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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

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

Let us pray.

We acknowledge today, O Lord, Your power, mercy, and grace. We need Your power, for the challenges we face require more than human wisdom. We need Your mercy, for we transgress Your love and fall short of Your glory. We need Your grace, for we cannot offer anything to merit Your favor or gain Your love.

Lord, empower our Senators for today's journeys. Give them confidence to draw near to You that they may find grace to help them in this time of need. May they pass their days in the companionship of Your everlasting presence. Lord, enable them to learn the stewardship of time, energy, and abundance. Guide their gifts with Your wisdom as You help them with their decisions.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore 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.

The PRESIDING OFFICER (Mr. TILLIS). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak for 1 minute in morning business.

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

WELLES DECLARATION ANNIVERSARY

Mr. GRASSLEY. Mr. President, on this very day in 1940, Acting Secretary

of State Sumner Welles issued a statement outlining U.S. policy toward the Soviet Union's annexation of the Baltic States. It began: "During these past few days the devious processes whereunder the political independence and territorial integrity of the three small Baltic Republics—Estonia, Latvia, and Lithuania—were to be deliberately annihilated by one of their more powerful neighbors, have been rapidly drawing to their conclusion."

It expressed the sympathy of the people of the United States for democratic self-government and, at the same time, articulated the policy of the United States to oppose predatory activities using force or the threat of force or any intervention in the affairs of another sovereign state. The United States continued to recognize the sovereignty of the Baltic States throughout about 50 years of Soviet occupation.

Things that go around come around. Now we have a historical footnote. Vladimir Putin has been trying to rewrite this history for his own devious purposes—reverting to the absurd Soviet claim that the Baltics in 1940 joined the Soviet Union voluntarily.

There are also clear parallels we ought to take notice of to this current Russian occupation of parts of the Republic of Georgia and the Ukraine. The principles in Secretary of State Welles' Declaration are as relevant today as they were 80 years ago.

CORONAVIRUS

Mr. GRASSLEY. Mr. President, on another issue—and more current—earlier this year, after the longest economic expansion in U.S. history, the government told the American people to stay home and businesses to close—the first time in 240 years of our country. Countless lives have been saved because Americans heeded their government's call. And at the same time, whether they wanted to or not, they

were sacrificing for their fellow Americans.

There is no doubt that containing this virus has caused economic pain not seen since the Great Depression. Hopefully, we are racing toward a vaccine answer to this pandemic. In the meantime, Americans must continue to sacrifice, just as previous generations did for the sake of their neighbors, families, friends, and loved ones.

Make no mistake, we will beat this virus, and the United States of America will emerge stronger and even more prosperous than before.

Today, Senate Republicans, hopefully, will unveil an unprecedented expansion of previous assistance to help our country get through this crisis. As Finance Committee chairman, I look forward to introducing further assistance to individuals, relief for workers and employers, support for patients, providers, and foster youth, and additional flexibilities for State and local governments to fight this disease and the economic pain that has come before it.

I call on my colleagues to, once again, work together and not let partisan politics or gamesmanship get in the way of delivering for the American people.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

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



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CORONAVIRUS

Mr. SCHUMER. Mr. President, faced with the greatest economic challenge in 75 years and the greatest public health threat in a century, we Senate Democrats have been waiting for months for our Republican colleagues in the Senate to get serious about another round of emergency relief for the American people.

Now that Senate Republicans have finally woken up to the calamity in our country, they have given up wishing it would go away, following the President's wishing everything would go away, to the detriment of this country. Our Republican colleagues have been so divided, so disorganized, and so unprepared that they have to struggle to draft even a partisan proposal within their own conference. This is before they talk to a single Democrat. This is before they even consider what the House has done.

It does seem that sometime soon, Republicans may finally unveil a legislative proposal, but because they are so disorganized and divided, they can't agree on a series of smaller bills that don't even amount to one coherent proposal. Even after all this time, it appears the Republican legislative response to COVID is ununified, unserious, unsatisfactory. Let me repeat that. Despite hitting the "pause" button on the Senate for 3 months, despite waiting more than 60 days after the House Democrats passed their plan to start work on their own, the Senate Republican response to COVID is ununified, unsatisfactory, and, fundamentally, unserious.

From what we know, their proposal or series of proposals will not include food assistance for hungry kids. Families where the parent has lost a job through no fault of her or his own can't feed their kids in this proposal, as we hear about it.

From what we know, it will not include rental assistance or extend the moratorium on evictions that is keeping tens of millions of Americans with a roof over their heads. Millions of Americans have lost their jobs through no fault of their own. They can't pay the rent or the mortgage, and our Republican friends say: Evict them.

It will not provide hazard pay to our essential workers, who have been risking their lives and their families' lives ever since this crisis began. It will not make the necessary investments in communities of color that have been ravaged by this virus disproportionately so. It will not provide the new funding that State and local governments need to keep the busdrivers and sanitation workers, teachers, and so many others on the job. From what we know, it will not even include funding to ensure that our elections are safe this fall during this COVID crisis.

Remarkably, the likely centerpiece of the Republican legislative response to COVID is not an aid package for the 20 to 30 million unemployed Americans or a massive influx of resources to test

and trace and finally stop the spread of this evil disease. The centerpiece of the Republican proposal is a liability shield to protect big corporations from lawsuits if they put their workers at risk—seriously. As COVID continues to surge throughout our country and unemployment numbers rose again for the first time in weeks, Leader MCCONNELL has made corporate immunity the centerpiece of this Republican response. Once again, the Republican Senate is far more comfortable providing relief to big corporations than relief to American workers and American families.

How about instead of shielding corporations from liability, we shield renters from eviction? How about instead of shielding corporations from liability, we shield the unemployed from poverty?

Even in those areas where the Senate Republicans seem to be moving a bit in our direction, it looks like they are coming up way short. Republicans aren't talking about providing enough resources for our schools to reopen safely. According to reports, the White House and Senate Republicans want to extend the enhanced unemployment benefits the Democrats secured in the CARES Act but only provide a percentage of a worker's former wage.

That is right, America. If you have lost your job through no fault of your own and can't go back to work because this administration has mismanaged the crisis, Republicans want you to take a 30-percent pay cut in the middle of this crisis.

Worse still, because Republicans dithered and delayed for so long, there will be an interruption in unemployment benefits. Eviction protections will expire no matter what we do because they waited until the last minute and, even at this last minute, can't seem to get their act together.

Leader MCCONNELL and Senate Republicans dismissed the House-passed Heroes Act because it included a few items that Republicans didn't think were absolutely necessary.

Senate Republicans can't even get their act together to provide the basics—food for kids, keeping Americans in their homes, preventing the unemployed from going into poverty, and giving the economy the needed help so we can overcome this recession.

You can't say you support essential workers and then refuse to give them hazard pay. You can't say you want to fix racial issues and then throw millions of Americans of color out of housing and off unemployment benefits during a pandemic. You can't say you want to honor John Lewis and then refuse to provide funding for safe elections.

Congress needs to act quickly, but the developing Republican proposals are not going to get the job done. We need to immediately enter bipartisan, bicameral negotiations to develop a proposal that actually meets the moment and matches the scale of the crisis.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. HYDE-SMITH). Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

LEGISLATIVE SESSION

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2021—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 4049, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 4049) to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

Inhofe amendment No. 2301, in the nature of a substitute.

McConnell (for Portman) amendment No. 2080 (to amendment No. 2301), to require an element in annual reports on cyber science and technology activities on work with academic consortia on high priority cybersecurity research activities in Department of Defense capabilities.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

VOTE ON AMENDMENT NO. 2080

Mr. MCCONNELL. Madam President, I know of no further debate.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to amendment No. 2080.

The amendment (No. 2080) was agreed to.

VOTE ON AMENDMENT NO. 2301, AS AMENDED

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2301, as amended.

Mr. MCCONNELL. Madam 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 88, nays 12, as follows:

[Rollcall Vote No. 138 Leg.]

YEAS—88

Alexander	Fischer	Reed
Baldwin	Gardner	Risch
Barrasso	Graham	Roberts
Bennet	Grassley	Romney
Blackburn	Hassan	Rosen
Blumenthal	Hawley	Rounds
Blunt	Heinrich	Rubio
Boozman	Hirono	Sasse
Brown	Hoeven	Schatz
Burr	Hyde-Smith	Schumer
Cantwell	Inhofe	Scott (FL)
Capito	Johnson	Scott (SC)
Cardin	Jones	Shaheen
Carper	Kaine	Shelby
Casey	King	Sinema
Cassidy	Klobuchar	Smith
Collins	Lankford	Stabenow
Coons	Leahy	Sullivan
Cornyn	Loeffler	Manchin
Cortez Masto	Manchin	Tester
Cotton	McConnell	Thune
Cramer	McSally	Tillis
Crapo	Menendez	Toomey
Cruz	Moran	Udall
Daines	Murkowski	Van Hollen
Duckworth	Murphy	Warner
Durbin	Murray	Whitehouse
Enzi	Perdue	Wicker
Ernst	Peters	Young
Feinstein	Portman	

NAYS—12

Booker	Kennedy	Paul
Braun	Lee	Sanders
Gillibrand	Markey	Warren
Harris	Merkley	Wyden

The amendment (No. 2301), as amended, was agreed to.

CLOTURE MOTION

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

The assistant bill 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 Calendar No. 483, S. 4049, a bill to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Mitch McConnell, Mike Crapo, Pat Roberts, John Cornyn, John Barrasso, Cory Gardner, Roy Blunt, Thom Tillis, Marsha Blackburn, Mike Rounds, Shelley Moore Capito, Kevin Cramer, John Thune, James M. Inhofe, Jerry Moran, Joni Ernst, John Boozman.

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

The question is, Is it the sense of the Senate that debate on S. 4049, a bill to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 86, nays 14, as follows:

[Rollcall Vote No. 139 Leg.]

YEAS—86

Alexander	Feinstein	Peters
Baldwin	Fischer	Portman
Barrasso	Gardner	Reed
Bennet	Graham	Risch
Blackburn	Grassley	Roberts
Blumenthal	Hassan	Rosen
Blunt	Hawley	Rounds
Boozman	Heinrich	Rubio
Braun	Hirono	Sasse
Burr	Hoeven	Schatz
Cantwell	Hyde-Smith	Schumer
Capito	Inhofe	Scott (FL)
Cardin	Johnson	Scott (SC)
Carper	Jones	Shaheen
Casey	Kaine	Shelby
Cassidy	King	Sinema
Collins	Klobuchar	Smith
Coons	Lankford	Stabenow
Cornyn	Leahy	Sullivan
Cortez Masto	Loeffler	Sullivan
Cotton	Manchin	Tester
Cramer	McConnell	Thune
Crapo	McSally	Tillis
Cruz	Menendez	Toomey
Daines	Moran	Udall
Duckworth	Murkowski	Warner
Durbin	Murphy	Whitehouse
Enzi	Murray	Wicker
Ernst	Perdue	Young

NAYS—14

Booker	Lee	Sanders
Brown	Markey	Van Hollen
Gillibrand	Merkley	Warren
Harris	Paul	Wyden
Kennedy	Romney	

The PRESIDING OFFICER (Mr. SCOTT of Florida). On this vote, the yeas are 86, the nays are 14.

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

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I ask for the opportunity to address the issue before us.

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

PROTESTS

Mr. MERKLEY. Mr. President, across America, crowds have been assembling, saying: This is a moment in which we must not only have a national conversation about public safety and racism, but we need action. We need to change the scenario that exists in so many places where public safety departments have seen one group of citizens in a community as their clients and another group of citizens as the threat, which leads to systemic racism, differences in approach depending on the color of the skin of the person that you are dealing with. It may be as simple as saying: Let's stop that person. They have dark skin, and they are driving through this neighborhood, and maybe they don't belong here. Let's stop that person because they have dark skin, and maybe they are dealing drugs.

That is systemic racism and profiling.

This is a discussion about what value we should aim for here in America. That value is that every member of the community is a client; that there is the goal of providing equal public safety services to all and treating each and every person the same regardless of the

color of their skin; and to have each public safety officer say "How would I respond differently if I saw three young teenagers running toward a house and they were Black rather than White?" and taking that into account and saying "Would it change that? Would I respond the same?"

They are all our clients. We are here to serve everyone. That is the national discussion. People come into the streets and protest.

This is a group of African-American, Black American protesters in Oregon. One of them is wearing a T-shirt saying "We March, we sit down, we speak up, we die."

When I read that, I was thinking about the experience I had a number of years ago when a Black American was working with me rebuilding a house, helping me out for a few weeks. We went out into suburban Maryland. This was back in the 1980s. We were trying to find a particular part or piece of equipment. We didn't know where that speciality store was. We pulled up next to a sheriff. The sheriff's car had two White sheriffs in it and a shotgun propped up between the seats.

I said to my friend: Hey, roll down your window and ask those sheriffs where this place is.

He started to roll down the window. He looked over and saw the two White sheriffs with the gun between them, and he never said a word. He just turned back. He looked straight ahead, and he looked terrified.

I saw those sheriffs as people who work for me—who should work for everyone—and we could ask them for their help. He saw them as people who—if he started a dialogue with them, he might end up in deep trouble, in physical harm. That is what this conversation is about. That is what we are seeking to change in America.

This idea of protesting for change is as American as apple pie. This is as American as the American Revolution, people standing up and saying: This is not right. Freedom of speech and freedom of assembly are core values of what it means to be a "we the people" republic.

These protesters—often African American, often of many races—have been coming together. There have been some folks—often younger folks—who have come to cause a bit of trouble that goes beyond simple protesting.

We had a challenge in Portland of White extremists—often dressing in camouflage, antifa members who are looking for a fight—conflicting, often late at night. Portland has worked very hard to deescalate that situation—to deescalate it, to empower the message that the protesters are bringing about restructuring systemic racism, ending systemic racism. These acts, these conflicts, take away from that message.

As they worked so hard to deescalate, along came President Trump. Trump had a different objective: He wanted to escalate violence on the

streets of Portland. I can tell you, there is a huge difference between protesting and making your message known and respecting that and having a government that respects it. It is our government, our “we the people” government. And this a government—an Executive in the Oval Office who deploys Federal forces to create chaos and violence and to attack peaceful protesters.

I have come to the floor twice in the last 2 days to go through and show the camouflaged, battle-ready troops deployed by Trump who are coming in a secret fashion, eliminating any indication of whom they work for. Are they Customs and Border Protection? Are they Federal Protective Service? Are they U.S. Marshals? They have no identity and have stripped all their unique identifiers, which means they can club a peaceful protester, they can shoot them in the head, and nobody knows who did it because there is no ID on their uniform. There is no accountability and no discipline and outrageous attacks on peaceful protesters.

I was here speaking yesterday, and I asked for consideration be given on this floor for my amendment to end secret policing. It is a very simple amendment that says: You wear identification of your agency. You wear a unique identifier. You don't go outside your mission of protecting a Federal building unless you are in partnership with a Governor or a mayor. It is that simple. So simple.

But my Republican colleague came down and objected to consideration of this amendment. I think, in essence, he didn't believe the story I am presenting. He didn't believe the story I am telling you about peaceful protesters being attacked. Maybe because it is so outside the conception of what a President would do, the thought is just hard to acknowledge, that we have a President who embraces this secret police strategy of assaulting peaceful protesters and grabbing people out of the crowd and throwing them into unmarked vans. It is hard to imagine.

It is hard to imagine a President of the United States admiring authoritarian dictators across the planet, but we have a President who admires the authoritarian dictator-style tactics of Duterte in the Philippines and who admires the Crown Prince, who assassinated and dismembered an American-based reporter for the Washington Post. We have a President who admires Putin, who crushes the civil rights of his people. We have a President who admires the strong-arm tactics Erdogan is employing in Turkey. That is what we have. Until now, he didn't bring the secret police to the streets of America; now he has.

I am going to try a different way of conveying what is going on and do it in the voices of women who were there at the protests 2 nights ago to try to convey what is happening on the streets of Portland and how terribly, terribly wrong it is.

The message “All Mothers Were Summoned When He Called Out to His Mama” is a reference to George Floyd dying with a policeman's knee on his neck, cutting off either his air or his carotid artery, blood supply to his brain or both, killing him. So mamas have responded. They said: Let's go join the protesters as well. Surely this is not the case, that they are attacking peaceful protesters.

They formed a group who went down, and they did things like dancing and chanting and handing out flowers, like this woman here. Isn't she beautiful? She is coming down, holding a sunflower. Others were holding mums.

It is unimaginable that a President of the United States would send Federal troops to attack women like this, holding peaceful flowers and dancing and singing in the streets. But they were scared because they knew that peaceful protesters had been attacked previously, so some of them wore goggles, and some of them wore bike helmets.

But let's hear from the women in their own words. Two of these women work on my team. I didn't know they were going to go down. I didn't know until last night that they had gone down the previous night, that they had been there. They had experiences, and they chose to share their experiences. I have maybe another five or six things that women wrote up about their experiences and posted them. I will try to share those, reading it in their voice.

The first one is from Stacey Jochimsen:

I joined the Wall of Moms in Portland on Tuesday night to support black and brown Americans and voice my concerns about police violence in our city. I showed up in cut off shorts and a yellow shirt—the identifier for the Portland Wall of Moms—I was wearing sneakers and carrying yellow mums and sunflowers that other moms had gifted me on my way in.

We participated in hours of dancing, chanting, and singing. It was a beautiful protest on a warm Oregon night. I saw no violence, I felt safe. We were demanding change. We were standing up for our black and brown brothers and sisters; we were there to amplify their voices. Was there graffiti? Sure there was. Graffiti is not violence.

At around 11 p.m., the Wall of Moms was called to the front of the federal courthouse. We went. We stood—arms linked—facing the building, creating a wall of protection between protesters and the building. We were moms called to use our privilege to keep others safe, and we tried.

While we stood, arms linked, officers in fatigues and gas masks (we assume were federal, they were unidentified) rushed from the building and from behind us. There was no warning. They took a woman to the ground and hog-tied her on the steps of the Courthouse. They swiped at cell phones and yelled at us from behind gas masks. They pointed weapons at us. Us. We were non-violent, peaceful demonstrators. We were moms in Converse sneakers holding flowers. I am still trembling at the sight of their weapons pointed at us. I have never felt so threatened and unsafe as I did at that moment. I had the realization that these officers really are not here to protect, they are here to harm. Were we going to be shot? Would I be struck in the

head by a canister? Am I going to make it home to my children?

We held our line as they threw flashbangs and shot tear gas canisters at us. I was peaceful, I was standing still and holding hands with women around me—surely they would not shoot at me. I could feel the women on both sides of me trembling. The officers pointed their weapons at us. I put my hands in the air and begged them not to hurt us. They shot more tear gas. The tear gas overwhelmed us—the pain was unimaginable. It burned my eyes, my throat, my skin. I did not bring goggles or a helmet to this protest. I wore a tank top and shorts. Why would I need a helmet and goggles at a peaceful protest?

I coughed to the point of vomiting. We ran. Fellow protesters came to us with water bottles and helped clean our eyes. Another brought wipes to clean our skin. We coughed, we vomited, and we cried.

Today, I am still shaking. I cannot focus. I am scared. I am jumping at loud noises. My heart is racing simply recalling the events of last night. I am worried about what the federal officers are going to do to my fellow Oregonians tonight.

Let me be clear: there was violence on Tuesday night, but none of it was from protesters. The only violence I encountered that night was from federal police officers.

I am grateful that I made it home to my kids last night. Others were not so fortunate.

Thank you, Stacey, for sharing your firsthand account of the night before last—Tuesday night—on the streets of Portland, when Federal officers attacked peaceful demonstrators, where there was no violence except the violence of the officers on the protesters.

This next recounting is from Amy Bacher.

She writes:

Pre-protest normalcy. There are people hanging out in a downtown park by the Justice Center. They are wearing masks, playing music, and, thanks to Riot Ribs, eating free food. The Wall of Moms gathers a short distance from there, where they hand out sunflowers and yellow carnations. Protective gear is also distributed, like helmets, due to issues with the Federal police firing ammunition. Medics hand out water and other safety gear to everyone to try to keep protesters safe.

Usually, about a few hours into the protests, the secret police come out. It is unclear who they are now because there are no markings for what unit—who they are with—and they fire at the protesters. When it was the Portland Police Bureau, they were allowed to have their badges covered.

My experience yesterday included the following: About 2,000 people gathered, chanted, gave speeches, and danced in the blocks in front of the Justice Center and Federal Building in the name of Black Lives Matter. People were serious about wearing masks. A small, white plane circled the protest area repeatedly. It appeared to be the same or similar aircraft of the plane that circled earlier protests around Revolution Hall. There were a few protesters trying to block a door of the Federal Building and post graffiti. One of the chants we shouted in front of the Federal Building was, “Tell me what democracy looks like.” Then “this is what democracy looks like.” We were all using our voices.

The next moment, though, about 15 to 20 large men in camouflage and military gear appeared like they were ready for war. They had no name tags or identifiers. We had no idea if they were soldiers, what branch they were from, or why they were there. Almost all of them were holding pepper spray guns

and looked like they had customized side-arms. They stood under the eaves of the Federal Building. The Wall of Moms were there in yellow T-shirts, stretch pants, and sneakers, basically. There was a long line—more than a block long—facing the Federal Building. We were trying to stand in front of all the other protesters who had already been gassed for some 50-plus days, thinking that Trump's military would not fire on moms. We were wrong. There was no ask by officers in front of us to step back, move, or do anything at all. The officers started kicking tear gas directly at us, shoving a nearby mom in the neck, and pepper-spraying another mom in the face at close range.

I had not been tear-gassed before and can't believe that it's allowed, especially with such frequency. It produces violent and immediate bodily reactions and should not be used on peaceful protesters. There is a near-immediate reaction. You can't see without pain of blinking. It feels like you are inhaling fire into your lungs and like your skin is being burned. My lungs are still burning 24 hours later. These are weapons of war that should not be used on Portlanders exercising their constitutional right to freedom of assembly. If, after 54 days, officers are still using these weapons of war and it is not working, we should be asking why—why they are still deemed effective or legal. Just before the first tear gas was thrown, three to four of the other officers tackled a woman to the ground and hog-tied her. We didn't see where she was taken. At least four women were arrested from that group.

Then she gives a reference to the story on the web and how to find it. She also notes that Federal agents pepper-sprayed the first aid tent, which could be a crime when done in war.

Federal agents went by the Riot Ribs free food cart in the park and pepper-sprayed the food and the grilles.

That is where she ends her commentary.

Thank you very much, Amy, for sharing your story of what happened the night before last.

I hope that all of America is recognizing that what we would never conceive of happening in America is happening—Federal agents, Federal officers, being deployed to attack peaceful protests. As these two women point out, there was graffiti, but it was not violent.

From one of the other letters I am about to read, I note:

There were young folks pounding on the plywood that covers the doors of the Federal Building, but that, too, wasn't violent. The only violence came from the Federal officers.

This next story was posted by Krista. She writes:

So the nonviolent Wall of Moms just got gassed for absolutely no reason.

Then she puts in the tags "PDX protest" and "Black Lives Matter."

I don't need cookies for being there. Please. I have the privilege of taking the night off to let my lungs rest. Black and Brown people don't get to change their skin color to take a break from systemic and personal racism. Also, Black women have been on the frontlines for decades. The Wall of Moms is getting a lot of attention, but we are not the story. Abolishing racist systems and ending police brutality against people of color is the real story.

If you want to get involved but aren't able to go downtown, please consider making a donation to "Don't Shoot Portland."

Honestly, the leaf blowers helped so much on Monday. I was wishing that the dads would come out in force again Tuesday because the moms got gassed bad. It was brutal. I am still coughing and burning 4 hours later.

Come on, dads. Until we have meaningful change, the protests will continue. Don't give up yet.

Krista makes a point that I want to accentuate time and again: Black Americans have been protesting, putting their lives at risk night after night—all kinds of protesters coming together and all kinds of skin color coming together in order to say Black lives matter and that we have to end systemic racism.

My colleague is here to speak.

Madam President, I ask unanimous consent to reserve the balance of my time.

THE PRESIDING OFFICER (Mrs. FISCHER). Without objection, it is so ordered.

The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I thank my colleague from Oregon for his eloquence and for the power of his remarks. He speaks not only for Oregon but for America. He speaks for every one of our communities and States that ought to fear this overreach. It was, indeed, one of the main fears of our Founding Fathers that the misuse and abuse of our military and policing power—of violating fundamental rights—would encroach on our basic liberties.

Now, let's be very real. Federal forces were used before to restore order in the face of violence after the Rodney King incident, after the killing of Martin Luther King in 1968, in Little Rock in 1957, in Oxford, MS, in 1962, and in going further back in our history, after the Pullman Strike and after the Detroit race riots in 1943, but this time is different. This time is fundamentally different.

As my colleague has so powerfully described from the descriptions and the photographs that he has brought to the Senate floor, what we have here is not some violent encroachment by one group against another and not just some use of violence. We have peaceful protests. In fact, the purpose and effect of the use of Federal forces here has been to incite and fuel violence. It was the same purpose that Richard Nixon sought to use Federal force when protesters against the Vietnam war came to Washington. It was Richard Nixon who said that law and order was the political issue of his day, but the use of Federal forces here is not to restore order or to enforce the law. It is, instead, to incite lawbreaking and violence.

What is different also is the use of unidentified, military-like forces. We have seen a growth over the past years in the form of such forces that are available to the President to use. The Customs and Border Patrol, the Department of Transportation, and other agencies have militarized Federal law enforcement agents. They have put

them in camouflage, and they have given them armaments. They have taught them tactics that, in effect, turn them into military-style forces. They have become secret police when they are unidentified. They are like the little, green men in Russia who show up at demonstrations and throw people into vans to disappear them. That is what they have been doing in Oregon. So whereas before the National Guard might have been called out as a show of force to restore order, now we have a perniciously different use of military force in the name of law enforcement.

I will say, as someone whose career as a U.S. attorney and then as an attorney general for 20 years was involved in law enforcement, I am ashamed and embarrassed to use, in effect, secret police in this way, supposedly in the name of law enforcement but, in reality, as a political tool. If you have any doubt about the political purposes here, just watch the latest Trump ads, which are the other side of this coin—raising fear, exhorting people to panic, and then responding on the streets in communities with this excessive use of force.

Exactly what our Founding Fathers feared was this unchecked use of military power. That is why the bill that my colleague from Oregon has introduced and that I have cosponsored is so very important, because there must be a check. Accountability is vital. Identification is key. People need to know who these people of law enforcement supposedly are, and we need accountability from them.

We also need accountability through the Insurrection Act. In having been joined by many of my colleagues, I have offered a bill, the CIVIL Act, that would apply these same checks on the President's power as apply when the President uses military abroad. He must be accountable to Congress. He must come to Congress and explain the purposes and the reasons for his use of military power. He should have no more leeway when he uses troops abroad than he would at home and vice versa. If he uses American troops against American citizens, he ought to be accountable no less than when he uses them abroad. The same is true of this policing power.

The importance of this moment cannot be underestimated. It is a moment of reckoning for racial justice, but for justice in our entire country. I believe that we must act on both sides of the aisle. We have an obligation to assure that this power is checked, because those police forces are coming to your city and your community—to Albuquerque, to Chicago, and, potentially, to Hartford, Stamford, and New Haven, CT, without the permission or invitation of our local officials.

Again, it is a fundamental difference between many past uses of political power and this one. And it may be rationalized or disguised as an effort to combat violence in the streets, but we know the purpose and intent and effect of the use of these policing forces.

So whether they are the Department of Justice or Homeland Security or Department of Transportation or the Secret Service, the goal is the same—to intimidate and incite, not to restore order.

The shame and disgrace to this Nation is palpable. When our allies, when people abroad look to the United States, they see us as an exception to the rule of force unchecked by the rule of law. Too often, force, not law, applies to subjugate rights. We are an exceptional nation because we believe in the rule of law, but what we are seeing right now is a corruption of the rule of law, in fact, using the disguise and misusing the name of law and order to push forward an agenda of hatred and bias and subjugation of basic rights. It is a shameful and tragic time for America.

My hope is Americans will rise up, that they will object with their voices and, ultimately, with their votes.

I yield the floor back to my colleague from Oregon.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Madam President, I thank my colleague from Connecticut for bringing his experience in the legal world to bear on this extraordinary development of secret police being deployed on the streets of America.

As we heard from the President, he wants to expand this model. It was first in DC. Then it was Portland. Now he is talking about Philadelphia and Baltimore, Chicago and Detroit, Oakland. In other words, all across America, as the President says, where there happens to be Democratic mayors, he wants to go create that same mayhem.

Thank you for bringing your expertise to bear on this.

I had just read the story from Krista about the moms and the protesters all getting, as she put, it “GASSED BAD.” She said, “It was brutal. . . coughing and burning 4 hours later.” Then she closes with, “C’mon dads . . . we have [to have] meaningful change. Don’t give up. . . .”

I was thinking about what I am describing, as I read these stories, or what these women are describing is the transition from this setting, where women are dancing; they are holding flowers; they are singing; they are chanting; they are eating ribs; and what unfolded a few moments later. And what unfolded?

Two of these stories, so far, have described the sudden appearance of large men in camouflage, armed with sidearms, who shortly started to shoot them, gas them, spray them, throw flashbang grenades, tackle them—in one case, hogtie a woman who was a few feet away.

And you can see how terrifying—these are men dressed for war against women dancing and holding flowers. This is beyond wrong. This is inconceivable. These unmarked, no agency, no unique identifier secret police—what my colleague just referred to like

the little green men in Russia, coming to sweep people off the streets and throw them into unmarked vans.

These pictures, I understand, are from 2 nights ago, and people were describing to me how batons were brought down—one on the neck of a woman—how they were thrown to the ground. This is showing maybe some of that right there. I can’t imagine how terrified this woman was.

Think about this: Within this week where we are recognizing John Lewis passing away—here is John Lewis on the Edmund Pettus Bridge being beaten by so-called public safety officers; I think they were Alabama police, but I am not sure who they were; they have badges; at least they weren’t secret police—and this scene from 2 nights ago in Portland, these women being assaulted by these men ready for war with every armament you can think about, including impact projectiles; that is, rubber bullets and gas and flashbang grenades and batons, assaulting these women dressed in yellow T-shirts.

I want to stress, as this last letter did, that for weeks and weeks and weeks before there was a “wall of moms,” protesters of every race were coming down to say we must reform systemic racism in America, and they, too, were peacefully protesting, and they, too, were standing, often with arms linked.

The outrage over the Federal troops being deployed with these secret police tactics has swelled the numbers, including this most recent protest, but let’s not think for a moment there haven’t been people of great courage week after week, many of them organized and led by the Black population and Black leaders of Portland.

How is it possible—Edmund Pettus Bridge, where a little over a year ago I was standing with my daughter and John Lewis, remembering what happened back when, when out-of-control leaders sent well-armed men to brutally assault peaceful protesters, and now, once again, we have out-of-control men, the President of the United States, sending well-armed men to brutally beat peaceful protesters. How is this conceivable?

Protesters of all kinds have been working hard to basically say let’s have public safety that works for all. But what is the President doing? While he is sending these forces to brutally beat peaceful protesters, he is running campaign ads, and here it is: “You won’t be safe in Joe Biden’s America. Paid for by Donald J. Trump for President.”

He is deliberately assaulting peaceful protesters in order to run campaign commercials that say he is a strong man who can reduce violence in America.

Let us all beware how twisted this is, how evil this is, how wrong this is, how much of an assault on the civil liberties of Americans this is, and how much we have a responsibility, having

taken an oath to the Constitution, to put an end to it, which is why I am down here for the third day in a row saying: Let’s insist that Federal officers be identified by whom they represent, the agency. Let’s insist Federal officers have a unique identifier. Let’s insist that if their mission is to protect a Federal building, they are on the perimeter of the Federal building, not sweeping through the streets of Portland, throwing people into unmarked vans.

That is my amendment. That is the amendment I am asking to be considered on this floor. Isn’t it our responsibility to debate when egregious things happen in America, like a strongman, authoritarian President trampling on the Constitution by assaulting peaceful protesters with Federal forces? Isn’t it our responsibility to debate it and vote on whether secret police are allowed in the United States of America?

I have been reading these letters from the women who were down there. I will read one or two more, and then I am going to yield to my colleague from Oregon.

As the two Senators from Oregon, we have heard from hundreds of people who have been protesting peacefully over these weeks and how hard local leaders have worked to deescalate, and how Trump, sending in these Federal forces to beat protesters—peaceful protesters—has completely escalated the situation, rather than deescalating it, all so Donald Trump can run a campaign commercial and try to persuade you he should be President.

This story recounting is written by Joy, and she was down there with Krista, so she starts out:

I don’t know how my friend, Krista, managed to take a picture during the madness of this moment. I could not see anything and was struggling to breathe through the mass of foamy snot provoked by teargas that filled my mask.

And she had posted a picture that Krista had taken of her right after she had been gassed. I don’t think I have the—do I have the picture? I might have. Let me see if we can—no. If I find it, I will put it up.

Getting gassed was painful and scary, yet still I felt secure and cared for by the several helpers that aided us with water and saline eye washes. Several people checked in to see if we were ok and help. That is the beautiful part of this otherwise unpleasant image. This is me on my knees, being helped by strangers. The ugly part of this moment is what happened before this . . . the moment when federal agents blasted us with teargas and rubber bullets despite ZERO provocation from our line of moms . . . we were simply standing side by side with linked arms. That’s it. For no apparent reason they shot at a bunch of moms without giving a single warning. Nope, no warning. No request to move. They just blasted away at us like they were playing a video game.

I yield to my colleague from Oregon and reserve the balance of my time.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I want to thank my colleague for putting a human face—the face of Oregonians—on this Federal invasion of our State.

And I want to talk just for a moment and ask my colleague a question because, yesterday, here in Washington, as our constituents were finding this horrific invasion of their constitutional rights—the moms and others, when they were peacefully protesting—what we saw in the Senate Intelligence Committee, I say to Senator MERKLEY, was an example of just how disconnected the Trump administration is from reality as they try to find these figleaves to cover up for their violation of the constitutional rights of our citizens.

We had a nominee for a top legal position in the Trump administration—a top position, legal position, that is greatly going to affect the constitutional rights of the people we are honored to represent—the rights that are now being violated, as we have said repeatedly here on the floor.

The nominee's name was Patrick Hovakimian, and I asked him a couple of basic questions, questions that our constituents are asking.

I asked him: Do you believe that Federal forces can patrol American cities over the objections of State and local officials and away from Federal buildings?

That is something you and I get asked all the time by our constituents.

Then I also asked him: Do you believe that unidentified Federal forces in unmarked cars can drive around seizing and detaining American citizens?

This is also something we are very familiar with. I pointed out American troops, our soldiers who so courageously fight the terrorists, wear their identification. Again, he just ducked and bobbed and weaved. At one point—and then he repeated it—he said: Senator, just give my best wishes to the people of Portland.

I asked again for a responsive answer, and he wished us best wishes again for these people who are getting gassed, like Sharon Meieran—whom the Senator and I talked about, a personal friend of our family, an emergency room doctor—getting hit with a tear gas canister—“sending best wishes” to the people you and I represent.

So it seems to me—and I would be interested in the Senator's thoughts because he has spent a lot of time thinking through where this is headed because we in Oregon were kind of the test tube. We were the people who were going to be first. The President has said that he is going on to other cities.

Both of us share a great interest in healthcare. I sure as hell wish that he would attack the coronavirus with half of the intensity with which he has attacked our cities. We are going to talk some more about that.

Let me get the Senator's reaction to what I think is the central question,

and I really pondered this as we were listening to these nonanswers yesterday by a top Trump official. By the way, he is in a top position now in the Justice Department responsible for knowing about these legal issues that reflect the violations of the constitutional rights of our constituents, and then he gets a bigger job, a bigger role in these issues. I thought to myself, it seems to me, without drawing a line in the sand, America may be looking down the barrel of martial law in the middle of a Presidential election. I would be interested in the thoughts my colleague because I have been amazed at the number of Senators who have come up and said: You know, RON, that really seems to be what it has come down to.

My colleague is a student of history and has brought so much specific documentation, such as the cases he has been spelling out. I would be interested in my colleague's assessment of where he thinks this is going.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. I thank the Senator for asking for my thoughts on this.

Just before he spoke, I had described the story of Joy, who talked about the hit that her friend Krista had taken during this chaos after she had been gassed. I did check, and here is the picture of her. You can see her whole face is inflamed. There are so many people who can't see. They are dazed, and their lungs are on fire, and Patrick Hovakimian is sending best wishes to the people of Oregon.

It reminds me of a cartoon I saw when I was young in which Lucy goes out after it is observed how cold Snoopy is, out shivering on top of his doghouse during a snowstorm, and Lucy goes out and says “Hope you stay warm,” and goes back into her house. Yeah—“Best wishes, but I am not doing a thing to help you out.”

I would love for Mr. Hovakimian to say: I will come and stand there. I will see what is really going on, and if peaceful protesters are being attacked, that is simply unacceptable, and as a leader I will take it to President Trump and tell President Trump that we don't do secret police in America. We don't sweep people into vans, and if you really want me to take this position, that is what I am going to change the policy to because that is what you do in a republic. We are not a dictatorship.

That is what I would like to hear him say in response to your question to him.

You asked about martial law. Secret police operating as rogue operators outside the framework of law, outside of the cooperation of the Governor or the mayor sound like the equivalent of martial law to me.

Mr. WYDEN. Madam President, how much additional time does my colleague have?

The PRESIDING OFFICER. The junior Senator from Oregon has 26 minutes postcloture.

The Senator from Oregon.

Mr. MERKLEY. Madam President, I thank my colleague from Oregon for his intense representation of these legal issues and the role of the Intelligence Committee, noting that this has all the trappings of a President bent on the equivalent of martial law, operating in this rogue fashion, shredding the constitutional rights of people, sending Federal officers to attack peaceful protesters.

I was reading the stories of women who were down at the protests the night before last. The next one is from Stephanie.

She says:

I went downtown again last night to peacefully protest. To use my voice and my 1st Amendment rights. To feel safe—repeat: TO FEEL SAFE—against these anonymous federal agents. I wore:

- A bike helmet
- Goggles
- A double mask
- Ear plugs

And I was still terrified. The #WallofMoms stood locked, arm in arm, right up against the fence line at the federal courthouse. We stood between these federal agents dressed in war gear and unarmed protesters shouting behind us. Sweat poured down my back. The Moms stood for hours. On my bike ride home I texted [an individual] Geoff [not me] each time I stopped and called Amy . . . to have a “buddy” on the phone with me. Every time I heard a car, my heart skipped a beat. Is it a crew of federal kidnapers, ready to throw me into a van? This administration has been chipping away at our rights since day 1, but this past week in Portland has been an acceleration. Wake up, especially those supporting them. We are in a crisis of great magnitude and we are about to lose control.

Candace Jimenez, member of the Confederated Tribes of Warm Springs, said she came out to protest after the deployment of Federal agents, and said:

We have been dealing with that for 500 years. We understand the trauma, the terrorism, and the harm it causes.

Bev writes:

In less than eight hours, a group of moms helped me put together this #WallofMoms.

We tried in earnest to give the kids a break by shifting the pervasive narrative that protesters are rioters.

Case and point, we wore our whitest whites to show we weren't there to make trouble, we showed up to prove that the feds are the violent ones. . . . And we were right. Kids took down fences and did some skateboarding, two or three kids [banged] on walls, but the other people were peaceful.

I want to tell you that I didn't vomit or pee my pants after being gassed, but I did. I guess I lost control . . . and soon after I couldn't open my eyes.

To be clear, we moms weren't armed, [we weren't] throwing rocks, [we weren't] throwing water. That didn't happen.

We were gassed for chanting “Leave the kids alone.”

I want you to think about what's happening in this country and ask yourself how you're going to help change it.

Heather was down at the protests, and I don't have her picture, her larger picture, but I can tell you that she posted a picture. She is very pregnant. How gutsy I think that is that she was there, even as she is about to give birth.

She writes:

I am . . . 9mo pregnant . . . and I stood between the police and the rest of the protesters last night with about 40 other moms. My unborn baby is the topic of many Twitter debates right now and symbolizes a thousand year old debate among those who want to stifle women's freedom. Right now I have even more power than usual and I am here to use it.

I am SAFE. Thanks everybody for your concern. But we are NOT OK.

Until all women can carry a pregnancy to term . . . and birth without worrying about unnecessary trauma and death we are not OK.

I show up for all of the pregnant women who have lost their babies or their lives at the hands of racist and sexist systems and people. I show up for the women who have had a hard time getting pregnant because of the everyday stress caused by racism. I march for all of the Black mothers who rightfully agonize about their children's safety outside of their homes. I march for anyone who has been injured physically or mentally by police brutality, citizen brutality, systemic inequity, intergenerational trauma and poverty. I march for the White people finally waking up—see me and get [me], get out, pay up, and listen! I march for all of us because this is a problem for ALL of us. When you say ALL lives matter take into account what you are doing in your life to improve the world for ALL people. . . . Are you worried about my unborn child? (please answer these questions in your hearts.) Get the hell out there and stand up for a better world for my baby and his generation.

Madam President, I reserve the balance of my time and yield to my colleague from Oregon.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Parliamentary inquiry, how much time does my colleague have on his hour remaining?

The PRESIDING OFFICER. The junior Senator from Oregon has 20 minutes.

Mr. WYDEN. Thank you, I will take a few, and we are very pleased that our colleague from Illinois is here and has been a very significant ally in this.

Senator MERKLEY, one of the reasons I so appreciate your taking this time is that it reminds me a bit of what Jews faced in the 1930s.

My family fled the Nazis in the 1930s. Not all of our family got out. My father's great-uncle Max was one of the last gassed in Theresienstadt, and Jewish families saw that a democratically elected government can transform into a murderous regime before the eyes of its citizens very quickly. There isn't any bright line when it happens, no cinematic moment where everything changes—just a moment, as we talked about earlier, in which bureaucrats and lawyers and police begin to follow the bidding of their leader while perverting the rules of their Republic.

This was not a singular event. From Europe to Asia to the Americas, democratically elected governments were undermined and replaced by authoritarian regimes—often while retaining the trappings of a democracy. Bureaucrats claimed they were just following rules, soldiers and police—just following orders. Then they just wished us best wishes.

Rarely did these leaders start with majority support, but terror, combined with the abuse of the elections process—which we are also very concerned about—allows them to claim power from the ballot box.

It seems to me you are laying out that it is our sacred duty to learn from this history, to bring this history to the floor and, as I tried to say with respect to the threat of martial law, to draw a bright line when a government, instituted to protect liberty, is being used to attack liberty. We shouldn't, we cannot, and we can't wait until we have a gun at our back to raise the alarm.

The government isn't going to defend itself. The same Attorney General that has taken an oath to defend the Constitution will sit idly by while citizens are detained without charge and violently assaulted by the government. The same police officer charged with defending our citizens will commit those assaults if that is what they are directed to do.

If the Executive and any government served by the bureaucracy will take all the power they can unless a brave judiciary and a strong legislature step up and, as you have outlined here on this floor, say: "No more."

This Congress has been way too pliant in yielding, and it has emboldened the executive branch, led by Donald Trump, to ignore the constraints that have traditionally protected our liberty.

So my question is—it seems to me you are standing up for these kinds of core values of freedoms that are what we stand for as Americans and that this has been the beacon all around the world for over a century. I believe what you are saying—and I think it would be helpful for you to put it in your own words—what you are saying is that we have to be out here working on your legislation and working on these key kinds of measures because without this effort, there is a real danger, on our watch, that the light of liberty will fade away? And it seems to me what you are saying is that we are better than this.

I would like your reaction to that because I think if you look at the march of history, which in the Wyden household is very, very personal—to have lost family to Hitler's murderous regime. I would like to hear your thoughts about this kind of challenge we face and how important the work in front of us is to make sure that light of liberty doesn't fade away.

Mr. MERKLEY. Madam President.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Madam President, my colleague described how his family was affected by fascism in Germany and how his family members died for fascism—attacking them, imprisoning them in concentration camps, and putting them to death. Don't we all believe that every German citizen should have stood up to that fascism and said:

Not here; not by our government; not by our people.

That is exactly why we are on the floor right now to say: Secret police—not here, not by our government, and not allowed in our Republic. Sweeping people off the street into unmarked vans—not allowed, not here, not our government, and we will put an end to it. Gassing, assaulting, and batoning peaceful protesters on the streets of our city—not here, not allowed, and we will put an end to it.

I yield to my colleague, who I believe wishes to speak.

Mr. DURBIN. Madam President.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Madam President, I would like to direct a question to the junior Senator from Oregon through the Chair.

I thank both my colleagues from Oregon. I especially thank my colleague Senator MERKLEY, who contacted me last weekend when the situation was unfolding in Portland and talked to me about his reaction to it and what he was hearing from the people of the State he represents.

Of course, there was genuine concern in the city of Chicago, which I am honored to represent, because this President in the White House had been taking swipes at that city for years now, and we fully anticipated that the atrocity that was occurring in Portland could occur in Chicago as well.

I just want to say to the Senator from Oregon: Thank you for your leadership on this. Thank you for bringing this issue to the floor and to the floor of the Senate.

This is an issue we should be voting on. We should have voted on it this week. There was no excuse for it. We have risen to the occasion before when a historic occurrence brings to our attention that the Senate should speak and express itself. We should have done it this week on the issue that you brought, and I hope we can resort to this issue quickly—if not today, as quickly as possible afterward.

I am a cosponsor of the legislation the Senator is offering, and it is basic. It is fundamental. As I recall, and I will ask the Senator from Oregon, what you are asking for is, if the Federal Government is going to send out the so-called law enforcement protective forces and such, that they identify themselves and that they not come into a community anonymously, without any indication of who they are.

I am reminded of the Russian invasion of Ukraine—eastern portions of Ukraine, the Donetsk region—and Vladimir Putin was very careful that his invaders not wear Russian uniforms. They were known as little green men. We have a comparable situation here where the Federal forces are not identifying the agencies they represent but coming to the streets of Portland in camouflage.

The Senator from Oregon, I would like you to please, if you would, respond. Has this not been the case? Has this been documented?

Mr. MERKLEY. To my colleague from Illinois, that is exactly right, as seen in this picture and the testimony of all those who are present.

Mark Morgan, the Customs and Border Protection Commissioner, said that is not the case, and he said: "Our personnel are clearly marked as federal [law enforcement officers] & have unique identifiers." They were not. They are operating, as you say, like little green men, secret police.

Mr. DURBIN. I would like to ask another question through the Chair to the Senator from Oregon.

Is it not also true that many of these Federal agencies have defined responsibilities and defined areas of jurisdiction? For example, in the city of Chicago, as probably is the case in Portland, OR, there is a Federal protective service that has a specific building and facility and personnel in that facility that they are responsible for. Is that not the case in Oregon?

Mr. MERKLEY. That is the case.

Mr. DURBIN. And in this situation, have these Federal agents of some different agency or whatever extended their reach of jurisdiction beyond that Federal protective facility?

Mr. MERKLEY. They have.

Mr. DURBIN. How far?

Mr. MERKLEY. Well, they have been present in the streets. I don't know just how many blocks from the Federal building but certainly not just in the perimeter of the Federal property. They have swept through streets. They have vans that have gone through the streets. They have grabbed protesters and thrown them into vans. So they have departed significantly from, if you will, the mission of defending the Federal building.

Mr. DURBIN. Directing another question to the Senator through the Chair.

What has been the coordination of this Federal activity with local and State law enforcement in Portland, OR?

Mr. MERKLEY. Madam President, I request unanimous consent that our dialogue be credited to my colleague's 1 hour because I am afraid my minutes will run out.

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

Mr. MERKLEY. You asked about coordination. My understanding is that there was not an invitation from the mayor to come, and there was not a conversation with the Governor. There certainly was no conversation with Senator WYDEN and me and the other members of the delegation. The Portland police have indicated that they have not worked in cooperation with these Federal forces. They may have been engaged in what they call deconfliction, and I don't know the full extent of that.

Mr. DURBIN. Well, I don't know if I am on my own time at this moment or—

The PRESIDING OFFICER. You are.

Mr. DURBIN. Fine. So I will still continue, without objection, with col-

loquy between myself and the junior Senator from Oregon.

Let me say to the Senator that we were concerned at the beginning of this week, because of your experience, with what might happen in the city of Chicago. Senator DUCKWORTH and I sent a letter to the President of the United States expressing that concern.

I ask unanimous consent that the letter dated July 21, 2020, to President Trump, along with the press release dated July 22, 2020, describing its contents, be printed in the RECORD.

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

U.S. SENATE,

Washington, DC, July 21, 2020.

President DONALD J. TRUMP,
The White House,
Washington, DC.

DEAR PRESIDENT TRUMP: You have indicated that you may send additional federal agents to the City of Chicago to conduct policing activities that traditionally are handled by local law enforcement. We strongly urge you to refrain from taking this action, which is opposed by Governor Pritzker, Mayor Lightfoot and other local leaders. This week, we introduced legislation with other Senate Democrats to prevent you from overriding local authorities in this manner.

Any involvement by federal law enforcement in community policing activity must be conducted in coordination with, and with the approval of, local officials. In this time of heightened tension, we cannot have federal law enforcement operating at cross-purposes with local leaders.

In recent days, your Administration has deployed federal law enforcement agents in the streets of Portland, Oregon, without any visible identifying information. These federal agents have reportedly used excessive force against peaceful protesters and detained residents in unmarked vehicles. Such conduct is unacceptable anywhere in the United States and must not happen in the Chicagoland area.

On February 10, 2017, we sent you a letter suggesting a range of ways in which the federal government could play a helpful and supportive role in reducing violence in Chicago. We noted that "[p]ublic safety is primarily a local responsibility, but the federal government must be an engaged partner in public safety efforts alongside local officials, law enforcement, and community stakeholders." We recommended that your Administration take steps to assist local violence prevention efforts, including:

Enhancing Department of Justice (DOJ) programs that improve community policing;

Directing DOJ to promote mentoring and job training programs for youth and formerly incarcerated individuals;

Improving mentoring and violence prevention initiatives and boosting funding for recidivism reduction programs;

Directing DOJ to abide by its commitment to help implement policing reforms recommended by the Department's Civil Rights Division;

Closing gaps in the FBI gun background check system and in federal firearm laws that enable straw purchasers and gun traffickers to flood Chicago's streets with illicit guns;

Prioritizing career and youth training programs to address lack of economic opportunity in neighborhoods hit hard by violence; and

Redirecting resources that you are devoting to construction of your border wall and

committing those resources instead to the efforts discussed above.

It has been more than three years since then, and you have not replied to our letter nor followed through with our suggestions. We reiterate that these steps would be more effective in reducing violence in Chicago than replicating the destabilizing role that you have directed federal law enforcement to play in Portland.

With the right leadership, federal law enforcement can serve as valuable partners in supporting local efforts and helping reduce violence in American communities, rather than contravening local efforts and exacerbating tensions. It's not too late for you to demonstrate such leadership.

Sincerely,

RICHARD J. DURBIN,
U.S. Senator.
TAMMY DUCKWORTH,
U.S. Senator.

[Press Release, July 22, 2020]

DURBIN, DUCKWORTH STATEMENT ON EXPANSION OF DOJ OPERATION LEGEND TO CHICAGO
THE EXPANSION OF OPERATION LEGEND WILL CONSIST OF AN INCREASED FEDERAL LAW ENFORCEMENT PRESENCE FROM FBI, DEA, ATF, U.S. MARSHALS, AND HSI, FOCUSED ON PROVIDING SUPPORT TO EXISTING VIOLENT CRIME TASK FORCES

WASHINGTON.—U.S. Senators Dick Durbin (D-IL) and Tammy Duckworth (D-IL) today released the following statement regarding the Department of Justice (DOJ) announcing an expansion of Operation Legend to Chicago, Illinois. Operation Legend is DOJ's violent crime reduction initiative with the stated goal to provide support and assistance to state and local law enforcement partners as they work to combat violent crime, and gun violence in particular. Durbin and Duckworth are set to speak with U.S. Attorney John Lausch about Operation Legend today.

"After needless threats from the President, we're relieved the Trump Administration says they plan to work with local officials and authorities in Chicago rather than undermine local law enforcement and endanger our civil rights, as their agents have done in Portland. We will continue closely monitoring the Administration's efforts to ensure they follow through with this commitment.

"More than three years ago, we sent President Trump a letter suggesting a range of ways in which the Federal Government could work in partnership with local officials to provide support and resources to assist in public safety, violence prevention, and economic development efforts in Chicago. While we are hopeful that today's announcement means the Administration has reconsidered and will take a more positive approach, President Trump still has not replied to our letter nor followed through with our suggestions. We reiterate that these steps would be more effective in reducing violence in Chicago than any effort the Administration may take to replicate the destabilizing role it played in Portland."

In their 2017 letter which they reiterated yesterday, Durbin and Duckworth recommended that the Trump Administration take steps to assist local violence prevention efforts, including:

Enhancing Department of Justice (DOJ) programs that improve community policing;

Directing DOJ to promote mentoring and job training programs for youth and formerly incarcerated individuals;

Improving mentoring and violence prevention initiatives and boosting funding for recidivism reduction programs;

Directing DOJ to abide by its commitment to help implement policing reforms recommended by the Department's Civil Rights Division;

Closing gaps in the FBI gun background check system and in federal firearm laws that enable straw purchasers and gun traffickers to flood Chicago's streets with illicit guns;

Prioritizing career and youth training programs to address lack of economic opportunity in neighborhoods hit hard by violence; and

Redirecting resources that are being devoted to construction of border wall and committing those resources instead to the efforts discussed above.

The expansion of Operation Legend will consist of an increased federal law enforcement presence in Albuquerque, New Mexico, and in Chicago, Illinois. This federal law enforcement presence will consist of experienced investigative agents from FBI, DEA, ATF, U.S. Marshals, and HSI, focused on providing support to existing violent crime task forces.

Mr. DURBIN. Madam President, I would say to the Senator from Oregon that the Department of Justice made an announcement yesterday that they were, in fact, sending, I assume, a number of Federal agents—150—into Chicago in pursuit of an operation known as Operation Legend. This is an operation which began July 8, 2020, by the Federal Government starting in Kansas City because of the death of a 4-year-old young man, Legend Taliferro, shot and killed in the early morning hours in Kansas City on June 29.

I received a phone call this morning from John Lausch, the U.S. attorney for the Northern District of Illinois, a man whom I was instrumental in selecting and supporting and still do support to this day—his professional activities—who gave me his personal assurance that what happened in Oregon was not going to happen in Chicago; that this Operation Legend, as he described it to me, was in coordination with State and local law enforcement in the city of Chicago, the State of Illinois, to make certain that their activities were coordinated and known in advance and that they were focusing on gun violence and drug trafficking in the city of Chicago.

I have also been alerted by Mayor Lori Lightfoot that she has received the same assurances and briefing, as well as Governor J.B. Pritzker of Illinois.

So our circumstances are different from the ones that Portland faced. I will tell you that we are going to hold Mr. Lausch and the Department of Justice and all others to their word that we will not see in Chicago anything like we witnessed in the streets of Portland, OR.

I just want to say in closing to the Senator from Oregon: Thank you for bringing this to our attention because when we were alerted—the Governor, the mayor of Chicago—Senator DUCKWORTH and I both jumped on this immediately and contacted the Trump administration for clarity about what was going to happen in Chicago. We have been given these assurances.

I ask unanimous consent that the lengthy press release, which describes the activities that are going to take

place, again, with the knowledge and coordination of local law enforcement, be printed in the RECORD at this point.

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

[Press Release, July 21, 2020]

DURBIN, DUCKWORTH CALL OUT PRESIDENT TRUMP ON REPORTS OF PLAN TO SEND SECRET POLICE TO CHICAGO

SENATORS INTRODUCE LEGISLATION TO BLOCK THE TRUMP ADMINISTRATION FROM DEPLOYING FEDERAL FORCES AS A SHADOWY PARAMILITARY AGAINST AMERICANS

WASHINGTON.—Following reports that President Donald Trump wants to send federal agents into cities, including Chicago, to conduct policing activities that are traditionally handled by local law enforcement, U.S. Senators Dick Durbin (D-IL) and Tammy Duckworth (D-IL) today sent a letter to President Trump calling on him to refrain from taking this action, which is opposed by Governor Pritzker, Mayor Lightfoot, and other local leaders.

“With the right leadership, federal law enforcement can serve as valuable partners in supporting local efforts and helping reduce violence in American communities, rather than contravening local efforts and exacerbating tensions. It's not too late for you to demonstrate such leadership,” Durbin and Duckworth wrote.

Yesterday, Durbin and Duckworth joined Senators Jeff Merkley (D-OR), Ron Wyden (D-OR), and 17 of their Senate colleagues to introduce the Preventing Authoritarian Policing Tactics on America's Streets Act, which was also introduced as an amendment to the National Defense Authorization Act. The bill would block the Trump Administration from deploying federal forces as a shadowy paramilitary against Americans. The legislation comes after a week in which heavily armed, unmarked federal forces in unmarked vehicles were filmed grabbing protesters off the street in Portland, Oregon.

In February 2017, Durbin and Duckworth sent a letter to President Trump suggesting a range of ways in which the federal government could work in partnership with local officials to provide support and resources to assist in public safety, violence prevention, and economic development efforts in Chicago.

Full text of today's letter is available here and below:

JULY 21, 2020.

DEAR PRESIDENT TRUMP: You have indicated that you may send additional federal agents to the City of Chicago to conduct policing activities that traditionally are handled by local law enforcement. We strongly urge you to refrain from taking this action, which is opposed by Governor Pritzker, Mayor Lightfoot and other local leaders. This week, we will introduce legislation with other Senate Democrats to prevent you from overriding local authorities in this manner.

Any involvement by federal law enforcement in community policing activity must be conducted in coordination with, and with the approval of, local officials. In this time of heightened tension, we cannot have federal law enforcement operating at cross-purposes with local leaders.

In recent days, your Administration has deployed federal law enforcement agents in the streets of Portland, Oregon, without any visible identifying information. These federal agents have reportedly used excessive force against peaceful protestors and detained residents in unmarked vehicles. Such conduct is unacceptable anywhere in the United States and must not happen in the Chicagoland area.

On February 10, 2017, we sent you a letter suggesting a range of ways in which the federal government could play a helpful and supportive role in reducing violence in Chicago. We noted that “[p]ublic safety is primarily a local responsibility, but the federal government must be an engaged partner in public safety efforts alongside local officials, law enforcement, and community stakeholders.” We recommended that your Administration take steps to assist local violence prevention efforts, including:

Enhancing Department of Justice (DOJ) programs that improve community policing;

Directing DOJ to promote mentoring and job training programs for youth and formerly incarcerated individuals;

Improving mentoring and violence prevention initiatives and boosting funding for recidivism reduction programs;

Directing DOJ to abide by its commitment to help implement policing reforms recommended by the Department's Civil Rights Division;

Closing gaps in the FBI gun background check system and in federal firearm laws that enable straw purchasers and gun traffickers to flood Chicago's streets with illicit guns;

Prioritizing career and youth training programs to address lack of economic opportunity in neighborhoods hit hard by violence; and

Redirecting resources that you are devoting to construction of your border wall and committing those resources instead to the efforts discussed above.

It has been more than three years since then, and you have not replied to our letter nor followed through with our suggestions. We reiterate that these steps would be more effective in reducing violence in Chicago than replicating the destabilizing role that you have directed federal law enforcement to play in Portland.

With the right leadership, federal law enforcement can serve as valuable partners in supporting local efforts and helping reduce violence in American communities, rather than contravening local efforts and exacerbating tensions. It's not too late for you to demonstrate such leadership.

Sincerely, * * *

Mr. DURBIN. Madam President, what happened in Portland, OR, is unacceptable in the United States of America. We have heard the historical analogies from the senior Senator from Oregon where authoritarian central governments moved into an area and took control. We have seen the historic parallel in the eastern reaches of Ukraine, in Crimea. We know what it looks like because history has shown us. We don't want this occurring in the United States of America.

I am sorry for those who were injured and bear the scars of this Federal incursion in the city of Portland, OR. I stand with the junior Senator from Oregon. We will call and we will pass, I hope, on a bipartisan basis the reassertion of the basic principles of this country when it comes to the separation of powers and when it comes to the dignity which we ask in the streets of America under our Constitution.

I thank the junior Senator from Oregon.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Madam President, I thank my colleague so much for coming down to stand up for the people of

his home State and say that “secret police don’t belong in my State, in my city of Chicago, or anywhere in the United States” and that we should act on this floor to make sure that is not the case.

We must work and fight for the citizens all across this country. It would be the right thing for us to debate my simple amendment that says: ID, and you stay in the near vicinity of a Federal property, and you don’t engage in these attacks on peaceful protesters.

We should debate it. If people disagree with it, they should stand up and explain why. Maybe we can come to a common understanding. Do you know how rare it is for Senators to come down and actually have dialogue and debate? It just doesn’t happen. On something as important as this, shouldn’t every Member be here weighing in and considering it?

How much time do I have left?

The PRESIDING OFFICER. The junior Senator from Oregon has 18 minutes.

Mr. MERKLEY. I am going to read another story from a woman who was at the protest 2 nights ago. Her name is Tiffany. She says:

I was there. Let it be known that police fired on peaceful protesters. The Feds are here. This is really happening in #portland. . . . knowing the risks, in the middle of a pandemic, mothers of our city formed a chain to protect the peaceful protesters. We stood united with flowers, yellow shirts . . . and peace signs.

I thought I would put up again the picture of this protester with her flowers.

She continues:

Behind the safety of their fence, the police fired upon a small number of us with their “non-lethal” bullets. As a symbol, I used my baby’s blanket to attempt to shield myself. They therefore knew exactly what they were doing. They heard our peaceful calls and fired anyway.

When the fence fell, and the mothers continued to protest peacefully from the side, the police threw tear gas at us. We had to [scatter] into the streets, stumbling, trying to keep our masks on, trying to avoid more gas and cars.

When we attempted to regroup, the Feds had arrived. Some of us just trying to make our way to our cars, found our way blocked by federal agents in full combat gear.

Full combat gear.

They too fired gas at unarmed protesters, including myself. I yelled “You are in violation of the US Constitution. You are in violation of the Bill of Rights. I own my home in Portland, Oregon. I pay my taxes in Portland, Oregon. I have a right to walk on my own street without being assaulted by my government. I have a right to be here”. . . . They silenced us with more gas.

See the images for yourself.

When the government attempts to take your liberty, that is when it is appropriate to risk your life. Nonetheless, you will notice we took every precaution to stop the spread. Every single one of us wore a mask. We had people spraying hand sanitizer from spray bottles. But you know, once you got gassed, it is very hard not to spread water droplets. Gas makes your nose and eyes pour water like a faucet! Not necessarily nonlethal force when we are in the middle of a Pandemic.

I reserve the balance of my time, and yield to my colleague from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Madam President, I appreciate the Senator breaking for a moment to allow me to just say a few words. I might pose a question to him, if he chooses to answer with the remaining part of his time.

I want to make sure that my remarks are counted toward my time, not Senator MERKLEY’s time.

The PRESIDING OFFICER. Correct.

Mr. MURPHY. Senator MERKLEY and I serve on the Foreign Relations Committee together, and what we have watched together, over the course of our time on that committee, is a reversal of what was called by some scholars “the end of history.” There was this idea that democracy was going to be triumphant in the world; that in the wake of the fall of the Soviet Union and the Berlin Wall, democracy—participatory, open democracies—and capitalist economies had, effectively, won the fight and that it was just a matter of time before the rest of the world was living in a system like ours that respects the rule of law and allows for those who want to protest their government to do so under the protection of law. And much of our outreach to the Communist Party in China during the 1980s and 1990s came under the presumption that even China would eventually fall under the crushing weight of an advancing democracy.

We now know that to not be true because we are at a moment in time in which we hear on the Foreign Relations Committee uninterrupted testimony of countries that we would have, even just a decade ago, accepted and named as a democracy, starting to slide away from the rule of law, away from the protection of speech into something else.

Now, you don’t go from a democracy into an autocracy overnight. So many of the countries we are concerned about are in that transition. We hope that an active United States, playing a role for democracy promotion in the world, can help pull them back. But it is a reminder—it is a reminder—that democracy in many ways is a very unnatural mechanism to control or run your life or society.

I always remind my constituents back home that there aren’t many other things in life that are really important that you run by democratic vote. You don’t run your business by democratic vote. Your kid’s sports team doesn’t run by democratic vote. I love my 8-year-old and 11-year-old, but they don’t get an equal vote in the decisions in my household.

Democracy is fairly unnatural. We don’t really choose it as a mechanism to run other institutions in this country, but we reserve it for government. We reserve it for government, but it only remains, it only survives, it only perseveres if we tend to it, and we have

not been tending to it over the last 3 years.

I rise to support Senator MERKLEY and his effort because I have watched what these other governments do at the outset—these would be autocrats—what they do to try to gently begin to quell people’s interest in free speech. The tactics that are being used in Portland, the tactics that were used just down the street, in the Nation’s Capital, the tactics that are being contemplated for other cities throughout this country are reminiscent of tactics that have been proven successful in other countries to try to push people back inside their homes and to try to disincentivize their interests in speaking up against power, because, I am going to tell you, as word spreads that if you run out to the streets to protest your government, you may be requisitioned and shoved into an unmarked vehicle, if you are a single mom, who can’t disappear for an hour, never mind a day, you aren’t going to be that interested in going out and speaking freely. All of a sudden, if the government is starting to come down like a ton of bricks with Federal troops, with sweeps of peaceful protesters off the streets and into confinement, it does start to chill people’s interest in standing up. And that is why governments across the world have tried to pioneer these practices.

They say they are still democracies. They say they still observe the rule of law, but, then, when people try to go out and protest, they throw the military at them. They start to snatch people off the streets, and, all of a sudden, people start to think to themselves that they are better off just staying in their homes. They are better off not protesting their government because the consequences now feel too significant.

I know, Senator MERKLEY, that a lot of folks claim that we are engaged in a hyperbole when we talk about the risks to democracy presented by this administration, but through our collective seats on the Senate Foreign Relations Committee, we see what is happening around the world. We see the ways in which, drip by drip, an open participatory democracy can all of a sudden start to foreclose the rights of people to be able to petition their government.

We should just remember that over the course of history, it is .001 percent of citizens who have lived in a democracy. This is not actually how the world has chosen to organize itself. We now have these templates. We now have these models provided to us by people like the leader in Turkey or the new President in the Philippines by which we should be cautioned in the ways in which we start to constrain speech, the ways in which we start to punish speech, the ways in which we start to make people believe that there is so much risk in speaking out against their government that they are better off just accepting whatever comes their way.

So I come to the floor today as someone who introduced legislation requiring the identification of military forces when they are doing crowd control. The minute that I saw those unmarked officers on the streets of the Nation's Capital, I knew how dangerous it was. I know enough about the history of our own country to know that vigilante justice, masked from identification, is reminiscent of some of the worst moments in American history. I know that we should be students of our own history to understand the danger to democracy presented by unidentified, unaccountable agents of justice, but I also know, as a student of the world today, that there are plenty of examples overseas that should caution us as well.

Maybe there isn't a question in there, Senator MERKLEY, but I am just so appreciative of your efforts, so appreciative that you have allowed me and the legislation that I have offered with Senator SCHUMER to require identification of Federal security forces to be added to the bill that you are offering. I will be with you every step of the way, if we are not successful in getting it included in the legislation pending today, to make sure it finds a way into law. I think your legislation is a cornerstone of our strategy to protect democracy for the next 240 years.

Mr. MERKLEY. Would my colleague from Connecticut yield for a question?

Mr. MURPHY. I would.

Mr. MERKLEY. For clarification, will my question be credited to my colleague's time, and can I ask unanimous consent that that it be credited to his time?

The PRESIDING OFFICER (Mr. YOUNG). If the Senator for Connecticut yields for a question, it comes off his time.

Mr. MURPHY. I would yield for a question, then.

Mr. MERKLEY. Thank you.

You made the point about lack of identification. I have here the picture of how these have been deployed. I will make sure you can see it as well.

Many are in camouflage—the generic police, with no sense of what agency they are part of, no unique identifier, even as the head of their organization—it was later clarified, and we found out, that they were CBP, Customs and Border Protection.

He said: Of course, they have unique identifiers and, of course, they are marked as Federal law enforcement—which they are not. But if one of these individuals, in the course of attacking protesters, shoots them with a rubber bullet that fractures their forehead and puts them in critical condition in the hospital, would we have any idea how to hold that officer accountable if they have no ID?

Mr. MURPHY. Thank you for the question.

This is what led me to join with many of my other colleagues, as I mentioned, including Senator SCHUMER, to introduce the legislation in the wake of the protests in our Nation's Capital.

Accountability is also a cornerstone of the rule of law. The only way that we can aggrieve abuses of power is to know who committed those abuses of power.

Listen, these troops or these riot officers were ordered to be in that space. Let's be honest that the vast majority of these patriotic law enforcement officers are trying to do the right thing. But we know, because we have seen the video, that there have been repeated—repeated—abuses on the streets of Portland, on the streets of New York City, and on the streets of the Nation's Capital. When those occur, frankly, it should be in the interest of law enforcement leadership themselves to be able to hold those individuals accountable so that we can make sure that the blame is not ascribed to every single individual who is uniformed and on these streets, but that we hold the specific individuals, or the individuals who ordered them to take those actions, accountable.

So as a broad question, Americans should want to know what agency these individuals are representing, and they should at least have a badge number attached to them so that we can make sure that individual actions have a line of accountability. But I would argue that the agency themselves should want that if they are really in the business of making sure that any abuses of power by their officers or by their soldiers or by their police are held to account as well.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I thank my colleague from Connecticut for his intense effort to defend the civil rights of citizens—not only of his State but all Americans—and for the truth he speaks that, when you have anonymous officers in war gear attacking peaceful crowds and committing, really, disturbing acts of violence against them, it is an unacceptable thing in our democracy.

He has noted that there was this conversation about the triumph of democracy as a strategy and it was going to spread and where we were going to find ourselves by this time was a world ruled by “we the people” governments across the land and how that is not the case.

He mentioned several countries that have been backsliding, and I think we could add to that those places like Poland and Hungary. I believe he mentioned Turkey.

It is tempting to be a strongman, and we have heard the President of the United States convey his admiration for these strongmen across the planet. But then he starts to bring their secret police, fascist tactics to the streets of America, and we have an obligation—under our oaths of office and simply as citizens of this Nation—to stand up and say no.

I have been reading letters from women who were on the frontline down in the peaceful protests, clarifying that

there was no violence except the violence of the Federal agents against them.

Here is another such letter:

I am a mom. I am a nurse. I live in Portland. I was peacefully protesting police brutality and racism tonight alongside other moms as part of the protests in downtown Portland. I had my arms linked with my own mom and my close friend when Federal agents in camo rushed us with guns pointed. They paused for a split second (as if to consider if they were really going to enact violence on a group of unarmed moms) then they pushed people down to my left. We were [chanting] “don't hurt our kids.” They threw flash-bangs at our feet. They tear gassed the crowd.

I will not be silent. This is not ok. Don't just consume the line that it is a bunch of anarchists the police and feds are attacking. That is not ok. Black lives matter.

I have many more letters of people explaining what happened. They all are basically the same: There were some kids doing some graffiti; there was some pounding on the door of the Federal courthouse, but there was no violence. The only violence came from the Feds attacking the peaceful protesters.

I am going to reserve the balance of my time. I see my colleague is here from the State of Utah.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I would inquire how much time I have remaining, please.

The PRESIDING OFFICER. The Senator has 12 minutes postcloture time remaining.

Mr. MERKLEY. Mr. President, I have been using this time to share stories from women who have been down at the peaceful protests in Portland and then as they relay that they are attacked even though there is no violence in the protest. And they are attacked in an incredibly violent way.

This is not, of course, the story the administration is telling the world, the President is telling the world. He says: There is violence, and we stopped it.

The truth is, it was a peaceful protest, and Trump's Federal agents, dressed in war outfits, assaulted those protesters, as you heard in letter after letter after letter.

It is almost like acts in a play. You have women holding flowers, like this sunflower, and some had mums. They are dancing. They are singing.

Act 2, the camouflaged secret police, Trump's secret police, come onto the street—no agency identifier, no unique identifier—and then they start assaulting the women. That is act 3, the assault.

These women are describing that assault in graphic terms. It is tear gas. It is flashbang grenades. It is pepper spray. It is batons. It is a woman a few feet away being hogtied. It is a woman a few feet away being knocked to the ground. That is act 3.

And why is this happening? Because the President likes the authoritarian, secret-police tactics of dictators around the world and wants them to

bring them to the United States of America and is bringing them to the United States of America.

Maybe the moment he is doing it—right now—is because he is running campaign ads about what a good person he is to stop violence in America.

Let's understand that the President of the United States is creating violence in the streets so he can run campaign ads to say that he will stop the violence. That is this play.

It feels like a Greek tragedy. It feels like something that would never happen in America—but it is.

I have been relaying these letters that describe it in so much better terms than anyone can. This letter is from Karen—or this Facebook post is from Karen.

She says:

Mixed feelings this morning, waking up eyes still stinging and a metallic taste in my mouth after ending the night of nonviolent protest with the #WallofMoms being gassed, shot at, and manhandled to the ground without provocation. Here's what happened.

The majority of the night was a calm gathering spent listening to speakers, chanting, singing, and marching. Toward 11:30ish, folks gathered on the steps of the Justice Center. I intentionally positioned at the front line with the Moms to see for myself the truth.

There were definitely some idiot kids yelling stupid and unproductive things, but mainly we gathered calmly, sweating in the heat, holding signs and chanting in solidarity with BlackLivesMatter. More experienced protesters told the Moms without gas masks to get a few layers of people back since they knew to expect CS gas again tonight. The only physical actions taken before all hell broke loose is that some of the protesters were banging and kicking loudly on the thick plywood wall that had been constructed to block the entrance to the Justice Center.

We waited and then suddenly some kind of bullets . . . started shooting out of a small hole cut in the plywood, I felt a few stings like small pebbles or sand, it didn't really hurt but it scared me. Then some kind of smoky stuff (tear gas in hindsight) was in the air. I already couldn't see very well since my swim goggles had fogged up, but I didn't feel any burning etc. Those without respirators started leaving when they couldn't see or breathe. Huge loud noises and explosions ("flashbangs") were going off in front and behind us. Some of us linked arms and stood together as there were (where they came from) all these big officers in black riot gear with batons starting to push us off the steps of the Justice Center. We tried to hold our ground but then one Mom a few down the row from me was grabbed pulled back toward the group of officers and they started to drag her away. She must have said something inflammatory, but she was linked arms and could not have hit them, thrown objects, or resisted anything. We tried to pull her back to us for her safety and then suddenly I was grabbed by 3-4 officers who were shouting to each other to "pull her down, get her on the ground" etc. (indeed they shoved and pulled me to the ground, grabbing both arms and my backpack to do so). Someone from the Moms said, "let's go, they are surrounding us, we can't do anything now." By then the swim goggles had leaked and my eyes were burning and tearing and I . . . couldn't see, and I just crouched on the ground in a ball and put both hands up. Then—I heard the officers asking if I was ok. Asking if I could stand (I couldn't since

I couldn't see). At least one of them said "I'm trying to help you." The crowd was yelling "leave her alone" and came from behind me and were coaching me to keep my hands up and stay still. Sat there awhile shaking, getting my bearings, and finally I asked if I was being detained or if I could leave. Heard several back and forth conversations between the officers about "she resisted us" and "she tried to help her friend get away." [And then someone else said] "if she's willing to leave, just let her go." I kind of scooted back on my butt into the crowd and then some kind soul asked if he could help me up and get away from the gas, took my arm and we walked up the block back into the park. Some other kind soul asked if we needed Maalox for our eyes (that helped a little) and then we were out of the bitter cloud.

I felt sorry for the officers actually, who were only doing what they were told by some pretty evil higher-ups (to disperse nonviolent crowds by force), and as far as my experience last night, actually seemed to try to do their best not to truly hurt me (possibly because I am white, female, and was wearing yellow to identify as a Mom).

I got away with some scraped knees and a sore hip, plus the stinging eyes and metallic taste which will soon pass. But also—worst—a heavy heart. It really is senseless out there. I don't have answers and am no longer convinced that showing up is helping anything. However, I am pretty sure if the Feds hadn't been called in this would have continued to fade as hopefully productive real change and progress were made involving the city government and PD about the actual issues—concern about police brutality and social inequities for POC [people of color]—but now look at us.

We should look at these protesters who are calling for justice, for policing that treats everyone equally, and it doesn't profile, doesn't provide public safety protection to some and ignore others. It doesn't view some citizens as the clients and other citizens as the threat. It doesn't change their actions when they see a group with white skin versus black skin or dark skin.

That conversation is being destroyed by the President of America. He is trying to replace that argument for a better America that treats people with respect and honors the civil rights of all with a different America where secret police are deployed to beat the hell out of peaceful protesters and then put up campaign ads to say that he will fix it.

We cannot let this story go unanswered. At a minimum, collectively, all 100 of us should say: No secret police—they wear identifiers for agencies. They wear unique identifiers, and they don't go marching through the streets of our city. They stay to protect the Federal property they are charged to protect. They don't attack peaceful protesters with flashbangs and tear gas and pepper spray and rubber bullets and batons. We don't do that here in America.

I hope all 100 Senators will stand up and say: Yes, let's have a debate on a very simple amendment that says yes to ID on uniforms—there are no secret police—and yes to staying on your Federal property or the near vicinity if that is your mission, so we don't have folks on an unrestricted mission of

sweeping through our streets, grabbing people, and throwing them into vans as we have seen on the streets of Portland.

I am asking that this Senate do its job to address this issue, to hold a debate—long or short, as my colleagues would prefer—and vote. It is important we raise our voice. It is important we vote. It is important we have accountability. It is important that we defend the Constitution of the United States and the citizens of the United States.

The PRESIDING OFFICER. The Senator from Oklahoma.

UNANIMOUS CONSENT REQUEST—AMENDMENT NOS. 2127; 2180; 2305; 2308, AS MODIFIED; 2399; 2431; 2449; 2459; 2484, REFILE OF 2421; 2486, REFILE OF 2330; 1752; 1876; 2221; 2295; 2407; 2410; 2412; 2432; 2438; 2439; 2436; 2446, AS MODIFIED; 2453; 2430; 2461, AS MODIFIED; 2437; 2471; AND 2429

Mr. INHOFE. Mr. President, I ask unanimous consent that the following amendments be called up en bloc and the Senate vote on adoption of the amendments en bloc with no intervening action or debate.

Before I read the names, which I will do, I make that request: I ask unanimous consent for the following amendments to be called up en bloc and the Senate vote on adoption of the amendments en bloc with no intervening action. I am going to list all of the amendments so there is no misunderstanding.

The reason we are going to do this—we talked about this last night. These have been hotlined. There are a total of about 28 amendments. I will be naming in the RECORD those that I am asking the consent for: Sullivan, No. 2127; Toomey, No. 2180; Rubio, No. 2305; Cruz, No. 2308, as modified; Grassley, No. 2399; Fischer, No. 2431; Perdue, No. 2449; Perdue, No. 2459; Tillis, No. 2484, refile of No. 2421; Portman, No. 2486, which is a refile of No. 2330; Peters, No. 1752; Cardin, No. 1876; Heinrich, No. 2221; Klobuchar, No. 2295; Udall, No. 2407; Schumer, No. 2410; Booker, No. 2412; Duckworth, No. 2432; King, No. 2438; King, No. 2439; Grassley, No. 2436; Moran, No. 2446, as modified; Cassidy, No. 2453; Crapo, No. 2430; Reed, No. 2461, as modified; Klobuchar, No. 2437; Warner, No. 2471; and Bennet, No. 2429.

The PRESIDING OFFICER. Is there objection?

The Senator from Oregon.

UNANIMOUS CONSENT REQUEST—AMENDMENT NO. 2457

Mr. MERKLEY. Mr. President, reserving the right to object, would my colleague from Oklahoma modify the request to include unanimous consent to call up amendment No. 2457, an amendment to limit Federal law enforcement officers from operating in a secret fashion on the streets of America without identification; that there be 2 hours for debate, equally divided between opponents and proponents; that upon the use or yielding back of time, the Senate vote in relation to the amendment with no intervening action or debate?

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

Mr. INHOFE. Mr. President, reserving the right to object, this is an issue that we have talked about for some time, and we have spent a whole year on this bill. We have covered these issues before. I do object to that modification.

The PRESIDING OFFICER. Is there objection to the original request?

The Senator from Montana.

UNANIMOUS CONSENT REQUEST—AMENDMENT
NO. 2481

Mr. DAINES. Mr. President, reserving the right to object, I am here to speak about a very important issue facing our veterans in Montana. In Montana, we are home to one of the largest veteran per capita population in the Nation. It is an extraordinary privilege for me to represent our veterans.

I am the son of a veteran, a marine. In the U.S. Senate, I represent Montana's brave men and women who serve our country in uniform, and I have had the opportunity to hear concerns from our veterans in all corners of our State. That is why I am here today.

Last spring, the widow of a Montana veteran, Patricia Pardue, who lives in Northwest Montana, approached me with a heartbreaking story. Patricia saw nearly all of her pension benefits that her husband had earned in service to our country stripped away by a scam artist.

This scam artist is also referred to as a pension poacher. This scam artist was receiving Patricia's full VA pension, charging her for services that would have been free at the VA.

Sadly, Patricia's story is not a rare occurrence. There are bad actors across the country taking advantage of innocent Montanans like Patricia, and they need to be stopped. After hearing her story, I introduced a bipartisan bill to protect our veterans and their families from these pension poachers.

My bill has the support of Senators across both sides of the aisle, as well as the support of the Military Order of the Purple Heart of the USA, the National Association of County Veterans Service Officers, the Iraq and Afghanistan Veterans Association, and other military and veterans associations.

This is a bipartisan bill. It punishes those who act illegally by providing advice or representation to veterans without proper accreditation from the VA. It is a shame we are even in this position today, that there are people out there looking to take advantage of our Nation's heroes.

Today, there are no legal consequences for these people—these shameful and unpatriotic individuals who steal money from our Nation's veterans. It is shameful. That is why I am fighting to include this bipartisan bill as an amendment to the defense legislation, the NDAA, before us today—to protect our servicemembers throughout their lives, not just while in uniform but always.

Right now, we can take an important step to do everything in our power to ensure veterans and their families keep

their benefits, not lose them to scammers. The longer we wait to fix this issue, the longer we are failing our veterans and their financial well-being.

We can fix that right here, right now. That is why I am calling on my colleagues today to adopt my amendment to the NDAA—to protect our veterans, to protect the great men and women who have served in the defense of our country.

I will stand by the Montana veterans, and I will continue fighting this fight until we get this done. Therefore, I ask the Senator to modify his request to include the Daines amendment, No. 2481.

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

The Senator from Rhode Island.

Mr. REED. Mr. President, this is a meritorious issue, obviously, involving veterans. But at this late juncture, after the weeks we have spent in deliberation both in the committee and then on the floor, it is not yet—this particular amendment—ready so that there is no opposition on my side. Since there is opposition, I would like to inform the Senate and the chairman of that situation.

Mr. INHOFE. Mr. Chairman, I would agree it is hard to find anything with more merit than this. It is something I want to work very hard to accomplish. However, we do have an agreement that this would violate.

For that reason, I object.

The PRESIDING OFFICER. Is there objection to the original request?

The Senator from Utah.

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

Mr. Chairman, I came to the floor earlier this week to implore my colleagues to debate the administration's proposal to withdraw troops from Germany and to vote on my amendment aimed at evaluating such a move.

As I committed in my remarks at that time, I am objecting to the managers' package on the basis that the Senate has not been afforded the opportunity to have that debate.

The proposed removal of our troops from Germany is a matter of extreme significance for our national security and our military readiness. A decision of this magnitude should not occur without the input of the U.S. Senate. The failure to debate such a consequential matter is a disservice to this Chamber, to our Nation, and to our allies.

My amendment seeks to evaluate such a withdrawal and affirm our support for Germany, our support for our NATO allies, and our national security interests, and it sends a strong message to our adversaries like Russia. Therefore, I ask the Senator to modify his request to include the Romney amendment No. 1885.

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

Mr. INHOFE. Reserving the right to object.

We have a President who has put this plan together. We spent a lot of time on this. The Senate has been heard. We actually discussed this as we put together our bill.

For that reason, I do object to the modification.

The PRESIDING OFFICER. Is there objection to the original request?

Mr. ROMNEY. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LEAHY. Mr. President, every year, the Senate considers sweeping legislation to authorize operations of the Department of Defense and certain functions of the Department of Energy. The fiscal year 2021 National Defense Authorization Act provides a roadmap for spending for national defense, spending which reflects over half of the annual Federal budget. Its importance is enormous, and its consideration important. Regrettably, the Senate in recent years has reduced consideration of the NDAA to a perfunctory exercise occupying a couple of weeks of debate, and little consideration of amendments. While I support much of what is included in this authorizing package, I cannot support its passage.

I am most concerned that the FY21 NDAA includes authorization for testing of nuclear devices. Where our President fails to lead in global diplomacy and common decency, he seems enthralled with an approach favored by autocrats and dictators: demonstrations of military might over strategic partnerships and alliances. I am concerned that, under this administration, we are inexorably trending toward a new nuclear arms race, where demonstrations of power have taken the place of treaties that made the use of history's most dangerous weapons less likely.

Coupled with authorization to build a new nuclear warhead, the Senate's fiscal year 2021 National Defense Authorization Act goes beyond the nuclear modernization plan set in action by the Obama administration in concert with ratifying New START. Rather, it takes scientifically dubious and strategically unnecessary steps to support the President's seemingly exclusive interest in brandishing—literally—our military might. Congress and Presidents of both parties have worked for decades to help the world avoid repeating the precarious situation of the 1960s; I worry we are starting a slow march back to that edge.

Like many Senators, I am disappointed that a simple amendment I have authored to provide resources through the Department of Defense to communities who are the home to significant military missions through our National Guard did not receive consideration. The men and women of our National Guard are members of our communities. They are our mothers and fathers, our husbands and wives, our co-workers and neighbors. The important missions they serve help not only our

communities, but our national defense. The Department of Defense should not only support the men and women who serve in uniform, but also the communities in which they partner. This simple, straightforward amendment would have provided \$20 million for the Department of Defense to support multiple communities where certain military missions that serve the national defense are based. As communities across the country support our military's missions, so, too, should our Department of Defense serve their needs.

I am also disappointed that the Senate has rejected an amendment to rein in the dramatically escalating budget of the Department of Defense. As the vice chairman of the Senate Appropriations Committee, I have worked with the Republican leadership and with Chairman SHELBY in recent years to strike budget agreements that have resulted in parity between defense and nondefense spending. At the same time, amid a national and international public health crisis, the time has never been more critical to infuse more resources in public health, education, and business development programs. The Sanders amendment would have maintained full support for the personnel needs of the Department, as well as the critical medical research supported through the Department of Defense. It would, however, have also taken some of the Department's sweeping budget and reserved it for underfunded domestic needs. This is long overdue.

The Senate will pass this bill today, and we will need to reconcile differences with the House. While I will not vote for the Senate bill as it currently stands, there are many provisions that merit support. The bill continues a streak in recent years of improving support for the health and safety of military servicemembers and their families and, this year, also authorizes \$44 million for vaccine and biotech research support for COVID-19 response that benefits everyone. The bill includes limitations on the use of the military against protestors, following the administration's actions against protestors in the Nation's Capitol, and the photo-op that followed. It includes a provision to begin the process for renaming U.S. military facilities named after Confederate generals. Our bases today should reflect the foundational belief that we are all created equal, not glorify those who sought to perpetuate slavery and destroy the Union.

I am also very pleased that a project I have worked on many years to heal the wounds of the Vietnam war has been advanced. Over the last 2 years, we have included an authorization and the Appropriations Committee has funded a project to remediate dioxin contamination at the Bien Hoa Airbase. This year, we also include an authorization for a partnership with the Vietnamese Government for recovering remains of missing in action in Viet-

nam. For more than 40 years, the Vietnamese Government has provided indispensable assistance in locating the remains of more than 700 U.S. MIAs. This provision will enable the Department of Defense to reciprocate by providing archival data and other assistance to Vietnam. I want to thank Senators HIRONO and KAINE for their help in sponsoring this amendment in committee and Chairman INHOFE and Ranking Member REED for accepting it.

I hope that an agreed upon fiscal year 2021 National Defense Authorization Act will address these concerns. While I cannot vote to pass this bill today, I hope to be able to support a conference agreement that supports our men and women in uniform and their families, meets the defense needs of our Nation, and reflects the values that have made American the beacon of hope for generations.

Mr. INHOFE. We are at the point now where I would like to make a few comments, and I would like to ask our ranking member to make some comments. This has been a long time in the making.

I have said several times on the floor that this, in my opinion, is the most important bill of the year. It is something we have done every year. This will be the 60th consecutive year that we have actually done this bill.

It is never easy. One reason it is not easy is because everybody knows it is going to pass, so people want to be a part of it and put their many amendments that aren't even germane on this bill. We are now to the point where, in just a few minutes, we are going to be voting on the final passage of the National Defense Authorization Act for Fiscal Year 2021.

When Senator REED and I introduced this bill, we thought we had a good bill. The bill was really led by the Members. This never happened before. We started off with over 700 requests and amendments so that the Members themselves have drawn this bill together. It is not as if it is put together by a committee; it was put together by all of us here in the Chamber. The committee approved it 25 to 2. That is overwhelming. I think everyone understands that.

We filed it with the hopes of adding a few more amendments on the Senate floor. We did that. We added more than 140 amendments altogether. We even had some debates and rollcall votes on amendments, something we haven't done probably in the last 5 years or so.

Now we are voting on a great bill, a bill that every Senator had the chance to make his or her remark on. Once the Senate passes this bill, we will still have more work to do. We still have to go over to the House and pass their bill. We have to go to conference with the House. We will do that. We have done that every year for many, many years. Our next step would be, of course, to do the conference.

Then we will work to make sure, once again, this is a bipartisan con-

ference report that both parties can support and the President can sign.

It has been bipartisan. All these amendments—each group amendment that the ranking member, Senator REED, yesterday talked about—were equally divided between Democrats and Republicans. I have not seen it this way in the past. We will make sure, once again, that we have the same bipartisan effort.

I have said it many times over the past several days and several weeks that the NDAA is one of our most important responsibilities. There is a document I refer to now and then that nobody reads anymore called the Constitution. In that Constitution, it tells us what we are supposed to be doing here. What we are supposed to be doing here is exactly what we are doing today.

The National Defense Authorization Act is how we fulfill that responsibility, and we have done this every year for 60 years in a row now. It is a sacred responsibility we all have to all Americans, especially our troops and their families—those in harm's way. Every day they wake up, lay their lives on the line to defend our Nation and our values and freedom, democracy, and peace.

Right now, the main challenge to our security comes from authoritarian regimes that stand against all of our values. I am talking about China and Russia and others—primarily China and Russia.

The way we win against our adversaries is by making sure our fights never start by sending a strong message that "you can't win; don't even try." That is what we are doing with this bill.

The National Defense Strategy Commission report is significant because this is the second time now we have done this. This is a book that was put together by six leading Democrats, six leading Republicans—all very knowledgeable on this issue. It is called the "Common Defense." This is what we have used as our blueprint. We stayed pure with that all the way through.

The NDAA makes sure that we have the personnel, the equipment, the training, and the organization needed to support the strategy that is found in this book. If we get it right, we will be set on a steady course toward a peaceful, free, and prosperous world—not just for us but for our children and our grandchildren as well. Kay and I have been married for 60 years. We have 20 kids and grandkids. We know something about this and the significance of this.

The backbone of all of this is our men and women in uniform, so this bill is for them. The bill provides for a 3-percent pay raise, the largest one in over a decade. It also takes care of the families and makes sure their spouses have employment opportunities, children have access to good schools and childcare, and they are all living with a quality roof over their heads.

These are priorities that go beyond party. That is why this bill has passed for the last 59 years in a row with bipartisan support, and that is why we are going to do it again today.

There is talk out there that people in Washington don't really work that hard. Let me assure you, they do in this case. We have been blessed with a couple of leaders, this great committee we have that put this together. Those leaders include John Bonsell. John Bonsell has been working in this effort with me for well over 20 years, and he was a great leader of this group. On the Democratic side, the minority side, Liz King has worked hand in hand with John Bonsell. The whole team has worked together.

Developing a bill that comes out of committee with only two dissenting votes is not something that is done every day. I want to personally thank those individuals on our side, and we will ask Senator REED to do the same on the minority side.

We want to thank not just John Bonsell but John Wason, Tom Goffus, Stephanie Barna, Greg Lilly, Marta Hernandez, Rick Berger, Jennie Wright, Adam Barker, Augusta BinnsBerkey, Al Edwards, Sean O'Keefe, Brad Patout, Jason Potter, Katie Sutton, Eric Trager, Dustin Walker, T.C. Williams, Otis Winkler, Gwyneth Woolwine, Katie Magnus, Arthur Tellis, Leah Brewer, Debbie Chiarello, Gary Howard, Tyler Wilkinson, John Bryant, Griffin Cannon, Keri-Lyn Michalke, Soleil Sykes, Brittany Amador, Jillian Schofield.

We will cover those from the minority side in just a moment.

From my personal office: Luke Holland, Andrew Forbes, Leacy Burke, Don Archer, Travis Tarbox—who just got his promotion to major yesterday—Brian Brody, Dan Hillenbrand, Jake Hinch, Devin Barrett, Laurie Fitch, and Whitney Fulluo.

Lastly, from the floor staff: Robert Duncan, Chris Tuck, Megan Mercer, Tony Hanagan, Katherine Foster, Brian Canfield, Abigail Baker, Anna Carmack, and Maddie Sanborn.

It is because of the tireless work of all these fine people—we are talking about the members of the committee, the personal staff, and we are talking about the staff in the cloakrooms—I want to thank them all. This is our only opportunity to do that.

We are going to hear now from the ranking member, Senator REED, and then, after that, we will vote and look forward to this year's NDAA passing with a strong bipartisan majority.

Senator REED.

Mr. REED. Thank you very much, Mr. Chairman.

Mr. President, I rise, once again, to express my support for the National Defense Authorization Act of Fiscal Year 2021. I want to commend the chairman for his leadership and his thoughtfulness throughout this whole process.

I am pleased, as we all are, that we will be voting soon on passage. I be-

lieve this is an excellent bill. I believe it provides the men and women of our military with resources and the authorizations needed to defend our Nation, while at the same time taking care of their families. It was crafted after a series of thoughtful hearings, discussion, and debate on both sides of the aisle. It was passed out of committee with strong bipartisan support.

Most importantly, I am very pleased that this bill has had such full consideration on the Senate floor. For the first time in a long time, we were able to come to an agreement to debate and vote on several amendments. In addition, we were able to adopt over 140 amendments from Members on both sides of the aisle.

I want to, again, thank Senator INHOFE for his leadership getting the Defense authorization bill to this point, overcoming the many challenges posed by the pandemic and by other factors that made this a very unusual year. I look forward to working with him as we go into conference.

Finally, I would like to thank the committee staff who have worked so hard. I specifically want to recognize, as the chairman has, the staff director, John Bonsell, for the Republicans and the staff director for the Democrats, Elizabeth King. They worked together. They are diligent. They are bipartisan. They are thoughtful. They are the best examples of a staff member of the U.S. Senate.

I would also like to thank my staff on the Democratic side: Jody Bennett, Carolyn Chuhta, Jon Clark, Jonathan Epstein, Jorie Feldman, Creighton Greene, Ozge Guzelsu, Gary Leeling, Kirk McConnell, Maggie McNamara Cooper, Bill Monahan, Mike Noblet, John Quirk, Arun Seraphin, Fiona Tomlin, and, once again, staff director Elizabeth King.

Also, let me thank the floor staff and the leadership staff. You have been part of this process for the last several weeks, and you have done a remarkable job. We thank you for that very, very much. You facilitated our efforts.

Finally, I would urge all of my colleagues to vote for this very excellent bill.

I yield the floor.

Mr. INHOFE. Mr. President, I know of no further debate.

The PRESIDING OFFICER. The clerk will read the title of the bill for the third time.

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

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

Mr. INHOFE. 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 bill clerk called the roll.

The result was announced—yeas 86, nays 14, as follows:

[Rollcall Vote No. 140 Leg.]

YEAS—86

Alexander	Fischer	Reed
Baldwin	Gardner	Risch
Barrasso	Graham	Roberts
Bennet	Grassley	Romney
Blackburn	Hassan	Rosen
Blumenthal	Hawley	Rounds
Blunt	Heinrich	Rubio
Boozman	Hirono	Sasse
Burr	Hoehn	Schatz
Cantwell	Hyde-Smith	Schumer
Capito	Inhofe	Scott (FL)
Cardin	Johnson	Scott (SC)
Carper	Jones	Shaheen
Casey	Kaine	Shelby
Cassidy	King	Sinema
Collins	Klobuchar	Smith
Coons	Lankford	Stabenow
Cornyn	Loeffler	Sullivan
Cortez Masto	Manchin	Tester
Cotton	McConnell	Thune
Cramer	McSally	Tillis
Crapo	Menendez	Toomey
Cruz	Moran	Udall
Daines	Murkowski	Van Hollen
Duckworth	Murphy	Warner
Durbin	Murray	Whitehouse
Enzi	Perdue	Wicker
Ernst	Peters	Young
Feinstein	Portman	

NAYS—14

Booker	Kennedy	Paul
Braun	Leahy	Sanders
Brown	Lee	Warren
Gillibrand	Markey	Wyden
Harris	Merkley	

The bill (S. 4049), as amended, was passed.
(The bill, as amended, will be printed in a future edition of the RECORD.)

CLOTURE MOTION

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

The senior assistant 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 William Scott Hardy, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

Mitch McConnell, Chuck Grassley, Cindy Hyde-Smith, Michael B. Enzi, Tim Scott, Marco Rubio, Lamar Alexander, James E. Risch, David Perdue, Bill Cassidy, Pat Roberts, John Cornyn, Lindsey Graham, Thom Tillis, Deb Fischer, Mike Crapo, Kevin Cramer.

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

The question is, Is it the sense of the Senate that debate on the nomination of William Scott Hardy, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania, shall be brought to a close?

The yeas are nays are mandatory under the rule.

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 North Carolina (Mr. BURR), the Senator from Louisiana (Mr. CASSIDY), the Senator from Arizona (Ms. MCSALLY), and the Senator from Utah (Mr. ROMNEY).

Mr. DURBIN. I announce the Senator from Virginia (Mr. KAINE), the Senator from Vermont (Mr. LEAHY), the Senator from Vermont (Mr. SANDERS), and the Senator from Arizona (Ms. SINEMA) are necessarily absent.

The PRESIDING OFFICER (Mr. SCOTT of Florida). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 60, nays 32, as follows:

[Rollcall Vote No. 141 Ex.]

YEAS—60

Alexander	Fischer	Murphy
Baldwin	Gardner	Perdue
Barrasso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hassan	Roberts
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Capito	Hyde-Smith	Sasse
Carper	Inhofe	Scott (FL)
Casey	Johnson	Scott (SC)
Collins	Jones	Shaheen
Cornyn	Kennedy	Shelby
Cotton	King	Sullivan
Cramer	Lankford	Tester
Crapo	Lee	Thune
Cruz	Loeffler	Tillis
Daines	Manchin	Toomey
Enzi	McConnell	Warner
Ernst	Moran	Wicker
Feinstein	Murkowski	Young

NAYS—32

Bennet	Harris	Rosen
Blumenthal	Heinrich	Schatz
Booker	Hirono	Schumer
Brown	Klobuchar	Smith
Cantwell	Markey	Stabenow
Cardin	Menendez	Udall
Coons	Merkley	Van Hollen
Cortez Masto	Murray	Warren
Duckworth	Paul	Whitehouse
Durbin	Peters	Wyden
Gillibrand	Reed	

NOT VOTING—8

Burr	Leahy	Sanders
Cassidy	McSally	Sinema
Kaine	Romney	

The PRESIDING OFFICER. On this vote, the yeas are 60, and the nays are 32.

The motion is agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read nomination of William Scott Hardy, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

The PRESIDING OFFICER. The Senator from Massachusetts.

MODIFICATION TO AMENDMENT—S. 4049

Ms. WARREN. Mr. President, as if in legislative session, I ask unanimous consent that notwithstanding the passage of S. 4049, the clerk be authorized to correct the instruction line on amendment No. 2417.

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

The amendment (S. 2417), as modified, is as follows:

(Purpose: To modify the requirements for the Department of Energy response to the review by the Nuclear Weapons Council of the budget of the National Nuclear Security Administration)

Beginning on page 1036, strike line 7 and all that follows through page 1037, line 8, and insert the following:

“(3) DEPARTMENT OF ENERGY RESPONSE.—

“(A) IN GENERAL.—If the Council submits to the Secretary of Energy a written description under paragraph (2)(B)(i) with respect to the budget request of the Administration for a fiscal year, the Secretary shall include as an appendix to the budget request submitted to the Director of the Office of Management and Budget—

“(i) the funding levels and initiatives identified in the description under paragraph (2)(B)(i); and

“(ii) any additional comments the Secretary considers appropriate.

“(B) TRANSMISSION TO CONGRESS.—The Secretary of Energy shall transmit to Congress, with the budget justification materials submitted in support of the Department of Energy budget for a fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code), a copy of the appendix described in subparagraph (A).”.

Strike Sections 3112, 3113, 3114, 3115, 3116.

The PRESIDING OFFICER. The Senator from Ohio.

UNANIMOUS CONSENT REQUESTS—S. 3685 AND S. 4097

Mr. BROWN. Mr. President, as if in legislative session, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged and the Senate proceed to the immediate en bloc consideration of the following bills: S. 3685, the Emergency Rental Assistance and Rental Market Stabilization Act, which I am a prime sponsor of, and S. 4097, Senator WARREN’s bill, the Protecting Renters from Evictions and Fees Act. I further ask that the bills be considered read a third time and passed en bloc and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. CRAPO. Mr. President.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. Mr. President, reserving the right to object, we have discussed this before on the floor, and I will not go through that entirely in my part of the discussion here.

Four months ago with the CARES Act, we came together and unanimously passed a package that provided historic support, significant support, in the rental markets, as this request focuses on. I believe that in the coming days, we can come to that same kind of consensus and deal with this important issue. Because of that, I object.

The PRESIDING OFFICER. The objection is heard.

Mr. BROWN. Mr. President.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. I am disappointed. I knew it was coming from Senator CRAPO. He is my friend, and I appreciate the cooperation, but this is so much more serious than what we did a few months ago.

We have been asking just down the hall—Senator MCCONNELL was just in. We have asked him week after week after week—April, May, June, half of July—to do something about this impending problem we have.

This is why we have to do this now. Tomorrow, millions of families face a massive cliff, and they face another one in a week. Right now, millions of Americans are in danger of losing their homes. In the CARES Act, we put a temporary moratorium on evictions and foreclosures for renters and homeowners and properties with federally backed loans, as well as for renters receiving Federal assistance. It is a good thing entirely, just not enough. This rental eviction moratorium expires tomorrow.

The last thing we need—imagine this: In the middle of a public health crisis, people who get evicted roam the streets, or they go to an overcrowded shelter, or they go live in their cousin’s basement—all potentially spreading the virus.

We know the moratorium didn’t go far enough. It only covered 28 percent of renters. We should be extending and expanding the moratorium. We should be passing my emergency rental assistance bill to get people through this pandemic, not kicking them out on the streets.

We already had a housing crisis in this country before the coronavirus hit. Many of the professions we are now recognizing as essential—one essential worker, a grocery store worker, said:

I don’t feel essential. They call me essential. I feel expendable because I don’t make much money, and they don’t protect you at work.

Many of those people recognized as essential aren’t paid enough to afford housing.

Think about this: One-quarter of all renters—one out of four renters—before the pandemic were paying half or more of their income in rent. One thing happens in their lives, and they are on the streets. Now we are seeing millions of people all at once have those same emergencies. They are facing impossible choices between rent and grocery or prescriptions or draining their savings or going to a payday lender. More than 40 percent—40 percent—of Black and Latinx renters report they are unlikely to be able to make their next payment—40 percent.

Some people don’t have any choice at all. Their only option is eviction. Those evictions are already happening in Columbus, the capital city in Ohio, the largest city in Ohio. In Columbus, they have turned the convention center into an eviction court—an eviction court at the convention center. More eviction filings will be coming if we do nothing.

For all those renters who have been protected from eviction by the CARES Act, back rent will suddenly be due. They will owe for March and April and May and June. The same goes for the millions who aren’t protected under

the CARES Act but got relief from a temporary State or local moratorium or court closure.

On top of that, at the end of next week, the additional \$600 a week in UI benefits expires. Senator WYDEN has done yeoman's work. It is incredible what he was able to do for this unemployment that kept millions and millions and millions—tens of thousands of Oregonians and hundreds of thousands of Ohioans were kept in their homes because of this \$600 unemployment check that they got weekly. Now, because Senator MCCONNELL doesn't care, President Trump doesn't care, those people are going to lose that \$600. What do they do then? We know that UI didn't cover everyone, but for many people, that \$600 was the difference between being able to pay their bills and skipping meals or draining their savings or having to turn to a payday lender.

We need to extend the assistance to help families afford their food and prescriptions. We need to provide emergency rental assistance to keep a roof over their heads.

This problem isn't some distant cliff. We are all about to go home for the week. This doesn't happen a month from now or 3 months from now; this happens starting this week. It happens when unemployment expires. It happens when these moratoria around the country expire.

What is President Trump doing? What is Majority Leader MCCONNELL doing? Nothing. Maybe going to Mar-a-Lago, maybe going back to Kentucky. I don't know. What are they doing about this impending cliff? Nothing.

We asked them in March. We asked them in April, in May, and in June. Two-thirds of the way into July, they still refuse to help.

Because of this President's failures, this crisis isn't getting any better, the virus continues to spread, people continue to die, small businesses continue to suffer.

Why would we let up on the relief people need now? The work we do in this body to get help to people simply can't make up for the lack of leadership from the White House, but it can mitigate some of the damages.

The House passed the Heroes Act nearly 2 months ago. That would have eliminated these cliffs. It would have provided \$100 billion in emergency relief. But do you know what? That bill has been on the majority leader's desk collecting dust since May.

For millions of families about to lose their unemployment, about to lose their homes, and not able to feed their kids, the bills keep coming, the clock keeps ticking, the stress keeps mounting. People are tired of this lack of action and lack of accountability.

They are tired of being betrayed—"betrayed" is the right word—betrayed by this President, who is supposed to look out for them. They are tired of feeling like no one is on their side. That is why we need to do this.

We are supposed to be the greatest country on Earth. The American people should not have to fend for themselves in the middle of a once-in-a-generation crisis. It is time to lead where the President has failed. It is time for Leader MCCONNELL to let us do our job. It is time to keep families from losing their homes. That is really clear.

I yield the floor to the sponsor of this other bill that is so very important, Senator WARREN.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, I thank Senator BROWN for the leadership on this.

I am very sorry that the Republicans will not agree to moving forward on this bill today. The urgency of the moment cannot be overstated.

President Trump's utterly failed response to the coronavirus pandemic has allowed a dangerous virus to spread, uncontrolled, throughout our Nation. More than 4 million Americans have contracted coronavirus, and more than 140,000 people are dead.

While the death toll mounts, the President's failure to control the spread of COVID-19 has caused a second crisis, following closely on the heels of the virus. Our economy is in shambles, and now we are forced to fight on two fronts: to keep families safe from the coronavirus and safe from the economic fallout.

So I am here on the Senate floor today to talk about one piece of the economic emergency unfolding in our country. Right now, we are just days away from a completely preventable housing crisis. The CARES Act eviction moratorium is currently protecting more than 12 million renters from losing their homes while the virus rages across our country. On Friday at midnight, those protections will disappear, allowing a tsunami of evictions that will hit communities of color and low-income families the hardest unless we act now.

Let us be clear. Eviction is not a new problem in this country. Too many families were already on the financial brink before the virus crashed our economy. Close to 40 percent of adults don't have enough cash to cover an unexpected \$400 expense. More than half of households didn't have enough savings to cover 3 months without income. More than one in four renters were paying more than half of their income to housing.

Now families are facing the worst economic crisis of their lifetime. About 30 million Americans are officially unemployed or out of work. One-half of all Americans have lost employment income since the start of this pandemic, and communities of color have been hit the hardest. It is not possible to fix this economy without containing the virus, but we can make sure that millions of Americans don't lose their homes because President Trump closed his eyes and hoped that the pandemic would just go away.

This is really a commonsense solution. My bill, the Protecting Renters from Evictions and Fees Act, would extend the Federal eviction moratorium through March of 2021, and it would expand the moratorium to protect every single renter.

Congress should pass this bill immediately, and we should pair it with Senator BROWN's bill to create a \$100 billion emergency rental assistance fund to help struggling renters make their payments. Families would get the help they need to stay in their homes and stay current on their rent, and landlords would get their payments. This would help families. It would cover landlords, and it would help protect renters and communities from the spread of coronavirus.

So the answer is really simple. The Senate can—and must—pass these two bills today because the consequences of inaction would be devastating.

More than one out of every three renters have already missed a housing payment. More than one-third of renters have little or no confidence that they can make the next payment.

And let's be clear about who is most at risk. Closer to half of Black and Latinx renters aren't sure they will be able to make the next housing payment. Black Americans are already more likely to be renters because of decades of racist Federal policies that denied Black families Federally insured mortgages, and our government failed to protect Black homeowners from predatory mortgages leading up to the great recession. So when the economy crashed, millions of Black Americans lost their homes, wiping out nearly all of the gains in Black homeownership since the 1968 Fair Housing Act.

Failing to institute an eviction moratorium would further deepen existing racial injustices. Letting eviction protections evaporate at midnight on Friday will also result in widespread housing disruption and needlessly cause long-term harm to millions of families' future housing, financial stability, and their health. It will put more families at risk of homelessness at a time when providers are already stretching every dollar to connect unhoused Americans with sheltering resources, and it will take away one of the most critical protections from furthering the spread of coronavirus: safe, stable housing.

President Trump's shameful inaction has allowed this virus to spread throughout every community in our country. He has denied the scope and seriousness of this pandemic. He has dismissed calls to take lifesaving action, and he has refused to use the powers of the Federal Government to implement even the most basic mitigation measures.

But crisis does not stop growing just because those in power refuse to acknowledge it. That is true for the spread of the coronavirus, and it is also true for the looming eviction crisis.

This is about our values. The Senate has the opportunity—right now—to

stop a massive wave of evictions that will displace families right in the middle of a global pandemic. My colleagues understood the stakes in March when Congress passed the existing eviction moratorium into law. I urge them to join me now in continuing this life-saving protection while providing emergency rental assistance to keep renters housed, landlords paid, and most of all, to keep families safe.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

UNANIMOUS CONSENT REQUEST—S. 4143

Mr. WYDEN. Mr. President, as if in legislative session, I ask unanimous consent that the Committee on Finance be discharged from further consideration of S. 4143; that the bill be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Wyoming.

Mr. BARRASSO. Mr. President, reserving the right to object, the CARES Act provides an additional \$600 per week to those who are receiving, through their States, unemployment insurance. In Wyoming we have a generous unemployment insurance program to help people who are out of work, and the CARES Act adds to that, essentially, a bonus payment of \$600 additional per week. For a 40-hour workweek, that comes down to an average of about a \$15-an-hour bonus for not being able to go back to work, and that is on top of their regular unemployment benefits.

Well, since the CARES Act has passed, what we have seen is that this additional \$600 per week means that most recipients are paid more for not working than they would make if they actually were on the job working. This fact has been confirmed by news reports, by academic researchers, and by the Congressional Budget Office.

Even former Obama administration Treasury Secretary Tim Geithner, along with President Obama's Chair of the Council of Economic Advisers, agrees that \$600 per week on top of unemployment insurance through the States is too much.

We have "help wanted" signs all around my State. I talked to the people at unemployment insurance, who run the program. They tell me that they are having many people who are getting paid much more than if they would work, if they would take the jobs where you have employers out there hoping, looking for employees to come and work.

You can't continue to pay people more to not work than to work. Yet instead of trying to address this identifiable and correctable problem, today my colleagues are asking that we vote to extend the \$600-per-week bonus payments and continue these untargeted payments for many months into the future.

As a matter of fact, NANCY PELOSI, Speaker of the House, living on Fantasy Island, wants to extend these for 6 more months, all the way until the end of January. The CBO and other researchers and economists have looked at this and said this would be a heavy wet blanket on the economy. It would prevent 10 million people from going back to work—going all the way until the end of January.

It is likely that such a proposal would cost \$1 trillion—\$1 trillion—and much of that is we are talking about paying people to not work instead of helping people work.

So I hope my colleagues will join me in better targeting help to the unemployed in a way that doesn't pay people more when they are sitting at home not working than they would make at work.

We are working on a plan now to provide additional help for the unemployed if they can't go back to work because their job isn't there, isn't available; if, for health purposes, they can't go back to work; but do it in a way that the Democrats have claimed that they want to do but haven't even proposed. We need to make it much more closely aligned with lost wages.

So we are going to be introducing this plan shortly, and I hope my colleagues on the other side of the aisle will engage with us in that effort.

For these reasons, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oregon.

Mr. WYDEN. Mr. President, I am going to get into the substance of my colleague's arguments in a moment, but I just want to be clear to all the people in America, the 30-plus million who are having problems making rent, having problems buying groceries, who in just 2 days—2 days—come Saturday, are going to be in a position where, based on what they tell me, they are telling their kids: Hey, you probably have to eat a little bit less because the unemployment is ending.

The fact is, the other body passed a bill so that folks would be able to make rent and buy groceries. On this side of the aisle, the Democratic leader and I introduced legislation to tie the benefits to economic conditions on the ground. One of the reasons we did is my colleagues on the other side said that benefits ought to taper off if unemployment goes down. That is what our bill does.

But here is the message that I think folks who are walking on an economic tightrope this weekend need to hear. On this side of the aisle, we have been ready to go for weeks—essentially, months—to have bipartisan negotiations to work this issue out. As of this afternoon, with benefits expiring in 2 days, the other side of the aisle has no piece of legislation on offer. Let me repeat that: no piece of legislation on offer.

Let me repeat that—no piece of legislation on offer. On this side of the

aisle, they write lots of bills to help multinational corporations—lots of bills to help the powerful and the special interests, but as of this afternoon, there is not a bill to help those folks who this weekend are going to be saying: We are not going to be able to make rent in a few days. We are not going to be able to feed our families, not going to be able to pay for the car insurance. People aren't spending this money on luxuries. They are spending it on essentials. To a great extent, they kept the economy afloat for the last few months.

The other point I want to make is that this did not have to happen. Not only do we have legislation ready to discuss with our colleagues that incorporates some of their ideas, we have been reaching out again and again. Yet MITCH MCCONNELL, who took all of July off when he could have been getting this piece of legislation together—those big 2 weeks, and he could have been getting the legislation together—basically, actively—didn't happen by osmosis—actively gave short shrift to the needs of the unemployed and made no effort, none whatever, even though we reached out continually to Republicans, saying that this weekend—and the pain that working families have this weekend didn't have to happen. We wanted to do everything we can, working with our colleagues, to prevent it.

Now, for purposes of this discussion, I want to make sure people understand what this discussion really means to working families in this country. I was at home, at food banks and the like—lines for blocks—people who had never needed to go to a pantry or a food program were waiting in line because they had been hit by this economic wrecking ball.

There are people who are worried about losing their homes and losing their cars, being unable to fill their prescriptions. As I mentioned, think about what it means when you have to tell your kid you ought to eat less because they don't know whether they will have enough cash to stock the pantry next month.

As I said, Republicans' response to this over the last few days—last few weeks—I went to school on a basketball scholarship, and I remember when you could basically play stall ball, go into four corners offense, basically run down the clock. And then at the end, as my distinguished colleague from Wyoming tried to do, say: Well, it is the fault of the poor people. It is the fault of those poor people. I am going to touch on what this really is all about.

When we began the negotiations—and I was the point person for the Democrats—in the Finance room—I offered basic wage replacement as our position for dealing with this issue. Secretary of Labor Scalia said: It can't be done. The States can't administer it. Western civilization is pretty much going to end if we try to do this. And then he folded his arms, and, for days, basically refused to negotiate about alternatives.

Understand that we started with the approach of basic wage replacement. Secretary Scalia said it can't be done. States are stuck with old technology. I didn't disagree with that. Gave a billion dollars to the States to help them update technology too. I said: We are not going to tell those workers, Mr. Scalia, to pound sand.

I basically said we are going to average the benefit—\$600. Some people will get a bit more than they would; some people are going to get a bit less, but families are going to have a chance, based on what the State employment offices told us, to actually get benefits.

I know that it hasn't worked out too well in the State of Florida—the President of the Senate, and I am sure he will want to talk about this in the debate—but at least millions of people in this country got a chance to make rent, buy groceries, pay medicine because we said we are going to take a sum of money that the States told us they can actually, for the most part, administer.

The Finance Committee held a hearing on unemployment insurance this summer. I particularly wanted to know how we might look at administering these benefits in the future because I knew that we would all want to hear if there had been reforms and what the case might be for changes. During that hearing just a few weeks ago, the National Association of State Workforce Agencies—the experts on this issue on how the benefits are to be administered—said that—their words—any reduction or change in benefits will absolutely lead to a lapse in benefits.

You would think colleagues on the other side would say: My goodness. We don't want that to happen. These State workforce agencies said there would be a lapse in benefits no matter what you cut, \$100, whatever the amount was, there would be a lapse in benefits. The gap in benefits could last a week or two, potentially, up to a month. I have been pointing out to Senators you can't eat retroactivity. And yet, everything I have heard that colleagues want to do now—remember, they don't have a bill. They do not have a bill. They are taking the weekend off. We have a bill on this side. The Democratic leader, myself—supported by our caucus—we have a bill. We are ready to talk. They don't have a bill to do anything for those people who are going to be hurting this weekend.

After that hearing, you would have thought people—Republican Senators on the other side—would say, you know, we have to figure out what to do. We have to make sure that people aren't going to fall between the cracks, through no fault of their own. Remember, so many of them are at home because of government policies, the quarantine, and the—of course, the pattern is particularly ominous now because folks who were furloughed at the beginning, then got brought back, and now with the spike, they are getting laid off again. There you have it—National As-

sociation of State Workforce Agencies says that any change can lead to a lapse in benefits.

I guess my colleagues on the other side walked out there and said: No big deal. It is just a few weeks. Tell that to the people who aren't going to have enough money to make rent and buy groceries next week. Tell that to their face rather than just leave town and say: We will talk about it another time, and we will see about 2, 3, 4 weeks and what people are going to have to do without this lifeline, which I believe is going to be a disaster.

The lapse that is being forced on this country right now is because Senate Republicans would not step up. They would not step up along the way—after the hearing, during the July break. They did not step up. The lapse is going to lead to eviction; it is going to lead to hunger; it is going to lead to desperation for millions of Americans. And the only way to avoid it is by acting now, by passing the American Workforce Rescue Act that Senator SCHUMER and I introduced. We just tried to pass it.

If our bill had passed, the people who are going to be hurting this weekend, who aren't going to be able to make rent, who aren't going to be able to buy groceries—would have some sense of security. They would be able to go to bed at night this weekend, had our bill passed, knowing that there would be an opportunity to work with the other body and get this resolved and get it resolved quickly.

Now those people know one thing, and that is that they better plan for yet more uncertainty and more pain. As my colleagues say, maybe it will get worked out in a few weeks—even though what they are talking about working out—and remember, there is no bill. We have never seen a piece of paper, but they are talking about cutting the lifeline over 50 percent. That is their proposal—cutting it more than 50 percent.

At a minimum—at a minimum, I believe, that what the Republicans are now looking at is some kind of approach that after Secretary Scalia has told the Senate that the States can't do full wage replacement for individual workers; that they are not capable of doing it; the technology is too old; it can't get the math; it can't get individually tailored benefits out in a timely way—apparently, my colleagues are using that model for their so-called idea that they want to talk about.

I have already mentioned the fact that they believe the argument for this is that it could be done in a few weeks. People are going to be hurting for those few weeks. Nobody has an answer to that. Everybody ought to understand that I was the first one to offer full wage replacement—I would say to the President of the Senate—and it was Secretary Scalia who said it couldn't be administered and has never changed his mind on that point.

My view is, the proposal that adds a whole lot of complexity to the unem-

ployment system is a proposal designed to fail. That, apparently, is what Senate Republicans are talking about.

At a minimum, this delay in the Senate is going to cause a lapse in benefits. On top of that, it has been reported the Republicans could attempt to cut the benefit by well over 50 percent.

I just ask, how can anybody look at the State of the country and how powerful people and special interests can be doing so well and then decide to cut the economic lifeline for working families by well over 50 percent when the country is in the middle of a pandemic, when there are 60- or 70,000 new COVID cases every day and climbing, when there are 800, 900, 1,000 COVID cases every day and climbing, when the number of new unemployment claims, which before this year had never crossed 700,000, has been 1.3 million or higher for 18 straight weeks, and, in fact, the number of new claims went up this week for the first time since April—a sign that the recovery is going in reverse.

As I mentioned, what I am hearing about at home are businesses that reopened in May and June and are laying off their workers for a second time.

One-third of Americans couldn't make their last rent payment. Parents who lost their jobs are wondering how they are going to feed their children. I just say to my colleagues who may be who may be following this, this is an unthinkable level of pain and suffering and uncertainty to needlessly inflict on 30 million Americans.

It is not just about those who have already lost work. It is about the millions of others who are worried that their pink slip might come in August or September or October. They need support too. In fact, the papers are full of stories of small businesses closing and closing permanently. I expect that all those people are worried that they haven't been laid off yet, but a pink slip may be coming their way in August or September or October. They may have a word or two for their Senators who are able to find plenty of time to write bills to help multinational corporations but can't find the time to stand up for unemployed folks who are hurting.

Before I wrap up this afternoon, I want to touch on this argument that Republicans have been flogging away on for months now that these unemployment benefits are way too generous, and, somehow, they are convinced that it makes sense to insult the American worker and say that all these workers are sitting around lazily at home instead of going back to work. That argument does not pass the smell test.

I am going to be very specific about why that argument trotted out again by my friend from Wyoming is way off base.

First of all, the same Republicans who celebrated the May and June job reports are now talking about how lazy

workers are by refusing to go back to their jobs. You simply cannot have it both ways.

Second, not one of my Republican colleagues brought forward real evidence to suggest that workers across the country are turning down work. These anecdotes just don't hold water. According to one recent analysis, more than two-thirds of workers who were hired in June went back to jobs that paid less than supercharged unemployment benefits.

Third, it is an insult to American workers to say that they would rather sit at home than to earn their pay at work.

If any one of my Republican colleagues were to go out and meet the Oregonians I have spoken to and who have been furloughed or laid off during the pandemic, they will hear from people who desperately want to go back to their jobs when it is safe. These are people who believe in the dignity of work and people who want to provide for their families. It is an insult to call them lazy.

I want to inject a note of reality into this because my Republican colleagues have been so fixated on this argument. I have talked to a lot of unemployed workers. I said: Back east, the Senate Republicans say all unemployed folks are lazy, and they don't want to work and all the rest.

So many of the unemployed look at me incredulous, and they say: Ron, ask them how in the world have they come up with that completely wrong idea.

They usually say: If I am given a choice between unemployment or the chance to have a job in the private economy, where I have a future and where I can build upward economic mobility—they usually say: Ron, tell those Republicans in Washington, DC, it is a no-brainer; of course, I am going to take the job that gives me an opportunity for a future, the chance to work in the private sector and climb the ladder of economic mobility. I am going to take that every time, rather than unemployment, which has been uncertain.

That is my response to the off-base kind of argument presented by Senator BARRASSO. If Republicans want to go home this weekend and insult the work ethic of millions of Americans who believe in the dignity of work, that is their constitutional right.

The country, obviously, is nowhere near the end of this pandemic. Businesses are going to keep closing—some temporarily, others permanently. We are looking at the worst unemployment crisis since the Great Depression.

The benefits we put together initially, the supercharged unemployment benefits—and I am especially proud that we said that as for the law, which really hadn't been updated since the 1930s, that we would modernize the law and allow gig workers and the self-employed and independent contractors and part-timers to be brought into the system. Those supercharged benefits

that we negotiated in the Finance Committee room—which, by the way, were signed off by Secretary Mnuchin. This was not done in the dead of night with only one side going along with the effort. These were negotiated with Secretary Mnuchin, who actually endorsed it at a press conference. These supercharged unemployment benefits have been the one thing that has kept millions of families—millions of families—from being in a position where they couldn't feed their families, couldn't make rent, and, literally, facing the kind of despair, the kind of fear that has made the number of requests for mental health services go through the stratosphere because people are so worried. And this question of their economic future is just one reason.

Supercharged unemployment benefits have helped keep the economy afloat and have helped prevent true economic meltdowns. And even with the lifeline, so many are barely hanging on. They fall behind on their bills. I mentioned the threat of hunger. Senator BROWN just talked about how important it is to act on housing assistance.

It would be a historic failure, morally and economically, to slash this lifeline that is so important to getting workers through a pandemic. The Democratic leader, Senator SCHUMER, and I listened carefully to all sides. We thought about the need, given the fact that there are predictions of high unemployment for some time to come. We said: Let's come up with a dependable safety net that provides some measure of predictability with respect to how the government is going to approach these issues in the future.

My colleagues have said that they want a system that has the benefits taper off as unemployment goes down. Well, what the Democratic leader and I have proposed does exactly that.

I believe that yesterday there was a story in the Washington Post where, I think, they were talking about unemployment at 15 percent. When unemployment reaches those kinds of levels—and we saw that story of people waiting and waiting for hours. In fact, I don't have the exact percentage.

Mr. President, I ask unanimous consent that the story about the unemployment calamity in Oklahoma be printed in the RECORD at this point.

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

[July 20, 2020]

'A VERY DARK FEELING': HUNDREDS CAMP
OUT IN OKLAHOMA UNEMPLOYMENT LINES
(By Annie Gowen)

TULSA.—John Jolley never thought he'd be sleeping in his car awaiting unemployment benefits. But there he was, the owner of a once-successful advertising agency, taking a sweaty nap in a Subaru wagon in a convention center parking lot at 1:45 a.m. on a Wednesday.

The pandemic sent his business into a free fall, and now Jolley wanted to be first in line for an unemployment claims event beginning in five hours. He barely dozed, afraid that if

he fell into a deep sleep, he would miss the early-morning handout of tickets for appointments with state agents.

There would be just 400 tickets handed out for that day's event. When those ran out, there would be 400 more for appointments the following day.

"I just didn't want to be number 803," Jolley said.

In the four months since the pandemic began, nearly 50 million workers have filed unemployment claims nationwide, a flood that's overwhelmed some states, freezing antiquated computer systems and jamming websites and phone lines for days. State benefit agencies in some parts of the country have evoked memories of Great Depression bread lines.

Many have been struggling to get their regular unemployment benefits as well as the \$600-a-week federal pandemic unemployment assistance passed in March that begins running out for millions of Americans later this week. Congress returned Monday to begin hammering out the details of another massive coronavirus bill, with Republicans assembling a \$1 trillion package that probably will extend but reduce the size of that benefit. Democrats are backing a more wide-ranging \$3 trillion relief bill passed by the House in May.

In Oklahoma, one of the poorest states, unemployment—which reached a record 14.7 percent in April—has pushed many to the point of desperation, with savings depleted, cars repossessed and homes sold for cash.

Even though the unemployment rate dropped to 6.6 percent in June, the backlog has created unprecedented delays. Oklahoma had approved 235,000 of about 590,000 filed claims by June 21—a total \$2.4 billion payout, far more than in previous years. About 6,000 state claims are pending.

The Oklahoma Employment Security Commission staff has tried to combat the delays by holding mega-processing events at large arenas in Oklahoma City and Tulsa this month, with masks and social distancing required. So far, they've managed to help 6,200 people. Jolley's unemployment claim was approved in March but had been stalled, a problem that hadn't been fixed after nine phone calls and hours on hold with the OESC.

The 58-year-old single father arrived in the parking lot of the River Spirit Expo center in Tulsa around 9 p.m. on a sultry night with a heat index approaching 100 degrees. The landmark 75-foot statue of the Golden Driller—a nod to Tulsa's oil and gas hub—towered over one side of the dark parking lot, his face painted over with a surgical mask.

Dozens more sat in the parking lot overnight with Jolley, unable to get their questions answered through the unemployment agency's overloaded phone system. Some said they had been notified that their claim was denied as fraudulent. Jolley quickly bonded with the woman in the next car over, a manicurist named Cindy La, 60, the two swapping tips on how they thought the event would unfold.

That afternoon, as Jolley gathered up the paperwork he'd need for his claim, he felt a sense of sadness as profound as anything he'd felt since the pandemic began.

"It's a very dark feeling," he said. "You just kind of feel like you're in a boat without a rudder and you're riding the waves. After all these years you worked hard at your company, tried to be a good guy and be fair to your clients, you just feel like you're losing control of your future."

OLD COMPUTERS, NEW CAREERS

At 4:30 a.m., several OESC staffers emerged from the convention center to hand out the appointment numbers. The process quickly

degenerated into a free-for-all, the crowd growing restive, pushing and shoving to get the limited supply of appointment tickets. Jolley moved to the front of the line, trying to protect his new friend, La, by reaching down and plucking two tickets—No. 69 for her and No. 64 for him.

Others were not so lucky. The numbers quickly ran out, and people were told they had to return the following day. Eventually, staffers referred people to the three new events added for the coming week because of the demand.

Ashley Love, 31, a former customer advocate for Enterprise Rent-A-Car, had risen at 4 a.m. to take her 2-year-old daughter to her mother's home before heading to the convention center, only to be told she had to come back the next day. She was laid off in March, when the pandemic nearly obliterated the travel industry. Her benefits inexplicably stopped four weeks ago, the agency website saying only she was on a "verification hold."

"It's appalling, I don't understand how they can do this to people," Love said. "One day, I called 15 times in two hours, and they either don't answer or take your calls and hang up on you."

Love was getting down to the last she has, having run through \$4,000 in savings. Even before her benefits froze, she was getting only about \$137 a week, plus \$600 a week from the federal government's pandemic emergency assistance program, due to expire around the end of the month. Her regular monthly bills—rent, car payment, insurance—are \$2,091.

She has continued her search for a job, even contemplating whether she should "Find Something New"—as the White House's new ad campaign suggests—researching how she could get certification to start a career in teaching.

Shelley Zumwalt, the interim director of Oklahoma's unemployment agency, said the state's system uses a mainframe computer from 1978 that was quickly overwhelmed by the volume of claims. "My first day, I sat down with one of the claims agents and said, 'Show me what you do,' and a green screen popped up and she pushed F9," Zumwalt said. "That was the clearest thing to me that I was dealing with a technology that was older than I am."

She launched the series of more than a dozen mega-events July 1 after several days in June when desperate people began showing up to the OESC office in Oklahoma City and waiting in line with coolers, camp chairs and tents.

"I'm not okay with people having to camp out to get their claims processed," Zumwalt said.

Some who showed up at the event had received notes from the OESC that they had been approved for unemployment benefits when they hadn't yet applied, convinced they had been victims of fraud. Zumwalt said that about 90,000 claims have been flagged as fraudulent.

Last month, the U.S. Labor Department's Office of Inspector General, working with the OESC, said it had stopped payment on 3,800 unemployment insurance claims, including 1,300 filed from IP addresses in London, saving the state nearly \$16 million.

Many real Oklahomans in need of assistance are suffering through the complicated unemployment process, too. The state has rejected more than half of the unemployment claims filed through June 21, some for gig or self-employed workers who must be denied regular unemployment insurance before they can qualify for the federal government's Pandemic Unemployment Assistance, Zumwalt said.

Many who showed up at the Tulsa convention center were navigating government as-

sistance for the first time, such as Sarah Miller, 29, a single mother of three who was told not to come back to her job as a nursing home aide after she experienced symptoms consistent with covid-19 in March. Her unemployment claim has been pending since April 12.

"I need this. I need it," she said. "I've never been one to do unemployment, but with all that's going on, I don't really have any other option. I have to be home with my kids; I can't afford to pay a babysitter or do day care. Got to do what I got to do."

'WE'RE ALL GLITCHES'

Jolley had time to go home before his 6:30 a.m. appointment, shower and change into cargo shorts and a shirt printed with tiny steaks and barbecues. He was among the first into the cavernous Expo center, where claims seekers sat down in folding chairs six feet apart.

Staffers handed out bottles of water, Kind granola bars and a flier that advertised drive-up distribution at the local food pantry, "Soup's On at the Community Kitchen." Jolley tucked the flier along with other documents in a blue folder he labeled "Unemployment."

As he waited for his name and number to be called, Jolley looked around at the others sitting in their socially distanced chairs and was reminded of the animated Disney movie "Wreck-It Ralph," which he watches with his 7-year-old, Pearl. In it, Ralph is a lumbering video game villain who hopes to restart his life by helping a video game princess stuck in a computer glitch.

In a way, everyone in this room is a glitch, he said, just like Princess Vanellope in the movie.

"People that are here, we're all glitches," he said. "We fell through the cracks. The computer system didn't work for us."

Jolley has a degree in petroleum engineering but started Big Guys Inc. advertising in 1995 as a hedge against the ups and downs of the oil market. For a long time, the company provided a good living, even during the 2008 recession. He sells ad space for mom-and-pop businesses—tree trimmers, DUI lawyers—posted in bathrooms in airports, restaurants and concert venues.

"It's a captive audience with disposable income," he quipped, that old joke. "Or it was before this."

He had always thought he would do this until he retired, especially after life dealt him the surprise of Pearl and he became a single dad at 50. Now, he was just hoping his misfortune would be temporary, that business would revive as things normalized, with concerts and other events supposed to restart in Oklahoma in August.

When his name was called, he went behind black curtains where claims agents were working on their ancient computer program. He gave a written summary of his many contacts with the agency to Ashley Testerman, an agent in a black cotton mask.

"I brought a cheat sheet," he said.

"You have no payments; let's see if you are in the system," she said.

In the end, after all that—the numerous phone calls, the hours wasted on hold, the evening spent sleeping in his car—all he needed was a working PIN number, and Jolley was able to file claims for all the weeks he had missed since April.

"I feel so relieved," he said afterward, joking that he might do a Jed Clampett-like jig in the parking lot on his way out the door. But the joy would be temporary. His last sobering exchange with the claims agent stuck in his mind.

"We don't know what the future holds," he had said. "What happens if everything shuts down again?"

What then?

Mr. WYDEN. I close by way of saying that I came to the floor some time ago to ask unanimous consent to make sure that this weekend, when millions of people are hurting—remember, the suffering starts in 2 days. It starts on Saturday—2 days in Florida, in Oregon, in Wyoming, and all over the country. MITCH MCCONNELL's response was: Let's take a break; we can take off. He didn't seem to see those hurting people in Kentucky. Maybe they will have something to say to him this weekend.

I will tell you, I think it is a big mistake for Senate Republicans to have frittered away weeks on end, when we could have had a dialogue and we could have talked about ideas.

The Presiding Officer has talked to me a number of times since he has been here about healthcare. I enjoy talking to my colleagues and working on ideas to try to find a way to address concerns and solve problems. There wasn't one single effort—not one—to pick up on any of the ideas that I have been discussing here. In fact, I tried to reach out to colleagues on the other side and told them that I heard them say repeatedly that benefits should taper down as the unemployment rate goes down. Well, that is the heart of our bill on this side.

The hurt and pain that working families are going to face this Saturday and Sunday—2 days from now—did not have to happen. It didn't have to happen. Our side has a bill to work on. The other side, I gather, has some ideas. We have not seen a single piece of paper, but I know that all those people who are hurting can't eat retroactively. They can't eat all the Republican theories about delay and haggling.

I believe these working families deserve a whole lot better. They deserve some predictability and certainty that when they are hurting—through no fault of their own—their government isn't going to turn its back on them and say: We don't care if your kids can't eat and you don't have a roof over your head. Our country has always been better than that.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

CARES 2

Mr. MCCONNELL. Mr. President, as I said on Tuesday, our Nation stands at a critical midway point in our fight against the coronavirus. We made it through the springtime lockdowns. Americans' sacrifices saved our medical system. The Senate's historic CARES Act helped millions of families make it through, but this terrible virus is still with us. It kills more Americans every day. Some areas that have reopened have seen cases spike. Our hospitals, healthcare providers, and especially our vulnerable citizens are nowhere near out of the woods.

Meanwhile, although the early days of our economic recovery have beaten expectations and surprised the experts, we have really only begun to repair the

damage. More than 17 million Americans are still jobless. Far too many families are still hurting. This is not over. America's fight continues, so Congress's support for our people must continue as well.

The Senate majority has assembled a framework for CARES 2. The administration has requested additional time to review the fine details, but we will be laying down this proposal early next week. We have an agreement in principle on the shape of the package. It is the framework that will enable Congress to make law and deliver more relief to the American people that is tailored precisely to this phase of the crisis.

Chairmen GRASSLEY, ALEXANDER, COLLINS, RUBIO, SHELBY, and BLUNT, and Senators CORNYN and ROMNEY have each spearheaded a part of CARES 2. On Monday, these committee chairmen and Republican Members will introduce each component. The sum of these efforts will be a strong, targeted piece of legislation aimed directly at the challenges we face right now.

Our country is in a middle ground between the strict lockdowns of a few months ago and the future day when a vaccine will put all of this, finally, behind us. Our project now is to build a middle ground that is smart and safe but more sustainable.

We are still waging a healthcare war against the virus, and we cannot let up on that. We need to continue to strengthen the defenses we have built—encouraging mask-wearing, supporting testing, and racing toward treatments and vaccines.

At the same time, the greatest country in world history also needs to get back on offense. We need to carefully but proactively step back toward normalcy. This disease has already stolen the lives of more than 140,000 Americans. It has stolen a half a year of our national life. We cannot let the robbery continue without a fight. We cannot let this pandemic rob us indefinitely of our children's educations and the livelihoods of 17 million American workers.

We need to get Americans back to work and school while continuing to fight for our Nation's health. That is what CARES 2 is designed to do. Our proposal will not waste the American people's time with go-nowhere socialist fantasies. We aren't choreographing political stunts or teeing up the same old partisan trench warfare. Our proposal will focus on three things: kids, jobs, and healthcare.

No. 1, kids. A functioning society needs to educate its children and young adults. Our kids need us to invest in their futures, and working parents need some certainty. We need as many K-12 schools, colleges, and universities as possible to be safely welcoming students this fall.

Chairman ALEXANDER, Chairman SHELBY, and Chairman BLUNT are finalizing an ambitious package of funding and policy to help our schools reopen. They will lay out a reopening-related

funding package for schools and universities north of \$100 billion. That is more money than the House Democrats proposed for a similar fund.

There will be several important policies to help childcare providers, to grant new flexibility to elementary and secondary schools, and more.

No. 2, jobs and the economy. Two provisions of the CARES Act worked especially well to help households stay afloat and help as many workers as possible stay employed.

As Chairman GRASSLEY will explain, Republicans want to send a second round of direct payments to American households, and Senator COLLINS and Senator RUBIO have crafted a sequel to their historic and incredibly successful Paycheck Protection Program. It would give the hardest hit small businesses an opportunity to receive second loans if they continue to pay their workers.

We also intend to continue some temporary Federal supplement to unemployment insurance while fixing the obvious craziness of paying people more to remain out of the workforce. Small business owners across the country have explained how this dynamic is slowing rehiring and recovery. So we are going to provide help but make sure it is suited to reopening the economy.

But temporary relief cannot be our endgame. Americans do not just want to scrape by; they want to thrive again. They want a road back to the incredible job market we had just a few months ago. So Chairman GRASSLEY will also lay out bold policies to incentivize retention, encourage the rehiring of laid-off Americans, and help businesses obtain PPE, testing, and supplies to protect their employees and entice customers.

Think of it this way: In the spring, our economy needed life support. Today, while continuing to support families, we must also get the economy into physical therapy so it can actually regain its strength.

Finally, in looking to the long term, the COVID-19 crisis has weakened the critical Federal trust funds that Americans rely on. As Senator ROMNEY will explain, our proposal includes a bipartisan bill, cosponsored by Senate Democrats, to help a future Congress evaluate bipartisan proposals for protecting and strengthening the programs that Americans count on.

Now, our third pillar is the most important of all—healthcare. Our entire reopening and recovery depend on knocking this awful virus onto its heels.

So as Chairmen ALEXANDER, BLUNT, GRASSLEY, and SHELBY will explain, CARES 2 will continue to treat the root causes of this medical crisis: more resources for hospitals and healthcare workers; more help to keep sprinting toward diagnostics, treatments, and vaccines; new policies to shield seniors from a spike in Medicare premiums; and new legislation that will leave us

with better surge capacity to produce medical countermeasures right here at home the next time a crisis strikes.

There is one more essential element that ties schools, jobs, and healthcare all together—legal protections to prevent our historic recovery efforts from simply lining the pockets of trial lawyers.

We will preserve accountability in cases of actual gross negligence or intentional misconduct, but we are going to make sure that nurses and doctors who fought an unknown enemy are not swamped by a tidal wave of malpractice suits. And we will make sure that school districts, colleges, churches, nonprofits, and employers that obey official guidance do not have to delay reopening because they are afraid they will spend 10 years in court.

So this is where Senate Republicans are focused—more support for healthcare, more direct help for American families, and strong policies to help our country pivot into a safe reopening. We will propose to continue and renew some of the most successful CARES Act policies, while adding bold new ideas to help get schools and jobs open for the American people. This is the package our country needs. This is what we will introduce.

We are repeating the successful strategy that produced the historic, bipartisan CARES Act back in March. First, I asked a number of Republicans to spearhead a serious first draft. Then we put those elements together and invited our Democratic colleagues to the table. And guided by our roadmap, working with the administration, the Senate reached a bipartisan outcome.

Earlier this week, even Speaker PELOSI and Leader SCHUMER seemed to concede that things go better when Republicans lead. They themselves said the real work on this next bill would only begin after Republicans laid out the framework.

Well, I am glad my Democratic friends see things the same way I do. I just hope they meet our serious, fact-based proposal with the productive and bipartisan spirit that got us the CARES Act, rather than the cynical partisanship that led them to block police reform just last month.

Doctors and nurses will need Democrats to come to the table. Unemployed Americans will need Democrats to come to the table. Working parents and school children will need Democrats to come to the table.

We have known all along the American people would defeat this virus by understanding that we are all in this together—every single one of us.

If we want to deliver more historic relief, the Senate will need to remember the very same thing.

ORDER OF BUSINESS

Mr. President, I ask unanimous consent that notwithstanding rule XXII, the postcloture time on the Hardy nomination be considered expired and the confirmation vote on that nomination occur at 5:30 p.m. on Monday, July 27.

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

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. 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. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 647.

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 bill clerk read the nomination of David Cleveland Joseph, of Louisiana, to be United States District Judge for the Western District of Louisiana.

CLOTURE MOTION

Mr. MCCONNELL. Mr. 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 bill 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 David Cleveland Joseph, of Louisiana, to be United States District Judge for the Western District of Louisiana.

Mitch McConnell, Chuck Grassley, Cindy Hyde-Smith, Michael B. Enzi, Tim Scott, Marco Rubio, Lamar Alexander, James E. Risch, David Perdue, Bill Cassidy, Pat Roberts, John Cornyn, Lindsey Graham, Thom Tillis, Deb Fischer, Mike Crapo, Kevin Cramer.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. 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. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 641.

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 bill clerk read the nomination of Dana T. Wade, of the District of Columbia, to be an Assistant Secretary of Housing and Urban Development.

CLOTURE MOTION

Mr. MCCONNELL. Mr. 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 bill 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 Dana T. Wade, of the District of Columbia, to be an Assistant Secretary of Housing and Urban Development.

Mitch McConnell, Thom Tillis, Cindy Hyde-Smith, Pat Roberts, Roy Blunt, John Thune, Cory Gardner, Deb Fischer, Shelley Moore Capito, David Perdue, Mike Crapo, Marco Rubio, Lindsey Graham, John Cornyn, Roger F. Wicker, Michael B. Enzi, Marsha Blackburn.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. 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. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 705.

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 bill clerk read the nomination of Marvin Kaplan, of Kansas, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2025. (Reappointment)

CLOTURE MOTION

Mr. MCCONNELL. Mr. 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 bill 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 Marvin Kaplan, of Kansas, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2025. (Reappointment)

Mitch McConnell, Joni Ernst, John Thune, Cindy Hyde-Smith, Roy Blunt, John Cornyn, Marsha Blackburn, Deb Fischer, John Barrasso, Shelley Moore Capito, Todd Young, John Boozman, Lamar Alexander, David Perdue, Kevin Cramer, Tim Scott, Michael B. Enzi.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. 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. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 707.

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 bill clerk read the nomination of Lauren McGarity McFerran, of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2024. (Reappointment)

CLOTURE MOTION

Mr. MCCONNELL. Mr. 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 bill 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 Lauren McGarity McFerran, of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2024. (Reappointment)

Mitch McConnell, Joni Ernst, John Thune, Cindy Hyde-Smith, Roy Blunt, John Cornyn, Marsha Blackburn, Deb Fischer, John Barrasso, Shelley Moore Capito, Todd Young, John Boozman, Lamar Alexander, David Perdue, Kevin Cramer, Tim Scott, Michael B. Enzi.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum calls for the cloture motions be waived.

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

The PRESIDING OFFICER. The Senator from Hawaii.

REMEMBERING JOHN LEWIS

Ms. HIRONO. Mr. President, as we finally begin negotiations on the next COVID bill, I note that Democrats were ready to come to the table with a sense of urgency at least 2 months ago, when the House passed the Heroes Act.

Before I begin my remarks on education today, I want to pay tribute to the life and work of an extraordinary public servant, my friend Congressman John Lewis.

John was a remarkable man, whose deep convictions and concerted actions made an indelible mark on American history, and we could certainly spend hours chronicling his contributions to public life, from his speech at the March on Washington and the march across the Edmund Pettus Bridge on Bloody Sunday to his leadership on gun safety, civil rights, and voting rights during his time in Congress.

John meant so much to our country, but he also meant a lot to each of us

who had the privilege to call him a friend and colleague. Almost everyone who served with John in his three-plus decades in the House has a story or two to tell. I certainly do.

I fondly remember traveling with John to Ireland as part of a peace and reconciliation summit organized by the Faith and Politics Institute in 2014. During our trip, I remember how young Irish activists connected with John's powerful work as a civil rights leader committed to nonviolent resistance to oppression and peaceful reconciliation.

The following year, I proudly marched across the Edmund Pettus Bridge with John to mark the 50th anniversary of Bloody Sunday. One of the most cherished pictures in my office is one of John, me, and the late Hawaii Congressman Mark Takai from that day, and we were all wearing lei flown in from Hawaii.

Mark, whom we also lost too soon to pancreatic cancer 4 years ago, and I organized the delivery of hundreds of lei that day to commemorate the gift from Hawaii's Rev. Abraham Akaka to Dr. Martin Luther King, Jr., 50 years ago for the third march in Selma. News footage from that time showed Dr. King and other leaders wearing the white carnation lei sent by Reverend Akaka, the brother of the late Senator Dan Akaka.

Over the years, that photo of the three of us in our fresh lei has always brought a smile to my face.

I know many of my colleagues have similar stories to share, and it has been meaningful to hear so many people on both sides of the aisle recognize John's life and work in statements and speeches.

It is certainly appropriate to honor John with our words, but it would be better if we honored John through our actions, because while John was certainly a gifted orator, he was also a man of action—of “good trouble.”

The best way for us to honor John's extraordinary life's work would be for the Senate to vote on and pass the Voting Rights Advancement Act, now re-named in John's honor. Action, not just words.

CORONAVIRUS

On education, last week we heard two unbelievable and frankly horrifying statements from the Trump administration about its push to reopen our schools. On CNN's “State of the Union,” Secretary of Education Betsy DeVos claimed that “there's nothing in the data that suggests that kids being in school is in any way dangerous.” Later in the week, White House Press Secretary Kayleigh McEnany responded to criticism of the President's position on school reopenings and said: “The science should not stand in the way of this.”

These comments reflect a President and an administration's disregard for the health and safety of our teachers, students, and families.

The President and his enablers accuse Democrats of pushing back on his

administration's reckless policies for political reasons. The truth is, if there is one thing President Trump has made clear time and again, it is that he doesn't do anything without a self-serving political motive.

Come on. We all want our schools to open, including the teachers, parents, and the students I have spoken with. But, of course, we want schools to open safely, without risking exposure to the virus, and I really don't understand why Betsy DeVos doesn't get this.

Reopening our schools safely in the midst of this pandemic would be challenging even with competent leadership in the White House and the Department of Education. Instead, we have a President and Secretary of Education who threaten to withhold funding for schools that refuse to reopen, who support sweeping mandates for schools to reopen before it is safe to do so, and who push the CDC to weaken its guidelines on schools reopening.

The cavalier disregard for our students, teachers, principals, and administrative staff has produced considerable uncertainty in States and local communities already under tremendous stress during this pandemic. Increasingly, they are forced to create their own guidelines, leaving students, teachers, parents, and principals unsure about how to return to school safely. This uncertainty is contributing to a growing anxiety across our country, but it is a more proximate concern in Hawaii, where school districts are scheduled to reopen on August 4—less than 2 weeks away.

Earlier this summer, the Hawaii Department of Education and the Hawaii State Teachers Association corroborated on a plan to provide individual schools a measure of freedom to decide how best to begin the school year. At the time, the low numbers of COVID cases provided optimism that some schools could reopen for at least some in-person instruction at the beginning of the school year. An evolving set of facts on the ground, including a rise in new COVID infections in our State, led the Hawaii State Teachers Association to announce its opposition to resuming in-person instruction on August 4.

The Hawaii Government Employees Association, HGEA, and United Public Workers, UPW, represent school support staff. Both unions have joined HSTA in urging the State to delay students returning to classrooms, citing “lack of health strategies to mitigate the spread of the coronavirus on public school campuses.” Their position reflects the importance of relying on science and public health data to make decisions about our schools.

If circumstances warrant, our policies should change to ensure a safe learning environment. As school districts confront difficult choices with painful tradeoffs, our students and educators deserve certainty, resources, and support from the Federal Government.

I heard this message consistently in my conversations with educators and

students in Hawaii over the last 2 weeks during our State work period. Teachers are particularly concerned about how looming budget shortfalls in Hawaii could lead to a massive round of teacher layoffs and furloughs and broader cuts to education programs. These layoffs and furloughs would have devastating consequences for educators, their families, and the students they teach.

An elementary teacher in Kona on Hawaii Island told me how the threat of furloughs and budget cuts are impacting his life. He is the son of Central American immigrants and a first-generation college graduate. He and his fiancée, who is also a teacher, would like to buy a home and start a family, but they can't proceed with their plans under the threat of being furloughed. He has been a teacher for 9 years and loves his job.

Teachers are also concerned about being forced to return to school to teach without adequate childcare for their own school-age children, some of whom may be physically in classrooms or not. A middle school teacher in Ewa on Oahu had to quit her job and return to Maryland so her parents could care for her infant daughter. The school has been forced to fill the position with substitute teachers who are not certified.

Another major concern for teachers is the learning loss that accelerates when students are not in class.

A high school science teacher on Maui is worried that his students do not have the technology and devices they need to be successful in a distance learning model. Teachers must share computer carts because their school doesn't have enough laptops for each student. He is worried about how students will complete their assignments if they are learning from home 2 or more days a week.

A teacher at my alma mater, Kaimuki High School, added that many of her students either share laptops or don't have access to a laptop or tablet at home.

Student government leaders I have spoken with have also shared their concerns about learning loss and how the pandemic has transformed their education.

A recent graduate headed to college in Boston commented that distance learning was difficult for her to navigate because she did not have access to technology growing up. She described the move to distance learning as “frantic” and explained that it was “discouraging” to continue her studies without the student-teacher interactions she previously had.

A rising senior at Moanalua High School in Honolulu shared how difficult it was to stay motivated through distance learning, especially as his peers stopped participating. He acknowledged that he had probably experienced learning loss.

Another senior found it harder to learn online because she is a visual

learner. Some of her teachers did not offer visual lessons, so she had to teach herself. She also found that less interaction with teachers made it more difficult for her to complete her assignments.

These stories underscore the urgency and immediacy of the challenges we face in reopening our schools.

It is time for the Senate to step up and confront this crisis in American education. The first thing we should do is pass the Heroes Act—legislation our colleagues in the House passed over 2 months ago. Heroes provides an additional \$90 billion in an education-stabilization fund, but we should go even further. Recently, I joined 40 of my Democratic colleagues to request an additional \$175 billion for K-12 schools through the Elementary and Secondary Emergency Relief Fund. These funds would help schools purchase cleaning supplies and laptop computers and implement programs to make sure we are meeting the social, emotional, and academic needs of our students.

Hawaii's superintendent estimates this need would cost \$234 million for our students just in Hawaii. We have a statewide school system with about 180,000 students K-12. These programs are especially important for our vulnerable students from economically disadvantaged backgrounds, students with disabilities, English language learners, and others.

We should also pass the Child Care is Essential Act, which would provide \$50 billion for childcare providers who desperately need financial assistance to continue operating. How do we expect people to go back to work if they don't have childcare options?

This crisis in American education requires a robust national effort to meet the needs. Instead of stepping up to meet this moment, we have a President and Education Secretary who have shown they do not care about our students and our teachers. That means the rest of us must care—the Senate. We are a separate, coequal branch of government. We need to step up in this enormous vacuum of leadership by putting the safety of our teachers and our children before the President's political self-interests.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

TRIBUTE TO DYLAN NICHOLSON, TREVOR MORGAN, MASON DALLMANN, A.J. SIMEON, AND SKYE MORGAN

Mr. SULLIVAN. Mr. President, it is that time of the week where I get to come down and talk about an Alaskan—this time five Alaskans—who is doing great things for our community, our State, and sometimes our country.

It is what we call the Alaskan of the Week or Alaskans of the Week. This is one of my favorite parts of the job. I know the Presiding Officer loves these speeches too. When we had pages here, they really loved it. We will get them back here soon, hopefully.

In all seriousness, of course, our country is facing very challenging times, and we have been tested as a nation and as a State on so many levels. If you read the newspaper, you think there is nothing going right, but I will tell you one thing I certainly see in my State. I was home for 3 weeks this past State work period, and I noticed this. There is empathy, kindness, understanding, and people working together and coming together. That is the big story, and I think we ought to keep an eye on that.

People are putting aside their own interests to help their neighbors, to help the elderly, our elders, our seniors. People are partaking in conversations about the soul of our Nation—sometimes uncomfortable conversations but I think overall constructive, important conversations in trying to help each other, to make our communities better, stronger, and make our country better and stronger as we struggle through an unprecedented pandemic.

I certainly see that across my State, and I am certain that the Presiding Officer sees that in his State, and it is really the best of America. It is important to remember that.

One of the reasons I love doing this "Alaskan of the Week" speech is because we get to highlight this not just for people in Alaska but for the country, people who are working hard for each other—maybe not getting the recognition they deserve but still doing very important work.

This week, I am going to honor five very fine, young Alaskans, young heroes who, because of their bravery and instincts and courage, very well likely saved lives. They are our Alaskans of the week. But before I talk about them, I always give an update of what is going on back home.

The weather has been glorious in many areas. There has been a lot of Sun—the midnight Sun, of course. There is even more Sun than in Florida right now at this time. The salmon are choking our rivers. I was out in Naknek, in the Crystal Bay region. There are huge sockeye salmon runs happening right now, which is great.

There is also struggling in other parts of the State. Fire season is upon us. This is something we have every year. I used to be the commissioner of natural resources in charge of our Division of Forestry—the brave men and women who fight fires in Alaska and all over the country, really. Sometimes we have really challenging fire seasons. Last summer was a really challenging one for us. Firefighters across the country came and helped Alaska with our challenges. They happened primarily by lightning strikes—thousands

in a day, you will get in Alaska. In just 1 day, there are thousands.

So far, the fire season in Alaska—knock on wood—this summer has not been nearly as intense as last summer, but our firefighters are still out there taking on huge fires. You don't read about them in the lower 48. It is dangerous work—very dangerous work.

That brings me to the story of our Alaskans of the week: Dylan Nicholson, who is 13 years old; Trevor Morgan and Mason Dallmann, both 17 years old; A.J. Simeon, who is 19; and Skye Morgan, who is 18.

On the afternoon of May 28, just 2 months ago, these five young men from Aniak, AK—a village of about 500 people that sits 300 miles west of Anchorage—were driving in a truck and on a four-wheeler in a gravel pit area a few miles away from the village. On their way back home, they passed a lake by the road and saw a small yellow airplane that was in the lake. It obviously had just crashed. Obviously, it had just crashed. Inside the plane were three emergency firefighters and a pilot. They had been on their way to the Kenai Peninsula south of Anchorage to support firefighters there. This is late May.

To the boys—these young men—the plane seemed to materialize out of thin air. One of them, Trevor Morgan, is quoted as saying: "I was like, 'Dang man, that wasn't there 30 seconds ago,'" and now there is a plane in the lake.

When they heard the shouting coming from the plane and people emerging, the young men sprung into action. The 13-year-old, Dylan, called his aunt, who works at the Alaska State Trooper dispatch office. Then they did something very brave. They jumped into the freezing water.

Now, remember, this is May in Alaska. That lake was probably frozen over just a couple of months earlier. They helped two of the passengers out through the mud and onto the shore. They loaded them into a truck and drove them to a nearby clinic. Two of the other passengers, however, were still stuck in the plane in the water because they were too badly injured to leave the plane.

So, Mason Dallmann, 17 years old, waded out into the water where he stayed with them to make sure they could hang on until help arrived. Now, remember, this is freezing water. By the way, it was thick with diesel oil coming from the engine, so highly dangerous if somehow this was going to ignite.

He was in there keeping them comforted for about 30 minutes. He didn't leave their side. One passenger who was badly injured grabbed onto Mason, and Mason said: Don't worry. I am not going to leave you.

Eventually, 30 minutes in the freezing cold water full of diesel, first responders came and helped get the men out of the plane and transported them to a clinic and a hospital. Two of them

suffered severe injuries, but, fortunately, all of them are recovering, and they are recovering thanks to these five young men and boys who spotted the plane in the first place, which wasn't a given, since it was miles away from town, and then they reacted and got them help.

"We are very fortunate," said Alaska State Forest Director Chris Maisch, whom I know very well. He said: "You couldn't have asked for a better emergency response in this rural community from [these] young people."

Aniak City Councilman David Mattson arrived at the crash scene when the rescue was going on. He calls the action of these young men "heroic." Councilman Mattson said: Being a hero means going above and beyond for other people—putting others before themselves. And that is what those boys did—at such a young age. And such a quick reaction time. It is so inspiring.

He had lived in other cities across the country, but he gives credit to the way these boys were raised in the valleys of Aniak. He said:

We are a big family out here. It doesn't matter what you look like, or who you are or what you do—you're a fellow citizen and if you need help, [people in this part of Alaska in America] we jump in and help [others].

So these are just a few stellar examples of young Americans, young Alaskans, our next generation, who are out there doing their part—doing their part to help us during these challenging times. With young men and women like these all across our Nation and all across my State, we know we are going to continue to thrive as a country, as Americans, and as Alaskans, no matter what. We know it.

So to Dylan, Trevor, Mason, A.J., Skye, and your families, thank you for being an inspiration to us all. Thank you for your courage. Thank you for jumping in a cold lake to save lives. Thank you for your heroism. Thank you for stepping up when your community and people in need really needed you without asking any questions and without hesitating. Congratulations on being our Alaskans of the Week.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following nominations: Executive Calendar Nos. 567 and 629.

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

The clerk will report the nominations en bloc.

The senior assistant legislative clerk read the nominations of Grant C. Jaquith, of New York, to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years; and Scott J. Laurer, of Virginia, to be a Judge of the United States

Court of Appeals for Veterans Claims for the term of fifteen years.

Thereupon, the Senate proceeded to consider the nominations, en bloc.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; and that the President be immediately notified of the Senate's action.

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

The question is, Will the Senate advise and consent to the Jaquith and Laurer nominations, en bloc?

The nominations were confirmed en bloc.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

S. 3841

Mr. GRASSLEY. Mr. President, I am pleased that earlier today the Senate passed S. 3841 by unanimous consent. This is a commonsense measure that will ensure the \$1,200 economic impact payments Congress provided to help individuals meet essential needs during these trying times don't instead end up in the pockets of creditors and debt collectors.

The CARES Act, which authorized the economic impact payments, sought to ensure that individuals in need received 100 percent of the payment they are eligible for by generally exempting such payments from administrative offset for past due debts owed to Federal or State agencies. However, as currently written, this language does not protect these payments from bank garnishment or levy by creditors or debt collectors.

The bill we passed today will further the original intent under the CARES Act of ensuring that the economic impact payments go to help individuals struggling to make ends meet as a result of government-enforced lockdowns and economic fallout of the current pandemic. It does this by extending protections against bank garnishment to economic impact payments that are very similar to what is provided to Social Security benefits under current law. Moreover, it continues the policy under the CARES Act of providing an exception for child support enforcement orders to ensure noncustodial parents who owe back child support fulfill their legal and moral obligations to their children.

I would like to thank Senators BROWN, WYDEN, and SCOTT of South Carolina for working with me on this important bill. I hope that the House passes an identical measure as soon as possible so that we can get a bill to the President's desk and these protections can be put into effect.

TRIBUTE TO MARGIE MONTGOMERY

Mr. McCONNELL. Mr. President, people of faith across my hometown of Louisville gathered recently to mark 50 years of fighting for the unborn in the Bluegrass State. Together, they celebrated the Louisville Right to Life Association and its inspirational work for the most vulnerable in our society. I was proud to offer my congratulations to these champions for life. Today, I would like to look back to the group's founding and a remarkable Kentuckian's choice to pick up the phone.

One evening in 1970, Margie Montgomery watched a troubling editorial on the local news. The segment argued for the removal of legal restrictions on abortions. To say my friend was shocked would be an understatement. She called the station to voice her strong opposition. Before long, Margie appeared on that same news program to deliver a genuine and heartfelt defense of life.

That broadcast was just the beginning. What followed was a campaign of advocacy, organizing, and hard work. Margie spoke up, and she began a movement.

Her passion ignited people of faith and conscience across our Commonwealth. The Louisville group grew into a statewide organization, the Kentucky Right to Life Association. Margie helped create a grassroots network of pro-life volunteers who give voice to the voiceless.

Their work is certainly making a difference. Today, the majority of Kentuckians proudly stand on the side of life. Margie's courageous witness led thousands to join her cause.

For decades, I have had the privilege to work with Margie on many pro-life issues. I look forward to our frequent meetings, both in Kentucky and our Nation's Capital. Along with so many Kentuckians, I am constantly inspired by her passion and drawn in by her compassion. The movement is lucky to have a steadfast and loving leader like Margie.

Tragically, innocent life is still under threat in our Commonwealth and our Nation. There is more work that must be done so all people can enjoy their God-given right to life. As we continue fighting for those who are unable to fight for themselves, I am grateful Kentucky has Margie to champion our cause. It is an honor to join all those who celebrate her golden anniversary of advocacy, and I wish her many more years of celebrating the gift of life.

Mr. President, the Courier-Journal in Louisville recently published a profile

of Margie's leadership for the sanctity of life. I ask unanimous consent that the column by former Kentucky State Representative Bob Heleringer be printed in the RECORD.

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

[From the Louisville Courier-Journal, July 14, 2020]

A DETERMINED MARGIE MONTGOMERY HAS BEEN DEFENDING THE SANCTITY OF HUMAN LIFE FOR 50 YEARS

(By Bob Heleringer)

In 1970, a gentleman named Bob Schulman occasionally appeared during the late evening news on WHAS-TV to read on-air editorials ("One Man's Opinion"). Wearing his trademark bow tie, he looked and spoke like a college professor. One night, he said it was time to liberalize the abortion laws in this country, to remove the legal restrictions that had made this medical procedure a criminal offense.

Watching at home that evening was a 37-year-old wife, mother, civic volunteer, Rosemont College graduate and former city editor of the Irvington (New Jersey) Herald newspaper, Margaret Anne "Margie" Montgomery. Alarmed, the then-president of the League of Catholic PTA called the station the next morning and was cordially invited by Mr. Schulman himself to give a response.

After she gave the first of what became thousands of public, passionate addresses defending the sanctity of all human life, her telephone rang for a week—some were complete strangers but all agreed with Mrs. Montgomery that "something had to be done."

Right there in her kitchen, a national, state and local Right-to-Life movement was born. (The "right to Life" is one of the "self-evident" unalienable rights proclaimed by the Declaration of Independence.) This Thursday evening, about 700 socially distanced people will gather at the Crowne Plaza hotel for the 47th annual "Celebration of Life" dinner that will also honor Margie Montgomery's remarkable 50 years of service on behalf of the greatest civil rights cause in our beloved country since the abolition of slavery.

When the movement she began outgrew her house, in 1973, Mrs. Montgomery opened a full-time operation in St. Matthews, where she still today, from a tiny and cramped corner office in a nondescript office building, oversees the state's lobbying efforts in Frankfort and Washington, D.C., runs an annual statewide convention, organizes the annual pro-life rallies in Frankfort and downtown Louisville on the anniversary of Roe v. Wade, the pernicious Supreme Court decision that legalized the killing of our preborn sisters and brothers, coordinates a double full-page ad in this newspaper on that anniversary with thousands of names of Louisvillians, organizes the yearly dinner with a national figure giving a keynote address, presides over the annual Walk for Life up and down Shelbyville Road, quarterback a political action committee that strives to elect pro-life candidates to public office (people like her that will "do something"), and still appears at every school and civic group that will have her to give one of her "talks," the central theme of which is "abortion stops a beating heart."

Now into the sixth decade of her vocation, this soft-spoken but determined woman has been the Gold Star Mother who won't let America ever forget the staggering human toll of this heretofore unknown constitutional "right:" the 61,628,584 babies' lives "terminated" (through 2017). She is still

Kentucky's first responder whenever and wherever human life is threatened, the full-throated voice for those who have no voice.

She didn't hesitate to use that voice when she confronted the very man who wrote the infamous Roe decision: Justice Harry Blackmun. When the University of Louisville law school favored Mr. Blackmun in 1983 with its Brandeis Medal, Mrs. Montgomery was in attendance.

When it was her turn in the receiving line, as he extended his hand, she asked, "How can you sleep at night knowing how many lives have been lost because of your terrible decision?" The associate justice of the United States Supreme Court audibly gasped and, as he withdrew his hand, Mrs. Montgomery quietly said, "I will pray for you."

Thanks to those efforts, and those of thousands of volunteer women and men from all over this commonwealth, Kentucky can fairly be called America's most pro-life state with an overwhelmingly pro-life congressional delegation and state legislature.

Elections have consequences, some good. Pre-natal killings in our state have declined from a high of 11,000 a year to "only" 3,000. Legislation Mrs. Montgomery advocated, the "Choose Life" license plates, finances more than 50 crisis pregnancy centers in Kentucky that, if only a woman will assent to let her baby live, she will be sheltered, protected, nurtured and financially supported. (As of 2017, there are 2,752 of these life-affirming centers throughout the country.)

This, then, is Margie Montgomery's most inspiring legacy: Her unwavering commitment to preserve, protect and defend all human life has directly led to an untold and unknown number of human lives being saved by women in crisis who got a timely word of encouragement and support, looked at a leaflet, spotted a billboard message, read an ad in a church bulletin, called a crisis hotline, saw their unborn baby move on a sonogram or ultrasound and blessed God's creation by giving humanity one more life to marvel at, appreciate, love and cherish. Those saved people walk among us every single day. As the Talmud says (paraphrasing): "(S)he who saves a life, saves the entire world."

REMEMBERING MARIA WHELAN

Mr. DURBIN. Mr. President, on June 10, we lost an extraordinary advocate for children and families in Illinois. For more than four decades, Maria Whelan fought to ensure equal access to quality and affordable childcare. Today, we pay tribute to her hard work and life.

Maria was born on December 4, 1950, in East Hampton, NY. She was the third of 12 children. Ten cousins lived just down the road. Maria went to Clarke College and completed her master's at the University of Chicago. She supported herself working as a waitress and a janitor. It was in Chicago that she met Jack Wuest. They married and raised three daughters in Chicago's North Side neighborhood of Rogers Park.

In 1976, Maria was working with educators and advocates to help families when the local afterschool program's sponsoring agency closed. Maria and some of these folks formed what would later become the Carole Robertson Center for Learning. She served as the center's first executive director until 1989. Maria helped the center become a

thriving center for quality early childhood education. Maria continued her fight for families as the director of children services for the Illinois Department of Human Services and then the senior program officer for the Chicago Community Trust. In 2000, she became the president and CEO for Illinois Action for Children, which provides 150,000 children and families every year access to high-quality early care and education opportunities.

Under Maria's leadership, Illinois Action for Children expanded its scope. She helped create the Healthy Food Program, which helps families stretch their dollars by reimbursing childcare providers for the cost of feeding children with healthy food. Maria was instrumental in the development of Innovation Zones that connect critically important resources in some of Chicago's most underserved communities.

The Innovation Zones led to the transformative Community Systems Statewide Supports Program, which helps communities improve early childhood services with training, planning, and collaboration. Maria also helped move Illinois Action for Children into direct early childhood services with its early learning program centers in Chicago's South and West suburbs.

There was no one like Maria. Maria was tough, smart, passionate, and an authority on what needed to be done to best serve families in Illinois. I made it a point to meet with her. She made partnerships that mattered. Maria helped them launch the Lunch Bus with the Greater Chicago Food Depository to provide free summer meals to children.

Maria enjoyed reading, classical music, and spending time with her family in Vermont. And she always loved a good laugh. We will miss her smile, her wit, and her heart. She is survived by her husband Jack; her three daughters, Catherine Mary, Ellen Rose, and Maeve Margaret; her three grandchildren, Teddy, Archie, and Evie; and her nine brothers and sisters.

REMEMBERING JOHN "JACK" DUNFEY

Mr. LEAHY. Mr. President, the global community has lost one of our most active advocates for peace. On June 22, John Philip Dunfey passed away. Known as Jack to his many friends around the world, he was a World War II veteran, founder and CEO of Omni Hotels International, and the owner of Parker House. His impact, however, was far wider. Jack was an ardent supporter of social justice issues throughout his life.

Jack led human rights missions to many corners of the world, helping to free prisoners in Cuba, remove landmines in Angola and monitor the election in South Africa won by Nelson Mandela.

Jack was the founder and chairman of the Global Citizens Circle, fostering

cross-cultural and intergenerational dialogue about important social change. Together with friends on both sides of the aisle, Dunfey was appointed by President Ronald Reagan to the commission that founded the U.S. Institute for Peace. He was also a founding board member of the American Ireland Fund, an organization working to bring peace to Ireland. These important organizations will far outlive Jack, continuing his legacy and helping to improve lives across the globe.

He lived a life true to his favorite saying, “We make a living by what we get, but we make a life by what we give.” Jack gave abundantly, and the world owes him a debt of gratitude.

My thoughts are with Jack’s wife, Lisa, and their family during this difficult time.

I ask unanimous consent that the full obituary for John Philip Dunfey be printed in the RECORD.

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

DUNFEY, JOHN PHILIP FOUNDER AND CHAIRMAN, GLOBAL CITIZENS CIRCLE; FOUNDER AND CEO, OMNI HOTELS INTERNATIONAL ALSO OWNED AND RENOVATED PARKER HOUSE (1968-1988)

John Philip Dunfey, a World War II veteran who dedicated much of his life to fostering world peace and social justice, died at age 96 on June 22, 2020, in Hampton, NH. Known as “Jack” to friends, he spent decades of behind-the-scenes work in support of causes such as the peace process in Northern Ireland and human rights efforts in South Africa, Cuba, Central America, South America, and the Middle East. Notably, Dunfey spearheaded his family’s efforts in 1974 to launch Global Citizens Circle. Originally known as New England Circle, the not-for-profit entity continues its mission almost 50 years later to “. . . gather diverse, intergenerational voices addressing critical issues and building the trust needed for sustainable change in ourselves, our nation, and our world.”

Dunfey was born in Lowell, MA, on January 7, 1924, to former millworkers, Catherine A. Manning and LeRoy W. Dunfey. The fifth of twelve children, Jack began his work career as did all his siblings at a very young age in his parents’ small luncheonette in the Acre section of Lowell. After graduating from Lowell’s Keith Academy, Jack joined the U.S. Air Force in 1943, attaining the rank of first lieutenant while serving as a B-24 and B-29 pilot instructor.

Following his honorable discharge in 1946, he earned his Bachelor of Science degree in business at the University of New Hampshire in 1952. He also led his family’s business. From 1950 to 1988, the enterprise expanded from New England-area luncheonettes, clam stands, and pizza shops to the Dunfey Hotel Corporation, whose hallmark became refurbishing downtrodden inner-city hotels. When the Corporation acquired Omni Hotels International—with its dozens of properties worldwide, including London and Paris—Jack kept the corporate headquarters rooted in Hampton, NH, to help preserve the close employee-management relationship that was so much a part of the early family business. The acquisition and restoration of the historic Parker House Hotel in Boston in 1968—in the era of assassinations, the Vietnam War, and Civil Rights Movement—provided Jack and his siblings a prominent base to advance their beliefs in social justice.

For many years, he led human rights missions into neglected corners of the world with his personal goal of releasing political prisoners. His favorite saying was: “We make a living by what we get, but we make a life by what we give.” He was kind, thoughtful and generous with his immediate and extended family and with the larger human family. The missions to Cuba, for his meetings with Fidel Castro, led to the release of 87 prisoners, the removal of landmines in Angola, and the freeing up of food supplies to enter Ethiopia.

While a staunch Democrat, Jack was noted for working across party lines to achieve his objectives. In 1984 President Ronald Reagan, a staunch Republican, appointed Dunfey as one of the nine-member commission founders of the United States Institute for Peace, tasked with promoting conflict resolution and peace worldwide. Jack was also a founding board member of the American Ireland Funds. He and his brothers, Bob and Walter, were recognized as bridge-builders and advocates of cross-community dialogue during the Troubles in Northern Ireland. When John Hume and David Trimble were awarded the Nobel Peace Prize in 1994, they invited Jack and Bob to travel with them and their families to Oslo. That same year, Jack was also appointed an independent, international monitor in South Africa’s historic first election of Nelson Mandela as president.

Jack is survived by his wife, Lisa Timpé Dunfey, Boston, MA; three children, Susan Dunfey, Rye, NH; David Dunfey, Sebastian, Florida; Stephen Dunfey, Portsmouth, NH; and three siblings, Eileen Dunfey Robinson, Bradenton, Florida; Jerry Dunfey and his wife, Nadine Hack, Lutry, Switzerland; Eleanor Dunfey and her husband, James Freiburger, Exeter, NH; and many nieces, nephews and cousins whom he cherished. Jack was preceded in death by his son, Philip; and Joan Lannan Dunfey, the mother of his children, as well as eight siblings: Roy, Paul, Kay, Mary, Bud “Bill,” Robert “Bob,” Richard “Dick,” and Walter. Because of COVID-19 restrictions, the family plans a Memorial to celebrate Jack’s life at a later date.

BUDGET SCOREKEEPING REPORT

Mr. ENZI. Mr. President, I rise to submit to the Senate the budget scorekeeping report for July 2020. This is my second scorekeeping report since I filed the deemed budget resolution for fiscal year 2021 on May 4, 2020, as required by the Bipartisan Budget Act of 2019, BBA19. The report compares current-law levels of spending and revenues with the amounts agreed to in BBA19. In the Senate, this information is used to determine whether budgetary points of order lie against pending legislation. The Republican staff of the Budget Committee and the Congressional Budget Office prepared this report pursuant to section 308(b) of the Congressional Budget Act. The information included in this report is current through July 17, 2020.

Since I filed the last scorekeeping report on June 4, 2020, three measures with significant enforceable budgetary effects have been enacted. Two of those measures, the Paycheck Protection Program Flexibility Act of 2020, P.L. 116-142, and the Emergency Aid for Returning Americans Affected by Coronavirus Act, P.L. 116-148, were des-

ignated as emergencies by Congress and are not subject to budgetary enforcement. The third measure, the Hong Kong Autonomy Act, P.L. 116-149, increased both direct spending and revenues due to its imposed sanctions regime. Over the fiscal year 2021-2030 period, P.L. 116-149 would increase spending by \$21 million and revenues by \$28 million for a total deficit reduction of \$7 million.

Budget Committee Republican staff prepared Tables A-G.

Table A provides the amount by which each Senate authorizing committee exceeds or falls below its allocations for budget authority and outlays under the fiscal year 2020 and fiscal year 2021 deemed budget resolutions. This information is used for enforcing committee allocations pursuant to section 302 of the CBA. Committee compliance with allocation remains consistent with last month’s report with the exception of the Banking, Housing, and Urban Affairs Committee. Passage of the Hong Kong Autonomy Act led to spending in excess of that committee’s allowable levels over the fiscal year 2021-2025 and fiscal year 2021-2030 periods by \$4 million and \$21 million, respectively. Spending in this bill is largely due to increased receipts to the United States Victims of State Sponsored Terrorism Fund that are then spent without further appropriation.

Tables B and C provide the amount by which the Senate Committee on Appropriations is below or exceeds the statutory spending limits. This information is used to determine points of order related to the spending caps found in sections 312 and 314 of the CBA. The tables show that the Appropriations Committee is compliant with spending limits for fiscal years 2020 and 2021. The figures included in Table C reflect advanced and permanent appropriations that have already been enacted but will become available for obligation in fiscal year 2021.

Tables D and E display figures related to limits on the use of changes in mandatory programs, CHIMPs, in appropriations bills. These \$15 billion limits, found in the fiscal year 2018 budget resolution for fiscal year 2020 and section 207 of BBA19 for fiscal year 2021, currently show the Appropriations Committee in compliance.

Tables F and G provide the amount of budget authority enacted for 2020 and 2021, respectively, that have been designated as either for an emergency or for overseas contingency operations, OCO, pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended. Funding that receives either of these designations results in cap adjustments to enforceable discretionary spending limits. There is no limit on either emergency or OCO spending; however, any Senator may challenge the designation with a point of order to strike the designation on the floor.

In addition to the tables provided by Budget Committee Republican staff, I

am submitting CBO tables which I will use to enforce budget totals approved by Congress.

Because legislation can still be enacted that have an effect on fiscal year 2020, CBO provided spending and revenue reports for both fiscal year 2020 and fiscal year 2021. This information is used to enforce aggregate spending levels in budget resolutions under CBA section 311. CBO's estimates show that current levels of spending for fiscal year 2020 exceed amounts in last year's budget resolution by \$68.6 billion in budget authority and \$55.1 billion in outlays—2020, Tables 1–2. Revenues are \$114.8 billion below the revenue floor. As well, Social Security outlays are at levels assumed for 2020, while Social Security revenues are \$16 million above levels assumed in budget.

For fiscal year 2021, the current law levels are \$1,180.0 billion and \$667.8 billion in budget authority and outlays, respectively, below allowable levels—2021, Tables 1–2. This spending room will be spent down as regular appropriations bills are enacted for fiscal year 2021. Revenues and Social Security levels are at the levels assumed by the fiscal year 2021 deemed budget for this budget year. Over the fiscal year 2021–2025 and fiscal year 2021–2030 period, revenues are \$5 million and \$28 million, respectively, greater than revenue levels assumed in the deemed budget resolution. These revenue increases are due to the enactment of the Hong Kong Autonomy Act earlier this month.

CBO's report also provides information needed to enforce the Senate pay-as-you-go, PAYGO, rule (2021, Table 3). This rule is enforced under section 4106 of the 2018 budget resolution. The Senate PAYGO scorecard currently shows an enacted deficit decrease of \$1 million over the fiscal year 2020–2025 period and \$7 million over the fiscal year 2020–2030 period due to passage of the Hong Kong Autonomy Act. The budgetary effects of P.L. 116–142 and P.L. 116–148 are not included in this table due to the emergency designations included in the acts based on authorities included in section 4112 of the fiscal year 2018 congressional budget resolution, H. Con. Res. 71, 115th Congress.

This submission also includes a table tracking the Senate's budget enforcement activity on the floor since the enforcement filing on May 4, 2020. Since that filing, one point of order was raised. On June 15, 2020, I raised a PAYGO point of order against S. Amdt. 1617, the Great American Outdoors Act, which CBO estimated as increasing the on-budget deficit by more than \$17 billion over the fiscal year 2020–2030 period. This point of order was waived by the Senate by a vote of 68–30.

All years in the accompanying tables are fiscal years.

I ask unanimous consent that the accompanying tables be printed in the RECORD.

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

TABLE A.—SENATE AUTHORIZING COMMITTEES—ENACTED DIRECT SPENDING ABOVE (+) OR BELOW (–) BUDGET RESOLUTIONS

	[In millions of dollars]			
	2020	2021	2021–2025	2021–2030
Agriculture, Nutrition, and Forestry				
Budget Authority	10,430	0	0	0
Outlays	10,430	0	0	0
Armed Services				
Budget Authority	32	0	0	0
Outlays	35	0	0	0
Banking, Housing, and Urban Affairs				
Budget Authority	169	0	4	21
Outlays	169	0	4	21
Commerce, Science, and Transportation				
Budget Authority	7	0	0	0
Outlays	7	0	0	0
Energy and Natural Resources				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Environment and Public Works				
Budget Authority	8,058	0	0	0
Outlays	415	0	0	0
Finance				
Budget Authority	50,913	0	0	0
Outlays	49,452	0	0	0
Foreign Relations				
Budget Authority	2	0	0	0
Outlays	37	0	0	0
Homeland Security and Governmental Affairs				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Judiciary				
Budget Authority	12	0	0	0
Outlays	12	0	0	0
Health, Education, Labor, and Pensions				
Budget Authority	–720	0	0	0
Outlays	–997	0	0	0
Rules and Administration				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Intelligence				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Veterans' Affairs				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Indian Affairs				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Small Business				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Total				
Budget Authority	68,903	0	4	21
Outlays	59,560	0	4	21

This table is current through July 17, 2020. This table tracks the spending effects of legislation enacted compared to allowable levels. Each authorizing committee's initial 2020 allocation can be found in the Senate Budget Committee Chairman's Congressional Record filing on September 9, 2019. Initial allocations for the 2021, 2021–2025, and 2021–2030 periods can be found in the Chairman's May 4, 2020 filing.

TABLE B.—SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS¹

	2020	
	Security ²	Nonsecurity ²
Statutory Discretionary Limits	666,500	621,500
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies	0	23,493
Commerce, Justice, Science, and Related Agencies	5,695	64,980
Defense	622,522	143
Energy and Water Development	24,250	24,093
Financial Services and General Government	35	23,793
Homeland Security	2,383	48,085
Interior, Environment, and Related Agencies	0	35,989
Labor, Health and Human Services, Education, and Related Agencies	0	183,042
Legislative Branch	0	5,049
Military Construction, Veterans Affairs, and Related Agencies	11,315	92,171
State, Foreign Operations, and Related Programs	0	46,685
Transportation and Housing and Urban Development, and Related Agencies	300	73,977
Current Level Total	666,500	621,500
Total Enacted Above (+) or Below (–) Statutory Limits	0	0

This table is current through July 17, 2020.
¹ This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.

² Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

TABLE C.—SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS¹

	2021	
	Security ²	Nonsecurity ²
Statutory Discretionary Limits	671,500	626,500
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies	0	7
Commerce, Justice, Science, and Related Agencies	0	0
Defense	45	0
Energy and Water Development	0	0
Financial Services and General Government	0	0
Homeland Security	0	9
Interior, Environment, and Related Agencies	0	0
Labor, Health and Human Services, Education, and Related Agencies	0	24,679
Legislative Branch	0	1
Military Construction, Veterans Affairs, and Related Agencies	0	83,233
State, Foreign Operations, and Related Programs	0	0
Transportation and Housing and Urban Development, and Related Agencies	0	4,400
Current Level Total	45	112,329
Total Enacted Above (+) or Below (–) Statutory Limits	–671,455	–514,171

This table is current through July 17, 2020.
¹ This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.
² Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

TABLE D.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)

	2020	
	Security ²	Nonsecurity ²
CHIMPS Limit for Fiscal Year 2020		15,000
Senate Appropriations Subcommittees		
Agriculture, Rural Development, and Related Agencies		0
Commerce, Justice, Science, and Related Agencies		5,737
Defense		0
Energy and Water Development		0
Financial Services and General Government		0
Homeland Security		0
Interior, Environment, and Related Agencies		0
Labor, Health and Human Services, Education, and Related Agencies		9,263
Legislative Branch		0
Military Construction, Veterans Affairs, and Related Agencies		0
State, Foreign Operations, and Related Programs		0
Transportation, Housing and Urban Development, and Related Agencies		0
Current Level Total		15,000
Total CHIMPS Above (+) or Below (–) Budget Resolution		0

This table is current through July 17, 2020.

TABLE E.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)

	2021	
	Security ²	Nonsecurity ²
CHIMPS Limit for Fiscal Year 2021		15,000
Senate Appropriations Subcommittees		
Agriculture, Rural Development, and Related Agencies		0
Commerce, Justice, Science, and Related Agencies		0
Defense		0
Energy and Water Development		0
Financial Services and General Government		0
Homeland Security		0
Interior, Environment, and Related Agencies		0
Labor, Health and Human Services, Education, and Related Agencies		0
Legislative Branch		0
Military Construction, Veterans Affairs, and Related Agencies		0
State, Foreign Operations, and Related Programs		0
Transportation, Housing and Urban Development, and Related Agencies		0
Current Level Total		0
Total CHIMPS Above (+) or Below (–) Budget Resolution		–15,000

This table is current through July 17, 2020.

TABLE F.—SENATE APPROPRIATIONS COMMITTEE—ENACTED EMERGENCY AND OVERSEAS CONTINGENCY OPERATIONS SPENDING
[Budget authority, millions of dollars]

Emergency and Overseas Contingency Operations Designated Spending	2020			
	Emergency		Overseas Contingency Operations	
	Security ¹	Nonsecurity ¹	Security ¹	Nonsecurity ¹
Additional Supplemental Appropriations for Disaster Relief Act, 2019 (P.L. 116–20) ²	0	8	0	0
Consolidated Appropriations Act, 2020 (P.L. 116–93)	1,771	0	70,855	0
Further Consolidated Appropriations Act, 2020 (P.L. 116–94)	6,229	535	645	8,000
United States-Mexico-Canada Agreement Implementation Act (P.L. 116–113)	0	843	0	0
Families First Coronavirus Response Act (P.L. 116–127)	82	2,389	0	0
Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116–136)	10,525	319,158	0	0
Paycheck Protection Program and Health Care Enhancement Act (P.L. 116–139)	0	162,100	0	0
Current Level Total	18,607	485,033	71,500	8,000

This table is current through July 17, 2020.

¹ Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

² The Additional Supplemental Appropriations for Disaster Relief Act, 2019 was enacted after the publication of CBO's May 2019 baseline but before the Senate Budget Committee Chairman published the deemed budget resolution for 2020 in the Congressional Record. Pursuant to the Bipartisan Budget Act of 2019, the budgetary effects of this legislation have been incorporated into the current level as previously enacted funds.

TABLE G.—SENATE APPROPRIATIONS COMMITTEE—ENACTED EMERGENCY AND OVERSEAS CONTINGENCY OPERATIONS SPENDING
[Budget authority, millions of dollars]

Emergency and Overseas Contingency Operations Designated Spending	2020			
	Emergency		Overseas Contingency Operations	
	Security ¹	Nonsecurity ¹	Security ¹	Nonsecurity ¹
Current Level Total	0	0	0	0

This table is current through July 17, 2021.

¹ Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 23, 2020.

Hon. MIKE ENZI,
Chairman, Committee on the Budget, U.S. Senate,
Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2020 budget and is current through July 17, 2020. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the allocations, aggregates, and other budgetary levels printed in the Congressional Record on September 9, 2019, pursuant to section 204 of the Bipartisan Budget Act of 2019 (Public Law 116–37).

Since our last letter dated June 4, 2020, the Congress has cleared and the President has signed the following legislation that has significant effects on budget authority, outlays, and revenues in fiscal year 2020:

Paycheck Protection Program Flexibility Act of 2020 (Public Law 116–142); and

Emergency Aid for Returning Americans Affected by Coronavirus Act (Public Law 116–148).

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2020, AS OF JULY 17, 2020

[In billions of dollars]

	Budget Resolution	Current Level	Current Level Over/Under (–) Resolution
On-Budget			
Budget Authority	4,318.8	4,387.4	68.6
Outlays	3,947.1	4,002.2	55.1
Revenues	2,740.5	2,625.7	–114.8
Off-Budget			
Social Security Outlays ^a	961.2	961.2	0.0
Social Security Revenues	940.4	940.4	0.0

Source: Congressional Budget Office.
^a Excludes administrative expenses paid from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2020, AS OF JULY 17, 2020
[In millions of dollars]

	Budget Authority	Outlays	Revenues
Previously Enacted^{a,b}			
Revenues	n.a.	n.a.	2,740,538
Permanents and other spending legislation	2,397,769	2,309,887	n.a.
Authorizing and Appropriation legislation	0	595,528	0
Offsetting receipts	–954,573	–954,573	n.a.
Total, Previously Enacted	1,443,196	1,950,842	2,740,538
Enacted Legislation			
Authorizing Legislation			
Continuing Appropriations Act, 2020, and Health Extenders Act of 2019 (Div. B, P.L. 116–59)	693	667	0
Further Continuing Appropriations Act, 2020, and Further Health Extenders Act of 2019 (Div. B, P.L. 116–69)	8,058	415	0
Women's Suffrage Centennial Commemorative Coin Act (P.L. 116–71)	–2	–2	0
Fostering Undergraduate Talent by Unlocking Resources for Education Act (P.L. 116–91)	–720	–997	0
National Defense Authorization Act for Fiscal Year 2020 (P.L. 116–92)	32	35	1
Further Consolidated Appropriations Act, 2020 (Div. I–K, M–Q, P.L. 116–94)	8,360	6,720	–34,449
United States-Mexico-Canada Agreement Implementation Act (P.L. 116–113)	–19	–9	10
Coronavirus Preparedness & Response Supplemental Appropriation Act, 2020 (P.L. 116–123)	110	110	0
Families First Coronavirus Response Act (P.L. 116–127)	53,072	53,276	–80,388
A bill to make technical corrections to the Guam World War II Loyalty Recognition Act (P.L. 116–132)	12	12	0
Paycheck Protection Program Flexibility Act of 2020 (P.L. 116–142) ^c	—	—	—
Emergency Aid for Returning Americans Affected by Coronavirus Act (P.L. 116–148) ^c	—	—	—
Subtotal, Authorizing Legislation	69,596	60,227	–114,826
Appropriation Legislation^{a,b}			
Continuing Appropriations Act, 2020, and Health Extenders Act of 2019 (Div. A, P.L. 116–59) ^d	0	128	0
Consolidated Appropriations Act, 2020 (P.L. 116–93)	884,979	530,980	0
Further Consolidated Appropriations Act, 2020 (Div. A–H, P.L. 116–94) ^e	1,585,345	1,239,739	0
United States-Mexico-Canada Agreement Implementation Act (Title IX, P.L. 116–113)	843	334	0
Coronavirus Preparedness & Response Supplemental Appropriation Act, 2020 (P.L. 116–123)	7,767	1,041	0
Families First Coronavirus Response Act (P.L. 116–127)	2,471	843	0
Coronavirus Aid, Relief, and Economic Security Act (P.L. 116–136)	329,501	98,680	0
Paycheck Protection Program and Health Care Enhancement Act (P.L. 116–139)	162,100	113,132	0
Subtotal, Appropriation Legislation	2,973,006	1,984,877	0
Total, Enacted Legislation^c	3,042,602	2,045,104	–114,826
Entitlements and Mandatories	–98,431	6,242	0
Total Current Level^{b,c}	4,387,367	4,002,188	2,625,712
Total Senate Resolution^f	4,318,804	3,947,105	2,740,538
Current Level Over Senate Resolution	68,563	55,083	n.a.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2020, AS OF JULY 17, 2020—Continued

[In millions of dollars]

	Budget Authority	Outlays	Revenues
Current Level Under Senate Resolution	n.a.	n.a.	114,826
Source: Congressional Budget Office. n.a. = not applicable; P.L. = public law; — = excluded from current level.			
^a Sections 1001–1004 of the 21st Century Cures Act (P.L. 114–255) require that certain funding provided for 2017 through 2026 to the Department of Health and Human Services—in particular the Food and Drug Administration and the National Institutes of Health—be excluded from estimates for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Deficit Control Act) and the Congressional Budget and Impoundment Control Act of 1974 (Congressional Budget Act). Therefore, the amounts shown in this report do not include \$567 million in budget authority and \$798 million in estimated outlays.			
^b For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the aggregate spending and revenue levels for 2020 published in the Congressional Record on September 9, 2019, by the Chairman of the Senate Committee on the Budget pursuant to section 204 of the Bipartisan Budget Act of 2019 (P.L. 116–37) do not include budget authority, outlays, or revenues for off-budget amounts. As a result, amounts in this current level report do not include those items.			
^c Spending and revenue effects designated as an emergency pursuant to Section 4112 of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018, do not count for certain budgetary enforcement purposes in the Senate. These amounts, which are not included in the current level totals, are as follows:			
	Budget Authority	Outlays	Revenues
Coronavirus Aid, Relief, and Economic Security Act (P.L. 116–136)	1,442,111	927,876	–568,425
Paycheck Protection Program and Health Care Enhancement Act (P.L. 116–139)	321,335	321,335	0
Student Veteran Corona virus Response Act of 2020 (P.L. 116–140)	5	5	0
Paycheck Protection Program Flexibility Act of 2020 (P.L. 116–142)	0	0	–9,498
Emergency Aid for Returning Americans Affected by Corona virus Act (P.L. 116–148)	1	1	0
Total	1,763,452	1,249,217	–577,923
^d Section 124 of the Continuing Appropriations Act, 2020 (division A of P.L. 116–59), appropriated funding for the Ukraine Security Assistance Initiative (within the jurisdiction of the Subcommittee on Defense) and designated those amounts as funding for overseas contingency operations. That provision took effect upon enactment on September 27, 2019.			
^e In consultation with the House and Senate Committees on the Budget and the Office of Management and Budget, rescissions of emergency funding that was not designated as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall not count for certain budgetary enforcement purposes. These amounts, which are not included in the current level totals, are as follows:			
	Budget Authority	Outlays	Revenues
Further Consolidated Appropriations Act, 2020 (Division H, P.L. 116–94)	–7	0	0
^f Section 204 of the Bipartisan Budget Act of 2019 requires the Chairman of the Senate Committee on the Budget to publish the aggregate spending and revenue levels for fiscal year 2020; those aggregate levels were first published in the Congressional Record on September 9, 2019. The Chairman of the Senate Committee on the Budget has the authority to revise the budgetary aggregates for the budgetary effects of certain revenue and spending measures pursuant to the Congressional Budget Act of 1974 and H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018, as updated by the Bipartisan Budget Act of 2019.			
	Budget Authority	Outlays	Revenues
Original Aggregates printed on September 9, 2019	3,703,553	3,680,696	2,740,538
Revisions:			
Adjustment for P.L. 116–59, Continuing Appropriations Act, 2020, and Health Extenders Act of 2019	693	795	0
Adjustment for P.L. 116–69, Further Continuing Appropriations Act, 2020, and Further Health Extenders Act of 2019	4,750	4,050	0
Adjustment for P.L. 116–93, Consolidated Appropriations Act, 2020, and P.L. 116–94, Further Consolidated Appropriations Act, 2020	107,126	47,534	0
Adjustment for P.L. 116–113, United States-Mexico-Canada Agreement Implementation Act	843	334	0
Adjustment for P.L. 116–123, Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020	7,767	1,041	0
Adjustment for P.L. 116–127, Families First Coronavirus Response Act, and P.L. 116–136, the CARES Act, and P.L. 116–139, Paycheck Protection Program and Health Care Enhancement Act	494,072	212,655	0
Revised Senate Resolution	4,318,804	3,947,105	2,740,538

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 23, 2020.
Hon. MIKE ENZI,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2021 budget and is current through July 17, 2020. This report is submitted under section 308(b) and in aid of sec-

tion 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the allocations, aggregates, and other budgetary levels printed in the Congressional Record on May 4, 2020, pursuant to section 205 of the Bipartisan Budget Act of 2019 (Public Law 116–37).

Since our last current level dated June 4, 2020, the Congress has cleared and the President has signed the following legislation

that has significant effects on budget authority, outlays, and revenues in fiscal year 2021:

Paycheck Protection Program Flexibility Act of 2020 (Public Law 116–142); and
Emergency Aid for Returning Americans Affected by Coronavirus Act (Public Law 116–148).

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2021, AS OF JULY 17, 2020

[In billions of dollars]

	Budget Resolution	Current Level	Current Level Over/Under (–) Resolution
On-Budget			
Budget Authority	3,832.2	2,652.2	–1,180.0
Outlays	4,008.7	3,340.9	–667.8
Revenues	2,800.4	2,800.4	0.0
Off-Budget			
Social Security Outlays ^a	1,016.3	1,016.3	0.0
Social Security Revenues	1,001.1	1,001.1	0.0

Source: Congressional Budget Office.

^aExcludes administrative expenses paid from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2021, AS OF JULY 17, 2020

[In millions of dollars]

	Budget Authority	Outlays	Revenues
Previously Enacted ^{a b c}			
Revenues	n.a.	n.a.	2,800,378
Permanents and other spending legislation	2,509,325	2,416,969	n.a.
Authorizing and Appropriation legislation	0	810,690	0
Offsetting receipts	–1,029,908	–1,030,145	n.a.
Total, Previously Enacted	1,479,417	2,197,514	2,800,378
Enacted Legislation			
Authorizing Legislation			
Paycheck Protection Program Flexibility Act of 2020 (P.L. 116–142) ^c	—	—	—
Emergency Aid for Returning Americans Affected by Coronavirus Act (P.L. 116–148) ^c	—	—	—

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2021, AS OF JULY 17, 2020—Continued
[In millions of dollars]

	Budget Authority	Outlays	Revenues
Total, Enacted Legislation	0	0	0
Entitlements and Mandatories	1,172,808	1,143,371	0
Total Current Level ^{b,c}	2,652,225	3,340,885	2,800,378
Total Senate Resolution ^d	3,832,200	4,008,705	2,800,378
Current Level Over Senate Resolution	n.a.	n.a.	n.a.
Current Level Under Senate Resolution	1,179,975	667,820	n.a.
Memorandum			
Revenues, 2021–2030			
Senate Current Level ^c	n.a.	n.a.	35,724,106
Senate Resolution	n.a.	n.a.	35,724,078
Current Level Over Senate Resolution	n.a.	n.a.	28
Current Level Under Senate Resolution	n.a.	n.a.	n.a.

Source: Congressional Budget Office.
 n.a. = not applicable; P.L. = public law; — = excluded from current level.
^a Sections 1001–1004 of the 21st Century Cures Act (P.L. 114–255) require that certain funding provided for 2017 through 2026 to the Department of Health and Human Services—in particular the Food and Drug Administration and the National Institutes of Health—be excluded from estimates for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Deficit Control Act) and the Congressional Budget and Impoundment Control Act of 1974 (Congressional Budget Act). Therefore, the amounts shown in this report do not include \$646 million in estimated prior outlays.
^b For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the aggregate spending and revenue levels for 2021 published in the Congressional Record on May 4, 2020, by the Chairman of the Senate Committee on the Budget pursuant to section 205 of the Bipartisan Budget Act of 2019 (P.L. 116–37) do not include budget authority, outlays, or revenues for off-budget amounts. As a result, amounts in this current level report do not include those items.
^c Current level excludes budgetary effects designated as an emergency pursuant to section 4112 of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018. As a result, this report excludes \$68,534 million in budget authority, \$72,977 million in outlays, and all revenue effects stemming from legislation enacted before the Chair of the Senate Committee on the Budget published aggregate spending and revenues for fiscal year 2021 in the Congressional Record on May 4, 2020. It also excludes the budgetary effects of other laws, enacted this session, which were designated as emergency requirements in accordance with section 4112 of H. Con. Res. 71. Those amounts are as follows:

	Budget Authority	Outlays	Revenues
Paycheck Protection Program Flexibility Act of 2020 (P.L. 116–142)	0	0	–8,091
Emergency Aid for Returning Americans Affected by Coronavirus Act (P.L. 116–148)	1	1	0
Total	1	1	–8,091

^d Section 205 of the Bipartisan Budget Act of 2019 requires the Chair of the Senate Committee on the Budget to publish the aggregate spending and revenue levels for fiscal year 2021; those aggregate levels were first published in the Congressional Record on May 4, 2020. The Chair of the Senate Committee on the Budget has the authority to revise the budgetary aggregates for the budgetary effects of certain revenue and spending measures pursuant to the Congressional Budget Act of 1974 and H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018, as updated by the Bipartisan Budget Act of 2019:

	Budget Authority	Outlays	Revenues
Original Aggregates Printed on May 4, 2020:	3,832,200	4,008,705	2,800,378

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD AS OF JULY 17, 2020
[In millions of dollars]

	2020	2021	2020–2025	2020–2030
Beginning Balance ^a	0	0	0	0
Enacted Legislation ^{b,c}				
Paycheck Protection Program Flexibility Act of 2020 (H.R. 7010, P.L. 116–142) ^d	—	—	—	—
Uyghur Human Rights Policy Act of 2020 (S. 3744, P.L. 116–145)	*	*	*	*
Emergency Aid for Returning Americans Affected by Coronavirus Act (S. 4091, P.L. 116–148) ^d	—	—	—	—
Hong Kong Autonomy Act (H.R. 7440, P.L. 116–149)	0	0	–1	–7
Impact on Deficit	*	*	–1	–7
Total Change in Outlays	*	*	4	21
Total Change in Revenues	*	*	5	28

Source: Congressional Budget Office.
 * = between –\$500,000 and \$500,000; = excluded from PAYGO scorecard.
^a On May 4, 2020, the Chairman of the Senate Committee on the Budget reset the Senate’s Pay-As-You-Go Scorecard to zero for all fiscal years.
^b The amounts shown represent the estimated effect of the public laws on the deficit.
^c Excludes off-budget amounts.
^d All amounts in this Act are designated as emergency requirements pursuant to section 4112(a) of H. Con. Res. 71 (115th Congress).

ENFORCEMENT REPORT OF POINTS OF ORDER RAISED SINCE THE FY 2021 ENFORCEMENT FILING

Vote	Date	Measure	Violation	Motion to Waive	Result
118	June 15, 2020	S.Amdt. #1617, Great American Outdoors Act, to H.R. 1957	4106(a)-Senate-Pay-As-You-Go Violation ¹	Sen. Gardner (R-CO)	68–30, waived

¹ Senator Enzi raised a point of order against the measure pursuant to section 4106(a) of H. Con. Res. 71, the Concurrent Resolution on the Budget for Fiscal Year 2018, because the amendment would increase on-budget deficits.

FY2021 NATIONAL DEFENSE AUTHORIZATION ACT

Ms. COLLINS. Mr. President, I rise today to express my support for the National Defense Authorization Act, which passed the Senate today with strong bipartisan support, and to highlight a number of its important provisions, as well as amendments that I have authored to support robust shipbuilding and to ensure the Navy is prepared for future pandemics.

The NDAA represents one of Congress’s most important responsibilities. For the past 59 consecutive years, Congress has come together in a bipartisan manner to craft this annual legislation. The NDAA authorizes funding to support our brave military members

serving overseas, including a 3 percent pay raise for our troops in this year’s bill, and sets policy for our Nation’s military and critical national defense priorities. I commend Chairman INHOFE and Ranking Member REED for their leadership and bipartisan work on this important legislation, which contains many provisions important to Maine and the Nation. Let me emphasize how proud I am of Maine’s many contributions to our national defense.

I am pleased that the NDAA includes authorization for two Arleigh-Burke destroyers, one of which will be built by the highly skilled men and women at Bath Iron Works. In Maine, we are very proud of the vital role that Bath Iron Works plays in contributing to

our national security. BIW is known throughout the fleet for the high-quality of its ships, proving time and again that “Bath Built is Best Built.”

To ensure we have the ships we need to provide for a strong national defense, the bill also contains an amendment I authored with Senator KING as my cosponsor, which would prohibit the Navy from reducing the current 104-ship destroyer requirement unless the Secretary submits a formal certification and report to Congress justifying such a change. This process would require the Secretary of the Navy to certify that any proposed reductions in the number of ships would not jeopardize our national security and that the Navy would be able to

mitigate any reduction in anti-air and ballistic missile defense capabilities if the number of DDG-51 destroyers were in fact reduced from current plans. My intention is to ensure that we continue to maintain a strong Navy capable of projecting power and maintaining presence anywhere across the globe.

In January, when news began to leak that the Department's budget request would dramatically reduce procurement of DDG-51's in the 5-year budget plan, I sent a letter to Defense Secretary Esper expressing my strong objections. To date, the Navy has still not adequately justified such deep cuts in ship procurement, which would have devastating effects on our defense industrial base, including our private shipyards. This amendment and this bill will help to protect our shipbuilding industrial base, which will be essential to reach the goal of a 355-ship Navy.

This bill also includes important provisions for the Portsmouth Naval Shipyard in Kittery. The NDAA authorizes \$160 million for the first phase of funding for PNSY's Multi-Mission Dry Dock No. 1 extension military construction project, which will be authorized and funded over 3 years due to its large size. This project will ensure our Nation's submarines stay well maintained and at sea for years to come.

In addition, the NDAA contains provisions I championed along with Senator SHAHEEN, which will help our PNSY firefighters develop alternative work schedules and exempt public shipyard workers from DOD's government lodging program when it would adversely affect their mission.

In further support of both our public and private shipyards, the bill also includes an amendment I authored that directs the Navy to report on its plans to prevent and mitigate the impacts of future pandemics, including at private and public shipyards, by focusing on the health and safety of the shipyard workers. Amidst the current COVID-19 pandemic, I led a number of bipartisan letters from the Maine delegation and spoke with the Secretary of the Navy to encourage the Department to do more to protect our shipyard workers' health and safety. My amendment continues that effort, and I again thank Chairman INHOFE and Ranking Member REED for adopting it as part of their substitute amendment.

This NDAA also makes continued investments in America's air power, authorizing 95 fifth-generation Joint Strike Fighter aircraft and seven CH-53K King Stallion helicopters. The workers at Pratt & Whitney's North Berwick factory are proud of their contributions in making the F-35's top-of-line engine the best in the sky, and Hunting Dearborn in Fryberg has been making important contributions to both the F-35 and CH-53K programs for years.

The NDAA also provides important authorizations for the Maine National Guard, including a provision ensuring

that Maine Guard members who were activated to respond to the COVID-19 pandemic can receive transitional health benefits. The Maine National Guard has done a phenomenal job supporting our State during the health crisis, taking on tasks such as fit-testing healthcare workers for N95 masks, helping the Maine CDC inventory its supplies and deliver PPE and ventilators across the State, and setting up an external triage tent outside of the Togus VA Medical Center.

This bill also provides authorization for an important perimeter security construction project at the Navy's detachment in Cutler, Maine, which will ensure the security of an important installation that allows Navy commanders to communicate with U.S. and NATO ships, planes, and submarines operating in the Atlantic. This project was the Navy's No. 1 unfunded military construction priority.

There are so many other provisions of this bill that I am proud to support. Just to identify a few, the United States-Israel Security Assistance Authorization Act of 2020, which I cosponsored, was incorporated into the bill and would authorize important security assistance, energy and agricultural cooperation, and provide other authorities to support our steadfast ally Israel.

Another amendment I offered which was incorporated into the bill would require DOD to study its military requirements for negative air pressure room containment systems which are used to isolate patients with contagious illnesses, necessary equipment I believe is essential for DOD to successfully combat and contain future pandemics.

The bill also authorizes the creation of a new Pacific Deterrence Initiative to provide increased security assistance and engagement throughout the Indo-Pacific region in response to an increasingly aggressive Chinese Communist Party.

Enactment of this NDAA is vitally important for the security of our Nation, our servicemembers and their families. I look forward to the Senate's conference with the House and quickly sending the final fiscal year 2021 NDAA to the President's desk.

ADDITIONAL STATEMENTS

TRIBUTE TO MICHELLE COOLICAN

• Mr. RUBIO. Mr. President, today I am pleased to recognize Michelle Coolican, the Flagler County Teacher of the Year from Buddy Taylor Middle School in Palm Coast, FL.

Michelle believes the Teacher of the Year award goes beyond her personal achievement; she considers it an honor for the entire teaching profession. She credits her colleagues, the school's administration for its learning environment, and the students she works with every day for this recognition.

Superintendent Jim Tager noted Michelle's ability to connect with her students by promoting learning through community projects and classroom experiments. She enjoys making her students excited to study science, and they have learned to expect a new project each time they enter her classroom.

Michelle has taught science for 13 years at Buddy Taylor Middle School. She also serves as an adviser for the school's after-school STEM club.

I extend my best wishes to Michelle for receiving this award and look forward to hearing of her continued good work in the years to come.●

TRIBUTE TO LEENA HALL-YOUNG

• Mr. RUBIO. Mr. President, today I am pleased to honor Leena Hall-Young, the Duval County Teacher of the Year at Raines High School in Jacksonville, FL.

Leena is a tenth grade language arts teacher at Raines High School where she considers her role as a teacher to be a facilitator in releasing every child's potential. Superintendent Diana Greene describes Leena as a vibrant and talented educator who has dedicated her career to her students. Leena is credited with fostering a professional learning environment for her colleagues. Under her leadership, her school has seen reading proficiency rates increase by double digits.

Leena is the chairwoman of the English language arts department and helps to create learning opportunities for her colleagues by supporting first year teachers. She also participates in Duval County's Innovative Educator Program.

I extend my best wishes and thanks to Leena for her passion as a teacher, and I look forward to learning of her continued good work.●

TRIBUTE TO SAMANTHA HOWER

• Mr. RUBIO. Mr. President, today I have the privilege to honor Samantha Hower, the Lee County Teacher of the Year from Mariner High School in Cape Coral, FL.

Samantha is the Visual Arts Teacher at Mariner High School and has worked for 7 years in the Lee County School District. Under Samantha's leadership, the school's STEM Academy has become the STEAM Academy, with an art curriculum added to science, technology, engineering, and math. She also began the school's first National Art Honor Society and supports nearby elementary and middle school art programs.

Samantha holds that an education is able to transform a child's entire life. She urges her students to ask the question why: Why do they like something, and why do they do what they do? She does this until they begin to ask these questions themselves. When this happens, Samantha knows they have found comfort in taking risks.

While Samantha always wants her students to do their best and earn good grades, she strives for them to walk out of her classroom knowing how to think and respond to circumstances with prudence. Since opening her advanced placement classes to all students 2 years ago, her students have produced the highest AP 2D studio art scores in the school district. Her goal is to prepare her students for college and careers through gaining experience and developing skills above and beyond their peers.

I am pleased to recognize Samantha for her hard work. I extend to her my warmest regards, and I look forward to hearing of her continued success in the years ahead.●

TRIBUTE TO RYAN MITCHELL

● Mr. RUBIO. Mr. President, today I recognize Ryan Mitchell, the Hamilton County Teacher of the Year from Hamilton County High School in Jasper, FL.

Ryan is an instructional coach at Hamilton County High School and has worked with Hamilton County Schools since 2018. He assists middle school and high school teachers with instructional modeling, lessons and planning, and demonstrating various methods of teaching. He also monitors students' progress from within the schools.

Ryan believes he would not have received this award if not for the support of his family and friends. He is grateful for the countless relationships he has developed in Hamilton County and throughout Florida. It is these relationships that have made him the teacher he is today.

Ryan is also very thankful for his students and considers it an honor to be their teacher. Each day, he looks forward to teaching his students, knowing they are the next generation of future leaders. Ryan makes sure he is available to answer all of his student's questions, and he hopes they learn half as much from him as he learns from them.

I offer my sincere gratitude to Ryan for his work to help students. I look forward to hearing of his continued good work in the years to come.●

TRIBUTE TO TRAVIS O'STEEN

● Mr. RUBIO. Mr. President, today I am pleased to recognize Travis O'Steen, the Dixie County Teacher of the Year at Dixie County High School in Cross City, FL.

Travis currently teaches U.S. history at Dixie County High School. Travis earned his bachelor's degree in religion and history from William Carey University. After completing his world travels, he felt he could bring his studies and global experience as a teacher to his students. Previously, he taught finance, English, and the performing arts for high school students.

Travis has always been interested in learning why people believe in what

they do. This has led him to travel the world to research history, cultures, and archaeology. After returning home, he found that these teaching experiences enhanced his own classroom instruction. This enhanced knowledge has enabled him to help his students to better understand and develop a passion for American and world history.

I express my sincere thanks and appreciation to Travis for his devotion to helping his students to succeed. I look forward to hearing of his continued success in his future endeavors.●

TRIBUTE TO ROB PASCHALL

● Mr. RUBIO. Mr. President, today I recognize Rob Paschall, the Orange County Teacher of the Year at West Creek Elementary School in Orlando, FL.

Rob has been an educator for 27 years and currently teaches fifth grade at West Creek Elementary School. In the past year, more than 80 percent of Rob's students demonstrated learning gains, one of many measurable changes credited to his teaching practices. Outside of the classroom, Rob regularly sponsors the school safety patrols, serves as a teacher liaison for the PTA, and works closely with the Florida Department of Education's Writing Rangefinder Committee.

Throughout his educational career, Rob looks to find at least one success each day worth celebrating. He believes in teaching intentionally and works to understand his student's unique learning styles. Rob develops lesson plans designed to meet the needs of each student, highlighting their strengths and finding areas in need of improvement.

Colleagues describe Rob as a humble teacher that enjoys educating younger generations. He strives to help his students improve each day and attributes their growth and success to their dedication and hard work.

I would like to express my sincere appreciation to Rob for his strong commitment to his students. I look forward to hearing of his continued good work in the years to come.●

TRIBUTE TO LORI PRICE

● Mr. RUBIO. Mr. President, today I recognize Lori Price, the St. Johns County Teacher of the Year from the Webster School in St. Augustine, FL.

Lori teaches first grade at the Webster School and believes in giving her students the opportunity to succeed no matter their circumstances. She is honored to be the person who pushes her students to go above and beyond what is expected of them.

A veteran teacher of more than 30 years, Lori has a positive approach to teaching math. She prompts her students to think like mathematicians so they can develop confidence in their ability to solve problems.

Lori has faith in her students and considers it her job as an educator to help them reach their potential. She

sets high expectations in the classroom to allow students to see challenges as opportunities. She loves to create a space in which children can confidently undertake challenges.

In addition to organizing the St. Johns County Math Conference and presenting at various mathematics conferences, Lori also offers monthly professional development meetings for her fellow math teachers. She is passionate about investing in her colleagues and hopes her work makes an impact on students in her district and beyond.

I convey my best wishes to Lori for her dedication to her students. I look forward to hearing of her continued success.●

TRIBUTE TO PAUL RICHARDSON

● Mr. RUBIO. Mr. President, today I honor Paul Richardson, the Bay County Teacher of the Year at Tom P. Haney Technical Center in Callaway, FL.

Paul is an instructor in welding technology and teaches the foundational program at Tom P. Haney Technical Center. His class covers a broad base of knowledge and skills such as management, environmental issues, and safety. Paul's goal is to prepare students for employment in the welding industry. He also instructs advanced welding technology for students who have demonstrated a mastery of his foundational program.

Paul is the first instructor at Tom P. Haney Technical Center to receive this award. It is also the first time Bay County has named a technical school teacher "Teacher of the Year." Paul credited his colleagues for this achievement, noting their combined work helps students with their education. He was thankful to see that the importance of technical education was recognized.

I extend my sincere thanks and gratitude to Paul for his dedication to his students, and I look forward to hearing of his continued good work in the years ahead.●

TRIBUTE TO VANESSA VALLE

● Mr. RUBIO. Mr. President, today I am pleased to honor Vanessa Valle, the Miami-Dade County Teacher of the Year at Hialeah Gardens High School in Hialeah Gardens, FL.

While in high school, one of Vanessa's teachers inspired her to become a teacher. Since then, she has dedicated her life to educate and transform the lives of students, similar to how hers was changed.

Vanessa considers her job to be more than just teaching and imparting knowledge onto her students. She also seeks to bring empathy to the classroom and commits to helping turn their dreams into reality. Vanessa's colleagues note she is always willing to go the extra mile to help not only her students, but also her fellow teachers.

Vanessa teaches English to students of all levels at Hialeah Gardens High School and has taught for more than 15 years. She also serves as the lead teacher for the school's academy of law studies, is a literacy coach, and is the chair of the reading department. She currently is studying to earn her doctorate degree in English education at Florida International University.

I would like to thank Vanessa for her dedication and look forward to hearing of her continued good work in the years to come.●

TRIBUTE TO SYNDIE WHITE

● Mr. RUBIO. Mr. President, today I honor Syndie White, the Palm Beach County Teacher of the Year at Elbridge Gale Elementary School in Wellington, FL.

Syndie is a math, science, and social studies teacher for third graders at Elbridge Gale Elementary School. She also tutors struggling students, leads an engineering club, runs a robotics program, and dedicates her spare time to mentoring young women at her school and at church.

Syndie credits her success to her father. Watching his hard work ethic for more than 30 years taught her that anything is possible for her to achieve. She works to bring passion and hard work, not only to her classroom, but also to extracurricular school activities she undertakes.

Syndie's colleagues consider her the epitome of what a teacher should be. She engages with her students in the classroom and views being their teacher as a privilege for her own sake, instead of as a job or seeking special recognition.

I extend my sincere thanks to Syndie for her hard work and dedication to students. I look forward to hearing of her continued good work in the coming years.●

TRIBUTE TO KIRK TAPLEY

● Mr. RUBIO. Mr. President, today I honor Kirk Tapley, the Alachua County Teacher of the Year at Howard Bishop Middle School in Gainesville, FL.

Kirk teaches advanced world history at Howard Bishop Middle School, where he was once a student. He considers it a privilege to teach in the same classroom where he first learned world history. His desire to give back to the school district that gave to him led Kirk to pursue his teaching career in Alachua County.

Colleagues know Kirk for his unconventional approach to teaching. To conduct review sessions, Kirk performs his own adaptations to popular songs, where he replaces well-known lyrics with history lessons as a way of helping students to retain what they are learning.

I would like to convey my sincere gratitude to Kirk for his passion to teach and engage his students and ex-

tend my best wishes for his continued success.●

TRIBUTE TO NICOLE THORNTON

● Mr. RUBIO. Mr. President, today I recognize Nicole Thornton, the Levy County Teacher of the Year at Bronson Middle/High School in Bronson, FL.

Nicole possesses a "nothing-is-impossible" mentality and a "will-do" attitude when advising students of opportunities in and outside of the classroom.

As a guidance counselor, Nicole understands the challenges that students face upon graduation, and she works hard to ensure they are prepared. She advises her students on their future academics, as she is passionate about secondary school education. Nicole is always looking to providing a path for students to develop socially and emotionally.

Nicole has more than 15 years of experience in education administration, including leadership and teaching positions. She has been at Bronson Middle/High School since 2018. She previously worked as an assistant principal in Ocala, FL. Nicole earned her doctorate in education from Walden University in 2013 and her master of education from National-Louis University and 2007.

I extend my sincere thanks and gratitude to Nicole for her dedication to students, and I offer my best wishes for her continued success in the coming years.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Pate, one of his secretaries.

PRESIDENTIAL MESSAGE

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13882 OF JULY 26, 2019, WITH RESPECT TO THE SITUATION IN MALI—PM 56

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days before the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to

the *Federal Register* for publication the enclosed notice stating that the national emergency declared with respect to the situation in Mali in Executive Order 13882 of July 26, 2019, is to continue in effect beyond July 26, 2020.

The situation in Mali, including repeated violations of ceasefire arrangements made pursuant to the 2015 Agreement on Peace and Reconciliation in Mali; the expansion of terrorist activities into southern and central Mali; the intensification of drug trafficking and trafficking in persons, human rights abuses, and hostage-taking; and the intensification of attacks against civilians, the Malian defense and security forces, the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), and international security presences, continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13882 with respect to the situation in Mali.

DONALD J. TRUMP.
THE WHITE HOUSE, July 23, 2020.

MESSAGE FROM THE HOUSE

At 11:10 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it request the concurrence of the Senate:

H.R. 7573. An act to direct the Joint Committee on the Library to replace the bust of Roger Brooke Taney in the Old Supreme Court Chamber of the United States Capitol with a bust of Thurgood Marshall to be obtained by the Joint Committee on the Library and to remove certain statues from areas of the United States Capitol which are accessible to the public, to remove all statues of individuals who voluntarily served the Confederate States of America from display in the United States Capitol, and for other purposes.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 2486) to reauthorize mandatory funding programs for historically Black colleges and universities and other minority-serving institutions, with amendments, in which it requests the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker has signed the following enrolled bill:

H.R. 1957. An act to amend title 54, United States Code, to establish, fund and provide for the use of amounts in a National Parks and Public Land Legacy Restoration Fund to address the maintenance backlog of the National Park Service, the United States Fish and Wildlife Service, the Bureau of Land Management, the Forest Service, and the Bureau of Indian Education, and to provide permanent, dedicated funding for the Land and Water Conservation Fund, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. GRASSLEY).

MEASURE HELD AT THE DESK

The following measure was ordered held at the desk, by unanimous consent:

S. 3841. A bill to protect 2020 recovery rebates for individuals from assignment or garnishment, 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-5116. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Trichoderma atroviride strain SC1; Exemption from the Requirement of a Tolerance" (FRL No. 10008-04-OCSPP) received in the Office of the President of the Senate on July 21, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5117. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Long Chain Alcohols; Exemption from the Requirement of a Tolerance" (FRL No. 10011-33-OCSPP) received in the Office of the President of the Senate on July 21, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5118. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Hexythiazox; Pesticide Tolerances" (FRL No. 10008-84-OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on July 8, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5119. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Permethrin; Pesticide Tolerances" (FRL No. 10009-45-OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on July 8, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5120. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Magnesium sulfate; Exemption from the Requirement of a Tolerance" (FRL No. 10010-64-OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on July 8, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5121. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Quinlorac; Pesticide Tolerances" (FRL No. 10010-91-OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on July 8, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5122. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "S-metolachlor; Pesticide Tolerances" (FRL No. 10011-10-OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on July 8, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5123. A communication from the Associate General Counsel for Regulations and Legislation, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Federal Housing Administration (FHA): Section 232 Healthcare Facility Insurance Program-Updating Section 232 Program-Updating Section 232 Program Regulations for Memory Care Residents" (RIN2502-AJ46) received during adjournment of the Senate in the Office of the President of the Senate on July 8, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-5124. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the 106th Annual Report of the Federal Reserve Board covering operations for calendar year 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC-5125. A communication from the Director, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Payday, Vehicle Title, and Certain High-Cost Installment Loans" (RIN3170-AA80) received in the Office of the President of the Senate on July 22, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-5126. A communication from the Program Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Employment Contracts, Mutual to Stock Conversions" (RIN1557-AE21) received in the Office of the President of the Senate on July 21, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-5127. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Significant New Use Rules on Certain Chemical Substances (19-6.B)" (FRL No. 10009-89-OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on July 8, 2020; to the Committee on Environment and Public Works.

EC-5128. 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; Redesignation of the Wisconsin Portion of the Chicago-Naperville, Illinois-Indiana-Wisconsin Area to Attainment of the 2008 Ozone Standard" (FRL No. 10011-74-Region 5) received during adjournment of the Senate in the Office of the President of the Senate on July 8, 2020; to the Committee on Environment and Public Works.

EC-5129. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Air Quality Implementation Plans; New York; Infrastructure SIP Requirements for the 2012 PM_{2.5} NAAQS; Interstate Transport Provisions" (FRL No. 10011-41-Region 2) received during adjournment of the Senate in the Office of the President of the Senate on July 8, 2020; to the Committee on Environment and Public Works.

EC-5130. 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; Missouri; Removal of Control of Emissions from Bakery Ovens" (FRL No. 10011-87-Region 7) received during adjournment of the Senate in the Office of the President of the Senate on July 8, 2020; to the Committee on Environment and Public Works.

EC-5131. 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; Missouri; Control of Emissions From Lithographic and Letterpress Printing Operations" (FRL No. 10012-10-Region 7) received in the Office of the President of the Senate on July 21, 2020; to the Committee on Environment and Public Works.

EC-5132. 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 State Plans for Designated Facilities and Pollutants; Arizona; Control of Emissions from Existing Municipal Solid Waste Landfills" (FRL No. 10001-01-Region 9) received in the Office of the President of the Senate on July 21, 2020; to the Committee on Environment and Public Works.

EC-5133. 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; Idaho; Updates to Materials Incorporated by Reference" (FRL No. 10007-42-Region 10) received in the Office of the President of the Senate on July 21, 2020; to the Committee on Environment and Public Works.

EC-5134. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Significant New Use Rules on Certain Chemical Substances (19-5.B)" (FRL No. 10009-78-OCSPP) received in the Office of the President of the Senate on July 21, 2020; to the Committee on Environment and Public Works.

EC-5135. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to Appendix P to 40 CFR Part 51, Concerning Minimum Emission Reporting Requirements in SIPs" (FRL No. 10011-71-OAR) received in the Office of the President of the Senate on July 21, 2020; to the Committee on Environment and Public Works.

EC-5136. 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; Maryland; 1997 8-hour Ozone NAAQS Limited Maintenance Plan for the Kent and Queen Anne's Counties Area" (FRL No. 10011-80-Region 3) received in the Office of the President of the Senate on July 21, 2020; to the Committee on Environment and Public Works.

EC-5137. 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 and Designation of Areas; Kentucky; Redesignation of the Jefferson County 2010 1-Hour Sulfur Dioxide Nonattainment Area to Attainment" (FRL No. 10011-97-Region 4) received in the Office of the President of the Senate on July 21, 2020; to the Committee on Environment and Public Works.

EC-5138. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Minor Corrections to Emergency Planning and Community Right-to-Know Regulations: Trade Secrecy Claims and Emergency Planning Notification; Amendment" (FRL No. 10012-00-OLEM) received in the Office of the President of the Senate on July 21, 2020; to the Committee on Environment and Public Works.

EC-5139. 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; South Carolina; NOx SIP Call and Removal of CAIR" (FRL No. 10012-02-Region 4) received in the Office of the President of the Senate on July 21, 2020; to the Committee on Environment and Public Works.

EC-5140. 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; Florida; Public Notice Procedures for Minor Operating Permits" (FRL No. 10012-12-Region 4) received in the Office of the President of the Senate on July 21, 2020; to the Committee on Environment and Public Works.

EC-5141. 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; Georgia; Air Quality Control, VOC Definition" (FRL No. 10012-13-Region 4) received in the Office of the President of the Senate on July 21, 2020; to the Committee on Environment and Public Works.

EC-5142. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants; Iron and Steel Foundries Major Source Residual Risk and Technology Review and Area Source Technology Review" (FRL No. 10010-46-OAR) received during adjournment of the Senate in the Office of the President of the Senate on July 8, 2020; to the Committee on Environment and Public Works.

EC-5143. 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; Oregon; 2010 Sulfur Dioxide NAAQS Interstate Transport Requirements" (FRL No. 10011-28-Region 10) received during adjournment of the Senate in the Office of the President of the Senate on July 8, 2020; to the Committee on Environment and Public Works.

EC-5144. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clean Air Plans; 2006 Fine Particulate Matter Nonattainment Area Requirements; San Joaquin Valley, California" (FRL No. 10011-44-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on July 8, 2020; to the Committee on Environment and Public Works.

EC-5145. A communication from the Program Manager, Migratory Bird Office, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Revision of Federal Migratory Bird Hunting and Conservation Stamp (Duck Stamp) Contest Regulations" (RIN1018-BE20) received in the Office of the President of the Senate on July 21, 2020; to the Committee on Environment and Public Works.

EC-5146. A communication from the Associate Director for Legislative and Regulatory Affairs, Council on Environmental Quality, Executive Office of the President, transmitting, pursuant to law, a rule entitled "Update to the Regulations Implementing the Procedural Provisions of the National Environmental Policy Act" (RIN0331-AA03) received during adjournment of the Senate in the office of the President of the Senate on July 15, 2020; to the Committee on Environment and Public Works.

EC-5147. A communication from the Chief of the Publications and Regulations Branch,

Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Treasury Decision (TD: Qualified Business Income Decision" ((RIN1545-BP12) (TD 9899)) received during adjournment of the Senate in the Office of the President of the Senate on July 8, 2020; to the Committee on Finance.

EC-5148. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Additives Permitted for Direct Addition to Food for Human Consumption; Vitamin D2 Mushroom Powder" (Docket No. FDA-2018-F-3230) received during adjournment of the Senate in the Office of the President of the Senate on July 15, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC-5149. A communication from the Department Director, Substance Abuse and Mental Health Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Confidentiality of Substance Use Disorder Patient Records" (RIN0930-AA32) received during adjournment of the Senate in the Office of the President of the Senate on July 17, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC-5150. A communication from the Director, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Health, United States, 2018"; to the Committee on Health, Education, Labor, and Pensions.

EC-5151. A communication from the Director, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2020-08, Small Entity Compliance Guide" (FAC 2020-08) received in the Office of the President of the Senate on July 21, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-5152. A communication from the Director, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Case 2019-009, Prohibition on Contracting with Entities Using Certain Telecommunications and Video Surveillance Services or Equipment" (RIN9000-AN92) received in the Office of the President of the Senate on July 21, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-5153. A communication from the Director, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2020-08, Introduction" (FAC 2020-08) received in the Office of the President of the Senate on July 21, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-5154. A communication from the Executive Director, Interstate Commission on the Potomac River Basin, transmitting, pursuant to law, the Commission's Seventy-Ninth Financial Statement for the period of October 1, 2018 through September 30, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC-5155. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's fiscal year 2019 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-5156. A communication from the Acting Director, Office of Personnel Management,

transmitting, pursuant to law, the Office's fiscal year 2019 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 3461. A bill to designate the facility of the United States Postal Service located at 2600 Wesley Street in Greenville, Texas, as the "Audie Murphy Post Office Building".

S. 3462. A bill to designate the facility of the United States Postal Service located at 909 West Holiday Drive in Fate, Texas, as the "Ralph Hall Post Office".

S. 3839. A bill to designate the facility of the United States Postal Service located at 2719 South Webster Street in Kokomo, Indiana, as the "Opha May Johnson Post Office".

S. 4126. A bill to designate the facility of the United States Postal Service located at 104 East Main Street in Port Washington, Wisconsin, as the "Joseph G. Demler Post Office".

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. GRAHAM for the Committee on the Judiciary.

Brett H. Ludwig, of Wisconsin, to be United States District Judge for the Eastern District of Wisconsin.

Christy Criswell Wiegand, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

John W. Holcomb, of California, to be United States District Judge for the Central District of California.

Todd Wallace Robinson, of California, to be United States District Judge for the Southern District of California.

R. Shireen Matthews, of California, to be a United States District Judge for the Southern District of California.

(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. CORNYN:

S. 4290. A bill to provide much needed liquidity to America's job creators; to the Committee on Finance.

By Mr. GARDNER:

S. 4291. A bill to provide appropriations for the deployment of rural broadband, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. COTTON:

S. 4292. A bill to prohibit Federal funds from being made available to teach the 1619 Project curriculum in elementary schools and secondary schools, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY:

S. 4293. A bill to promote airline passenger safety during the COVID-19 public health

emergency; to the Committee on Commerce, Science, and Transportation.

By Mr. MENENDEZ (for himself, Mr. DURBIN, Mr. MANCHIN, Ms. WARREN, Mr. WYDEN, Ms. KLOBUCHAR, Ms. HIRONO, Mr. SCHATZ, Mrs. GILLIBRAND, Mr. MARKEY, Mr. VAN HOLLEN, and Mr. BLUMENTHAL):

S. 4294. A bill to provide supplemental appropriations to the Community Development Financial Institutions Fund, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PAUL:

S. 4295. A bill to amend title XVIII of the Social Security Act to ensure access to certain drugs and devices under the Medicare program; to the Committee on Finance.

By Mr. PORTMAN:

S. 4296. A bill to provide the Administrator of the Drug-Free Communities Support Program the authority to waive the Federal fund limitation for the Drug-Free Communities Support Program; to the Committee on the Judiciary.

By Mr. CRUZ (for himself, Mr. TILLIS, Mr. PERDUE, and Mrs. LOEFFLER):

S. 4297. A bill to allow participants in certain retirement plans to delay their 2020 contributions to such plans to 2021 or 2022, and for other purposes; to the Committee on Finance.

By Mr. MORAN (for himself, Ms. KLOBUCHAR, Mr. LANKFORD, and Ms. SMITH):

S. 4298. A bill to amend the Agricultural Marketing Act of 1946 to direct the Secretary of Agriculture to make grants for improvements to meat and poultry facilities to allow for interstate shipment, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. CORTEZ MASTO (for herself, Mr. BLUNT, Ms. KLOBUCHAR, and Mr. CRAMER):

S. 4299. A bill to provide grants for tourism and events support and promotion in areas affected by the Coronavirus Disease 2019 (COVID-19), and for other purposes; to the Committee on Environment and Public Works.

By Mr. GARDNER:

S. 4300. A bill to amend the Asia Reassurance Initiative Act of 2018 to require the Secretary of Defense to carry out the Pacific Deterrence Initiative; to the Committee on Foreign Relations.

By Mr. HAWLEY:

S. 4301. A bill to encourage States to permit members of the Armed Forces who are outside of the State under orders to renew a permit to carry a concealed firearm through the mail, and for other purposes; to the Committee on the Judiciary.

By Mr. YOUNG (for himself and Mr. CASSIDY):

S. 4302. A bill to utilize national service programs to directly respond to the novel coronavirus disease (COVID-19) outbreak; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED:

S. 4303. A bill to improve State short-term compensation programs, and for other purposes; to the Committee on Finance.

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

S. 4304. A bill to prohibit actions to terminate or withdraw the United States from certain international agreements without a joint resolution of approval, and for other purposes; to the Committee on Foreign Relations.

By Mr. WHITEHOUSE (for himself, Mr. DURBIN, Mr. BROWN, Ms. BALDWIN, and Ms. WARREN):

S. 4305. A bill to amend title 11, United States Code, to provide bankruptcy protec-

tions for medically distressed debtors, and for other purposes; to the Committee on the Judiciary.

By Ms. DUCKWORTH:

S. 4306. A bill to invest in workers and jobs, address important legacy costs in coal country, and drive development of advanced manufacturing and technologies; to the Committee on Finance.

By Mrs. MURRAY:

S. 4307. A bill to amend section 402 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to extend the eligibility period for supplemental security income benefits for refugees, asylees, and certain other humanitarian immigrants, and for other purposes; to the Committee on Finance.

By Ms. SINEMA (for herself, Mr. CORNYN, and Ms. HARRIS):

S. 4308. A bill to amend the Social Security Act to include special districts in the coronavirus relief fund, to direct the Secretary to include special districts as an eligible issuer under the Municipal Liquidity Facility, and for other purposes; to the Committee on Finance.

By Mrs. SHAHEEN (for herself, Ms. MURKOWSKI, Mr. SANDERS, Mr. BARASSO, Ms. HIRONO, Mr. CRAMER, Ms. CORTEZ MASTO, Mr. SULLIVAN, Ms. HASSAN, Ms. ROSEN, and Mr. HOEVEN):

S. 4309. A bill to amend the Community Services Block Grant Act to clarify that the maximum allotment provision does not apply to supplemental appropriations for fiscal year 2020; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNER:

S. 4310. A bill to prohibit in-person instructional requirements during the COVID-19 emergency; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DAINES (for himself, Mr. BARASSO, and Mr. CRAMER):

S. 4311. A bill to amend the Mineral Leasing Act to eliminate an administrative fee, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LEE:

S. 4312. A bill to amend the National Environmental Policy Act of 1969 to provide for project delivery programs, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. SHAHEEN (for herself and Mr. ROUNDS):

S. 4313. A bill to establish a grant program for purposes of providing training to physicians on the health effects of exposure to perfluoroalkyl and polyfluoroalkyl substances; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Ms. BALDWIN, and Ms. SMITH):

S. 4314. A bill to amend the Internal Revenue Code of 1986 to address the teacher and school leader shortage in early childhood, elementary, and secondary education, and for other purposes; to the Committee on Finance.

By Mr. KING (for himself and Ms. MURKOWSKI):

S. 4315. A bill to authorize the Secretary of Health and Human Services to award grants to eligible entities to conduct testing and contact tracing for COVID-19, and related activities such as supported isolation, through mobile health units and, as necessary, at individuals' residences, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

S. 4316. A bill to provide Federal reimbursement of qualified State paid leave programs, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. CORTEZ MASTO (for herself, Mr. MENENDEZ, Mr. BOOKER, Ms. HARRIS, Mr. WYDEN, Mr. VAN HOLLEN, Mr. CARDIN, Ms. STABENOW, Ms. ROSEN, Ms. SMITH, Ms. BALDWIN, Ms. KLOBUCHAR, Mr. CASEY, and Ms. WARREN):

S. Res. 657. A resolution supporting the goals and ideals of Black, indigenous, and people of color ("BIPOC") Mental Health Awareness Month in July 2020; to the Committee on Health, Education, Labor, and Pensions.

By Ms. BALDWIN (for herself and Mr. JOHNSON):

S. Con. Res. 41. A concurrent resolution expressing the sense of Congress that the Secretary of the Navy should name the next Virginia-class submarine of the United States Navy the "USS Wisconsin"; to the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 651

At the request of Mr. CASEY, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 651, a bill to amend the Internal Revenue Code of 1986 to increase the age requirement with respect to eligibility for qualified ABLE programs.

S. 802

At the request of Mr. DAINES, the name of the Senator from Georgia (Mrs. LOEFFLER) was added as a cosponsor of S. 802, a bill to amend part A of title IV of the Social Security Act, and for other purposes.

S. 1720

At the request of Mr. ROUNDS, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 1720, a bill to amend the Federal Meat Inspection Act and the Poultry Products Inspection Act to allow the interstate sale of State-inspected meat and poultry, and for other purposes.

S. 2499

At the request of Mr. MERKLEY, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of S. 2499, a bill to effectively staff the public elementary schools and secondary schools of the United States with school-based mental health services providers.

S. 3062

At the request of Mr. CASEY, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 3062, a bill to amend the Safe Drinking Water Act to repeal a certain exemption for hydraulic fracturing, and for other purposes.

S. 3103

At the request of Mr. LANKFORD, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 3103, a bill to amend title XVIII of the Social Security Act to restore

State authority to waive for certain facilities the 35-mile rule for designating critical access hospitals under the Medicare program.

S. 3419

At the request of Mr. INHOFE, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 3419, a bill to amend the Packers and Stockyards Act, 1921, to provide for the establishment of a trust for the benefit of all unpaid cash sellers of livestock, and for other purposes.

S. 3455

At the request of Mr. HAWLEY, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 3455, a bill to prohibit certain individuals from downloading or using TikTok on any device issued by the United States or a government corporation.

S. 3612

At the request of Mr. CORNYN, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 3612, a bill to clarify for purposes of the Internal Revenue Code of 1986 that receipt of coronavirus assistance does not affect the tax treatment of ordinary business expenses.

S. 3705

At the request of Mr. MORAN, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 3705, a bill to establish a private-public partnership to preserve jobs in the aviation manufacturing industry, and for other purposes.

S. 3768

At the request of Mr. GARDNER, his name was added as a cosponsor of S. 3768, a bill to protect older adults and people with disabilities living in nursing homes, intermediate care facilities, and psychiatric hospitals from COVID-19.

S. 3812

At the request of Mr. MENENDEZ, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 3812, 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.

S. 3814

At the request of Mr. BENNET, the names of the Senator from Mississippi (Mrs. HYDE-SMITH), the Senator from Texas (Mr. CORNYN), the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from Hawaii (Mr. SCHATZ), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Arkansas (Mr. COTTON), the Senator from New Mexico (Mr. HEINRICH), the Senator from New York (Mrs. GILLIBRAND), the Senator from Alaska (Ms. MURKOWSKI) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 3814, a bill to establish a loan program for businesses affected by COVID-19

and to extend the loan forgiveness period for paycheck protection program loans made to the hardest hit businesses, and for other purposes.

S. 3815

At the request of Mrs. FEINSTEIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 3815, a bill to permit the search and retention of certain records with respect to conducting criminal background checks, and for other purposes.

S. 3872

At the request of Mr. BRAUN, the names of the Senator from Maine (Ms. COLLINS), the Senator from North Dakota (Mr. CRAMER) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 3872, a bill to amend the Federal Food, Drug, and Cosmetic Act to establish a time-limited provisional approval pathway, subject to specific obligations, for certain drugs and biological products, and for other purposes.

S. 3881

At the request of Mr. CASEY, the names of the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Alabama (Mr. JONES) were added as cosponsors of S. 3881, a bill to increase support for State Children's Health Insurance programs during the COVID-19 emergency, and for other purposes.

S. 3893

At the request of Mr. THUNE, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 3893, a bill to amend the Food Security Act of 1985 to allow for emergency use of certain land during a pandemic, and for other purposes.

S. 3998

At the request of Mr. KING, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 3998, a bill to amend title XVIII of the Social Security Act to simplify payments for telehealth services furnished by Federally qualified health centers or rural health clinics under the Medicare program, and for other purposes.

S. 3999

At the request of Mr. KING, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 3999, a bill to amend title XVIII of the Social Security Act to ensure access to mental health and behavioral health services furnished through telehealth under the Medicare program.

S. 4035

At the request of Mr. DAINES, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 4035, a bill to establish and provide for the use of amounts in a Trail Stewardship for Economic Recovery Fund, and for other purposes.

S. 4071

At the request of Mr. RUBIO, the name of the Senator from Louisiana

(Mr. CASSIDY) was added as a cosponsor of S. 4071, a bill to amend the Internal Revenue Code of 1986 to adjust identification number requirements for taxpayers filing joint returns to receive Economic Impact Payments.

S. 4081

At the request of Ms. STABENOW, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 4081, a bill to provide a grant program for elementary schools, secondary schools, and institutions of higher education to help offset costs associated with complying with guidelines, recommendations, and other public health communications issued by the Centers for Disease Control and Prevention, or a State, Indian Tribe, Tribal organization, or locality related to mitigating the hazards presented by COVID-19.

S. 4106

At the request of Mr. BRAUN, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 4106, a bill to amend the Public Health Service Act to provide for hospital and insurer price transparency.

S. 4117

At the request of Mr. CRAMER, the names of the Senator from North Carolina (Mr. BURR), the Senator from Louisiana (Mr. CASSIDY), the Senator from Colorado (Mr. GARDNER) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 4117, a bill to provide automatic forgiveness for paycheck protection program loans under \$150,000, and for other purposes.

S. 4143

At the request of Mr. SCHUMER, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 4143, a bill to extend the unemployment insurance provisions of the Coronavirus Aid, Relief, and Economic Security (CARES) Act for the duration of the economic recovery, and for other purposes.

S. 4150

At the request of Mr. REED, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 4150, a bill to require the Secretary of the Treasury to provide assistance to certain providers of transportation services affected by the novel coronavirus.

S. 4152

At the request of Mr. HOEVEN, the names of the Senator from North Dakota (Mr. CRAMER) and the Senator from Alabama (Mr. JONES) were added as cosponsors of S. 4152, 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.

S. 4156

At the request of Mr. INHOFE, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 4156, a bill to require the Secretary of Agriculture to provide relief

from hardship due to the COVID-19 pandemic to agricultural producers, and for other purposes.

S. 4160

At the request of Mr. THUNE, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 4160, 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. 4162

At the request of Mrs. FISCHER, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from North Dakota (Mr. CRAMER) were added as cosponsors of S. 4162, a bill to provide certainty for airport funding.

S. 4174

At the request of Ms. COLLINS, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Connecticut (Mr. MURPHY) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of S. 4174, a bill to provide emergency appropriations to the United States Postal Service to cover losses related to the COVID-19 crisis and to direct the Board of Governors of the United States Postal Service to develop a plan for ensuring the long term solvency of the Postal Service.

S. 4181

At the request of Mr. REED, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 4181, a bill to establish a Library Stabilization Fund to respond to and accelerate the recovery from coronavirus.

S. 4214

At the request of Mr. PORTMAN, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 4214, a bill to provide a payroll tax credit for certain expenses associated with protecting employees from COVID-19.

S. 4220

At the request of Mr. MERKLEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 4220, a bill to limit the use of Federal law enforcement officers for crowd control, and for other purposes.

S. 4221

At the request of Ms. ERNST, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 4221, a bill to provide for grants to support the provision of child care by reopening and maintaining the operation of child care programs.

S. 4227

At the request of Ms. ROSEN, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 4227, a bill to improve access to economic injury disaster loans and emergency advances

under the CARES Act, and for other purposes.

S. 4232

At the request of Mr. HEINRICH, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 4232, a bill to amend title VI of the Social Security Act to extend the coverage of Coronavirus Relief Fund payments to Tribal Governments.

S. 4252

At the request of Mr. WYDEN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 4252, a bill to provide funding for States to improve their unemployment compensation programs, and for other purposes.

S. 4262

At the request of Mr. MENENDEZ, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 4262, a bill to direct the Secretary of Health and Human Services to develop an action plan, make targeted grants, and develop public awareness campaigns with respect to COVID-19 and the disproportionate impact of the COVID-19 pandemic on racial and ethnic minorities and other vulnerable populations.

S. 4283

At the request of Mr. WYDEN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 4283, a bill to provide funding for States to improve their unemployment insurance technology systems, and for other purposes.

S. 4287

At the request of Mr. DAINES, his name was added as a cosponsor of S. 4287, a bill to amend title 38, United States Code, to establish presumptions of service-connection for members of the Armed Forces who contract Coronavirus Disease 2019 under certain circumstances, and for other purposes.

S. RES. 458

At the request of Mr. LANKFORD, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. Res. 458, a resolution calling for the global repeal of blasphemy, heresy, and apostasy laws.

S. RES. 509

At the request of Mr. TOOMEY, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. Res. 509, a resolution calling upon the United Nations Security Council to adopt a resolution on Iran that extends the dates by which Annex B restrictions under Resolution 2231 are currently set to expire.

S. RES. 655

At the request of Mr. BROWN, the names of the Senator from Virginia (Mr. WARNER) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. Res. 655, a resolution declaring racism a public health crisis.

AMENDMENT NO. 1943

At the request of Ms. KLOBUCHAR, the names of the Senator from California

(Ms. HARRIS), the Senator from Vermont (Mr. SANDERS) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of amendment No. 1943 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2334

At the request of Mr. COTTON, the name of the Senator from Georgia (Mrs. LOEFFLER) was added as a cosponsor of amendment No. 2334 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2399

At the request of Mr. GRASSLEY, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of amendment No. 2399 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2417

At the request of Ms. CANTWELL, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of amendment No. 2417 proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2437

At the request of Ms. KLOBUCHAR, the names of the Senator from New Mexico (Mr. UDALL), the Senator from Maine (Ms. COLLINS), the Senator from California (Mrs. FEINSTEIN), the Senator from Virginia (Mr. WARNER), the Senator from Vermont (Mr. SANDERS), the Senator from New Hampshire (Ms. HASSAN), the Senator from Vermont (Mr. LEAHY), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Massachusetts (Ms. WARREN), the Senator from Tennessee (Mrs. BLACKBURN), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from New York (Mrs. GILLIBRAND), the Senator from Delaware (Mr. COONS), the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of amendment No. 2437 intended to be proposed to S. 4049, an original bill to

authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTION

By Mr. REED:

S. 4303. A bill to improve State short-term compensation programs, and for other purposes; to the Committee on Finance.

Mr. REED. Mr. President, with the U.S. economy reeling, millions of families struggling, and COVID-19 cases soaring in states around the country, this is exactly the wrong time to cut off or massively cut back unemployment insurance as Republicans are proposing.

Unemployment insurance is a financial lifeline to tens of millions of Americans. And it also provides a big boost for small businesses . . . and communities. Because in addition to helping those who've lost their jobs, it effectively injects needed spending into local economies. Cars don't run without fuel, and the economy won't run without consumers.

The President failed to listen to public health experts and that hurt public health and the economy. He downplayed the pandemic, derided the science, and tried to force states to rush their re-openings.

Now he is failing to listen to economic experts across the spectrum who widely agree that four months into this crisis, the jobs picture is worsening. Experts are once again warning the President and Republicans now is NOT the time to cut off unemployment insurance.

Today, more than 31 million Americans—roughly one out of five workers—are collecting unemployment and thousands of businesses are shutting their doors. More than 1.4 million workers filed for unemployment for the first time just last week. Those who predicted a quick V shaped recovery . . . who misled Americans that the virus would just disappear on its own were wrong. There will be no economic recovery until we get the virus under control.

Congress needs to end the short-sighted approach and start taking the long view. We need a smarter, coordinated, evidence-based approach that recognizes reality: things are bad. Cutting off UI would make them exponentially worse.

But look: Hope is not lost. We have the tools, the assets, the advantages to turn things around. There are proven, effective measures that we can take, both on the public health front and the economic front. Let's focus on the economic front:

Economist Mark Zandi of Moody's Analytics notes that unemployment benefits are the most effective dollar-

for-dollar stimulus to the economy, with each dollar of UI translating into \$1.61 of economic activity. Cutting off \$600 would slash the weekly income of 20 million households in half or more overnight. In a recent study, Ernie Tedeschi, a former economist at the Department of Treasury, projects that what will follow is a two percent decrease in the nation's gross domestic product and 1.7 million fewer jobs by the end of this year.

This is not surprising. If Senate Republicans let the enhanced pandemic unemployment assistance expire, it could tank consumer spending while increasing business closings that will lead to even more unemployment. It could also further exacerbate this public health crisis by forcing more Americans into desperate situations.

That is why I, along with Senator MICHAEL BENNET and Congressman DON BEYER, have proposed the Worker Relief and Security Act. This legislation would take politics out of the equation and use "automatic stabilizers" based on actual unemployment rates to ensure the help goes where it is needed, when it is needed, and expires when it is no longer needed—rather than leaving it up to Congress and an arbitrary date.

And look, it's not just individuals who are struggling. Businesses need help too. That is why I have backed the bipartisan RESTART Act and today I am introducing the Workforce Retention Act, which would strengthen and expand work sharing programs that many businesses are effectively using to keep their workers. This program is a win-win that offers businesses increased flexibility and payroll support, while keeping more Americans attached to their jobs.

Right now, business owners who want to keep their doors open are facing the prospect of having to let go some percentage of their workforce because of circumstances far beyond their control. Businesses that are particularly dependent on foot traffic, such as the hospitality and tourism industries, are only looking at re-opening later this year or early next year. In many cases, businesses are also set to lose out on the considerable expense and time they have put in to hire and train these workers.

With work sharing, struggling companies can reduce hours instead of their workforce and it helps employers save money on rehiring costs, while employees who participate in work sharing keep their jobs and receive a portion of unemployment insurance benefits to make up for lost wages. Especially in this pandemic, work sharing programs would allow businesses to retain their employees, easily putting them back on full-time status once business picks up, and avoid having to lay them off in the first place.

As part of the Middle Class Tax Relief and Job Creation Act, Congress enacted legislation that I authored, the Layoff Prevention Act of 2012, which

provided temporary federal financing for 100% of work sharing benefits paid to workers. According to the Department of Labor, work sharing saved approximately 570,000 jobs in the wake of the Great Recession. Multiple studies have found that communities that adopted more robust work-sharing programs weathered the recession with lower unemployment rates.

Mark Zandi estimates that temporary financing of work share offers a very high "bang for the buck" of \$1.69 . . . making it a critical companion to traditional UI benefits. It's another win-win policy that has been field-tested and demonstrated to work well in more than 20 states across the country. Simply put, work sharing helps more workers, businesses, and communities stay afloat, and positions them for a stronger economic recovery.

The Workforce Retention Act that I am introducing today along with Senators WHITEHOUSE, MERKLEY, and VAN HOLLEN, enhances the program and encourages states with existing work share laws to utilize them more frequently. It incentivizes states without work sharing laws to stop denying their businesses an easy and effective way to retain employees. This legislation is supported by the National Employment Law Center and the Economic Policy Institute.

It builds off the \$100 million initiative included in the CARES Act, stemming from my Layoff Prevention Act of 2020, by extending federal financing for states with permanent and temporary work sharing programs by two years. It would incentivize states to structure their work sharing laws to reduce barriers to entry for companies . . . particularly for small businesses that have been hard hit by this pandemic. Our bill also provides much-needed federal grants to state unemployment agencies to improve implementation and administration.

States would also qualify under a new grant program for meeting certain enrollment incentive benchmarks and increasing the number of work share claims as a percentage of their overall unemployment insurance weekly claims.

This is a cost-effective job preservation program and we need to invest in ensuring it is accessible to help more businesses, preserve more jobs, and save taxpayers billions of dollars in the long run.

Our economy can't afford more of the same mistakes that have deepened this crisis and steepened the economic climb back out. America controls its own destiny, and we have the tools and know-how to succeed. Other nations have fared much better during this crisis because their elected leadership took COVID more seriously. They encouraged people to wear masks. Other heads of state didn't taunt regions into reopening before it was safe to do so. And they invested in unemployment insurance and economic stimulus.

Ending unemployment insurance in the midst of a surging pandemic could

make a desperate situation worse for individuals and harm the economy. Being jobless in these uncertain times and relying on unemployment is stressful enough. If Congress cuts benefits off too soon and tries to prematurely push workers into unsafe environments, it will cost families, businesses, and communities alike.

It is beyond the pale that the Administration and Senate Republicans purposely put off action for months. Everyone knew the virus was not going to disappear. It's a perfect example of the Trump view of one set of rules that provides benefits for him, and nothing for everyone else. Incompetence and willful avoidance is not a policy, and it's time for Republicans to stop drawing up new ways to seem like they're helping people and come to the table with solid ideas that actually do something meaningful.

It is my hope that we can proceed in a bipartisan manner on another round of coronavirus legislation. This next relief bill must include extended and enhanced unemployment insurance benefits tied to economic and health conditions, and expanded work sharing, to keep families, businesses, and states solvent through this crisis. I urge my colleagues to join us in supporting these needed initiatives.

By Mr. DURBIN (for himself, Ms. BALDWIN, and Ms. SMITH):

S. 4314. A bill to amend the Internal Revenue Code of 1986 to address the teacher and school leader shortage in early childhood, elementary, and secondary education, 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. 4314

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 "Retaining Educators Takes Added Investment Now Act" or the "RETAIN Act".

SEC. 2. PURPOSE.

The purpose of this Act is to create a refundable tax credit for early childhood educators, teachers, early childhood education program directors, school leaders, and school-based mental health services providers in early childhood, elementary, and secondary education settings that rewards retention based on the time spent serving high-need students.

SEC. 3. FINDINGS.

Congress finds the following:

(1) The shortage of experienced, qualified early childhood educators and elementary school and secondary school teachers is a national problem that compromises the academic outcomes and long-term success of students.

(2) The shortage is the result of many factors including low pay, frequent turnover in school leadership, poor teaching conditions, and inadequate teacher supports.

(3) The shortage is worse in high-poverty areas where the factors contributing to the

shortage are particularly acute and have an increased negative impact on teachers of color remaining in the field.

(4) A child's access to high-quality early childhood education is critical to supporting positive outcomes, and early childhood educators—

(A) play an important role in setting the foundation for future learning, and

(B) promote the development of vital skills, habits, and mindsets that children need to be successful in school and in life.

(5) In 2015, the national median pay of early childhood educators was a mere \$28,570, with many early childhood educators relying on government assistance programs such as Medicaid, the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), or the temporary assistance for needy families program established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), and struggling to provide for their own families.

(6) Studies have demonstrated that well-qualified, experienced teachers are the single most important school-based element contributing to a child's academic achievement and success.

(7) In 2016, the average teacher salary in public elementary schools and secondary schools was only \$58,950, which is on average 21.4 percent less than other college graduates working in non-teaching fields, and with many teachers struggling with large amounts of student loan debt.

(8) An experienced, well-qualified education workforce must also be reflective of the diversity of the student body across race, ethnicity, and disability.

(9) Experienced, well-qualified school leaders and school-based mental health service providers are essential for providing strong educational opportunities and services for students and promoting teacher retention through improved professional supports and teaching conditions.

SEC. 4. REFUNDABLE TAX CREDIT FOR TEACHER AND SCHOOL LEADER RETENTION.

(a) IN GENERAL.—Subpart C of part IV of subchapter A of chapter 1 of subtitle A of the Internal Revenue Code of 1986 is amended by inserting after section 36B the following new section:

"SEC. 36C. TEACHER AND SCHOOL LEADER RETENTION CREDIT.

"(a) ALLOWANCE OF CREDIT.—

"(1) IN GENERAL.—In the case of an individual who is employed in a position described in paragraph (2) during a school year ending with or within the taxable year, there shall be allowed as a credit against the tax imposed by this subtitle for the taxable year an amount equal to the applicable amount (as determined under subsection (b)).

"(2) ELIGIBLE POSITIONS.—The positions described in this paragraph shall consist of the following:

"(A) An eligible early childhood educator.

"(B) An eligible early childhood education program director.

"(C) An eligible early childhood education provider.

"(D) An eligible teacher.

"(E) An eligible paraprofessional.

"(F) An eligible school-based mental health services provider.

"(G) An eligible school leader.

"(b) APPLICABLE AMOUNT.—

"(1) IN GENERAL.—For purposes of this section, the applicable amount shall be an amount determined based on the number of school years for which the individual has been continuously employed in any position described in subsection (a)(2), as follows:

"(A) Subject to paragraph (2), for the first year of employment, \$5,800.

"(B) For the second continuous year of employment, \$5,800.

"(C) For the third and fourth continuous year of employment, \$7,000.

"(D) For the fifth, sixth, seventh, eighth, and ninth continuous year of employment, \$8,700.

"(E) For the tenth continuous year of employment, \$11,600.

"(F) For the eleventh, twelfth, thirteenth, fourteenth, and fifteenth continuous year of employment, \$8,700.

"(G) For the sixteenth continuous year of employment, \$7,000.

"(H) For the seventeenth, eighteenth, nineteenth, and twentieth continuous year of employment, \$5,800.

"(2) FIRST YEAR.—For purposes of the first year of employment ending with or within a taxable year, an individual must have been so employed for a period of not less than 4 months before the first day of such taxable year.

"(3) LIMITATION BASED ON TOTAL NUMBER OF SCHOOL YEARS.—In the case of any individual who has been employed in any position described in subsection (a)(2) for a total of more than 20 school years, the applicable amount shall be reduced to zero.

"(c) INFLATION ADJUSTMENT.—

"(1) IN GENERAL.—In the case of any taxable year beginning after 2021, each of the dollar amounts in subsection (b)(1) shall be increased by an amount equal to—

"(A) such dollar amount, multiplied by

"(B) the cost-of-living adjustment determined under section 1(f)(3) for such calendar year by substituting 'calendar year 2020' for 'calendar year 2016' in subparagraph (A)(ii) thereof.

"(2) ROUNDING.—If any increase determined under paragraph (1) is not a multiple of \$100, such increase shall be rounded to the nearest multiple of \$100.

"(d) SUPPLEMENTING, NOT SUPPLANTING, STATE AND LOCAL EDUCATION FUNDS.—

"(1) IN GENERAL.—A State educational agency or local educational agency shall not reduce or adjust any compensation, or any assistance provided through a loan forgiveness program, to an employee of the State educational agency or local educational agency who serves in any position described in subsection (a)(2) due to the individual's eligibility for the credit under this section.

"(2) METHODOLOGY.—Upon request by the Secretary of Education, a State educational agency or local educational agency shall reasonably demonstrate that the methodology used to allocate amounts for compensation and for loan forgiveness to the employees described in paragraph (1) at qualifying schools or qualifying early childhood education programs ensures that employees at each qualifying school or qualifying early childhood education program in the State or served by the local educational agency, respectively, receive the same amount of State or local funds for compensation and loan forgiveness that the qualifying school or qualifying early childhood education program would receive if the credit under this section had not been enacted.

"(e) INFORMATION SHARING.—The Secretary of Education and the Secretary of Health and Human Services shall provide the Secretary with such information as is necessary for purposes of determining whether an early childhood education program or an elementary school or secondary school satisfies the requirements for a qualifying early childhood education program or a qualifying school, respectively.

"(f) DEFINITIONS.—For purposes of this section—

"(1) ESEA DEFINITIONS.—The terms 'elementary school', 'local educational agency', 'secondary school', and 'State educational

agency' have the meanings given the terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

“(2) ELIGIBLE EARLY CHILDHOOD EDUCATION PROGRAM DIRECTOR.—The term ‘eligible early childhood education program director’ means an employee or officer of a qualifying early childhood education program who is responsible for the daily instructional leadership and managerial operations of such program.

“(3) ELIGIBLE EARLY CHILDHOOD EDUCATION PROVIDER.—The term ‘eligible early childhood education provider’ means an individual—

“(A) who—

“(i) has an associate’s degree or higher degree in early childhood education or a related field, or

“(ii) is enrolled during the taxable year in a program leading to such an associate’s or higher degree and is making satisfactory progress toward such degree, and

“(B) who is responsible for the daily instructional leadership and managerial operations of a qualifying early childhood education program in a home-based setting.

“(4) ELIGIBLE EARLY CHILDHOOD EDUCATOR.—The term ‘eligible early childhood educator’ means an individual—

“(A) who—

“(i) has an associate’s degree or higher degree in early childhood education or a related field, or

“(ii) is enrolled during the taxable year in a program leading to such an associate’s or higher degree and is making satisfactory progress toward such degree,

“(B) who has credentials or a license under State law for early childhood education, as applicable, and

“(C) whose primary responsibility is for the learning and development of children in a qualifying early childhood education program during the taxable year.

“(5) ELIGIBLE PARAPROFESSIONAL.—The term ‘eligible paraprofessional’ means an individual—

“(A) who is a paraprofessional, as defined in section 3201 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7011),

“(B) who meets the applicable State professional standards and qualifications pursuant to section 1111(g)(2)(M) of such Act (20 U.S.C. 6311(g)(2)(M)),

“(C) whose primary responsibilities involve working or assisting in a classroom setting, and

“(D) who is employed in a qualifying school or a qualifying early childhood education program.

“(6) ELIGIBLE SCHOOL-BASED MENTAL HEALTH SERVICES PROVIDER.—The term ‘eligible school-based mental health services provider’ means an individual—

“(A) described in section 4102(6) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7112(6)), and

“(B) who is employed in a qualifying school or a qualifying early childhood education program.

“(7) ELIGIBLE SCHOOL LEADER.—The term ‘eligible school leader’ means a principal, assistant principal, or other individual who is—

“(A) an employee or officer of a qualifying school, and

“(B) responsible for the daily instructional leadership and managerial operations in the qualifying school.

“(8) ELIGIBLE TEACHER.—The term ‘eligible teacher’ means an individual who—

“(A) is an elementary school or secondary school teacher who, as determined by the State or local educational agency, is a teacher of record who provides direct classroom teaching (or classroom-type teaching in a

nonclassroom setting) to students in a qualifying school, and

“(B) meets applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, in the State in which such school is located and in the subject area in which the individual is the teacher of record.

“(9) QUALIFYING EARLY CHILDHOOD EDUCATION PROGRAM.—

“(A) IN GENERAL.—The term ‘qualifying early childhood education program’ means an early childhood education program, as defined in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003), that, regardless of setting—

“(i) serves children who receive services for which financial assistance is provided in accordance with the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), the Head Start Act (42 U.S.C. 9831 et seq.), or the child and adult care food program established under section 17 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766), and

“(ii) participates in a State tiered and transparent system for measuring program quality.

“(B) SPECIAL RULE.—Notwithstanding subparagraph (A), an early childhood program that does not satisfy the requirements of subparagraph (A)(ii) shall be deemed to be a qualifying early childhood education program until September 30, 2021, if the program—

“(i) satisfies all requirements of subparagraph (A) except for clause (ii) of such subparagraph, and

“(ii)(I) meets the Head Start program performance standards described in section 641A(a) of the Head Start Act (42 U.S.C. 983a(a)), if applicable, or

“(II) is accredited by a national accreditor of early learning programs as of the date of enactment of the Retaining Educators Takes Added Investment Now Act.

“(10) QUALIFYING SCHOOL.—The term ‘qualifying school’ means—

“(A) a public elementary school or secondary school that—

“(i) is in the school district of a local educational agency that is eligible for assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.), or

“(ii) is served or operated by an educational service agency that is eligible for such assistance, or

“(B) an elementary school or secondary school that is funded by the Bureau of Indian Education and that is in the school district of a local educational agency that is eligible for such assistance.”.

(b) W-2 REPORTING OF CONTINUOUS EMPLOYMENT FOR CERTAIN POSITIONS AT QUALIFYING EARLY CHILDHOOD EDUCATION PROGRAMS OR QUALIFYING SCHOOLS.—Section 6051(a) of the Internal Revenue Code of 1986 is amended by striking “and” at the end of paragraph (16), by striking the period at the end of paragraph (17) and inserting “, and”, and by inserting after paragraph (17) the following new paragraph:

“(18) in the case of an employee who is employed in a position described in subsection (a)(2) of section 36C, the number of school years for which such employee has been continuously employed in any such position.”.

(c) CONFORMING AMENDMENTS.—

(1) The table of sections for subpart C of part IV of subchapter A of chapter 1 of subtitle A of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 36B the following:

“Sec. 36C. Teacher and school leader retention credit.”.

(2) Section 6211(b)(4)(A) of such Code is amended by striking “and 36B, 168(k)(4)” and inserting “36B, and 36C”.

(3) Paragraph (2) of section 1324(b) of title 31, United States Code, is amended by inserting “36C,” after “36B.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. 5. DEVELOPING INTERAGENCY DATA SERIES.

The Secretary of Labor, in coordination with the Secretary of Treasury, the Secretary of Education, and the Secretary of Health and Human Services, shall—

(1) develop and publish on the Internet website of the Bureau of Labor Statistics a data series that captures—

(A) the average base salary of teachers in elementary schools and secondary schools, disaggregated by—

(i) employment in public elementary schools and secondary schools that receive assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.),

(ii) employment in public elementary schools and secondary schools that do not receive such assistance, and

(iii) geographic region, and

(B) the average base salary of early childhood educators, disaggregated by highest level of degree attained, and

(2) update the data series under paragraph (1) on an annual basis.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 657—SUPPORTING THE GOALS AND IDEALS OF BLACK, INDIGENOUS, AND PEOPLE OF COLOR (“BIPOC”) MENTAL HEALTH AWARENESS MONTH IN JULY 2020

Ms. CORTEZ MASTO (for herself, Mr. MENENDEZ, Mr. BOOKER, Ms. HARRIS, Mr. WYDEN, Mr. VAN HOLLEN, Mr. CARDIN, Ms. STABENOW, Ms. ROSEN, Ms. SMITH, Ms. BALDWIN, Ms. KLOBUCHAR, Mr. CASEY, and Ms. WARREN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 657

Whereas July 2020 is “BIPOC Mental Health Awareness Month”;

Whereas the goals of BIPOC Mental Health Awareness Month (formerly known as “Minority Mental Health Awareness Month”) are—

(1) to recognize disparities in the incidence of mental health-related challenges faced by Black, indigenous, and people of color (referred to in this preamble as “BIPOC”) communities;

(2) to raise awareness of the systemic drivers of those disparities;

(3) to educate patients, caregivers, and the family members of individuals who may be in need of care on the importance of recognizing the signs of mental illness, seeking evaluation and accepting diagnosis, receiving and adhering to mental health treatment, and counseling;

(4) to highlight the necessity of culturally informed and culturally effective mental health services to increase receptivity to treatment among communities of color and to reduce the social and cultural stigma associated with mental health services;

(5) to underscore the need to dismantle the barriers to access faced by individuals who seek mental health care services; and

(6) to overcome and repair the mental harm and trauma that are experienced by people of color and caused by systematic racism and racial bias;

Whereas the Coronavirus Disease 2019 (COVID-19) pandemic, which has disproportionately impacted communities of color, is expected to have grave and potentially long-term mental health implications due to the traumatic stress associated with pandemic conditions, including stress from—

(1) the loss of resources to meet immediate and future needs;

(2) grief and concerns for the safety of family and loved ones;

(3) reduced social interaction and increased isolation and loneliness;

(4) the stigma and xenophobia against Asian-American communities, including many incidents of hate during the COVID-19 pandemic, leading to negative mental health outcomes; and

(5) a lack of consideration for pre-existing social-environmental disparities when addressing the disproportionate impact of COVID-19 on communities of color;

Whereas, even in nonpandemic times, the psychosocial stress of racial discrimination, including exclusion from health, educational, social, and economic resources, contributes to poorer health quality and higher rates of chronic health conditions for communities of color;

Whereas BIPOC communities, already burdened by disparities in chronic illnesses like lung disease, asthma, heart conditions, sickle cell disease, and diabetes, disproportionately suffer from the mental health disorders that are commonly associated with those chronic illnesses;

Whereas environmental strains, such as poverty, unsafe neighborhoods, and chronic racial and ethnic discrimination, among other social determinants of health, can significantly increase distress and the overall mental and emotional well-being of poor youth of color;

Whereas an emerging body of research shows that past trauma inflicted on racial and ethnic minorities has the potential to affect the descendants of the survivors of that trauma;

Whereas, despite the necessity of diverse scientific and health care workforces and culturally informed and culturally effective science and research to address mental health disparities, including disparities in care, and decades of efforts to diversify those workforces, there continues to be a challenging pattern of continued underrepresentation of people of certain genders and racial and ethnic groups in those fields;

Whereas mental health services and supports often are not aligned with the National Standards for Culturally and Linguistically Appropriate Services in Health and Health Care;

Whereas the lack of linguistically appropriate mental health services and the lack of information about where to find those services decreases the likelihood that families of color will seek help;

Whereas investment in linguistically appropriate mental health services will—

(1) reverse the trend of families of color not seeking help; and

(2) drive an increase in use of those services by people of color who experience mental health-related challenges;

Whereas the Office of Minority Health of the Department of Health and Human Services has determined that Black adults are 20 percent more likely than their White peers to report serious psychological distress;

Whereas the suicide death rate for Black youth has risen from 2.55 per 100,000 in 2007 to 4.82 per 100,000 in 2017;

Whereas Black youth under the age of 13 are twice as likely as White youth of the same age group to die by suicide;

Whereas Black males ages 5 through 11 are more likely than their White peers to die by suicide;

Whereas, in 2018, 42 percent of Black adults with a serious mental illness received no treatment, compared with 35.9 percent of the total adult population of the United States;

Whereas chronic underfunding of Federal treaty obligations for health services for Tribal Nations has contributed to disparate mental health outcomes for American Indians and Alaska Natives, who experience post-traumatic stress disorder more than twice as often as the general population;

Whereas, between 2000 and 2020, the suicide rate for American Indian and Alaska Native women and men has increased by 139 percent and 71 percent, respectively, compared with a 33 percent increase for the total adult population in the United States;

Whereas suicide is the second leading cause of death for American Indian and Alaska Native youth ages 10 through 24;

Whereas the suicide rate for American Indian and Alaska Native youth is 2.5 times higher than the national average and the highest across all ethnic and racial groups;

Whereas Latino adults and children face barriers to accessing mental health services, including a lack of insurance, the high cost of health services, low wages, poor transportation, work stress, and immigration factors;

Whereas research shows that, in the Hispanic population, older adults and youth are more susceptible than other Hispanic adults to mental distress relating to immigration and acculturation;

Whereas fewer treatment and prevention services reach Hispanics than other racial or ethnic groups in the United States due to the lack of professionals being equipped to support culturally specific challenges;

Whereas, in 2017, suicide was the leading cause of death for Asian Americans ages 15 through 24;

Whereas, in 2015, Asian adults with any mental illness had the lowest rates of use of health services, prescription medication, and outpatient services among all racial groups;

Whereas the rate of suicide among Asian-American women over the age of 65 is the highest of any group in that age range;

Whereas the rate of suicide among Bhutanese refugees is twice the rate of suicide for the general population of the United States;

Whereas Native Hawaiian youth in Hawaii have significantly higher suicide rates than other adolescents;

Whereas Native Hawaiians and Pacific Islanders face greater stigma than is faced by the general population of the United States faces in accessing mental health care;

Whereas the first BIPOC Mental Health Awareness Month (then known as “Minority Mental Health Awareness Month”) was designated in honor of the late Bebe Moore Campbell, who showed great dedication and commitment to moving communities—

(1) to support mental wellness through effective treatment options; and

(2) to increase access to mental health treatment and services; and

Whereas communities of color have shown deep mental-health resiliency in the face of decades and centuries of trauma and discrimination, underscoring the efficacy and importance of resilience-focused and culturally and contextually grounded prevention and early intervention strategies in mental health: Now, therefore, be it

Resolved, That the Senate supports the goals and ideals of BIPOC Mental Health Awareness Month in July 2020, which include bringing attention to the mental health disparities faced by communities of color in the

United States, such as American Indians, Alaska Natives, Asian Americans, Blacks, Latinos, and Native Hawaiians and other Pacific Islanders.

SENATE CONCURRENT RESOLUTION 41—EXPRESSING THE SENSE OF CONGRESS THAT THE SECRETARY OF THE NAVY SHOULD NAME THE NEXT VIRGINIA-CLASS SUBMARINE OF THE UNITED STATES NAVY THE “USS WISCONSIN”

Ms. BALDWIN (for herself and Mr. JOHNSON) submitted the following concurrent resolution; which was referred to the Committee on Armed Services:

S. CON. RES. 41

Whereas Wisconsin has a rich and historical connection to the United State Navy, evidenced particularly by the fact that the submarine fleet of the United States Navy produced 28 freshwater submarines for the World War II war effort;

Whereas the first USS Wisconsin (BB-9) was an 11,565-ton Illinois-class battleship that was commissioned in 1901, sailed as the flagship of both the Pacific Squadron and Asiatic Fleet, and went on to sail in the Great White Fleet that circumnavigated the globe;

Whereas the USS Wisconsin (BB-64), commonly known as “Big Wisky” and “the Last Battleship”, was commissioned in 1944 and served in every major conflict until its decommissioning in 1991, including World War II, the Korean War, and the Persian Gulf War;

Whereas the USS Wisconsin (BB-64) continues to play a vital role in educating visitors to Hampton Roads, Virginia, about the famed history of the ship;

Whereas individual citizens of Wisconsin have played a crucial role in the history of the United States Navy, including—

(1) Admiral Marc A. Mitscher, who was one of the first aviators of the United States Navy and was born in Hillsboro, Wisconsin; and

(2) Green Bay native Vice Admiral James H. Flatley, Jr., who was a key figure in the Battle of the Coral Sea and the Guadalcanal campaign;

Whereas 63 citizens of Wisconsin have been recipients of a Medal of Honor, including 10 citizens of Wisconsin who have received a Medal of Honor from the Department of the Navy; and

Whereas there has not been a USS Wisconsin in service for nearly 3 decades: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Navy should name the next Virginia-class submarine of the United States Navy the “USS Wisconsin”.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2491. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 2492. Mr. MORAN (for himself, Ms. CANTWELL, and Mr. PETERS) submitted an

amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2493. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2494. Mr. REED submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2495. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2496. Mr. CRUZ (for himself, Ms. SINEMA, Mr. WICKER, Ms. CANTWELL, Mr. KAINE, Mr. CORNYN, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2497. Mr. DURBIN (for himself, Ms. DUCKWORTH, Mr. PERDUE, Mr. BLUMENTHAL, Mr. JONES, Mr. MURPHY, Mr. CASEY, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2491. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . ESTABLISHMENT OF FEDERAL ADVISORY COMMITTEE ON THE DEVELOPMENT AND IMPLEMENTATION OF ARTIFICIAL INTELLIGENCE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Commerce shall establish a Federal advisory committee to advise the Secretary on matters relating to the development of artificial intelligence.

(2) DESIGNATION.—The Federal advisory committee established under paragraph (1) shall be known as the “Federal Advisory Committee on the Development and Implementation of Artificial Intelligence” (in this section referred to as the “Advisory Committee”).

(b) PURPOSES OF THE ADVISORY COMMITTEE.—

(1) ADVICE.—The Advisory Committee shall provide advice to the Secretary on matters relating to the development and use of artificial general intelligence and narrow artificial intelligence, including on the following as they relate to artificial intelligence:

(A) The competitiveness of the United States, including matters relating to the promotion of public and private sector investment and innovation into the development of artificial intelligence.

(B) Workforce, including matters relating to the potential for using artificial intelligence for rapid retraining of workers, due to the possible effect of technological displacement and to increase the labor force participation of all workers, including traditionally underrepresented populations, in-

cluding minorities, low-income populations, and persons with disabilities.

(C) Education, including matters relating to science, technology, engineering, and mathematics education to prepare the United States workforce as the needs of employers change.

(D) Ethics training and development for individuals, including both private and government technologists, working on and using artificial intelligence.

(E) Matters relating to open sharing of data and the open sharing of research on artificial intelligence.

(F) International cooperation and competitiveness, including matters relating to the competitive international landscape for artificial intelligence-related industries.

(G) Accountability and legal rights, including matters relating to the responsibility for any violations of laws by an artificial intelligence system and the compatibility of international regulations.

(H) Matters relating to machine learning bias through core cultural and societal norms.

(I) Matters relating to how artificial intelligence can serve or enhance opportunities in rural communities.

(J) Government efficiency, including matters relating to how to promote cost saving and streamline operations.

(K) Matters relating to individual civil rights, including an assessment regarding how rights are or will be affected by the use of artificial intelligence technology and whether such uses should be subject to additional controls, oversight, or limitations.

(L) Matters relating to urbanization and the development of smart cities.

(2) STUDY.—The Advisory Committee shall study and assess the following:

(A) How the term “artificial intelligence” should be defined for purposes of this section and how the relevant scope of the Advisory Committee should be defined, including how such definitions relate to artificial systems and both narrow and general forms of artificial intelligence. In carrying out this subparagraph, the Advisory Committee shall consider the following:

“(1) The term ‘artificial intelligence’ includes the following:

“(A) Any artificial systems that perform tasks under varying and unpredictable circumstances, without significant human oversight, or that can learn from their experience and improve their performance. Such systems may be developed in computer software, physical hardware, or other contexts not yet contemplated. They may solve tasks requiring human-like perception, cognition, planning, learning, communication, or physical action. In general, the more human-like the system within the context of its tasks, the more it can be said to use artificial intelligence.

“(B) Systems that think like humans, such as cognitive architectures and neural networks.

“(C) Systems that act like humans, such as systems that can pass the Turing test or other comparable test via natural language processing, knowledge representation, automated reasoning, and learning.

“(D) A set of techniques, including machine learning, that seek to approximate some cognitive task.

“(E) Systems that act rationally, such as intelligent software agents and embodied robots that achieve goals via perception, planning, reasoning, learning, communicating, decisionmaking, and acting.

“(2) The term ‘artificial general intelligence’ means a notional future artificial intelligence system that exhibits apparently intelligent behavior at least as advanced as a

person across the range of cognitive, emotional, and social behaviors.

“(3) The term ‘narrow artificial intelligence’ means an artificial intelligence system that addresses specific application areas such as playing strategic games, language translation, self-driving vehicles, and facial or other image recognition.”

(B) How to create a climate for public and private sector investment and innovation in artificial intelligence.

(C) The possible benefits and effects that the development of artificial intelligence may have on the economy, workforce, and competitiveness of the United States.

(D) Whether and how networked, automated, artificial intelligence applications and robotic devices will displace or create jobs and how any job-related gains relating to artificial intelligence can be maximized.

(E) How bias can be identified and eliminated in the development of artificial intelligence and in the algorithms that support them, including with respect to the following:

(i) The selection and processing of data used to train artificial intelligence.

(ii) Diversity in the development of artificial intelligence.

(iii) The ways and places the systems are deployed and the potential harmful outcomes.

(F) Whether and how to incorporate ethical standards in the development and implementation of artificial intelligence.

(G) How the Federal Government can encourage technological progress in implementation of artificial intelligence that benefits the full spectrum of social and economic classes.

(H) How the privacy rights of individuals are or will be affected by technological innovation relating to artificial intelligence.

(I) Whether technological advancements in artificial intelligence have or will outpace the legal and regulatory regimes implemented to protect consumers.

(J) How existing laws, including those concerning data access and privacy, should be modernized to enable the potential of artificial intelligence.

(K) How the Federal Government utilizes artificial intelligence to handle large or complex data sets.

(L) How ongoing dialogues and consultations with multi-stakeholder groups can maximize the potential of artificial intelligence and further development of artificial intelligence technologies that can benefit everyone inclusively.

(M) How the development of artificial intelligence can affect cost savings and streamline operations in various areas of government operations, including health care, cybersecurity, infrastructure, and disaster recovery.

(N) Such other matters as the Advisory Committee considers appropriate.

(3) REPORTS AND RECOMMENDATIONS.—

(A) REPORT BY ADVISORY COMMITTEE.—Not later than 540 days after the date of the enactment of this Act, the Advisory Committee shall submit to the Secretary and to Congress a report on the findings of the Advisory Committee and such recommendations as the Advisory Committee may have for administrative or legislative action relating to artificial intelligence.

(B) RECOMMENDATIONS OF SECRETARY.—Not later than 90 days after receiving the report submitted under subparagraph (A), the Secretary shall review the report and submit to Congress such recommendations as the Secretary may have with respect to the matters contained in the report submitted under subparagraph (A).

(c) MEMBERSHIP.—

(1) VOTING MEMBERS.—

(A) IN GENERAL.—The Advisory Committee shall be composed of 19 voting members who shall be appointed by the Secretary, with advisement from the Chair and Ranking Member of the Committee on Commerce, Science, and Transportation of the Senate and the Chair and Ranking Member of the Committee on Energy and Commerce of the House of Representatives, for purposes of the Advisory Committee from among individuals with expertise in matters relating to workforce development, ethics, privacy, artificial intelligence, or computer science.

(B) REPRESENTATION.—In carrying out subparagraph (A), the Secretary shall ensure that voting members are appointed as follows:

(i) Five members from the academic or research community.

(ii) Six members from private industry, at least 2 of whom shall be from a small business concern.

(iii) Six members from civil society, at least 2 of whom shall be from groups that advocate for civil liberties or civil rights.

(iv) Two members from labor organizations or groups, including those that represent the unique interests of traditionally underrepresented populations.

(C) GEOGRAPHICAL DIVERSITY.—In carrying out subparagraph (A), the Secretary shall ensure that the voting members of the Advisory Committee come from diverse geographical locations within the United States.

(2) NONVOTING MEMBERS.—The Advisory Committee shall also be composed of such nonvoting members as the Secretary considers appropriate, except that the Secretary shall appoint at least 1 such member from each of the following:

- (A) The Department of Education.
- (B) The Department of Justice.
- (C) The Department of Labor.
- (D) The Department of Transportation.
- (E) The Department of Homeland Security.
- (F) The Federal Trade Commission.
- (G) The National Institute of Standards and Technology.
- (H) The National Science Foundation.
- (I) The National Science and Technology Council.
- (J) Individuals in the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) who are approved by the Director of National Intelligence for purposes of this paragraph.
- (K) The Privacy and Civil Liberties Oversight Board.
- (L) Such other nonvoting members as the voting members of the Advisory Committee consider appropriate.

(3) CHAIRPERSON.—The Secretary shall appoint a chairperson for the Advisory Committee from among the members appointed under paragraph (1).

(d) MEETINGS.—The Advisory Committee shall meet—

(1) in person no less frequently than twice each year; and

(2) via telepresence no less frequently than once every 2 months.

(e) POWERS.—In order to carry out its duties under subsection (b), the Advisory Committee may—

(1) hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Advisory Committee considers appropriate;

(2) submit to Congress such recommendations as the Advisory Committee considers appropriate;

(3) submit to Federal agencies such recommendations as the Advisory Committee considers appropriate;

(4) issue reports, guidelines, and memoranda;

(5) hold or host conferences and symposia;

(6) enter into cooperative agreements with third-party experts to obtain relevant advice or expertise, and oversee staff;

(7) establish subcommittees; and

(8) establish rules of procedure.

(f) TRAVEL EXPENSES.—The members of the Advisory Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Advisory Committee.

(g) FUNDING.—Except as provided in paragraph (2), amounts to carry out this section shall be derived from amounts appropriated or otherwise made available to the Secretary.

SA 2492. Mr. MORAN (for himself, Ms. CANTWELL, and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

TITLE XVII—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS

SEC. 1701. REFERENCES TO NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS ACT OF 2002.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3001 et seq.).

Subtitle A—General Provisions

SEC. 1711. STRENGTH AND DISTRIBUTION IN GRADE.

Section 214 (33 U.S.C. 3004) is amended to read as follows:

“SEC. 214. STRENGTH AND DISTRIBUTION IN GRADE.

“(a) GRADES.—The commissioned grades in the commissioned officer corps of the Administration are the following, in relative rank with officers of the Navy:

- “(1) Vice admiral.
- “(2) Rear admiral.
- “(3) Rear admiral (lower half).
- “(4) Captain.
- “(5) Commander.
- “(6) Lieutenant commander.
- “(7) Lieutenant.
- “(8) Lieutenant (junior grade).
- “(9) Ensign.

“(b) GRADE DISTRIBUTION.—The Secretary shall prescribe, with respect to the distribution on the lineal list in grade, the percentages applicable to the grades set forth in subsection (a).

“(c) ANNUAL COMPUTATION OF NUMBER IN GRADE.—

“(1) IN GENERAL.—Not less frequently than once each year, the Secretary shall make a computation to determine the number of officers on the lineal list authorized to be serving in each grade.

“(2) METHOD OF COMPUTATION.—The number in each grade shall be computed by applying

the applicable percentage to the total number of such officers serving on active duty on the date the computation is made.

“(3) FRACTIONS.—If a final fraction occurs in computing the authorized number of officers in a grade, the nearest whole number shall be taken. If the fraction is one-half, the next higher whole number shall be taken.

“(d) TEMPORARY INCREASE IN NUMBERS.—The total number of officers authorized by law to be on the lineal list during a fiscal year may be temporarily exceeded if the average number on that list during that fiscal year does not exceed the authorized number.

“(e) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—Officers serving in positions designated under section 228(a) and officers recalled from retired status shall not be counted when computing authorized strengths under subsection (c) and shall not count against those strengths.

“(f) PRESERVATION OF GRADE AND PAY.—No officer may be reduced in grade or pay or separated from the commissioned officer corps of the Administration as the result of a computation made to determine the authorized number of officers in the various grades.”

SEC. 1712. RECALLED OFFICERS.

(a) IN GENERAL.—Section 215 (33 U.S.C. 3005) is amended to read as follows:

“SEC. 215. NUMBER OF AUTHORIZED COMMISSIONED OFFICERS.

“(a) IN GENERAL.—The total number of authorized commissioned officers on the lineal list of the commissioned officer corps of the Administration shall not exceed 500.

“(b) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—Officers serving in positions designated under section 228 and officers recalled from retired status or detailed to an agency other than the Administration—

“(1) may not be counted in determining the total number of authorized officers on the lineal list under this section; and

“(2) may not count against such number.”

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled “An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107-372) is amended by striking the item relating to section 215 and inserting the following:

“Sec. 215. Number of authorized commissioned officers.”

SEC. 1713. OBLIGATED SERVICE REQUIREMENT.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.) is amended by adding at the end the following:

“SEC. 216. OBLIGATED SERVICE REQUIREMENT.

“(a) IN GENERAL.—

“(1) REGULATIONS.—The Secretary shall prescribe the obligated service requirements for appointments, training, promotions, separations, continuations, and retirements of officers not otherwise covered by law.

“(2) WRITTEN AGREEMENTS.—The Secretary and officers shall enter into written agreements that describe the officers’ obligated service requirements prescribed under paragraph (1) in return for such appointments, training, promotions, separations, continuations, and retirements as the Secretary considers appropriate.

“(b) REPAYMENT FOR FAILURE TO SATISFY REQUIREMENTS.—

“(1) IN GENERAL.—The Secretary may require an officer who fails to meet the service requirements prescribed under subsection (a)(1) to reimburse the Secretary in an amount that bears the same ratio to the total costs of the training provided to that officer by the Secretary as the unserved portion of active duty bears to the total period of active duty the officer agreed to serve.

“(2) OBLIGATION AS DEBT TO UNITED STATES.—An obligation to reimburse the

Secretary under paragraph (1) is, for all purposes, a debt owed to the United States.

“(3) DISCHARGE IN BANKRUPTCY.—A discharge in bankruptcy under title 11 that is entered less than five years after the termination of a written agreement entered into under subsection (a)(2) does not discharge the individual signing the agreement from a debt arising under such agreement.

“(c) WAIVER OR SUSPENSION OF COMPLIANCE.—The Secretary may waive the service obligation of an officer who—

“(1) becomes unqualified to serve on active duty in the commissioned officer corps of the Administration because of a circumstance not within the control of that officer; or

“(2) is—

“(A) not physically qualified for appointment; and

“(B) determined to be unqualified for service in the commissioned officer corps of the Administration because of a physical or medical condition that was not the result of the officer’s own misconduct or grossly negligent conduct.”

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled “An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107–372), is amended by inserting after the item relating to section 215 the following:

“Sec. 216. Obligated service requirement.”

SEC. 1714. TRAINING AND PHYSICAL FITNESS.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.), as amended by section 1713(a), is further amended by adding at the end the following:

“SEC. 217. TRAINING AND PHYSICAL FITNESS.

“(a) TRAINING.—The Secretary may take such measures as may be necessary to ensure that officers are prepared to carry out their duties in the commissioned officer corps of the Administration and proficient in the skills necessary to carry out such duties. Such measures may include the following:

“(1) Carrying out training programs and correspondence courses, including establishing and operating a basic officer training program to provide initial indoctrination and maritime vocational training for officer candidates as well as refresher training, mid-career training, aviation training, and such other training as the Secretary considers necessary for officer development and proficiency.

“(2) Providing officers and officer candidates with educational materials.

“(3) Acquiring such equipment as may be necessary for training and instructional purposes.

“(b) PHYSICAL FITNESS.—The Secretary shall ensure that officers maintain a high physical state of readiness by establishing standards of physical fitness for officers that are substantially equivalent to those prescribed for officers in the Coast Guard.”

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled “An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107–372), as amended by section 1713(b), is further amended by inserting after the item relating to section 216 the following:

“Sec. 217. Training and physical fitness.”

SEC. 1715. AVIATION ACCESSION TRAINING PROGRAMS.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.), as amended by section 1714(a), is further amended by adding at the end the following:

“SEC. 218. AVIATION ACCESSION TRAINING PROGRAMS.

“(a) DEFINITIONS.—In this section:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Under Secretary of Com-

merce for Oceans and Atmosphere and the Administrator of the National Oceanic and Atmospheric Administration.

“(2) MEMBER OF THE PROGRAM.—The term ‘member of the program’ means a student who is enrolled in the program.

“(3) PROGRAM.—The term ‘program’ means an aviation accession training program of the commissioned officer corps of the Administration established pursuant to subsection (b).

“(b) AVIATION ACCESSION TRAINING PROGRAMS.—

“(1) ESTABLISHMENT AUTHORIZED.—The Administrator, under regulations prescribed by the Secretary, shall establish and maintain one or more aviation accession training programs for the commissioned officer corps of the Administration at institutions described in paragraph (2).

“(2) INSTITUTIONS DESCRIBED.—An institution described in this paragraph is an educational institution—

“(A) that requests to enter into an agreement with the Administrator providing for the establishment of the program at the institution;

“(B) that has, as a part of its curriculum, a four-year baccalaureate program of professional flight and piloting instruction that is accredited by the Aviation Accreditation Board International;

“(C) that is located in a geographic area that—

“(i) experiences a wide variation in climate-related activity, including frequent high winds, convective activity (including tornadoes), periods of low visibility, heat, and snow and ice episodes, to provide opportunities for pilots to demonstrate skill in all weather conditions compatible with future encounters during their service in the commissioned officer corps; and

“(ii) has a climate that can accommodate both primary and advanced flight training activity at least 75 percent of the year; and

“(D) at which the Administrator determines that—

“(i) there will be at least one student enrolled in the program; and

“(ii) the provisions of this section are otherwise satisfied.

“(3) LIMITATIONS IN CONNECTION WITH PARTICULAR INSTITUTIONS.—The program may not be established or maintained at an institution unless—

“(A) the senior commissioned officer or employee of the commissioned officer corps who is assigned as an advisor to the program at that institution is given the academic rank of adjunct professor; and

“(B) the institution fulfills the terms of its agreement with the Administrator.

“(4) MEMBERSHIP IN CONNECTION WITH STATUS AS STUDENT.—At institutions at which the program is established, the membership of students in the program shall be elective, as provided by State law or the authorities of the institution concerned.

“(c) MEMBERSHIP.—

“(1) ELIGIBILITY.—To be eligible for membership in the program, an individual must—

“(A) be a student at an institution at which the program is established;

“(B) be a citizen of the United States;

“(C) contract in writing, with the consent of a parent or guardian if a minor, with the Administrator, to—

“(i) accept an appointment, if offered, as a commissioned officer in the commissioned officer corps of the Administration; and

“(ii) serve in the commissioned officer corps for not fewer than four years;

“(D) enroll in—

“(i) a four-year baccalaureate program of professional flight and piloting instruction; and

“(ii) other training or education, including basic officer training, which is prescribed by the Administrator as meeting the preliminary requirement for admission to the commissioned officer corps; and

“(E) execute a certificate or take an oath relating to morality and conduct in such form as the Administrator prescribes.

“(2) COMPLETION OF PROGRAM.—A member of the program may be appointed as a regular officer in the commissioned officer corps if the member meets all requirements for appointment as such an officer.

“(d) FINANCIAL ASSISTANCE FOR QUALIFIED MEMBERS.—

“(1) EXPENSES OF COURSE OF INSTRUCTION.—

“(A) IN GENERAL.—In the case of a member of the program who meets such qualifications as the Administrator establishes for purposes of this subsection, the Administrator may pay the expenses of the member in connection with pursuit of a course of professional flight and piloting instruction under the program, including tuition, fees, educational materials such as books, training, certifications, travel, and laboratory expenses.

“(B) ASSISTANCE AFTER FOURTH ACADEMIC YEAR.—In the case of a member of the program described in subparagraph (A) who is enrolled in a course described in that subparagraph that has been approved by the Administrator and requires more than four academic years for completion, including elective requirements of the program, assistance under this subsection may also be provided during a fifth academic year or during a combination of a part of a fifth academic year and summer sessions.

“(2) ROOM AND BOARD.—In the case of a member eligible to receive assistance under paragraph (1), the Administrator may, in lieu of payment of all or part of such assistance, pay the room and board expenses of the member, and other educational expenses, of the educational institution concerned.

“(3) FAILURE TO COMPLETE PROGRAM OR ACCEPT COMMISSION.—A member of the program who receives assistance under this subsection and who does not complete the course of instruction, or who completes the course but declines to accept a commission in the commissioned officer corps when offered, shall be subject to the repayment provisions of subsection (e).

“(e) REPAYMENT OF UNEARNED PORTION OF FINANCIAL ASSISTANCE WHEN CONDITIONS OF PAYMENT NOT MET.—

“(1) IN GENERAL.—A member of the program who receives or benefits from assistance under subsection (d), and whose receipt of or benefit from such assistance is subject to the condition that the member fully satisfy the requirements of subsection (c), shall repay to the United States an amount equal to the assistance received or benefitted from if the member fails to fully satisfy such requirements and may not receive or benefit from any unpaid amounts of such assistance after the member fails to satisfy such requirements, unless the Administrator determines that the imposition of the repayment requirement and the termination of payment of unpaid amounts of such assistance with regard to the member would be—

“(A) contrary to a personnel policy or management objective;

“(B) against equity and good conscience; or

“(C) contrary to the best interests of the United States.

“(2) REGULATIONS.—The Administrator may establish, by regulations, procedures for determining the amount of the repayment required under this subsection and the circumstances under which an exception to repayment may be granted. The Administrator may specify in the regulations the conditions under which financial assistance to be

paid to a member of the program will not be made if the member no longer satisfies the requirements in subsection (c) or qualifications in subsection (d) for such assistance.

“(3) OBLIGATION AS DEBT TO UNITED STATES.—An obligation to repay the United States under this subsection is, for all purposes, a debt owed to the United States.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled “An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107-372), as amended by section 1714(b), is further amended by inserting after the item relating to section 217 the following:

“Sec. 218. Aviation accession training programs.”.

SEC. 1716. RECRUITING MATERIALS.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.), as amended by section 1715(a), is further amended by adding at the end the following:

“SEC. 219. USE OF RECRUITING MATERIALS FOR PUBLIC RELATIONS.

“The Secretary may use for public relations purposes of the Department of Commerce any advertising materials developed for use for recruitment and retention of personnel for the commissioned officer corps of the Administration. Any such use shall be under such conditions and subject to such restrictions as the Secretary shall prescribe.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled “An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107-372), as amended by section 1715(b), is further amended by inserting after the item relating to section 218 the following:

“Sec. 219. Use of recruiting materials for public relations.”.

SEC. 1717. TECHNICAL CORRECTION.

Section 101(21)(C) of title 38, United States Code, is amended by inserting “in the commissioned officer corps” before “of the National”.

Subtitle B—Parity and Recruitment

SEC. 1721. EDUCATION LOANS.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.) is amended by adding at the end the following:

“SEC. 267. EDUCATION LOAN REPAYMENT PROGRAM.

“(a) AUTHORITY TO REPAY EDUCATION LOANS.—For the purpose of maintaining adequate numbers of officers of the commissioned officer corps of the Administration on active duty who have skills required by the commissioned officer corps, the Secretary may repay, in the case of a person described in subsection (b), a loan that—

“(1) was used by the person to finance education; and

“(2) was obtained from a governmental entity, private financial institution, educational institution, or other authorized entity.

“(b) ELIGIBLE PERSONS.—To be eligible to obtain a loan repayment under this section, a person must—

“(1) satisfy one of the requirements specified in subsection (c);

“(2) be fully qualified for, or hold, an appointment as a commissioned officer in the commissioned officer corps of the Administration; and

“(3) sign a written agreement to serve on active duty, or, if on active duty, to remain on active duty for a period in addition to any other incurred active duty obligation.

“(c) ACADEMIC AND PROFESSIONAL REQUIREMENTS.—One of the following academic requirements must be satisfied for purposes of determining the eligibility of an individual for a loan repayment under this section:

“(1) The person is fully qualified in a profession that the Secretary has determined to be necessary to meet identified skill shortages in the commissioned officer corps.

“(2) The person is enrolled as a full-time student in the final year of a course of study at an accredited educational institution (as determined by the Secretary of Education) leading to a degree in a profession that will meet identified skill shortages in the commissioned officer corps.

“(d) LOAN REPAYMENTS.—

“(1) IN GENERAL.—Subject to the limits established under paragraph (2), a loan repayment under this section may consist of the payment of the principal, interest, and related expenses of a loan obtained by a person described in subsection (b).

“(2) LIMITATION ON AMOUNT.—For each year of obligated service that a person agrees to serve in an agreement described in subsection (b)(3), the Secretary may pay not more than the amount specified in section 2173(e)(2) of title 10, United States Code.

“(e) ACTIVE DUTY SERVICE OBLIGATION.—

“(1) IN GENERAL.—A person entering into an agreement described in subsection (b)(3) incurs an active duty service obligation.

“(2) LENGTH OF OBLIGATION DETERMINED UNDER REGULATIONS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the length of the obligation under paragraph (1) shall be determined under regulations prescribed by the Secretary.

“(B) MINIMUM OBLIGATION.—The regulations prescribed under subparagraph (A) may not provide for a period of obligation of less than one year for each maximum annual amount, or portion thereof, paid on behalf of the person for qualified loans.

“(3) PERSONS ON ACTIVE DUTY BEFORE ENTERING INTO AGREEMENT.—The active duty service obligation of persons on active duty before entering into the agreement shall be served after the conclusion of any other obligation incurred under the agreement.

“(4) CONCURRENT COMPLETION OF SERVICE OBLIGATIONS.—A service obligation under this section may be completed concurrently with a service obligation under section 216.

“(f) EFFECT OF FAILURE TO COMPLETE OBLIGATION.—

“(1) ALTERNATIVE OBLIGATIONS.—An officer who is relieved of the officer’s active duty obligation under this section before the completion of that obligation may be given any alternative obligation, at the discretion of the Secretary.

“(2) REPAYMENT.—An officer who does not complete the period of active duty specified in the agreement entered into under subsection (b)(3), or the alternative obligation imposed under paragraph (1), shall be subject to the repayment provisions under section 216.

“(g) RULEMAKING.—The Secretary shall prescribe regulations to carry out this section, including—

“(1) standards for qualified loans and authorized payees; and

“(2) other terms and conditions for the making of loan repayments.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled “An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107-372) is amended by inserting after the item relating to section 266 the following:

“Sec. 267. Education loan repayment program.”.

SEC. 1722. INTEREST PAYMENTS.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.), as amended by section 1721(a), is further amended by adding at the end the following:

“SEC. 268. INTEREST PAYMENT PROGRAM.

“(a) AUTHORITY.—The Secretary may pay the interest and any special allowances that accrue on one or more student loans of an eligible officer, in accordance with this section.

“(b) ELIGIBLE OFFICERS.—An officer is eligible for the benefit described in subsection (a) while the officer—

“(1) is serving on active duty;

“(2) has not completed more than three years of service on active duty;

“(3) is the debtor on one or more unpaid loans described in subsection (c); and

“(4) is not in default on any such loan.

“(c) STUDENT LOANS.—The authority to make payments under subsection (a) may be exercised with respect to the following loans:

“(1) A loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.).

“(2) A loan made under part D of such title (20 U.S.C. 1087a et seq.).

“(3) A loan made under part E of such title (20 U.S.C. 1087aa et seq.).

“(d) MAXIMUM BENEFIT.—Interest and any special allowance may be paid on behalf of an officer under this section for any of the 36 consecutive months during which the officer is eligible under subsection (b).

“(e) COORDINATION WITH SECRETARY OF EDUCATION.—

“(1) IN GENERAL.—The Secretary shall consult with the Secretary of Education regarding the administration of this section.

“(2) REIMBURSEMENT AUTHORIZED.—The Secretary is authorized to reimburse the Secretary of Education—

“(A) for the funds necessary to pay interest and special allowances on student loans under this section (in accordance with sections 428(o), 455(1), and 464(j) of the Higher Education Act of 1965 (20 U.S.C. 1078(o), 1087e(1), and 1087dd(j)); and

“(B) for any reasonable administrative costs incurred by the Secretary of Education in coordinating the program under this section with the administration of the student loan programs under parts B, D, and E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq., 1087a et seq., 1087aa et seq.).

“(f) SPECIAL ALLOWANCE DEFINED.—In this section, the term ‘special allowance’ means a special allowance that is payable under section 438 of the Higher Education Act of 1965 (20 U.S.C. 1087-1).”.

(b) CONFORMING AMENDMENTS.—

(1) Section 428(o) of the Higher Education Act of 1965 (20 U.S.C. 1078(o)) is amended—

(A) by striking the subsection heading and inserting “ARMED FORCES AND NOAA COMMISSIONED OFFICER CORPS STUDENT LOAN INTEREST PAYMENT PROGRAMS”; and

(B) in paragraph (1)—

(i) by inserting “or section 268 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002” after “Code.”; and

(ii) by inserting “or an officer in the commissioned officer corps of the National Oceanic and Atmospheric Administration, respectively.” after “Armed Forces”.

(2) Sections 455(1) and 464(j) of the Higher Education Act of 1965 (20 U.S.C. 1087e(1) and 1087dd(j)) are each amended—

(A) by striking the subsection heading and inserting “ARMED FORCES AND NOAA COMMISSIONED OFFICER CORPS STUDENT LOAN INTEREST PAYMENT PROGRAMS”; and

(B) in paragraph (1)—

(i) by inserting “or section 268 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002” after “Code.”; and

(ii) by inserting “or an officer in the commissioned officer corps of the National Oceanic and Atmospheric Administration, respectively” after “Armed Forces”.

(c) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled “An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107-372), as amended by section 1721(b), is further amended by inserting after the item relating to section 267 the following:

“Sec. 268. Interest payment program.”.

SEC. 1723. STUDENT PRE-COMMISSIONING PROGRAM.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.), as amended by section 1722(a), is further amended by adding at the end the following:

“SEC. 269. STUDENT PRE-COMMISSIONING EDUCATION ASSISTANCE PROGRAM.

“(a) AUTHORITY TO PROVIDE FINANCIAL ASSISTANCE.—For the purpose of maintaining adequate numbers of officers of the commissioned officer corps of the Administration on active duty, the Secretary may provide financial assistance to a person described in subsection (b) for expenses of the person while the person is pursuing on a full-time basis at an accredited educational institution (as determined by the Secretary of Education) a program of education approved by the Secretary that leads to—

“(1) a baccalaureate degree in not more than five academic years; or

“(2) a postbaccalaureate degree.

“(b) ELIGIBLE PERSONS.—

“(1) IN GENERAL.—A person is eligible to obtain financial assistance under subsection (a) if the person—

“(A) is enrolled on a full-time basis in a program of education referred to in subsection (a) at any educational institution described in such subsection;

“(B) meets all of the requirements for acceptance into the commissioned officer corps of the Administration except for the completion of a baccalaureate degree; and

“(C) enters into a written agreement with the Secretary described in paragraph (2).

“(2) AGREEMENT.—A written agreement referred to in paragraph (1)(C) is an agreement between the person and the Secretary in which the person—

“(A) agrees to accept an appointment as an officer, if tendered; and

“(B) upon completion of the person’s educational program, agrees to serve on active duty, immediately after appointment, for—

“(i) up to three years if the person received less than three years of assistance; and

“(ii) up to five years if the person received at least three years of assistance.

“(c) QUALIFYING EXPENSES.—Expenses for which financial assistance may be provided under subsection (a) are the following:

“(1) Tuition and fees charged by the educational institution involved.

“(2) The cost of educational materials.

“(3) In the case of a program of education leading to a baccalaureate degree, laboratory expenses.

“(4) Such other expenses as the Secretary considers appropriate.

“(d) LIMITATION ON AMOUNT.—The Secretary shall prescribe the amount of financial assistance provided to a person under subsection (a), which may not exceed the amount specified in section 2173(e)(2) of title 10, United States Code, for each year of obligated service that a person agrees to serve in an agreement described in subsection (b)(2).

“(e) DURATION OF ASSISTANCE.—Financial assistance may be provided to a person under subsection (a) for not more than five consecutive academic years.

“(f) SUBSISTENCE ALLOWANCE.—

“(1) IN GENERAL.—A person who receives financial assistance under subsection (a) shall be entitled to a monthly subsistence allowance at a rate prescribed under paragraph (2)

for the duration of the period for which the person receives such financial assistance.

“(2) DETERMINATION OF AMOUNT.—The Secretary shall prescribe monthly rates for subsistence allowance provided under paragraph (1), which shall be equal to the amount specified in section 2144(a) of title 10, United States Code.

“(g) INITIAL CLOTHING ALLOWANCE.—

“(1) TRAINING.—The Secretary may prescribe a sum which shall be credited to each person who receives financial assistance under subsection (a) to cover the cost of the person’s initial clothing and equipment issue.

“(2) APPOINTMENT.—Upon completion of the program of education for which a person receives financial assistance under subsection (a) and acceptance of appointment in the commissioned officer corps of the Administration, the person may be issued a subsequent clothing allowance equivalent to that normally provided to a newly appointed officer.

“(h) TERMINATION OF FINANCIAL ASSISTANCE.—

“(1) IN GENERAL.—The Secretary shall terminate the assistance provided to a person under this section if—

“(A) the Secretary accepts a request by the person to be released from an agreement described in subsection (b)(2);

“(B) the misconduct of the person results in a failure to complete the period of active duty required under the agreement; or

“(C) the person fails to fulfill any term or condition of the agreement.

“(2) REIMBURSEMENT.—The Secretary may require a person who receives assistance described in subsection (c), (f), or (g) under an agreement entered into under subsection (b)(1)(C) to reimburse the Secretary in an amount that bears the same ratio to the total costs of the assistance provided to that person as the unserved portion of active duty bears to the total period of active duty the officer agreed to serve under the agreement.

“(3) WAIVER.—The Secretary may waive the service obligation of a person through an agreement entered into under subsection (b)(1)(C) if the person—

“(A) becomes unqualified to serve on active duty in the commissioned officer corps of the Administration because of a circumstance not within the control of that person; or

“(B) is—

“(i) not physically qualified for appointment; and

“(ii) determined to be unqualified for service in the commissioned officer corps of the Administration because of a physical or medical condition that was not the result of the person’s own misconduct or grossly negligent conduct.

“(4) OBLIGATION AS DEBT TO UNITED STATES.—An obligation to reimburse the Secretary imposed under paragraph (2) is, for all purposes, a debt owed to the United States.

“(5) DISCHARGE IN BANKRUPTCY.—A discharge in bankruptcy under title 11, United States Code, that is entered less than five years after the termination of a written agreement entered into under subsection (b)(1)(C) does not discharge the person signing the agreement from a debt arising under such agreement or under paragraph (2).

“(i) REGULATIONS.—The Secretary may prescribe such regulations and orders as the Secretary considers appropriate to carry out this section.

“(j) CONCURRENT COMPLETION OF SERVICE OBLIGATIONS.—A service obligation under this section may be completed concurrently with a service obligation under section 216.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled “An

Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107-372), as amended by section 1722(c), is further amended by inserting after the item relating to section 268 the following:

“Sec. 269. Student pre-commissioning education assistance program.”.

SEC. 1724. LIMITATION ON EDUCATIONAL ASSISTANCE.

(a) IN GENERAL.—Each fiscal year, beginning with the fiscal year in which this title is enacted, the Secretary of Commerce shall ensure that the total amount expended by the Secretary under section 267 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (as added by section 1721(a)), section 268 of such Act (as added by section 1722(a)), and section 269 of such Act (as added by section 1723(a)) does not exceed the amount by which—

(1) the total amount the Secretary would pay in that fiscal year to officer candidates under section 203(f)(1) of title 37, United States Code (as added by section 1735(d)), if such section entitled officer candidates to pay at monthly rates equal to the basic pay of a commissioned officer in the pay grade O-1 with less than 2 years of service, exceeds

(2) the total amount the Secretary actually pays in that fiscal year to officer candidates under section 203(f)(1) of such title (as so added).

(b) OFFICER CANDIDATE DEFINED.—In this section, the term “officer candidate” has the meaning given the term in paragraph (4) of section 212(b) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3002), as added by section 1735(c).

SEC. 1725. APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 10, UNITED STATES CODE, AND EXTENSION OF CERTAIN AUTHORITIES APPLICABLE TO MEMBERS OF THE ARMED FORCES TO COMMISSIONED OFFICER CORPS.

(a) APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 10.—Section 261(a) (33 U.S.C. 3071(a)) is amended—

(1) by redesignating paragraphs (13) through (16) as paragraphs (22) through (25), respectively;

(2) by redesignating paragraphs (7) through (12) as paragraphs (14) through (19), respectively;

(3) by redesignating paragraphs (4) through (6) as paragraphs (8) through (10), respectively;

(4) by inserting after paragraph (3) the following:

“(4) Section 771, relating to unauthorized wearing of uniforms.

“(5) Section 774, relating to wearing religious apparel while in uniform.

“(6) Section 982, relating to service on State and local juries.

“(7) Section 1031, relating to administration of oaths.”;

(5) by inserting after paragraph (10), as redesignated, the following:

“(11) Section 1074n, relating to annual mental health assessments.

“(12) Section 1090a, relating to referrals for mental health evaluations.

“(13) Chapter 58, relating to the Benefits and Services for members being separated or recently separated.”; and

(6) by inserting after paragraph (19), as redesignated, the following:

“(20) Subchapter I of chapter 88, relating to Military Family Programs, applicable on an as-available and fully reimbursable basis.

“(21) Section 2005, relating to advanced education assistance, active duty agreements, and reimbursement requirements.”.

(b) EXTENSION OF CERTAIN AUTHORITIES.—

(1) NOTARIAL SERVICES.—Section 1044a of title 10, United States Code, is amended—

(A) in subsection (a)(1), by striking “armed forces” and inserting “uniformed services”; and

(B) in subsection (b)(4), by striking “armed forces” both places it appears and inserting “uniformed services”.

(2) ACCEPTANCE OF VOLUNTARY SERVICES FOR PROGRAMS SERVING MEMBERS AND THEIR FAMILIES.—Section 1588 of such title is amended—

(A) in subsection (a)(3), in the matter before subparagraph (A), by striking “armed forces” and inserting “uniformed services”; and

(B) by adding at the end the following new subsection:

“(g) SECRETARY CONCERNED FOR ACCEPTANCE OF SERVICES FOR PROGRAMS SERVING MEMBERS OF NOAA CORPS AND THEIR FAMILIES.—For purposes of the acceptance of services described in subsection (a)(3), the term ‘Secretary concerned’ in subsection (a) shall include the Secretary of Commerce with respect to members of the commissioned officer corps of the National Oceanic and Atmospheric Administration.”.

(3) CAPSTONE COURSE FOR NEWLY SELECTED FLAG OFFICERS.—Section 2153 of such title is amended—

(A) in subsection (a)—

(i) by inserting “or the commissioned officer corps of the National Oceanic and Atmospheric Administration” after “in the case of the Navy”; and

(ii) by striking “other armed forces” and inserting “other uniformed services”; and

(B) in subsection (b)(1), in the matter before subparagraph (A), by inserting “or the Secretary of Commerce, as applicable,” after “the Secretary of Defense”.

SEC. 1726. APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 37, UNITED STATES CODE.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.) is amended by inserting after section 261 the following:

“SEC. 261A. APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 37, UNITED STATES CODE.

“The provisions of law applicable to the Armed Forces under the following provisions of title 37, United States Code, shall apply to the commissioned officer corps of the Administration:

“(1) Section 403(1), relating to temporary continuation of housing allowance for dependents of members dying on active duty.

“(2) Section 415, relating to initial uniform allowances.

“(3) Section 488, relating to allowances for recruiting expenses.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled “An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107–372) is amended by inserting after the item relating to section 261 the following:

“Sec. 261A. Applicability of certain provisions of title 37, United States Code.”.

SEC. 1727. PROHIBITION ON RETALIATORY PERSONNEL ACTIONS.

(a) IN GENERAL.—Subsection (a) of section 261 (33 U.S.C. 3071), as amended by section 1725(a), is further amended—

(1) by redesignating paragraphs (8) through (25) as paragraphs (9) through (26), respectively; and

(2) by inserting after paragraph (7) the following:

“(8) Section 1034, relating to protected communications and prohibition of retaliatory personnel actions.”.

(b) CONFORMING AMENDMENT.—Subsection (b) of such section is amended by adding at the end the following: “For purposes of para-

graph (8) of subsection (a), the term ‘Inspector General’ in section 1034 of such title 10 shall mean the Inspector General of the Department of Commerce.”.

(c) REGULATIONS.—Such section is further amended by adding at the end the following:

“(c) REGULATIONS REGARDING PROTECTED COMMUNICATIONS AND PROHIBITION OF RETALIATORY PERSONNEL ACTIONS.—The Secretary may prescribe regulations to carry out the application of section 1034 of title 10, United States Code, to the commissioned officer corps of the Administration, including by prescribing such administrative procedures for investigation and appeal within the commissioned officer corps as the Secretary considers appropriate.”.

SEC. 1728. EMPLOYMENT AND REEMPLOYMENT RIGHTS.

Section 4303(16) of title 38, United States Code, is amended by inserting “the commissioned officer corps of the National Oceanic and Atmospheric Administration,” after “Public Health Service.”.

SEC. 1729. TREATMENT OF COMMISSION IN COMMISSIONED OFFICER CORPS FOR PURPOSES OF CERTAIN HIRING DECISIONS.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.), as amended by this title, is further amended by adding at the end the following:

“SEC. 269A. TREATMENT OF COMMISSION IN COMMISSIONED OFFICER CORPS AS EMPLOYMENT IN ADMINISTRATION FOR PURPOSES OF CERTAIN HIRING DECISIONS.

“(a) IN GENERAL.—In any case in which the Secretary accepts an application for a position of employment with the Administration and limits consideration of applications for such position to applications submitted by individuals serving in a career or career-conditional position in the competitive service within the Administration, the Secretary shall deem an officer who has served as an officer in the commissioned officer corps for at least three years to be serving in a career or career-conditional position in the competitive service within the Administration for purposes of such limitation.

“(b) CAREER APPOINTMENTS.—If the Secretary selects an application submitted by an officer described in subsection (a) for a position described in such subsection, the Secretary shall give such officer a career or career-conditional appointment in the competitive service, as appropriate.

“(c) COMPETITIVE SERVICE DEFINED.—In this section, the term ‘competitive service’ has the meaning given the term in section 2102 of title 5, United States Code.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled “An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107–372) is amended by inserting after the item relating to section 269, as added by section 1723(b), the following new item:

“Sec. 269A. Treatment of commission in commissioned officer corps as employment in Administration for purposes of certain hiring decisions.”.

Subtitle C—Appointments and Promotion of Officers

SEC. 1731. APPOINTMENTS.

(a) ORIGINAL APPOINTMENTS.—Section 221 (33 U.S.C. 3021) is amended to read as follows:

“SEC. 221. ORIGINAL APPOINTMENTS AND REAPPOINTMENTS.

“(a) ORIGINAL APPOINTMENTS.—

“(1) GRADES.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), an original appointment of an officer may be made in such grades as may be appropriate for—

“(i) the qualification, experience, and length of service of the appointee; and

“(ii) the commissioned officer corps of the Administration.

“(B) APPOINTMENT OF OFFICER CANDIDATES.—

“(i) LIMITATION ON GRADE.—An original appointment of an officer candidate, upon graduation from the basic officer training program of the commissioned officer corps of the Administration, may not be made in any other grade than ensign.

“(ii) RANK.—Officer candidates receiving appointments as ensigns upon graduation from the basic officer training program shall take rank according to their proficiency as shown by the order of their merit at date of graduation.

“(2) SOURCE OF APPOINTMENTS.—An original appointment may be made from among the following:

“(A) Graduates of the basic officer training program of the commissioned officer corps of the Administration.

“(B) Subject to the approval of the Secretary of Defense, graduates of the military service academies of the United States who otherwise meet the academic standards for enrollment in the training program described in subparagraph (A).

“(C) Graduates of the State maritime academies who—

“(i) otherwise meet the academic standards for enrollment in the training program described in subparagraph (A);

“(ii) completed at least three years of regimented training while at a State maritime academy; and

“(iii) obtained an unlimited tonnage or unlimited horsepower Merchant Mariner Credential from the United States Coast Guard.

“(D) Licensed officers of the United States merchant marine who have served two or more years aboard a vessel of the United States in the capacity of a licensed officer, who otherwise meet the academic standards for enrollment in the training program described in subparagraph (A).

“(3) DEFINITIONS.—In this subsection:

“(A) MILITARY SERVICE ACADEMIES OF THE UNITED STATES.—The term ‘military service academies of the United States’ means the following:

“(i) The United States Military Academy, West Point, New York.

“(ii) The United States Naval Academy, Annapolis, Maryland.

“(iii) The United States Air Force Academy, Colorado Springs, Colorado.

“(iv) The United States Coast Guard Academy, New London, Connecticut.

“(v) The United States Merchant Marine Academy, Kings Point, New York.

“(B) STATE MARITIME ACADEMY.—The term ‘State maritime academy’ has the meaning given the term in section 51102 of title 46, United States Code.

“(b) REAPPOINTMENT.—

“(1) IN GENERAL.—Except as provided in paragraph (2), an individual who previously served in the commissioned officer corps of the Administration may be appointed by the Secretary to the grade the individual held prior to separation.

“(2) REAPPOINTMENTS TO HIGHER GRADES.—An appointment under paragraph (1) to a position of importance and responsibility designated under section 228 may only be made by the President.

“(c) QUALIFICATIONS.—An appointment under subsection (a) or (b) may not be given to an individual until the individual’s mental, moral, physical, and professional fitness to perform the duties of an officer has been established under such regulations as the Secretary shall prescribe.

“(d) ORDER OF PRECEDENCE.—Appointees under this section shall take precedence in

the grade to which appointed in accordance with the dates of their commissions as commissioned officers in such grade. The order of precedence of appointees whose dates of commission are the same shall be determined by the Secretary.

“(e) INTER-SERVICE TRANSFERS.—For inter-service transfers (as described in Department of Defense Directive 1300.4 (dated December 27, 2006)) the Secretary shall—

“(1) coordinate with the Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating to promote and streamline inter-service transfers;

“(2) give preference to such inter-service transfers for recruitment purposes as determined appropriate by the Secretary; and

“(3) reappoint such inter-service transfers to the equivalent grade in the commissioned officer corps.”

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled “An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107-372) is amended by striking the item relating to section 221 and inserting the following:

“Sec. 221. Original appointments and re-appointments.”

SEC. 1732. PERSONNEL BOARDS.

Section 222 (33 U.S.C. 3022) is amended to read as follows:

“SEC. 222. PERSONNEL BOARDS.

“(a) CONVENING.—Not less frequently than once each year and at such other times as the Secretary determines necessary, the Secretary shall convene a personnel board.

“(b) MEMBERSHIP.—

“(1) IN GENERAL.—A board convened under subsection (a) shall consist of five or more officers who are serving in or above the permanent grade of the officers under consideration by the board.

“(2) RETIRED OFFICERS.—Officers on the retired list may be recalled to serve on such personnel boards as the Secretary considers necessary.

“(3) NO MEMBERSHIP ON 2 SUCCESSIVE BOARDS.—No officer may be a member of two successive personnel boards convened to consider officers of the same grade for promotion or separation.

“(c) DUTIES.—Each personnel board shall—

“(1) recommend to the Secretary such changes as may be necessary to correct any erroneous position on the lineal list that was caused by administrative error; and

“(2) make selections and recommendations to the Secretary and the President for the appointment, promotion, involuntary separation, continuation, and involuntary retirement of officers in the commissioned officer corps of the Administration as prescribed in this title.

“(d) ACTION ON RECOMMENDATIONS NOT ACCEPTABLE.—If any recommendation by a board convened under subsection (a) is not accepted by the Secretary or the President, the board shall make such further recommendations as the Secretary or the President considers appropriate.

“(e) AUTHORITY FOR OFFICERS TO OPT OUT OF PROMOTION CONSIDERATION.—

“(1) IN GENERAL.—The Director of the National Oceanic and Atmospheric Administration Commissioned Officer Corps may provide that an officer, upon the officer's request and with the approval of the Director, be excluded from consideration for promotion by a personnel board convened under this section.

“(2) APPROVAL.—The Director shall approve a request made by an officer under paragraph (1) only if—

“(A) the basis for the request is to allow the officer to complete a broadening assignment, advanced education, another assign-

ment of significant value to the Administration, a career progression requirement delayed by the assignment or education, or a qualifying personal or professional circumstance, as determined by the Director;

“(B) the Director determines the exclusion from consideration is in the best interest of the Administration; and

“(C) the officer has not previously failed selection for promotion to the grade for which the officer requests the exclusion from consideration.”

SEC. 1733. POSITIONS OF IMPORTANCE AND RESPONSIBILITY.

Section 228 (33 U.S.C. 3028) is amended—

(1) in subsection (c)—

(A) in the first sentence, by striking “The Secretary shall designate one position under this section” and inserting “The President shall designate one position”; and

(B) in the second sentence, by striking “That position shall be filled by” and inserting “The President shall fill that position by appointing, by and with the advice and consent of the Senate.”;

(2) in subsection (d)(2), by inserting “or immediately beginning a period of terminal leave” after “for which a higher grade is designated”;

(3) by amending subsection (e) to read as follows:

“(e) LIMIT ON NUMBER OF OFFICERS APPOINTED.—The total number of officers serving on active duty at any one time in the grade of rear admiral (lower half) or above may not exceed five, with only one serving in the grade of vice admiral.”; and

(4) in subsection (f), by inserting “or in a period of annual leave used at the end of the appointment” after “serving in that grade”.

SEC. 1734. TEMPORARY APPOINTMENTS.

(a) IN GENERAL.—Section 229 (33 U.S.C. 3029) is amended to read as follows:

“SEC. 229. TEMPORARY APPOINTMENTS.

“(a) APPOINTMENTS BY PRESIDENT.—Temporary appointments in the grade of ensign, lieutenant junior grade, or lieutenant may be made by the President.

“(b) TERMINATION.—A temporary appointment to a position under subsection (a) shall terminate upon approval of a permanent appointment for such position made by the President.

“(c) ORDER OF PRECEDENCE.—Appointees under subsection (a) shall take precedence in the grade to which appointed in accordance with the dates of their appointments as officers in such grade. The order of precedence of appointees who are appointed on the same date shall be determined by the Secretary.

“(d) ANY ONE GRADE.—When determined by the Secretary to be in the best interest of the commissioned officer corps, officers in any permanent grade may be temporarily promoted one grade by the President. Any such temporary promotion terminates upon the transfer of the officer to a new assignment.”

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled “An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107-372) is amended by striking the item relating to section 229 and inserting the following:

“Sec. 229. Temporary appointments.”

SEC. 1735. OFFICER CANDIDATES.

(a) IN GENERAL.—Subtitle B (33 U.S.C. 3021 et seq.) is amended by adding at the end the following:

“SEC. 234. OFFICER CANDIDATES.

“(a) DETERMINATION OF NUMBER.—The Secretary shall determine the number of appointments of officer candidates.

“(b) APPOINTMENT.—Appointment of officer candidates shall be made under regulations,

which the Secretary shall prescribe, including regulations with respect to determining age limits, methods of selection of officer candidates, term of service as an officer candidate before graduation from the basic officer training program of the Administration, and all other matters affecting such appointment.

“(c) DISMISSAL.—The Secretary may dismiss from the basic officer training program of the Administration any officer candidate who, during the officer candidate's term as an officer candidate, the Secretary considers unsatisfactory in either academics or conduct, or not adapted for a career in the commissioned officer corps of the Administration. Officer candidates shall be subject to rules governing discipline prescribed by the Director of the National Oceanic and Atmospheric Administration Commissioned Officer Corps.

“(d) AGREEMENT.—

“(1) IN GENERAL.—Each officer candidate shall sign an agreement with the Secretary in accordance with section 216(a)(2) regarding the officer candidate's term of service in the commissioned officer corps of the Administration.

“(2) ELEMENTS.—An agreement signed by an officer candidate under paragraph (1) shall provide that the officer candidate agrees to the following:

“(A) That the officer candidate will complete the course of instruction at the basic officer training program of the Administration.

“(B) That upon graduation from such program, the officer candidate—

“(i) will accept an appointment, if tendered, as an officer; and

“(ii) will serve on active duty for at least four years immediately after such appointment.

“(e) REGULATIONS.—The Secretary shall prescribe regulations to carry out this section. Such regulations shall include—

“(1) standards for determining what constitutes a breach of an agreement signed under subsection (d)(1); and

“(2) procedures for determining whether such a breach has occurred.

“(f) REPAYMENT.—An officer candidate or former officer candidate who does not fulfill the terms of the obligation to serve as specified under subsection (d) shall be subject to the repayment provisions of section 216(b).”

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled “An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107-372) is amended by inserting after the item relating to section 233 the following:

“Sec. 234. Officer candidates.”

(c) OFFICER CANDIDATE DEFINED.—Section 212(b) (33 U.S.C. 3002(b)) is amended—

(1) by redesignating paragraphs (4) through (6) as paragraphs (5) through (7), respectively; and

(2) by inserting after paragraph (3) the following:

“(4) OFFICER CANDIDATE.—The term ‘officer candidate’ means an individual who is enrolled in the basic officer training program of the Administration and is under consideration for appointment as an officer under section 221(a)(2)(A).”

(d) PAY FOR OFFICER CANDIDATES.—Section 203 of title 37, United States Code, is amended by adding at the end the following:

“(f)(1) An officer candidate enrolled in the basic officer training program of the commissioned officer corps of the National Oceanic and Atmospheric Administration is entitled, while participating in such program, to monthly officer candidate pay at monthly rates equal to the basic pay of an enlisted

member in the pay grade E-5 with less than two years of service.

“(2) An individual who graduates from such program shall receive credit for the time spent participating in such program as if such time were time served while on active duty as a commissioned officer. If the individual does not graduate from such program, such time shall not be considered creditable for active duty or pay.”.

SEC. 1736. PROCUREMENT OF PERSONNEL.

(a) IN GENERAL.—Subtitle B (33 U.S.C. 3021 et seq.), as amended by section 1735(a), is further amended by adding at the end the following:

“SEC. 235. PROCUREMENT OF PERSONNEL.

“The Secretary may take such measures as the Secretary determines necessary in order to obtain recruits for the commissioned officer corps of the Administration, including advertising.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled “An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107-372), as amended by section 1735(b), is further amended by inserting after the item relating to section 234 the following:

“235. Procurement of personnel.”.

SEC. 1737. CAREER INTERMISSION PROGRAM.

(a) IN GENERAL.—Subtitle B (33 U.S.C. 3021 et seq.), as amended by section 1736(a), is further amended by adding at the end the following:

“SEC. 236. CAREER FLEXIBILITY TO ENHANCE RETENTION OF OFFICERS.

“(a) PROGRAMS AUTHORIZED.—The Secretary may carry out a program under which officers may be inactivated from active duty in order to meet personal or professional needs and returned to active duty at the end of such period of inactivation from active duty.

“(b) PERIOD OF INACTIVATION FROM ACTIVE DUTY; EFFECT OF INACTIVATION.—

“(1) IN GENERAL.—The period of inactivation from active duty under a program under this section of an officer participating in the program shall be such period as the Secretary shall specify in the agreement of the officer under subsection (c), except that such period may not exceed three years.

“(2) EXCLUSION FROM RETIREMENT.—Any period of participation of an officer in a program under this section shall not count toward eligibility for retirement or computation of retired pay under subtitle C.

“(c) AGREEMENT.—Each officer who participates in a program under this section shall enter into a written agreement with the Secretary under which that officer shall agree as follows:

“(1) To undergo during the period of the inactivation of the officer from active duty under the program such inactive duty training as the Director of the National Oceanic and Atmospheric Administration Commissioned Officer Corps shall require in order to ensure that the officer retains proficiency, at a level determined by the Director to be sufficient, in the technical skills, professional qualifications, and physical readiness of the officer during the inactivation of the officer from active duty.

“(2) Following completion of the period of the inactivation of the officer from active duty under the program, to serve two months on active duty for each month of the period of the inactivation of the officer from active duty under the program.

“(d) CONDITIONS OF RELEASE.—The Secretary shall—

“(1) prescribe regulations specifying the guidelines regarding the conditions of release that must be considered and addressed in the agreement required by subsection (c); and

“(2) at a minimum, prescribe the procedures and standards to be used to instruct an officer on the obligations to be assumed by the officer under paragraph (1) of such subsection while the officer is released from active duty.

“(e) ORDER TO ACTIVE DUTY.—Under regulations prescribed by the Secretary, an officer participating in a program under this section may, in the discretion of the Secretary, be required to terminate participation in the program and be ordered to active duty.

“(f) PAY AND ALLOWANCES.—

“(1) BASIC PAY.—During each month of participation in a program under this section, an officer who participates in the program shall be paid basic pay in an amount equal to two-thirtieths of the amount of monthly basic pay to which the officer would otherwise be entitled under section 204 of title 37, United States Code, as a member of the uniformed services on active duty in the grade and years of service of the officer when the officer commences participation in the program.

“(2) SPECIAL OR INCENTIVE PAY OR BONUS.—

“(A) PROHIBITION.—An officer who participates in a program under this section shall not, while participating in the program, be paid any special or incentive pay or bonus to which the officer is otherwise entitled under an agreement under chapter 5 of title 37, United States Code, that is in force when the officer commences participation in the program.

“(B) NOT TREATED AS FAILURE TO PERFORM SERVICES.—The inactivation from active duty of an officer participating in a program under this section shall not be treated as a failure of the officer to perform any period of service required of the officer in connection with an agreement for a special or incentive pay or bonus under chapter 5 of title 37, United States Code, that is in force when the officer commences participation in the program.

“(3) RETURN TO ACTIVE DUTY.—

“(A) SPECIAL OR INCENTIVE PAY OR BONUS.—Subject to subparagraph (B), upon the return of an officer to active duty after completion by the officer of participation in a program under this section—

“(i) any agreement entered into by the officer under chapter 5 of title 37, United States Code, for the payment of a special or incentive pay or bonus that was in force when the officer commenced participation in the program shall be revived, with the term of such agreement after revival being the period of the agreement remaining to run when the officer commenced participation in the program; and

“(ii) any special or incentive pay or bonus shall be payable to the officer in accordance with the terms of the agreement concerned for the term specified in clause (i).

“(B) LIMITATION.—

“(i) IN GENERAL.—Subparagraph (A) shall not apply to any special or incentive pay or bonus otherwise covered by that subparagraph with respect to an officer if, at the time of the return of the officer to active duty as described in that subparagraph—

“(I) such pay or bonus is no longer authorized by law; or

“(II) the officer does not satisfy eligibility criteria for such pay or bonus as in effect at the time of the return of the officer to active duty.

“(ii) PAY OR BONUS CEASES BEING AUTHORIZED.—Subparagraph (A) shall cease to apply to any special or incentive pay or bonus otherwise covered by that subparagraph with respect to an officer if, during the term of the revived agreement of the officer under subparagraph (A)(i), such pay or bonus ceases being authorized by law.

“(C) REPAYMENT.—An officer who is ineligible for payment of a special or incentive pay or bonus otherwise covered by this paragraph by reason of subparagraph (B)(i)(II) shall be subject to the requirements for repayment of such pay or bonus in accordance with the terms of the applicable agreement of the officer under chapter 5 of title 37, United States Code.

“(D) REQUIRED SERVICE IS ADDITIONAL.—Any service required of an officer under an agreement covered by this paragraph after the officer returns to active duty as described in subparagraph (A) shall be in addition to any service required of the officer under an agreement under subsection (c).

“(4) TRAVEL AND TRANSPORTATION ALLOWANCE.—

“(A) IN GENERAL.—Subject to subparagraph (B), an officer who participates in a program under this section is entitled, while participating in the program, to the travel and transportation allowances authorized by section 474 of title 37, United States Code, for—

“(i) travel performed from the residence of the officer, at the time of release from active duty to participate in the program, to the location in the United States designated by the officer as the officer's residence during the period of participation in the program; and

“(ii) travel performed to the residence of the officer upon return to active duty at the end of the participation of the officer in the program.

“(B) SINGLE RESIDENCE.—An allowance is payable under this paragraph only with respect to travel of an officer to and from a single residence.

“(5) LEAVE BALANCE.—An officer who participates in a program under this section is entitled to carry forward the leave balance existing as of the day on which the officer begins participation and accumulated in accordance with section 701 of title 10, but not to exceed 60 days.

“(g) PROMOTION.—

“(1) IN GENERAL.—An officer participating in a program under this section shall not, while participating in the program, be eligible for consideration for promotion under subtitle B.

“(2) RETURN TO SERVICE.—Upon the return of an officer to active duty after completion by the officer of participation in a program under this section—

“(A) the Secretary may adjust the date of rank of the officer in such manner as the Secretary shall prescribe in regulations for purposes of this section; and

“(B) the officer shall be eligible for consideration for promotion when officers of the same competitive category, grade, and seniority are eligible for consideration for promotion.

“(h) CONTINUED ENTITLEMENTS.—An officer participating in a program under this section shall, while participating in the program, be treated as a member of the uniformed services on active duty for a period of more than 30 days for purposes of—

“(1) the entitlement of the officer and of the dependents of the officer to medical and dental care under the provisions of chapter 55 of title 10; and

“(2) retirement or separation for physical disability under the provisions of subtitle C.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled “An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107-372), as amended by section 1736(b), is further amended by inserting after the item relating to section 235 the following:

“Sec. 236. Career flexibility to enhance retention of officers.”.

Subtitle D—Separation and Retirement of Officers

SEC. 1741. INVOLUNTARY RETIREMENT OR SEPARATION.

Section 241 (33 U.S.C. 3041) is amended by adding at the end the following:

“(d) DEFERMENT OF RETIREMENT OR SEPARATION FOR MEDICAL REASONS.—

“(1) IN GENERAL.—If the Secretary determines that the evaluation of the medical condition of an officer requires hospitalization or medical observation that cannot be completed with confidence in a manner consistent with the officer’s well-being before the date on which the officer would otherwise be required to retire or be separated under this section, the Secretary may defer the retirement or separation of the officer.

“(2) CONSENT REQUIRED.—A deferment may only be made with the written consent of the officer involved. If the officer does not provide written consent to the deferment, the officer shall be retired or separated as scheduled.

“(3) LIMITATION.—A deferment of retirement or separation under this subsection may not extend for more than 30 days after completion of the evaluation requiring hospitalization or medical observation.”.

SEC. 1742. SEPARATION PAY.

Section 242 (33 U.S.C. 3042) is amended by adding at the end the following:

“(d) EXCEPTION.—An officer discharged for twice failing selection for promotion to the next higher grade is not entitled to separation pay under this section if the officer—

“(1) expresses a desire not to be selected for promotion; or

“(2) requests removal from the list of selectees.”.

Subtitle E—Other National Oceanic and Atmospheric Administration Matters

SEC. 1751. CHARTING AND SURVEY SERVICES.

(a) IN GENERAL.—Not later than 270 days after the development of the strategy required by section 1002(b) of the Frank LoBiondo Coast Guard Authorization Act of 2018 (33 U.S.C. 892a note), the Secretary of Commerce shall enter into not fewer than 2 multi-year contracts with 1 or more private entities for the performance of charting and survey services by vessels.

(b) CHARTING AND SURVEYS IN THE ARCTIC.—In soliciting and engaging the services of vessels under subsection (a), the Secretary shall particularly emphasize the need for charting and surveys in the Arctic.

SEC. 1752. CO-LOCATION AGREEMENTS.

(a) IN GENERAL.—Notwithstanding any other provision of law, in fiscal year 2020 and each fiscal year thereafter, and subject to the availability of appropriations, the Administrator of the National Oceanic and Atmospheric Administration may execute non-competitive co-location agreements for real property and incidental goods and services with entities described in subsection (b) for periods of not more than 30 years, if each such agreement is supported by a price reasonableness analysis.

(b) ENTITIES DESCRIBED.—An entity described in this subsection is—

(1) the government of any State, territory, possession, or locality of the United States;

(2) any Tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304));

(3) any subdivision of—

(A) a government described in paragraph (1); or

(B) an organization described in paragraph (2); or

(4) any organization that is—

(A) organized under the laws of the United States or any jurisdiction within the United States; and

(B) described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(c) COLLABORATION AGREEMENTS.—Upon the execution of an agreement authorized by subsection (a) with an entity, the Administrator may enter into agreements with the entity to collaborate or engage in projects or programs on matters of mutual interest for periods not to exceed the term of the agreement. The cost of such agreements shall be apportioned equitably, as determined by the Administrator.

SEC. 1753. SATELLITE AND DATA MANAGEMENT.

Section 301 of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8531) is amended—

(1) in subsection (c)(1), by striking subparagraph (D) and inserting the following:

“(D) improve—

“(i) weather and climate forecasting and predictions; and

“(ii) the understanding, management, and exploration of the ocean.”; and

(2) in subsection (d)—

(A) in paragraph (1)—

(i) by striking “data and satellite systems” and inserting “data, satellite, and other observing systems”; and

(ii) by striking “to carry out” and all that follows and inserting the following: “to carry out—

“(A) basic, applied, and advanced research projects and ocean exploration missions to meet the objectives described in subparagraphs (A) through (D) of subsection (c)(1); or

“(B) any other type of project to meet other mission objectives, as determined by the Under Secretary.”;

(B) in paragraph (2)(B)(i), by striking “satellites” and all that follows and inserting “systems, including satellites, instrumentation, ground stations, data, and data processing.”; and

(C) in paragraph (3), by striking “2023” and inserting “2030”.

SEC. 1754. IMPROVEMENTS RELATING TO SEXUAL HARASSMENT AND ASSAULT PREVENTION AT THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

(a) REPORTING.—Subtitle C of title XXXV of the National Defense Authorization Act for Fiscal Year 2017 (33 U.S.C. 894 et seq.) is amended—

(1) in section 3541(b)(3)(B) (33 U.S.C. 894(b)(3)(B)), by striking “can be confidentially reported” and inserting “can be reported on a restricted or unrestricted basis”; and

(2) in section 3542(b)(5)(B) (33 U.S.C. 894a(b)(5)(B)), by striking “can be confidentially reported” and inserting “can be reported on a restricted or unrestricted basis”.

(b) INVESTIGATIVE REQUIREMENT.—Such subtitle is amended—

(1) by redesignating sections 3546 and 3547 as sections 3548 and 3549, respectively; and

(2) by inserting after section 3545 the following:

“SEC. 3546. INVESTIGATION REQUIREMENT.

“(a) REQUIREMENT TO INVESTIGATE.—

“(1) IN GENERAL.—The Secretary of Commerce, acting through the Under Secretary for Oceans and Atmosphere, shall ensure that each allegation of sexual harassment reported under section 3541 and each allegation of sexual assault reported under section 3542 is investigated thoroughly and promptly.

“(2) SENSE OF CONGRESS ON COMMENCEMENT OF INVESTIGATION.—It is the sense of Congress that the Secretary should ensure that an investigation of an alleged sexual harassment reported under section 3541 or sexual assault reported under section 3542 commences not later than 48 hours after the time at which the allegation was reported.

“(b) NOTIFICATION OF DELAY.—In any case in which the time between the reporting of an alleged sexual harassment or sexual assault under section 3541 or 3542, respectively, and commencement of an investigation of the allegation exceeds 48 hours, the Secretary shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives of the delay.

“SEC. 3547. CRIMINAL REFERRAL.

“If the Secretary of Commerce finds, pursuant to an investigation under section 3546, evidence that a crime may have been committed, the Secretary shall refer the matter to the appropriate law enforcement authorities, including the appropriate United States Attorney.”.

(c) CLERICAL AMENDMENT.—The table of contents in section 2(b) of such Act is amended by striking the items relating to sections 3546 and 3547 and inserting the following new items:

“Sec. 3546. Investigation requirement.

“Sec. 3547. Criminal referral.

“Sec. 3548. Annual report on sexual assaults in the National Oceanic and Atmospheric Administration.

“Sec. 3549. Sexual assault defined.”.

SEC. 1755. UPDATE TO ENVIRONMENTAL SENSITIVITY INDEX PRODUCTS OF NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION FOR GREAT LAKES.

(a) UPDATE REQUIRED FOR ENVIRONMENTAL SENSITIVITY INDEX PRODUCTS FOR GREAT LAKES.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary for Oceans and Atmosphere shall commence updating the environmental sensitivity index products of the National Oceanic and Atmospheric Administration for each coastal area of the Great Lakes.

(b) PERIODIC UPDATES FOR ENVIRONMENTAL SENSITIVITY INDEX PRODUCTS GENERALLY.—Subject to the availability of appropriations and the priorities set forth in subsection (c), the Under Secretary shall—

(1) periodically update the environmental sensitivity index products of the Administration; and

(2) endeavor to do so not less frequently than once every 7 years.

(c) PRIORITIES.—When prioritizing geographic areas to update environmental sensitivity index products, the Under Secretary shall consider—

(1) the age of existing environmental sensitivity index products for the areas;

(2) the occurrence of extreme events, be it natural or man-made, which have significantly altered the shoreline or ecosystem since the last update;

(3) the natural variability of shoreline and coastal environments; and

(4) the volume of vessel traffic and general vulnerability to spilled pollutants.

(d) ENVIRONMENTAL SENSITIVITY INDEX PRODUCT DEFINED.—In this section, the term “environmental sensitivity index product” means a map or similar tool that is utilized to identify sensitive shoreline, coastal, or offshore resources prior to an oil spill event in order to set baseline priorities for protection and plan cleanup strategies, typically including information relating to shoreline type, biological resources, and human use resources.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Under Secretary \$7,500,000 to carry out subsection (a).

(2) AVAILABILITY.—Amounts appropriated or otherwise made available pursuant to paragraph (1) shall be available to the Under Secretary for the purposes set forth in such paragraph until expended.

SA 2493. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 806(a)(1), strike subparagraphs (C) and (D) and insert the following:

(C) taking actions to address domestic barriers (including regulatory, administrative, and statutory barriers) to expand capacity or diversify sources of supply;

(D) taking a combination of actions described under subparagraphs (A), (B), and (C); or

(E) taking no actions, restrictions, or additional investment.

SA 2494. Mr. REED submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . EXTENSION OF PERIOD FOR ADJUSTMENT OF STATUS FOR CERTAIN LIBERIAN NATIONALS.

Section 7611(b)(1)(A) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92) is amended by striking “1 year After the date of enactment of the Act” and inserting “July 1, 2021.”

SA 2495. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 549. MEASURES FOR PERSONAL AND PROFESSIONAL DEVELOPMENT OF MEMBERS OF THE ARMED FORCES WHO ARE QUARANTINED IN CONNECTION WITH THE CORONAVIRUS DISEASE 2019 (COVID-19).

(a) **DEVELOPMENT OF MEASURES REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall develop measures to ensure the personal and professional development of members of the Armed Forces (including cadets and midshipmen at the military service academies) who are quarantined in connection with the Coronavirus Disease 2019 (COVID-19).

(b) **SCOPE OF MEASURES.**—The measures required by subsection (a) shall provide for the following:

(1) The availability to members of the Armed Forces quarantined in connection with the Coronavirus Disease 2019 of each of the following:

(A) Behavioral and mental health resources, including access to mental health providers, counselors, and chaplains.

(B) Physical activity and exercise.

(C) Resources and other platforms relating to professional development and self improvement

(2) The availability of peer-to-peer interactions among members described in paragraph (1), including access of cadets and midshipmen at the military service academies to cadre, coaches, and coaching staff.

(3) The availability of communication between units deployed and stationed at home regarding synchronization of quarantine plans for units with members described in paragraph (1).

(4) Such other matters relating to the personal and professional development of members of the Armed Forces who are quarantined in connection with the Coronavirus Disease 2019 as the Secretary considers appropriate.

(c) **COMMENCEMENT OF IMPLEMENTATION.**—The measures developed pursuant to subsection (a) shall be implemented beginning not later than 90 days after the completion of the development of the measures pursuant to that subsection.

SA 2496. Mr. CRUZ (for himself, Ms. SINEMA, Mr. WICKER, Ms. CANTWELL, Mr. KAINE, Mr. CORNYN, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XVI, add the following:

SEC. 1610. CONTINUATION OF THE INTERNATIONAL SPACE STATION.

(a) **PRESENCE IN LOW-EARTH ORBIT.**—

(1) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(A) it is in the national and economic security interests of the United States to maintain a continuous human presence in low-Earth orbit;

(B) the International Space Station is a strategic national security asset vital to the continued space exploration and scientific advancements of the United States; and

(C) low-Earth orbit should be utilized as a testbed to advance human space exploration, scientific discoveries, and United States economic competitiveness and commercial participation.

(2) **HUMAN PRESENCE REQUIREMENT.**—The United States shall continuously maintain the capability for a continuous human presence in low-Earth orbit through and beyond the useful life of the International Space Station.

(b) **MAINTAINING A NATIONAL LABORATORY IN SPACE.**—

(1) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(A) the United States national laboratory in space, which currently consists of the United States segment of the International Space Station (designated as a national laboratory under section 70905 of title 51, United States Code)—

(i) benefits the scientific community and promotes commerce in space;

(ii) fosters stronger relationships among the National Aeronautics and Space Administration (referred to in this section as “NASA”) and other Federal agencies, the

private sector, and research groups and universities;

(iii) advances science, technology, engineering, and mathematics education through utilization of the unique microgravity environment; and

(iv) advances human knowledge and international cooperation;

(B) after the International Space Station is decommissioned, the United States should maintain a national microgravity laboratory in space;

(C) in maintaining a national microgravity laboratory described in subparagraph (B), the United States should make appropriate accommodations for different types of ownership and operational structures for the International Space Station and future space stations;

(D) the national microgravity laboratory described in subparagraph (B) should be maintained beyond the date on which the International Space Station is decommissioned and, if possible, in cooperation with international space partners to the extent practicable; and

(E) NASA should continue to support fundamental science research on future platforms in low-Earth orbit and cis-lunar space, short duration suborbital flights, drop towers, and other microgravity testing environments.

(2) **REPORT.**—The Administrator of NASA shall produce, in coordination with the National Space Council and other Federal agencies as the Administrator considers relevant, a report detailing the feasibility of establishing a microgravity national laboratory Federally Funded Research and Development Center to undertake the work related to the study and utilization of in-space conditions.

(c) **CONTINUATION OF AUTHORITY.**—

(1) **IN GENERAL.**—Section 501(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18351(a)) is amended by striking “2024” and inserting “2030”.

(2) **MAINTENANCE OF THE UNITED STATES SEGMENT AND ASSURANCE OF CONTINUED OPERATIONS OF THE INTERNATIONAL SPACE STATION.**—Section 503(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18353(a)) is amended by striking “2024” and inserting “2030”.

(3) **RESEARCH CAPACITY ALLOCATION AND INTEGRATION OF RESEARCH PAYLOADS.**—Section 504(d) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354(d)) is amended by striking “2024” each place it appears and inserting “2030”.

(4) **MAINTAINING USE THROUGH AT LEAST 2030.**—Section 70907 of title 51, United States Code, is amended—

(A) in the section heading, by striking “2024” and inserting “2030”; and

(B) by striking “2024” each place it appears and inserting “2030”.

(d) **TRANSITION PLAN REPORTS.**—Section 50111(c)(2) of title 51, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking “2023” and inserting “2028”; and

(2) in subparagraph (J), by striking “2028” and inserting “2030”.

(f) **DEPARTMENT OF DEFENSE ACTIVITIES ON INTERNATIONAL SPACE STATION.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall—

(A) identify and review each activity, program, and project of the Department of Defense completed, being carried out, or planned to be carried out on the International Space Station as of the date of the review; and

(B) provide to the appropriate committees of Congress a briefing that describes the results of the review.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Science, Space, and Technology, and the Committee on Appropriations of the House of Representatives.

SA 2497. Mr. DURBIN (for himself, Ms. DUCKWORTH, Mr. PERDUE, Mr. BLUMENTHAL, Mr. JONES, Mr. MURPHY, Mr. CASEY, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 752. PILOT PROGRAM TO PROMOTE MILITARY READINESS IN THE PROVISION OF PROSTHETIC AND ORTHOTIC CARE.

(a) GRANTS REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall carry out a pilot program to assess the feasibility and advisability of awarding grants to institutions determined by the Secretary to be eligible for the award of such grants to enable such institutions to establish or expand an existing accredited master’s degree program in orthotics and prosthetics.

(2) PRIORITY.—The Secretary shall give priority in the award of grants under this section to institutions that have entered into a partnership with a facility or program administered by the Department of Defense that offers students training or experience in meeting the unique needs of members of the Armed Forces who have experienced limb loss or limb impairment, including by offering clinical rotations at a public or private sector orthotics and prosthetics practice that serves members of the Armed Forces or veterans, including the following facilities or programs:

(A) Walter Reed National Military Medical Center.

(B) Brooke Army Medical Center.

(C) The Orthotics and Prosthetics Outcomes Research Program of the Department of Defense.

(3) FUTURE PREFERENCE.—In fiscal years after fiscal year 2021, the Secretary shall give preference in the award of grants under this section to qualified, eligible applicants for such grants that were not awarded a grant in fiscal year 2021.

(b) APPLICATIONS.—

(1) REQUEST FOR PROPOSALS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall issue a request for proposals from institutions eligible for grants under this section.

(2) APPLICATION.—An institution that seeks the award of a grant under this section shall submit to the Secretary an application therefor at such time, in such manner, and accompanied by such information as the Secretary may require, including—

(A) demonstration of a willingness and ability to participate in a partnership described in subsection (a)(2); and

(B) demonstration of an ability to achieve and maintain an accredited orthotics and prosthetics program after the end of the grant period.

(c) GRANT USES.—An institution awarded a grant under this section shall use grant amounts for any purpose as follows:

(1) To establish or expand an accredited orthotics and prosthetics master’s degree program.

(2) To train doctoral candidates in orthotics and prosthetics, or in fields related to orthotics and prosthetics, to prepare such candidates to instruct in orthotics and prosthetics programs.

(3) To train and retain faculty in orthotics and prosthetics education, or in fields related to orthotics and prosthetics education, to prepare such faculty to instruct in orthotics and prosthetics programs.

(4) To fund faculty research projects or faculty time to undertake research in orthotics and prosthetics for the purpose of furthering the teaching abilities of such faculty.

(d) ADMISSIONS PREFERENCE.—To the extent practicable, an institution awarded a grant under this section shall give preference to veterans in admission to the master’s degree program in orthotics and prosthetics established or expanded under this section.

(e) LIMITATION ON GRANT AMOUNT.—The amount of any grant awarded to an institution under this section may not exceed \$3,000,000.

(f) PERIOD OF USE OF FUNDS.—An institution awarded a grant under this section may use the grant amount for a period of three years after the award of the grant.

(g) REPORT.—

(1) IN GENERAL.—Not later than 180 days after awarding the first grant under this section, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot program conducted under this section.

(2) ELEMENTS.—The report required by paragraph (1) shall include a description of the pilot program and other such matters relating to the pilot program as the Secretary considers appropriate.

AUTHORITY FOR COMMITTEES TO MEET

Mr. McCONNELL. Mr. President, I have 5 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 ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, July 23, 2020, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, July 23, 2020, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session

of the Senate on Thursday, July 23, 2020, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship is authorized to meet during the session of the Senate on Thursday, July 23, 2020, at 10 a.m., to conduct a hearing.

SUBCOMMITTEE ON COMMUNICATION, TECHNOLOGY, INNOVATION, AND THE INTERNET

The Subcommittee on Communication, Technology, Innovation, and The Internet of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Thursday, July 23, 2020, at 10 a.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the following interns in Senator PAUL’s office be granted floor privileges until August 8, 2020: Sean Piwowar and Jessica Zepeda.

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

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, upon the recommendation of the Democratic Leader, pursuant to Public Law 116-113, and in consultation with the Ranking Member of the Senate Committee on Finance, appoints the following individuals to the Independent Mexico Labor Expert Board: Sandra M. Polaski of the District of Columbia and Timothy J. Beaty of Virginia.

PROTECTING 2020 RECOVERY REBATES FOR INDIVIDUALS FROM ASSIGNMENT OR GARNISHMENT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Finance be discharged from further consideration of S. 3841 and the Senate proceed to its immediate consideration. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table; further, that the bill be held at the desk, and should the Senate receive from the House of Representatives a bill, the text of which is identical to that of S. 3841, the Senate proceed to its immediate consideration, the bill be considered read a third time and passed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate, and S. 3841 be indefinitely postponed.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bill (S. 3841) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3841

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

SECTION 1. PROTECTION OF 2020 RECOVERY REBATES.

(a) IN GENERAL.—Subsection (d) of section 2201 of the CARES Act (Public Law 116-136) is amended—

(1) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), and by moving such subparagraphs 2 ems to the right,

(2) by striking “REDUCTION OR OFFSET.—Any credit” and inserting “REDUCTION, OFFSET, GARNISHMENT, ETC.—

“(1) IN GENERAL.—Any credit”, and

(3) by adding at the end the following new paragraphs:

“(2) ASSIGNMENT OF BENEFITS.—

“(A) IN GENERAL.—The right of any person to any applicable payment shall not be transferable or assignable, at law or in equity, and no applicable payment shall be subject to, execution, levy, attachment, garnishment, or other legal process, or the operation of any bankruptcy or insolvency law.

“(B) ENCODING OF PAYMENTS.—As soon as practicable, but not earlier than 10 days after the date of the enactment of this paragraph, in the case of an applicable payment that is paid electronically by direct deposit through the Automated Clearing House (ACH) network, the Secretary of the Treasury (or the Secretary’s delegate) shall—

“(i) issue the payment using a unique identifier that is reasonably sufficient to allow a financial institution to identify the payment as an applicable payment, and

“(ii) further encode the payment pursuant to the same specifications as required for a benefit payment defined in section 212.3 of title 31, Code of Federal Regulations.

“(C) GARNISHMENT.—

“(i) ENCODED PAYMENTS.—In the case of a garnishment order received after the date that is 10 days after the date of the enactment of this paragraph and that applies to an account that has received an applicable payment that is encoded as provided in subparagraph (B), a financial institution shall follow the requirements and procedures set forth in part 212 of title 31, Code of Federal Regulations, except a financial institution shall not, with regard to any applicable payment, be required to provide the notice referenced in sections 212.6 and 212.7 of title 31, Code of Federal Regulations. This paragraph shall not alter the status of applicable payments as tax refunds or other nonbenefit payments for purpose of any reclamation rights of the Department of Treasury or the Internal Revenue Service as per part 210 of title 31 of the Code of Federal Regulations.

“(ii) OTHER PAYMENTS.—If a financial institution receives a garnishment order, other than an order that has been served by the

United States or an order that has been served by a Federal, State, or local child support enforcement agency, that has been received by a financial institution after the date that is 10 days after the date of the enactment of this paragraph and that applies to an account into which an applicable payment that has not been encoded as provided in subparagraph (B) has been deposited electronically or by an applicable payment that has been deposited by check on any date in the lookback period, the financial institution, upon the request of the account holder, shall treat the amount of the funds in the account at the time of the request, up to the amount of the applicable payment (in addition to any amounts otherwise protected under part 212 of title 31, Code of Federal Regulations), as exempt from a garnishment order without requiring the consent of the party serving the garnishment order or the judgment creditor.

“(iii) LIABILITY.—A financial institution that acts in good faith in reliance on clauses (i) or (ii) shall not be subject to liability or regulatory action under any Federal or State law, regulation, court or other order, or regulatory interpretation for actions concerning any applicable payments.

“(D) DEFINITIONS.—For purposes of this paragraph—

“(i) ACCOUNT HOLDER.—The term ‘account holder’ means a natural person whose name appears in a financial institution’s records as the direct or beneficial owner of an account.

“(ii) ACCOUNT REVIEW.—The term ‘account review’ means the process of examining deposits in an account to determine if an applicable payment has been deposited into the account during the lookback period. The financial institution shall perform the account review following the procedures outlined in section 212.5 of title 31, Code of Federal Regulations and in accordance with the requirements of section 212.6 of title 31, Code of Federal Regulations.

“(iii) APPLICABLE PAYMENT.—The term ‘applicable payment’ means any payment of credit or refund by reason of section 6428 of the Internal Revenue Code of 1986 (as so added) or by reason of subsection (c) of this section.

“(iv) GARNISHMENT.—The term ‘garnishment’ means execution, levy, attachment, garnishment, or other legal process.

“(v) GARNISHMENT ORDER.—The term ‘garnishment order’ means a writ, order, notice, summons, judgment, levy, or similar written instruction issued by a court, a State or State agency, a municipality or municipal corporation, or a State child support enforcement agency, including a lien arising by operation of law for overdue child support or

an order to freeze the assets in an account, to effect a garnishment against a debtor.

“(vi) LOOKBACK PERIOD.—The term ‘lookback period’ means the two month period that begins on the date preceding the date of account review and ends on the corresponding date of the month two months earlier, or on the last date of the month two months earlier if the corresponding date does not exist.”

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

ORDERS FOR MONDAY, JULY 27, 2020

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 4 p.m., Monday, July 27; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session to resume consideration of the Hardy nomination, under the previous order.

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

ADJOURNMENT UNTIL MONDAY, JULY 27, 2020, at 4 P.M.

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

There being no objection, the Senate, at 5:24 p.m., adjourned until Monday, July 27, 2020, at 4 p.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 23, 2020:

THE JUDICIARY

GRANT C. JAQUITH, OF NEW YORK, TO BE A JUDGE OF THE UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS FOR THE TERM OF FIFTEEN YEARS.

SCOTT J. LAURER, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS FOR THE TERM OF FIFTEEN YEARS.