executive orders.

(2) Any transcript or classified committee report, or any portion thereof, may be declassified, in accordance with applicable laws or Executive orders, sooner than the time period provided for under S. Res. 474 if:

(A) the chairman originates such action, with the concurrence of the ranking member;

(B) the other current members of the committee who participated in such meeting or report have been notified of the proposed declassification, and have not objected thereto, except that the committee by majority vote may overrule any objections thereby raised to early declassification; and

(C) the executive departments that participated in the meeting or originated the classified information have been consulted regarding the declassification.

RULE 13—CLASSIFIED INFORMATION

(a) General.—The handling of classified information in the Senate is governed by S. Res. 243 (100th Congress), which established the Office of Senate Security. All handling of classified information by the committee shall be consistent with the procedures set forth in the United States Senate Security Manual issued by the Office of Senate Security.

(b) Security Manager.—The chief clerk is the security manager for the committee. The chief clerk shall be responsible for implementing the provisions of the Senate Security Manual and for serving as the committee liaison to the Office of Senate Security. The staff director, in consultation with the minority staff director, may appoint an alternate security manager as circumstances warrant.

(c) Transportation of Classified Material.—Classified material may only be transported between Senate offices by appropriately cleared staff members who have been specifically authorized to do so by the security manager.

(d) Access to Classified Material.—In general, Senators and staff undertake to confine their access to classified information on the basis of a ''need to know'' such information related to their committee responsibilities.

(e) Staff Clearances.—The chairman, or, in the case of minority staff, the ranking member, shall designate the members of the committee staff whose assignments require access to classified and compartmented information and shall seek to obtain the requisite security clearances pursuant to Office of Senate Security procedures.

(f) PRM Clearances.—For the purposes of this rule regarding security clearances and access to compartmented information, the officially-designated personal representative of the member (PRM) pursuant to rule 14(b), shall be deemed to have the same rights, duties, and responsibilities as members of the staff of the Committee on Foreign Relations.

(g) Regulations.—The staff director is authorized to make such administrative regulations as may be necessary to carry out the provisions of this rule.

RULE 14—STAFF

(a) Responsibilities.—

(1) The staff works for the committee as a whole, under the general supervision of the chairman of the committee, and the immediate direction of the staff director, except that such part of the staff as is designated minority staff shall be under the general supervision of the ranking member and under the immediate direction of the minority staff director.

(2) Any member of the committee should feel free to call upon the staff at any time for assistance in connection with committee business. Members of the Senate not members of the committee who call upon the staff for assistance from time to time should be given assistance subject to the overriding responsibility of the staff to the committee.

(3) The staff's primary responsibility is with respect to bills, resolutions, treaties, and nominations and other matters within the jurisdiction of the committee. In addition to carrying out assignments from the committee and its individual members, the staff has a responsibility to originate suggestions for committee or subcommittee consideration. The staff also has a responsibility to make suggestions to individual members regarding matters of special interest to such members.

(4) It is part of the staff's duty to keep itself as well informed as possible in regard to developments affecting foreign relations and national security and in regard to the administration of foreign programs of the United States. Significant trends or developments which might otherwise escape notice should be called to the attention of the committee, or of individual Senators with particular interests.

(5) The staff shall pay due regard to the constitutional separation of powers between the Senate and the executive branch. It therefore has a responsibility to help the committee bring to bear an independent, objective judgment of proposals by the executive branch and when appropriate to originate sound proposals of its own. At the same time, the staff shall avoid impinging upon the day-to-day conduct of foreign affairs.

(6) In those instances when committee action requires the expression of minority views, the staff shall assist the minority as fully as the majority to the end that all points of view may be fully considered by members of the committee and of the Senate. The staff shall bear in mind that under our constitutional system it is the responsibility of the elected members of the Senate to determine legislative issues in the light of as full and fair a presentation of the facts as the staff may be able to obtain.

(b) Personal Representatives of the Member (PRM).—Each Senator on the committee shall be authorized to designate one personal staff member as the member's personal representative of the member and designee to

the committee (PRM) that shall be deemed to have the same rights, duties, and responsibilities as members of the staff of the Committee on Foreign Relations where specifically provided for in these rules.

(c) Restrictions.—

(1) The staff shall regard its relationship to the committee as a privileged one, in the nature of the relationship of a lawyer to a client. In order to protect this relationship and the mutual confidence which must prevail if the committee-staff relationship is to be a satisfactory and fruitful one, the following criteria shall apply, unless staff has consulted with and obtained, as appropriate, the approval of the Senate Ethics Committee and advance permission from the staff director (or the minority staff director in the case of minority staff):

(A) members of the staff shall not be identified with any special interest group in the field of foreign relations or allow their names to be used by any such group; and

(B) members of the staff shall not accept public speaking engagements or write for publication in the field of foreign relations.

(2) The staff shall not discuss their private conversations with members of the committee without specific advance permission from the Senator or Senators concerned.

(3) The staff shall not discuss with anyone the proceedings of the committee in closed session or reveal information conveyed or discussed in such a session unless that person would have been permitted to attend the session itself or is a member or staff of a relevant committee or executive branch agency and possesses an appropriate security clearance, or unless such communication is specifically authorized by the staff director or minority staff director. Unauthorized disclosure of information from a closed session or of classified information shall be cause for immediate dismissal and may, in certain cases, be grounds for criminal prosecution.

RULE 15—STATUS AND AMENDMENT OF RULES

(a) Status.—In addition to the foregoing, the Committee on Foreign Relations is governed by the Standing Rules of the Senate, which shall take precedence in the event of a clear inconsistency. In addition, the jurisdiction and responsibilities of the committee with respect to certain matters, as well as the timing and procedure for their consideration in committee, may be governed by statute.

(b) Amendment.—These rules may be modified, amended, or repealed by a majority of the committee, provided that a notice in writing (including by electronic mail) of the proposed change has been given to each member at least 72 hours prior to the meeting at which action thereon is to be taken. However, rules of the committee which are based upon Senate rules may not be superseded by committee vote alone.

TRIBUTE TO JOE HACK

Mrs. FISCHER. Mr. President, every Senator depends on their staff to provide them with information and advice on the issues. Every Senator knows the importance of having good staff who can respond to the questions and concerns their constituents may have in dealing with the Federal bureaucracy. And every Senator believes that their staff members are the most prepared, the most conscientious, and the most caring people in the U.S. Senate.

I know that my staff is. I have been fortunate with the people who have joined my team to work for the great State of Nebraska. I have been extremely fortunate that Joe Hack has been a member of Team Fischer since my very first day as a U.S. Senator.

Joe officially joined my team as my communications director on that first day. He was not new to the Senate; he had first arrived here as an 18-year-old intern. On our first day in 2013, he immediately got to work with his new boss in getting out press releases, reaching out to State and national media, and helping me continue my practice of writing a weekly column for media back home.

Joe never missed a beat. He helped guide me through the traditions and inner workings of the Senate and through the tunnels of the Russell Building.

After 2 years, Joe Hack became my chief of staff, the youngest chief in the Senate at that time. Joe set the tone I wanted for my office: Be professional, take your job seriously, be honest, get along with your colleagues, always respond to constituents, gather all the information we need on an issue and then get more, and work hard. Joe's closing to every email and every staff meeting was always, ''Work harder.'' And he set the example for all of these.

Joe was involved in every major piece of legislation we have accomplished, from passing the first-ever paid family leave law to the FAST Act, our Internet of Things work, broadband, infrastructure, and agriculture issues. He guided the Omaha VA clinic from inception to completion, and he will see the Lincoln VA clinic open and the Offutt Air Force Base runway completely rebuilt. He knew the importance of securing funding for Nebraska highway and water projects and for the continued growth of our university system. He was part of every success.

Joe knows Nebraska, and Nebraskans know Joe. He knew instinctively that the people of our State are why we do this work. We represent them. Joe has attended statehood dinners in our Capitol Rotunda, driven a combine in Grand Island, had meals at Ole's Big Game Bar, and gone to Husker tailgates and games. He loves browsing at Cabela's and a good meal at Rosita's. He knows which Nebraska hotels have the best gym, where every Runza drive-thru is located in the State, and where to find the best steaks. He has shared BBQ at our ranch with family, neighbors and the U.S. Secretary of Ag. He is also addicted to Colby Ridge popcorn balls. He buys them in bulk, and he doesn't share.

He has attended countless Nebraska breakfasts and constituent meetings in Washington. He has worked hard for the people of Nebraska.

Joe has traveled the vastness of our State, understanding its diversity and standing in awe while viewing our skies, sunrises and sunsets, our clouds, and the majesty of our night stars. He fell in love with ''The Good Life''. A New Jersey guy became a Nebraskan.

Joe has been by my side since my very first day in the Senate, and now, he is moving on to new opportunities. He has been a mentor to many, my trusted policy and political adviser, and a leader whose admonition to ''work harder'' became our office mantra. Joe has smoothed the waters and ruffled feathers.

Joe Hack is a friend. He is family. I wish him only the best as he meets new challenges and faces new adventures in his life.

Thank you, Joe.

ADDITIONAL STATEMENTS

TRIBUTE TO CELEA POITRA AND GAHGE WHITEMANRUNSHIM

• Mr. DAINES. Mr. President, this week, I have the honor of recognizing Celea Poitra and Gahge Whitemanrunshim of Big Horn County for courageously stepping up to help others in the face of danger. They exhibit strong Montana values, and their dedication to helping others is admirable.

Celea and Gahge were in their grandmother's pickup truck heading to a dental appointment on Saturday, February 27, 2021, when they witnessed devastating 30–vehicle pileup on the Yellowstone River Bridge outside Billings, MT. Dozens of vehicles crashed into each other on the icy interstate highway bridge. After their truck came to a stop, Celea and Gahge saw a vehicle with a mother and two kids hanging partially off the guardrail of the bridge. Celea and Gahge did not hesitate to step in and help. However, the impact from other vehicles hitting the pile-up knocked both of them off of the bridge, and they fell to the ground about 60 feet below.

They sustained serious injuries when they fell and are recovering in Billings' hospital. Celea was treated for a broken back, lacerated kidney, and other injuries. She was in an intensive care unit and is expected to need multiple surgeries. Gahge suffered a fractured neck, punctured lung, and other injuries. Their grandmother and guardian, Joan, stated that it is very much in her children's nature to go out of their way to help someone.

It is my distinct honor to recognize Celea and Gahge for demonstrating such bravery to help others in need and I pray for their swift recovery. Their selflessness serves as an inspiration to all Montanans. •

REMEMBERING MARLENE BANE

• Mr. PADILLA. Mr. President, today I rise to recognize the life of Ms. Marlene Bane.

Marlene answered the highest calling of dedication to her country, her State, and her local community. Along with her husband, Assemblyman Tom Bane, she carved out a unique niche in State government through a blend of intelligence, soft-spoken charm, organization, and, most of all, dear friends and

relatives. She spent a lifetime engaged in political consulting and nonprofit projects such as lupus research and the Jewish Home for the Aging.

Marlene worked tirelessly to improve California and serve those most in need. She was also well known and loved throughout L.A.'s Jewish community for her civic activism and support for Israel.

Marlene was renowned for mentoring an amazing number of our political leaders on how to serve constituents with honor and commitment. Up to the last week of her life, she threw herself into the cause of supporting candidates. She believed in the commandment of Tikkun Olam, that she must leave the world better than she found it. It is undeniable that she left those who knew her better off for having known her.●

REMEMBERING ANTONIO GONZALEZ

● Mr. PADILLA. Mr. President, I would like to include in the RECORD the following obituary for Mr. Antonio Gonzalez, written by his children.

The material follows:

Beloved Antonio Gonzalez made his transition the night of December 30, 2020. Born in Calera in the state of Zacatecas, Mexico on March 30, 1964, he was the eldest of four children born to Antonio Gonzalez and Antonia Del Villar. The Gonzalez family spent their early years living with Antonio's maternal grandparents in a small town in Calera. Antonio shared fond memories of times spent on his grandparent's abundant ranch. He described what seemed to him an endless landscape of rolling hills, trees, livestock and horses (his favorite).

Hard times fell on the young family around the time Antonio turned eight. A sudden regime change resulted in his dad losing his job, forcing them to set their sights ''north'' in search for work and a better life. Their trek north ended in what was (at the time) a small dusty town just south of the California border. It was there, in Tecate, BC where he and his three siblings, Antonio (Tony Chico), Margarita and Maria de la Luz were raised and attended school. But, with a lack of good paying jobs, times remained tough in Tecate. Antonio recalled working odd-end jobs throughout his childhood and adolescence; a shoe shiner, sweeper—anything to help ensure that there was food on the table.

As a young adult, Antonio set his sights on completing the journey north—to the U.S. In 1971, shortly after marrying Florentina ''Nina'' Herrera, he made his way to Los Angeles. They settled in the San Fernando Valley—a sleepy suburb of LA at the height of rock and roll, disco, and bell bottoms.

Antonio worked just about anywhere where hard work was needed—maintenance work at a convalescent hospital, landscaping, you name it. But his fate would change when he landed a job at a large construction company. I'm not sure what it was about ''construction'' that he loved. Perhaps it was the job stability or the early start to the day where he could greet the sunrise on his drive into downtown. Or maybe it was the art of building—the satisfaction of erecting a structure where only a plot of land existed—a tangible outcome only accomplished by hard work and sweat. Over the years, he had become somewhat of an infrastructure historian, recalling with such clarity the buildings he helped build and rehabilitate in the San Fernando Valley, Downtown LA, Santa Monica, and Malibu.

He dedicated most of his life to erecting buildings and homes, whether for work or building homes for his family both in the San Fernando Valley and in Tecate, BC. Antonio built his family home, simple and unpretentious yet on a solid foundation with strong bones. In fact, as time would prove, there's nowhere else his family would prefer to be in an earthquake but under the protection of those strong beams hammered together with pride and affection. Even in his retirement years, Antonio never stopped building.

Antonio was a great provider for his family. Through his hard work and dedication, he showed his children that the true American dream could be achieved—of buying a home, raising a family and ensuring a better future for the next generation.

He is survived by his wife, ''Nina'', son David, daughter Maria Ines and son-in-law Jose, daughter Sandra and son-in law James, son Cristian and grandchildren Javier, Sienna and Julian. Siblings Antonio, Margarita and Maria de la Luz and many loving cousins, nieces and nephews. He was preceded in death by his father Antonio Gonzalez and mother, Antonia Gonzalez Del Villar.●

REMEMBERING JOE ''PINOY'' LOZANO

● Mr. PADILLA. Mr. President, I rise to recognize the life of Mr. Joe Lozano.

Joe ''Pinoy'' Lozano was born on December 26, 1934, in Pacoima, CA, as one of 10 children. Joe had every job you can imagine. He shined shoes and worked in the fields as a young boy. He joined the U.S. Marine Corp in 1954 and served during the Korean war as an infantryman.

After the service, he married the love of his life, Virginia. They were married for 60 years and had 6 children, 21 grandchildren, 26 great-grandchildren, and 1 great-great-grandchild.

Joe was a community-oriented person. After his family, his community came first. He painted over graffiti, he helped beautify the streets, and he even mowed the grass on the center divider of his street when the city was too busy to do it.

Joe worked as a prop maker for the studios for many years. He had tons of stories, and he loved his job. He retired, went back to work, and only stopped again to care for his wife when she became ill.

Since 2004, Joe worked with the annual San Fernando Valley Veterans Day Parade organizing committee so that Veterans could be honored on Veterans Day.

He will be missed by many.●

RECOGNIZING VERMONT MEALS ON WHEELS

● Mr. SANDERS. Mr. President, I would like to take a moment to recognize the extraordinary work of Vermont's Meals on Wheels Programs.

Each March, we celebrate March for Meals to draw attention to the incredible work of Meals on Wheel throughout the country, including in my home State of Vermont. All across our State, hundreds of volunteers regularly deliver freshly cooked, nutritious meals to thousands of older people in their homes, many of whom otherwise might not have enough to eat. These volunteers play a critically important role in helping ensure that older Vermonters have access to adequate nutrition. In and of itself, that is no small matter.

In a typical year, Meals on Wheels volunteers do so much more than delivering meals. These volunteers provide critical social interaction for the people they visit, which goes a long way to combat the effects of isolation that many Vermonters face, especially in rural areas. Without this social interaction, seniors are more likely to have feelings of loneliness and depression, which puts them at higher risk for dementia, chronic disease, falls, and hospitalization. Their regular visits serve another purpose as well. The volunteers know each person they visit and recognize immediately if something does not seem right. It is no exaggeration to say that volunteers have literally saved Vermonters' lives by following up when no one answers the door, taking the time to discover that someone had fallen and been injured.

During the COVID–19 pandemic, volunteers—both new and existing—stepped up to deliver over 1 million meals to over 7,500 Vermonters. This represents a 30-percent increase in the number of meals and almost a 20-percent increase in the number of people receiving meals through this vital Federal program. At a time when so many Vermonters struggled with the dual hardship of loneliness and hunger cause by the COVID–19 pandemic, Meals on Wheels served as a critical lifeline.

In addition to the many Meals on Wheels volunteers throughout Vermont, I also want to recognize and thank the caring and dedicated professionals who run Vermont's Meals on Wheel Programs. From the chefs who prepare the nutritious meals with skill and care, to the program staff who ensure that everything runs smoothly, these Vermonters are the backbone of what makes Meals on Wheels the success that it is. In March, when so much of our State shut down due to the pandemic, these dedicated people immediately pivoted to expand Meals on Wheels and ensure that any older Vermonter who wanted a meal could get one. This was particularly important for all those who had previously relied on congregate meal programs, which were unsafe during the pandemic.

Together, every single Meals on Wheels volunteer and staff person forms an indispensable link in our social safety net and has my sincere appreciation for their remarkable work. As more and more Vermonters are now vaccinated and the State begins a careful reopening, following the science and ensuring the safety of all our people, I look forward to a day when I and

my Vermont staff can once again visit the Meals on Wheels Program and meet the volunteers and recipients in person.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Roberts, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MEASURES DISCHARGED PETITION

We, the undersigned Senators, in accordance with chapter 8 of title 5, United States Code, hereby direct that the Senate Committee on Health, Education, Labor and Pensions be discharged of further consideration of S.J. Res. 13, a joint resolution providing for congressional disapproval of the rule submitted by the Equal Employment Opportunity Commission relating to ''Update of Commission's Conciliation Procedures'', and, further, that the resolution be immediately placed upon the Legislative Calendar under General Orders.

Jacky Rosen, Alex Padilla, Ron Wyden, Tammy Baldwin, Richard Durbin, Margaret Wood Hassan, Sherrod Brown, Robert P. Casey, Jr., Richard Blumenthal, Robert Menendez, Patty Murray, Debbie Stabenow, Benjamin L. Cardin, Brian Schatz, Christopher A. Coons, Jeff Merkley, Jack Reed, Chris Van Hollen, Tammy Duckworth, Mazie K. Hirono, Amy Klobuchar, Patrick J. Leahy, Elizabeth Warren, Charles E. Schumer, Sheldon Whitehouse, Tina Smith, Cory A. Booker, Bernard Sanders, John W. Hickenlooper, Ben Ray Luján.

MEASURES DISCHARGED

The following joint resolution was discharged from the Committee on Health, Education, Labor, and Pensions, by petition, pursuant to 5 U.S.C. 802(c), and placed on the calendar:

S.J. Res. 13. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Equal Employment Opportunity Commission relating to ''Update of Commission's Conciliation Procedures''.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

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.

H.R. 1868. An act to prevent across-the-board direct spending cuts, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–651. A communication from the Associate General Counsel for Legislation and Regulations, Office of General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Adjustment of Civil Monetary Penalty Amounts for 2021'' (RIN2501–AD97) received in the Office of the President of the Senate on March 23, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC–652. A communication from the Congressional Assistant, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled ''Netting Eligibility for Financial Institutions'' (RIN7100–AF48) received in the Office of the President of the Senate on March 23, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC–653. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Regulations Governing the Take of Migratory Birds; Delay of the Effective Date'' (RIN1018–BD76) received in the Office of the President of the Senate on March 23, 2021; to the Committee on Environment and Public Works.

EC–654. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Arkansas; Arkansas Regional Haze and Visibility Transport State Implementation Plan Revisions'' (FRL No. 10019–63–Region 6) received in the Office of the President of the Senate on March 23, 2021; to the Committee on Environment and Public Works.

EC–655. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Michigan; Partial Approval and Partial Disapproval of the Detroit SO2 Nonattainment Area Plan'' (FRL No. 10021–50–Region 5) received in the Office of the President of the Senate on March 23, 2021; to the Committee on Environment and Public Works.

EC–656. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Pennsylvania; 1997 8-hour Ozone NAAQS Second Maintenance Plan for the Centre County (State College) Area'' (FRL No. 10021–28–Region 3) received in the Office of the President of the Senate on March 23, 2021; to the Committee on Environment and Public Works.

EC–657. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Wisconsin; Partial Approval and Partial Disapproval of the Rhinelander SO2 Nonattainment Area Plan'' (FRL No. 10021–23–Region 5) received in the Office of the President of the Senate on March 23, 2021; to the Committee on Environment and Public Works.

EC–658. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Designation of Area for Air Quality Planning Purposes; California; South Coast Moderate Area Plan and Reclassification as Serious Nonattainment for the 2012 PM2.5 NAAQS; Correcting Amendment'' (FRL No. 10019–97–Region 9) received in the Office of the President of the Senate on March 23, 2021; to the Committee on Environment and Public Works.

EC–659. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Test Methods and Performance Specifications for Air Emission Sources; Correction'' (FRL No. 10018–97–OAR) received in the Office of the President of the Senate on March 23, 2021; to the Committee on Environment and Public Works.

EC–660. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Arkansas; Arkansas Regional Haze and Visibility Transport State Implementation Plan Revisions'' (FRL No. 10019–63–Region 6) received in the Office of the President of the Senate on March 23, 2021; to the Committee on Environment and Public Works.

EC–661. A communication from the Secretary of the Army, transmitting, pursuant to law, a report entitled ''Annual Report to Congress on the Activities of the Western Hemisphere Institute for Security Cooperation (WHINSEC) for fiscal year 2019''; to the Committee on Foreign Relations.

EC–662. A communication from the Senior Director of Government Affairs and Corporate Communications, National Railroad Passenger Corporation, Amtrak, transmitting, pursuant to law, other materials required to accompany Amtrak's Grant and Legislative Report for fiscal year 2021; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 114. A resolution commending the United States African Development Foundation on the occasion of its 40th anniversary for creating pathways to prosperity for underserved communities on the African continent through community-led development.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Ms. CANTWELL for the Committee on Commerce, Science, and Transportation.

*Polly Ellen Trottenberg, of New York, to be Deputy Secretary of Transportation.

*Coast Guard nomination of Jerry L. Smith, to be Commander.

By Mr. DURBIN for the Committee on the Judiciary.

Lisa O. Monaco, of the District of Columbia, to be Deputy Attorney General.

*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.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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. MARKEY:

S. 965. A bill to establish a voluntary program to identify and promote internet-connected products that meet industry-leading cybersecurity and data security standards, guidelines, best practices, methodologies, procedures, and processes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MARKEY (for himself, Mr. BLUMENTHAL, Mr. BOOKER, Mr. CARDIN, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. HIRONO, Mr. KING, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MERKLEY, Mr. MURPHY, Ms. ROSEN, Mr. SANDERS, Ms. SMITH, Ms. STABENOW, Mr. VAN HOLLEN, Ms. WARREN, and Mr. WYDEN):

S. 966. A bill to require the Administrator of the National Oceanic and Atmospheric Administration to establish a Climate Change Education Program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BLUNT (for himself, Ms. HIRONO, Ms. COLLINS, Ms. KLOBUCHAR, Ms. MURKOWSKI, and Ms. DUCKWORTH):

S. 967. A bill to provide for the automatic acquisition of United States citizenship for certain internationally adopted individuals, and for other purposes; to the Committee on the Judiciary.

By Mr. COTTON:

S. 968. A bill to prohibit the United States Armed Forces from promoting anti-American and racist theories; to the Committee on Armed Services.

By Mr. PAUL:

S. 969. A bill to establish Federal Regulatory Review Commissions, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PAUL:

S. 970. A bill to reduce the backlog of foreign nationals seeking employment-based visas, and for other purposes; to the Committee on the Judiciary.

By Mr. MARKEY (for himself, Mr. SASSE, Mr. BLUNT, Mr. SCHATZ, Ms. COLLINS, and Mr. BENNET):

S. 971. A bill to amend the Public Health Service Act to authorize a program on children and the media within the National Institute of Health to study the health and developmental effects of technology on infants, children, and adolescents; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself and Ms. WARREN):

S. 972. A bill to reauthorize the Essex National Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. LUMMIS (for herself, Mr. BARRASSO, Mr. CRAPO, Mr. DAINES, and Mr. RISCH):

S. 973. A bill to direct the Secretary of the Interior to reissue a final rule relating to removing the Greater Yellowstone Ecosystem population of grizzly bears from the Federal list of endangered and threatened wildlife, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MENENDEZ (for himself, Mr. MARKEY, Mr. DURBIN, Mr. BLUMENTHAL, Mr. MURPHY, Mr. BOOKER, Mr. REED, and Mrs. GILLIBRAND):

S. 974. A bill to repeal certain impediments to the administration of firearms laws; to the Committee on the Judiciary.

By Mr. CARPER (for himself, Mr. BURR, Ms. CORTEZ MASTO, and Ms. STABENOW):

S. 975. A bill to amend the Internal Revenue Code of 1986 to extend and modify the credit for alternative fuel vehicle refueling property; to the Committee on Finance.

By Mr. TESTER (for himself and Mr. BOOZMAN):

S. 976. A bill to amend title 38, United States Code, to improve and to expand eligibility for dependency and indemnity compensation paid to certain survivors of certain veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GRASSLEY (for himself, Ms. KLOBUCHAR, Mr. LEE, and Mr. LEAHY):

S. 977. A bill to amend the Sherman Act to make oil-producing and exporting cartels illegal; to the Committee on the Judiciary.

By Ms. SMITH (for herself, Mr. HOEVEN, Ms. SINEMA, Mr. BOOZMAN, Mrs. CAPITO, Mr. SCHATZ, Mr. CORNYN, Mr. KELLY, Mr. CRAMER, Ms. HIRONO, Mr. DAINES, Ms. KLOBUCHAR, Ms. ERNST, Mr. TESTER, Mr. INHOFE, Mr. PETERS, Mr. MORAN, Mr. ROUNDS, Mr. SCOTT of South Carolina, Mr. TILLIS, Mr. MARSHALL, and Ms. BALDWIN):

S. 978. A bill to provide for the adjustment or modification by the Secretary of Agriculture of loans for critical rural utility service providers, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. WYDEN (for himself, Ms. KLOBUCHAR, Mr. MARKEY, Mr. DURBIN, Mr. WARNOCK, Mr. BOOKER, Mrs. GILLIBRAND, Mr. MENENDEZ, Ms. BALDWIN, Mr. VAN HOLLEN, Ms. DUCKWORTH, Mrs. FEINSTEIN, Mr. MERKLEY, Mr. SANDERS, Mr. BLUMENTHAL, and Mrs. MURRAY):

S. 979. A bill to amend the Consolidated Appropriations Act, 2021 to authorize additional funds for the Emergency Broadband Connectivity Fund, to provide grants to States and Tribal Entities to strengthen the National Lifeline Eligibility Verifier, to provide for Federal coordination between the National Lifeline Eligibility Verifier and the National Accuracy Clearinghouse, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. HAGERTY:

S. 980. A bill to restrict funds to local educational agencies that have obligated previously appropriated funds and reopen schools for in-person learning; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MURRAY (for herself, Ms. CANTWELL, Mr. WYDEN, Mr. MERKLEY, and Ms. MURKOWSKI):

S. 981. A bill to amend the Federal Assets Sale and Transfer Act of 2016 to ensure that federally recognized Indian Tribes are consulted before the sale or transfer of certain Federal civilian real properties, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MARKEY (for himself, Mr. VAN HOLLEN, Mr. SANDERS, and Mr. MERKLEY):

S. 982. A bill to extend the life of the Minuteman III and redirect savings from the development of the new ground-based strategic deterrent program toward the development of a universal coronavirus vaccine, and for other purposes; to the Committee on Armed Services.

By Mr. WHITEHOUSE (for himself and Mr. BROWN):

S. 983. A bill to amend the Patient Protection and Affordable Care Act to establish a public health insurance option, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY (for himself, Mr. BOOKER, Mr. DURBIN, Mr. MARKEY, Mr. WYDEN, Mr. BLUMENTHAL, Mr. LEAHY, Mrs. GILLIBRAND, Ms. WARREN, Mr. SANDERS, and Mrs. FEINSTEIN):

S. 984. A bill to amend the Solid Waste Disposal Act to reduce the production and use of certain single-use plastic products and packaging, to improve the responsibility of producers in the design, collection, reuse, recycling, and disposal of their consumer products and packaging, to prevent pollution from consumer products and packaging from entering into animal and human food chains and waterways, and for other purposes; to the Committee on Finance.

By Mr. CARPER (for himself, Mr. WHITEHOUSE, and Mr. HEINRICH):

S. 985. A bill to amend the Internal Revenue Code of 1986 to provide direct payments of the renewable electricity production credit, the energy credit, and the carbon oxide sequestration credit; to the Committee on Finance.

By Ms. SMITH (for herself, Mrs. CAPITO, Mr. WHITEHOUSE, Mr. CRAMER, Mr. SCHATZ, Mr. HOEVEN, Mr. MANCHIN, Mr. BARRASSO, Mr. COONS, Mr. GRASSLEY, Mr. LUJÁN, Ms. ERNST, Mr. DURBIN, and Ms. KLOBUCHAR):

S. 986. A bill to amend the Internal Revenue Code of 1986 to provide for a 5-year extension of the carbon oxide sequestration credit, and for other purposes; to the Committee on Finance.

By Mr. PORTMAN (for himself, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Mrs. SHAHEEN, Ms. CANTWELL, and Mrs. CAPITO):

S. 987. A bill to provide support with respect to the prevention of, treatment for, and recovery from, substance use disorder; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHATZ (for himself, Ms. CANTWELL, Mr. DURBIN, Ms. DUCKWORTH, Ms. HIRONO, Mr. WYDEN, Mrs. MURRAY, and Ms. KLOBUCHAR):

S. 988. A bill to provide competitive grants for the promotion of Japanese American confinement education as a means to understand the importance of democratic principles, use and abuse of power, and to raise awareness about the importance of cultural tolerance toward Japanese Americans, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCHATZ (for himself and Ms. SMITH):

S. 989. A bill to establish a Native American language resource center in furtherance of the policy set forth in the Native American Languages Act; to the Committee on Indian Affairs.

By Mr. HEINRICH:

S. 990. A bill to reauthorize the Northern Rio Grande National Heritage Area; to the Committee on Energy and Natural Resources.

By Mr. SANDERS:

S. 991. A bill to amend the Internal Revenue Code of 1986 to modify the treatment of foreign corporations, and for other purposes; to the Committee on Finance.

By Mr. BOOKER (for himself, Mr. DURBIN, Ms. KLOBUCHAR, Mrs. FEINSTEIN, Mr. BLUMENTHAL, Mr. BROWN, and Ms. HIRONO):

S. 992. A bill to amend title IV of the Higher Education Act of 1965 to require institutions of higher education that participate in programs under such title to distribute voter registration forms to students enrolled at the institution, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO (for himself, Ms. ERNST, and Mr. KENNEDY):

S. 993. A bill to prohibit certain business concerns from receiving assistance from the Small Business Administration, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. SANDERS (for himself, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Mr. VAN HOLLEN, and Mr. REED):

S. 994. A bill to amend the Internal Revenue Code of 1986 to reinstate estate and generation-skipping taxes, and for other purposes; to the Committee on Finance.

By Ms. BALDWIN:

S. 995. A bill to amend the Stop Student Debt Relief Scams Act of 2019 to make technical corrections; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WICKER (for himself, Ms. SINEMA, and Mr. SCOTT of South Carolina):

S. 996. A bill to award grants to certain intuitions of higher education to educate and train students to participate in the telecommunications workforce; to the Committee on Commerce, Science, and Transportation.

By Ms. KLOBUCHAR (for herself, Mr. WICKER, Mr. COONS, and Mr. PORTMAN):

S. 997. A bill to establish the Office of Manufacturing and Industrial Innovation Policy and strategic national manufacturing policy for the United States, to provide manufacturing and industrial perspective and advice to the President, to provide for a comprehensive survey and cross administration management of efforts to ensure global leadership in manufacturing critical to the long-term economic health and national security of the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. COONS (for himself, Mr. WICKER, Mr. DURBIN, Mr. GRASSLEY, Mr. VAN HOLLEN, Mr. BOOZMAN, Mr. BLUMENTHAL, Ms. ERNST, Mr. WYDEN, and Mr. LANKFORD):

S. 998. A bill to provide grants to States that do not suspend, revoke, or refuse to renew a driver's license of a person or refuse to renew a registration of a motor vehicle for failure to pay a civil or criminal fine or fee, and for other purposes; to the Committee on the Judiciary.

By Mr. WARNER (for himself, Mrs. BLACKBURN, Mr. CORNYN, Mr. WARNOCK, and Mr. KAINE):

S. 999. A bill to amend the title XVIII of the Social Security Act to preserve access to rural health care by ensuring fairness in Medicare hospital payments; to the Committee on Finance.

By Mr. KAINE (for himself and Mr. WARNER):

S. 1000. A bill to designate additions to the Rough Mountain Wilderness and the Rich Hole Wilderness of the George Washington National Forest, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LANKFORD (for himself, Mr. JOHNSON, Mr. BRAUN, Mr. BARRASSO, and Mr. HAGERTY):

S. 1001. A bill to establish a commission to review certain regulatory obstacles to preparedness for, response to, and recovery from the COVID–19 pandemic and other pandemics, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CASEY (for himself, Ms. BALDWIN, and Ms. STABENOW):

S. 1002. A bill to prohibit false or misleading advertising for health insurance coverage, require warnings and reporting with respect to noncomprehensive health plans, encourage enrollment in health plans, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MURPHY (for himself, Mr. BLUMENTHAL, Mr. MARKEY, and Ms. WARREN):

S. 1003. A bill to establish a grant program to provide assistance to States to prevent and repair damage to structures due to pyrrhotite; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. CORTEZ MASTO (for herself, Mr. ROMNEY, and Ms. ROSEN):

S. 1004. A bill to extend the authorization of the Mormon Pioneer National Heritage Area, to designate the Great Basin National Heritage Route in the State of Nevada as the ''Great Basin National Heritage Area'', to designate the Great Basin Heritage Route Partnership as the ''Great Basin Heritage Area Partnership'', to extend the authorization of the Great Basin National Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PAUL:

S. 1005. A bill to amend the Agricultural Marketing Act of 1946 to modify the definition of hemp, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. JOHNSON (for himself, Mrs. BLACKBURN, Mr. BRAUN, Mr. CASSIDY, Mr. COTTON, Ms. ERNST, Mr. LANKFORD, and Mr. MCCONNELL):

S. 1006. A bill to amend the Controlled Substances Act to list fentanyl-related substances as schedule I controlled substances; to the Committee on the Judiciary.

By Mr. TUBERVILLE (for himself, Mr. CRUZ, Mr. BARRASSO, Mr. CRAMER, Mr. LEE, and Mr. BRAUN):

S. 1007. A bill to require that certain aliens receive written notice of removal proceedings before being granted parole or released from detention and to enumerate the possible consequences for failing to attend such proceedings; to the Committee on the Judiciary.

By Mr. LEE (for himself, Mr. RISCH, and Mr. CRAPO):

S. 1008. A bill to require the Secretary of the Interior to develop a modeling tool, conduct a study, and issue reports relating to the tax equivalent amount of payments under the payment in lieu of taxes program; to the Committee on Energy and Natural Resources.

By Mrs. SHAHEEN (for herself, Mr. MORAN, Ms. HASSAN, and Mr. ROUNDS):

S. 1009. A bill to amend the Homeland Security Act of 2002 regarding the procurement of certain items related to national security interests for Department of Homeland Security frontline operational components, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. SHAHEEN (for herself and Ms. HASSAN):

S. 1010. A bill to provide funding for programs and activities under the SUPPORT for Patients and Communities Act; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRUZ (for himself, Mr. INHOFE, Mrs. CAPITO, Mr. KENNEDY, and Mr. CRAMER):

S. 1011. A bill to amend the Natural Gas Act to provide for expanded natural gas exports; to the Committee on Energy and Natural Resources.

By Mr. CRUZ (for himself, Mr. KENNEDY, and Mr. CRAMER):

S. 1012. A bill to prohibit the Secretary of Transportation from prohibiting the transportation of liquefied natural gas by rail, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DURBIN (for himself, Mr. LEE, Mr. LEAHY, Mr. WHITEHOUSE, Mr. WYDEN, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. BOOKER, Ms. WARREN, Mr. SANDERS, Mr. KING, Mr. KAINE, and Mr. WICKER):

S. 1013. A bill to focus limited Federal resources on the most serious offenders; to the Committee on the Judiciary.

By Mr. DURBIN (for himself and Mr. GRASSLEY):

S. 1014. A bill to reform sentencing laws and correctional institutions, and for other purposes; to the Committee on the Judiciary.

By Mr. HEINRICH:

S. 1015. A bill to require the Federal Energy Regulatory Commission to initiate a rulemaking to reform the interregional transmission planning process, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HEINRICH:

S. 1016. A bill to amend the Internal Revenue Code of 1986 to establish a tax credit for installation of regionally significant electric power transmission lines; to the Committee on Finance.

By Mr. HEINRICH:

S. 1017. A bill to amend the Internal Revenue Code of 1986 to establish a tax credit for the production of hydrogen using electricity produced from renewable energy resources; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself and Mr. BRAUN):

S. 1018. A bill to amend the Public Health Service Act to authorize grants for acquiring equipment and supplies capable of performing same-day clinical laboratory testing in a point-of-care setting, and to assist laboratories in meeting the cost of acquiring high-throughput equipment, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself and Ms. DUCKWORTH):

S. 1019. A bill to amend the Federal Food, Drug, and Cosmetic Act to limit the presence of toxic elements in, and otherwise regulate, infant and toddler food, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. DUCKWORTH (for herself, Mr. SCHATZ, Mr. MARKEY, Mr. BLUMENTHAL, Mr. MERKLEY, Mrs. FEINSTEIN, Ms. CORTEZ MASTO, Mr. WHITEHOUSE, Mr. COONS, Ms. CANTWELL, Mr. BROWN, Mr. REED, Mr. BOOKER, Mr. MENENDEZ, Mr. WYDEN, Mr. DURBIN, Ms. SMITH, Mr. SANDERS, Mrs. GILLIBRAND, Ms. BALDWIN, Ms. HIRONO, Ms. WARREN, Mrs. MURRAY, Mr. VAN HOLLEN, Ms. KLOBUCHAR, Ms. ROSEN, Mr. PADILLA, Mr. WARNOCK, and Mr. LEAHY):

S. 1020. A bill to ensure due process protections of individuals in the United States against unlawful detention based solely on a protected characteristic; to the Committee on the Judiciary.

By Ms. DUCKWORTH (for herself, Mrs. MURRAY, Ms. HIRONO, Ms. CORTEZ MASTO, Mrs. SHAHEEN, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. BROWN, Ms. WARREN, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Ms. ROSEN, Mrs. FEINSTEIN, Mr. MERKLEY, Ms. HASSAN, Mr. BENNET, Mr. MARKEY,

Ms. SMITH, Mr. MURPHY, Mr. BOOKER, Mr. VAN HOLLEN, Mr. SANDERS, Mr. WYDEN, Mr. PADILLA, and Mr. LUJÁN):

S. 1021. A bill to ensure affordable abortion coverage and care for every person, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Mr. BOOZMAN, Mr. INHOFE, Mr. BOOKER, and Mr. CARDIN):

S. 1022. A bill to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DURBIN (for himself and Mr. BOOKER):

S. 1023. A bill to provide tax credits to low- to moderate-income individuals for certain computer and education costs, to direct the Federal Communications Commission to modify the requirements for the Lifeline program to provide increased support, and for other purposes; to the Committee on Finance.

By Mr. DURBIN (for himself, Mr. CORNYN, Mr. LEAHY, Mr. YOUNG, Mr. COONS, and Ms. COLLINS):

S. 1024. A bill to enhance our Nation's nurse and physician workforce during the COVID–19 crisis by recapturing unused immigrant visas; to the Committee on the Judiciary.

By Mrs. MURRAY (for herself, Mr. MANCHIN, Mr. LUJÁN, and Mr. HEINRICH):

S. 1025. A bill to establish a presumption of occupational disease for certain employees at the Department of Energy, to refine the definition of compensable illnesses, to establish a research program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself and Ms. COLLINS):

S. 1026. A bill to assist States in, and pay for the Federal share of the cost of, defraying the cost of pre-apprenticeships or related instruction associated with qualified apprenticeship programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BLUMENTHAL (for himself, Mr. MURPHY, Mr. MARKEY, and Ms. WARREN):

S. 1027. A bill to amend the Internal Revenue Code of 1986 to repeal the temporary limitation on personal casualty losses, and for other purposes; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself, Mr. MURPHY, Mr. MARKEY, and Ms. WARREN):

S. 1028. A bill to establish a grant program to provide assistance to prevent and repair damage to structures due to pyrrhotite; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CRUZ:

S. 1029. A bill to require the imposition of sanctions with respect to forced abortions by the Government of the People's Republic of China; to the Committee on Foreign Relations.

By Mr. BLUNT (for himself and Mr. VAN HOLLEN):

S. 1030. A bill to prohibit the use of Federal funds to install permanent fencing around the United States Capitol, any of the Capitol Buildings, or any portion of the Capitol Grounds; to the Committee on Rules and Administration.

By Mr. WARNOCK:

S. 1031. A bill to require the Comptroller General of the United States to conduct a study on disparities associated with race and ethnicity with respect to certain benefits administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WARNOCK (for himself, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Mr. BOOKER, Mr. MARKEY, Ms. WARREN, Ms. HIRONO, Mr. SANDERS, Mr. BLUMENTHAL, Mr. DURBIN, Ms. SMITH, Mr. COONS, Ms. DUCKWORTH, Mrs. MURRAY, Mr. KAINE, Ms. STABENOW, Mrs. FEINSTEIN, Mr. CASEY, Mr. PADILLA, Mr. WYDEN, Mr. BENNET, Mr. BROWN, and Mr. OSSOFF):

S. 1032. A bill direct the Joint Committee of Congress on the Library to obtain a statue of Shirley Chisholm for placement in the United States Capitol; to the Committee on Rules and Administration.

By Mr. PETERS (for himself and Mr. GRASSLEY):

S. 1033. A bill to amend title IV of the Social Security Act to allow the Secretary of Health and Human Services to award competitive grants to enhance collaboration between State child welfare and juvenile justice systems; to the Committee on Finance.

By Mr. COONS (for himself, Mr. MORAN, Mr. KING, Mr. CARPER, Ms. ERNST, Ms. COLLINS, Mr. WARNER, Mr. BRAUN, Ms. STABENOW, Mr. CRAPO, and Mr. BENNET):

S. 1034. A bill to amend the Internal Revenue Code of 1986 to extend the publicly traded partnership ownership structure to energy power generation projects and transportation fuels, and for other purposes; to the Committee on Finance.

By Mr. PETERS (for himself and Mr. YOUNG):

S. 1035. A bill to require the Secretary of Labor to take initiatives to measure the impact of automation on the workforce in order to inform workforce development strategies, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HASSAN (for herself and Mrs. CAPITO):

S. 1036. A bill to direct the Federal Communications Commission to promulgate regulations that establish a national standard for determining whether mobile and broadband services available in rural areas are reasonably comparable to those services provided in urban areas; to the Committee on Commerce, Science, and Transportation.

By Mr. PETERS (for himself, Mr. YOUNG, and Mr. RUBIO):

S. 1037. A bill to provide for the establishment of a section of the website of the Department of Commerce that shall serve as the primary hub for information relating to Federal manufacturing programs, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. HASSAN (for herself, Ms. COLLINS, Mr. BLUMENTHAL, Mr. CASEY, Mr. KING, Mr. LEAHY, Mr. CARPER, Mr. KAINE, Mr. MURPHY, Mr. COONS, Mr. WARNER, and Mrs. SHAHEEN):

S. 1038. A bill to establish the Office of Regional Greenhouse Gas Reduction Programs within the Environmental Protection Agency, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MENENDEZ:

S. 1039. A bill to amend title 38, United States Code, to improve compensation for disabilities occurring in Persian Gulf War veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MENENDEZ (for himself, Mr. CRAMER, Mr. BOOKER, Mr. DAINES, Mr. COONS, Mr. RUBIO, Ms. KLOBUCHAR, Mr. TILLIS, and Ms. SINEMA):

S. 1040. A bill to amend title 38, United States Code, to expand eligibility for hospital care, medical services, and nursing home care from the Department of Veterans Affairs to include veterans of World War II; to the Committee on Veterans' Affairs.

By Mr. MENENDEZ (for himself, Mr. RUBIO, Mr. KAINE, Mr. DURBIN, Mr. CARDIN, and Mr. MURPHY):

S. 1041. A bill to advance the strategic alignment of United States diplomatic tools toward the realization of free, fair, and transparent elections in Nicaragua and to reaffirm the commitment of the United States to protect the fundamental freedoms and human rights of the people of Nicaragua, and for other purposes; to the Committee on Foreign Relations.

By Mr. WARNOCK (for himself, Mr. PADILLA, Mr. BOOKER, Mr. VAN HOLLEN, and Mr. MENENDEZ):

S. 1042. A bill to prevent maternal mortality and serve maternal morbidity among Black pregnant and postpartum individuals and other underserved populations, to provide training in respectful maternity care, to reduce and prevent bias, racism, and discrimination in maternity care settings, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN (for herself and Mrs. CAPITO):

S. 1043. A bill to require the Secretary of Agriculture to establish a forest incentives program to keep forests intact and sequester carbon on private forest land of the United States, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. PETERS (for himself and Mr. RUBIO):

S. 1044. A bill to establish the National Manufacturing Advisory Council within the Department of Commerce, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. KENNEDY:

S. 1045. A bill to amend the Immigration and Nationality Act to facilitate the removal of aliens identified in the terrorist screening database, and for other purposes; to the Committee on the Judiciary.

By Mr. CORNYN (for himself, Mr. WHITEHOUSE, Mr. TILLIS, Ms. KLOBUCHAR, Mrs. FEINSTEIN, Mr. CASSIDY, Ms. HASSAN, Mr. LANKFORD, and Mr. SCOTT of South Carolina):

S. 1046. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to reauthorize the residential substance use disorder treatment program, and for other purposes; to the Committee on the Judiciary.

By Mr. MARSHALL (for himself, Mr. HICKENLOOPER, and Ms. ERNST):

S. 1047. A bill to amend the Small Business Act to allow certain ranchers and farmers categorized as partnerships to use an alternative calculation for a maximum loan amount under the paycheck protection program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. RUBIO:

S. 1048. A bill to require disclosure by Federal contractors of contracts with Chinese entities, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. ERNST:

S. 1049. A bill to amend the Public Works and Economic Development Act of 1965 to make projects that directly or indirectly increase the accessibility of child care eligible for certain grants, and for other purposes; to the Committee on Environment and Public Works.

By Mr. COTTON (for himself, Mr. BOOZMAN, Mrs. HYDE-SMITH, and Mr. TUBERVILLE):

S. 1050. A bill to enact as law certain regulations relating to the taking of double-crested cormorants; to the Committee on Environment and Public Works.

By Mr. KENNEDY:

S. 1051. A bill to amend the Immigration and Nationality Act to clarify the contempt authority of immigration judges, and for other purposes; to the Committee on the Judiciary.

By Mr. LEE:

S. 1052. A bill to improve the poverty measurement methodology used by the Bureau of the Census to more accurately measure poverty in the United States; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HOEVEN (for himself, Mr. BENNET, Mr. DAINES, Ms. SMITH, Mr. ROUNDS, Mr. CRAPO, Ms. ERNST, Mr. BRAUN, Mr. MARSHALL, and Mr. RISCH):

S. 1053. A bill to require the Secretary of Transportation to establish a working group to study regulatory and legislative improvements for the livestock, insect, and agricultural commodities transport industries, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. RUBIO (for himself and Mr. MERKLEY):

S. 1054. A bill to support United States policy toward Taiwan; to the Committee on Foreign Relations.

By Mr. KENNEDY:

S. 1055. A bill to amend the Immigration and Nationality Act to provide that any alien who has been convicted of a felony or two misdemeanors, is deportable, and for other purposes; to the Committee on the Judiciary.

By Mr. KENNEDY:

S. 1056. A bill to amend the Immigration and Nationality Act with respect to aliens associated with criminal gangs, and for other purposes; to the Committee on the Judiciary.

By Mr. COONS (for himself, Mr. HEINRICH, and Mr. LUJÁN):

S. 1057. A bill to direct the Secretary of the Interior and the Secretary of Agriculture to establish a Civilian Climate Corps, and for other purposes; to the Committee on Health, Education, Labor, and Pensions .

By Mr. THUNE (for himself, Mrs. SHAHEEN, and Mrs. FISCHER):

S. 1058. A bill to amend the Small Business Investment Act of 1958 to provide opportunities to rural business investment companies, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. RUBIO (for himself and Mr. RISCH):

S. 1059. A bill to establish a small business and domestic production recovery investment facility, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. RUBIO (for himself and Mr. HAWLEY):

S. 1060. A bill to safeguard certain technology and intellectual property in the United States from export to or influence by the People's Republic of China and to protect United States industry from unfair competition by the People's Republic of China, and for other purposes; to the Committee on Finance.

By Mr. PORTMAN (for himself, Mr. BOOKER, Mr. CARDIN, Mr. YOUNG, Ms. ROSEN, Mr. RISCH, Mr. COONS, Ms. COLLINS, Mr. DURBIN, Mr. GRASSLEY, Mrs. FEINSTEIN, Mr. SASSE, Mr. WARNOCK, Mr. BOOZMAN, Ms. KLOBUCHAR, Mr. TILLIS, Mr. KAINE, and Mr. HAWLEY):

S. 1061. A bill to encourage the normalization of relations with Israel, and for other purposes; to the Committee on Foreign Relations.

By Mr. SCOTT of Florida (for himself, Mr. RUBIO, Mrs. BLACKBURN, Mr. KENNEDY, Mr. COTTON, Mrs. CAPITO, Mr. HAWLEY, and Mr. BARRASSO):

S. 1062. A bill to prohibit the procurement of solar panels manufactured or assembled in the People's Republic of China; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. MURRAY (for herself, Mr. VAN HOLLEN, Ms. BALDWIN, Mr. WYDEN, Mr. MERKLEY, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Mrs. SHAHEEN, Mr. BOOKER, Ms. ROSEN, and Mr. PETERS):

S. 1063. A bill to provide women with increased access to preventive and life-saving cancer screening; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself, Mr. RUBIO, Mr. KAINE, Mr. DURBIN, Mr. CARDIN, and Mr. MURPHY):

S. 1064. A bill to advance the strategic alignment of United States diplomatic tools toward the realization of free, fair, and transparent elections in Nicaragua and to reaffirm the commitment of the United States to protect the fundamental freedoms and human rights of the people of Nicaragua, and for other purposes; to the Committee on Foreign Relations.

By Mrs. MURRAY (for herself and Mr. MANCHIN):

S. 1065. A bill to increase collaboration between offices within the Department of Energy to develop and deploy technology to assist the mission of the Office of Environmental Management; to the Committee on Energy and Natural Resources.

By Mr. HEINRICH (for himself, Mr. KING, Mr. MARKEY, Mr. VAN HOLLEN, Mr. WHITEHOUSE, Mr. DURBIN, Mr. LUJÁN, Mr. LEAHY, Ms. SMITH, Ms. KLOBUCHAR, Mr. SCHUMER, Mr. MURPHY, Mr. SCHATZ, Mrs. FEINSTEIN, Ms. BALDWIN, Mr. CASEY, Mr. SANDERS, Mr. PADILLA, Mr. MENENDEZ, Ms. STABENOW, Mr. REED, and Mr. WYDEN):

S.J. Res. 14. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Environmental Protection Agency relating to ''Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources Review''; to the Committee on Environment and Public Works .

By Mr. VAN HOLLEN (for himself, Mr. BROWN, Mr. REED, Ms. WARREN, Ms. CORTEZ MASTO, Ms. SMITH, and Mrs. FEINSTEIN):

S.J. Res. 15. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of the Comptroller of Currency relating to ''National Banks and Federal Savings Associations as Lenders''; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN:

S.J. Res. 16. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Securities and Exchange Commission relating to ''Procedural Requirements and Resubmission Thresholds Under Exchange Act Rule 14a-8''; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BRAUN (for himself, Ms. ERNST, and Mr. TILLIS):

S. Res. 136. A resolution recognizing the duty of the Senate to abandon Modern Monetary Theory and recognizing that the acceptance of Modern Monetary Theory would lead to higher deficits and higher inflation; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN (for himself and Mr. SULLIVAN):

S. Res. 137. A resolution supporting the goals of World Tuberculosis Day to raise awareness about tuberculosis; to the Committee on Foreign Relations.

By Mr. COTTON (for himself, Mr. BOOZMAN, and Ms. MURKOWSKI):

S. Res. 138. A resolution urging the European Parliament to exempt certain technologies used to detect child sexual exploitation from European Union ePrivacy directive; to the Committee on Foreign Relations.

By Ms. STABENOW (for herself, Mr. WARNOCK, Mr. PETERS, Mr. BOOKER, Mr. MENENDEZ, Ms. COLLINS, Ms. CANTWELL, Mr. KING, Mr. MERKLEY, Mrs. MURRAY, and Mr. WYDEN):

S. Res. 139. A resolution recognizing the importance of the blueberry industry to the United States and designating July 2021 as ''National Blueberry Month''; to the Committee on the Judiciary.

By Mr. WARNOCK (for himself, Ms. DUCKWORTH, Mr. MARKEY, Mr. BLUMENTHAL, Mr. CASEY, Mr. WYDEN, Mr. CARPER, Mr. VAN HOLLEN, Ms. HIRONO, Mr. WHITEHOUSE, Mr. SCHATZ, Mr. DURBIN, Mr. REED, Mr. SANDERS, Mr. KAINE, Mrs. FEINSTEIN, Ms. CANTWELL, Mr. MURPHY, Mr. BROWN, Mr. PADILLA, Mrs. MURRAY, Ms. HASSAN, Mr. COONS, Mr. MENENDEZ, Mr. BOOKER, Ms. CORTEZ MASTO, Ms. BALDWIN, Ms. KLOBUCHAR, Ms. WARREN, Ms. ROSEN, Mr. MERKLEY, and Mr. OSSOFF):

S. Res. 140. A resolution condemning the horrific shootings in Atlanta, Georgia, on March 16, 2021, and reaffirming the commitment of the Senate to combating hate, bigotry, and violence against the Asian-American and Pacific Islander community; to the Committee on the Judiciary.

By Mr. BENNET (for himself, Mr. WYDEN, Ms. WARREN, Mrs. MURRAY, Mr. MERKLEY, Ms. CANTWELL, Mr. HEINRICH, Mr. KELLY, Mr. BOOKER, Mr. TESTER, and Mr. SCHATZ):

S. Res. 141. A resolution recognizing the critical importance of access to reliable, clean drinking water for Native Americans and Alaska Natives and confirming the responsibility of the Federal Government to ensure such water access; to the Committee on Indian Affairs.

By Mr. MENENDEZ (for himself, Mr. HAGERTY, Mr. MARKEY, Mr. ROMNEY, and Mr. COONS):

S. Res. 142. A resolution recognizing the importance of the United States-Japan relationship to safeguarding global security, prosperity, and human rights and welcoming the visit of Prime Minister Yoshihide Suga to the United States; to the Committee on Foreign Relations.

By Ms. HASSAN (for herself, Mr. TILLIS, Ms. SINEMA, Mr. CRAMER, Mr. BLUMENTHAL, Mr. CASSIDY, Mr. SANDERS, Mr. BOOZMAN, Mrs. BLACKBURN, Ms. HIRONO, Mr. BROWN, and Mr. TUBERVILLE):

S. Res. 143. A resolution to honor and recognize the patriotism and service to the United States provided by Veterans Service Organizations during the COVID–19 pandemic; to the Committee on Veterans' Affairs.

By Mr. BROWN (for himself and Mr. SCOTT of South Carolina):

S. Res. 144. A resolution recognizing the week of March 21 through March 27, 2021, as

''National Poison Prevention Week'' and encouraging communities across the United States to raise awareness of the dangers of poisoning and promote poison prevention; considered and agreed to.

By Mr. TESTER (for himself, Mr. MERKLEY, Mr. WHITEHOUSE, Mr. DAINES, Mr. CARPER, and Mr. DURBIN):

S. Res. 145. A resolution designating the first week of April 2021 as ''National Asbestos Awareness Week''; considered and agreed to.

By Mr. PORTMAN (for himself and Ms. KLOBUCHAR):

S. Res. 146. A resolution designating April 2021 as ''Second Chance Month''; to the Committee on the Judiciary.

By Mr. BRAUN (for himself, Mrs. BLACKBURN, Mr. SCOTT of Florida, and Ms. ERNST):

S. Res. 147. A resolution recognizing the national debt as a threat to national security; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 56

At the request of Ms. KLOBUCHAR, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 56, a bill to amend the Public Health Service Act to authorize grants for training and support services for families and caregivers of people living with Alzheimer's disease or a related dementia.

S. 65

At the request of Mr. RUBIO, the names of the Senator from North Carolina (Mr. TILLIS) and the Senator from Iowa (Ms. ERNST) were added as cosponsors of S. 65, a bill to ensure that goods made with forced labor in the Xinjiang Uyghur Autonomous Region of the People's Republic of China do not enter the United States market, and for other purposes.

S. 80

At the request of Ms. ERNST, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 80, a bill to require U.S. Immigration and Customs Enforcement to take into custody certain aliens who have been charged in the United States with a crime that resulted in the death or serious bodily injury of another person, and for other purposes.

S. 101

At the request of Mr. MARKEY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 101, a bill to establish the Environmental Justice Mapping Committee, and for other purposes.

S. 115

At the request of Ms. KLOBUCHAR, the name of the Senator from North Dakota (Mr. CRAMER) 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. 198

At the request of Ms. ROSEN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 198, a bill to require the Federal Communications Commission to incorporate data on maternal health outcomes into its broadband health maps.

S. 212

At the request of Mr. CARDIN, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 212, a bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit against income tax for the purchase of qualified access technology for the blind.

S. 282

At the request of Mr. MARKEY, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 282, a bill to designate a portion of the Arctic National Wildlife Refuge as wilderness.

S. 309

At the request of Mr. DURBIN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 309, a bill to give Federal courts additional discretion to determine whether pretrial detention is appropriate for defendants charged with nonviolent drug offenses in Federal criminal cases.

S. 360

At the request of Mrs. CAPITO, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 360, a bill to amend title 51, United States Code, to modify the national space grant college and fellowship program, and for other purposes.

S. 388

At the request of Mr. MERKLEY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 388, a bill to suspend certain United States assistance for the Government of Honduras until corruption, impunity, and human rights violations are no longer systemic, and the perpetrators of these crimes are being brought to justice.

S. 395

At the request of Mr. MERKLEY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 395, a bill to amend the Internal Revenue Code of 1986 to extend certain tax credits related to electric cars, and for other purposes.

S. 403

At the request of Mr. YOUNG, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor 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. 425

At the request of Mr. MARKEY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 425, a bill to require States to establish complete streets programs, and for other purposes.

S. 437

At the request of Mr. SULLIVAN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from West Virginia (Mrs. CAPITO), the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Indiana (Mr. YOUNG) were added as cosponsors of S. 437, a bill to amend title 38, United States Code, to concede exposure to airborne hazards and toxins from burn pits under certain circumstances, and for other purposes.

S. 444

At the request of Ms. COLLINS, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 444, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide or assist in providing an additional vehicle adapted for operation by disabled individuals to certain eligible persons.

S. 611

At the request of Mr. DURBIN, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Illinois (Ms. DUCKWORTH) 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. 612

At the request of Mr. PORTMAN, the names of the Senator from New Hampshire (Ms. HASSAN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 612, a bill to require the Under Secretary for Health of the Department of Veterans Affairs to provide certain information to medical center staff and homelessness service providers of the Department regarding the coordinated entry processes for housing and services operated under the Continuum of Care Program of the Department of Housing and Urban Development, and for other purposes.

S. 617

At the request of Mr. THUNE, the name of the Senator from Missouri (Mr. HAWLEY) was added as a cosponsor of S. 617, a bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 618

At the request of Mr. LANKFORD, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 618, a bill to amend the Internal Revenue Code of 1986 to modify and extend the deduction for charitable contributions for individuals not itemizing deductions.

S. 623

At the request of Mr. RUBIO, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 623, a bill to make daylight saving time permanent, and for other purposes.

S. 658

At the request of Mr. CORNYN, the name of the Senator from Arkansas

(Mr. BOOZMAN) was added as a cosponsor of S. 658, a bill to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes.

S. 659

At the request of Mr. YOUNG, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 659, a bill to require the Secretary of Transportation to promulgate regulations relating to commercial motor vehicle drivers under the age of 21, and for other purposes.

S. 680

At the request of Mr. SCHATZ, the names of the Senator from Nevada (Ms. ROSEN) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 680, a bill to award grants to States to establish or improve, and carry out, Seal of Biliteracy programs to recognize high-level student proficiency in speaking, reading, and writing in both English and a second language.

S. 691

At the request of Mr. LEE, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 691, a bill to provide for congressional review of the imposition of duties and other trade measures by the executive branch, and for other purposes.

S. 692

At the request of Mr. TESTER, the names of the Senator from Hawaii (Ms. HIRONO), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Arizona (Ms. SINEMA) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 692, a bill to award a Congressional Gold Medal to the female telephone operators of the Army Signal Corps, known as the ''Hello Girls''.

S. 713

At the request of Mr. BOOKER, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 713, a bill to direct the Secretary of Agriculture to temporarily suspend increased line speeds at meat and poultry establishments, and for other purposes.

S. 730

At the request of Mr. BRAUN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 730, a bill to amend title VI of the Social Security Act to remove the prohibition on States and territories against lowering their taxes.

S. 735

At the request of Ms. ROSEN, her name was added as a cosponsor of S. 735, a bill to amend the Scientific and Advanced-Technology Act of 1992 to further support advanced technological manufacturing, and for other purposes.

S. 748

At the request of Mr. CASEY, his name was added as a cosponsor of S. 748, a bill to provide for an extension of the temporary suspension of Medicare sequestration during the COVID–19 public health emergency.

S. 773

At the request of Mr. THUNE, the names of the Senator from Tennessee (Mrs. BLACKBURN) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 773, a bill to enable certain hospitals that were participating in or applied for the drug discount program under section 340B of the Public Health Service Act prior to the COVID–19 public health emergency to temporarily maintain eligibility for such program, and for other purposes.

S. 792

At the request of Mrs. FISCHER, the names of the Senator from South Dakota (Mr. THUNE), the Senator from Missouri (Mr. BLUNT), the Senator from North Dakota (Mr. CRAMER), the Senator from North Dakota (Mr. HOEVEN), the Senator from Indiana (Mr. BRAUN), the Senator from Montana (Mr. DAINES), the Senator from Mississippi (Mrs. HYDE-SMITH), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Kansas (Mr. MARSHALL) were added as cosponsors of S. 792, a bill to amend the Motor Carrier Safety Improvement Act of 1999 to modify certain agricultural exemptions for hours of service requirements, and for other purposes.

At the request of Mrs. FISCHER, the name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor of S. 792, supra.

S. 820

At the request of Mrs. BLACKBURN, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 820, a bill to provide an exemption from certain requirements for federally funded projects and activities in areas not in metropolitan statistical areas, and for other purposes.

S. 853

At the request of Mr. CASEY, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors of S. 853, a bill to amend the Child Nutrition Act of 1966 to increase the age of eligibility for children to receive benefits under the special supplemental nutrition program for women, infants, and children, and for other purposes.

S. 884

At the request of Mr. LEE, the name of the Senator from Montana (Mr. DAINES) 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. 896

At the request of Mr. KENNEDY, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 896, a bill to amend the Employee Retirement Income Security Act of 1974 to establish additional criteria for determining when employers may join together in a group or association of employers that will be treated as an employer under section 3(5) of such Act for purposes of sponsoring a group health plan, and for other purposes.

S. 901

At the request of Mrs. GILLIBRAND, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 901, a bill to provide access to counsel for children and other vulnerable populations.

S. 903

At the request of Mrs. BLACKBURN, the name of the Senator from Utah (Mr. LEE) 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 Colorado (Mr. HICKENLOOPER) 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. 914

At the request of Mr. CARPER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 914, a bill to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes.

S. 915

At the request of Mr. SANDERS, the names of the Senator from New Mexico (Mr. HEINRICH), the Senator from Massachusetts (Ms. WARREN), the Senator from Oregon (Mr. MERKLEY), the Senator from Oregon (Mr. WYDEN) and the Senator from California (Mr. PADILLA) were added as cosponsors of S. 915, a bill to repeal section 3003 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015, and for other purposes.

S. 916

At the request of Mr. SANDERS, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Oregon (Mr. MERKLEY) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 916, a bill to provide adequate funding for water and sewer infrastructure, and for other purposes.

S. 938

At the request of Mr. SANDERS, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 938, a bill to require the President to declare a national emergency relating to climate change under the National Emergencies Act, and for other purposes.

S. 942

At the request of Ms. BALDWIN, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 942, a bill to provide that the rule

entitled ''Short-Term, Limited Duration Insurance'' shall have no force or effect.

S. 960

At the request of Mr. CRUZ, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 960, a bill to provide for proper treatment of Taiwan government representatives.

S. RES. 43

At the request of Mr. MARKEY, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. Res. 43, a resolution recognizing the duty of the Federal Government to implement an agenda to Transform, Heal, and Renew by Investing in a Vibrant Economy (''THRIVE'').

At the request of Mr. HEINRICH, his name was added as a cosponsor of S. Res. 43, supra.

S. RES. 46

At the request of Mr. SCHUMER, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. Res. 46, a resolution calling on the President of the United States to take executive action to broadly cancel Federal student loan debt.

S. RES. 99

At the request of Mr. MENENDEZ, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Res. 99, a resolution observing the 10th anniversary of the uprising in Syria.

S. RES. 132

At the request of Mr. INHOFE, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of 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.

S. RES. 133

At the request of Ms. HIRONO, the names of the Senator from Arizona (Ms. SINEMA), the Senator from New Hampshire (Ms. HASSAN) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. Res. 133, a resolution condemning all forms of anti-Asian sentiment as related to COVID–19.

S. RES. 134

At the request of Mr. LEE, the names of the Senator from Texas (Mr. CRUZ), the Senator from Nebraska (Mrs. FISCHER), the Senator from South Dakota (Mr. ROUNDS) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of 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.

S. RES. 135

At the request of Ms. CORTEZ MASTO, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. Res. 135, a resolution recognizing the heritage, culture, and contributions of Latinas in the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KAINE (for himself and Mr. WARNER):

S. 1000. A bill to designate additions to the Rough Mountain Wilderness and the Rich Hole Wilderness of the George Washington National Forest, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. KAINE. Mr. President, this bill authorizes additions to two existing wilderness areas within the George Washington National Forest in Bath County, VA. This text represents years of negotiation and compromise among Virginia stakeholders who rely in different ways on the GW Forest.

In many parts of America, Federal land management is controversial. Some may view these lands as repositories for timber, energy, or minerals. Others may enjoy using recreational trails through them. Others may believe that they should be left to nature and not disturbed. The truth, of course, is that all of these uses are important; the conflict lies in agreeing on which lands are best suited to which purposes.

In the lead-up to the latest multiyear GW Forest Management Plan, various forest users came together to see if they could find reasonable compromises that would avoid years of unproductive disagreement and litigation. This group, known as the George Washington National Forest Stakeholder Collaborative, succeeded. Through hard work and consensus, the collaborative made joint recommendations to the U.S. Forest Service for forest management and protection. Preservation advocates consented to timber harvest and other active forest restoration and management in certain areas, while forest products interests consented to wilderness and light management in other areas. Following this fruitful collaboration, the Forest Service convened the Lower Cowpasture Restoration and Management Project, bringing together the collaborative and other stakeholders to help develop management activities on this particular part of the forest in Bath County. Again, this collaborative succeeded, with everyone getting some of what they want and giving some ground.

The collaborative has now come together to support the wilderness additions in this bill, which designates 4,500 acres to be added to the Rich Hole Wilderness Area and 1,000 acres to be added to the Rough Mountain Wilderness Area. I am proud to partner on this with my colleague Senator MARK WARNER, and we are following in the path blazed by Senator John Warner and Representative Rick Boucher, who led the original Virginia Wilderness Act in 1984. I am further proud that this bill passed unanimously in the Senate last Congress and as part of a package passed the House this Congress. I hope it will cross the finish line soon.

Taking care of our Nation's public lands is good for the economy and good for the environment. Land disputes may often be contentious, but this example proves they don't have to be. When everyone comes to the table and invests the necessary time, we can find common ground. I hope this will be a lesson for us in other tough policy challenges, and I encourage the Senate to support this bill.

By Mr. DURBIN (for himself, Mr. LEE, Mr. LEAHY, Mr. WHITEHOUSE, Mr. WYDEN, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. BOOKER, Ms. WARREN, Mr. SANDERS, Mr. KING, Mr. KAINE, and Mr. WICKER):

S. 1013. A bill to focus limited Federal resources on the most serious offenders; to the Committee on the Judiciary.

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. 1013

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 ''Smarter Sentencing Act of 2021''.

SEC. 2. SENTENCING MODIFICATIONS FOR CERTAIN DRUG OFFENSES.

(a) CONTROLLED SUBSTANCES ACT.—The Controlled Substances Act (21 U.S.C. 801 et seq.) is amended—

(1) in section 102 (21 U.S.C. 802)—

(A) by redesignating paragraph (58) as paragraph (59);

(B) by redesignating the second paragraph (57) (relating to ''serious drug felony'') as paragraph (58); and

(C) by adding at the end the following:

''(60) The term 'courier' means a defendant whose role in the offense was limited to transporting or storing drugs or money.''; and

(2) in section 401(b)(1) (21 U.S.C. 841(b)(1))—

(A) in subparagraph (A), in the flush text following clause (viii)—

(i) by striking ''10 years or more'' and inserting ''5 years or more''; and

(ii) by striking ''15 years'' and inserting ''10 years''; and

(B) in subparagraph (B), in the flush text following clause (viii)—

(i) by striking ''5 years'' and inserting ''2 years''; and

(ii) by striking ''not be less than 10 years'' and inserting ''not be less than 5 years''.

(b) CONTROLLED SUBSTANCES IMPORT AND EXPORT ACT.—Section 1010(b) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)) is amended—

(1) in paragraph (1), in the flush text following subparagraph (H)—

(A) by inserting '', other than a person who is a courier,'' after ''such violation'';

(B) by striking ''person commits'' and inserting ''person, other than a courier, commits''; and

(C) by inserting ''If a person who is a courier commits such a violation, the person shall be sentenced to a term of imprisonment of not less than 5 years and not more than life. If a person who is a courier commits such a violation after a prior conviction for a felony drug offense has become final, the person shall be sentenced to a term of imprisonment of not less than 10 years and not more than life.'' before ''Notwithstanding section 3583''; and

(2) in paragraph (2), in the flush text following subparagraph (H)—

(A) by inserting ", other than a person who is a courier," after "such violation";

(B) by striking "person commits" and inserting "person, other than a courier, commits"; and

(C) by inserting "If a person who is a courier commits such a violation, the person shall be sentenced to a term of imprisonment of not less than 2 years and not more than life. If a person who is a courier commits such a violation after a prior conviction for a felony drug offense has become final, the person shall be sentenced to a term of imprisonment of not less than 5 years and not more than life." before "Notwithstanding section 3583".

(c) APPLICABILITY TO PENDING AND PAST CASES.—

(1) DEFINITION.—In this subsection, the term "covered offense" means a violation of a Federal criminal statute, the statutory penalties for which were modified by this section.

(2) PENDING CASES.—This section, and the amendments made by this section, shall apply to any sentence imposed after the date of enactment of this Act, regardless of when the offense was committed.

(3) PAST CASES.—In the case of a defendant who, before the date of enactment of this Act, was convicted or sentenced for a covered offense, the sentencing court may, on motion of the defendant, the Bureau of Prisons, the attorney for the Government, or on its own motion, impose a reduced sentence after considering the factors set forth in section 3553(a) of title 18, United States Code.

SEC. 3. DIRECTIVE TO THE SENTENCING COMMISSION.

(a) DIRECTIVE TO SENTENCING COMMISSION.—Pursuant to its authority under section 994(p) of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review and amend, if appropriate, its guidelines and its policy statements applicable to persons convicted of an offense under section 401 of the Controlled Substances Act (21 U.S.C. 841) or section 1010 of the Controlled Substances Import and Export Act (21 U.S.C. 960) to ensure that the guidelines and policy statements are consistent with the amendments made by section 2 of this Act.

(b) CONSIDERATIONS.—In carrying out this section, the United States Sentencing Commission shall consider—

(1) the mandate of the United States Sentencing Commission, under section 994(g) of title 28, United States Code, to formulate the sentencing guidelines in such a way as to "minimize the likelihood that the Federal prison population will exceed the capacity of the Federal prisons";

(2) the findings and conclusions of the United States Sentencing Commission in its October 2011 report to Congress entitled, Mandatory Minimum Penalties in the Federal Criminal Justice System;

(3) the fiscal implications of any amendments or revisions to the sentencing guidelines or policy statements made by the United States Sentencing Commission;

(4) the relevant public safety concerns involved in the considerations before the United States Sentencing Commission;

(5) the intent of Congress that penalties for violent, repeat, and serious drug traffickers who present public safety risks remain appropriately severe; and

(6) the need to reduce and prevent racial disparities in Federal sentencing.

(c) EMERGENCY AUTHORITY.—The United States Sentencing Commission shall—

(1) promulgate the guidelines, policy statements, or amendments provided for in this Act as soon as practicable, and in any event not later than 120 days after the date of enactment of this Act, in accordance with the procedure set forth in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note), as though the authority under that Act had not expired; and

(2) pursuant to the emergency authority provided under paragraph (1), make such conforming amendments to the Federal sentencing guidelines as the Commission determines necessary to achieve consistency with other guideline provisions and applicable law.

SEC. 4. REPORT BY ATTORNEY GENERAL.

Not later than 6 months after the date of enactment of this Act, the Attorney General shall submit to the Committees on the Judiciary of the House of Representatives and the Senate a report outlining how the reduced expenditures on Federal corrections and the cost savings resulting from this Act will be used to help reduce overcrowding in the Federal Bureau of Prisons, help increase proper investment in law enforcement and crime prevention, and help reduce criminal recidivism, thereby increasing the effectiveness of Federal criminal justice spending.

SEC. 5. REPORT ON FEDERAL CRIMINAL OFFENSES.

(a) DEFINITIONS.—In this section—

(1) the term "criminal regulatory offense" means a Federal regulation that is enforceable by a criminal penalty; and

(2) the term "criminal statutory offense" means a criminal offense under a Federal statute.

(b) REPORT ON CRIMINAL STATUTORY OFFENSES.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report, which shall include—

(1) a list of all criminal statutory offenses, including a list of the elements for each criminal statutory offense; and

(2) for each criminal statutory offense listed under paragraph (1)—

(A) the potential criminal penalty for the criminal statutory offense;

(B) the number of prosecutions for the criminal statutory offense brought by the Department of Justice each year for the 15-year period preceding the date of enactment of this Act; and

(C) the mens rea requirement for the criminal statutory offense.

(c) REPORT ON CRIMINAL REGULATORY OFFENSES.—

(1) REPORTS.—Not later than 1 year after the date of enactment of this Act, the head of each Federal agency described in paragraph (2) shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report, which shall include—

(A) a list of all criminal regulatory offenses enforceable by the agency; and

(B) for each criminal regulatory offense listed under subparagraph (A)—

(i) the potential criminal penalty for a violation of the criminal regulatory offense;

(ii) the number of violations of the criminal regulatory offense referred to the Department of Justice for prosecution in each of the years during the 15-year period preceding the date of enactment of this Act; and

(iii) the mens rea requirement for the criminal regulatory offense.

(2) AGENCIES DESCRIBED.—The Federal agencies described in this paragraph are the Department of Agriculture, the Department of Commerce, the Department of Education, the Department of Energy, the Department of Health and Human Services, the Department of Homeland Security, the Department of Housing and Urban Development, the Department of the Interior, the Department of Labor, the Department of Transportation, the Department of the Treasury, the Commodity Futures Trading Commission, the Consumer Product Safety Commission, the Equal Employment Opportunity Commission, the Export-Import Bank of the United States, the Farm Credit Administration, the Federal Communications Commission, the Federal Deposit Insurance Corporation, the Federal Election Commission, the Federal Labor Relations Authority, the Federal Maritime Commission, the Federal Mine Safety and Health Review Commission, the Federal Trade Commission, the National Labor Relations Board, the National Transportation Safety Board, the Nuclear Regulatory Commission, the Occupational Safety and Health Review Commission, the Office of Compliance, the Postal Regulatory Commission, the Securities and Exchange Commission, the Securities Investor Protection Corporation, the Environmental Protection Agency, the Small Business Administration, the Federal Housing Finance Agency, and the Office of Government Ethics.

(d) INDEX.—Not later than 2 years after the date of enactment of this Act—

(1) the Attorney General shall establish a publically accessible index of each criminal statutory offense listed in the report required under subsection (b) and make the index available and freely accessible on the website of the Department of Justice; and

(2) the head of each agency described in subsection (c)(2) shall establish a publically accessible index of each criminal regulatory offense listed in the report required under subsection (c)(1) and make the index available and freely accessible on the website of the agency.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require or authorize appropriations.

By Mr. DURBIN (for himself and Mr. GRASSLEY):

S. 1014. A bill to reform sentencing laws and correctional institutions, and for other purposes; to the Committee on the Judiciary.

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. 1014

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "First Step Implementation Act of 2021".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—SENTENCING REFORM

Sec. 101. Application of First Step Act.
Sec. 102. Modifying safety valve for drug offenses.

TITLE II—CORRECTIONS REFORM

Sec. 201. Parole for juveniles.
Sec. 202. Juvenile sealing and expungement.
Sec. 203. Ensuring accuracy of Federal criminal records.

TITLE I—SENTENCING REFORM

SEC. 101. APPLICATION OF FIRST STEP ACT.

(a) DEFINITIONS.—In this section—

(1) the term "covered offense" means—

(A) a violation of a Federal criminal statute, the statutory penalties for which were modified by section 401 or 403 of the First Step Act of 2018 (Public Law 115–391; 132 Stat.

5220), that was committed on or before December 21, 2018; or

(B) a violation of a Federal criminal statute, the statutory penalties for which are modified by subsection (b) of this section; and

(2) the term ''serious violent felony'' has the meaning given that term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(b) AMENDMENTS.—

(1) IN GENERAL.—

(A) CONTROLLED SUBSTANCES ACT.—Section 401(b) of the Controlled Substances Act (21 U.S.C. 841) is amended—

(i) in paragraph (1)—

(I) in subparagraph (C), by striking ''felony drug offense'' and inserting ''serious drug felony or serious violent felony'';

(II) in subparagraph (D), by striking ''felony drug offense'' and inserting ''serious drug felony or serious violent felony''; and

(III) in subparagraph (E)(ii), by striking ''felony drug offense'' and inserting ''serious drug felony or serious violent felony'';

(ii) in paragraph (2), by striking ''felony drug offense'' and inserting ''serious drug felony or serious violent felony''; and

(iii) in paragraph (3), by striking ''felony drug offense'' and inserting ''serious drug felony or serious violent felony''.

(B) CONTROLLED SUBSTANCES IMPORT AND EXPORT ACT.—Section 1010(b)(3) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)(3)) is amended by striking ''felony drug offense'' and inserting ''serious drug felony or serious violent felony''.

(2) PENDING CASES.—This subsection, and the amendments made by this subsection, shall apply to any sentence imposed on or after the date of enactment of this Act, regardless of when the offense was committed.

(c) DEFENDANTS PREVIOUSLY SENTENCED.—A court that imposed a sentence for a covered offense may, on motion of the defendant, the Director of the Bureau of Prisons, the attorney for the Government, or the court, impose a reduced sentence as if sections 401 and 403 of the First Step Act of 2018 (Public Law 115–391; 132 Stat. 5220) and the amendments made by subsection (b) of this section were in effect at the time the covered offense was committed if, after considering the factors set forth in section 3553(a) of title 18, United States Code, the nature and seriousness of the danger to any person, the community, or any crime victims, and the post-sentencing conduct of the defendant, the sentencing court finds a reduction is consistent with the amendments made by section 401 or 403 of the First Step Act of 2018 (Public Law 115–391; 132 Stat. 5220) or with subsection (b) of this section.

(d) CRIME VICTIMS.—Any proceeding under this section shall be subject to section 3771 of title 18, United States Code (commonly known as the ''Crime Victims Rights Act'').

(e) REQUIREMENT.—For each motion filed under subsection (b), the Government shall conduct a particularized inquiry of the facts and circumstances of the original sentencing of the defendant in order to assess whether a reduction in sentence would be consistent with the First Step Act of 2018 (Public Law 115–391; 132 Stat. 5194) and the amendments made by that Act, including a review of any prior criminal conduct or any other relevant information from Federal, State, and local authorities.

SEC. 102. MODIFYING SAFETY VALVE FOR DRUG OFFENSES.

(a) AMENDMENTS.—Section 3553 of title 18, United States Code, is amended—

(1) by redesignating subsection (g) as subsection (h); and

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

''(g) INADEQUACY OF CRIMINAL HISTORY.—

''(1) IN GENERAL.—If subsection (f) does not apply to a defendant because the defendant does not meet the requirements described in subsection (f)(1) (relating to criminal history), the court may, upon prior notice to the Government, waive subsection (f)(1) if the court specifies in writing the specific reasons why reliable information indicates that excluding the defendant pursuant to subsection (f)(1) substantially overrepresents the seriousness of the defendant's criminal history or the likelihood that the defendant will commit other crimes.

''(2) PROHIBITION.—This subsection shall not apply to any defendant who has been convicted of a serious drug felony or a serious violent felony as defined in paragraphs (57) and (58), respectively, of section 102 of the Controlled Substances Act (21 U.S.C. 802).''.

TITLE II—CORRECTIONS REFORM

SEC. 201. PAROLE FOR JUVENILES.

(a) IN GENERAL.—Chapter 403 of title 18, United States Code, is amended by inserting after section 5032 the following:

''§ 5032A. Modification of an imposed term of imprisonment for violations of law committed prior to age 18

''(a) IN GENERAL.—Notwithstanding any other provision of law, a court may reduce a term of imprisonment imposed upon a defendant convicted as an adult for an offense committed and completed before the defendant attained 18 years of age if—

''(1) the defendant has served not less than 20 years in custody for the offense; and

''(2) the court finds, after considering the factors set forth in subsection (c), that the defendant is not a danger to the safety of any person or the community and that the interests of justice warrant a sentence modification.

''(b) SUPERVISED RELEASE.—Any defendant whose sentence is reduced pursuant to subsection (a) shall be ordered to serve a period of supervised release of not less than 5 years following release from imprisonment. The conditions of supervised release and any modification or revocation of the term of supervise release shall be in accordance with section 3583.

''(c) FACTORS AND INFORMATION TO BE CONSIDERED IN DETERMINING WHETHER TO MODIFY A TERM OF IMPRISONMENT.—The court, in determining whether to reduce a term of imprisonment pursuant to subsection (a), shall consider—

''(1) the factors described in section 3553(a), including the nature of the offense and the history and characteristics of the defendant;

''(2) the age of the defendant at the time of the offense;

''(3) a report and recommendation of the Bureau of Prisons, including information on whether the defendant has substantially complied with the rules of each institution in which the defendant has been confined and whether the defendant has completed any educational, vocational, or other prison program, where available;

''(4) a report and recommendation of the United States attorney for any district in which an offense for which the defendant is imprisoned was prosecuted;

''(5) whether the defendant has demonstrated maturity, rehabilitation, and a fitness to reenter society sufficient to justify a sentence reduction;

''(6) any statement, which may be presented orally or otherwise, by any victim of an offense for which the defendant is imprisoned or by a family member of the victim if the victim is deceased;

''(7) any report from a physical, mental, or psychiatric examination of the defendant conducted by a licensed health care professional;

''(8) the family and community circumstances of the defendant at the time of the offense, including any history of abuse, trauma, or involvement in the child welfare system;

''(9) the extent of the role of the defendant in the offense and whether, and to what extent, an adult was involved in the offense;

''(10) the diminished culpability of juveniles as compared to that of adults, and the hallmark features of youth, including immaturity, impetuosity, and failure to appreciate risks and consequences, which counsel against sentencing juveniles to the otherwise applicable term of imprisonment; and

''(11) any other information the court determines relevant to the decision of the court.

''(d) LIMITATION ON APPLICATIONS PURSUANT TO THIS SECTION.—

''(1) SECOND APPLICATION.—Not earlier than 5 years after the date on which an order entered by a court on an initial application under this section becomes final, a court shall entertain a second application by the same defendant under this section.

''(2) FINAL APPLICATION.—Not earlier than 5 years after the date on which an order entered by a court on a second application under paragraph (1) becomes final, a court shall entertain a final application by the same defendant under this section.

''(3) PROHIBITION.—A court may not entertain an application filed after an application filed under paragraph (2) by the same defendant.

''(e) PROCEDURES.—

''(1) NOTICE.—The Bureau of Prisons shall provide written notice of this section to—

''(A) any defendant who has served not less than 19 years in prison for an offense committed and completed before the defendant attained 18 years of age for which the defendant was convicted as an adult; and

''(B) the sentencing court, the United States attorney, and the Federal Public Defender or Executive Director of the Community Defender Organization for the judicial district in which the sentence described in subparagraph (A) was imposed.

''(2) CRIME VICTIMS RIGHTS.—Upon receiving notice under paragraph (1), the United States attorney shall provide any notifications required under section 3771.

''(3) APPLICATION.—

''(A) IN GENERAL.—An application for a sentence reduction under this section shall be filed as a motion to reduce the sentence of the defendant and may include affidavits or other written material.

''(B) REQUIREMENT.—A motion to reduce a sentence under this section shall be filed with the sentencing court and a copy shall be served on the United States attorney for the judicial district in which the sentence was imposed.

''(4) EXPANDING THE RECORD; HEARING.—

''(A) EXPANDING THE RECORD.—After the filing of a motion to reduce a sentence under this section, the court may direct the parties to expand the record by submitting additional written materials relating to the motion.

''(B) HEARING.—

''(i) IN GENERAL.—The court shall conduct a hearing on the motion, at which the defendant and counsel for the defendant shall be given the opportunity to be heard.

''(ii) EVIDENCE.—In a hearing under this section, the court may allow parties to present evidence.

''(iii) DEFENDANT'S PRESENCE.—At a hearing under this section, the defendant shall be present unless the defendant waives the right to be present. The requirement under this clause may be satisfied by the defendant appearing by video teleconference.

''(iv) COUNSEL.—A defendant who is unable to obtain counsel is entitled to have counsel appointed to represent the defendant for proceedings under this section, including any appeal, unless the defendant waives the right to counsel.

''(v) FINDINGS.—The court shall state in open court, and file in writing, the reasons for granting or denying a motion under this section.

''(C) APPEAL.—The Government or the defendant may file a notice of appeal in the district court for review of a final order under this section. The time limit for filing such appeal shall be governed by rule 4(a) of the Federal Rules of Appellate Procedure.

''(f) EDUCATIONAL AND REHABILITATIVE PROGRAMS.—A defendant who is convicted and sentenced as an adult for an offense committed and completed before the defendant attained 18 years of age may not be deprived of any educational, training, or rehabilitative program that is otherwise available to the general prison population.''.

(b) TABLE OF SECTIONS.—The table of sections for chapter 403 of title 18, United States Code, is amended by inserting after the item relating to section 5032 the following:

''5032A. Modification of an imposed term of imprisonment for violations of law committed prior to age 18.''.

(c) APPLICABILITY.—The amendments made by this section shall apply to any conviction entered before, on, or after the date of enactment of this Act.

SEC. 202. JUVENILE SEALING AND EXPUNGEMENT.

(a) PURPOSE.—The purpose of this section is to—

(1) protect children and adults against damage stemming from their juvenile acts and subsequent juvenile delinquency records, including law enforcement, arrest, and court records; and

(2) prevent the unauthorized use or disclosure of confidential juvenile delinquency records and any potential employment, financial, psychological, or other harm that would result from such unauthorized use or disclosure.

(b) DEFINITIONS.—Section 5031 of title 18, United States Code, is amended to read as follows:

''§ 5031. Definitions

''In this chapter—

''(1) the term 'adjudication' means a determination by a judge that a person committed an act of juvenile delinquency;

''(2) the term 'conviction' means a judgment or disposition in criminal court against a person following a finding of guilt by a judge or jury;

''(3) the term 'destroy' means to render a file unreadable, whether paper, electronic, or otherwise stored, by shredding, pulverizing, pulping, incinerating, overwriting, reformatting the media, or other means;

''(4) the term 'expunge' means to destroy a record and obliterate the name of the person to whom the record pertains from each official index or public record;

''(5) the term 'expungement hearing' means a hearing held under section 5045(b)(2)(B);

''(6) the term 'expungement petition' means a petition for expungement filed under section 5045(b);

''(7) the term 'high-risk, public trust position' means a position designated as a public trust position under section 731.106(b) of title 5, Code of Federal Regulations, or any successor regulation;

''(8) the term 'juvenile' means—

''(A) except as provided in subparagraph (B), a person who has not attained the age of 18 years; and

''(B) for the purpose of proceedings and disposition under this chapter for an alleged act of juvenile delinquency, a person who has not attained the age of 21 years;

''(9) the term 'juvenile delinquency' means the violation of a law of the United States committed by a person before attaining the age of 18 years which would have been a crime if committed by an adult, or a violation by such a person of section 922(x);

''(10) the term 'juvenile nonviolent offense' means—

''(A) in the case of an arrest or an adjudication that is dismissed or finds the juvenile to be not delinquent, an act of juvenile delinquency that is not—

''(i) a criminal homicide, forcible rape or any other sex offense (as defined in section 111 of the Sex Offender Registration and Notification Act (34 U.S.C. 20911)), kidnapping, aggravated assault, robbery, burglary of an occupied structure, arson, or a drug trafficking crime in which a firearm was used; or

''(ii) a Federal crime of terrorism (as defined in section 2332b(g)); and

''(B) in the case of an adjudication that finds the juvenile to be delinquent, an act of juvenile delinquency that is not—

''(i) described in clause (i) or (ii) of subparagraph (A); or

''(ii) a misdemeanor crime of domestic violence (as defined in section 921(a)(33));

''(11) the term 'juvenile record'—

''(A) means a record maintained by a court, the probation system, a law enforcement agency, or any other government agency, of the juvenile delinquency proceedings of a person;

''(B) includes—

''(i) a juvenile legal file, including a formal document such as a petition, notice, motion, legal memorandum, order, or decree;

''(ii) a social record, including—

''(I) a record of a probation officer;

''(II) a record of any government agency that keeps records relating to juvenile delinquency;

''(III) a medical record;

''(IV) a psychiatric or psychological record;

''(V) a birth certificate;

''(VI) an education record, including an individualized education plan;

''(VII) a detention record;

''(VIII) demographic information that identifies a juvenile or the family of a juvenile; or

''(IX) any other record that includes personally identifiable information that may be associated with a juvenile delinquency proceeding, an act of juvenile delinquency, or an alleged act of juvenile delinquency; and

''(iii) a law enforcement record, including a photograph or a State criminal justice information system record; and

''(C) does not include—

''(i) fingerprints; or

''(ii) a DNA sample;

''(12) the term 'petitioner' means a person who files an expungement petition or a sealing petition;

''(13) the term 'seal' means—

''(A) to close a record from public viewing so that the record cannot be examined except by court order; and

''(B) to physically seal the record shut and label the record 'SEALED' or, in the case of an electronic record, the substantive equivalent;

''(14) the term 'sealing hearing' means a hearing held under section 5044(b)(2)(B); and

''(15) the term 'sealing petition' means a petition for a sealing order filed under section 5044(b).''.

(c) CONFIDENTIALITY.—Section 5038 of title 18, United States Code, is amended—

(1) in subsection (a), in the flush text following paragraph (6), by inserting after ''bonding,'' the following: ''participation in an educational system,''; and

(2) in subsection (b), by striking ''District courts exercising jurisdiction over any juvenile'' and inserting the following: ''Not later than 7 days after the date on which a district court exercises jurisdiction over a juvenile, the district court''.

(d) SEALING; EXPUNGEMENT.—

(1) IN GENERAL.—Chapter 403 of title 18, United States Code, is amended by adding at the end the following:

''§ 5044. Sealing

''(a) AUTOMATIC SEALING OF NONVIOLENT OFFENSES.—

''(1) IN GENERAL.—Three years after the date on which a person who is adjudicated delinquent under this chapter for a juvenile nonviolent offense completes every term of probation, official detention, or juvenile delinquent supervision ordered by the court with respect to the offense, the court shall order the sealing of each juvenile record or portion thereof that relates to the offense if the person—

''(A) has not been convicted of a crime or adjudicated delinquent for an act of juvenile delinquency since the date of the disposition; and

''(B) is not engaged in active criminal court proceedings or juvenile delinquency proceedings.

''(2) AUTOMATIC NATURE OF SEALING.—The order of sealing under paragraph (1) shall require no action by the person whose juvenile records are to be sealed.

''(3) NOTICE OF AUTOMATIC SEALING.—A court that orders the sealing of a juvenile record of a person under paragraph (1) shall, in writing, inform the person of the sealing and the benefits of sealing the record.

''(b) PETITIONING FOR EARLY SEALING OF NONVIOLENT OFFENSES.—

''(1) RIGHT TO FILE SEALING PETITION.—

''(A) IN GENERAL.—During the 3-year period beginning on the date on which a person who is adjudicated delinquent under this chapter for a juvenile nonviolent offense completes every term of probation, official detention, or juvenile delinquent supervision ordered by the court with respect to the offense, the person may petition the court to seal the juvenile records that relate to the offense, unless the person—

''(i) has been convicted of a crime or adjudicated delinquent for an act of juvenile delinquency since the date of the disposition; or

''(ii) is engaged in active criminal court proceedings or juvenile delinquency proceedings.

''(B) NOTICE OF OPPORTUNITY TO FILE PETITION.—If a person is adjudicated delinquent for a juvenile nonviolent offense, the court in which the person is adjudicated delinquent shall, in writing, inform the person of the potential eligibility of the person to file a sealing petition with respect to the offense upon completing every term of probation, official detention, or juvenile delinquent supervision ordered by the court with respect to the offense, and the necessary procedures for filing the sealing petition—

''(i) on the date on which the individual is adjudicated delinquent; and

''(ii) on the date on which the individual has completed every term of probation, official detention, or juvenile delinquent supervision ordered by the court with respect to the offense.

''(2) PROCEDURES.—

''(A) NOTIFICATION TO PROSECUTOR.—If a person files a sealing petition with respect to a juvenile nonviolent offense, the court in which the petition is filed shall provide notice of the petition—

''(i) to the Attorney General; and

''(ii) upon the request of the petitioner, to any other individual that the petitioner determines may testify as to—

''(I) the conduct of the petitioner since the date of the offense; or

''(II) the reasons that the sealing order should be entered.

''(B) HEARING.—

''(i) IN GENERAL.—If a person files a sealing petition, the court shall—

''(I) except as provided in clause (iii), conduct a hearing in accordance with clause (ii); and

''(II) determine whether to enter a sealing order for the person in accordance with subparagraph (C).

''(ii) OPPORTUNITY TO TESTIFY AND OFFER EVIDENCE.—

''(I) PETITIONER.—The petitioner may testify or offer evidence at the sealing hearing in support of sealing.

''(II) PROSECUTOR.—The Attorney General may send a representative to testify or offer evidence at the sealing hearing in support of or against sealing.

''(III) OTHER INDIVIDUALS.—An individual who receives notice under subparagraph (A)(ii) may testify or offer evidence at the sealing hearing as to the issues described in subclauses (I) and (II) of that subparagraph.

''(iii) WAIVER OF HEARING.—If the petitioner and the Attorney General so agree, the court shall make a determination under subparagraph (C) without a hearing.

''(C) BASIS FOR DECISION.—The court shall determine whether to grant the sealing petition after considering—

''(i) the sealing petition and any documents in the possession of the court;

''(ii) all the evidence and testimony presented at the sealing hearing, if such a hearing is conducted;

''(iii) the best interests of the petitioner;

''(iv) the age of the petitioner during his or her contact with the court or any law enforcement agency;

''(v) the nature of the juvenile nonviolent offense;

''(vi) the disposition of the case;

''(vii) the manner in which the petitioner participated in any court-ordered rehabilitative programming or supervised services;

''(viii) the length of the time period during which the petitioner has been without contact with any court or law enforcement agency;

''(ix) whether the petitioner has had any criminal or juvenile delinquency involvement since the disposition of the juvenile delinquency proceeding; and

''(x) the adverse consequences the petitioner may suffer if the petition is not granted.

''(D) WAITING PERIOD AFTER DENIAL.—If the court denies a sealing petition, the petitioner may not file a new sealing petition with respect to the same juvenile nonviolent offense until the date that is 2 years after the date of the denial.

''(E) UNIVERSAL FORM.—The Director of the Administrative Office of the United States Courts shall create a universal form, available over the internet and in paper form, that an individual may use to file a sealing petition.

''(F) NO FEE FOR INDIGENT PETITIONERS.—If the court determines that the petitioner is indigent, there shall be no cost for filing a sealing petition.

''(G) REPORTING.—Not later than 2 years after the date of enactment of this section, and each year thereafter, the Director of the Administrative Office of the United States Courts shall issue a public report that—

''(i) describes—

''(I) the number of sealing petitions granted and denied under this subsection; and

''(II) the number of instances in which the Attorney General supported or opposed a sealing petition;

''(ii) includes any supporting data that the Director determines relevant and that does not name any petitioner; and

''(iii) disaggregates all relevant data by race, ethnicity, gender, and the nature of the offense.

''(H) PUBLIC DEFENDER ELIGIBILITY.—

''(i) PETITIONERS UNDER AGE 18.—The district court shall appoint counsel in accordance with the plan of the district court in operation under section 3006A to represent a petitioner for purposes of this subsection if the petitioner is less than 18 years of age.

''(ii) PETITIONERS AGE 18 AND OLDER.—

''(I) DISCRETION OF COURT.—In the case of a petitioner who is not less than 18 years of age, the district court may, in its discretion, appoint counsel in accordance with the plan of the district court in operation under section 3006A to represent the petitioner for purposes of this subsection.

''(II) CONSIDERATIONS.—In determining whether to appoint counsel under subclause (I), the court shall consider—

''(aa) the anticipated complexity of the sealing hearing, including the number and type of witnesses called to advocate against the sealing of the records of the petitioner; and

''(bb) the potential for adverse testimony by a victim or a representative of the Attorney General.

''(c) EFFECT OF SEALING ORDER.—

''(1) PROTECTION FROM DISCLOSURE.—Except as provided in paragraphs (3) and (4), if a court orders the sealing of a juvenile record of a person under subsection (a) or (b) with respect to a juvenile nonviolent offense, the proceedings in the case shall be deemed never to have occurred, and the person may properly reply accordingly to any inquiry about the events the records of which are ordered sealed.

''(2) VERIFICATION OF SEALING.—If a court orders the sealing of a juvenile record under subsection (a) or (b) with respect to a juvenile nonviolent offense, the court shall—

''(A) send a copy of the sealing order to each entity or person known to the court that possesses a record relating to the offense, including each—

''(i) law enforcement agency; and

''(ii) public or private correctional or detention facility;

''(B) in the sealing order, require each entity or person described in subparagraph (A) to—

''(i) seal the record; and

''(ii) submit a written certification to the court, under penalty of perjury, that the entity or person has sealed each paper and electronic copy of the record;

''(C) seal each paper and electronic copy of the record in the possession of the court; and

''(D) after receiving a written certification from each entity or person under subparagraph (B)(ii), notify the petitioner that each entity or person described in subparagraph (A) has sealed each paper and electronic copy of the record.

''(3) LAW ENFORCEMENT ACCESS TO SEALED RECORDS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a law enforcement agency may access a sealed juvenile record in the possession of the agency or another law enforcement agency solely—

''(i) to determine whether the person who is the subject of the record is a nonviolent offender eligible for a first-time-offender diversion program;

''(ii) for investigatory or prosecutorial purposes; or

''(iii) for a background check that relates to—

''(I) law enforcement employment; or

''(II) any position that a Federal agency designates as a—

''(aa) national security position; or

''(bb) high-risk, public trust position.

''(B) TRANSITION PERIOD.—During the 1-year period beginning on the date on which a court orders the sealing of a juvenile record under this section, a law enforcement agency may, for law enforcement purposes, access the record if the record is in the possession of the agency or another law enforcement agency.

''(4) PROHIBITION ON DISCLOSURE.—

''(A) PROHIBITION.—Except as provided in subparagraph (C), it shall be unlawful to intentionally make or attempt to make an unauthorized disclosure of any information from a sealed juvenile record in violation of this section.

''(B) PENALTY.—Any person who violates subparagraph (A) shall be fined under this title, imprisoned for not more than 1 year, or both.

''(C) EXCEPTIONS.—

''(i) BACKGROUND CHECKS.—In the case of a background check for law enforcement employment or for any employment that requires a government security clearance—

''(I) a person who is the subject of a juvenile record sealed under this section shall disclose the contents of the record; and

''(II) a law enforcement agency that possesses a juvenile record sealed under this section—

''(aa) may disclose the contents of the record; and

''(bb) if the agency obtains or is subject to a court order authorizing disclosure of the record, may disclose the record.

''(ii) DISCLOSURE TO ARMED FORCES.—A person, including a law enforcement agency that possesses a juvenile record sealed under this section, may disclose information from a juvenile record sealed under this section to the Secretaries of the military departments (or the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy) for the purpose of vetting an enlistment or commission, or with regard to any member of the Armed Forces.

''(iii) CRIMINAL AND JUVENILE PROCEEDINGS.—A prosecutor or other law enforcement officer may disclose information from a juvenile record sealed under this section, and a person who is the subject of a juvenile record sealed under this section may be required to testify or otherwise disclose information about the record, in a criminal or other proceeding if such disclosure is required by the Constitution of the United States, the constitution of a State, or a Federal or State statute or rule.

''(iv) AUTHORIZATION FOR PERSON TO DISCLOSE OWN RECORD.—A person who is the subject of a juvenile record sealed under this section may choose to disclose the record.

''(d) LIMITATION RELATING TO SUBSEQUENT INCIDENTS.—

''(1) AFTER FILING AND BEFORE PETITION GRANTED.—If, after the date on which a person files a sealing petition with respect to a juvenile offense and before the court determines whether to grant the petition, the person is convicted of a crime, adjudicated delinquent for an act of juvenile delinquency, or engaged in active criminal court proceedings or juvenile delinquency proceedings, the court shall deny the petition.

''(2) AFTER PETITION GRANTED.—If, on or after the date on which a court orders the sealing of a juvenile record of a person under subsection (b), the person is convicted of a crime or adjudicated delinquent for an act of juvenile delinquency—

''(A) the court shall—

''(i) vacate the order; and

''(ii) notify the person who is the subject of the juvenile record, and each entity or person described in subsection (c)(2)(A), that the order has been vacated; and

''(B) the record shall no longer be sealed.

''(e) INCLUSION OF STATE JUVENILE DELINQUENCY ADJUDICATIONS AND PROCEEDINGS.—For purposes of subparagraphs (A) and (B) of subsection (a)(1), clauses (i) and (ii) of subsection (b)(1)(A), subsection (b)(1)(C)(ix), and paragraphs (1) and (2) of subsection (d), the term 'juvenile delinquency' includes the violation of a law of a State committed by a person before attaining the age of 18 years which would have been a crime if committed by an adult.

''§ 5045. Expungement

''(a) AUTOMATIC EXPUNGEMENT OF CERTAIN RECORDS.—

''(1) ATTORNEY GENERAL MOTION.—

''(A) NONVIOLENT OFFENSES COMMITTED BEFORE A PERSON TURNED 15.—If a person is adjudicated delinquent under this chapter for a juvenile nonviolent offense committed before the person attained 15 years of age and completes every term of probation, official detention, or juvenile delinquent supervision ordered by the court with respect to the offense before attaining 18 years of age, on the date on which the person attains 18 years of age, the Attorney General shall file a motion in the district court of the United States in which the person was adjudicated delinquent requesting that each juvenile record of the person that relates to the offense be expunged.

''(B) ARRESTS.—If a juvenile is arrested by a Federal law enforcement agency for a juvenile nonviolent offense for which a juvenile delinquency proceeding is not instituted under this chapter, and for which the United States does not proceed against the juvenile as an adult in a district court of the United States, the Attorney General shall file a motion in the district court of the United States that would have had jurisdiction of the proceeding requesting that each juvenile record relating to the arrest be expunged.

''(C) EXPUNGEMENT ORDER.—Upon the filing of a motion in a district court of the United States with respect to a juvenile nonviolent offense under subparagraph (A) or an arrest for a juvenile nonviolent offense under subparagraph (B), the court shall grant the motion and order that each juvenile record relating to the offense or arrest, as applicable, be expunged.

''(2) DISMISSED CASES.—If a district court of the United States dismisses an information with respect to a juvenile under this chapter or finds a juvenile not to be delinquent in a juvenile delinquency proceeding under this chapter, the court shall concurrently order that each juvenile record relating to the applicable proceeding be expunged.

''(3) AUTOMATIC NATURE OF EXPUNGEMENT.—An order of expungement under paragraph (1)(C) or (2) shall not require any action by the person whose records are to be expunged.

''(4) NOTICE OF AUTOMATIC EXPUNGEMENT.—A court that orders the expungement of a juvenile record of a person under paragraph (1)(C) or (2) shall, in writing, inform the person of the expungement and the benefits of expunging the record.

''(b) PETITIONING FOR EXPUNGEMENT OF NONVIOLENT OFFENSES.—

''(1) IN GENERAL.—A person who is adjudicated delinquent under this chapter for a juvenile nonviolent offense committed on or after the date on which the person attained 15 years of age may petition the court in which the proceeding took place to order the expungement of the juvenile record that relates to the offense unless the person—

''(A) has been convicted of a crime or adjudicated delinquent for an act of juvenile delinquency since the date of the disposition;

''(B) is engaged in active criminal court proceedings or juvenile delinquency proceedings; or

''(C) has had not less than 2 adjudications of delinquency previously expunged under this section.

''(2) PROCEDURES.—

''(A) NOTIFICATION OF PROSECUTOR AND VICTIMS.—If a person files an expungement petition with respect to a juvenile nonviolent offense, the court in which the petition is filed shall provide notice of the petition—

''(i) to the Attorney General; and

''(ii) upon the request of the petitioner, to any other individual that the petitioner determines may testify as to—

''(I) the conduct of the petitioner since the date of the offense; or

''(II) the reasons that the expungement order should be entered.

''(B) HEARING.—

''(i) IN GENERAL.—If a person files an expungement petition, the court shall—

''(I) except as provided in clause (iii), conduct a hearing in accordance with clause (ii); and

''(II) determine whether to enter an expungement order for the person in accordance with subparagraph (C).

''(ii) OPPORTUNITY TO TESTIFY AND OFFER EVIDENCE.—

''(I) PETITIONER.—The petitioner may testify or offer evidence at the expungement hearing in support of expungement.

''(II) PROSECUTOR.—The Attorney General may send a representative to testify or offer evidence at the expungement hearing in support of or against expungement.

''(III) OTHER INDIVIDUALS.—An individual who receives notice under subparagraph (A)(ii) may testify or offer evidence at the expungement hearing as to the issues described in subclauses (I) and (II) of that subparagraph.

''(iii) WAIVER OF HEARING.—If the petitioner and the Attorney General so agree, the court shall make a determination under subparagraph (C) without a hearing.

''(C) BASIS FOR DECISION.—The court shall determine whether to grant an expungement petition after considering—

''(i) the petition and any documents in the possession of the court;

''(ii) all the evidence and testimony presented at the expungement hearing, if such a hearing is conducted;

''(iii) the best interests of the petitioner;

''(iv) the age of the petitioner during his or her contact with the court or any law enforcement agency;

''(v) the nature of the juvenile nonviolent offense;

''(vi) the disposition of the case;

''(vii) the manner in which the petitioner participated in any court-ordered rehabilitative programming or supervised services;

''(viii) the length of the time period during which the petitioner has been without contact with any court or any law enforcement agency;

''(ix) whether the petitioner has had any criminal or juvenile delinquency involvement since the disposition of the juvenile delinquency proceeding; and

''(x) the adverse consequences the petitioner may suffer if the petition is not granted.

''(D) WAITING PERIOD AFTER DENIAL.—If the court denies an expungement petition, the petitioner may not file a new expungement petition with respect to the same offense until the date that is 2 years after the date of the denial.

''(E) UNIVERSAL FORM.—The Director of the Administrative Office of the United States Courts shall create a universal form, available over the internet and in paper form, that an individual may use to file an expungement petition.

''(F) NO FEE FOR INDIGENT PETITIONERS.—If the court determines that the petitioner is indigent, there shall be no cost for filing an expungement petition.

''(G) REPORTING.—Not later than 2 years after the date of enactment of this section, and each year thereafter, the Director of the Administrative Office of the United States Courts shall issue a public report that—

''(i) describes—

''(I) the number of expungement petitions granted and denied under this subsection; and

''(II) the number of instances in which the Attorney General supported or opposed an expungement petition;

''(ii) includes any supporting data that the Director determines relevant and that does not name any petitioner; and

''(iii) disaggregates all relevant data by race, ethnicity, gender, and the nature of the offense.

''(H) PUBLIC DEFENDER ELIGIBILITY.—

''(i) PETITIONERS UNDER AGE 18.—The district court shall appoint counsel in accordance with the plan of the district court in operation under section 3006A to represent a petitioner for purposes of this subsection if the petitioner is less than 18 years of age.

''(ii) PETITIONERS AGE 18 AND OLDER.—

''(I) DISCRETION OF COURT.—In the case of a petitioner who is not less than 18 years of age, the district court may, in its discretion, appoint counsel in accordance with the plan of the district court in operation under section 3006A to represent the petitioner for purposes of this subsection.

''(II) CONSIDERATIONS.—In determining whether to appoint counsel under subclause (I), the court shall consider—

''(aa) the anticipated complexity of the expungement hearing, including the number and type of witnesses called to advocate against the expungement of the records of the petitioner; and

''(bb) the potential for adverse testimony by a victim or a representative of the Attorney General.

''(c) EFFECT OF EXPUNGED JUVENILE RECORD.—

''(1) PROTECTION FROM DISCLOSURE.—Except as provided in paragraphs (4) through (8), if a court orders the expungement of a juvenile record of a person under subsection (a) or (b) with respect to a juvenile nonviolent offense, the proceedings in the case shall be deemed never to have occurred, and the person may properly reply accordingly to any inquiry about the events the records of which are ordered expunged.

''(2) VERIFICATION OF EXPUNGEMENT.—If a court orders the expungement of a juvenile record under subsection (a) or (b) with respect to a juvenile nonviolent offense, the court shall—

''(A) send a copy of the expungement order to each entity or person known to the court that possesses a record relating to the offense, including each—

''(i) law enforcement agency; and

''(ii) public or private correctional or detention facility;

''(B) in the expungement order—

''(i) require each entity or person described in subparagraph (A) to—

''(I) seal the record for 1 year and, during that 1-year period, apply paragraphs (3) and (4) of section 5044(c) with respect to the record;

''(II) on the date that is 1 year after the date of the order, destroy the record unless a subsequent incident described in subsection (d)(2) occurs; and

''(III) submit a written certification to the court, under penalty of perjury, that the entity or person has destroyed each paper and electronic copy of the record; and

''(ii) explain that if a subsequent incident described in subsection (d)(2) occurs, the order shall be vacated and the record shall no longer be sealed;

''(C) on the date that is 1 year after the date of the order, destroy each paper and electronic copy of the record in the possession of the court unless a subsequent incident described in subsection (d)(2) occurs; and

''(D) after receiving a written certification from each entity or person under subparagraph (B)(i)(III), notify the petitioner that each entity or person described in subparagraph (A) has destroyed each paper and electronic copy of the record.

''(3) REPLY TO INQUIRIES.—On and after the date that is 1 year after the date on which a court orders the expungement of a juvenile record of a person under this section, in the case of an inquiry relating to the juvenile record, the court, each law enforcement officer, any agency that provided treatment or rehabilitation services to the person, and the person (except as provided in paragraphs (4) through (8)) shall reply to the inquiry that no such juvenile record exists.

''(4) CIVIL ACTIONS.—

''(A) IN GENERAL.—On and after the date on which a court orders the expungement of a juvenile record of a person under this section, if the person brings an action against a law enforcement agency that arrested, or participated in the arrest of, the person for the offense to which the record relates, or against the State or political subdivision of a State of which the law enforcement agency is an agency, in which the contents of the record are relevant to the resolution of the issues presented in the action, there shall be a rebuttable presumption that the defendant has a complete defense to the action.

''(B) SHOWING BY PLAINTIFF.—In an action described in subparagraph (A), the plaintiff may rebut the presumption of a complete defense by showing that the contents of the expunged record would not prevent the defendant from being held liable.

''(C) DUTY TO TESTIFY AS TO EXISTENCE OF RECORD.—The court in which an action described in subparagraph (A) is filed may require the plaintiff to state under oath whether the plaintiff had a juvenile record and whether the record was expunged.

''(D) PROOF OF EXISTENCE OF JUVENILE RECORD.—If the plaintiff in an action described in subparagraph (A) denies the existence of a juvenile record, the defendant may prove the existence of the record in any manner compatible with the applicable laws of evidence.

''(5) CRIMINAL AND JUVENILE PROCEEDINGS.—On and after the date that is 1 year after the date on which a court orders the expungement of a juvenile record under this section, a prosecutor or other law enforcement officer may disclose underlying information from the juvenile record, and the person who is the subject of the juvenile record may be required to testify or otherwise disclose information about the record, in a criminal or other proceeding if such disclosure is required by the Constitution of the United States, the constitution of a State, or a Federal or State statute or rule.

''(6) BACKGROUND CHECKS.—On and after the date that is 1 year after the date on which a court orders the expungement of a juvenile record under this section, in the case of a background check for law enforcement employment or for any employment that requires a government security clearance, the person who is the subject of the juvenile record may be required to disclose underlying information from the record.

''(7) DISCLOSURE TO ARMED FORCES.—On and after the date that is 1 year after the date on which a court orders the expungement of a juvenile record under this section, a person, including a law enforcement agency that possessed such a juvenile record, may be required to disclose underlying information from the record to the Secretaries of the military departments (or the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy) for the purpose of vetting an enlistment or commission, or with regard to any member of the Armed Forces.

''(8) AUTHORIZATION FOR PERSON TO DISCLOSE OWN RECORD.—A person who is the subject of a juvenile record expunged under this section may choose to disclose the record.

''(9) TREATMENT AS SEALED RECORD DURING TRANSITION PERIOD.—During the 1-year period beginning on the date on which a court orders the expungement of a juvenile record under this section, paragraphs (3) and (4) of section 5044(c) shall apply with respect to the record as if the record had been sealed under that section.

''(d) LIMITATION RELATING TO SUBSEQUENT INCIDENTS.—

''(1) AFTER FILING AND BEFORE PETITION GRANTED.—If, after the date on which a person files an expungement petition with respect to a juvenile offense and before the court determines whether to grant the petition, the person is convicted of a crime, adjudicated delinquent for an act of juvenile delinquency, or engaged in active criminal court proceedings or juvenile delinquency proceedings, the court shall deny the petition.

''(2) AFTER PETITION GRANTED.—If, on or after the date on which a court orders the expungement of a juvenile record of a person under subsection (b), the person is convicted of a crime, adjudicated delinquent for an act of juvenile delinquency, or engaged in active criminal court proceedings or juvenile delinquency proceedings—

''(A) the court that ordered the expungement shall—

''(i) vacate the order; and

''(ii) notify the person who is the subject of the juvenile record, and each entity or person described in subsection (c)(2)(A), that the order has been vacated; and

''(B) the record—

''(i) shall not be expunged; or

''(ii) if the record has been expunged because 1 year has elapsed since the date of the expungement order, shall not be treated as having been expunged.

''(e) INCLUSION OF STATE JUVENILE DELINQUENCY ADJUDICATIONS AND PROCEEDINGS.—For purposes of subparagraphs (A), (B), and (C)(ix) of subsection (b)(1) and paragraphs (1) and (2) of subsection (d), the term 'juvenile delinquency' includes the violation of a law of a State committed by a person before attaining the age of 18 years which would have been a crime if committed by an adult.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 403 of title 18, United States Code, is amended by adding at the end the following:

''5044. Sealing.
''5045. Expungement.''.

(3) APPLICABILITY.—Sections 5044 and 5045 of title 18, United States Code, as added by paragraph (1), shall apply with respect to a juvenile nonviolent offense (as defined in section 5031 of such title, as amended by subsection (b)) that is committed or alleged to have been committed before, on, or after the date of enactment of this Act.

(e) RULE OF CONSTRUCTION.—Nothing in the amendments made by this section shall be construed to authorize the sealing or expungement of a record of a criminal conviction of a juvenile who was proceeded against as an adult in a district court of the United States.

SEC. 203. ENSURING ACCURACY OF FEDERAL CRIMINAL RECORDS.

(a) IN GENERAL.—Section 534 of title 28, United States Code, is amended by adding at the end the following:

''(g) ENSURING ACCURACY OF FEDERAL CRIMINAL RECORDS.—

''(1) DEFINITIONS.—

''(A) IN GENERAL.—In this subsection—

''(i) the term 'applicant' means the individual to whom a record sought to be exchanged pertains;

''(ii) the term 'high-risk, public trust position' means a position designated as a public trust position under section 731.106(b) of title 5, Code of Federal Regulations, or any successor regulation;

''(iii) the term 'incomplete', with respect to a record, means the record—

''(I) indicates that an individual was arrested but does not describe the offense for which the individual was arrested; or

''(II) indicates that an individual was arrested or criminal proceedings were instituted against an individual but does not include the final disposition of the arrest or of the proceedings if a final disposition has been reached;

''(iv) the term 'record' means a record or other information collected under this section that relates to—

''(I) an arrest by a Federal law enforcement officer; or

''(II) a Federal criminal proceeding;

''(v) the term 'reporting jurisdiction' means any person or entity that provides a record to the Attorney General under this section; and

''(vi) the term 'requesting entity'—

''(I) means a person or entity that seeks the exchange of a record for civil purposes that include employment, housing, credit, or any other type of application; and

''(II) does not include a law enforcement or intelligence agency that seeks the exchange of a record for—

''(aa) investigative purposes; or

''(bb) purposes relating to law enforcement employment.

''(B) RULE OF CONSTRUCTION.—The definition of the term 'requesting entity' under subparagraph (A) shall not be construed to authorize access to records that is not otherwise authorized by law.

''(2) INCOMPLETE OR INACCURATE RECORDS.—The Attorney General shall establish and enforce procedures to ensure the prompt release of accurate records exchanged for employment-related purposes through the records system created under this section.

''(3) REQUIRED PROCEDURES.—The procedures established under paragraph (2) shall include the following:

''(A) INACCURATE RECORD OR INFORMATION.—If the Attorney General determines that a record is inaccurate, the Attorney General shall promptly correct the record, including by making deletions to the record if appropriate.

''(B) INCOMPLETE RECORD.—

''(i) IN GENERAL.—If the Attorney General determines that a record is incomplete or cannot be verified, the Attorney General—

''(I) shall attempt to complete or verify the record; and

''(II) if unable to complete or verify the record, may promptly make any changes or deletions to the record.

''(ii) LACK OF DISPOSITION OF ARREST.—For purposes of this subparagraph, an incomplete record includes a record that indicates there was an arrest and does not include the disposition of the arrest.

''(iii) OBTAINING DISPOSITION OF ARREST.—If the Attorney General determines that a record is an incomplete record described in clause (ii), the Attorney General shall, not later than 10 days after the date on which the requesting entity requests the exchange and before the exchange is made, obtain the disposition (if any) of the arrest.

''(C) NOTIFICATION OF REPORTING JURISDICTION.—The Attorney General shall notify each appropriate reporting jurisdiction of any action taken under subparagraph (A) or (B).

''(D) OPPORTUNITY TO REVIEW RECORDS BY APPLICANT.—In connection with an exchange of a record under this section, the Attorney General shall—

''(i) notify the applicant that the applicant can obtain a copy of the record as described in clause (ii) if the applicant demonstrates a reasonable basis for the applicant's review of the record;

''(ii) provide to the applicant an opportunity, upon request and in accordance with clause (i), to—

''(I) obtain a copy of the record; and

''(II) challenge the accuracy and completeness of the record;

''(iii) promptly notify the requesting entity of any such challenge;

''(iv) not later than 30 days after the date on which the challenge is made, complete an investigation of the challenge;

''(v) provide to the applicant the specific findings and results of that investigation;

''(vi) promptly make any changes or deletions to the records required as a result of the challenge; and

''(vii) report those changes to the requesting entity.

''(E) CERTAIN EXCHANGES PROHIBITED.—

''(i) IN GENERAL.—An exchange shall not include any record—

''(I) except as provided in clause (ii), about an arrest more than 2 years old as of the date of the request for the exchange, that does not also include a disposition (if any) of that arrest;

''(II) relating to an adult or juvenile nonserious offense of the sort described in section 20.32(b) of title 28, Code of Federal Regulations, as in effect on July 1, 2009; or

''(III) to the extent the record is not clearly an arrest or a disposition of an arrest.

''(ii) APPLICANTS FOR SENSITIVE POSITIONS.—The prohibition under clause (i)(I) shall not apply in the case of a background check that relates to—

''(I) law enforcement employment; or

''(II) any position that a Federal agency designates as a—

''(aa) national security position; or

''(bb) high-risk, public trust position.

''(4) FEES.—The Attorney General may collect a reasonable fee for an exchange of records for employment-related purposes through the records system created under this section to defray the costs associated with exchanges for those purposes, including any costs associated with the investigation of inaccurate or incomplete records.''.

(b) REGULATIONS ON REASONABLE PROCEDURES.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall issue regulations to carry out section 534(g) of title 28, United States Code, as added by subsection (a).

(c) REPORT.—

(1) DEFINITION.—In this subsection, the term ''record'' has the meaning given the term in subsection (g) of section 534 of title 28, United States Code, as added by subsection (a).

(2) REPORT REQUIRED.—Not later than 2 years after the date of enactment of this Act, the Attorney General shall submit to Congress a report on the implementation of subsection (g) of section 534 of title 28, United States Code, as added by subsection (a), that includes—

(A) the number of exchanges of records for employment-related purposes made with entities in each State through the records system created under such section 534;

(B) any prolonged failure of a Federal agency to comply with a request by the Attorney General for information about dispositions of arrests; and

(C) the numbers of successful and unsuccessful challenges to the accuracy and completeness of records, organized by the Federal agency from which each record originated.

By Mr. DURBIN (for himself, Mr. BOOZMAN, Mr. INHOFE, Mr. BOOKER, and Mr. CARDIN):

S. 1022. A bill to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

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. 1022

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 ''Increasing American Jobs Through Greater Exports to Africa Act of 2021''.

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Export growth helps United States business grow and create United States jobs. Ninety-eight percent of United States exports came from approximately 300,000 small- and medium-sized businesses supporting 4,000,000 United States jobs.

(2) In a February 5, 2021, message to an African leaders meeting at the African Union Summit, President Joseph R. Biden reaffirmed the United States relationship with African countries as partners in the continent-wide spirit of entrepreneurship and innovation.

(3) Many countries have trade-distorting export promotion programs that aggressively subsidize exports to Africa and other countries around the world. In 2019, there were 115 known official export credit providers around the world, including export credit agencies, up from 85 in 2015—a 35 percent increase from 2015 to 2019. The increasing investment by foreign governments into export credit can threaten competitiveness of United States businesses abroad.

(4) Between 2008 and 2019, the People's Republic of China alone provided more than $462,000,000,000 in loans to the developing world, and, in 2009, the People's Republic of China surpassed the United States as the leading trade partner of African countries. The Export-Import Bank of the United States reports the People's Republic of China's export finance activity is larger than all the other export credit agencies in the Group of 7 countries combined, making the People's Republic of China the world's largest official creditor with a portfolio more than twice the size of the World Bank and International Monetary Fund combined.

(5) The Export-Import Bank of the United States supported $12,400,000,000 worth of transactions to sub-Saharan Africa from 2009 to 2019, while in 2018, the People's Republic of China made up 22 percent of public debt stock, and, in 2020, the People's Republic of China made up 29 percent of debt service in low-income countries in Africa. The People's Republic of China accounts for a quarter or more of all public and publicly guaranteed debt in Angola, Djibouti, Cameroon, the Republic of the Congo, Ethiopia, Kenya, and Zambia.

(6) The practice of the People's Republic of China of concessional financing runs contrary to the principles of the Organisation for Economic Co-operation and Development related to open market rates, undermines naturally competitive rates, and incentivizes governments in Africa to overlook the People's Republic of China's troubling record on labor practices, human rights, and environmental impact.

(7) Sixty percent of Africa's approximately 1,250,000,000 people are under the age of 25, and by the year 2050, one-third of global youth will be in sub-Saharan Africa. By 2030, Africa will have 17 cities with more than 5,000,000 inhabitants, as well as 90 cities with populations of at least 1,000,000. Both are factors contributing to rising household consumption predicted to reach approximately $2,500,000,000,000 by 2030.

(8) When countries such as the People's Republic of China assist with large-scale government projects, they often gain access to valuable commodities such as oil and copper, typically without regard to environmental, human rights, labor, or governance standards.

(b) PURPOSE.—The purpose of this Act is to create jobs in the United States by expanding programs that will result in increasing United States exports to Africa by 200 percent in real dollar value within 10 years.

SEC. 3. DEFINITIONS.

In this Act:

(1) AFRICA.—The term ''Africa'' refers to the entire continent of Africa and its 54 countries, including the Republic of South Sudan.

(2) AFRICAN DIASPORA.—The term ''African diaspora'' means the people of African origin living in the United States, irrespective of their citizenship and nationality, who are willing to contribute to the development of Africa.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Appropriations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on Finance of the Senate; and

(B) the Committee on Appropriations, the Committee on Energy and Commerce, the Committee on Financial Services, the Committee on Foreign Affairs, and the Committee on Ways and Means of the House of Representatives.

(4) DEVELOPMENT AGENCIES.—The term ''development agencies'' includes the United States Department of State, the United States Agency for International Development, the Millennium Challenge Corporation, the United States International Development Finance Corporation, the United States Trade and Development Agency, the United States Department of Agriculture, and relevant multilateral development banks.

(5) MULTILATERAL DEVELOPMENT BANKS.—The term ''multilateral development banks'' has the meaning given that term in section 1701(c)(4) of the International Financial Institutions Act (22 U.S.C. 262r(c)(4)) and includes the African Development Foundation.

(6) SUB-SAHARAN REGION.—The term ''sub-Saharan region'' refers to the 49 countries

listed in section 107 of the African Growth and Opportunity Act (19 U.S.C. 3706).

(7) TRADE POLICY STAFF COMMITTEE.—The term ''Trade Policy Staff Committee'' means the Trade Policy Staff Committee established pursuant to section 2002.2 of title 15, Code of Federal Regulations, which is composed of representatives of Federal agencies in charge of developing and coordinating United States positions on international trade and trade-related investment issues.

(8) TRADE PROMOTION COORDINATING COMMITTEE.—The term ''Trade Promotion Coordinating Committee'' means the Trade Promotion Coordinating Committee established under section 2312 of the Export Enhancement Act of 1988 (15 U.S.C. 4727).

(9) UNITED STATES AND FOREIGN COMMERCIAL SERVICE.—The term ''United States and Foreign Commercial Service'' means the United States and Foreign Commercial Service established by section 2301 of the Export Enhancement Act of 1988 (15 U.S.C. 4721).

SEC. 4. STRATEGY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall establish a comprehensive United States strategy for public and private investment, trade, and development in Africa.

(b) FOCUS OF STRATEGY.—The strategy required by subsection (a) shall focus on—

(1) increasing exports of United States goods and services to Africa by 200 percent in real dollar value within 10 years from the date of the enactment of this Act;

(2) promoting the alignment of United States commercial interests with development priorities in Africa;

(3) developing relationships between the governments of countries in Africa and United States businesses that have an expertise in such issues as critical energy security, infrastructure development, technology, telecommunications, and agriculture;

(4) improving the competitiveness of United States businesses in Africa, including by encouraging the adoption of United States construction codes and product standards, with emphasis on those designated as American National Standards by the American National Standards Institute where applicable;

(5) exploring the role the African diaspora can play in enhancing competitiveness of United States businesses in Africa and ways that African diaspora remittances can help communities in Africa tackle economic, development, and infrastructure financing needs;

(6) promoting economic integration in Africa through working with the subregional economic communities, supporting efforts for deeper integration through the development of customs unions within western and central Africa and within eastern and southern Africa, eliminating time-consuming border formalities into and within these areas, and supporting regionally based infrastructure projects;

(7) encouraging a greater understanding among United States business and financial communities of the opportunities Africa holds for United States exports;

(8) fostering partnership opportunities between United States and African small- and medium-sized enterprises;

(9) supporting African entrepreneurship and private sector development as a means to sustainable economic growth and security; and

(10) monitoring—

(A) market loan rates and the availability of capital for United States business investment in Africa;

(B) loan rates offered by the governments of other countries for investment in Africa; and

(C) the policies of other countries with respect to export financing for investment in Africa that are predatory or distort markets.

(c) CONSULTATIONS.—In developing the strategy required by subsection (a), the President shall consult with—

(1) Congress;

(2) each agency that is a member of the Trade Promotion Coordinating Committee;

(3) the relevant multilateral development banks, in coordination with the Secretary of the Treasury and the respective United States Executive Directors of such banks;

(4) each agency that participates in the Trade Policy Staff Committee;

(5) the President's Export Council;

(6) each of the development agencies;

(7) any other Federal agencies with responsibility for export promotion or financing and development; and

(8) the private sector, including businesses, nongovernmental organizations, and African diaspora groups.

(d) SUBMISSION TO CONGRESS.—

(1) STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to Congress the strategy required by subsection (a).

(2) PROGRESS REPORT.—Not later than 3 years after the date of the enactment of this Act, the President shall submit to Congress a report on the implementation of the strategy required by subsection (a).

(3) CONTENT OF REPORT.—The report required by paragraph (2) shall include an accounting of all current United States Government programs to promote exports to and trade with Africa and to assist United States businesses competing in the African market as well as an assessment of the extent to which the strategy required by subsection (a)—

(A) has been successful in developing critical analyses of policies to increase exports to Africa;

(B) has been successful in increasing the competitiveness of United States businesses in Africa;

(C) has been successful in creating jobs in the United States, including the nature and sustainability of such jobs;

(D) has provided sufficient United States Government support to meet third-country competition in the region;

(E) has been successful in helping the African diaspora in the United States participate in economic growth in Africa;

(F) has been successful in promoting economic integration in Africa;

(G) has encouraged specific policies and programs in Africa that provide a stable, safe, and transparent environment in which business and entrepreneurship can thrive; and

(H) has made a meaningful contribution to the transformation of Africa and its full integration into the 21st century world economy, not only as a supplier of primary products but also as full participant in international supply and distribution chains and as a consumer of international goods and services.

SEC. 5. SPECIAL AFRICA EXPORT STRATEGY COORDINATOR.

The President shall designate an individual to serve as Special Africa Export Strategy Coordinator—

(1) to oversee the development and implementation of the strategy required by section 4; and

(2) to coordinate with the Trade Promotion Coordinating Committee, the Assistant United States Trade Representative for African Affairs, and development agencies with respect to developing and implementing the strategy.

SEC. 6. TRADE MISSION TO AFRICA.

It is the sense of Congress that, not later than 1 year after the date of the enactment of this Act, the Secretary of Commerce and other high-level officials of the United States Government with responsibility for export promotion, financing, and development should conduct a joint trade mission to Africa.

SEC. 7. PERSONNEL.

(a) UNITED STATES AND FOREIGN COMMERCIAL SERVICE.—

(1) IN GENERAL.—The Secretary of Commerce shall ensure that not less than 10 total United States and Foreign Commercial Service officers are assigned to Africa for each of the first 5 fiscal years beginning after the date of the enactment of this Act.

(2) ASSIGNMENT.—The Secretary shall, in consultation with the Trade Promotion Coordinating Committee and the Special Africa Export Strategy Coordinator, assign the United States and Foreign Commercial Service officers described in paragraph (1) to United States embassies or consulates in Africa after conducting a timely resource allocation analysis that represents a forward-looking assessment of future United States trade opportunities in Africa.

(3) MULTILATERAL DEVELOPMENT BANKS.—

(A) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Secretary of Commerce shall, using existing staff, assign not less than 1 full-time United States and Foreign Commercial Service officer to be split between the office of the United States Executive Director at the World Bank and the African Development Bank.

(B) RESPONSIBILITIES.—Each United States and Foreign Commercial Service officer assigned under subparagraph (A) shall be responsible for—

(i) increasing the access of United States businesses to procurement contracts with the multilateral development bank to which the officer is assigned; and

(ii) facilitating the access of United States businesses to risk insurance, equity investments, consulting services, and lending provided by that bank.

(b) EXPORT-IMPORT BANK OF THE UNITED STATES.—Of the amounts collected by the Export-Import Bank that remain after paying the expenses the Bank is authorized to pay from such amounts for administrative expenses, the Bank shall use sufficient funds to do the following:

(1) Increase the number of staff dedicated to expanding business development for Africa, including increasing the number of business development trips the Bank conducts to Africa and the amount of time staff spends in Africa to meet the goals set forth in section 9 and paragraph (5) of section 6(a) of the Export-Import Bank of 1945, as added by section 9(a)(2).

(2) Maintain an appropriate number of employees of the Bank assigned to United States field offices of the Bank to be distributed as geographically appropriate through the United States. Such offices shall coordinate with the related export efforts undertaken by the Small Business Administration regional field offices.

(3) Upgrade the Bank's equipment and software to more expeditiously, effectively, and efficiently process and track applications for financing received by the Bank.

(c) UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION.—

(1) STAFFING.—Of the net offsetting collections collected by the United States International Development Finance Corporation and used for administrative expenses, the

Corporation shall use sufficient funds to increase by not more than 2 the staff needed to promote stable and sustainable economic growth and development in Africa, to strengthen and expand the private sector in Africa, and to facilitate the general economic development of Africa, with a particular focus on helping United States businesses expand into African markets.

(2) REPORT.—The Corporation shall report to the appropriate congressional committees on whether recent technology upgrades have resulted in more effective and efficient processing and tracking of applications for financing received by the Corporation.

(3) CERTAIN COSTS NOT CONSIDERED ADMINISTRATIVE EXPENSES.—For purposes of this subsection, systems infrastructure costs associated with activities authorized by the Better Utilization of Investments Leading to Development Act of 2018 (22 U.S.C. 9601 et seq.) shall not be considered administrative expenses.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as permitting the reduction of personnel of the Department of Commerce, the Department of State, the Export-Import Bank of the United States, or the United States International Development Finance Corporation or the alteration of planned personnel increases in other regions, except where a personnel decrease was previously anticipated or where decreased export opportunities justify personnel reductions.

SEC. 8. TRAINING.

The President shall develop a plan—

(1) to standardize the training received by United States and Foreign Commercial Service officers, economic officers of the Department of State, and economic officers of the United States Agency for International Development with respect to the programs and procedures of the Export-Import Bank of the United States, the United States International Development Finance Corporation, the Small Business Administration, and the United States Trade and Development Agency; and

(2) to ensure that, not later than 1 year after the date of the enactment of this Act—

(A) all United States and Foreign Commercial Service officers that are stationed overseas receive the training described in paragraph (1); and

(B) in the case of a country to which no United States and Foreign Commercial Service officer is assigned, any economic officer of the Department of State stationed in that country receives that training.

SEC. 9. EXPORT-IMPORT BANK FINANCING.

(a) FINANCING FOR PROJECTS IN AFRICA.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that foreign export credit agencies are providing financing in Africa that is not compliant with the Arrangement of the Organisation for Economic Co-operation and Development, which is trade distorting and threatens United States jobs.

(2) IN GENERAL.—Section 6(a) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)) is amended by adding at the end the following:

''(5) PERCENT OF FINANCING TO BE USED FOR PROJECTS IN AFRICA.—The Bank shall, to the extent that there are acceptable final applications, increase the amount it finances to Africa over the prior year's financing for each of the first 5 fiscal years beginning after the date of the enactment of the Increasing American Jobs Through Greater Exports to Africa Act of 2021.''.

(3) REPORT REQUIRED.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for 5 years, the Export-Import Bank of the United States shall submit to the committees specified in subsection (d) a report if the Bank has not used at least 10 percent of its lending capabilities for projects in Africa as described in paragraph (5) of section 6(a) of the Export-Import Bank of 1945, as added by paragraph (2), during the preceding year.

(B) ELEMENTS.—Each report required by subparagraph (A) shall include a description of—

(i) the reasons why the Bank failed to reach the goal described in that subparagraph; and

(ii) all final applications for projects in Africa that the Bank did not support.

(b) AVAILABILITY OF PORTION OF CAPITALIZATION TO COMPETE AGAINST FOREIGN CONCESSIONAL LOANS.—

(1) IN GENERAL.—The Bank shall make available annually such amounts as are necessary for loans that counter trade-distorting financing that is not compliant with the Arrangement of the Organisation for Economic Co-operation and Development or preferential, tied aid, or other related nonmarket loans offered by other countries with which United States businesses are also competing or interested in competing.

(2) REPORT REQUIRED.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for 5 years, the Export-Import Bank shall submit to the committees specified in subsection (d) a report on all loans made or rejected by the Bank during the preceding year that were considered to counter trade-distorting financing that is not compliant with the Arrangement of the Organisation for Economic Co-operation and Development and was offered by other countries to its firms.

(B) INCLUSION.—Each report required by subparagraph (A) shall include a description of the terms of the financing described in that subparagraph offered by other countries to firms that competed against the United States firms.

(c) TRADE SECRETS ACT.—A report required by subsection (a)(3) or subsection (b)(2) may not disclose any information that is confidential or business proprietary, or that would violate section 1905 of title 18, United States Code (commonly referred to as the ''Trade Secrets Act'').

(d) COMMITTEES SPECIFIED.—The committees specified in this subsection are—

(1) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Financial Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SEC. 10. SMALL BUSINESS ADMINISTRATION.

Section 22(b) of the Small Business Act (15 U.S.C. 649(b)) is amended—

(1) in the matter preceding paragraph (1), by striking ''Director of the United States Trade and Development Agency,'' and inserting ''the Director of the United States Trade and Development Agency, the Trade Promotion Coordinating Committee,''; and

(2) in paragraph (3), by inserting ''regional offices of the Export-Import Bank of the United States,'' after ''Retired Executives,''.

SEC. 11. BILATERAL, SUBREGIONAL, AND REGIONAL, AND MULTILATERAL AGREEMENTS.

(a) IN GENERAL.—Where applicable, the President shall explore opportunities to negotiate bilateral, subregional, and regional agreements that encourage trade and eliminate nontariff barriers to trade between countries, such as negotiating investor-friendly double-taxation treaties and investment promotion agreements.

(b) AGREEMENTS WITH AFRICAN COUNTRIES.—To the extent any agreement described in subsection (a) exists between the United States and an African country, the President shall ensure that the agreement is being implemented in a manner that maximizes the positive effects for United States trade, export, and labor interests as well as the economic development of the countries in Africa.

(c) CONSIDERATION OF OBJECTIVES.—United States negotiators in multilateral fora should take into account the objectives of this Act.

By Mr. DURBIN (for himself and Mr. BOOKER):

S. 1023. A bill to provide tax credits to low- to moderate-income individuals for certain computer and education costs, to direct the Federal Communications Commission to modify the requirements for the Lifeline program to provide increased support, and for other purposes; to the Committee on Finance.

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. 1023

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 ''Computer and Internet Access Equity Act''.

SEC. 2. INCREASED LIFELINE SUPPORT.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ''Commission'' means the Federal Communications Commission.

(2) TERMS DEFINED IN REGULATIONS.—The terms defined in section 54.400 of title 47, Code of Federal Regulations (or any successor regulation), have the meanings given those terms in that section.

(b) REGULATIONS.—Not later than 14 days after the date of enactment of this Act, the Commission shall promulgate regulations to modify the requirements for the Lifeline program set forth in subpart E of part 54 of title 47, Code of Federal Regulations (as in effect on the date of enactment of this Act) to provide for the following:

(1) The amount of Lifeline support that a provider of Lifeline service may receive for providing such service to each qualifying low-income consumer shall be increased by the lesser of—

(A) $83.33 per month; or

(B) the amount needed to make the amount of Lifeline support received by the provider equal to the cost of providing such service, except that such cost may not exceed the cost to the provider of providing an equivalent level of voice telephony service or broadband internet access service (as applicable) to a consumer who does not receive Lifeline service.

(2) The percentage of the Federal Poverty Guidelines (as specified in section 54.409(a)(1) of title 47, Code of Federal Regulations) at or below which a consumer's household income must be in order for the consumer to constitute a qualifying low-income consumer on the basis of income shall be increased to 435 percent.

(3) A provider of broadband internet access service shall not be required to be designated as an eligible telecommunications carrier under section 214(e) of the Communications Act of 1934 (47 U.S.C. 214(e)) in order to receive Lifeline support for providing such service to a qualifying low-income consumer.

(c) DURATION.—The modifications made by the regulations promulgated under subsection (b) shall cease to have any force or effect on the date that is 12 years after the date on which the regulations are promulgated.

(d) CONSUMER PROTECTIONS.—

(1) IN GENERAL.—A provider of broadband internet access service that receives Lifeline support for providing such service to a qualified low-income consumer—

(A) shall provide such service to the consumer at a minimum speed of 25 megabits per second for downloads and 3 megabits per second for uploads, which minimum speed shall be reevaluated and, if appropriate, increased by the Commission not less frequently than once every 3 years;

(B) shall provide a level of customer service to the consumer that is comparable to the customer service that the provider provides to consumers of broadband internet access service who do not receive Lifeline service;

(C) shall offer such service to each qualified low-income consumer in the designated service area of the provider; and

(D)(i) shall advertise the availability of such service and the charges therefore using media of general distribution throughout the designated service area of the provider to increase awareness among consumers (including non-English speaking consumers) that they may be eligible for such service; and

(ii) may partner with State agencies responsible for the provision of social assistance and service programs in conducting advertising under clause (i).

(2) DESIGNATED SERVICE AREA.—A State commission or the Commission, as applicable, shall establish a designated service area for a provider of broadband internet access service described in paragraph (1) for purposes of that paragraph in the same manner as the State commission or Commission establishes a designated service area for a common carrier under paragraph (5) or (6), as applicable, of section 214(e) of the Communications Act of 1934 (47 U.S.C. 214(e)).

SEC. 3. INTERNET EDUCATION AND TRAINING GRANT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ''Commission'' means the Federal Communications Commission.

(2) COMMUNITY-BASED ORGANIZATION.—The term ''community-based organization'' has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

(3) DIGITAL LITERACY.—The term ''digital literacy'' means the skills associated with using technology.

(4) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a nonprofit organization;

(B) a not-for-profit social welfare organization; or

(C) a community-based organization.

(5) FEDERAL POVERTY GUIDELINES.—The term ''Federal Poverty Guidelines'' means the Federal Poverty Guidelines used for purposes of section 54.409(a)(1) of title 47, Code of Federal Regulations (or any successor regulation).

(6) HOUSEHOLD.—The term ''household'' has the meaning given the term in section 54.400 of title 47, Code of Federal Regulations (or any successor regulation).

(7) INCOME.—The term ''income'' has the meaning given the term in section 54.400 of title 47, Code of Federal Regulations (or any successor regulation).

(8) NONPROFIT ORGANIZATION.—The term ''nonprofit organization'' means an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(9) NOT-FOR-PROFIT SOCIAL WELFARE ORGANIZATION.—The term ''not-for-profit social welfare organization'' means an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(b) GRANTS AUTHORIZED.—Not later than 100 days after the date of enactment of this Act, the Commission shall establish a program to make grants on a competitive basis to eligible entities to develop and carry out an internet safety education or training program.

(c) APPLICATIONS.—An eligible entity that wishes to receive a grant under this section shall submit to the Commission an application at such time, in such manner, and containing such information as the Commission may require.

(d) USE OF FUNDS.—An eligible entity that receives a grant under this section shall use grant funds to—

(1) develop a program to provide internet education and training, which may address cyberbullying, online privacy, cybersecurity, and digital literacy, to individuals living in households with an income at or below 435 percent of the Federal Poverty Guidelines for households of the applicable size; and

(2) provide such education or training to such individuals through such program.

(e) REPORTS.—

(1) REPORTS TO COMMISSION.—Not later than 3 years after the date on which an eligible entity receives a grant under this section, the eligible entity shall publish and submit to the Commission a report that—

(A) describes the use of the grant by the eligible entity, including the number of individuals served by the eligible entity using grant funds;

(B) describes the progress of the eligible entity toward fulfilling the objectives for which the grant was awarded; and

(C) includes any additional information required by the Commission.

(2) REPORT TO CONGRESS.—Not later than 5 years after the date of enactment of this Act, the Commission shall publish and submit to Congress a report that—

(A) summarizes the data from the reports that the Commission has received under paragraph (1); and

(B) assesses the effectiveness and cost-effectiveness of the grant program established under this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 4. CREDIT FOR COMPUTER COSTS.

(a) IN GENERAL.—Subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 36B the following new section:

''SEC. 36C. CREDIT FOR COMPUTER COSTS.

''(a) IN GENERAL.—In the case of an eligible individual, there shall be allowed as a credit against the tax imposed by this subtitle for the taxable year an amount equal the lesser of—

''(1) the amount of qualified computer costs paid or incurred by the taxpayer during such taxable year,

''(2) $2,000 ($4,000 in the case of a joint return), or

''(3) an amount equal to $10,000 ($20,000 in the case of a joint return) minus the sum of any credits allowed to the taxpayer under this section for any preceding taxable year.

''(b) QUALIFIED COMPUTER COSTS.—For purposes of this section, the term 'qualified computer costs' means amounts paid or incurred for computers, printers, and other education-related technology.

''(c) LIMITATION BASED ON ADJUSTED GROSS INCOME.—With respect to any taxable year, the $2,000 amount (or, in the case of a joint return, $4,000 amount) in subsection (a)(2) shall be reduced by an amount equal to 5 percent of so much of the taxpayer's adjusted gross income for such taxable year as exceeds—

''(1) $72,000 in the case of a joint return,

''(2) $54,000 in the case of a head of household, and

''(3) $36,000 in the case of a taxpayer not described in paragraph (1) or (2).

''(d) ELIGIBLE INDIVIDUAL.—The term 'eligible individual' means any individual other than—

''(1) any nonresident alien individual,

''(2) any individual with respect to whom a deduction under section 151 is allowable to another taxpayer for a taxable year beginning in the calendar year in which the individual's taxable year begins, and

''(3) an estate or trust.

''(e) APPLICATION OF SECTION.—This section shall only apply to qualified computer costs incurred by the taxpayer after December 31, 2020, and before January 1, 2033.''.

(b) ADVANCE PAYMENT OF CREDIT.—

(1) IN GENERAL.—Chapter 77 of the Internal Revenue Code of 1986, as amended by section 9611(b) of the American Rescue Plan Act of 2021 (Public Law 117-2), is amended by inserting after section 7527A the following new section:

''SEC. 7527B. ADVANCE PAYMENT OF CREDIT FOR COMPUTER COSTS.

''(a) IN GENERAL.—As soon as practicable after the date of the enactment of this section, the Secretary shall establish a program for making advance payments of the credit allowed under section 36C (determined without regard to subsection (e) of such section), on such basis as the Secretary determines to be administratively feasible, to taxpayers determined to be eligible for advance payment of such credit.

''(b) LIMITATION.—

''(1) IN GENERAL.—The Secretary may make payments under subsection (a) only to the extent that the total amount of such payments made to any taxpayer during the taxable year does not exceed the amount of the credit determined under subsection (a) of section 36C, as determined based on application of subsection (c) of such section using the adjusted gross income of the taxpayer for the most recent taxable year for which a return has been filed during any of the preceding 3 taxable years.

''(2) NON-FILERS.—In the case of any taxpayer who has not filed a return during the period described in paragraph (1), such paragraph shall be applied without regard to subsection (c) of section 36C.''.

(2) RECONCILIATION OF CREDIT AND ADVANCE CREDIT.—Section 36C of such Code, as added by subsection (a), is amended—

(A) by redesignating subsection (e) as subsection (f); and

(B) by inserting after subsection (d) the following new subsection:

''(e) RECONCILIATION OF CREDIT AND ADVANCE CREDIT.—

''(1) IN GENERAL.—The amount of the credit allowed under this section for any taxable year shall be reduced (but not below zero) by the aggregate amount of any advance payments of such credit under section 7527B for such taxable year.

''(2) EXCESS ADVANCE PAYMENTS.—

''(A) IN GENERAL.—If the aggregate amount of advance payments under section 7527B for the taxable year exceeds the amount of the credit allowed under this section for such taxable year (determined without regard to paragraph (1)), the tax imposed by this chapter for such taxable year shall be increased by the amount of such excess.

''(B) RETURN REQUIREMENT.—If the tax imposed by this chapter for the taxable year is

increased under this paragraph, the taxpayer shall, notwithstanding section 6012, be required to file a return with respect to the taxes imposed under this subtitle.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 6211(b)(4)(A) of the Internal Revenue Code of 1986 is amended—

(A) by inserting ''36C,'' after ''36B,'', and

(B) by striking ''and 7527A'' and inserting ''7527A, and 7527B''.

(2) Paragraph (2) of section 1324(b) of title 31, United States Code, is amended—

(A) by inserting ''36C,'' after ''36B,'', and

(B) by striking ''or 7527A'' and inserting ''7527A, or 7527B''.

(3) The table of sections for subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 36B the following new item:

''Sec. 36C. Credit for Computer Costs.''.

(4) The table of sections for chapter 77 of such Code is amended by inserting after the item relating to section 7527A the following new item:

''Sec. 7527B. Advance payment of credit for computer costs.''.

(d) PUBLIC AWARENESS CAMPAIGN.—The Secretary of the Treasury (or the Secretary's delegate) shall conduct a public awareness campaign, in coordination with the Commissioner of Social Security, the Secretary of Veterans Affairs, and the heads of other relevant Federal and State agencies, to provide information to the public (including non-English speaking populations) regarding the availability of the credit allowed under section 36C of the Internal Revenue Code of 1986 and advance payment of such credit pursuant to section 7527B of such Code (as added by this section).

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to costs incurred in taxable years beginning after December 31, 2020.

By Mr. THUNE (for himself, Mrs. SHAHEEN, and Mrs. FISCHER):

S. 1058. A bill to amend the Small Business Investment Act of 1958 to provide opportunities to rural business investment companies, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Mr. THUNE. 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. 1058

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 ''Rural Capital Access Act''.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term ''Administration'' means the Small Business Administration;

(2) the term ''Administrator'' means the Administrator of the Administration;

(3) the term ''appropriate committees of Congress'' means—

(A) the Committee on Small Business and Entrepreneurship of the Senate;

(B) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(C) the Committee on Small Business of the House of Representatives; and

(D) the Committee on Agriculture of the House of Representatives;

(4) the term ''rural business investment company'' has the meaning given the term in section 384A of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc);

(5) the term ''Secretary'' means the Secretary of Agriculture; and

(6) the term ''working group'' means the interagency working group established under section 4(a).

SEC. 3. RURAL BUSINESS INVESTMENT.

(a) IN GENERAL.—The Small Business Investment Act of 1958 (15 U.S.C. 661 et seq.) is amended—

(1) in part A of title III (15 U.S.C. 681 et seq.)—

(A) in section 303(b)(2) (15 U.S.C. 683(b)(2)), by adding at the end the following:

''(E) INVESTMENTS IN RURAL AREAS.—

''(i) DEFINITION.—In this subparagraph, the term 'rural area' has the meaning given the term in section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)).

''(ii) ADDITIONAL LEVERAGE.—

''(I) IN GENERAL.—In calculating the outstanding leverage of a company for the purposes of subparagraph (A), the Administrator shall not include the amount of the cost basis of any equity investment made by the company in a smaller enterprise located in a rural area if the Administrator, after performing an appropriate evaluation, determines that such an exclusion will not result in additional risk to the Administration or the Federal Government.

''(II) LIMITATION.—The amount excluded under subclause (I) for a company shall not exceed $25,000,000 in any fiscal year.'';

(B) in section 308(g)(3) (15 U.S.C. 687(g)(3))—

(i) in subparagraph (D), by striking ''and'' at the end;

(ii) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(F) the total number of rural business investment companies, as defined in section 321(a), that received leverage from the Administration under section 321 in the previous year, including the amount of that leverage that each such rural business investment company received.'';

(C) in section 310(d)(1)(A) (15 U.S.C. 687b(d)(1)(A)), by inserting ''(including each rural business investment company that receives leverage under section 321)'' after ''Each licensee''; and

(D) by adding at the end the following:

''SEC. 321. RURAL BUSINESS INVESTMENT COMPANIES.

''(a) DEFINITIONS.—In this section—

''(1) the term 'covered amounts' means, with respect to a fiscal year, the amounts made available for that fiscal year to grant leverage under this part to small business investment companies;

''(2) the term 'rural business investment company' has the meaning given the term in section 384A of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc); and

''(3) the term 'Secretary' means the Secretary of Agriculture.

''(b) LEVERAGE.—

''(1) IN GENERAL.—Subject to paragraph (2), if the Administration determines under subsection (c) that the Administration will be unable to expend all of the covered amounts for a particular fiscal year, the Administration shall expend those unexpended covered amounts for that fiscal year to grant leverage to rural business investment companies for the purposes described in this part if, with respect to that fiscal year, the Secretary determines that the Secretary is unable to grant leverage to rural business investment companies in a manner that is sufficient to satisfy the leverage needs of those rural business investment companies.

''(2) CONDITIONS.—With respect to leverage granted by the Administration to a rural business investment company under paragraph (1)—

''(A) the amount of the leverage made available shall be subject to the limitations under section 303(b)(2);

''(B) for the purposes of subparagraph (A), any leverage granted by the Secretary to the rural business investment company under the program carried out under subtitle H of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc et seq.) shall be included when determining the maximum amount of outstanding leverage that may be made available to the rural business investment company under this section; and

''(C) the Administration, in consultation with the Secretary, shall—

''(i) impose such terms and conditions with respect to the leverage that the Administration and the Secretary determine to be appropriate; and

''(ii) in developing the terms and conditions described in clause (i)—

''(I) ensure, to the maximum extent practicable, that those terms and conditions are not—

''(aa) duplicative of other requirements applicable to rural business investment companies; or

''(bb) otherwise unnecessary; and

''(II) take into consideration how rural business investment companies that have been issued a license by the Secretary under section 384D(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc–3(e)) before the date of enactment of this section could qualify to receive that leverage.

''(c) INTERNAL EVALUATION.—Not later than June 1 of each year, the Administration shall perform an evaluation to determine whether the Administration will be unable to expend all of the covered amounts for the fiscal year in which the evaluation is made.''; and

(2) in section 503(g) (15 U.S.C. 697(g)), by inserting '', and with respect to leverage granted under section 321,'' after ''retained by the Administration under this section''.

(b) SBA REQUIREMENTS.—

(1) ESTABLISHMENT OF APPLICATION PROCESS.—Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with the Secretary, shall establish a process through which a rural business investment company may apply for leverage granted under section 321 of the Small Business Investment Act of 1958, as added by subsection (a) of this section.

(2) UPDATE TO RULES.—Not later than 180 days after the date of enactment of this Act, and in addition to the process established under paragraph (1), the Administrator shall make any updates to the rules of the Administration that are necessary as a result of this section and the amendments made by this section.

SEC. 4. INTERAGENCY WORKING GROUP.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with the Secretary, shall establish an interagency working group to develop—

(1) administrative recommendations for improving the coordination between the Administration and the Department of Agriculture in administering the program carried out under part A of title III of the Small Business Investment Act of 1958 (15 U.S.C. 681 et seq.) and the program carried out under subtitle H of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc et seq.), respectively; and

(2) legislative recommendations for improving capital access and investment in rural areas of the United States through the programs described in paragraph (1), including by increasing the number of licensees under those programs.

(b) MEMBERS.—

(1) IN GENERAL.—The Administrator, in consultation with the Secretary, shall appoint to the working group such representatives from the Administration and the Department of Agriculture, and such non-Federal industry stakeholders, as the Administrator, in consultation with the Secretary, determines to be appropriate.

(2) COMPENSATION.—No member of the working group may receive any compensation by reason of the service of the member on the working group.

(c) REPORT TO CONGRESS.—Not later than 180 days after the date on which the working group is established under subsection (a), the working group shall submit to the appropriate committees of Congress a report that contains—

(1) the administrative actions that the Administration and the Department of Agriculture should take to make the improvements described in paragraph (1) of that subsection; and

(2) the legislative recommendations described in paragraph (2) of that subsection.

(d) TERMINATION.—The working group shall terminate upon submission of the report required under subsection (c).

(e) IMPLEMENTATION OF RECOMMENDATIONS.—Not later than 90 days after the date on which the working group submits the report required under subsection (c), the Administration and the Department of Agriculture shall take the administrative actions described in paragraph (1) of that subsection.

(f) INAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply with respect to the working group or the activities of the working group.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 136—RECOGNIZING THE DUTY OF THE SENATE TO ABANDON MODERN MONETARY THEORY AND RECOGNIZING THAT THE ACCEPTANCE OF MODERN MONETARY THEORY WOULD LEAD TO HIGHER DEFICITS AND HIGHER INFLATION

Mr. BRAUN (for himself, Ms. ERNST, and Mr. TILLIS) submitted the following resolution; which was referred to the Committee on Banking, Housing, and Urban Affairs:

S. RES. 136

Whereas noted economists from across the political spectrum have warned that the implementation of Modern Monetary Theory (referred to in this preamble as ''MMT'') would pose a clear danger to the economy of the United States;

Whereas, in July 2019, Zach Moller, deputy director of the economic program at Third Way, wrote in a memo the problems associated with MMT, including that—

(1) ''Under an MMT regime, policymakers would need to respond to inflation by doing two of the most unpopular things ever: raising taxes and cutting spending. . . . We can easily imagine divided government's paralysis to fight inflation: Republicans refusing to raise taxes and Democrats refusing to cut spending.'';

(2) MMT ''ends our central non-political economic manager'' and ''markets trust the Federal Reserve and, as a result, businesses and individuals have well-anchored inflation expectations. . . . To solve the challenges higher interest rates create, including a possible interest financing spiral, MMT generally says that the Fed will be tasked with keeping interest rates low by making the Federal government, through the Fed, the consistent (if not the primary) purchaser of bonds. This is a different mission for the Fed than it has now. The Fed would no longer be tasked with intervening to keep prices stable because it would be too busy buying bonds. Bond purchases by the Fed generally increase inflation. Thus, the Fed would no longer be an independent manager of the economy.''; and

(3) MMT ''destroys foreign confidence in America's finances. . . . Holders of U.S. debt (in the form of treasuries) expect stability in value, a return from their investments, and the ability to be paid back. MMT blows that up. Bondholders would no longer be assured a return on their investment, and it will no longer be as desirable for our creditors to hold U.S. debt.'';

Whereas, on May 17, 2019, Joel Griffith, a research fellow at The Heritage Foundation, wrote in an article entitled ''The Absurdity of Modern Monetary Theory'' the following: ''There is no free lunch. We will pay either through the visible burden of direct taxation, the hidden tax of inflation, or higher borrowing costs (as the government competes with businesses for available capital). Such realities might not make for a great stump speech, but facing them squarely now can save us a lot of headaches down the road.'';

Whereas, on March 25, 2019, Janet Yellen, former Chair of the Board of Governors of the Federal Reserve System, disagreed with those individuals promoting MMT who suggest that ''you don't have to worry about interest-rate payments because the central bank can buy the debt'', stating: ''That's a very wrong-minded theory because that's how you get hyper-inflation.'';

Whereas former Secretary of the Treasury and Director of the National Economic Council Lawrence H. Summers—

(1) on March 5, 2019, wrote in an opinion piece in the Washington Post entitled ''The left's embrace of modern monetary theory is a recipe for disaster'' that, ''contrary to the claims of modern monetary theorists, it is not true that governments can simply create new money to pay all liabilities coming due and avoid default. As the experience of any number of emerging markets demonstrates, past a certain point, this approach leads to hyperinflation.''; and

(2) on March 4, 2019, said that—

(A) MMT is fallacious at multiple levels;

(B) past a certain point, MMT leads to hyperinflation; and

(C) a policy of relying on a central bank to finance government deficits, as advocated by MMT theorists, would likely result in a collapsing exchange rate;

Whereas, on February 26, 2019, Jerome Powell, Chair of the Board of Governors of the Federal Reserve System, stated: ''The idea that deficits don't matter for countries that can borrow in their own currency I think is just wrong.'';

Whereas, on February 24, 2019, Matt Bruenig, founder of the People's Policy Project, wrote in an article entitled ''What's the Point of Modern Monetary Theory'' that ''the real point of MMT seems to be to deploy misleading rhetoric with the goal of deceiving people about the necessity of taxes in a social democratic system. If successful, these word games might loosen up fiscal and monetary policy a bit in the short term. But insofar as getting government spending permanently up to 50 percent of GDP really will require substantially more taxes in the medium and long term.'';

Whereas, on February 21, 2019, Doug Henwood, a journalist and economic analyst, wrote in an article in Jacobin entitled ''Modern Monetary Theory Isn't Helping'' that ''MMT's lack of interest in the relationship between money and the real economy causes adherents to overlook the connection between taxing, spending, and the allocation of resources'';

Whereas, on January 28, 2019, in a question and answer session with James Pethokoukis of AEIdeas, Stan Veuger, visiting lecturer of economics at Harvard University, stated that, ''if you take MMTers at their word in the most aggressive sense, then what you would see is a massive debt finance expansion of the welfare state with Medicare for All, with a jobs guarantee, and with concerns about inflation being deferred entirely to elected officials who would have to raise taxes to keep it under control. I think in a scenario like that, we do run a risk of going back to the 1970s pre-Volker style macroeconomics and I think that would be bad.'';

Whereas, on January 17, 2019, Michael Strain, Director of Economic Policy Studies at AEI, wrote in an opinion article in Bloomberg entitled ''Modern Monetary Theory Is a Joke That's Not Funny'' that ''if you thought from the start that the whole idea sounded like lunacy, you were right, even if it's possible to admit some sliver of sympathy for it'';

Whereas Paul Krugman, winner of the 2008 Nobel Memorial Prize in Economic Sciences—

(1) on March 1, 2019, posted on Twitter a point-by-point rebuttal to an article entitled ''The Deficit Myth: Modern Monetary Theory and the Birth of the People's Economy'' by Stephanie Kelton, which concluded with Krugman tweeting that—

(A) ''Sorry, but this is just a mess. Kelton's response misrepresents standard macroeconomics, my own views, the effects of interest rates, and the process of money creation.'';

(B) ''Otherwise I guess it's all fine.''; and

(C) ''See what I mean about Calvinball?''; and

(2) on February 12, 2019, wrote in an opinion piece in the New York Times the following: ''And debt can't go to infinity—it can't exceed total wealth, and in fact as debt gets ever higher people will demand ever-increasing returns to hold it. So at some point the government would be forced to run large enough primary (non-interest) surpluses to limit debt growth.'';

Whereas, on November 15, 2019, Jason Fichtner and Kody Carmody of the Bipartisan Policy Center wrote in a report entitled ''Does the National Debt Matter? A Look at Modern Monetary Theory, or MMT'' that—

(1) ''deficits do have a role to play in public finance'' but, ''as interest rates rise, some private-sector projects no longer make financial sense and are forgone. Crowding out private investment ultimately leads to a misallocation of resources away from their most economically productive use, hampering economic growth. . . . The more we borrow today, the more expensive it will be to continue borrowing in the future. At some point, debt has to be paid back. There is no free lunch.'';

(2) ''MMT underestimates other downside risks of debt'' and ''MMT advocates note that inflation is the only restraint on debt-financed spending. This leads some to conclude that under the theory of MMT, debt is not a concern, as governments can simply print more money to pay off debt. Such a theory is roundly rejected by academic economists on both sides of the political spectrum.'';

(3) printing money has costs, including a ''loss of credibility for the government'', an ''inflation risk'', and exacerbating ''exchange rates'';

(4) ''MMT assumes away politics'' and puts ''the onus of inflation control on Congress, the institution that lately seems worst-equipped to handle it. The Federal Reserve—which has spent a long time building extensive credibility in its commitment to fight inflation—would be largely sidelined.'';

(5) ''even MMT admits that deficits and debt matter'', noting that Stephanie Kelton has stated: ''I would never take the position that we ought to move forward, passing legislation with no offsets, to do Green New Deals, and Jobs Guarantees, and Medicare for All. In the end, MMT's arguments largely boil down to a disagreement over how much room there is to borrow without accelerating inflation.''; and

(6) it is ''hard to pin MMT down on anything at all'' due, in large part, to the fact that ''prominent supporters of MMT have taken vague, sometimes contradictory positions: When politicians make claims about paying for the Green New Deal through MMT, stay silent, and when economists criticize this view, claim you are being misunderstood.'';

Whereas the March 2019 report entitled ''How Reliable is Modern Monetary Theory as a Guide to Policy?'' by Scott Sumner and Patrick Horan of the Mercatus Center at George Mason University found that—

(1) MMT—

(A) has a flawed model of inflation, which overestimates the importance of economic slack;

(B) overestimates the revenue that can be earned from the creation of money;

(C) overestimates the potency of fiscal policy, while underestimating the effectiveness of monetary policy;

(D) overestimates the ability of fiscal authorities to control inflation; and

(E) contains too few safeguards against the risks of excessive public debt; and

(2) an MMT agenda of having fiscal authorities manage monetary policy would run the risk of—

(A) very high debts;

(B) very high inflation; or

(C) very high debts and very high inflation, each of which may be very harmful to the broader economy;

Whereas the January 2020 working paper entitled ''A Skeptic's Guide to Modern Monetary Theory'' by N. Gregory Mankiw stated: ''Put simply, MMT contains some kernels of truth, but its most novel policy prescriptions do not follow cogently from its premises.'';

Whereas the January 2019 report entitled ''Modern Monetary Theory and Policy'' by Stan Veuger of the American Enterprise Institute warned that ''hyperinflation becomes a real risk'' when a government attempts to pay for massive spending by printing money; and

Whereas the September 2018 report entitled ''On Empty Purses and MMT Rhetoric'' by George Selgin of the Cato Institute warned that—

(1) when it comes to the ability of Congress to rely on the Treasury to cover expenditures, Congress is, in 1 crucial respect, more constrained than an ordinary household or business is when that household or business relies on a bank to cover expenditures because, if Congress is to avoid running out of money, Congress cannot write checks in amounts exceeding the balances in the general account of the Treasury; and

(2) MMT theorists succeed in turning otherwise banal truths about the workings of contemporary monetary systems into novel policy pronouncements that, although tantalizing, are false: Now, therefore, be it

Resolved, That the Senate—

(1) realizes that large deficits are unsustainable, irresponsible, and dangerous; and

(2) recognizes—

(A) that the acceptance of Modern Monetary Theory would lead to higher deficits and higher inflation; and

(B) the duty of the Senate to abandon Modern Monetary Theory in favor of mainstream fiscal and monetary frameworks.

SENATE RESOLUTION 137—SUPPORTING THE GOALS OF WORLD TUBERCULOSIS DAY TO RAISE AWARENESS ABOUT TUBERCULOSIS

Mr. BROWN (for himself and Mr. SULLIVAN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 137

Whereas, in 2019, nearly ¼ of the global population was infected with the tuberculosis bacterium (referred to in this preamble as ''TB'');

Whereas the World Health Organization (referred to in this preamble as the ''WHO'') estimates that 10,000,000 people developed TB in 2019, 8.2 percent of whom were also infected with the human immunodeficiency virus (referred to in this preamble as ''HIV'');

Whereas, in 2019, TB killed an estimated 1,408,000 people, causing more deaths worldwide than any other single infectious agent;

Whereas, globally in 2019, an estimated 1,200,000 children developed TB, and in 2017, 230,000 children died of TB;

Whereas ⅔ of new TB infections in 2019 occurred in 8 countries: India, Indonesia, China, the Philippines, Pakistan, Nigeria, Bangladesh, and South Africa;

Whereas TB is a leading killer of people infected with HIV, and 208,000 people with HIV died of TB in 2019;

Whereas vulnerable populations also at high risk for developing TB include individuals who are pregnant and newborns;

Whereas, in 2018, TB was one of the 6 leading causes of death among adult women between the ages of 15 and 49 in low-income countries;

Whereas, in some settings, women with TB can face stigma, discrimination, and ostracization by their families and communities;

Whereas the global TB epidemic and the spread of drug-resistant TB present a persistent public health threat to the United States because the disease does not recognize borders;

Whereas antibiotic-resistant pathogens are a growing problem worldwide, and drug-resistant TB can occur when the drugs used to treat TB are mismanaged or not made consistently accessible;

Whereas studies have demonstrated direct person-to-person transmission of drug-resistant TB;

Whereas multi-drug resistant TB (referred to in this preamble as ''MDR–TB'') is caused by bacteria with resistance to rifampin and isoniazid, the 2 most potent treatments for TB infection;

Whereas, in 2019, according to the 2020 WHO Global Tuberculosis Report, an estimated 3.3 percent of all new TB cases and 18 percent of previously treated cases were MDR–TB or rifampin-resistant TB;

Whereas, in 2019, an estimated 465,000 people around the world developed MDR–TB or rifampin-resistant TB, yet only approximately 38 percent of those individuals were identified and treated;

Whereas extensively drug-resistant TB (referred to in this preamble as ''XDR–TB'') is a rare type of TB that is resistant to nearly all medicines, and therefore can be very difficult and expensive to treat, especially among patients with HIV;

Whereas, in 2019, every WHO region reported XDR–TB cases;

Whereas, in 2019, the Centers for Disease Control and Prevention (referred to in this preamble as ''CDC'') estimated that the average cost of treating a single patient with MDR–TB in the United States was $178,000, and the average cost of treating a patient with XDR–TB was even higher at $553,000, compared with $20,000 to treat a patient with drug-susceptible TB;

Whereas, between 2005 and 2007, according to an analysis by CDC, MDR–TB and XDR–TB cases in the United States collectively cost the health care system an estimated $53,000,000;

Whereas CDC estimates that costs resulting from all forms of TB in the United States totaled more than $608,000,000 in 2019;

Whereas, in a 2000 report, the Institute of Medicine found that a decrease in TB control funding and the spread of HIV and acquired immune deficiency syndrome (commonly referred to as ''AIDS'') caused a resurgence of TB in the late 1980s and early 1990s;

Whereas a total of 8,916 TB cases were reported in the United States in 2019, representing all 50 States and the District of Columbia, and up to 13,000,000 people in the United States are estimated to be living with latent TB infection;

Whereas 75 percent of States have reported an increase in the proportion of complex cases of TB in recent years due to factors such as homelessness, HIV infection, drug resistance, substance abuse, refugee status, and other factors;

Whereas the rate of TB disease in African Americans is 8 times higher than the rate of disease in White, non-Hispanic Americans, and significant disparities exist among other minorities in the United States, including Asian Americans, Hispanic Americans, and Native Americans and Alaska Natives, with approximately 88 percent of all reported TB cases in the United States in 2019 occurring in racial or ethnic minorities;

Whereas smoking—

(1) greatly increases the risks of contracting TB and infection recurrence; and

(2) impairs therapeutic efficacy;

Whereas diabetes is a major risk factor for TB, and people with diabetes are more likely to develop and succumb to TB;

Whereas bedaquiline is an antibiotic that boosts an MDR–TB patient's chance of survival from approximately 50 percent to as much as 80 percent, and through a public-private partnership, the United States Agency for International Development (referred to in this preamble as ''USAID'') provided approximately 105,000 treatments in 110 eligible countries from 2015 through 2019;

Whereas Bacillus Calmette-Guerin, a TB vaccine that is known as ''BCG'', provides some protection to infants and young children against serious forms of childhood TB but has had little epidemiologic impact on controlling TB worldwide;

Whereas there is a critical need for new drugs, diagnostics, and vaccines for controlling the global TB epidemic;

Whereas, in September 2018, the United Nations held the first high-level meeting on TB in which 120 countries, including the United States, signed a political declaration committing to accelerating the TB response, including by increasing funding for TB control programs and research and development efforts, with the goal of reaching all affected people with TB prevention and care;

Whereas the enactment of the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008 (Public Law 110–293; 122 Stat. 2918), and the

Comprehensive Tuberculosis Elimination Act of 2008 (Public Law 110–392; 122 Stat. 4195) led to a historic United States commitment to support the global eradication of TB, including a commitment to treat 4,500,000 TB patients and 90,000 MDR–TB patients between 2009 and 2013 and to provide additional treatment through coordinated multilateral efforts;

Whereas USAID—

(1) provides technical assistance to 55 countries and implements bilateral programs in 23 high-burden TB countries that—

(A) build capacity; and

(B) support the adoption of state-of-the-art TB-related technologies;

(2) supports the development of new diagnostic and treatment tools; and

(3) supports research to develop new vaccines and other new methods to combat TB;

Whereas, in 2018, USAID launched—

(1) a new business model entitled ''Global Accelerator to End Tuberculosis'' to accelerate progress and build capacity with respect to TB prevention and treatment; and

(2) a new mechanism to directly support local organizations in priority countries;

Whereas TB incidence in the countries that receive bilateral TB funding from the United States through USAID has decreased by more than 29 percent since 2000;

Whereas, according to the Copenhagen Consensus Center, TB prevention programs return $56 for each dollar invested, which is one of the highest returns on investment of any health intervention;

Whereas CDC, in partnership with other entities of the United States and individual States and territories—

(1) directs the national TB elimination program;

(2) coordinates TB surveillance, technical assistance, and prevention activities; and

(3) helps to support the development of new diagnostic, treatment, and prevention tools to combat TB;

Whereas the National Institutes of Health, through its many institutes and centers, plays the leading role in basic and clinical research on the identification, treatment, and prevention of TB;

Whereas the Global Fund to Fight AIDS, Tuberculosis and Malaria (referred to in this preamble as the ''Global Fund''), to which the United States is a top financial donor, provides more than 73 percent of all international financing for TB programs;

Whereas, in 2019, Global Fund-supported programs detected and treated more than 5,700,000 cases of TB;

Whereas the coronavirus disease 2019 (COVID–19) pandemic and mitigation efforts put in place as a result of the pandemic have taken a devastating toll on countries with the highest burden of TB disease and on the global TB response, threatening to reverse up to 8 years of progress fighting the disease;

Whereas, in 2020, in the 23 high-burden TB countries in which USAID implements bilateral programs, 1,000,000 fewer people with TB had access to diagnosis and treatment, a 23 percent decline from 2019;

Whereas, between 2020 and 2025, global projections estimate that the impact of the COVID–19 pandemic will lead to an additional 6,300,000 cases of TB and an additional 1,400,000 TB deaths; and

Whereas March 24, 2021, is World Tuberculosis Day, a day that commemorates the date in 1882 on which Dr. Robert Koch announced his discovery of Mycobacterium tuberculosis, the bacterium that causes TB: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals of World Tuberculosis Day to raise awareness about tuberculosis;

(2) commends the progress of tuberculosis elimination efforts by entities that include the United States Agency for International Development, the Centers for Disease Control and Prevention, the National Institutes of Health, the World Health Organization, and the Global Fund to Fight AIDS, Tuberculosis and Malaria; and

(3) reaffirms the commitment to strengthen the leadership role of the United States in, and the effectiveness of the global response to, the fight to end the tuberculosis epidemic.

SENATE RESOLUTION 138—URGING THE EUROPEAN PARLIAMENT TO EXEMPT CERTAIN TECHNOLOGIES USED TO DETECT CHILD SEXUAL EXPLOITATION FROM EUROPEAN UNION EPRIVACY DIRECTIVE

Mr. COTTON (for himself, Mr. BOOZMAN, and Ms. MURKOWSKI) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 138

Whereas ensuring the safety of children online is a global issue that nations must address together;

Whereas the online trafficking of child sexual abuse material (referred to in this preamble as ''CSAM'') and online enticement of children (also known as ''grooming'') are pervasive problems that are growing at dramatic rates;

Whereas crucial tools in detecting CSAM and grooming online and protecting children using online platforms from child predators are hashing, PhotoDNA, and anti-grooming technologies that are voluntarily used by electronic service providers (referred to in this preamble as ''ESPs'') to detect, report, and remove CSAM;

Whereas the use of hashing, PhotoDNA, and anti-grooming technology by ESPs has generated millions of reports annually to the CyberTipline of the National Center for Missing & Exploited Children;

Whereas the CyberTipline is a global hotline for reports related to child sexual exploitation that was authorized by Congress in 1998;

Whereas in 2019, more than 69,000,000 images, videos, and files related to child sexual abuse were reported to the CyberTipline, with more than 3,000,000 of these images, videos, and files related to an offender or child victim in the European Union (referred to in this preamble as the ''EU'');

Whereas in a Communication to the European Parliament, dated July 24, 2020, the European Commission noted, ''the EU has become the largest host of child sexual abuse material globally (from more than half in 2016 to more than two thirds in 2019)'';

Whereas in 2018, an EU Directive extended the scope of prohibitions on processing personal data in the electronic communications sector to cover interpersonal communications, such as messenger services and e-mail;

Whereas this EU Directive caused ESPs to lose the legal basis to use hashing, PhotoDNA, and anti-grooming technologies to detect and report CSAM and online enticement of children to the CyberTipline;

Whereas this EU Directive took effect on December 21, 2020, without any derogation to exempt the voluntary practice of using these technologies to detect and report distribution of CSAM and enticement of children for sexual abuse;

Whereas the prohibition on the use of hashing, PhotoDNA, and anti-grooming technologies will have dire consequences for children in Europe and globally;

Whereas, since the EU Directive took effect, reports to the National Center for Missing and Exploited Children's CyberTipline from the EU decreased by 51 percent during the 6-week period immediately following the Directive's implementation compared to the same period in 2020;

Whereas it is unclear whether ESPs—

(1) will be able to partition the use of hashing, PhotoDNA, and anti-grooming technologies to carve out users in the EU; and

(2) will decide to abandon the voluntary use of these technologies in the United States and globally;

Whereas since children in the United States can be harmed by online predators in the EU through grooming, enticement, and the dissemination of CSAM images among EU offenders, such material should be detected, reported, and removed;

Whereas if the use of hashing, PhotoDNA, and anti-grooming technologies for detecting CSAM and grooming is stopped, the exploitation of children globally will largely go undetected and continue to proliferate; and

Whereas Congress agrees with the European Commission that ''immediate action must be taken to address this issue'':

Now, therefore, be it

Resolved, That the Senate—

(1) finds that hashing, PhotoDNA, and anti-grooming technologies are essential in detecting child sexual abuse material and exploitation online, including known and new CSAM, and grooming of children globally; and

(2) urges the European Parliament to enact legislation that amends the EU Directive to allow electronic service providers to continue their current voluntary activities of using hashing, PhotoDNA, and anti-grooming technologies for the purpose of detecting child sexual exploitation.

SENATE RESOLUTION 139—RECOGNIZING THE IMPORTANCE OF THE BLUEBERRY INDUSTRY TO THE UNITED STATES AND DESIGNATING JULY 2021 AS ''NATIONAL BLUEBERRY MONTH''

Ms. STABENOW (for herself, Mr. WARNOCK, Mr. PETERS, Mr. BOOKER, Mr. MENENDEZ, Ms. COLLINS, Ms. CANTWELL, Mr. KING, Mr. MERKLEY, Mrs. MURRAY, and Mr. WYDEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 139

Whereas blueberries are a native North American fruit, first managed and harvested as wild blueberries by the native Wabanaki;

Whereas wild blueberries continue to be managed and harvested in Maine by farmers including the Wabanaki, as a native, naturally occurring crop;

Whereas the pioneering work conducted in New Jersey in the early 1900s by Elizabeth White and Dr. Frederick Coville, a botanist at the Department of Agriculture, to domesticate wild lowbush blueberries resulted in the development of the hybrid for cultivated highbush blueberries;

Whereas because of these early efforts, highbush blueberries are large, sweet, juicy berries that can be commercially produced and shipped;

Whereas wild blueberries—

(1) are small and sweet; and

(2) are not planted, but still grow and are harvested where they have naturally occurred for thousands of years;

Whereas the blueberry industry in the United States is an important sector of

United States agriculture with an annual economic impact of $4,700,000,000;

Whereas highbush and wild blueberries have a total harvested area estimated at more than 140,000 acres and are produced in 48 States by nearly 13,185 farms;

Whereas blueberry production in the United States has continually increased, with particular growth in the first 2 decades of the 21st century, to reach a harvest of 730,000,000 pounds in 2020;

Whereas blueberries are low in fat and a source of fiber, vitamins, and minerals;

Whereas blueberries are being studied to examine the role the berries may play in promoting good health in areas such as cardiovascular health, brain health, exercise, insulin response, and gut health; and

Whereas blueberries are harvested in the United States from March through early September, with the harvest reaching its peak in July: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 2021 as ''National Blueberry Month'';

(2) recognizes the contributions of blueberry growers in the United States and their families; and

(3) recognizes that purchasing blueberries grown in the United States supports farmers, jobs, communities, and the economy of the United States.

SENATE RESOLUTION 140—CONDEMNING THE HORRIFIC SHOOTINGS IN ATLANTA, GEORGIA, ON MARCH 16, 2021, AND REAFFIRMING THE COMMITMENT OF THE SENATE TO COMBATING HATE, BIGOTRY, AND VIOLENCE AGAINST THE ASIAN-AMERICAN AND PACIFIC ISLANDER COMMUNITY

Mr. WARNOCK (for himself, Ms. DUCKWORTH, Mr. MARKEY, Mr. BLUMENTHAL, Mr. CASEY, Mr. WYDEN, Mr. CARPER, Mr. VAN HOLLEN, Ms. HIRONO, Mr. WHITEHOUSE, Mr. SCHATZ, Mr. DURBIN, Mr. REED, Mr. SANDERS, Mr. KAINE, Mrs. FEINSTEIN, Ms. CANTWELL, Mr. MURPHY, Mr. BROWN, Mr. PADILLA, Mrs. MURRAY, Ms. HASSAN, Mr. COONS, Mr. MENENDEZ, Mr. BOOKER, Ms. CORTEZ MASTO, Ms. BALDWIN, Ms. KLOBUCHAR, Ms. WARREN, Ms. ROSEN, Mr. MERKLEY, and Mr. OSSOFF) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 140

Whereas, on March 16, 2021, a shooter murdered 8 people and injured 1 in the Atlanta, Georgia region in 3 separate shootings that took place at Asian American-owned spas;

Whereas the people of the United States mourn the 8 innocent lives lost—7 of whom were women, 6 of whom were women of Asian descent, and several of whom were immigrants;

Whereas the victims included Xiaojie ''Emily'' Tan, Daoyou Feng, Delaina Ashley Yaun, Paul Andre Michels, Yong Ae Yue, Soon Chung ''Julie'' Park, Hyun Jung Grant, and Suncha Kim;

Whereas 49-year-old Xiaojie ''Emily'' Tan, a hardworking mother and the owner of one of the spas, was a dedicated and caring business owner who is survived by her daughter and husband;

Whereas 44-year-old Daoyou Feng was an employee who recently began working at one of the spas;

Whereas 33-year-old Delaina Ashley Yaun, a newlywed and mother of 2, was at one of the spas to receive a couple's massage with her husband when her life was cut short;

Whereas 54-year-old Paul Andre Michels was a caring husband and United States Army veteran who did maintenance work for one of the spas and is survived by his wife;

Whereas 63-year-old Yong Ae Yue was a mother of 2 sons who was known for her kindness and generosity and her love of her pet Shih Tzu;

Whereas 74-year-old Soon Chung ''Julie'' Park was a mother and grandmother who helped manage one of the spas and helped to prepare meals for the employees;

Whereas 51-year-old Hyun Jung Grant was a former elementary school teacher and hardworking single mother who dedicated her life to raising her 2 sons;

Whereas 69-year-old Suncha Kim was a wife, mother, and grandmother who enjoyed line dancing and had been married for more than 50 years;

Whereas the Georgia shootings came in the midst of an alarming surge in anti-Asian hate crimes and incidents that have caused many Asian Americans across the United States to feel fearful and unsafe;

Whereas the use of anti-Asian terminology and rhetoric to refer to COVID–19, such as the ''Chinese virus'', ''Wuhan virus'', and ''kung flu'' perpetuate anti-Asian stigma that has resulted in Asian Americans being harassed, assaulted, and scapegoated for the COVID–19 pandemic;

Whereas, in 2020, anti-Asian hate crimes increased by nearly 150 percent in major cities throughout the United States;

Whereas, according to a recent report by Stop AAPI Hate, there were nearly 3,800 reported cases of anti-Asian discrimination related to COVID–19 between March 19, 2020 and February 28, 2021;

Whereas 68 percent of reported incidents of anti-Asian hate targeted Asian-American women, a population that has been historically marginalized, sexualized, and fetishized;

Whereas, on March 19, 2021, President Joe Biden and Vice President Kamala Harris met with Asian-American leaders in Georgia and reaffirmed their strong commitment to condemning and combating racism, xenophobia, and violence targeting the Asian-American community; and

Whereas the people of the United States will always remember the victims of these shootings and stand in solidarity with those affected by this senseless tragedy: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the heinous and inexcusable acts of gun violence that led to the tragic loss of 8 lives in Georgia on March 16, 2021;

(2) condemns any racism and sexism in the choice of the shooter to target Asian American-owned businesses and murder 6 women of Asian descent;

(3) honors the memory of the victims, offers heartfelt condolences to the families of the victims, and recognizes that the healing process will be long and difficult for the Asian American and Pacific Islander community and all communities impacted by this tragedy; and

(4) reaffirms the commitment of the United States Federal Government to combating hate, bigotry, and violence against Asian Americans and Pacific Islanders and to prevent tragedies like this from ever happening again.

SENATE RESOLUTION 141—RECOGNIZING THE CRITICAL IMPORTANCE OF ACCESS TO RELIABLE, CLEAN DRINKING WATER FOR NATIVE AMERICANS AND ALASKA NATIVES AND CONFIRMING THE RESPONSIBILITY OF THE FEDERAL GOVERNMENT TO ENSURE SUCH WATER ACCESS

Mr. BENNET (for himself, Mr. WYDEN, Ms. WARREN, Mrs. MURRAY, Mr. MERKLEY, Ms. CANTWELL, Mr. HEINRICH, Mr. KELLY, Mr. BOOKER, Mr. TESTER, and Mr. SCHATZ) submitted the following resolution; which was referred to the Committee on Indian Affairs:

S. RES. 141

Whereas access to reliable, clean drinking water is an essential human need that is critical to the public health, well-being, educational attainment, and economic development of all communities in the United States;

Whereas many countries, along with the United Nations, have recognized the urgency of water access by passing laws or resolutions regarding the human right to water, including recognition of these needs among indigenous peoples and establishing aggressive targets for achieving universal access to this basic service;

Whereas access to reliable, clean drinking water has long been a significant problem in many Tribal communities and in many Alaska Native Villages, such that nearly half of all Native American households still do not have access to reliable water sources, clean drinking water, and are significantly more likely than White households to lack indoor plumbing;

Whereas reliable, clean drinking water may be unavailable to these households for a number of reasons, including because—

(1) there is no piped water system connecting to the house;

(2) the water available to the household does not meet minimum protective standards;

(3) the water infrastructure is deteriorating or insufficient; or

(4) Indian Tribes face challenges in supporting the operation and maintenance needs of existing water infrastructure;

Whereas Federal programs administered through the Indian Health Service of the Department of Health and Human Services, the Environmental Protection Agency, the Department of Agriculture, and other Federal and State agencies have been unsuccessful in developing the infrastructure necessary to provide reliable, clean drinking water for some Tribal communities;

Whereas many Indian Tribes have significant unresolved claims for Federally reserved water rights, many of which have been unresolved for decades and which may not be resolved for many years to come, due in part to the complex and significant issues typically involved in water rights adjudication and settlements;

Whereas the development of water infrastructure in Tribal communities has frequently been conditioned on the settlement of such Tribal reserved water rights, and has been prevented or delayed by continuing uncertainty over the status of Tribal water rights, by the years-long process of Tribal water rights settlements, or by continued conflict over the quantification of Tribal reserved water rights in State water rights adjudications;

Whereas the quantity of water that would be required to supply reliable, clean drinking water to provide for the basic needs of the

residents of Tribal communities and in Alaska Native Villages are typically only a small fraction of the total quantity of Tribal reserved water rights;

Whereas the trust responsibility of the Federal Government to Tribal nations requires the Federal Government to ensure the survival and welfare of Indian Tribes and people, and the failure to provide basic water service cannot be reconciled with this trust responsibility;

Whereas the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) affirmed the trust responsibility of the Federal Government to support Tribal self-governance and self-determination, and these goals cannot be fully realized without addressing inequities such as ensuring access to reliable, clean drinking water for every Tribal community;

Whereas the ongoing COVID–19 pandemic has had a disproportionate impact on Native American people due to factors including persistent economic disadvantages in Tribal communities and in Alaska Native Villages, racial inequity, lack of access to adequate health care, and lack of public health infrastructure, including access to running water; and

Whereas the COVID–19 pandemic has provided a stark reminder that access to reliable, clean drinking water to support basic hygiene is a matter of life or death for all citizens of the United States: Now, therefore, be it

Resolved, That—

(1) it is the sense of the Senate that—

(A) access to reliable, clean drinking water in Tribal communities and in Alaska Native Villages is an essential human need, is critical to the health, well-being, and economic development of people living on such communities and in such villages, and is integral to maintaining the public health of the entire United States;

(B) settlement or adjudication of Tribal claims of reserved water rights is not and should not be a prerequisite to the provision of this basic human service to households located in Tribal communities and in Alaska Native Villages, nor should the provision of such basic human services be used to leverage the resolution of Tribal reserved water rights and claims; and

(C) the provision of reliable, clean drinking water to support the domestic requirements of Tribal members and Tribal communities is an essential component of the Federal trust responsibility to Indian Tribes; and

(2) the Senate—

(A) calls upon the Federal Executive Branch to work in collaboration with Tribal governments and with any relevant State and local jurisdictions to expedite the planning, design, development, and operation of the infrastructure necessary to provide reliable, clean drinking water in Tribal communities and in Alaska Native Villages, and to inform Congress of further authorizations and expenditures that may be necessary to meet this objective;

(B) calls upon the Federal Executive Branch to employ a ''whole of government'' approach to ensure the provision of reliable, clean drinking water to households in Tribal communities and in Alaska Native Villages and to create an interagency task force consisting of high-level representatives from departments and agencies with authority to provide water infrastructure that will work to remove barriers, optimize funding, and make immediate and tangible progress on meeting this objective and report annually to Congress on such progress; and

(C) calls upon the Federal Executive Branch, State governments, and affected water agencies to affirmatively support decoupling the planning, design, development, and operation of such infrastructure from the settlement or adjudication of Tribal reserved water rights, and to support the development of that infrastructure necessary to provide reliable, clean drinking water in Tribal communities independent of such settlements or adjudications.

SENATE RESOLUTION 142—RECOGNIZING THE IMPORTANCE OF THE UNITED STATES-JAPAN RELATIONSHIP TO SAFEGUARDING GLOBAL SECURITY, PROSPERITY, AND HUMAN RIGHTS AND WELCOMING THE VISIT OF PRIME MINISTER YOSHIHIDE SUGA TO THE UNITED STATES

Mr. MENENDEZ (for himself, Mr. HAGERTY, Mr. MARKEY, Mr. ROMNEY, and Mr. COONS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 142

Whereas the United States-Japan alliance is a cornerstone of global peace and stability and underscores the past, present, and future United States commitment to the stability and prosperity of Japan and the Indo-Pacific region;

Whereas the United States and Japan established diplomatic relations on March 31, 1854, with the signing of the Treaty of Peace and Amity;

Whereas 2021 marks the 76th anniversary of the end of World War II, a conflict in which the United States and Japan were enemies, and the strength of the alliance is a testament to the ability of great nations to overcome the past and to work together to create a more secure and prosperous future;

Whereas, January 19, 2021, marked the 61st anniversary of the signing of the Treaty of Mutual Cooperation and Security between the United States and Japan;

Whereas the U.S.–Japan Security Consultative Committee (2+2) met on March 16, 2021, in Tokyo and ''reaffirmed that the U.S.-Japan Alliance remains the cornerstone of peace, security, and prosperity in the Indo-Pacific region'';

Whereas the American and Japanese people share deeply rooted values of defending freedom, championing economic and social opportunity and inclusion, and respecting the rule of law;

Whereas the peoples of Japan and the United States support each other in times of need with Japan being one of the first countries to offer assistance following the 9/11 attacks and Hurricane Katrina, and Americans supporting Japan in the aftermath of the Great East Japan Earthquake, ten years ago this month, through Operation Tomodachi;

Whereas the strength of the United States-Japan relationship is due in part to the substantial reservoir of goodwill created by the close ties between the American and Japanese people at the grassroots level, often supported by the Governments of the United States and Japan;

Whereas there are more than 30,000 United States alumni of the Government of Japan-sponsored Japan Exchange and Teaching (JET) program, including nearly 200 JET program alumni working at the Department of State;

Whereas the Fulbright program has sent nearly 7,500 young Japanese on Fulbright scholarships to the United States since 1952, and there are 37 United States-based Japan-America Society chapters, and the United States and Japan also share more sister city relationships than any other two countries;

Whereas the Governments and people of the United States and Japan share a commitment to free and open markets, high standards for the free flow of commerce and trade, and the establishment of an inclusive architecture for regional and global trade and development;

Whereas the United States and Japan are top trading partners that exchange over $300,000,000,000 worth of goods and services each year, Japan serves as the biggest cumulative Foreign Direct Investment (FDI) contributor to the United States and the biggest job creator in the United States manufacturing sector regarding trade, and the United States-Japan bilateral economic relationship is one of strongest in the world;

Whereas the United States and Japan are working closely via whole-of-government initiatives, bilateral partnerships, cooperation with like-minded countries, multilateral mechanisms including the Asia-Pacific Economic Cooperation (APEC) forum, and enhanced private-sector engagement to assist countries in the Indo-Pacific and across the globe to catalyze investment in infrastructure, energy, and the digital economy to promote connectivity and economic growth;

Whereas United States-Japan economic cooperation has also led to close collaboration in science and technology and promoted shared values in research, including on COVID–19 response, the digital economy, national security-focused investment screening, quantum sciences, artificial intelligence, space exploration, biosciences, collaborative 5G networks, and interoperable approaches for Open RAN (radio access network) technologies;

Whereas, following a year of delay due to the COVID–19 pandemic, Japan will host the Olympic and Paralympic Games in the summer of 2021, bringing together athletes from around the world in a celebration of the resilience of the human spirit;

Whereas a robust and effective trilateral relationship between and among the United States, the ROK, and Japan is critical for joint security and interests in defending freedom and democracy, upholding human rights, championing women's empowerment, combating climate change, promoting regional and global peace, security, and the rule of law in the Indo-Pacific and across the globe;

Whereas a robust and effective trilateral relationship between and among the United States, the ROK, and Japan is critical for joint security and interests in defending freedom and democracy, upholding human rights, championing women's empowerment, combating climate change, promoting regional and global peace, security, and the rule of law in the Indo-Pacific and across the globe;

Whereas the United States welcomes Japan's successive measures to enhance the role of its Self Defense Forces in securing peace and stability in the region and beyond, including its commitment on collective self defense under Japan's laws, which strengthens the alliance's ability to defend Japan and to continue safeguard regional security;

Whereas the United States-Japan alliance is essential for ensuring maritime security and freedom of navigation, commerce, and overflight in the waters of the East China Sea;

Whereas the United States invests significant military resources and capabilities to meet the Alliance's current and future security challenges and through the U.S.-Japan Host Nation Support framework, the Government of Japan shares the costs of stationing United States forces in Japan;

Whereas the United States and Japan, together with Australia and India, form a

quadrilateral security cooperation known as the Quad which met on March 12, 2021, and reaffirmed its commitment to a shared vision for an Indo-Pacific region that is ''free, open, inclusive, healthy, anchored by democratic values, and unconstrained by coercion'';

Whereas people-to-people ties between the United States and Japan are long-standing and deep, as exemplified by the gift of the beautiful cherry trees that dot our Nation's capital from the People of Japan to the People of the United States in 1912, and the cherry blossom festivals currently taking place across our Nation, signifying an unbreakable bond between the two nations; and

Whereas, in April 2021, Prime Minister Yoshihide Suga will visit the United States at the invitation of President Joe Biden: Now, therefore, be it

Resolved, That the Senate—

(1) welcomes Prime Minister Yoshihide Suga to the United States;

(2) reaffirms the importance of the United States-Japan alliance for maintaining peace and stability and fostering a free and open Indo-Pacific region and beyond;

(3) supports ongoing efforts to further strengthen the United States-Japan alliance, including the U.S.-Japan Security Consultative Committee (2+2) to confront threats posed by aggressive actors that threaten the peace and safety of both nations;

(4) supports strong cooperation between the United States and Japan in safeguarding maritime security and ensuring freedom of navigation, commerce, and overflight in the East and South China Seas;

(5) affirms the Senkaku Islands fall within the scope of Article V of the U.S.-Japan Treaty of Mutual Cooperation and Security, and remain opposed to any unilateral attempts to change the status quo in the East China Sea or undermine Japan's administration of these islands;

(6) acknowledges Japan's critical role as the sole East Asian member of the Quad, which commits to a shared vision for a free and inclusive Indo-Pacific region;

(7) stands in solidarity with Japan as it seeks justice and accountability for its abductees, and pledges the full support of the United States for Japan in seeking to resolve this issue;

(8) recognizes the support of the Government of Japan in addressing global challenges, including COVID–19 challenges, that threaten the health and safety of people everywhere;

(9) supports the expansion of academic and cultural exchanges between the United States and Japan, especially efforts to encourage Japanese students to study at universities in the United States, and vice versa, to deepen people-to-people ties;

(10) encourages the expansion of collaboration for research and development of new and emerging cyber technologies with Japan, especially to address global challenges posed by the proliferation of digital authoritarianism;

(11) promotes deepening the economic and trade ties between the United States and Japan, including the empowerment of women, which is vital for the prosperity of both our nations, the Indo-Pacific region, and the world; and

(12) calls for continued cooperation between the Governments of the United States and Japan in the promotion of human rights.

SENATE RESOLUTION 143—TO HONOR AND RECOGNIZE THE PATRIOTISM AND SERVICE TO THE UNITED STATES PROVIDED BY VETERANS SERVICE ORGANIZATIONS DURING THE COVID–19 PANDEMIC

Ms. HASSAN (for herself, Mr. TILLIS, Ms. SINEMA, Mr. CRAMER, Mr. BLUMENTHAL, Mr. CASSIDY, Mr. SANDERS, Mr. BOOZMAN, Mrs. BLACKBURN, Ms. HIRONO, Mr. BROWN, and Mr. TUBERVILLE) submitted the following resolution; which was referred to the Committee on Veterans' Affairs:

S. RES. 143

Whereas, throughout the United States, the coronavirus disease 2019 (COVID–19) pandemic (referred to in this preamble as the ''pandemic'') has devastated veterans and their families;

Whereas the Department of Veterans Affairs (referred to in this preamble as the ''VA'') has tested or treated over 230,000 cases of COVID–19 and has recorded over 10,000 known deaths caused by COVID–19;

Whereas over 1,000,000 veterans lost their jobs because of the pandemic, with veteran unemployment reaching nearly 12 percent in April 2020;

Whereas many veterans have experienced feelings of isolation and loneliness caused by the public health restrictions needed to curb the spread of COVID–19;

Whereas, since their inception, Veterans Service Organizations (referred to in this preamble as ''VSOs'') have always supported and advocated on behalf of members of the Armed Forces, veterans, and their families;

Whereas VSOs have adapted to the unique challenges posed by the pandemic in order to continue to support veterans and advocate for the veteran community;

Whereas members of VSOs have fostered a sense of connection and community amid the pandemic by—

(1) calling, emailing, or writing to fellow veterans;

(2) delivering food and groceries to fellow veterans and their families; and

(3) hosting virtual and socially distanced events;

Whereas members of VSOs have conducted thousands of peer-wellness checks to combat the ongoing mental health crisis that has been exacerbated by the pandemic;

Whereas VSOs have continued to help veterans access healthcare during the pandemic by—

(1) assisting veterans with enrollment in VA healthcare plans;

(2) enabling access to telehealth; and

(3) providing hundreds of thousands of rides to medical appointments;

Whereas VSOs have helped veterans find employment by—

(1) connecting veterans to employers;

(2) hosting virtual job fairs; and

(3) providing online job search resources;

Whereas representatives of VSOs have helped hundreds of thousands of veterans navigate a VA benefits claims process that has been changed by the pandemic;

Whereas VSOs are playing an essential role in encouraging all veterans to get vaccinated;

Whereas members of VSOs are volunteering at vaccination sites across the United States to help their fellow veterans and all other individuals in the United States receive the COVID–19 vaccine; and

Whereas VSOs will continue to play an instrumental role representing and supporting the veteran community as the United States moves forward on the path towards recovering from the pandemic: Now, therefore, be it

Resolved, That the Senate—

(1) honors and recognizes the patriotism and service to the United States provided by Veterans Service Organizations (referred to in this resolution as ''VSOs'') during the COVID–19 pandemic;

(2) commends efforts by VSOs to improvise and adapt to the challenges posed by COVID–19 to continue to support veterans in need, especially those left most vulnerable by the COVID–19 pandemic; and

(3) supports efforts by VSOs to enable veterans, their families, and their caregivers to receive the COVID–19 vaccine.

SENATE RESOLUTION 144—RECOGNIZING THE WEEK OF MARCH 21 THROUGH MARCH 27, 2021, AS ''NATIONAL POISON PREVENTION WEEK'' AND ENCOURAGING COMMUNITIES ACROSS THE UNITED STATES TO RAISE AWARENESS OF THE DANGERS OF POISONING AND PROMOTE POISON PREVENTION

Mr. BROWN (for himself and Mr. SCOTT of South Carolina) submitted the following resolution; which was considered and agreed to:

S. RES. 144

Whereas the designation of National Poison Prevention Week was first authorized by Congress and President Kennedy in 1961 in Public Law 87–319 (75 Stat. 681);

Whereas National Poison Prevention Week occurs during the third full week of March each year;

Whereas, as of February 10, 2021, poison centers have handled more than 838,000 cases related to the COVID–19 pandemic alone and have seen dramatic increases in cases relating to hand sanitizer and household cleaning products;

Whereas poison control centers responded to COVID–19 related surges by conducting poison safety and poisoning prevention outreach in a virtual format during the COVID–19 pandemic;

Whereas the American Association of Poison Control Centers (referred to in this preamble as the ''AAPCC'') works with the 55 poison control centers in the United States to track—

(1) more than 1,000 commonly used household and workplace products that can cause poisoning; and

(2) poisonings and the sources of those poisonings;

Whereas the National Poison Data System (NPDS) database contains over 447,000 products, ranging from viral and bacterial agents to commercial chemical and drug products;

Whereas, in 2019, 2,148,141 people called the poison help line to reach a poison control center;

Whereas, in 2019, as reported to the AAPCC, 92 percent of poison exposures reported to local poison control centers occurred in the home;

Whereas local poison control centers save the people of the United States $1,800,000,000 in medical costs annually;

Whereas the AAPCC and poison control centers partner with the Centers for Disease Control and Prevention, the Food and Drug Administration, and State, local, Tribal, and territorial health departments to monitor occurrences of environmental, biological, and emerging threats in communities across the United States, including food poisoning, botulism, and vaping-associated lung injury;

Whereas, in the United States, more than 300 children 19 years of age and younger are

treated in emergency departments for poisoning every day, and more than 130 children 19 years of age and younger die as a result of being poisoned each year;

Whereas, in 2019, children younger than 6 years of age constituted 43 percent of all poison exposures;

Whereas, from 2000 to 2018, data from poison control centers revealed a significant increase of an average of 3.4 percent per year in the number of intentional suicide patients who were adolescents 10 to 24 years of age, and that increase disproportionately occurred among females;

Whereas, in 2021, poison control centers are seeing an increase in suspected suicides in individuals ranging from 11 to 14 years of age;

Whereas, in 2019, more than 114,000 children 19 years of age and younger were treated in an emergency room due to unintended pediatric poisoning, and more than 90 percent of those incidents occurred in the home, most often with blood pressure medications, acetaminophen, laundry packets, bleach, or sedatives or anti-anxiety medication;

Whereas there was a 444 percent increase in pediatric magnet ingestion cases reported to United States poison control centers from 2018 to 2019 based on an analysis of the National Poison Data System (NPDS), demonstrating the significant risk of injury from high-powered magnet ingestions;

Whereas 70,237 cases of death due to drug overdose were reported in the United States in 2017, and the majority of those cases, approximately 68 percent, involved an opioid;

Whereas, in 2019, the most common medications that adults called the poison help line about were prescription and non-prescription pain relievers, household cleaning substances, cosmetics and personal care products, and antidepressants;

Whereas pain medications lead the list of the most common substances implicated in adult poison exposures, and are the single most frequent cause of pediatric fatalities reported to the AAPCC;

Whereas poison control centers issue guidance and provide support to individuals, including individuals who experience medication and dosing errors;

Whereas more than 60 percent of calls to the poison help line are from individuals 20 years of age or older, with more than half of those calls involving patients older than 50 years of age, and a common reason for those calls is therapeutic errors, including questions regarding drug interactions, incorrect dosing route, timing of doses, and double doses;

Whereas normal, curious children younger than 6 years of age are in stages of growth and development in which they are constantly exploring and investigating the world around them, and are often unable to read or recognize warning labels;

Whereas the AAPCC engages in community outreach by educating the public on poison safety and poisoning prevention, and provides educational resources, materials, and guidelines to educate the public on poisoning prevention;

Whereas individuals can reach a poison control center from anywhere in the United States by calling the poison help line at 1-800-222-1222;

Whereas, despite regulations of the Consumer Product Safety Commission requiring that a child-resistant package be designed or constructed to be significantly difficult for children under 5 years of age to open, or obtain a harmful amount of the contents, within a reasonable time, children can still open child-resistant packages; and

Whereas, each year during National Poison Prevention Week, the Federal Government assesses the progress made by the Federal Government in saving lives and reaffirms the national commitment of the Federal Government to preventing injuries and deaths from poisoning: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the week of March 21 through March 27, 2021, as ''National Poison Prevention Week'';

(2) expresses gratitude for the people who operate or support poison control centers in their local communities;

(3) expresses gratitude for frontline workers supporting poison prevention during the COVID–19 pandemic;

(4) supports efforts and resources to provide poison prevention guidance or emergency assistance in response to poisonings; and

(5) encourages—

(A) the people of the United States to educate their communities and families about poison safety and poisoning prevention; and

(B) health care providers to practice and promote poison safety and poisoning prevention.

SENATE RESOLUTION 145—DESIGNATING THE FIRST WEEK OF APRIL 2021 AS ''NATIONAL ASBESTOS AWARENESS WEEK''

Mr. TESTER (for himself, Mr. MERKLEY, Mr. WHITEHOUSE, Mr. DAINES, Mr. CARPER, and Mr. DURBIN) submitted the following resolution; which was considered and agreed to:

S. RES. 145

Whereas dangerous asbestos fibers are invisible and cannot be smelled or tasted;

Whereas the inhalation of airborne asbestos fibers can cause significant damage;

Whereas asbestos fibers can cause cancer (such as mesothelioma), asbestosis, and other health problems;

Whereas symptoms of asbestos-related diseases can take between 10 and 50 years to present themselves;

Whereas the projected life expectancy for an individual diagnosed with mesothelioma is between 6 and 24 months;

Whereas little is known about late-stage treatment of asbestos-related diseases, and there is no cure for those diseases;

Whereas early detection of asbestos-related diseases may give some patients increased treatment options and may improve the prognoses of those patients;

Whereas, although the consumption of asbestos within the United States has been substantially reduced, the United States continues to consume tons of the fibrous mineral each year for use in certain products;

Whereas thousands of people in the United States have died from asbestos-related diseases and thousands more die every year from those diseases;

Whereas, although individuals continue to be exposed to asbestos, safety measures relating to the prevention of asbestos exposure have significantly reduced the incidence of asbestos-related diseases and can further reduce the incidence of those diseases;

Whereas thousands of workers in the United States face significant asbestos exposure, which has been a cause of occupational cancer;

Whereas a significant percentage of victims of asbestos-related diseases were exposed to asbestos on naval ships and in shipyards;

Whereas asbestos was used in the construction of a significant number of office buildings and public facilities built before 1975;

Whereas people in the small community of Libby, Montana, suffer from asbestos-related diseases, including mesothelioma, at a significantly higher rate than individuals in the United States as a whole; and

Whereas the designation of a ''National Asbestos Awareness Week'' will raise public awareness about the prevalence of asbestos-related diseases and the dangers of asbestos exposure: Now, therefore, be it

Resolved, That the Senate—

(1) designates the first week of April 2021 as ''National Asbestos Awareness Week'';

(2) urges the Surgeon General of the United States to warn and educate people about the public health issue of asbestos exposure, which may be hazardous to their health; and

(3) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the Office of the Surgeon General.

SENATE RESOLUTION 146—DESIGNATING APRIL 2021 AS ''SECOND CHANCE MONTH''

Mr. PORTMAN (for himself and Ms. KLOBUCHAR) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 146

Whereas every individual is endowed with human dignity and value;

Whereas redemption and second chances are values of the United States;

Whereas millions of citizens of the United States have a criminal record;

Whereas hundreds of thousands of individuals return to their communities from Federal and State prisons every year;

Whereas individuals returning from Federal and State prisons have paid their debt for committing crimes but still face significant legal and societal barriers (referred to in this preamble as ''collateral consequences'');

Whereas collateral consequences for an individual returning from a Federal or State prison are often mandatory and take effect automatically, regardless of—

(1) whether there is a nexus between the crime and public safety;

(2) the seriousness of the crime;

(3) the time that has passed since the individual committed the crime; or

(4) the efforts of the individual to make amends or earn back the trust of the public;

Whereas, for individuals returning to their communities from Federal and State prisons, gaining meaningful employment is one of the most significant predictors of successful reentry and has been shown to reduce future criminal activity;

Whereas many individuals who have been incarcerated struggle to find employment because of collateral consequences, which are often not directly related to the offenses the individuals committed or any proven public safety benefit;

Whereas many States have laws that prohibit an individual with a criminal record from working in certain industries or obtaining professional licenses;

Whereas, in addition to employment, education has also been shown to be a significant predictor of successful reentry for individuals returning from Federal and State prisons;

Whereas an individual with a criminal record often has a lower level of educational attainment than the general population and has significant difficulty acquiring admission to, and funding for, educational programs;

Whereas an individual who has been convicted of certain crimes is often barred from receiving the financial aid necessary to acquire additional skills and knowledge;

Whereas an individual with a criminal record—

(1) faces collateral consequences in securing a place to live; and

(2) is often barred from seeking access to public housing;

Whereas collateral consequences prevent millions of individuals in the United States from contributing fully to their families and communities;

Whereas collateral consequences can contribute to recidivism, which increases crime and victimization and decreases public safety;

Whereas collateral consequences have particularly impacted underserved communities of color and community rates of employment, housing stability, and recidivism;

Whereas the inability to find gainful employment and other collateral consequences of conviction inhibit the economic mobility of an individual with a criminal record, which can negatively impact the well-being of the children and families of the individual for generations;

Whereas the COVID–19 pandemic and economic and public health consequences of the COVD–19 pandemic have made the pursuit of gainful employment and access to community supports more daunting for individuals with a criminal record;

Whereas the bipartisan First Step Act of 2018 (Public Law 115–391; 132 Stat. 5194) was signed into law on December 21, 2018, to increase opportunities for individuals incarcerated in Federal prisons to participate in meaningful recidivism reduction programs and prepare for their second chances;

Whereas the programs authorized by the Second Chance Act of 2007 (Public Law 110–199; 122 Stat. 657)—

(1) have provided reentry services to more than 164,000 individuals in 49 States and the District of Columbia since the date of enactment of the Act; and

(2) were reauthorized by the First Step Act of 2018 (Public Law 115–391; 132 Stat. 5194);

Whereas the anniversary of the death of Charles Colson, who used his second chance following his incarceration for a Watergate-related crime to found Prison Fellowship, the largest program in the United States that provides outreach to prisoners, former prisoners, and their families, falls on April 21; and

Whereas the designation of April as ''Second Chance Month'' may contribute to—

(1) increased public awareness about—

(A) the impact of collateral consequences; and

(B) the need for closure for individuals with a criminal record who have paid their debt; and

(2) opportunities for individuals, employers, congregations, and communities to extend second chances to those individuals: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 2021 as ''Second Chance Month'';

(2) honors the work of communities, governmental institutions, nonprofit organizations, congregations, employers, and individuals to remove unnecessary legal and societal barriers that prevent individuals with criminal records from becoming productive members of society; and

(3) calls upon the people of the United States to observe ''Second Chance Month'' through actions and programs that—

(A) promote awareness of those unnecessary legal and social barriers; and

(B) provide closure for individuals with a criminal record who have paid their debt.

SENATE RESOLUTION 147—RECOGNIZING THE NATIONAL DEBT AS A THREAT TO NATIONAL SECURITY

Mr. BRAUN (for himself, Mrs. BLACKBURN, Mr. SCOTT of Florida, and Ms. ERNST) submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 147

Whereas, in September 2020, the total public debt outstanding was more than $26,000,000,000,000, resulting in a total interest expense of more than $371,000,000,000 for fiscal year 2020;

Whereas, in September 2019, the total public debt as a percentage of gross domestic product was about 100 percent;

Whereas leaders of the Congressional Budget Office and the Government Accountability Office have testified that—

(1) the growth of the public debt is unsustainable; and

(2) Congress must undertake extensive fiscal consolidation to combat that growth;

Whereas the last Federal budget surplus occurred in 2001;

Whereas, in fiscal year 2020, Federal tax receipts totaled $3,420,000,000,000, but Federal outlays totaled $6,652,000,000,000, leaving the Federal Government with a 1-year deficit of $3,132,000,000,000;

Whereas, since the last Federal budget surplus occurred in 2001, Congress—

(1) has failed to maintain a fiscally responsible budget; and

(2) has had to raise the debt ceiling repeatedly;

Whereas the Medicare Board of Trustees projects that the Medicare Hospital Insurance Trust Fund will be depleted in 2026;

Whereas the Social Security and Medicare Boards of Trustees project that the Disability Insurance and the Federal Old-Age and Survivors Insurance Trust Funds will be depleted in 2026 and 2031, respectively;

Whereas heavy indebtedness increases the exposure of the Federal Government to interest rate risks;

Whereas the credit rating of the United States was reduced by Standard and Poor's from AAA to AA+ on August 5, 2011, and has remained at that level ever since;

Whereas, without a targeted effort to balance the Federal budget, the credit rating of the United States will continue to fall;

Whereas improvements in the business climate in populous countries, and aging populations around the world, will likely contribute to higher global interest rates;

Whereas more than $7,000,000,000,000 of Federal debt is owned by individuals not located in the United States, including more than $1,000,000,000,000 of which is owned by individuals in China;

Whereas China and the European Union are developing alternative payment systems to weaken the dominant position of the United States dollar as a reserve currency;

Whereas rapidly increasing interest rates will squeeze all policy priorities of the United States, including defense policy and foreign policy priorities;

Whereas the National Security Strategy of the United States, as of the date of adoption of this resolution, highlights the need to reduce the national debt through fiscal responsibility;

Whereas, on April 12, 2018, former Secretary of Defense James Mattis warned that ''any Nation that can't keep its fiscal house in order eventually cannot maintain its military power'';

Whereas, on March 6, 2018, Director of National Intelligence Dan Coats warned: ''Our continued plunge into debt is unsustainable and represents a dire future threat to our economy and to our national security'';

Whereas, on November 15, 2017, former Secretaries of Defense Leon Panetta, Ash Carter, and Chuck Hagel warned: ''Increase in the debt will, in the absence of a comprehensive budget that addresses both entitlements and revenues, force even deeper reductions in our national security capabilities''; and

Whereas, on September 22, 2011, former Chairman of the Joint Chiefs of Staff Michael Mullen warned: ''I believe the single, biggest threat to our national security is debt'': Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that the national debt is a threat to the national security of the United States;

(2) realizes that persistent, structural deficits are unsustainable, irresponsible, and dangerous; and

(3) commits to addressing the looming fiscal crisis faced by the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1409. Mr. SCOTT, of South Carolina (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.

SA 1410. Mrs. SHAHEEN (for herself and Ms. COLLINS) proposed an amendment to the bill H.R. 1868, to prevent across-the-board direct spending cuts, and for other purposes.

SA 1411. Mr. SCOTT, of Florida proposed an amendment to amendment SA 1410 proposed by Mrs. SHAHEEN (for herself and Ms. COLLINS) to the bill H.R. 1868, supra.

TEXT OF AMENDMENTS

SA 1409. Mr. SCOTT of South Carolina (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. ____. PROHIBITION ON PAYCHECK PROTECTION PROGRAM LOANS AND SECOND DRAW LOANS FOR APPLICANTS CONVICTED OF, OR WHO PLEADED GUILTY TO, ASSAULTING A LAW ENFORCEMENT OFFICER.

(a) IN GENERAL.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended—

(1) in paragraph (36), by adding at the end the following:

''(W) PROHIBITION.—An applicant is not eligible to receive a covered loan if an owner of the applicant has, as of the date of the application, been convicted of or pleaded guilty to assaulting a law enforcement officer.''; and

(2) in paragraph (37), by adding at the end the following:

''(P) PROHIBITION.—An applicant is not eligible to receive a covered loan if an owner of the applicant has, as of the date of the application, been convicted of or pleaded guilty to assaulting a law enforcement officer.''.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply with respect to an application for a loan under paragraph (36) or (37) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)(36)) that is submitted on or after the date of enactment of this Act.

SA 1410. Mrs. SHAHEEN (for herself and Ms. COLLINS) proposed an amendment to the bill H.R. 1868, to prevent across-the-board direct spending cuts, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. EXTENSION OF TEMPORARY SUSPENSION OF MEDICARE SEQUESTRATION.

(a) EXTENSION.—

(1) IN GENERAL.—Section 3709(a) of division A of the CARES Act (2 U.S.C. 901a note) is amended by striking ''March 31, 2021'' and inserting ''December 31, 2021''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as if enacted as part of the CARES Act (Public Law 116–136).

(b) OFFSET.—Section 251A(6)(C) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(6)(C)) is amended—

(1) in clause (i)—

(A) by striking ''first 6 months'' and inserting ''first 5 ½ months'';

(B) by striking ''4.0 percent'' and inserting ''2.0 percent''; and

(C) by striking ''and'' at the end;

(2) in clause (ii)—

(A) by striking ''second 6 months'' and inserting ''6-month period beginning on the day after the last day of the period described in clause (i)''; and

(B) by striking ''0.0 percent.'' and inserting ''4.0 percent; and''; and

(3) by adding at the end the following:

''(iii) with respect to the remaining ½ month in which such order is so effective for such fiscal year, the payment reduction shall be 0.0 percent.''.

SEC. 2. TECHNICAL CORRECTIONS.

(a) RURAL HEALTH CLINIC PAYMENTS.—

(1) IN GENERAL.—Section 1833(f)(3) of the Social Security Act (42 U.S.C. 1395l(f)(3)) is amended—

(A) in subparagraph (A)—

(i) in clause (i), by striking subclauses (I) and (II) and inserting the following:

''(I) with respect to a rural health clinic that had a per visit payment amount established for services furnished in 2020—

''(aa) the per visit payment amount applicable to such rural health clinic for rural health clinic services furnished in 2020, increased by the percentage increase in the MEI applicable to primary care services furnished as of the first day of 2021; or

''(bb) the limit described in paragraph (2)(A); and

''(II) with respect to a rural health clinic that did not have a per visit payment amount established for services furnished in 2020—

''(aa) the per visit payment amount applicable to such rural health clinic for rural health clinic services furnished in 2021; or

''(bb) the limit described in paragraph (2)(A); and''; and

(ii) in clause (ii)(I), by striking ''under clause (i)(I)'' and inserting ''under subclause (I) or (II) of clause (i), as applicable,''; and

(B) by striking subparagraph (B) and inserting the following:

''(B) A rural health clinic described in this subparagraph is a rural health clinic that—

''(i) as of December 31, 2020, was in a hospital with less than 50 beds and after such date such hospital continues to have less than 50 beds (not taking into account any increase in the number of beds pursuant to a waiver under subsection (b)(1)(A) of section 1135 during the emergency period described in subsection (g)(1)(B) of such section); and

''(ii)(I) as of December 31, 2020, was enrolled under section 1866(j) (including temporary enrollment during such emergency period for such emergency period); or

''(II) submitted an application for enrollment under section 1866(j) (or a request for such a temporary enrollment for such emergency period) that was received not later than December 31, 2020.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect as if included in the enactment of the Consolidated Appropriations Act, 2021 (Public Law 116–260).

(b) ADDITIONAL AMOUNT FOR CERTAIN HOSPITALS WITH HIGH DISPROPORTIONATE SHARE.—Effective as if included in the enactment of section 203(a) of title II of division CC of Public Law 116–260, subsection (g) of section 1923 of the Social Security Act (42 U.S.C. 1396r–4), as amended by such section, is amended by adding at the end the following:

''(3) CONTINUED APPLICATION OF GRANDFATHERED TRANSITION RULE.—Notwithstanding paragraph (2) of this subsection (as in effect on October 1, 2021), paragraph (2) of this subsection (as in effect on September 30, 2021, and as applied under section 4721(e) of the Balanced Budget Act of 1997, and amended by section 607 of the Medicare, Medicaid, and SCHIP Balanced Budget Refinement Act of 1999 (Public Law 106–113)) shall apply in determining whether a payment adjustment for a hospital in a State referenced in section 4721(e) of the Balanced Budget Act of 1997 during a State fiscal year shall be considered consistent with subsection (c).''.

SA 1411. Mr. SCOTT of Florida proposed an amendment to the bill H.R. 1868, to prevent across-the-board direct spending cuts, and for other purposes; as follows:

Strike section 2(b).

AUTHORITY FOR COMMITTEES TO MEET

Mr. BOOKER. Mr. President, I have 9 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 AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on March 25, 2021 at 9:30 a.m., in 106 Dirksen Senate Office Building, Washington, DC, in order to conduct a hearing entitled ''Child Nutrition Reauthorization: Healthy Meals and Healthy Futures.''

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, March 25, 2021, at 9:30 a.m., in open session to receive testimony on U.S. Special Operations Command and U.S. Cyber Command in review of the Defense Authorization Request for fiscal year 2022 and the Future Years Defense Program.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, March 25, 2021, at 12 p.m., in closed session to receive a briefing on U.S. Special Operations Command and U.S. Cyber Command in review of the Defense Authorization Request for fiscal year 2022 and the Future Years Defense Program.

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 Thursday, March 25, 2021, at 10 a.m. to meet in open session to conduct a hearing entitled, ''American Rescue Plan: Shots in Arms and Money in Pockets.''

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate in order to hold a hearing on Thursday, March 25, 2021, at 9:45 a.m. in Room SD–366 of the Dirksen Senate Office Building in Washington, DC.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Thursday, March 25, 2021, at 9:30 a.m., virtually using Webex, to conduct a hearing entitled ''How U.S. International Tax Policy Impacts American Workers, Jobs, and Investment.''

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, March 25, 2021 at 10 a.m. to hold a subcommittee hearing on ''U.S. Response to the Coup in Burma.''

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, in order to conduct a hearing entitled ''Examining Our COVID–19 Response: Improving Health Equity and Outcomes by Addressing Health Disparities'' on Thursday, March 25, at 10 a.m., in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Thursday, March 25, at 10:15 a.m. in order to conduct a hearing on the nomination of Deanne B. Criswell to be Administrator, Federal Emergency Management Agency, U.S. Department of Homeland Security.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I ask that the Chair initiate the agreed-upon procedures with respect to the Adeyemo nomination.

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Adewale O. Adeyemo, of California, to be Deputy Secretary of the Treasury.

Thereupon, the Senate proceeded to consider the nomination.

NOMINATION OF ADEWALE D. ADEYEMO

Mr. WYDEN. Mr. President, the Senate is debating the nomination of Wally Adeyemo to serve as the next Deputy Treasury Secretary. I expect his nomination is going to pass with a big, bipartisan margin, but I want to take a few minutes to lay out a few reasons why every Senator ought to support this nominee.

First, you hear a lot these days about how Members of the Senate are looking for unity. Three weeks ago, the Finance Committee approved the Adeyemo nomination unanimously by voice vote, and you can't get more unified than that.

That unanimous vote followed an excellent hearing, in which Mr. Adeyemo demonstrated his command of all the various issues the Treasury is confronting today. A severe jobs crisis. Worsening inequality. A dangerous shortage of domestic manufacturing in critical areas of our economy. Intense economic competition with China, including job rip-offs and trade cheating that have undermined American workers for too long. And many other big challenges.

Members understand that there will be policy disagreements with the other party, but Mr. Adeyemo made it clear that he wants to work on a bipartisan basis to confront these challenges. Members take him seriously on that and trust him because he has done it before at the Treasury as a member of the Obama administration.

Second, the pandemic economic crisis is far from over, and it is essential that the Treasury Department has its leadership team in place. COVID cases and deaths are still tragically high. Jobless claims are still incredibly high—they spent an entire year above the previous peaks. So millions of families in Oregon and around the country are still walking an economic tightrope, and that is one of the key reasons why Senate Democrats passed the American Rescue Plan earlier this month.

The Treasury is right at the center of the enormous effort to implement that legislation. It is extraordinarily challenging work. Getting relief payments out to tens of millions of Americans in a timely way. Saving millions of jobs at the State and local level, particularly teachers, firefighters and municipal workers. Launching a landmark expansion and reinvention of the child tax credit to cut child poverty in half. This is difficult work. It requires the kind of strong and committed leadership that Wally Adeyemo will bring to the Treasury Department.

I am also looking forward to working with him on the issue of shell companies. Late last year Congress passed landmark legislation to end the use of anonymous shell companies in the United States. Several members of the Finance Committee had spent years working to get that legislation passed. Now that it has become law, it is up to the Treasury Department to write strong rules and implement it. This is a vital challenge, and it is a long time coming. So I am very much looking forward to working with Mr. Adeyemo once he is confirmed. He is as highly qualified as they come. He is also a history-making nominee because he will be the first African American Deputy Treasury Secretary.

I support his nomination 100 percent. He got 100 percent of the Finance Committee's support a few weeks ago. I believe he will have strong bipartisan support from the Senate, and I urge all Members to vote to confirm this nomination.

Mr. SCOTT of Florida. Mr. President, I rise in opposition to the nomination of Wally Adeyemo for Deputy Secretary of the Treasury,

The U.S. Treasury Department plays a significant part in enforcing American foreign policy through economic sanctions. We know that sanctions work and that the strong application of these measures against adversaries, including Communist China, Iran, North Korea, Cuba, Venezuela, and Nicaragua, are essential to holding the brutal dictators and their enablers who hold power in these nations accountable.

Communist China is the biggest threat our Nation faces. Communist China is committing a genocide against the Uyghurs, stripping Hong Kongers of their basic rights, and continues to threaten to take Taiwan by force. I am concerned that Mr. Adeyemo does not understand the risk Communist China poses to our national and economic security and to our allies. Communist China is not a strategic competitor; they are an adversary and must be treated as such. Any U.S. official who thinks that Communist China can play a positive role in the world is mistaken.

I am also concerned that Mr. Adeyemo will not be strong when standing up to Castro's Communist regime in Cuba. I cannot support anyone who will back a return to the failed Obama-Biden appeasement policies, which did nothing to help the Cuban people and allowed Havana to extend its reach and expand its control, giving power to other ruthless dictatorships in Latin America.

Currently, our Nation is on track to reach $30 trillion in debt. We have to get serious about Federal spending and the impacts it will have on our children and grandchildren. President Biden's massive spending policies are already causing the cost of living in America to rise. I cannot support candidates who think the solution to America's economic woes is more government, more taxes and more regulation, not more individual opportunity. That is wrong and will only send us further into debt and our families further into despair. We need to focus on growing the economy and growing jobs in order to preserve the American dream.

For all these reasons, I oppose Mr. Adeyemo's nomination and urge my colleagues to do the same.

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

The nomination was confirmed.

The PRESIDING OFFICER. The motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

MORNING BUSINESS—Continued

The PRESIDING OFFICER. The Senator from Mississippi.

ALEXEI NAVALNY

Mr. WICKER. Madam President, I rise this afternoon to call attention to a courageous Russian hero who is in danger even as I speak. He is a man who has consistently stood up to Vladimir Putin and his cronies and has, on numerous occasions, placed his own life in jeopardy to bring the truth to light. The lawless thugs in the Kremlin often avoid saying his name in public, but here on the Senate floor, I am proud to stand in solidarity with Alexei Navalny.

It was just last August that Alexei Navalny, Russia's foremost opposition leader, was poisoned with a deadly nerve agent. Millions of us remember seeing the video of his being stricken on an airplane and hearing his painful cries, the crew members unsure how to soothe his pain. Thanks to the quick diplomatic work of our friends in Germany, Mr. Navalny was evacuated to Berlin, where he received expert medical attention and, against all odds, recovered from this poisoning.

An ordinary man would have stayed safe and very far away from the Kremlin, but Alexei Navalny is no ordinary man. He is a Russian patriot who envisions a different kind of Russia, one where citizens have a say in government, where freedom blooms, and where the President does not siphon away funds intended for hospitals in order to build secret palaces or to enrich members of his kleptocracy.

So, 3 months ago, Mr. Navalny returned to Russia, knowing full well the dangers he would face. Immediately upon his arrival, he was arrested at the airport for a parole violation, which resulted from his hospitalization, which resulted from his poisoning. He now sits in one of the most notorious penal colonies in Russia, known for its psychological torture. He has been deemed a flight risk and is awakened eight times a night under the guise of monitoring his whereabouts. His lawyers were recently prevented from seeing him. Reports are that he is suffering from severe back pain and other health

concerns and has received inadequate medical care.

This is a familiar sounding story, but one thing is clear: The Russian dictatorship is terrified of Alexei Navalny. He is a threat to them because he has exposed their unbridled corruption and urged voters to demand that the government respect their rights. Because of that, Alexei Navalny's life is in danger at this very moment.

The tens of thousands of demonstrators who turned out across Russia to support this jailed opposition leader send an unmistakable message to the Kremlin: You cannot suppress the voice of the people indefinitely.

Freedom-loving Americans and freedom-loving people around the world are, today, crying out for justice for Alexei Navalny. He endures the suffering of many before him—in Russia, people like Sergei Magnitsky and Boris Nemtsov and, abroad, people like Nelson Mandela and Mahatma Gandhi—whose legacies and movements did not rot while they were in prison but, instead, helped to bring down oppressive governments.

At this point, I yield to the Senator from Colorado for a brief intervention before I close with a thought or two.

Mr. BENNET. Madam President, I rise on behalf of Senator CARDIN, who is a Democrat from the State of Maryland and an original cosponsor of this bill with Senator WICKER, to say what he would have said if he had been here today, which is that Alexei Navalny is a Russian patriot, that he is a prisoner of conscience, and that we need to stand up to Russia's human rights violations.

Thank you.

Mr. WICKER. In reclaiming my time, I appreciate the work of my friend Senator CARDIN.

Senator COONS from Delaware was also here, but, unfortunately, he had to leave.

They also wanted to make it clear that, on a bipartisan basis, on both sides of the aisle, the U.S. Senate stands for freedom-loving people in Russia and for their spokesman, Alexei Navalny. We intend to shine the light of public opinion on the actions of the Russian kleptocracy and dictatorship with regard to prisoners and patriots like Alexei Navalny.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

CONFIRMATION OF ADEWALE O. ADEYEMO

Mr. BROWN. Madam President, before we hear from Senator BOOKER and Senator BENNET and Senator WARNOCK on one of the best things this Senate has done in my career, that being the extension of the child tax credit and the earned income tax credit, I just want to say a few words about someone we just voted on at the Department of the Treasury who is so, so important, Adewale Adeyemo, who will be Janet Yellen's—one exemplary Treasury Secretary—Chief of Staff. He is a terrific public servant.

Senator CORTEZ MASTO, the Presiding Officer, and I were talking a few minutes ago about the importance of the Treasury Department in so many things from the child tax credit, to the pension bill, to so many things that we do that matter—getting the $1,400 checks out and making sure our tax system is fair.

Senator BENNET and I serve together with Senator CORTEZ MASTO and others on the Committee on Finance. What that means and what we are trying to do on that committee is to take away the 50-percent-off coupon from corporations that shut down production in Reno or in Boulder or in Cleveland or in Newark and move overseas. They get, essentially, a 50-percent-off coupon on their taxes. We need to close those loopholes. We need a Treasury Secretary, and we need Adewale Adeyemo, who will make a huge difference in our work there.

So I thank Senator SCHUMER and those on both sides of the aisle for finally confirming him today and getting him to work.

I yield to Senator BENNET, who, I think, is going to start or, maybe, Senator BOOKER.

Less than 2 weeks ago, President Biden signed the American Rescue Plan into law. He ushered in some of the most transformative economic policies to come out of Washington in generations.

By expanding access to and eligibility for the child tax credit and the earned income tax credit, the American Rescue Plan is going to lift 10 million kids above or closer to the poverty line and put money in the pockets of 17 million American workers across the country.

I want to start out by noting that both the income—low-income and middle-income families and workers potentially qualify for these credits, and they will be issued periodically via check and direct deposit. American workers should know this was a profound change that will benefit you.

American workers also have to know that they won't have to wait until next year. You won't have to start to see advanced payments of these credits 6, 7, 10 months down—you will see them as early as July. And because of the changes that we made, if you didn't previously qualify because you didn't have a high enough income, you could be eligible now.

I am so proud to be here today alongside Senator BROWN, Senator BENNET, Senator WARNOCK, the Presiding Officer, who are in large part responsible for this powerful lifeline to the American people and, critically, for our children.

Senator BENNET, Senator BROWN, Senator WARNOCK, thank you. You are champions who have been fighting in and out of the Senate and understand not just the economic urgency but the moral urgency to address poverty. And that is really what we are all here to talk about—the urgency of the crisis of poverty and specifically child poverty.

In America, this is unacceptable. In the wealthiest Nation on the planet Earth, the question of poverty is not one of inevitability; it is one of policy choice. It is not if we can do something; it is will we do something.

Tonight, I am going home to Newark, driving very soon, where I have lived over the past 20 years. I am proud to call Newark home. I am proud to be a part of a community of people who take care of each other. I am proud to be part of a community that is rich with dignity, rich with activism and intellect and engagement.

But we are also a community, like so many others in America, that still struggles. According to the last census, the median income for the census track that I live in was about $14,000 per household, and that was before the dual public health and economic crises of the COVID pandemic.

And in my community, like many others, urban and rural, across America, adults aren't the only ones struggling; our kids are too. In fact, the poorest age group in America is our children, with one in six American kids living in poverty. It is nothing less than a moral obscenity that the richest Nation in the world should have the highest rates of child poverty in the developed world.

For adults, poverty has a technical definition. It is a federally defined guideline—an amount of annual income that you fall under that also takes into account how many people are in your household.

For kids, poverty is defined by what they experience every single day, by what happens to them. It is growing up being more likely to deal with food insecurity, not knowing where your next meal will come from or when it will come. It is facing housing insecurity. A quarter of kids living in poverty will have gone through an eviction before they turn 15 years old.

Kids in poverty have worse health outcomes, worse educational outcomes, and are more likely to become entrapped in our broken criminal justice system. And kids who grow up in poverty are more likely to be poor as adults.

Study after study has shown how children who live in poverty have higher levels of stress hormones. The stress of poverty literally affects their brains. It inhibits brain development. It is violence against the brain of a child.

One child poverty expert described the stress hormones that are constantly released in kids growing up in poverty as similar to the feeling that an adult would get after a car crash—every single day. This is violence.

We know that when a child experiences poverty, there are lifelong psychological and physiological effects they carry with them. Study after study after study has borne this out.

For kids, poverty is literally dangerous for their development, dangerous for their health, and they could have permanent and lasting damage to their brains.

The cruelty of this crisis is that no parent would ever choose that for their child. Poor parents do not choose for their kids to experience the daily trauma of poverty. They do not choose to condemn their kids to a life of worse education outcomes, worse health outcomes.

What we must understand is that child poverty is not a choice that low-income parents make. It is a failure of our country to take collective responsibility for the well-being of American children. This is a moral sin. It is not a sin to be poor but a sin to tolerate such poverty in our communities.

Almost 2 weeks ago, Congress and President Biden made the choice to do something about this American sin, this unacceptable reality, this moral obscenity—the violence happening to so many children. They did something about it; we did something about it in the American Rescue Plan. And now we are calling on our—really, we are on our way for a year to cut child poverty in half; for Black children more than in half, 52 percent; for Hispanic children, by 45 percent; for Native American children, by 62 percent.

That is millions of kids across the country who will not face the violence of poverty. In New Jersey, that is 89,000 kids and their families who are not just going to be lifted out of poverty but will be given the opportunities and the freedoms that come with being able to build a life and a future beyond without the trauma that comes with poverty.

That is why we are together here this afternoon—because lifting kids out of poverty is not just about ending a crisis but about beginning a new American tradition of giving every child what every child should have in America as a birthright. It is about creating freedom and liberty from the oppression of poverty. We have the power to do this. We have the tools to do it, and we know it makes good economic sense to get kids and adults out of poverty.

I love what James Baldwin wrote. He said: ''Anyone who has ever struggled with poverty knows how . . . expensive it is to be poor.'' Well, that is also true for our country. Whether we realize it or not, child poverty is expensive for all of us, costing our country $1.1 trillion every year. But investing in ending poverty benefits us all. Every dollar spent on combating child poverty saves this Nation $7 down the road; $1 invested saves us $7 later. Other countries, our peers, have made these kinds of investments in children and families and have reaped rewards that we are denying ourselves.

Expanding the child tax credit and the earned income tax credit and making them permanent are proven, data-driven, evidence-based, result-apparent ways to respond to some of the most morally and economically urgent challenges of the United States of America. These are the kinds of investments in our people that will change life trajectories and have a ripple effect for generations yet to come.

If you give the child—a child firmer ground on which to grow, they will blossom and reap a harvest beyond our imagination. But if you punish them in the trauma, in the violence of poverty, you decimate not just their destinies but all of our destinies.

I am so grateful to have champions that are here today alongside me in this effort, and, together, I know this is a crisis we are going to meet, and this crisis we can overcome. I am proud of the work we have done. Now we should make those changes to the earned income tax credit and the child tax credit permanent.

I am proud to pass the microphone and the moment on to a great champion of the child tax credit and the earned income tax credit, one of the original authors of the legislation that was pulled from for our recovery plan, and that is the Senator from Ohio, SHERROD BROWN.

Mr. BROWN. Thank you, Senator.

The PRESIDING OFFICER (Mr. WARNOCK.) The Senator from Ohio.

Mr. BROWN. Mr. President, thanks to Senator BOOKER. I will be very brief. I want to hear from Senator BENNET, and I know that the Presiding Officer is going to switch chairs and be out here speaking on this.

I am so appreciative of the Presiding Officer, who won his election just in—on January 5. He was declared the winner—I don't know. Georgia elections are a little different from those of us from other places, and as soon as he was named the winner of that election, he came here and has been in the Senate about 6 or 7 weeks now and is already a leader on this fight that Senator BOOKER talked about in the child tax credit and the earned income tax credit.

I have been here long enough to remember when the earned income tax credit was—people just didn't know much about it, including our constituents.

I used to, when I was a Member of the House, I would ask accountants—CPAs and public accountants—to volunteer their time a couple of Saturdays a month for the 2 or 3 months before April 15. They would volunteer their time, and we encouraged people to sign up for the earned income tax credit, and people making $20,000 or $25,000 a year with kids would often get $2,000 or $3,000 in a tax refund, in real dollars back, because they benefited from the earned income tax credit.

So what Senator BENNET and I have worked on for a number of years is to continue to expand the earned income tax credit and now a big expansion of the child tax credit. Senator BENNET has led on that issue, on that expansion, and we worked together with Senator BOOKER and now Senator WARNOCK to make a huge difference.

When I voted from this chair on January—I am sorry, on March 6, we had been in session all night. We had voted time after time after time. It was a partisan vote.

I mean, partisanship is not what Senator MCCONNELL and my Republican colleagues say it is. Something that is partisan or nonpartisan is what the voters think, and the voters overwhelmingly support the earned income tax credit, the child tax credit, and the whole American Rescue Plan Act, and it will make such a huge difference in peoples' lives.

But I remember after that vote—it was 1 o'clock in the afternoon. I was walking out of the building to drive back to Ohio. I drive every week or a young man drives with me every week back home. And a reporter stopped me and said: What do you think? I said: This is the best day of my political life because we—what we did, as CORY BOOKER said, we are cutting the child poverty rate in half.

In my State—and I don't think Colorado or Georgia is much different. In my State, 92 percent of children in my State—92 percent of children will benefit from the child tax credit and their families often also benefit from the earned income tax credit. What is not to love about that?

That is why, like, 40 Democratic Senators are signing a letter to the President of the United States, asking—we have done this for a year, this expansion to the child tax credit and the earned income tax credit. We should do it permanently, and that is what—that is the mission that the four of us Senators sitting in this room have, is to make sure this is permanent because we know there will likely be good economic growth next quarter, the quarter after, in large part, because of what we have done with this rescue act. There will be strong economic growth, but I want to make sure that growth is shared by people at the bottom.

And it so often isn't. We have seen for 20 years—30 years we have seen executive compensation explode upward. We have seen profits up. We have seen worker productivity is up, but workers' wages are flat. That is why, in the Banking, Housing, and Urban Affairs Committee, we are working so hard to make sure that we provide more housing for people so that people have safe, affordable, accessible housing in this country because, too often, they don't. That committee is called the Senate Banking Committee around here. It is officially Banking, Housing, and Urban Affairs, but for years it is all about banking and Wall Street and very little about housing and urban affairs. We are changing that. We are changing that, in part, because this body, under Senator BENNET's leadership and others—this body is actually going to do the right thing, as CORY BOOKER said, and make sure that America's children have greater opportunities than they have had in the past. That is why I am thrilled to be a part of this effort.

I yield to my friend from Colorado, Senator BENNET.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. BENNET. Mr. President, thank you very much for being a part of this effort, and I want to thank my colleague from Ohio for his extraordinary leadership from the very beginning on both of these bills. He led on the EITC bill, and I was very grateful to have the chance to be with him on that, and I on the child tax credit, and he was my partner from the very beginning on that, as was Senator BOOKER and Senator HARRIS, before she became Vice President HARRIS.

I have only been here for 11 years, Mr. President, and you have been here a shorter time than that, and I never thought this day would come. I never thought we would see this day.

Before I came to the Senate, I was the superintendent of the Denver Public Schools. That is a large urban district in Colorado. Most of the kids are kids of color and most of the kids are kids living in poverty, and parents are working two and three jobs, many of them. No matter what they do, they can't get their kids out of poverty. No matter what they do, no matter how hard they work, they are not paid enough to get their kids out of poverty.

Over the last 11 years, I have had the great privilege of traveling the State of Colorado, and it is a diverse State. Politically, it is a diverse State. We have urban areas and rural areas, and we have got some of the most dynamic economies and business environments in the country, and therefore on the planet. And yet, if I had to summarize those townhalls, it is really easy. It is people who are coming and saying: MICHAEL, we are working really hard, but no matter what we do we can't afford housing, healthcare, higher education or early childhood education. We can't save. We think our kids are going to live a more diminished life than the life that we would, and we are already living less of a good life than our parents did.

And that is the anecdotal reflection of an economy that, for the last 50 years, has worked really well for the top 10 percent of Americans but has not worked for the bottom 90 percent. The bottom 90 percent is all of America, and their wages have been flat. We have seen income inequality grow through two recessions, the great recession and now the COVID recession, and the gaps between more affluent families and poorer families have only grown as a result.

And everywhere I went this year—I went to all 64 counties of Colorado during COVID—I heard the same thing: Give us a little bit of hope.

That is what the American Rescue Plan is going to do. It is going to give people just a little bit of hope, make it a little bit easier for people to buy groceries for their families or to pay the rent at the end of the month, pay their mortgage, set up a savings fund for their kids' college education.

That might sound like an obvious thing for us to want to do, but Washington, for years, has done exactly the opposite of what we are doing in this plan. Washington has passed one regressive tax cut after another saying they were cutting taxes for the middle class. That was a complete smokescreen. Since 2000, they have cut—listen to this—$5 trillion of taxes. Almost all of that has gone to the wealthiest people in the country, when we have got the worst income inequality that we have had since 1928. It doesn't make any sense.

Can you imagine if the mayor of Atlanta went to his citizens and said: We are going to borrow a bunch of money from the Chinese. We are going to borrow more money than we ever have before. And you say: Well, that kind of worries me. What are you going to use that money for? Are you building infrastructure and roads and bridges? No. Are you going to invest in our schools? No. Our sewers? No. Mental health, something we need desperately across this country? No. Healthcare? No.

What are you doing with the money? You are borrowing $5 trillion, what are you doing with the money?

We are going to give it to the two wealthiest neighborhoods in Atlanta and hope that somehow it is going to trickle down to everybody else. That is how you write a bill, which is the Trump tax bill, where 42 percent of the benefit of that bill—it was a $2 trillion bill—42 percent went to the top 5 percent of Americans, to the people who needed it least.

This is exactly the opposite of that. Sixty percent of our bill—I am not going to give you a lot of numbers, but 60 percent of our bill, the majority of our bill, goes to people making $50,000 or less. And as my colleagues have said, we are cutting childhood poverty in half this year as a result of what we are doing, and 90 percent of American children are going to benefit from what we are doing. That is about as broad-based as you can get. It is progressive in the sense that the greatest benefit is going to the poorest kids because the credit means the most to the people making the least, but if you are making up to $150,000 as a couple, you are going to have a benefit for your kids. You will get the full tax credit for your kids.

So let me describe it a little bit, and then I will talk about the earned income tax credit, and then I am going to take over for the Presiding Officer, and I look forward to hearing what he has to say.

Most families under this change to the law are going to receive $250 a month per child. That is $300 a month for kids under the age of 6. It is fully refundable. What does that mean? Well, there was a view about this tax credit before that said that you had to make a certain amount of money before you could be eligible for the tax credit because there was a theory that, you know, if you got the tax credit, you wouldn't work.

That is not the problem. People are killing themselves. They are not getting paid. And so we say that you get the tax credit from dollar zero, which means, finally, millions of America's poorest children who have been completely overlooked—not just overlooked, ignored—are going to get the tax credit. So millions and millions and millions of children who were too poor to benefit from what was going on here while we were cutting taxes for the richest people in America are now going to benefit from this tax credit, and it will make the biggest difference for them.

We are the wealthiest country in human history, and yet we have one of the largest, if not the largest, childhood poverty rates in America. As my colleague from New Jersey, Senator BOOKER, said—I lost my train of thought—wait until I get it back. I am so excited about what we are doing, I can't believe it.

As Senator BOOKER said, the largest group of poor people in America are children. In other words, children have the highest percentage poverty rates in our country. How can that be? How can we accept that as a permanent state of things? Well, we are not. Because of Joe Biden's bill, we are cutting it in half. And we are saying, in the richest country in the world, it is unacceptable for us to have one of the highest poverty rates. Other countries have cut their poverty rates by half, why can't we? Well, today we are.

We also have some of the worst economic mobility rates in the industrialized world as well, meaning it is hard to move up on the economic ladder. We used to say we are the land of opportunity. Unfortunately, there are a lot of other countries where people are able to get ahead by working hard. We want that to be our country again, and we want to give poor children a chance here. There is not a single child who chooses to be born poor.

The Senator from New Jersey quoted James Baldwin. He is one of my favorite authors, too, about how expensive it is to be poor.

The other thing that we have done in America is we have made it incredibly hard to be poor, incredibly hard to be poor. And that is one of the interesting things about this bill. In countries that have child benefits like this child benefit, they actually have a higher percentage of people in the workforce than we do. And why is that? It makes total sense. It makes total sense because if you have got a little bit of breathing room at the end of every month, you can fix a car that breaks down, and you can stay on your job. If you can afford to pay for a little bit of childcare for a few hours in the afternoon, maybe that lets you stay on the job.

For working moms in particular, I think it is going to really create the opportunity for them to earn income over the long haul because it will be easier for them to stay in their jobs than not.

As I mentioned, nationwide over 90 percent of children are going to benefit. So, over many nights, late nights often, on this floor, I have come here with one complaint or another about how we have turned our back on America's children. I have come here and I have said over and over again that we are treating America's children like they are someone else's children, not like they are America's children. And you know what? In this bill, we treated America's children like they are America's children, like they really matter to us, like we believe in their future and the future of our country; that they are filled with promise. No matter how poor they are, no matter what ZIP Code they live in, rural or urban, they matter to us. They are visible to us, and we are going to make them a priority.

This is the biggest reduction in childhood poverty in the history of our country, and we need to make it permanent. Today, 40 of us sent a letter to President Biden saying that we are going to work with him to find a way to make this permanent.

My goal is to end childhood poverty in this country. That is where I really want to be because then I will know we really are not going to hold some child's economic circumstances against them, but we are going to give every child in America the chance to run the footrace with each other. But 50 percent is pretty good. It is the best thing we have seen out of Washington in generations.

I want to just mention a few words also about the other bill that Senator BROWN led on the earned income tax credit, which triples that credit for low-income workers who don't have kids. So these are workers who don't have kids, who won't benefit from what we are doing in the child tax credit but will benefit from what we are doing on the earned income tax credit.

Believe it or not, until now, until we passed this bill, Washington, DC, was actually taxing people into poverty. In other words, people were working; they were earning a living; and then they had to pay their taxes. And then they were in poverty because we were tripling the tax credit from about $500 to $1,500. That no longer will be true.

We also bring the minimum age down from 25 down to 17, and we lift the cap for seniors so more people can benefit from this tax credit. In fact, 17 million people in this country are going to benefit from this change. There are 300,000 workers in my home State of Colorado. And these changes are going to transform lives. They are going to give folks a chance to breathe.

Just like all of you, I want an economy that when the economy grows, it grows for everybody. It doesn't grow just for the people at the very top. That is the economy we have had for the last 50 years. Such an economy is a threat to democracy. You cannot have a democracy if you don't have an economy where everybody feels like they get ahead. It won't work. It has never worked in human history, and I think it would be unreasonable for us to expect it would work here.

It has created a lot of uncertainty and, in many places, a lot of anger about whether the American Dream still exists for most Americans. I believe we will be able to dream again here, and we are going to need, as I said, an economy that works for everybody. That means investing in our infrastructure. That means having an approach, you know, to the competition from the Chinese Government that doesn't just leave us and our industries as collateral damage but creates thriving supply chains here, high-paying jobs here, and making sure that we own auto manufacturing here and other kind of manufacturing.

It means having an education system that can prepare people to do the jobs of the 21st century. That is work we still have to do. It means making sure that every single high school kid or every single kid that graduates from high school graduates knowing they can earn not just a minimum wage but a living wage the day they walk out of their high school. That is what we need to do.

But, in the meantime, this tax cut for working people and for low-income people means that people are going to be able to put food on the table, save a little bit of money, get through this pandemic, make their lives a little bit better, and give their kids a little bit more hope.

I am really grateful. I am really grateful that we elected a President and a Vice President who is not treating America's children like they are someone else's children but treating them like they are our children. That is not only the right thing to do for them. That is the essential thing to do if this democracy is going to survive.

I want to thank the Presiding Officer for all his efforts on this bill as well since you joined the Senate. I am going to stop there, and I will come replace you.

I yield the floor.

The PRESIDING OFFICER (Mr. BENNET). The Senator from Georgia.

Mr. WARNOCK. Mr. President, I rise today to join my colleagues—Senator BROWN; Senator BOOKER; the Presiding Officer, Senator BENNET—in shining a bright spotlight on the tragedy of child poverty and what the Senate needs to do and can do to eliminate poverty permanently—child poverty across our country.

Someone has said that children are the casualties of every age, and while this is a longstanding problem, the fight could not be more urgent as countless families work to pull themselves out of the economic misery caused by a once-in-a-century pandemic. This pain is felt all across our country.

But as we talk about the issue of child poverty, this is not theoretical. For me, it is personal. I grew up in public housing. I am one of 12 children in my family. I am No. 11 and the first college graduate. I stand here today as a U.S. Senator, but I am the product of good Federal public policy and good public schools. I know that what we do in this Chamber makes a difference in the lives of families and in the lives of all of our children. My life's journey is a testament to the promise of our country, the greatest country on Earth, when we make the necessary investments in our youth and enable them to thrive.

As a pastor, I speak to young people all the time, and I often go back to my hometown of Savannah, GA, and communities all across Georgia like the neighborhood I grew up in. In my efforts to inspire children who are struggling, I tell them that your parent's income does not have to determine your outcome. It is not where you start; it is where you end up.

Now, that is what I say to them, and I believe it, because they need to be inspired to give it all that they have got. But the truth is, when I tell them that their parent's income does not determine their outcome, that is not based simply on what they do, but on what we do. That has to be made real through good public policy.

That is why I am so proud to work with my Senate colleagues and I was so happy to join this U.S. Senate at such a critical time in our country, and in a moment, when we, buoyed by the people of Georgia who made a historic choice, our majority enabled us to pass the American Rescue Plan.

Over the past year, we have seen how the consequences of COVID–19 and the economic downturn that followed it have both illuminated and exacerbated so many of the longstanding disparities that have challenged Georgians, Americans, and people everywhere. We know that low-income families and children, especially, have not only not been spared but have, in many ways, suffered more than most. Children are casualties at every age.

According to data from the Center for American Progress, we know that nearly one in five children in Georgia was living in poverty last year. Think about that: nearly one in five children in poverty in the middle of a pandemic. It is tough enough to live in poverty, but it is even tougher to live in poverty in the middle of a pandemic. What could be tougher than being a child in poverty in a pandemic?

Another 217,000 of those children live in what we could call extreme poverty in the United States—stock markets soaring and children struggling and no relationship between what is happening on Wall Street and what is happening on their streets. It is our job to make it true when I say to them that their parent's income need not determine their outcome.

I don't know about anyone else, but I think that these high rates of child poverty are unacceptable in the greatest, richest country on the planet.

Often, we tell our children to stay on the right road, to stay out of trouble, and we should—stay focused—but we ought to spread that net of responsibility.

The truth is, poverty is its own violence. Poverty is a violence that traumatizes the mind, oppresses the body, and bruises the human spirit, so that is why the American Rescue Plan is so necessary, so important, and so historic. I am glad that Senators BOOKER, BROWN, and BENNET—I feel a little left out, the odd guy out here—I am glad that we were able to push through, in the American Rescue Plan, a landmark expansion of two tax credit programs: the child tax credit and the earned income tax credit.

Now, I am calling on all my Senate colleagues to join us in making these expansions permanent. By increasing the child tax credit, thousands of more dollars a year will flow into the pockets of the children and families who need it most, cutting poverty—child poverty—nationwide in half.

In Georgia, more than 1 million families with children will benefit from the increased tax refund, and it will lift more than 171,000 Georgia children out of poverty. Those are my neighbors and yours. Those are kids around my church and who attend my church.

So I want to be clear. Not only were we able to expand the tax refund so that more families are getting more money, but we were able to do so in such a way that it gives families a monthly cash payment providing greater financial security.

This is going to be a gamechanger for so many families, especially those who did not previously qualify for the credit when it was used just to offset taxes already owed to the government. Prior to this expansion, we had folk who were too poor to get our help. There is something wrong about that—too poor to get our help. This expansion corrects that. Now, we are putting dollars directly into the hands of the families who need it the most.

In the COVID package, we were able to strengthen the earned income tax credit, nearly tripling the maximum tax refund allowed for qualifying workers because we have to make sure that childless families in our communities also have the support they need to pay their rent, keep food on the table, and more to keep our communities strong.

Taken together, expanding and extending these programs are a major move toward eliminating child poverty and poverty in general once and for all in Georgia and all across our country, but it is still not enough to truly tackle the issue. We have included this in the American Rescue Plan; now, we must make it permanent. As so often is the case, the right thing to do is also the smart thing to do. This will not only help these families, it will help the American economy.

I am just old enough to remember when they started talking about trickle-down economics. I know some communities where they have been waiting for decades for that trickle. It hadn't trickled down; it is trickling up.

The right thing to do is often the smart thing to do. When we help these families, it is actually good economic policy. Because when you help poor families with children, they buy things like food, baby diapers, a coat for their kid, and it helps the American economy.

The right thing to do is the smart thing to do. If Congress can slash child poverty for 1 year, why wouldn't we or shouldn't we do it once and for all? And so I urge the Senate to stand up and do this work in this moral moment in America.

In just a few days, I will go home. I will stand up, and I will preach on Easter Sunday morning. This year, as it turns out, Easter is on April 4. It is the anniversary of Dr. King's death. So I will be thinking about Dr. King as I preach this coming Easter because Dr. King spent his last birthday, January 15, 1968, in his office, at our church, among other things, planning the Poor People's Campaign, trying to organize us and get us ready to stand up against poverty. He spent his birthday thinking about other people's children because he understood that his children would not be OK until other people's children were OK.

April 4 is his birthday. April 4 is also Easter this year. Let's make these tax credits permanent and resurrect hope and possibility and promise for all of America's children.

I yield the floor.

The PRESIDING OFFICER (Mr. WARNOCK). The majority leader is recognized.

NATIONAL NATIVE PLANT MONTH

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration and the Senate now proceed to S. Res. 109.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 109) designating April 2021 as ''National Native Plant Month''.

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 109) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 15, 2021, under ''Submitted Resolutions.'')

REMEMBERING THE 5TH ANNIVERSARY OF THE TERRORIST ATTACKS AT BRUSSELS AIRPORT AND THE MAALBEEK METRO STATION IN BELGIUM

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration and the Senate now proceed to S. Res. 130.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 130) remembering the 5th anniversary of the terrorist attacks at Brussels Airport and the Maalbeek metro station in Belgium and honoring the victims of the terrorist attacks.

There being no objection, committee was discharged, and the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 130) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 23, 2021, under ''Submitted Resolutions.'')

NATIONAL POISON PREVENTION WEEK

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 144, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 144) recognizing the week of March 21 through March 27, 2021, as ''National Poison Prevention Week'' and encouraging communities across the United States to raise awareness of the dangers of poisoning and promote poison prevention.

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

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

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

The resolution (S. Res. 144) was agreed to.

The preamble was agreed to.

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

NATIONAL ASBESTOS AWARENESS WEEK

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 145, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 145) designating the first week of April 2021 as ''National Asbestos Awareness Week''.

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

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

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

The resolution (S. Res. 145) was agreed to.

The preamble was agreed to.

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

RECOGNIZING THE 200TH ANNIVERSARY OF THE INDEPENDENCE OF GREECE AND CELEBRATING DEMOCRACY IN GREECE AND THE UNITED STATES

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 17, S. Res. 34.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 34) recognizing the 200th anniversary of the independence of Greece and celebrating democracy in Greece and the United States.

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

Mr. MENENDEZ. Mr. President, I come to the floor in honor of an historic occasion: the 200th anniversary of Greece's independence. I am delighted to join the Greek-American community in New Jersey and across the United States in celebrating this bicentennial. The bonds of friendship between the United States and Greece are unbreakable, and as I stand here, in the center of American democracy, I am reminded of the strength of the shared democratic values on which our long partnership is based.

Greece has made incredible contributions to the world, not least of which is developing the ideals of democracy and rule of law that inspired our Founding Fathers to establish our American system of government. The very architecture of the Capitol building is a tribute to the foundational role Greece played in the shaping of our democracy and society. The democratic ideals developed in ancient Greece continue to motivate Americans and people around the world today.

The people of the United States in turn worked to support the people of Greece as they began their own struggle for independence 200 years ago. American Philhellene Committees, comprised of ordinary Americans, sprung up to support the Greek fight for freedom through fundraising and humanitarian assistance.

Members of Congress, including Daniel Webster applauded ''the struggle of an interesting and gallant people . . . contending against fearful odds . . . for the common privilege of human nature.'' In a letter to Greek scholar Adamantios Koraes, whose work formed the intellectual basis for the Greek independence struggle, Thomas Jefferson demonstrated his support by writing that ''no people sympathise more feelingly than ours with the sufferings of your countrymen, none offer more sincere and ardent prayers to heaven for their success.''

Several American Philhellenes traveled to Greece to assist the Greek people more directly. Dr. Samuel Gridley Howe, who later became a prominent voice in America's fight to end slavery, served with the Greek army as a surgeon and a soldier. Jonathan Peckham Miller, another future noted abolitionist, also served in the Greek army. George Jarvis fought alongside the Greek people, as well as working to provide food, medicine, and clothing to those who needed it with the support of the American Philhellene Committees.

The bonds between the peoples and governments of Greece and the United States have lasted throughout our countries' long history and are stronger than ever today. Greece is an invaluable partner to the United States as a NATO member, as an EU member, and in promoting peace and stability in the Balkans and the Eastern Mediterranean region. Greece's unwavering commitment to democracy and the rule of law makes it a truly reliable ally in the region and an increasingly critical one as we face the challenges of the 21st century.

I am proud that Congress demonstrated its support for further boosting U.S.-Greece cooperation and U.S. support for the Greece-Cyprus-Israel trilateral, with the passage of the Eastern Mediterranean Security and Energy Partnership Act a little over a year ago. Ensuring full implementation of this act is one of my priorities as chairman of the Foreign Relations Committee.

The past few years have seen critical developments in U.S.-Greece relations. I am grateful to the leadership of officials in both countries whose work has helped U.S.-Greece ties reach their strongest level ever, including Ambassador Geoff Pyatt, and I look forward to building on their fantastic efforts in the months and years to come.

This 200th anniversary of Greece's independence truly is a time to celebrate: a time to celebrate Greece's hard-won freedom; a time to celebrate the bonds between our peoples, and especially the many contributions Greek Americans have made to this country; and a time to celebrate our countries' shared history and democratic values, which will be the basis of our countries' cooperation for years to come.

This week, the Senate Foreign Relations Committee unanimously approved a resolution congratulating the people of Greece on the 200th anniversary of their independence. I am grateful to Senator BARRASSO for joining me in leading this resolution and to my many Senate colleagues on both sides of the aisle who have cosponsored this resolution. With the passage of this resolution every year, Congress—and, through us, the American people—send a clear message of support for the Greek people and our countries' enduring partnership.

Greece's 200th independence anniversary serves not only as a reminder of our countries' long friendship, but also as a time for us to look to build on that history and strengthen our partnership for generations to come. The Eastern Mediterranean region and the world face unprecedented challenges, and growing the U.S.-Greece relationship is more critical than ever for our shared security and stability. I look forward to working with the people of Greece and the Greek-American community to make the vision of an even stronger U.S.-Greece relationship a reality.

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

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

The resolution (S. Res. 34) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of February 4, 2021, under ''Submitted Resolutions.'')

APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the Republican Leader, pursuant to Public Law 70–770, the appointment of the following individual to the Migratory Bird Conservation Commission: The Honorable JOHN BOOZMAN of Arkansas.

The Chair, on behalf of the Vice President, pursuant to Public Law 94–304, as amended by Public Law 99–7, appoints the following Senators as members of the Commission on Security and Cooperation in Europe (Helsinki) during the 117th Congress: The Honorable ROGER WICKER of Mississippi; The Honorable JOHN BOOZMAN of Arkansas; The Honorable MARCO RUBIO of Florida; and The Honorable THOM TILLIS of North Carolina.

The Chair announces, on behalf of the Republican Leader, pursuant to Public Law 101–509 the reappointment of the following individual to serve as a member of the Advisory Committee on the Records of Congress: Deborah Skaggs of Kentucky.

The Chair, on behalf of the Majority Leader, pursuant to the provisions of

S. Res. 64, adopted March 5, 2013, appoints the following Senators as members of the Senate National Security Working Group for the 117th Congress: DIANNE FEINSTEIN of California (Administrative Co-Chair); JACK REED of Rhode Island (Co-Chair); ROBERT MENENDEZ of New Jersey (Co-Chair); RICHARD J. DURBIN of Illinois (Co-Chair); BENJAMIN L. CARDIN of Maryland; ROBERT P. CASEY, Jr. of Pennsylvania; TAMMY DUCKWORTH of Illinois; MARGARET WOOD HASSAN of New Hampshire; KYRSTEN SINEMA of Arizona; and RAPHAEL G. WARNOCK of Georgia.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. I ask unanimous consent the Senate proceed to executive session to consider the following nominations: Calendar Nos. 41, 44, 45, 46, 47, 48, 49, 50, 51, 52, 56, and all nominations placed on the Secretary's desk in the Air Force, Army, Marine Corps, Navy, and Space Force; nominations be confirmed en bloc. I further ask that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; 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 nominations considered and confirmed are as follows:

IN THE SPACE FORCE

The following named officers for appointment in the United States Space Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Dennis O. Bythewood
Col. Todd R. Moore
Col. Devin R. Pepper
Col. James E. Smith

IN THE NAVY

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) James A. Aiken
Rear Adm. (lh) Michael E. Boyle
Rear Adm. (lh) Keith B. Davids
Rear Adm. (lh) Leonard C. Dollaga
Rear Adm. (lh) Christopher S. Gray
Rear Adm. (lh) John E. Gumbleton
Rear Adm. (lh) Sara A. Joyner
Rear Adm. (lh) James A. Kirk
Rear Adm. (lh) Andrew J. Loiselle
Rear Adm. (lh) Brendan R. McLane
Rear Adm. (lh) Peter G. Vasely
Rear Adm. (lh) James P. Waters, III
Rear Adm. (lh) George M. Wikoff

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Christopher D. Alexander
Capt. Sean R. Bailey
Capt. Thomas R. Buchanan
Capt. Christopher J. Cavanaugh
Capt. Brad J. Collins
Capt. Jennifer S. Couture
Capt. William R. Daly
Capt. Erik J. Eslich
Capt. Ronald A. Foy
Capt. Patrick J. Hannifin
Capt. Christopher A. Kijek
Capt. Oliver T. Lewis
Capt. Stephen G. Mack
Capt. Benjamin R. Nicholson
Capt. Randall W. Peck
Capt. Benjamin G. Reynolds
Capt. Mark A. Schafer

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Ronald J. Piret
Capt. Ralph R. Smith, III

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Joseph D. Noble, Jr.

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) William E. Chase, III
Rear Adm. (lh) John A. Okon

IN THE MARINE CORPS

The following named officers for appointment in the United States Marine Corps to the grade indicated under title 10, U.S.C., sectio 624:

To be brigadier general

Col. Joseph R. Clearfield
Col. Mark H. Clingan
Col. Simon M. Doran
Col. Walker M. Field
Col. Anthony M. Henderson
Col. Michael E. McWilliams
Col. Matthew T. Mowery
Col. Andrew M. Niebel
Col. Ahmed T. Williamson

The following named officer for appointment in the United States Marine Corps Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Sean N. Day

The following named officer for appointment in the United States Marine Corps Reserve to the grade indicated under title 10, U.S.C., section 12203:

IN THE COAST GUARD

The following named officer for appointment in the United States Coast Guard to the grade indicated under title 14, U.S.C., section 2121(e):

To be commander

Jerry L. Smith

To be major general

Brig. Gen. Mark A. Hashimoto

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be admiral

Vice Adm. Samuel J. Paparo, Jr.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN135 AIR FORCE nominations (241) beginning TASRIF AHMED, and ending ISAAC D. YOURISON, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN136 AIR FORCE nominations (41) beginning HAIDER W. ALJEWARI, and ending THOMAS M. WOOLF, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN137 AIR FORCE nominations (113) beginning DANIEL JAMES ABER, and ending DANIEL SCOTT ZEVITZ, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN138 AIR FORCE nominations (75) beginning ERIN E. ARTZ, and ending SETH P. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN140 AIR FORCE nominations (123) beginning MICHELLE R. ALDERS, and ending APRIL LASHEL WOODY, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN141 AIR FORCE nominations (41) beginning AARON J. AGIRRE, and ending GREGORY S. ZILINSKI, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN142 AIR FORCE nominations (23) beginning BENJAMIN BERZINIS, and ending CLINTON K. WAHL, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN143 AIR FORCE nominations (55) beginning JOSE C. AGUIRRE, and ending SCOTT M. ZELASKO, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN144 AIR FORCE nominations (14) beginning NICHOLAS B. DUVALL, and ending SCOTT D. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN145 AIR FORCE nominations (6) beginning DIANE M. CALDERA, and ending WILLIAM A. PASHLEY, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN146 AIR FORCE nominations (74) beginning BRYAN MARK BAILEY, and ending JASON P. WILLEY, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN147 AIR FORCE nomination of Conn P. McKelvey, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN148 AIR FORCE nominations (3) beginning ADAM H. FISHER, and ending SYLVETTE ORTIZ, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN149 AIR FORCE nominations (26) beginning TINA C. BENIVEGNA, and ending GIA MARIE WILSON-MACKEY, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN150 AIR FORCE nominations (5) beginning GARY L. FRISARD, and ending BRIAN J. PEARSON, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN151 AIR FORCE nominations (2) beginning BARRY E. DICKSON, JR., and ending AMY L. HUNT, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN152 AIR FORCE nominations (3) beginning AMIE M. DOUGLAS, and ending SEMIH S. KUMRU, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN153 AIR FORCE nominations (12) beginning ROBERT E. BEYLER, and ending NICOLE P. WISHART, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN154 AIR FORCE nominations (12) beginning CHARLOTTE C. APPLETON, and ending JOHN M. TUDELA, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN155 AIR FORCE nominations (3) beginning JENNIFER A. ALFAR, and ending MATTHEW L. HUDKINS, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN156 AIR FORCE nominations (9) beginning LOUIS EDWARD BELLACE, and ending CYNTHIA M. WASHINGTON, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN157 AIR FORCE nomination of Paul Joseph Sinuk, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN158 AIR FORCE nomination of Christopher J. Blaney, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN159 AIR FORCE nomination of Richard D. Engleman, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN160 AIR FORCE nomination of Elizabeth A. Beal, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN161 AIR FORCE nominations (22) beginning JEFFREY D. ADKINS, and ending MELISSA M. TALLENT, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN162 AIR FORCE nomination of David L. Walker, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN163 AIR FORCE nomination of Raeann H. Macalma, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN164 AIR FORCE nomination of Joshua B. Allen, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN165 AIR FORCE nominations (4) beginning MICHAEL JON BATES, and ending DAVID M. JACKSON, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN166 AIR FORCE nomination of Laurie Ann Flagg Inacio, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN167 AIR FORCE nominations (53) beginning MATTHEW R. ALLEN, and ending SHAUN M. WILLHITE, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN168 AIR FORCE nominations (83) beginning PETER BRIAN ABERCROMBIE, II, and ending CHRISTOPHER C. WOOD, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN169 AIR FORCE nominations (230) beginning GREGORY M. ADAMS, and ending RYAN A. ZEITLER, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN170 AIR FORCE nominations (38) beginning OBI AGBORBESONG, and ending BRYCE D. WARREN, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN171 AIR FORCE nominations (7) beginning KEVIN W. BYRD, and ending WILLIAM L. WEIFORD, III, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN172 AIR FORCE nominations (77) beginning MICHAEL R. ANDREWS, and ending RONNIE B. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN173 AIR FORCE nominations (152) beginning PEDRO E. AVILA MORALES, and ending KATELYN M. ZERINGUE, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE ARMY

PN174 ARMY nominations (3) beginning MARK S. BORN, and ending HENRY CARTAGENA, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN175 ARMY nominations (5) beginning MICHAEL L. BARNETT, and ending JAMES B. PRISOCK, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN176 ARMY nomination of Lawrence B. Austin, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN177 ARMY nomination of John B. Blackburn, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN178 ARMY nomination of Carlos J. Kavetsky, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN179 ARMY nomination of Laronda D. Davis, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN180 ARMY nomination of Alvin D. Schwapp, Jr., which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN181 ARMY nomination of Randall S. Bossler, Jr., which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN182 ARMY nominations (2) beginning JOSEPH A. MARTY, and ending BRIAN W. MCCOY, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN183 ARMY nomination of Fenicia L. Jackson, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN184 ARMY nomination of Jermain Y. Williams, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN185 ARMY nominations (30) beginning TIMOTHY M. BENEDICT, and ending SUSAN STANKORB, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN186 ARMY nominations (120) beginning HARRIS A. ABBASI, and ending D015486, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN187 ARMY nominations (81) beginning SILAS C. ABRENICA, and ending DANIEL J. YOURK, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN188 ARMY nominations (34) beginning PAUL E. BAKER, and ending STEPHEN L. WILLSON, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN189 ARMY nominations (523) beginning JONATHAN E. ABSHIRE, and ending D015253, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN190 ARMY nominations (564) beginning NATHANAEL B. ACHOR, and ending D014388, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN191 ARMY nomination of Ikechukwu L. Eweama, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN192 ARMY nomination of Edward F. Burke, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN193 ARMY nominations (16) beginning ROB R. BILLINGS, and ending OVID VILLARREAL, JR., which nominations were received by the Senate and appeared in the Congressional Record of February 22, 201.

PN194 ARMY nomination of Stephen F. Barker, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN195 ARMY nominations (2) beginning JAMES ACEVEDO, and ending LASHELL Y. DAVIS, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN196 ARMY nominations (22) beginning JOSEPH A. ANDERSON, and ending JOHN M. WINSTON, III, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN197 ARMY nomination of Michael W. Mundle, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN198 ARMY nomination of Douglas W. Hedrick, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN199 ARMY nominations (921) beginning NICHOLAUS A. ABBOTT, and ending D015207, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE MARINE CORPS

PN61 MARINE CORPS nominations (4) beginning MICHAEL J. ALLEN, and ending CHRISTOPHER M. SMITH, which nominations were received by the Senate and appeared in the Congressional Record of January 6, 2021.

PN62 MARINE CORPS nominations (2) beginning DOUGLAS A. MAYORGA, and ending MARK L. OLDROYD, which nominations were received by the Senate and appeared in the Congressional Record of January 6, 2021.

PN211 MARINE CORPS nomination of Jonathon T. Frerichs, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN212 MARINE CORPS nominations (4) beginning WILLIAM S. CHAIRSELL, III, and ending RICHARD W. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE NAVY

PN200 NAVY nomination of Rodney A. Noah, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN201 NAVY nomination of Jonathan S. Channell, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN202 NAVY nomination of Hassan A. Brown, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN203 NAVY nomination of James G. O'Loughlin, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN206 NAVY nominations (67) beginning PHILIP P. CASTELLANO, and ending

GREGORY J. YAMAMOTO, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN207 NAVY nomination of Peter Minh V. Nguyen, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN208 NAVY nomination of Troy T. Tartaglia, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE SPACE FORCE

PN139 SPACE FORCE nominations (15) beginning RAJ AGRAWAL, and ending SACHA N. TOMLINSON, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN214 SPACE FORCE nominations (15) beginning LEROY BROWN, JR., and ending FORREST D. TAYLOR, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN216 SPACE FORCE nominations (93) beginning CHRISTOPHER A. KENNEDY, and ending DEREK B. WORTH, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN217 SPACE FORCE nominations (34) beginning LANCE E. BASGALL, and ending STEPHANIE J. WEBB, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN218 SPACE FORCE nominations (3) beginning MARK C. BIGLEY, and ending STEPHEN G. LYON, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

ORDERS FOR MONDAY, MARCH 29, 2021, THROUGH TUESDAY, APRIL 12, 2021

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned to then convene for pro forma sessions only, with no business being conducted, on the following dates and times; and that following each pro forma session, the Senate adjourn until the next pro forma session: Monday, March 29 at 11 a.m.; Thursday, April 1 at 10 a.m.; Monday, April 5 at 2 p.m.; Thursday, April 8 at 5:30 p.m. I further ask that when the Senate adjourns on Thursday, April 8, it next convene at 3 p.m., Monday, April 12; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; finally, upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Trottenberg nomination to be Deputy Secretary of Transportation; finally, that the cloture motions filed during today's session ripen at 5:30 p.m.

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

ADJOURNMENT UNTIL MONDAY, MARCH 29, 2021, AT 11 A.M.

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

There being no objection, the Senate, at 5:30 p.m., adjourned until Monday, 29, 2021, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ADRIANNE TODMAN, OF THE VIRGIN ISLANDS, TO BE DEPUTY SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE BRIAN D. MONTGOMERY.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

DAWN MYERS O'CONNELL, OF THE DISTRICT OF COLUMBIA, TO BE ASSISTANT SECRETARY FOR PREPAREDNESS AND RESPONSE, DEPARTMENT OF HEALTH AND HUMAN SERVICES, VICE ROBERT P. KADLEC.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 25, 2021:

DEPARTMENT OF THE TREASURY

ADEWALE O. ADEYEMO, OF CALIFORNIA, TO BE DEPUTY SECRETARY OF THE TREASURY.

IN THE SPACE FORCE

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

To be brigadier general

COL. DENNIS O. BYTHEWOOD
COL. TODD R. MOORE
COL. DEVIN R. PEPPER
COL. JAMES E. SMITH

IN THE NAVY

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

To be rear admiral

REAR ADM. (LH) JAMES A. AIKEN
REAR ADM. (LH) MICHAEL E. BOYLE
REAR ADM. (LH) KEITH B. DAVIDS
REAR ADM. (LH) LEONARD C. DOLLAGA
REAR ADM. (LH) CHRISTOPHER S. GRAY
REAR ADM. (LH) JOHN E. GUMBLETON
REAR ADM. (LH) SARA A. JOYNER
REAR ADM. (LH) JAMES A. KIRK
REAR ADM. (LH) ANDREW J. LOISELLE
REAR ADM. (LH) BRENDAN R. MCLANE
REAR ADM. (LH) PETER G. VASELY
REAR ADM. (LH) JAMES P. WATERS III
REAR ADM. (LH) GEORGE M. WIKOFF

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

To be rear admiral (lower half)

CAPT. CHRISTOPHER D. ALEXANDER
CAPT. SEAN R. BAILEY
CAPT. THOMAS R. BUCHANAN
CAPT. CHRISTOPHER J. CAVANAUGH
CAPT. BRAD J. COLLINS
CAPT. JENNIFER S. COUTURE
CAPT. WILLIAM R. DALY
CAPT. ERIK J. ESLICH
CAPT. RONALD A. FOY
CAPT. PATRICK J. HANNIFIN
CAPT. CHRISTOPHER A. KIJEK
CAPT. OLIVER T. LEWIS
CAPT. STEPHEN G. MACK
CAPT. BENJAMIN R. NICHOLSON
CAPT. RANDALL W. PECK
CAPT. BENJAMIN G. REYNOLDS
CAPT. MARK A. SCHAFER

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

To be rear admiral (lower half)

CAPT. RONALD J. PIRET
CAPT. RALPH R. SMITH III

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

To be rear admiral

REAR ADM. (LH) JOSEPH D. NOBLE, JR.

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

To be rear admiral

REAR ADM. (LH) WILLIAM E. CHASE III
REAR ADM. (LH) JOHN A. OKON

IN THE MARINE CORPS

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

To be brigadier general

COL. JOSEPH R. CLEARFIELD
COL. MARK H. CLINGAN
COL. SIMON M. DORAN
COL. WALKER M. FIELD
COL. ANTHONY M. HENDERSON
COL. MICHAEL E. MCWILLIAMS
COL. MATTHEW T. MOWERY
COL. ANDREW M. NIEBEL
COL. AHMED T. WILLIAMSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. SEAN N. DAY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. MARK A. HASHIMOTO

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

VICE ADM. SAMUEL J. PAPARO, JR.

IN THE COAST GUARD

COAST GUARD NOMINATION OF JERRY L. SMITH, TO BE COMMANDER.

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH TASRIF AHMED AND ENDING WITH ISAAC D. YOURISON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH HAIDER W. ALJEWARI AND ENDING WITH THOMAS M. WOOLF, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH DANIEL JAMES ABER AND ENDING WITH DANIEL SCOTT ZEVITZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH ERIN E. ARTZ AND ENDING WITH SETH P. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH MICHELLE R. ALDERS AND ENDING WITH APRIL LASHEL WOODY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH AARON J. AGIRRE AND ENDING WITH GREGORY S. ZILINSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH BENJAMIN BERZINIS AND ENDING WITH CLINTON K. WAHL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH JOSE C. AGUIRRE AND ENDING WITH SCOTT M. ZELASKO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH NICHOLAS B. DUVALL AND ENDING WITH SCOTT D. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH DIANE M. CALDERA AND ENDING WITH WILLIAM A. PASHLEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH BRYAN MARK BAILEY AND ENDING WITH JASON P. WILLEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATION OF CONN P. MCKELVEY, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH ADAM H. FISHER AND ENDING WITH SYLVETTE ORTIZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH TINA C. BENIVEGNA AND ENDING WITH GIA MARIE WILSON–MACKEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH GARY L. FRISARD AND ENDING WITH BRIAN J. PEARSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH BARRY E. DICKSON, JR. AND ENDING WITH AMY L. HUNT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH AMIE M. DOUGLAS AND ENDING WITH SEMIH S. KUMRU, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH ROBERT E. BEYLER AND ENDING WITH NICOLE P. WISHART, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH CHARLOTTE C. APPLETON AND ENDING WITH JOHN M. TUDELA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH JENNIFER A. ALFAR AND ENDING WITH MATTHEW L. HUDKINS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH LOUIS EDWARD BELLACE AND ENDING WITH CYNTHIA M. WASHINGTON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATION OF PAUL JOSEPH SINUK, TO BE COLONEL.

AIR FORCE NOMINATION OF CHRISTOPHER J. BLANEY, TO BE COLONEL.

AIR FORCE NOMINATION OF RICHARD D. ENGLEMAN, TO BE COLONEL.

AIR FORCE NOMINATION OF ELIZABETH A. BEAL, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH JEFFREY D. ADKINS AND ENDING WITH MELISSA M. TALLENT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATION OF DAVID L. WALKER, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATION OF RAEANN H. MACALMA, TO BE LIEUTENANT COLONEL .

AIR FORCE NOMINATION OF JOSHUA B. ALLEN, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH MICHAEL JON BATES AND ENDING WITH DAVID M. JACKSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATION OF LAURIE ANN FLAGG INACIO, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH MATTHEW R. ALLEN AND ENDING WITH SHAUN M. WILLHITE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH PETER BRIAN ABERCROMBIE II AND ENDING WITH CHRISTOPHER C. WOOD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH GREGORY M. ADAMS AND ENDING WITH RYAN A. ZEITLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH OBI AGBORBESONG AND ENDING WITH BRYCE D. WARREN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH KEVIN W. BYRD AND ENDING WITH WILLIAM L. WEIFORD III, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH MICHAEL R. ANDREWS AND ENDING WITH RONNIE B. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH PEDRO E. AVILA MORALES AND ENDING WITH KATELYN M. ZERINGUE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

IN THE ARMY

ARMY NOMINATIONS BEGINNING WITH MARK S. BORN AND ENDING WITH HENRY CARTAGENA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

ARMY NOMINATIONS BEGINNING WITH MICHAEL L. BARNETT AND ENDING WITH JAMES B. PRISOCK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

ARMY NOMINATION OF LAWRENCE B. AUSTIN, TO BE COLONEL.

ARMY NOMINATION OF JOHN B. BLACKBURN, TO BE COLONEL.

ARMY NOMINATION OF CARLOS J. KAVETSKY, TO BE COLONEL.

ARMY NOMINATION OF LARONDA D. DAVIS, TO BE MAJOR.

ARMY NOMINATION OF ALVIN D. SCHWAPP, JR., TO BE COLONEL.

ARMY NOMINATION OF RANDALL S. BOSSLER, JR., TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH JOSEPH A. MARTY AND ENDING WITH BRIAN W. MCCOY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

ARMY NOMINATION OF FENICIA L. JACKSON, TO BE COLONEL.

ARMY NOMINATION OF JERMAIN Y. WILLIAMS, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH TIMOTHY M. BENEDICT AND ENDING WITH SUSAN STANKORB, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

ARMY NOMINATIONS BEGINNING WITH HARRIS A. ABBASI AND ENDING WITH D015486, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

ARMY NOMINATIONS BEGINNING WITH SILAS C. ABRENICA AND ENDING WITH DANIEL J. YOURK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

ARMY NOMINATIONS BEGINNING WITH PAUL E. BAKER AND ENDING WITH STEPHEN L. WILLSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

ARMY NOMINATIONS BEGINNING WITH JONATHAN E. ABSHIRE AND ENDING WITH D015253, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

ARMY NOMINATIONS BEGINNING WITH NATHANAEL B. ACHOR AND ENDING WITH D014388, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

ARMY NOMINATION OF IKECHUKWU L. EWEAMA, TO BE COLONEL.

ARMY NOMINATION OF EDWARD F. BURKE, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH ROB R. BILLINGS AND ENDING WITH OVID VILLARREAL, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

ARMY NOMINATION OF STEPHEN F. BARKER, TO BE LIEUTENANT COLONEL.

ARMY NOMINATIONS BEGINNING WITH JAMES ACEVEDO AND ENDING WITH LASHELL Y. DAVIS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

ARMY NOMINATIONS BEGINNING WITH JOSEPH A. ANDERSON AND ENDING WITH JOHN M. WINSTON III, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

ARMY NOMINATION OF MICHAEL W. MUNDLE, TO BE COLONEL.

ARMY NOMINATION OF DOUGLAS W. HEDRICK, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH NICHOLAUS A. ABBOTT AND ENDING WITH D015207, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

IN THE MARINE CORPS

MARINE CORPS NOMINATIONS BEGINNING WITH MICHAEL J. ALLEN AND ENDING WITH CHRISTOPHER M. SMITH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 6, 2021.

MARINE CORPS NOMINATIONS BEGINNING WITH DOUGLAS A. MAYORGA AND ENDING WITH MARK L. OLDROYD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 6, 2021.

MARINE CORPS NOMINATION OF JONATHON T. FRERICHS, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATIONS BEGINNING WITH WILLIAM S. CHAIRSELL III AND ENDING WITH RICHARD W. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

IN THE NAVY

NAVY NOMINATION OF RODNEY A. NOAH, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF JONATHAN S. CHANNELL, TO BE CAPTAIN.

NAVY NOMINATION OF HASSAN A. BROWN, TO BE COMMANDER.

NAVY NOMINATION OF JAMES G. O'LOUGHLIN, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH PHILIP P. CASTELLANO AND ENDING WITH GREGORY J. YAMAMOTO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

NAVY NOMINATION OF PETER MINH V. NGUYEN, TO BE LIEUTENANT COMMANDER .

NAVY NOMINATION OF TROY T. TARTAGLIA, TO BE CAPTAIN.

IN THE SPACE FORCE

SPACE FORCE NOMINATIONS BEGINNING WITH RAJ AGRAWAL AND ENDING WITH SACHA N. TOMLINSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

SPACE FORCE NOMINATIONS BEGINNING WITH LEROY BROWN, JR. AND ENDING WITH FORREST D. TAYLOR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

SPACE FORCE NOMINATIONS BEGINNING WITH CHRISTOPHER A. KENNEDY AND ENDING WITH DEREK B. WORTH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

SPACE FORCE NOMINATIONS BEGINNING WITH LANCE E. BASGALL AND ENDING WITH STEPHANIE J. WEBB, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

SPACE FORCE NOMINATIONS BEGINNING WITH MARK C. BIGLEY AND ENDING WITH STEPHEN G. LYON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on March 25, 2021 withdrawing from further Senate consideration the following nomination:

NEERA TANDEN, OF MASSACHUSETTS, TO BE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET, WHICH WAS SENT TO THE SENATE ON JANUARY 20, 2021.