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## Senate

The Senate met at 10 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.

Eternal Lord, ride into our hearts today and fill us with Your power. Lord, give us such strength that we will face life's difficulties with faith, hope, and love. May our lawmakers so embrace these spiritual attributes that Your Name will be glorified throughout our Nation and world.

As our Senators dedicate their lives to obey Your precepts, direct them to Your desired destination. Lord, give them a faith that will not shrink when at times they cannot see clearly the road ahead. Help them to place their total trust in You.

We pray in Your holy 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 (Mrs. LOEFFLER). The Senator from Iowa.

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

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

### BELARUS

Mr. GRASSLEY. Madam President, I imagine the people of the United States have been able to follow the demonstrations in Belarus in opposition to the President declaring victory there. Since Aleksandr Lukashenko came to power in Belarus in 1994, he has consolidated power, and, in the

process, suppressed democratic opposition.

So the fact that the Belarus August Presidential election was a sham, as we all know, and he was once again declared to be the winner by a highly implausible margin, should not surprise anyone. However, this time, the Belarusian people have had enough. This time, brutal crackdowns by security forces have not crushed grassroots demands for democracy.

The quest for liberty is embedded in the DNA of the American Republic, so the Americans naturally watch with interest as the people of Belarus continue to demand their God-given rights. The American people stand with the people of Belarus.

I also appreciate very much the strong stance taken by European governments supporting the Belarusian people as the American people have.

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. Without objection, it is so ordered.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

### CORONAVIRUS

Mr. MCCONNELL. Madam President, Republican Senators, like working families all across the country had hoped—hoped—the Senate would be spending this week completing more bipartisan pandemic relief.

We proposed another package with hundreds of billions of dollars to make schools safer for our kids, to help

American workers keep or regain their jobs, and to invest more in testing treatments and finding and distributing a vaccine. But alas, Democrats filibustered it all, apparently intent that working families cannot receive any more relief until election day.

Across the Capitol, Speaker PELOSI's excuses and Goldilocks games are even wearing thin on our fellow Democrats. A few weeks ago, more than 100 House Democrats publicly—publicly—asked Speaker PELOSI to stop blocking action on any coronavirus legislation besides her multitrillion-dollar, far-left wish list. She ignored them. She completely ignored them.

Yesterday, a number of House Democrats tried again. They released a new proposal they had written to some Republicans and pleaded with the Speaker to allow a vote on it. Again, she shot down any notion whatsoever of compromise. Now, bear in mind, the Speaker had explained she will block any compromise for kids, jobs, and healthcare because—because—passing anything short of multiple trillions of dollars would make her look like “a cheap date”—a cheap date.

The money that K–12 schools need, that unemployed workers need, and that we need for the race toward vaccines, Speaker PELOSI is blocking all of it because, apparently, to the San Francisco far left, anything short of multiple trillions of dollars would make her “a cheap date.” So, apparently, for the sake of the Speaker's personal ego, working families continue to suffer with no bipartisan help from Congress.

### FILIBUSTERS

Mr. MCCONNELL. Madam President, now, since Democrats are stonewalling pandemic relief, the Senate is using our time to confirm more well-qualified judicial nominees to lifetime positions on the Federal bench. Renewing the Federal judiciary has been a major success over the last 4 years.

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



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Since January 2017, President Trump has nominated, and this Republican Senate has confirmed, 211 article III judges, including 53 circuit judges. That is the second most appellate confirmations of any President in American history at this point in their term.

This isn't a partisan victory. The President has sent us impressive, qualified men and women who understand the radical notion that the job of judge is to actually follow the law—follow the law. It is a victory for our Constitution itself, but, believe me, this progress has not come easy.

Throughout the last 4 years, our Senate Democratic colleagues have visited a historic degree of obstruction upon this President and his efforts to stand up the administration that the American people actually elected.

Senate Democrats have forced us to break more filibusters on nominations since 2017—now listen to this—than had occurred cumulatively in all of Senate history—all of Senate history—before President Trump was sworn in. I am going to say that again.

Senate Democrats have forced us to break more filibusters on nominations since 2017 than had occurred cumulatively in all of Senate history before President Trump was sworn in. They have attempted to filibuster more nominations in the last 3 years than the sum total of all prior Senates—from 1789 through 2016 added together.

What was once a rare roadblock for the most controversial people has now become a daily norm. Before 2017, before this Senate Democratic minority got to work, only 5 percent of all nominations to district courts and circuit courts had been subjected to filibusters. I will say it again.

Before 2017, before this Senate Democratic minority got to work, only 5 percent of all nominations to district courts and circuit courts had been subjected to filibusters. Under President Trump, the number has been 80 percent—80 percent. Our Democratic colleagues even obstruct nominees they don't even oppose. We have taken more than 100 cloture votes on district judges, even though district court nominees from any State with a Democratic Senator could not have even gotten out of committee without Democratic support.

So, to summarize, here is what we are doing this week. We are breaking Democratic filibusters on nominations because Democrats are filibustering coronavirus relief. And let us not forget the cherry on top. Because self-awareness apparently no longer exists, our Democratic colleagues have chosen this very moment to argue that they shouldn't have to play by any of these rules if they ever get power themselves.

President Obama calls the filibuster “a relic of Jim Crow,” even as Senate Democrats use it over and over and over again. Democrats filibustered police reform and filibustered pandemic relief for working families. Some years back, the Democratic leader told the newspaper: “I am the leader of the fili-

buster movement [and] I am proud of it.” That was the Democratic leader.

But now—now—they are saying that if they ever get power, they intend to tear up the rule book to force radicalism on our country. They want to break the rules to pass the kinds of radical, far-left policies that former Vice President Biden has rushed—rushed—to embrace, from abortion to socialism, to cracking down on the Second Amendment.

And that is not all. It is not just about bad policies. They want to go even deeper and hot-wire—hot-wire—our democracy itself. The far left is salivating over the prospect of killing the filibuster in order to pack the Supreme Court, pack the Senate with new States, and tilt the playing field permanently so they can never lose power again.

This is not some rightwing conspiracy theory. These are the signals they are sending publicly right now. This is what the left is saying out there. Maybe this hard-left hypocrisy plays well in a few big coastal cities. Maybe the angry crowds that are pulling down statues of our Founding Fathers want Senators who will pull down government institutions as well. Most Americans see things differently.

#### E-CIGARETTES

Mr. McCONNELL. Madam President, now, on another matter entirely, a few days ago, the country got something that has been in too short supply in 2020: some really great news—specifically, great news on the subject of public health.

According to the 2020 National Youth Tobacco Survey, administered by the FDA and the CDC, the number of American youth using e-cigarettes has dropped by 1.8 million since just last year—1.8 million in 1 year. That means, of course, that 1.8 million fewer young Americans are using e-cigarettes and vaping devices than 1 year ago.

This victory for young Americans' health is no accident. The experts say a number of factors are at play, but one major contributing factor unfolded right here in the Senate a little under a year ago.

Last December, the President signed the Tobacco-Free Youth Act into law. It was a bill I wrote and introduced to stem the tide of what was a rapidly growing health crisis among our Nation's young people. The bipartisan bill I wrote with my good friend TIM KAINE from Virginia and with the help of other colleagues, including Senator TODD YOUNG, raised the minimum age to purchase tobacco products, including e-cigarettes and vaping devices, from 18 to 21.

This is based on clear-cut science. Public health experts tell us the harmful effects of nicotine are most potent on bodies and brains that are still developing. Nearly 9 out of 10 adult smokers started by the age of 18. So we knew it was time to take action.

I am proud to have led the legislation that took another leap forward in get-

ting nicotine addiction away from our Nation's youth, and by the looks of these data, it has not taken long for our legislation to begin to pay major dividends.

Nearly 2 million fewer teens in Kentucky, Virginia, Indiana, and across the country are having their future put in jeopardy by these products. That is a win, and it has happened largely because the Senate stepped up.

#### MEASURE PLACED ON THE CALENDAR—S. 4582

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

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 4582) to extend, temporarily, daylight saving time, and for other purposes.

Mr. McCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I would object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

#### 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.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Todd Wallace Robinson, of California, to be United States District Judge for the Southern District of California.

Mr. McCONNELL. 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. SCHUMER. Madam 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.

#### ELECTION SECURITY

Mr. SCHUMER. Madam President, in only 48 days, the American people will

head to the polls to cast their ballots in an election that, by necessity, will be conducted in a much different fashion than in nearly any election in our Nation's history. Because of COVID-19, there will likely be a historic increase in mail-in ballots.

Mail-in voting is a process that is well established in our country. Several States have conducted elections this way for years without any issue at all. Because of COVID-19, there may also be some delays in determining the results of the election while every ballot is counted. This, too, has happened before, but there is no doubt that this election will be unique, and it means that leaders from both sides of the aisle should be joining together now to ensure the integrity of the election and the public's confidence in the result.

Sadly, there are some who are systematically undermining public confidence in the voting process and irresponsibly fanning suspicions and conspiracy theories about the legitimacy of election results. At the top of the list here is, unfortunately, once again, the President of the United States, who has exploited and capitalized on fears about holding an election in the middle of COVID-19 to attack mail-in voting and to advance comically false claims of widespread voter fraud. The President has done both of those. He has attacked mail-in voting and made these false claims of fraud.

We are talking about the integrity of our elections here. This is the wellspring of our democracy. It is fundamental for our country, something that American soldiers have fought and died for—and the President trifles with it, and, of course, our Senate Republican colleagues go along.

So, today, we are doing two things in this regard because we have a responsibility to do everything we can to see that this election does not mark the beginning of a new age when our election results are doubted, conspiracy theories flourish, and our grand democracy is tarnished around the world. If we allow this kind of malicious tampering with the wellspring of our democracy in terms of people's trust in it, it is the beginning of the end.

Donald Trump doesn't care. We know he only cares about himself. The Senate Republicans don't say a peep. We know they are afraid of Donald Trump. Even when they disagree with him, they remain quiet, and too often they agree with him.

We cannot allow our people to lose faith in elections, and we must do everything to ensure that they are conducted in a fair way that the American people will accept, despite COVID and all the problems it creates.

So, this morning, Senator SANDERS and I have written a letter to the Republican leader asking him to work with us to establish a special bipartisan committee with equal representation from both parties to guarantee the integrity of our election process.

The committee should focus on three issues: one, confirm the security of and

confidence in our mail-in systems, our vote-by-mail systems; two, measures to ensure that every vote is counted; and three, discuss and prepare for possible postelection scenarios.

The function of the committee would be to hold hearings about what is being done around the country to make certain that our public institutions are prepared to conduct a smooth and reliable election, free from voter suppression and intimidation, that every vote will be counted and there will be confidence in the outcome.

Senator SANDERS and I and many in our caucus—including Senator KLOBUCHAR, whom I will mention in a minute—feel very, very strongly that we have to do something, and this bipartisan committee can ensure the American people that the Senate is on top of this.

We hope the Republican leader will accept our request. We hope he will not run away from his responsibility to ensure there are fair elections. We hope that he will not go along with Donald Trump's dangerous rhetoric about the fairness of our elections.

Later today, the Senator from Minnesota and ranking member of the Rules Committee, Senator KLOBUCHAR, and I will be speaking with a bipartisan group of secretaries of state. We will be getting a briefing on the state of our election preparedness around the country. I expect they will reiterate their call for another major priority being blocked by Senate Republicans: election assistance funding.

I am hopeful we can still find agreement on a bipartisan basis to help our States with critical funding to prepare for this historic election. This issue is above partisan politics. It is the essence of our democracy. It is disgraceful that Republicans are playing games with this—perhaps for electoral advantage, perhaps for fear of President Trump—but we will not let it happen.

We, as a caucus, repeat to the American people: The best way to prevent an election from being manipulated or stolen is to vote. The more people who vote and the earlier they vote, when they can vote early, the better off our democracy will be.

#### RUSSIA

Madam President, now, on Russian disinformation, another matter, the chairman of the Committee on Homeland Security and Governmental Affairs continues to further his probe into the family of the former Vice President and plans to release a report next week that appears designed to influence the upcoming Presidential election.

While the rest of the country has been focused on fighting the global pandemic, for the last few months, the chairman and Republicans of the committee have wasted taxpayer resources to run a hit job on President Trump's political rival. Even worse, it seems that several lines of investigation have echoed materials pushed by the Kremlin.

In fact, some of the allegations that the Homeland Security chairman pursues are the same ones propagated by Andriy Derkach, a known Russian agent who was recently sanctioned by President Trump's own Department of the Treasury for interfering in our election. So here President Trump's Department of the Treasury sanctions Derkach, and the chairman of the committee repeats the same kind of discredited allegations that Derkach propagates. It is outrageous. It is a disgrace.

The hearings and subpoenas that have come out of the Homeland Security Committee are also a disgrace by any standard. The more we learn about Russian agents like Mr. Derkach, the more it looks like the Kremlin is trying to launder anti-American information through the U.S. Senate, and because Moscow prefers to support Donald Trump, as it did in the last election, it seems that some of this disinformation finds a sympathetic audience among Republican Senators.

So today, alongside Senators WYDEN, PETERS, REED, and FEINSTEIN, I will be introducing a resolution calling for a cessation of any Senate investigation or activity that allows Congress to act as a conduit for Russian information. There should not be a single aspect of this Chamber that, wittingly or unwittingly, furthers the propaganda machine of Vladimir Putin's intelligence services.

I will have more to say on this matter later, but for one of the most important committees to be echoing a Kremlin-backed conspiracy theory is beyond the pale. As we are about to hold a national election, it must stop immediately.

#### VENEZUELA

Madam President, finally, later today my friends Senators DURBIN, MENENDEZ, and VAN HOLLEN will come to the floor to try again to secure temporary protected status for Venezuelans seeking refuge here in the United States. There are roughly 200,000 eligible Venezuelans in the United States who are now at risk of being sent back to a failed and dangerous nation, rife with political repression and human suffering—a nation that, under Maduro's regime, constitutes the single biggest humanitarian crisis in our hemisphere today.

Despite having all the authority that he needs to solve this problem on his own, President Trump will not grant temporary protected status, and his enablers in the Senate have repeatedly blocked passage of House legislation that would provide it. So we are going to try once again to get this passed.

Democrats stand with the people of Venezuela. Later today, my Republican colleagues will need to decide if they want to restore the moral leadership of the United States and support the protection of Venezuelans fleeing violence and despair or leave them all in limbo, facing deportation to a humanitarian disaster.

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

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

#### NATIONAL DEBT

Mr. THUNE. Madam President, in the beginning of September, the Congressional Budget Office issued its latest budget outlook. The news wasn't good. CBO announced that next year our country's debt is projected to exceed the amount of our gross domestic product. In other words, the size of our debt will be greater than the size of our economy. That is a very bad position to be in.

Countries with that kind of debt-to-GDP ratio face time-sensitive decisions if they want to avert an all-out economic crisis. Greece is just one recent example. We all know the kind of economic devastation and accompanying turmoil that Greece has experienced in recent years.

Now, as the United States, we can probably hang on a little longer than most other countries before entering a full-blown debt crisis. It is helpful that our economy was surging before being waylaid by the onset of the coronavirus, but even we can't hang on forever. Sooner or later, if we don't address the size of our soaring debt, we are going to have a problem—a lot of problems, in fact.

That is not something most of my colleagues across the aisle want to hear. They would like to spend as much as they want, whenever they want, on whatever new government program that they have come up with, and they imply that Republicans are miserly for not wanting to join them.

Republicans, Democrats imply or sometimes say, just don't care about the ordinary Americans who would supposedly benefit from Democrats' spending. In fact, the opposite is true. In the face of the pandemic, Republicans have been willing to spend huge sums to help our fellow Americans weather this crisis, and Republicans are worried about our spending and our debt precisely because we care deeply about ordinary Americans. We know what the consequences of unchecked debt and spending can be, and we want to protect Americans from those consequences.

To start with, the larger our debt grows, the more interest we are likely to have to pay—and we are already paying a lot. Right now, we are paying roughly \$484 billion a year in interest on our debt. That is a substantial chunk of our yearly budget, and that is money that could otherwise be going to other priorities.

And the problem has only snowballed. By 2029, the yearly interest on our debt is projected to reach \$807 bil-

lion, according to one estimate. Now, that is going to eat up a lot—a lot—of money that could otherwise be spent on important investments: healthcare, veterans, infrastructure, defense, seniors, education. We would have a lot more money to devote to those priorities if we weren't paying hundreds of billions in interest each year on our debt.

Then there are the economic consequences of a huge debt: The economy will struggle. Unemployment will grow. Businesses will create fewer jobs, if they create jobs at all. Wages and benefits will likely stagnate. The stock market will struggle.

We have had to borrow a lot of money this year to meet the coronavirus crisis, and there is no doubt it is money we needed to borrow. That happens sometimes during a crisis. But we need to be very aware of the fact that we have driven up our deficit by \$3.3 trillion just this fiscal year, further increasing our Nation's debt, and we need to be very careful about any additional borrowing and ensure we are borrowing only what is absolutely necessary.

Republicans have caught a lot of flak from Democrats for not being willing to use the coronavirus as an excuse for unchecked government spending, including for noncoronavirus-related measures, but we have made a priority of scrutinizing additional spending because we don't want to get our country out of one economic crisis only to plunge it into another. Unfortunately, that is a lesson that is lost on many of my Democratic colleagues.

We think the debt is bad now, and it is, but it is nothing like what our debt will look like if Democrats take Congress and the White House in November and start putting some of their bigger spending plans into effect—plans like Medicare for All, which would cost, as a conservative estimate, \$32 trillion over 10 years; or the Green New Deal, Democrats' \$93 trillion boondoggle.

That is right, Madam President; you didn't mishear that. The Green New Deal is estimated to cost over \$93 trillion over 10 years. To put that in perspective, the size of the entire Federal budget in 2019 was \$4.4 trillion, or substantially less than the cost of 1 year of the Green New Deal.

Now, you might think a pie-in-the-sky fantasy like the Green New Deal would have been abandoned by Democrats by now, but you would be wrong. More than a year after its introduction, it is apparently still going strong.

Yesterday, I spoke on the floor about Democrats' threat to eliminate the legislative filibuster in the Senate, and that is the Senate rule that helps ensure that bills that come before the Senate require bipartisan cooperation.

Shortly before I spoke, the Senator from Massachusetts, who introduced the Green New Deal resolution in the Senate, appeared on National Public Radio, where he was asked whether he thought there were any parts of the

Green New Deal that could attract bipartisan support. The Senator's response: The whole thing needs to be enacted—and if Republicans don't allow that to happen, Democrats should change the Senate rules to eliminate the legislative filibuster.

Apparently, Democrats aren't willing to even moderate their proposal. If the Senator from Massachusetts has his way, Democrats will shove the entire \$93 trillion down the throats of the American people. I guess the American people will just have to survive the resulting debt crisis.

When you ask about the pricetag for Democrats' socialist fantasies, Democrats will make noise about somehow paying for it. We will tax the rich, they say. The rich, they say, aren't paying their fair share. The problem, of course, is that increasing taxes on the rich isn't going to pay for these proposals.

You could tax not only the rich but a good portion of middle class at rates nearly 100 percent and not come up anywhere close to getting \$93 trillion that would be necessary to pay for the Green New Deal.

There is, in fact, no way to pay for these proposals. They will be financed by enormous additions to our national debt, and ordinary Americans will suffer the consequences: a shrinking economy, fewer jobs, lost jobs, lower wages, lack of opportunity, and much more.

I hope we will take action on our debt before it is too late. One thing we have to consider is how to shore up and protect Social Security and Medicare, which are currently the main drivers of our national debt. Thanks to an aging Baby Boomer population, these programs are under a great deal of strain.

My colleague from Utah, Senator ROMNEY, recently introduced legislation, called the TRUST Act, to begin to address these endangered trust funds and to start to rein in our national debt. Bipartisan legislation like this would be a good start to preventing our country from facing an economic crisis in the coming decades.

The Republican Senators sponsoring the legislation were joined by a handful of Democrats, which gives me hope that perhaps not all of my Democratic colleagues are determined to explode our national debt with their socialist fantasies.

Unfortunately, too many Democrats—including the Democrats' Vice Presidential candidate—are open to bankrupting Americans with the Green New Deal and other plans. I hope they will not have the chance to implement their legislation because our economy and the American people might never recover from the consequences.

I yield floor.

The PRESIDING OFFICER. The Senator from Ohio.

#### WORKPLACE SAFETY

Mr. BROWN. Madam President, it is pretty obvious that my Republican colleagues think that the Presiding Officer is going to lose her race and a number of incumbent Senators are going to

lose their races and because it looks like there is going to be a Democratic President and a Democratic Senate and Democratic House, all of a sudden my far-right colleagues are concerned about the national deficit and the national debt.

In President Trump's second year in office, Congress passed a bill that provided about \$1.5 trillion in tax cuts. Between 70 and 80 percent of the tax cuts went to the richest 1 percent of the people in this country. It pushed the national debt into a whole new stratosphere. It took money we were going to use to build infrastructure—highways, bridges, water and sewer systems—and just ignored that plan. And now all of a sudden my colleagues are interested in the national debt—not when the Republicans are in control; they want to give more and more and more tax cuts. But when Democrats are in control, Democrats want to invest in infrastructure; Democrats want to save this economy right now, including providing \$600 a week for unemployed workers—680,000 of them in my State, close to 400,000 of them in the Presiding Officer's State—Democrats want to invest in infrastructure and job training and protecting Medicare and Social Security. But now that Republicans think they are going to lose, it is all about the national debt and doing nothing to help workers right now.

I want to talk today specifically about workers and how this President and all the President's enablers—and they are enablers. My Republican colleagues don't even speak up when the President so dishonors our fallen soldiers. They don't speak up when the President has clearly lied, his own words, about the coronavirus—lied to the American people after he was taped, in his own words, by a former reporter and absolutely failed to speak up about workers.

Every day we live with the horrific consequences of leadership failures in this country. So many Americans have lost jobs; they have lost small businesses; they have lost their sense of security; and they have lost much of their faith in their own government; and in nearly 200,000 American families, they have lost a loved one. All because President Trump and his enablers here—all because President Trump has failed to get this pandemic under control, he has failed to protect American workers.

A few weeks ago, I was talking to a woman in Cincinnati. I was actually home; it was a remote call. She is a grocery store worker. She said: You know, they call me essential, but I don't feel essential. I feel expendable because they pay me so little, and they do so little to keep me safe at work.

President Trump's administration, get this, has gotten 8,000—8,000, 8-0-0-0—complaints about unsafe workplaces since the start of this pandemic. We know how many busdrivers have died. We know how many grocery store workers have died. We know how many

meatpacking plant workers have died. We know how many hospital workers have died—not just nurses and doctors, and we grieve for them and their families and applaud and are so grateful for their service—but it is orderlies who have died also, and the people who change the bed sheets and change the linens in the hospitals have died.

The President has gotten 8,000 complaints about unsafe workplaces. This summer, we had President Trump's corporate lawyer, Secretary of Labor Scalia, before the Finance Committee. When I say "corporate lawyer," I mean corporate lawyer. He represents the President in the Department of Labor. As a corporate lawyer, when there is a fork in the road, do I support workers or do I support corporate interests? Every single time he goes with corporate interests.

It is not a surprise because the Secretary of Labor used to be a corporate lawyer who made millions and millions of dollars representing corporations against workers. That is the kind of person the President picked—if that doesn't tell you a whole lot about President Trump's betrayal of workers.

He appointed the Secretary of Labor, somebody who always has represented corporations, making millions of dollars against workers. So what is he going to do as Secretary of Labor? He is going to do what the President wants him to do. He is going to support corporate interests against workers.

I asked Secretary Scalia in the Finance Committee, out of the thousands of workers who have come to you for help, how many in-person inspections have you done? Thousands of workers have come to him for help. How many inspections of workplaces have they done? Zero—zero in Atlanta; zero in Savannah; zero in Griffin, GA; zero in Covington, GA; zero in Mansfield, GA; zero in Stone Mountain, GA; zero in Ohio.

I don't know the Presiding Officer very well, but she took an oath to represent her State, as I took an oath to represent my State. And one of the things we do is fight—should fight for everyday people, for workers.

This Secretary of Labor had done zero—zero inspections after 6 months of Americans reporting to work in a pandemic, and there were over 8,000 complaints—8,000 complaints from workers saying that my workplace is not safe.

There is a pandemic. Zero inspections. Do you know what? Not one Republican member of the Finance Committee—not one Republican Senator on the Finance Committee—spoke up and pushed Secretary Scalia to do inspections or to look out for workers. Why? Because it would have made the President of the United States unhappy if a Republican Senator had questioned what the President of the United States does.

They don't question him when he insults our soldiers who have died. They don't question him when he lies to the

American public about the pandemic. They don't question him when he fails his leadership role to protect workers.

Zero inspections—6 months, 8,000 complaints. Zero inspections to make sure corporations are giving workers the protective equipment and the other safety protocols they need.

I demanded that Secretary Scalia, at this hearing, follow up and tell us about any inspections they conducted and what the results of those inspections were. He said he couldn't get that information. He is the Secretary of Labor; I am not.

Guess how many fines they have issued. Five—five fines. As far as we know, President Trump's administration has only issued 5 fines out of more than 8,000 workers complaining that their employers are failing to protect them.

Last week—a notable week for the Trump administration—they did something about workers, but listen to what they did. They fined Smithfield. Smithfield is a multibillion-dollar company owned by the Chinese Communist Party. They fined Smithfield \$13,000, after 1,300 workers got sick at just 1 plant in South Dakota, and 4 people died.

Let's do the math: \$13,000 fine, 1,300 workers got sick. That is \$10 a worker. They fined this multibillion-dollar company, owned by the Chinese Communist Party in the United States, in South Dakota—they fined this company \$10 per infected worker, a multibillion-dollar corporation.

The idea that \$10 a worker will stop these guys from continuing to abuse their workers is absurd. Do you know what? Every other corporate leader around the country heard: Oh, my gosh. President Trump is on our side. He is on our side every single time. President Trump is on our side when it comes to a complaint from a worker, so we don't have to worry about making our workers safe because we know the President of the United States might fine us \$10 per every sick worker.

One-third of the workers at this plant got sick—one-third of the workers. They were not putting all the money they make—the billions of dollars that they pull out of South Dakota, this company, and send those dollars, probably electronically, I guess not by boat, to the Communist Party in China. All those dollars they take out of that plant, and they can't put any of those dollars to invest in protecting workers to make their companies successful.

President Trump could crack down on these corporations. He is not going to do that. He comes from corporate America. He inherited billions of dollars. He has had a lot of personal bankruptcies. Forget about that. He is on their side. Politics, government—it is about whose side you are on. Are you on the President's side every single time, no matter what he does? Are you on corporations' side every single time, no matter what they do? No matter



how many workers get sick, no matter how many workers they kill, it is on their watch—no matter how many workers they kill, you are going to be on the corporation's side every single time? And the answer in Trump's America is yes.

Instead, he could mobilize workers. He could mobilize American manufacturers to get every American worker the masks and protective equipment they need. He could issue an OSHA temporary standard that would provide clear, enforceable requirements for keeping workers safe.

He could stand up for workers. He campaigned on it. He could actually stand up for workers. But he will not. It is always the same story with this corporate President, always the same story. He wants to protect the big guys—workers' health and workers' safety be damned.

He campaigned in 2016, in my State—he surprised people how much he won by in my State. He campaigned by promising he would look out for workers. He went all over Ohio; he went all over the industrial Midwest—the Great Lake States areas—telling workers he would take care of them and would fight for them.

Now we know how much these workers' health and how much these workers' lives mean to this President—about \$10 each. He has betrayed these workers over and over. His corporate tax cuts—Senator THUNE was talking about Democrats and taxes and the deficit in an easy-to-understand way. He betrayed these workers over and over. Corporate tax cuts: 70 percent of the benefits went to the richest 1 percent. He took away 100,000 Ohio workers' overtime pay. He took away overtime pay from workers in Savannah, in La-Grange, in Newton County, and Jasper County, GA. He took overtime pay away from my constituents in Cleveland and Mansfield and Shelby and Chillicothe.

He stacks the courts with corporate lawyers. Those lawyers—now judges—will always decide for corporate interests against workers' interests.

He launched a boycott against Good-year, a unionized tire-making plant headquartered in Akron—one of the greatest companies in our State and one of the most renowned, iconic companies—because somebody made a statement about one of his "Make America Great" hats. He launched a boycott costing who knows how many jobs in that company.

He has betrayed workers by his failure to fight for autoworkers and their jobs. He promised workers in Lordstown, OH: Don't sell your homes. This plant may close, but don't sell your homes. We are going to bring back these jobs.

Then he did nothing when we asked him to help, and they shut down, costing 3,000 jobs.

Most recently, he and Senator MCCONNELL and all their minions who follow Senator MCCONNELL's lead took

away \$600 a week in unemployment benefits. What are those workers to do? What are those workers to do in Georgia? What are those workers to do in Ohio? What are those workers to do in Illinois and Delaware when their \$600 a week just disappears?

I know there are a lot of wealthy people on both sides of the aisle. There are a lot of very wealthy people here. There are millionaire Members of the Senate. When I hear millionaire Senators and billionaire people in the administration say that \$600 a week is just too much money—we can't give these unemployed workers that much money. That \$600 a week is too much money. They are going to get lazy. They are not going to work.

When I hear millionaire Members of the Senate say such things, it sickens me. That \$600 a week is the reason that millions of Americans didn't fall into poverty during this terrible, terrible recession. But lo and behold, the administration is happy and the Republican Senators are happy because the stock market has recovered. I know a lot of you in this institution have a lot of money in the stock market. I won't even get into the conflicts of interest when you own this stock and you vote this away. Forget about that. You have a lot of money in the stock market, so I know you are really happy. I know the Presiding Officer and Republican Members of the Senate are really happy that the stock market recovered in the spring. So then Donald Trump doesn't even have to pretend to care about getting this pandemic under control.

Corporations are doing fine. Never mind the workers who are getting sick. Never mind the essential workers. The essential workers are the busdrivers, food service people, custodians, security people, people who work in grocery stores and drug stores.

The essential workers—who are mostly women, disproportionately people of color, who mostly are barely adequately paid—the essential workers face something most of us don't: They work all day exposed to the public. They wear masks. They are safe—most of them. They do things safely. They work all day, and then they go home always anxious.

Madam President, imagine feeling every day when you go home that you might have contracted coronavirus and you might pass it on to your family. Imagine the anxiety these generally low-paid workers face every day when they go home. We don't think about them around here because corporations are doing fine and the stock market has recovered. The workers go home every night worried they will affect their families. Most of them won't; they will get along just fine.

American workers are tired of this. They are sick of this. They are tired of the empty promises. They are tired of the betrayals. They are tired of feeling like no one in this government, in this Senate, in this White House is on their side.

If all of you would—could actually lead when the President doesn't, we could pass a bill issuing an OSHA—Occupational Safety and Health Administration—temporary standard, protecting people. We could issue a temporary standard to protect people on the job. We could pass pandemic pay. That is what the House of Representatives down the hall did.

When the House of Representatives passed their bill and they took that bill down the hall and put it in Senator MCCONNELL's office there, I guess that bill got lost. One of the things that bill did have was pandemic premium pay. If you are one of those workers—I know this amount of money doesn't mean much to the Presiding Officer or most of my Senate colleagues, but they would get up to \$10,000 pandemic pay because they expose themselves in the workplaces—essential workers—to this illness. It would actually pay these essential workers for putting their health and their lives on the line to serve us.

It is time for us to step up. If you love this country, it is time we fought for the people who make it work. It is time we fought for the people who make this country work. Instead of always siding with U.S. corporations and with the wealthiest people in this society, it is time we decide in this body to actually fight for workers.

#### JUDICIAL NOMINATIONS

Mrs. FEINSTEIN. Madam President, I rise today in support of four highly-qualified California nominees to the U.S. District Court: John Holcomb, Mark Scarsi, and Judge Stanley Blumenfeld to the Central District of California, and Todd Robinson to the Southern District of California. (These four nominees know the districts where they will serve if confirmed, and I believe they have demonstrated in their legal careers the skills needed to serve as fair and impartial judges. All four of these nominees received Well Qualified ratings from the American Bar Association, and all have significant legal experience in California.)

John Holcomb, who has been nominated to the Central District of California, is currently a partner at the law firm Greenberg Gross. Mr. Holcomb has spent more than 25 years in private practice, focusing on intellectual property issues. He also served as a commissioned officer in the U.S. Navy. I understand that if confirmed, Mr. Holcomb will be sitting in the Riverside Courthouse, which is badly in need of judges.

Mark Scarsi, nominated to the Central District of California, is currently managing partner of the Los Angeles office of the law firm Milbank, Tweed. Mr. Scarsi joined that firm in 2007 after spending more than a decade with other California-based law firms, including O'Melveny & Myers and Christie, Parker, & Hale. Mr. Scarsi specializes in patent cases, with a focus on intellectual property. He has tried some 28 cases to verdict, judgment, or

final decision, including 20 cases in which he served as lead counsel.

Judge Stanley Blumenfeld, nominated to the Central District of California, currently serves on the Superior Court for Los Angeles County, where he has presided over some 200 trials since his appointment to the bench in 2006. Prior to that, Judge Blumenfeld spent nearly two decades as a practicing attorney, including 7 years as an Assistant U.S. attorney for the Central District of California.

Todd Robinson, nominated to the Southern District of California, is currently a Federal prosecutor in that district, where he has served since 1997. Mr. Robinson has significant experience litigating in Federal courts, including in the Southern District of California. He has tried more than 40 felony cases to verdict, including 35 as sole or lead counsel.

In closing, Mr. President, these four nominees are highly qualified, they have extensive practical experience, and they are ready to hit the ground running. It is my hope and expectation that these nominees will receive broad bipartisan support. I will be voting in favor of these nominees, and I urge my colleagues to do the same.

Mr. BROWN. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SASSE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### VOTE ON ROBINSON NOMINATION

The PRESIDING OFFICER. Under the previous order, all postcloture time is expired.

The question is, Will the Senate advise and consent to the Robinson nomination?

Mr. CORNYN. 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 legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from West Virginia (Mrs. CAPITO).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The result was announced—yeas 86, nays 10, as follows:

[Rollcall Vote No. 176 Ex.]

#### YEAS—86

Alexander	Bennet	Boozman
Baldwin	Blackburn	Braun
Barrasso	Blunt	Brown

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

#### NAYS—10

Blumenthal	Klobuchar	Schumer
Booker	Markey	Wyden
Cantwell	Merkley	
Gillibrand	Murray	

#### NOT VOTING—4

Capito	Sanders
Harris	Warren

The nomination was confirmed.

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

#### CLOTURE MOTION

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

The 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 David W. Dugan, of Illinois, to be United States District Judge for the Southern District of Illinois.

Mitch McConnell, Cindy Hyde-Smith, Tom Cotton, Marsha Blackburn, Kevin Cramer, Jerry Moran, James E. Risch, Michael B. Enzi, Tim Scott, John Barrasso, Richard Burr, Deb Fischer, James Lankford, John Thune, Steve Daines, Joni Ernst, John Hoeven.

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

The question is, Is it the sense of the Senate that debate on the nomination of David W. Dugan, of Illinois, to be United States District Judge for the Southern District of Illinois, 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.

Mr. THUNE. The following Senator is necessarily absent: the Senator from West Virginia (Mrs. CAPITO).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS),

the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The yeas and nays resulted—yeas 56, nays 40, as follows:

[Rollcall Vote No. 177 Ex.]

#### YEAS—56

Alexander	Gardner	Paul
Barrasso	Graham	Perdue
Blackburn	Grassley	Portman
Blunt	Hawley	Risch
Boozman	Hoeven	Roberts
Braun	Hyde-Smith	Romney
Burr	Inhofe	Rounds
Cassidy	Johnson	Rubio
Collins	Jones	Sasse
Cornyn	Kennedy	Scott (FL)
Cotton	Lankford	Scott (SC)
Cramer	Lee	Shelby
Crapo	Loeffler	Sullivan
Cruz	Manchin	Thune
Daines	McConnell	Tillis
Durbin	McSally	Toomey
Enzi	Moran	Wicker
Ernst	Murkowski	Young
Fischer	Murphy	

#### NAYS—40

Baldwin	Hassan	Schatz
Bennet	Heinrich	Schumer
Blumenthal	Hirono	Shaheen
Booker	Kaine	Sinema
Brown	King	Smith
Cantwell	Klobuchar	Stabenow
Cardin	Leahy	Tester
Carper	Markey	Udall
Casey	Menendez	Van Hollen
Coons	Merkley	Warner
Cortez Masto	Murray	Whitehouse
Duckworth	Peters	Wyden
Feinstein	Reed	
Gillibrand	Rosen	

#### NOT VOTING—4

Capito	Sanders
Harris	Warren

The PRESIDING OFFICER. On this vote, the yeas are 56, the nays are 40.

The motion is agreed to.

#### CLOTURE MOTION

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

The senior 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 the nomination of Stephen P. McGlynn, of Illinois, to be United States District Judge for the Southern District of Illinois.

Mitch McConnell, Roger F. Wicker, John Boozman, John Cornyn, Todd Young, Joni Ernst, Roy Blunt, Shelley Moore Capito, Cindy Hyde-Smith, Deb Fischer, Mike Crapo, John Thune, Richard Burr, James E. Risch, John Barrasso, Tim Scott, Thom Tillis.

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 Stephen P. McGlynn, of Illinois, to be United States District Judge for the Southern District of Illinois, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from West Virginia (Mrs. CAPITO).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) and the Senator from Vermont (Mr. SANDERS), are necessarily absent.

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

The yeas and nays resulted—yeas 55, nays 42, as follows:

[Rollcall Vote No. 178 Executive]

#### YEAS—55

Alexander	Gardner	Perdue
Barraso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hawley	Roberts
Boozman	Hoeven	Romney
Braun	Hyde-Smith	Rounds
Burr	Inhofe	Rubio
Cassidy	Johnson	Sasse
Collins	Kennedy	Scott (FL)
Cornyn	Lankford	Scott (SC)
Cotton	Lee	Shelby
Cramer	Loeffler	Sullivan
Crapo	Manchin	Thune
Cruz	McConnell	Tillis
Daines	McSally	Toomey
Durbin	Moran	Wicker
Enzi	Murkowski	Young
Ernst	Murphy	
Fischer	Paul	

#### NAYS—42

Baldwin	Hassan	Rosen
Bennet	Heinrich	Schatz
Blumenthal	Hirono	Schumer
Booker	Jones	Shaheen
Brown	Kaine	Sinema
Cantwell	King	Smith
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Markey	Udall
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murray	Warren
Feinstein	Peters	Whitehouse
Gillibrand	Reed	Wyden

#### NOT VOTING—3

Capito	Harris	Sanders
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The PRESIDING OFFICER. On this vote, the yeas are 55, the nays are 42.

The motion is agreed to.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant bill clerk read the nomination of Stephen P. McGlynn, of Illinois, to be United States District Judge for the Southern District of Illinois.

The PRESIDING OFFICER. The Senator from Iowa.

#### SOCIAL SECURITY

Mr. GRASSLEY. Mr. President, we have recently seen yet another manufactured crisis by the Democrats for the benefit of the upcoming election. This is in regard to scaring the people about some notion that only Republicans would think about taking away Social Security and Medicare. It is not true that any Member of this Congress will do that, but it always comes up as TV advertising against the Republicans; you are going to scare old people into thinking Social Security is going to be gone if you vote Republican.

So this is another election season. If there are not any real issues regarding Social Security, the Democrats make one up, and they do it, of course, to scare the people into believing that some people want to destroy the program, not realizing that it is such a part of the social fabric of the American population that nobody would think of doing it.

We saw it in the last Presidential election when Secretary Clinton didn't have a basis to attack then-Candidate Trump on Social Security because Trump campaigned on the basis that he wasn't going to cut Social Security, but that didn't stop them from making things up. With their lacking any real ammunition, Clinton's allies here in the U.S. Senate decided to manufacture a crisis.

Now, why does something that happened in 2016 come up now? It is an example that this is an ongoing situation, and it is happening in 2020.

Back in 2016, three prominent Democratic Senators conjured up false claims about a nominee for the position of public trustee of the Social Security and Medicare trust funds. That nominee happened to be a Republican who was nominated—can you imagine this?—by a Democratic President. He was already on there as having been nominated for another term.

The false claims published in the Huffington Post were that this nominee, promoted by President Obama, was a Koch brothers-funded individual because he worked at an educational institution that received grants from the Koch Foundation. I don't know whether they even made an attempt to connect this individual to the Koch funds, but it is irrelevant at this point. The Democrats claimed that this single individual somehow duped all of the other trustees, including all of the other Obama administration officials, into buying off on assumptions that would lead to an overstatement of the financial crisis facing Social Security.

According to the three Democratic Senators, this was so bad that the Chief Actuary of Social Security felt compelled to write special notes to trustee reports and identify how shocking the assumptions were. Of course, that would have meant that one single public trustee who happened to be a Republican duped outstanding Democrats who were also trustees: Treasury Secretary Jack Lew, HHS Secretary Sylvia Burwell, Labor Secretary Thomas Perez, and then the additional Democratic public trustee. If you had bought into the Democrats' allegations at the time, it would have meant that all of those Obama officials had been duped and had been too inept to see what had been going on and that only the Chief Actuary could have seen the light.

Well, the chairman of the Senate Committee on Finance at that time investigated those allegations and showed that they were flatout lies. Even the Washington Post identified

the lies in an op-ed titled: "The show-down Democrats don't need to have." The Post concluded that the ultimate victims of what they called "petty politicization" would be "the perceived nonpartisanship and objectivity of key government reports—that is, the very values Senate Democrats claim to be upholding."

The Democrats used their misinformation campaign to run a smear job on a very qualified and well-respected nominee. They also used it to run ads against anyone who voted in favor of that nominee, including ads against me in my most recent reelection.

Unfortunately, even though Social Security's Chief Actuary was clearly implicated in the Democratic lies, he remained silent as then-Chairman Hatch and even the Washington Post identified how ridiculous and false the Democrats' claims were.

The Chief Actuary's position, apparently, is that, even if his office is being implicated as supporting clearly false and very public claims during an election season, he will just sit quietly and let them go by rather than admit to or apologize for being used once it is pointed out to him that he is being used.

All of that was 4 years ago. It is 2020 now, and it is all happening again. Here we are in another Presidential election season, and, of course, like clockwork, we are getting another round of misinformation from the Democratic candidate and his supporters in the Senate. The Washington Post Fact Checker labels the current scheme in a headline that reads: "Biden campaign attacks a Trump Social Security 'plan' that does not exist."

Now, that was a Washington Post article. Not often does the Washington Post talk about things that might defend Republican positions against the Democrats.

This time around, the misinformation stems from a letter written to Social Security's Chief Actuary by four Democratic Senators, including the minority leader, the ranking member of the Committee on Finance, and Senator SANDERS, who has been counseling former Vice President Biden.

In a letter, these Democrat Senators asked the Chief Actuary to analyze hypothetical legislation—now, those words "hypothetical legislation" have to be emphasized—what they say, even they wouldn't support eliminating payroll taxes. Of course, those Senators could easily find the information that they were seeking by looking at the latest Social Security trustees' report. Instead, for purely political reasons, they wanted to draw in the Chief Actuary once again.

The same Actuary of 4 years ago is being used here once again, and the Chief Actuary at Social Security seems to gladly have played along and written a response. He wrote that his office was not aware that anyone had proposed the hypothetical legislation.



Nonetheless, he identified that, without payroll tax revenue and no replacement from the general fund, the trust funds would run out of money pretty quickly.

Of course, this is obvious to anyone who has even slight knowledge of these programs, but information was not the aim of the Democratic Senators' letter. Instead, it was to put forward a silly hypothetical case that doesn't correspond to anything that anyone has or is proposing. Of course, they attributed it to the President of the United States.

I know you all now see the purpose of this replay—because it is an election year. They used the Chief Actuary's response to claim that authoritative sources have shown that President Trump has a plan to essentially defund Social Security, and in due course they engaged in the cottage industry of groups which exist here in Washington, DC, that regularly scare seniors and the disabled, especially before an election, about some sort of backdoor plan or Trojan horse plan to destroy Social Security, and the Democratic Senators used the Chief Actuary's response to feed the Biden campaign with a false talking point about Social Security.

So you see the motives of these Senators in their using the Chief Actuary as their tool. You see it pretty clearly. The Biden campaign has run ads, stating, among other mistruths, "If Trump gets his way, Social Security benefits will run out in just 3 years from now."

Let's go back to the Washington Post. Even the Post's Fact Checker gave those ads four Pinocchios, meaning that they contained a whopper of a lie. The Fact Checker also concluded: "To make a long story short, Democrats ginned up a letter from the chief actuary to describe a plan that does not currently exist."

In a followup letter that Ranking Member KEVIN BRADY of the House Ways and Means Committee and I wrote to Social Security's Chief Actuary, we expressed our concerns about the Democrats having, once again, used his office for political purposes, and, once again, it refers back to the 2016 era that I have already talked about. From his response, we learned a few things.

First, we got confirmation that no one has a plan to defund Social Security, including the President of the United States. That confirms that the Democrats' letter was just pretty silly, but not oddly, pure politics.

Second, we got confirmation that the Democratic Senators, during the 2016 election, published lies in the *Huffington Post* article, invoking the Chief Actuary in an effort to smear a trustee nominee.

Third, we learned that Social Security's Chief Actuary feels compelled to respond to any hypothetical posed to him by any Senator, independent of how silly or blatantly political it would be.

Of course the Chief Actuary shouldn't be so compelled. With that

latter lesson, it would be easy for a Republican Senator to ask the Chief Actuary to analyze hypotheticals corresponding to the allegations made by Senator SANDERS, one of the authors of the letter, concerning the "hypothetical legislation" about Vice President Biden's history on Social Security.

Senator SANDERS, during the primary, has run political ads characterizing Biden's record on Social Security, saying that Biden's claim that he has always protected Social Security are "patently false."

It wouldn't be hard to send a hypothetical in for analysis by the Social Security Chief Actuary to get an answer to reinforce Senator SANDERS' views that former Vice President Biden has not acted to protect Social Security.

It wouldn't be hard to send a letter to the Chief Actuary asking about how Senator SANDERS' plans to reform Social Security—which Senator HARRIS has cosponsored—would harm the middle class by raising payroll taxes, with no corresponding benefits for people with incomes below Biden's \$400,000 threshold for defining who is rich and who is not.

It certainly wouldn't be hard to construct politically charged hypothetical legislation and ask the Chief Actuary about it in order to make political points and use the Actuary's position for political purposes.

It happens that the Chief Actuary doesn't exist for the purpose of political interference.

In my view, though, none of those would be a proper use of Social Security taxpayer resources, in the same way that the Democrats are wasting resources using the Chief Actuary for political purposes. So Democrats should stop wasting Social Security's resources trying to construct false and misleading political points to use in elections to feed their political base and dark money groups who then use the points in social media and attack ads against Republicans. But that is how they wasted the taxpayers' money—by writing the letter and eating up the time of the Chief Actuary for nothing other than pure partisan politics.

They should also stop politicizing Social Security's actuaries and the Social Security trustee's position in their transparent attempt to mislead the public and try to score political points about Social Security.

The American public should—especially during even years, in the runup to elections—turn a deaf ear to scare tactics that Democrats continue to use on Social Security beneficiaries. But when senior citizens who aren't sophisticated in the operation of the Federal Government or the uses of politics to scare people—they might believe this stuff. So you are doing a disservice to a lot of people who shouldn't have to worry about where their next meal is coming from.

As well, I think journalists should be more responsible when reporting on these political shenanigans, although I will note that even the most recent ploy was at least called out by fact checkers and given four Pinocchios.

Rather than acting like demagogues on Social Security, we should do what we can to improve these programs. Social Security trustees across administrations have continually and consistently recommended addressing the projected trust fund shortfalls since protected benefits will continue to outpace revenues.

Some sort of reform is inevitable, but outside of broad reform, there are many programmatic improvements that can help make the programs work better for beneficiaries and today's workers.

While not as encompassing as broad reforms, there are plenty of areas that we and Social Security Commissioner Saul continue to monitor and work to reduce backlogs and improve services.

Just recently, for example, the Senate passed by unanimous consent a bill that we entitled "Improving Social Security's Service to Victims of Identity Theft Act." That was sponsored by this Senator and Senator SINEMA. This bipartisan effort will help people who fall victim to identity theft by providing improved services from Social Security with a single point of contact.

In my view, more bipartisan work to improve the programs is the way we should go. Partisan attacks to scare beneficiaries into believing that people are out to destroy people's retirement and disability benefits do nothing to help working, disabled, and retired Americans.

I yield the floor.

The PRESIDING OFFICER (Mr. YOUNG). The Senator from New Hampshire.

#### CORONAVIRUS

Mrs. SHAHEEN. Mr. President, I come to the floor today to urge that we come together and resume negotiations on a comprehensive, bipartisan COVID relief package—the kind of package that this country has been calling for.

Today, nearly 200,000 Americans, including 436 Granite Staters, have died from COVID-19, and we still have as many as 40,000 new cases each day in this country—enough people to fill a baseball stadium each day. As a result, our economy continues to struggle, with nearly 30 million Americans still out of work and more than 1 million filing new applications for unemployment each week. Many Americans have been forced to raid their retirement savings just to pay rent and put food on the table—and that is for those people who actually have retirement savings. Sadly, too many people do not.

The President's recent Executive orders have many State unemployment officers tied up in knots. Those orders affect Social Security and Medicare, and they provide no new help for the nearly 13 million households who could be at risk of eviction in the coming months.

Unfortunately, the Trump administration and Majority Leader McCONNELL have refused to recognize that too many Americans are still suffering and still need help.

It has been 4 months since the House of Representatives passed the Heroes Act—a bill to provide assistance to Americans who are in need. Instead of negotiating a bipartisan bill, as we did with the CARES Act back in March, Leader McCONNELL has released partisan legislation—written in secret—that is woefully inadequate and ignores many of the problems I am hearing about from Granite Staters.

Not surprisingly, the bill that was put on the floor last week—the so-called skinny bill because it didn't provide the kind of help so many people need—that bill failed. I opposed that skinny bill because I didn't believe it came close to addressing the public health and economic issues that our country is facing. It provided no funding for hospitals or healthcare providers on the frontlines, and the nursing home and hospital staff I talk to in New Hampshire tell me that more financial support is needed to stem the financial losses from this pandemic.

New Hampshire hospitals have already experienced more than \$550 million in lost revenue statewide, and they don't see an end this year. Losses of that magnitude are unsustainable, and the skinny bill that we voted on last week would not have addressed those losses.

That proposal provided no support for State and local governments that are facing severe budgetary shortfalls. The State of New Hampshire expects to experience a budget shortfall of nearly \$540 million, over half a billion dollars. That is about a 20-percent drop in State revenues.

In the city of Manchester, which is our largest city, they expect to spend \$11 million between this year and next related to COVID-19 expenses—money they hadn't budgeted for. They had hoped that some of those expenses would get reimbursed by FEMA, but under the recent order from the administration, FEMA is being told to no longer reimburse those expenses.

So what I am hearing from mayors and municipal leaders in New Hampshire is that they are soon going to have to face some very difficult choices about whether they are going to have to cut essential services like trash collection and water and sewer and whether they are going to have to lay off teachers and firefighters and police officers.

The bill we voted on last week, that skinny bill, provided no financial help for families struggling to pay the bills and put food on the table. There was no help in there to feed kids, nothing to address broadband needs—the needs that we have seen in New Hampshire for telehealth and for remote learning. We have significant parts of our State and significant communities where we have students who don't have access to technology to do remote learning.

There wasn't nearly enough to help with testing and contact tracing and no real assistance for the Postal Service even as it faces bankruptcy.

Funding for schools in that skinny bill? That was tied to whether the students are going in person or learning remotely. Well, in New Hampshire, we believe those kinds of decisions should not be made in Washington; they should be made by States and local school districts. If local school districts don't feel they can bring kids back safely, then they shouldn't be forced to do that just to get the help they need to ensure that kids can go to school safely.

I think the American public wants results. They want a bipartisan, comprehensive bill so we can address the needs of Granite Staters and the people of this country. That is what I am fighting for, and I believe it is past time for people to come to the negotiating table so we can get that done.

What we have seen during this pandemic is unemployment levels that we have not had in this country since the Great Depression. We need to provide additional unemployment benefits for people who need those dollars so that they can continue to pay their rent, their mortgages, put food on the table, and pay their bills. We need to make sure this emergency relief continues to be available to Granite Staters.

Small businesses need a second round of PPP loans, which would prioritize those smallest businesses and those industries that have been hardest hit by this pandemic, industries like tourism and the hospitality sector.

We need to provide support to our live venues. I recently visited the Bank of New Hampshire Stage in Concord, our capital. I heard firsthand how their business has been affected by the pandemic and the ripple effect that has on all live entertainment venues, on the performers who depend on those venues to be able to support themselves and the other members who are part of their performances.

We need to make sure that childcare centers are supported. I was visiting a small business, a restaurant that has two locations in New Hampshire—one in Portsmouth and one in Epping. The business is called Popovers. It is very popular. What I heard from them is that the PPP loans had made a huge difference. They were able to keep some of their employees on. But as they are looking to the fall, they are worried about whether those employees are going to be able to come back full time because they don't have access to childcare and they are not sure whether schools are going to be remotely or in person. We need to provide help so that those businesses can get their employees back to work and people can continue to support their families.

We need a comprehensive bill that provides emergency housing relief and food assistance to Granite Staters.

We should support our counties and towns that are experiencing historic

drops in revenues and that desperately need help to continue providing the most basic services—schools, firefighters, police, trash collection, water and sewer, and wastewater treatment—because those have been dramatically affected by the loss in revenue.

Of course, we urgently need assistance for our nursing homes and for our long-term care facilities, which in New Hampshire account for more than 80 percent of the COVID-19 deaths, the highest percentage in the country.

We need an answer from the administration as to why they are not disbursing the funds that Congress directed. For instance, the CARES Act provided up to \$200 million for nursing home infection control efforts. To date, only \$17 million of that has been sent out to those long-term care facilities that need it.

On top of that, HHS has only spent about half of the \$16 billion that Congress provided for the acquisition of personal protective equipment and other medical supplies. Nursing facilities and providers across the care system in New Hampshire desperately need this help, and they need it now.

We had a hearing this morning in the HHS Appropriations Subcommittee, and I had a chance to ask some of the officials from HHS about why they have not distributed these funds. And, of course, the answer they gave me was this: Well, we don't know. That is not part of our responsibility.

Well, that is part of everybody's responsibility—to ensure that funds that Congress has provided get distributed in a way that Congress has said they should be distributed, because we have people across this country who need that help and they need it now.

We need a comprehensive bill to help treatment and recovery centers for those who are still struggling with substance use disorders, because we have seen this crisis worsen during the pandemic. We had been seeing deaths go down from overdoses in New Hampshire, and since the pandemic, we are beginning to see those numbers go up again.

This isn't a problem that is unique to New Hampshire. I heard Senator CAPUTO in the hearing earlier this morning talking about the challenges that West Virginia is facing. It has become more critical than ever that Congress provide substantial funding for substance-use disorder treatment and prevention.

We need real support for the post office, which was lacking from that skinny bill last week. The Postal Service is the only Federal agency mentioned in the Constitution, and every community in New Hampshire and the United States relies on its essential services, especially those States that have rural communities. A lot of rural communities in New Hampshire don't have access to the internet. They depend on the post office for communications going in and out and the packages that go in and out. What I am hearing from Granite Staters is that there are Postal Service delays that are affecting

their ability to pay their bills and to receive medications, and that small businesses are not able to complete their transactions. Congress has a responsibility to enact legislation that will restore timely delivery and fully fund the Postal Service.

Finally, we need to ensure that the Census Bureau has the time necessary to execute a complete and accurate 2020 count. You know, it has been interesting to me to see the efforts of this administration to try and politicize the census, because this is no red State or blue State problem. The States with the lowest percentage of households that have been counted during the census are Alabama, Montana, Mississippi, Louisiana, Georgia, and South Carolina. They are mostly in the South, but not all. We must give the Census Bureau time to make a complete and accurate count by including a statutory delay for the apportionment and redistricting count that is part of any package before we go home. This is something that the Census Bureau asked us for last spring, and it is something that we should make sure they receive, even though under political pressure they changed their request.

Bipartisanship on these priorities is possible. We were able to negotiate the CARES Act legislation that passed the Senate by a vote of 96 to 0. We did it before. We can do this again because that is how government is supposed to work. We are supposed to come together and negotiate and deliver for the American people.

Probably the most often heard remark that I hear in New Hampshire is this: Why can't you just all work together to address the needs of this country?

That is what we should be doing around everything, and it is what we should be doing around responding to this coronavirus.

We should not recess until we can get a bill to the President's desk. We were sent here to do a job. We have an obligation to get it done. The foot dragging has gone on for far too long. Brinkmanship should end because time is running out on the needs of the American people.

I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

#### UNANIMOUS CONSENT REQUEST

Mr. SCHUMER. Mr. President, this morning the Republican majority of the Homeland Security and Governmental Affairs Committee authorized another smattering of subpoenas in what seems to be an ongoing effort to disparage a former Vice President and his family.

While the rest of the country is busy fighting COVID-19, this is what the Homeland Security Committee has been up to—using the powers of the Senate to, in effect, conduct opposition research for President Trump's campaign.

The Republican chairman has said he plans to release a report about it next

week—merely a month before election day. There is a dark similarity here to the Republican effort in the House in the previous election to discredit the Democratic Presidential candidate with the Select Committee on Benghazi.

You may remember the now-minority leader of the House Republican caucus bragging that the Republicans created the committee to bring down Hillary's poll numbers. You know what they say about a political gaffe: It is when politicians tell the truth.

Well, it seems like the Republican chairman of the Homeland Security and Governmental Affairs Committee has made the same gaffe that Minority Leader MCCARTHY made in 2016. In a little-noticed interview with a Wisconsin radio station last month, Senator JOHNSON said that his probe would "help Donald Trump win reelection," and yet somehow the current activities of the Republican majority in the Homeland Security committee are even worse than what the House Republicans did in 2016, because in the rush to find scraps of information for these investigations, Senate Republicans may have collected and propagated disinformation that came from Putin's intelligence agents.

Some of the allegations that the Homeland Security chairman is now pursuing are the same ones pushed by Andriy Derkach, a known Russian agent who was sanctioned by President Trump's own Treasury Department for interfering in our elections.

Powerful Senate Republicans are echoing the same claims that the Russians are pushing, the same nonsense that Ukraine interfered in the 2016 elections and not just Putin.

We have all become so inured to scandal during this scandalous administration, but the fact that a powerful Senate committee may have fallen victim to misinformation from Moscow is appalling.

The PRESIDING OFFICER. Would the Democratic leader yield?

Mr. SCHUMER. I will yield.

The PRESIDING OFFICER. The chair will remind Senators that Rule XIX provides that "No Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator."

Mr. SCHUMER. I am aware of it. Everything I have stated here is factual—everything, every single thing.

So, this afternoon, my colleagues and I have drafted a simple resolution that calls for the cessation of any Senate investigation or activity that allows the U.S. Congress to act as a conduit for Russian disinformation.

I cannot fathom how any Member of this Chamber could justify blocking such a resolution. There must not be a single aspect of this Chamber that wittingly or unwittingly furthers the propaganda machine of Vladimir Putin.

Now, I know what my friend from Wisconsin might say. He will deny re-

ceiving information from the particular Russian agent that I have mentioned, Mr. Derkach, but Chairman JOHNSON has never provided a full accounting of all the Russian- and Ukrainian-linked individuals he sought information from. One of the chairman's subpoenas, for example, targeted a Ukrainian national who is an associate of Mr. Derkach.

So anticipating his objection to this resolution, I would simply ask the chairman to provide a full accounting of whom he sought information from, so we can know who they are, what their motives are, and, therefore, the Senate can see if they are trying to interfere with our elections.

The chairman should have no issue furthering a complete accounting of his contacts with Russian and Ukrainian sources. The American people ought to know whether the U.S. Senate has been sullied by potentially receiving information from discredited Russian agents. The American people should expect the Senate to pass this resolution today.

What were our Founding Fathers most worried about? One of the top things—top things—was interference by foreign powers in our elections. Back then, their concerns were about bribery or treason or a foreign actor who infiltrated our government. Today, in our information age, the methods of foreign interference are different, but the risks are the same.

Our chief adversaries—Russia, China, Iran, North Korea—have found that disinformation and misinformation are a weak point in open societies like ours. That makes it incumbent on us—all of us—here in the Congress to be careful about the information we receive and repeat.

In the zeal for partisan advantage, we hope the Republican majority on the Homeland Security Committee has not become a sympathetic audience and a potential entrance point to foreign influence campaigns, wittingly or unwittingly. What a disastrous and disgraceful state of affairs. The Senate should pass this resolution today.

I yield the floor to my colleague from Oregon.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I rise in support of this resolution offered by the Democratic leader. We are calling for an end to a horribly flawed congressional investigation. The foreign threats to our democracy—attempts to poison it with disinformation and to sow distrust—are an established matter of fact.

It is especially troubling because for periods over the last year, two Senate committees have conducted an investigation involving Ukraine, former Vice President Biden, and his son Hunter: the Homeland Security and Governmental Affairs Committee, led by our colleague from Wisconsin, Chairman JOHNSON; and our colleague from Iowa, Chairman GRASSLEY, of the Finance Committee, in which I am the

ranking Democrat. My staff has joined in interviews and received documents pertinent to the investigation.

Given my Finance Committee role and my position on the Senate Intelligence Committee, I am unable to discuss classified information or details of an ongoing inquiry. However, I can discuss public information about the spread of Russian propaganda and the pathway it is following from Russian agents, through the U.S. Senate, to the American people.

The Russian Government is again interfering in our election. This has been confirmed by our intelligence community. Its interference campaign includes disinformation about Vice President Biden and the work he was doing to fight corruption in Ukraine.

To spread this disinformation, Russia enlists the help of characters like Andriy Derkach and Andriy Telizhenko. Derkach has been identified by American counterintelligence as an active agent for Russian intelligence. This agent, instead of being treated as a foreign enemy, has met personally with the President's lawyer, Rudy Giuliani, to further his task of undermining elections in America. I am not sure, colleagues, what you should call an American who aids a Russian agent, but counselor to the President is certainly not it.

In August, the Director of the National Counterintelligence and Security Center issued a threat assessment on foreign threats to our election. It identified Derkach as a Kremlin-linked actor involved with attempting to denigrate former Vice President Biden.

On September 3, Senator SCHUMER and I wrote a letter, along with several of our Democratic colleagues, urging the Treasury Department to issue sanctions against Derkach. It did so the following week, describing his role in what it called "a covert influence campaign centered on cultivating false and unsubstantiated narratives concerning U.S. officials in the upcoming 2020 Presidential Election."

Telizhenko is yet another Giuliani associate who, according to press accounts, American counterintelligence has identified as a conduit for Russian attacks on our elections. He has also been a star witness in the Johnson-Grassley investigation.

Derkach and Telizhenko have released what appears to be heavily edited portions of phone calls Vice President Biden held with Ukrainian officials in the course of his anti-corruption work. Some were released on the very same day. Telizhenko is promising further releases. Telizhenko also told the Washington Post that he forwarded more than 100 emails to staff on Senator JOHNSON's committee and answered their questions.

Our colleague from South Carolina, Senator GRAHAM, was involved in the earliest stages of the Johnson-Grassley inquiry in 2019, but in February of 2020, Chairman GRAHAM said: "I called the attorney general this morning and

RICHARD BURR, [then, of course] chairman of the Intel Committee, and they told me take very cautiously anything coming out of the Ukraine against anybody."

The disinformation that these two have spread—Derkach and Telizhenko have spread—the disinformation these two have spread, largely a collection of unproven allegations and wild conspiracy theories, has obviously made it into many media outlets in the country all too willing to spread the products of Russian intelligence. It has been circulated by the President's own legal team.

From there, that disinformation became the basis of much of the work of the Johnson-Grassley inquiry. I am going to have more to say on the details of that investigation in the days ahead, but for now, I will say this: Chairman JOHNSON has repeatedly claimed in the media that he has uncovered new and damaging information about Vice President Biden's activity in Ukraine. This is simply not true. Nothing I have seen—not one bit of evidence—could lead to the conclusion that Vice President Biden did anything wrong in Ukraine. What I have seen is a monthlong investigation that still has no legitimate basis, burning through an incredible amount of manpower and taxpayer-funded resources. Neither of these committees, by the way, under the rules of the Senate, have any jurisdiction over our diplomatic ties with Ukraine. It has no legislative purpose.

This investigation, as I have pointed out on a number of occasions, also is happening under a clear double standard that has favored Republicans in the Senate and stonewalled oversight by Democrats. In my view, that is a sign that the flimsy accusations made against the Vice President can't stand up to real scrutiny.

The real nature of this inquiry has been clear all along. It began as a counterprogramming during the impeachment trial, and the urgency behind the investigation really almost seemed to die out when the trial ended. It only returned—and again, these are facts. All of these are facts. It only returned when the Vice President established himself as the Democratic frontrunner. The day after the Biden victory in the South Carolina primary, Chairman JOHNSON sent a letter to the committee announcing his intention to kick-start the investigation with a subpoena.

So now what I am going to do is outline what Senator JOHNSON said in his own words, because I think that is also very important as Senators consider this resolution. These are Senator JOHNSON's words specifically.

My colleague said in March: "[I]f I were a Democrat primary voter, I'd want these questions satisfactorily answered before I cast my final vote."

The chairman said in August: "I would think it would certainly help Donald Trump win reelection and cer-

tainly be pretty good, I would say, evidence about not voting for Vice President Biden."

He said in September: "Stay tuned. In about a week we're going to learn a whole lot more of Vice President Biden's unfitness for office."

Furthermore, the chairman, in my view, looking again at the public record, cannot credibly take issue with the work the Vice President was doing because he supported it publicly at the time.

In June 2014, at a Foreign Relations Committee hearing on Ukraine, Chairman JOHNSON stated: "If we have to tie aid or help to make sure that anti-corruption laws are passed, I think we should do it."

In 2016, Chairman JOHNSON wrote a letter with a bipartisan group of members of the Senate Ukraine Caucus to former Ukrainian President Petro Poroshenko. The letter reads:

Succeeding in these reforms will show Russian President Putin that an independent, transparent and democratic Ukraine can and will succeed. It also offers a stark alternative to the authoritarianism and oligarchic cronyism prevalent in Russia. As such, we respectfully ask that you address the serious concerns raised—

And we are talking here about the Minister of Economic Development and Trade.

We similarly urge you to press ahead with urgent reforms to the Prosecutor General's Office and Judiciary.

So these are the words, colleagues, the words of the chairman of the committee. That is why Senator SCHUMER and I believe this investigation, the Johnson-Grassley investigation, is baseless. We have brought forward a resolution that we believe is important to defending our democracy. It comes down to a question of what we want campaigns and elections to be all about.

In my view—and I have always said this—right at the core of my being, I want elections about our best ideas. That is why I serve on the Finance Committee, to try to come up with the best ideas in healthcare, taxes, trade, and the like. Elections ought to be about our best ideas and having real debates and not attacking the other side with farfetched foreign misinformation, especially at a time when the American people are dealing with the crushing weight of one crisis stacked on another.

There are 200,000 Americans who have died of COVID-19. I couldn't disagree more with the President's handling of the coronavirus pandemic. We have seen so much economic hurt. I championed on the floor and, for a while, we had bipartisan support for basically bringing unemployment into the relevant century and getting an extra \$600 per week to people and covering gig

workers and all kinds of other people. Yet, still, the economy has collapsed, and millions are out of work. My Oregon neighbors—a number of them—have seen their communities reduced to ashes. Thousands and thousands of homes and businesses have been lost. There has been a national outcry against racism and violence against Black Americans.

Our elections are supposed to be about those kinds of issues, and in all of them, what I have tried to do is devote my public service to bringing people together and getting parties to find common ground on the best ideas of how to make changes in these areas. Now, that sure seems to me to be what the Senate should be all about rather than baseless attacks and foreign disinformation.

I urge my colleagues to support the resolution that Senator SCHUMER and I have championed. It is long past time for this badly flawed investigation by our colleagues to end.

As in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of a resolution opposing efforts to launder Russian disinformation through the Congress, which is at the desk. I further ask that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER (Mr. PERDUE). Is there objection?

The Senator from Wisconsin.

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

I want to first point out—I want to thank the previous Presiding Officer for pointing out the fact that if this is not a violation of rule XIX, it is coming pretty darn close.

What you just witnessed here is this: We have witnessed Democrats doing what Democrats do so well, accusing the other side of doing exactly what they do—only 10 times or 100 times worse.

Earlier today, I chaired a business meeting of the Homeland Security and Governmental Affairs Committee, precipitated, created, made necessary by the fact that the ranking member of my committee presented an absurd, ridiculous interpretation of our rules. Based on the subpoena authority I received earlier on June 4, the ranking member said, in order to actually schedule a subpoena or schedule a meeting—a deposition—I could come back for another vote.

During my opening statement of that business meeting, having just described that level of meddling—which, by the way, the ranking member also provided that ridiculous interpretation to our witness, the witness, Jonathan Winer, an individual, by the way, who decided not to cooperate with the Department of Justice inspector general in his report on the FISA abuse. He decided not to show up for his deposition that had been previously scheduled. Having just

explained that in my opening statement, I would like to read the next part, which describes the duplicity and the hypocrisy of the Democrats.

I said: The most recent example of this hypocrisy was a letter and classified addendum created by senior Democratic leaders that accused Senator GRASSLEY and me—

The PRESIDING OFFICER. The Chair will remind Senators that rule XIX provides that “[N]o Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.”

Mr. JOHNSON. I appreciate the warning. I don’t think I did that.

The PRESIDING OFFICER. The Senator is recognized.

Mr. JOHNSON. Let me continue.

The most recent example is a letter and classified addendum created by senior Democratic leaders that accused Senator GRASSLEY and me of relying on foreign disinformation. This “intelligence product,” which was full of false allegations, was produced, classified, and then leaked to the press more than a week before Senator GRASSLEY or I were given access to it. Many in the media dutifully reported this hot tip. Democrats then used those media reports to repeat, distort, and embellish the false charges. This coordinated smear—and that is what you have to call it. It is a coordinated smear which continues today on the floor of the Senate—culminated in an August 7 opinion piece in the Washington Post submitted by Senator RICHARD BLUMENTHAL.

But John Ratcliffe, the Director of National Intelligence, wrote:

I can confirm the IC did not create the classified addendum to the 13 July letter, nor did we authorize its [release].

The foreign information we were falsely accused of receiving—we have a misprint here.

The foreign information we were falsely accused of receiving utilized—purportedly comes from a Ukrainian named Andriy Derkach, who has since been sanctioned by the Treasury Department. Although neither Senator GRASSLEY nor I ever sought, received, or used any information from Mr. Derkach, the media has continued to report otherwise for weeks, despite our repeated and unequivocal denials.

But it is true that a chart produced by Mr. Derkach is now part of our investigatory record, not because of me or Senator GRASSLEY but because Senator PETERS’ staff introduced it into the record.

So as was the case in the 2016 election, the only foreign disinformation being used to interfere in this investigation has been introduced by Democrats against Republicans and not by Republicans.

Given all the concerns expressed by Democrats over foreign disinformation, it is notable that we have not heard the same concern over disclosure of the

Steele dossier containing Russian disinformation. We are aware of this fact because, during the course of this investigation, my chief counsel uncovered it buried in four classified footnotes to the Department of Justice inspector general FISA report. We also know the FBI was aware of this as early as 2016. Think about that. The FBI knew that Russian disinformation was contained in the Steele dossier as early as August of 2016. Yet they continued the investigation, and that investigation spilled over into a special counsel and disrupted America’s Government and politics for years.

We also note that the Steele dossier was bought and paid for by the DNC and Clinton campaign. Apparently, Democrats are willing to look the other way when they pay for or use disinformation against Republicans.

That is what I read in my opening statement at our business meeting earlier today.

As I look at this resolution, the last “whereas” talks about a congressional investigation that alleges the same discredited claims by Derkach. I don’t know who Derkach is. As I said earlier, Senator GRASSLEY and I have repeatedly, unequivocally, denied we did not solicit; we did not accept; we did not receive any information from Mr. Derkach whatsoever. Yet Democrats persist in pushing this false allegation.

As a matter of fact, I am not sure our committee has alleged anything yet. About the only thing that I have alleged is the glaring and obvious conflict of interest.

I have to step back here. I just have to give a little history about Ukraine. In February of 2014, Ukrainians, courageous Ukrainians—basically two factions: one that wanted to integrate closer to the West and the younger Ukrainians who wanted to rid themselves of the corruption of the Soviet legacy—joined together in massive protest on the Maidan. Approximately, February 20, 21, over 80 Ukrainians were slaughtered by snipers protesting to rid Ukraine of corruption and increase their ties to the West.

Less than 2 months later—and I have asked my colleagues: Is there any disinformation here? Is this anything from Russian sources? Two months later, here are the series of events that occurred.

On April 16, 2014, Vice President Biden met with his son’s business partner, Devon Archer, at the White House. That is kind of a big deal—anybody meeting with the Vice President at the White House. Hunter Biden’s business partner got to do that.

Five days later, Vice President Biden visited Ukraine. The media described him as the public face of the administration’s handling of Ukraine. The next day, April 22, Archer joined the board of Burisma.

Again, Burisma is this company that is owned by what George Kent from the State Department called an “odious oligarch,” Mykola Zlochevsky. It is hard to say Ukrainian names.

Six days later, after Archer joined the board, British officials seized \$23 million from the London bank accounts of Burisma's owner, Mykola Zlochevsky. Fifteen days later, on May 13, Hunter Biden joined the board of Burisma. And over the course of the next, approximately, 4 to 5 years, Hunter and his firms were paid more than \$3 million for his and Archer's board participation.

Again, Ukraine had just gone through a revolution. Their leadership was desperate for U.S. support. We all have to believe that Mr. Zlochevsky, an odious oligarch, would have made those Ukrainian officials well aware of the fact that the son of the Vice President of the United States, the public face of the administration's handling of Ukraine, was sitting on his board.

So what kind of signal did that send to Ukrainians who were trying to stand up and were being pressured by U.S. officials to rid their country of corruption? It basically said: If you want U.S. support, don't touch Burisma.

The fact is, when all was said and done, Burisma and Mykola Zlochevsky were never held to account. The investigation, the prosecution of him was ceased. It never occurred.

In terms of Russian disinformation, these false charges, these wild claims against me and Senator GRASSLEY—I was way ahead of the curve when it came to Russian disinformation. Back in 2015, as chairman of the European Subcommittee of the Senate Foreign Relations Committee, I held three hearings focusing on what Russia does to destabilize the politics in countries—an attempted coup in Montenegro and other places in Eastern Europe. So I am well aware of what Russia is doing—well aware. I don't condone it. I condemn it. I am not having any part of pushing it.

But I have to say, for all the crocodile tears the Democrats shed in terms of Russian disinformation, the effects on our politics, I would argue that the Russian disinformation that has been perpetrated on our politics and the effect it has on the election pales in comparison to the false allegations, for example, that Russia colluded with the Trump campaign. It was promoted by Democrats for years, culminating in a special counsel and finally an impeachment. But how Democrats have used and how the media has promoted and carried the water for Democrats all this time has had a far greater effect, by orders of magnitude, in terms of destabilization and affecting the politics and affecting the elections. That is basically the truth.

I would just ask my colleagues and I would ask the American public to take a look at what has really been happening here. The false allegations, the basic playbook the Democrats engage in, time and again, create a false narrative, create a false intelligence product, accuse the other side of things that you are doing tenfold. That is what is happening here.

I, personally, am tired of it. As a result, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Oregon.

Mr. WYDEN. Mr. President, I am very disappointed that my colleague has objected.

I just want to make a brief response reflecting on my role as a senior member of the Senate Select Committee on Intelligence. Again, as I indicated earlier, I can't get into anything classified or sources and methods, but before we leave this subject, I just want to remind the Senate that the Russian disinformation campaign is going on now. It is not some abstract issue. The Russian disinformation campaign is going on now.

The Russians have attempted to rewrite the history of the 2016 campaign. It is the conclusion of the intelligence community—this is not Democrats; it is not Republicans; it is the intelligence community—that they are trying to interfere again, this time in the 2020 election, including with these attacks on Vice President Biden, and they are saying this now. And active Russian agents, like Mr. Derkach, apparently are having press conferences. I heard a report that he may have had one today.

So Members of the Senate—again, this is a matter of public record—have been presented with specific warnings about these Kremlin-backed conspiracies and lies again and again, including in classified settings. As I wrap this up, I would only ask that Members of this great institution reflect on that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, a quick response because in my other paper here, I did not have the full quote from John Ratcliffe. I would like to read it now.

This is referring to the intelligence product that senior Democratic leaders created, leaked to the press, accusing Senator GRASSLEY and I, falsely, of receiving information from Andriy Derkach.

John Ratcliffe, Director of National Intelligence, wrote:

I can confirm the IC did not create the classified addendum to the 13 July letter, nor did we authorize its creation. The IC was not consulted prior to its creation and subsequent release to the entire membership of the U.S. House of Representatives.

Then, referring to that addendum, he said it “by no means reflects the full and complete analysis of the IC.”

I would ask unanimous consent to enter into the RECORD an article that was published today by John Solomon talking about the extensive—extensive—contacts by members of the Obama administration in terms of the NSC and the State Department and the Ambassador with Andriy Telizhenko. It is right here.

We have a nice picture of House Member ELLIOT ENGEL as well.

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

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

DEMOCRATS HAD EXTENSIVE CONTACT WITH UKRAINIAN THEY NOW USE FOR ‘RED SCARE’ ATTACK ON GOP

(By John Solomon)

September 16, 2020—2:30pm

For months, Democrats on Capitol Hill have waged a whisper campaign to disparage the reputation of a former Ukrainian government official named Andriy Telizhenko, who has emerged as a fact witness for Republicans investigating the controversial business deals of Joe Biden's son Hunter.

Led by Sens. Ron Wyden (D-Ore.) and Gary Peters (D-Mich.), the Democrats have tried to suggest—without evidence—that Telizhenko is connected to Ukrainian Parliamentary member Andriy Derkach, identified by U.S. intelligence as leading Russian disinformation efforts targeting Joe Biden in the 2020 election and sanctioned by the Trump Treasury Department.

Their campaign will break into the open Wednesday on the Senate floor when Democrats try to force a vote on a resolution criticizing Senate Homeland Security and Governmental Affairs Chairman Ron Johnson (R-Wisc.) suggesting the probe he and Senate Finance Committee chairman Charles Grassley (R-Iowa) are leading into the Bidens' Ukraine dealings is part of Derkach's election meddling. Their argument is thin, relying on the fact that Telizhenko has talked publicly about some of the same issues as Derkach. Their resolution is likely to fail in the GOP-controlled Senate.

But the Democrats' character-assassination campaign suffers a much bigger problem: Long before he assisted the GOP Senate investigation, Telizhenko was a trusted mid-level Ukrainian government contact for the Obama-Biden administration, according to scores of U.S. government emails and memos obtained by Just the News.

The memos show Telizhenko routinely arranged sensitive meetings for senior State Department officials at the U.S. embassy in Kiev, met with senior Democrats on Capitol Hill, including current House Foreign Affairs Committee Chairman Eliot Engel (D-N.Y.), and facilitated contacts with Ukrainians for the National Security Council and the U.S. Justice Department in Washington dating to 2013. He also was cleared for meetings inside the Obama White House, Secret Service entry logs show.

His contacts included such senior State officials as William Taylor and Geoffrey Pyatt, two ambassadors, the memos show.

In another words, the man the Democrats are now using for a “red scare” attack on the GOP senators was actually their own party's Ukrainian contact, vetted and cleared by the State Department to meet with senior officials like ambassadors and DOJ prosecutors on sensitive foreign matters.

Telizhenko also was hired by the Democratic-leaning firm known as Blue Star Strategies to help Burisma Holdings—the Ukrainian gas firm that hired Hunter Biden as a board member in 2014—lobby the State Department and Ukrainian prosecutors to drop corruption allegations against the company in 2016, the memos show.

Telizhenko, in fact, was so trusted and familiar with Obama administration officials that he was on a first-name basis, trading smiley face emoticons and arranging coffee and beer outings in Washington with such contacts as Obama-era National Security Council staffer Elisabeth Zentos, the memos show.



"Hi Andrii! I'm doing ok. Yes, definitely got some rest over the weekend. How about you?" Zentos wrote April 4, 2016 to Telizhenko from her official White House email account. "Survive the visit ok? Also, should we still plan for coffee this week? Maybe Wednesday or Friday? Hope all is well! Liz."

A month earlier, a planned beer outing with Zentos got changed. "Would you be up for doing coffee instead of beer though? I'm realizing that if I drink beer at 3 p.m., I will probably fall asleep while attempting to work afterward," Zentos wrote.

Zentos and Telizhenko also discussed the sensitive case of Burisma and its founder, Mykola Zlochevsky, in a July 2016 email exchange with the subject line "Re: Z," the shorthand Telizhenko used to refer to the Burisma founder. Their email exchange did not mention Hunter Biden's role in the company but showed the Obama White House had interest in the business dealings of Hunter Biden's boss.

"Hi Liz, Yes, It would be great to meet, tomorrow whatever works best for you 12:30pm or 6pm—I am ready," Telizhenko wrote the NSC staffer, adding a smiley face. Zentos eventually replied when he suggested a restaurant: "Ooh, that would be wonderful—thanks so much!"

Attached to Telizhenko's email was an org chart showing the structure of some foreign companies that had been connected at one point to Zlochevsky's business empire.

The memos show Zentos first befriended Telizhenko when she worked at the U.S. embassy as far back as 2014.

The memos show that officials at the Obama Justice Department, the NSC, and the State Department enlisted Telizhenko for similarly sensitive diplomatic matters dating to 2013 including:

Arranging for senior members of the Ukraine Prosecutor General's Office to travel to Washington in January 2016 to meet with NSC, State, DOJ and FBI officials to discuss ongoing corruption cases. At the time, the Ukraine prosecutors had an escalating corruption probe of Burisma, where Hunter Biden served on the board. Within weeks of the Washington meeting, Vice President Joe Biden had pressured Ukraine's president Petro Poroshenko to fire the lead prosecutor, Viktor Shokin.

Securing a meeting in February 2015 at the U.S. embassy in Kiev with a deputy Ukrainian prosecutor whom U.S. officials wanted to confront about a bribe allegedly paid by Burisma.

Facilitating a draft statement in November 2013 from members of the Ukrainian parliament to President Obama denouncing then-Ukrainian President Viktor Yanukovich, whom the Obama administration would help oust from power a few weeks later.

"We, people of Ukraine, appeal to you with request to support Ukrainian people in their standing for freedom, justice and democracy," the November 2013 draft statement from Telizhenko to the U.S. embassy in Kiev read. "The President of Ukraine Viktor Yanukovich proved that he is not the guarantor of constitutional rights and freedoms of citizens, freedom of choice and right for free expression."

The draft statement was fielded by a military attache at the U.S. embassy who urged Telizhenko to get it to the embassy's political section for consideration. "The ambassador has not shared with me what the position of the US government would be on such a statement, other than his message yesterday morning," the attache wrote. "... I'm sure once you pass this statement to Ambassador Pyatt's political section, they will render a timely response."

Photos taken by U.S. and Ukrainian government photographers show Telizhenko facilitated meetings between 2014 and 2016 with key lawmakers in Washington, including Democrat Reps. Engel and Marcy Kaptur and then-GOP Sen. Bob Corker, as well as other U.S. agencies.

And the emails show U.S. embassy officials in Kiev routinely sought advice and insights from Telizhenko about happenings inside the Ukrainian government. "Andrii, we have heard that there may be a briefing today. Do you know the specifics?" embassy political officer Stephen Page asked in a January 2014 email.

Such contacts are normal in the diplomacy and national security business of the United States. But they take on significance now because they have been missing from the Democrats' attacks on Telizhenko and the GOP senators who have interviewed him in their probe of the Bidens. The question now is: If Telizhenko is so bad as Democrats claim, why did the Obama administration and Democrats so frequently engage him?

Sen. Wyden's recent statement ignored that issue. "While Democrats are pushing for more aggressive action against Russian assets interfering in our elections, Republicans are using their conspiracy theories to advance bogus investigations," he said.

U.S. intelligence officials tell *Just the News* that while they remain vigilant in fighting Russian interference in the 2020 election, they have no direct evidence Telizhenko is, like Derkach, connected to the Kremlin. However, they have extensive evidence he was welcomed by the U.S. government during the Obama years and that he assisted Trump lawyer Rudy Giuliani's probe of legal matters in Ukraine, including finding political dirt last year on the Bidens.

The officials also noted there is open source intelligence that Telizhenko actually engaged in a rivalry in the Ukrainian press with Derkach and derided the Ukrainian parliamentary member as a Russian operative just a few months ago. The open source information includes a BuzzFeed article quoting Telizhenko and social media posts, the officials said.

Ukraine is a country with much corruption and many mysterious characters. But one thing is clear: U.S. government memos corroborate Andrii Telizhenko was trusted by the Obama administration for many years before congressional Democrats turned on him.

Mr. JOHNSON. The same person they are saying is just this dangerous Russian agent, they were using extensively throughout the Obama administration to set up contacts. He actually had the ability to go to meetings in the White House, and he attended those. This is the person whom now they are saying, because we spoke to him and got a little bit of information from him, we are dealing in Russian disinformation.

If they had that level of concern, why did Democratic lobbying firm Blue Star Strategies employ him for over a year, and why did Democrats deal with him so frequently during the Obama administration?

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

#### CRIME

Mr. BLUNT. Mr. President, as we all know and as any American who has watched the news over the summer knows, there has been a terrible increase in crime in America's cities. As-

saults, shootings, murders have been higher this year, and my home State has not been safe from this trend. In fact, in St. Louis, MO, there were 55 murders in the month of July. That compares to 22 murders a year earlier in July, which we thought were way too many then. In Kansas City, MO, homicides in the first 6 months of this year were about 40 percent higher than they were last year.

One of the Kansas City victims was a 4-year-old boy named LeGenD Taliferro. He was murdered in the early hours of July 29 while he was asleep—a 4-year-old boy murdered while he was asleep—by a random shooting, violence going on outside his home. So early in July, the Justice Department launched an effort in Kansas City that has become a national effort, which they called Operation LeGenD, named for little LeGenD Taliferro. Under Operation LeGenD, Federal law enforcement officers are working alongside local police to solve crimes, to make arrests, to track down fugitives, and to prepare cases for trial so criminals can be held accountable. The key phrase there is "alongside." Federal agents aren't going in and taking over the police department; they are going in to add assistance to the police department.

On that topic, there was no immediate raid of trafficking centers or drug gangs or anything like that. I, frankly, thought the Justice Department was wrong in not announcing earlier to Federal officials and local officials what they were going to do and when they were going to do it, but I think we worked with them to see that that isn't going to continue to be the case. In fact, in early August, they made a similar determination to go into St. Louis.

One of the advantages of having Federal officers work with the local police in these cases is, one, they bring a whole lot more intensity to the moment. With the extra help, suddenly something becomes possible that wasn't possible before. Also, many of the people arrested can face Federal charges as well as other sentences.

Certainly in our State—in Kansas City and Missouri both—the two different U.S. attorney's offices have done a great job working with local officials before this but are even better able to look at what Federal charges might be faced to take some of that load off the local prosecutor and also look for another way to get these people off the street.

By September 1, in Kansas City, the operation had led to the arrest of 355 people suspected of serious crimes in Kansas City. More than 100 of those 355 people have been charged in Federal court. In St. Louis, where I said before that the government decided to bring Operation LeGenD—the Justice Department made that decision in early August, and by September 1, there were already 359 arrests, and 128 of those people arrested were looking at Federal charges as well.

In addition to St. Louis and Kansas City, the Department of Justice has launched Operation LeGend in seven other cities. This is not a Federal overreach. It is not the Federal Government, again, taking over local law enforcement. It is not the first step toward martial law. It is not a crack-down on peaceful protests. What it is, is a cooperative effort with cities that have been suffering from increases in violent crime.

Under this operation, officers have arrested, nationwide, more than 2,000 people, including 163 people for murder, and one of the people arrested was the alleged killer of 4-year-old LeGend Taliferro.

The rise of violence in cities this year—and particularly the cities I am talking about that have benefited, I think, from Operation LeGend—has been incredibly rapid and unbearably destructive, not to mention totally unacceptable. It has taken a toll on lives un-lived, families torn apart, communities terrorized, people wondering what is going to happen when they or their children walk out the front door or play in the backyard or, like little LeGend, are sound asleep in their beds.

Nothing we do can fully heal the damage, certainly, that these victims of violent crime and their families have suffered, but we can get the justice that both the victim and people who care about them deserve.

We may have a lot of disagreements in the Congress, but I hope we can agree that violent criminals belong behind bars. I hope we can all agree that all parents deserve a safe neighborhood where they can raise their children. I hope we can all agree that the police do a difficult and dangerous job, and they deserve all the support and appreciation we can give them.

Not long ago, LeGend Taliferro's mother spoke about her son and the pain of losing him. She said: "He was a ball of joy, and I want his legacy to live on and I want us to continue to fight against violence and get justice for my son and others." That is the end of that mother's quote, but it is not the end of a life that mother will now live without her son or the life he didn't get to live. And there are too many lives that didn't get to be lived, too many lives lost through needless violence.

Operation LeGend gives local law enforcement the valuable support they need to get violent criminals off the street. Again, it was named for an innocent 4-year-old boy. It could have been named for any of the thousands of other victims of violent criminals in dozens of other cities this year. It could have been named for St. Louis Police Officer Tamarris Bohannon, who was killed in the line of duty last month. It could have been named for the two officers in California who had a sneak attack as they were sitting and trying to secure the local transportation center just in the last couple of days. It is a tragedy that it had to be named for anyone.

While some people have sought to defund the police and to disparage the police, Operation LeGend is successful because it supports the police. These are some of the hardest jobs in America, second only to the families of people who care deeply about their loved ones who have decided to serve in that job to protect us all.

American communities are safer because of Operation LeGend. They will be safer as we continue to work toward greater and more effective community policing. They will be safer when people who are violent criminals are no longer walking around to perpetuate further violence.

I salute the Justice Department for their efforts and the local departments that have reached out and taken advantage of the moment to get something done that they were not able to get done by themselves.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

#### ISSUES FACING AMERICA

Mr. SCOTT of Florida. Mr. President, when I was growing up, I was raised to believe in the American dream. My mom taught me that we were blessed because God and our Founders created the greatest country ever, where anything was possible. We weren't allowed to complain. Debt, Big Government, socialism, and communism were bad. College was for a better paying job. Church on Sundays was absolutely not optional.

While I didn't always appreciate my tough-love, my-way-or-the-highway mom growing up, I now thank God every day for my mom and this country. She gave me the opportunity to experience every lesson this country had to offer before I was 20.

Sadly, the values that I grew up with are becoming a way of the past, but I believe these values, these virtues, can and should be part of our country's future. The left has worked hard over the last 50 years to discredit the values of the America I was raised with and the values of the America I want my grandkids to grow up with.

In recent weeks, we have seen the Democrats try hard to paint our President and the entire Republican Party as "darkness," but let me tell you what darkness would actually look like in America.

What if our country turned the keys over to the far left and turned away from capitalism in favor of socialism? The data is already in on that. The result would be the same as it has been throughout history: Socialism would destroy our economy and cause widespread poverty and oppression. Darkness.

What if our country just gave up on the battle to protect innocent human life and agreed with the political party that proudly embraces the killing of the unborn at any time, for any reason? Darkness.

What if we decide to change our First Amendment, editing out our freedom of

speech and freedom of religion, forcing Christians and Jews to retreat from the public square and silencing any who dare to speak up? Darkness.

What if America did what every authoritarian government in history has done and must eventually do—disarm the American people? Darkness.

What if we defunded our police forces across the country, even just partially? What would happen to public safety? How would life in our cities be affected? Turn on your TV for the answer. Darkness.

What if we allowed people to throw homemade bombs at police and burn down police stations and then pretended that these violent demonstrations are peaceful? Darkness.

What if we enacted the Green New Deal? Literal darkness.

What if we let China—a Communist country that systematically imprisons and murders its own citizens—take advantage of American workers and put them out of work? Darkness.

What if we teach our kids that America is a bad country with an evil history that must be erased and that America is fundamentally a morally bankrupt country? Darkness.

Republicans are fighting for issues that the American public care about. People want good jobs, a good education for their kids, and they want to live in safe communities. Republicans are working to defend our law enforcement, invest in our military, secure the border, and stop illegal immigration. Republicans are standing up to dictators in Latin America and to Communist China, after the Democrats have appeased them for decades.

Here is the fundamental difference between Democrats and Republicans: Democrats want to control your life; Republicans want to give you a life. Republicans want to give every American the opportunity to live their version of the American dream. Governments don't do that. Politicians don't do that.

The American people are dreamers, and if we get government out of their way, the innovation, determination, and entrepreneurial spirit of the American people and American business will shine bright.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. YOUNG. Mr. President, I rise today to discuss the dangerous path that national Democrats are spiraling on down and to caution our countrymen not to follow them. Radicals on the far left have hijacked an otherwise righteous cause and are in command of a once proud political party that traces its heritage back to Jefferson and Madison.

The violence the radicals have unleashed threatens lives. The cancel culture they imposed curtails liberty. And their misguided means of creating economic equality endangers the pursuit of happiness.

Joe Biden, NANCY PELOSI, and their hand-picked Democratic candidates are

empowering the radical wing of today's national Democratic Party—the same people responsible for the chaos now on full display across our country. The national leaders of the Democratic Party offer them sanctuary.

They make excuses for radicals' destructive behavior, the way an embarrassed parent does for a mischievous child. To them, the riots that are occurring from Minneapolis to Indianapolis are only peaceful protests. Promises to defund police departments are just ways of reimagining police—whatever that means. It is the same sleight of hand that turns government-run healthcare into Medicare for all who want it.

Most Democrats will not publicly embrace the socialist policies the mob howls for because they know the American people will not buy it. But once in power, they will be all too happy to implement these radical policies, and that means a mainstream national Democratic agenda that will abolish and defund police departments; take away on-the-job insurance; pack the Supreme Court of the United States; raise taxes; give Washington, DC, and Puerto Rico the same number of U.S. Senators that the State of Indiana has; eliminate the legislative filibuster and, therefore, the right of the minority within this institution; and spend trillions of dollars of new government programs that Americans don't need or want.

They are allies—the destroyers and these national Democrats I reference—only they can't be straight with the American people about their alliance, and their leaders just can't seem to summon the simple moral clarity that says racism is evil and so is using it to justify violence and vandalism.

Blessedly, in my State, local Democratic elected officials have had enough. In fact, in recent weeks, several Hoosier public servants have left their party and they have become Republicans. To clearly understand the choice before us, we need only listen to their explanations why.

This is Brian Snedcor, mayor of Hobart, who just switched from a Democrat to a Republican. He says:

I must be true to my God, my family, myself and those that have supported and believed in me . . . I want Hobart to be a place for business to come and the American Dream to be achieved.

And then we have Dave Wedding, Vanderburgh County sheriff, who also just became a Republican. Sheriff Wedding says:

I'm tired of seeing fires set in our streets. I'm tired of people defying God, our church, our police, our government and everything we stand for.

I happen to believe that every regular American feels the same way, and they will look to us to protect the American Dream and put out the fires—literal and figurative—in our streets.

The choice that each of us must make in the coming weeks is pretty

darned clear: law and order or anarchy; an economy that is growing or employers and workers which are grounded; citizens who are free and flourishing or subjects dependent on government.

What the radicals don't understand is that though we were born by revolution, the history of America is one of steady progress—a determined march together for the common good and towards an ever better union. We have to lead that march.

When far-left Democrats offer dangerous ideas and unfulfillable promises, Republicans will counter with innovative thinking and results-driven policies. We will create ways to help every American access affordable healthcare, afford a college education, advance their careers, raise a family, and buy a home that they can call their own.

Republicans will play a part in the reinvigoration of economically disadvantaged areas, both rural and urban. Ours is an America where everyone lives free of fear and is able to speak their mind, and where citizens, no matter their color or their ZIP Code, can climb as high and fly as far as their ambition and ability allows.

Their way leads to a dead end, ours to an endless frontier. They tear down. We will build. The path forward is clear.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Ms. ERNST. Mr. President, I would like to thank my colleagues for joining me on the floor today. It is clear that America is facing two separate, very different paths.

Last Thursday, the Democrats in this Chamber blocked much needed assistance to families and small businesses struggling to make ends meet amidst the ongoing coronavirus pandemic, and they did it for one reason only—politics. Our friends across the aisle didn't want to provide \$15 billion in childcare, more than \$250 billion of additional Paycheck Protection Program loans for small businesses, \$105 billion for schools, and \$20 billion for farmers.

While this aid is vital to my fellow Iowans, it would have helped families and communities all across the Nation, in red and blue States. There is no denying that the damage being caused by this pandemic is real. Businesses are being shut down, schools are being closed, and lives are being lost. Yet this toll is apparently not enough for the other side to set politics aside, even momentarily, to come together and help our fellow citizens with their daily struggles.

This senseless obstruction is leaving Iowa families to fend for themselves when they most need a helping hand. In so many ways, this represents the distinct difference between the two political parties at this very moment.

While Senate Republicans are leading efforts to get America back up and running and guarantee opportunities for everyone, Democrats are embracing obstruction and anarchy.

Following the murder of George Floyd by Minneapolis police, my friend Senator TIM SCOTT of South Carolina introduced legislation to tackle police reform in a meaningful way. The bill he proposed would have enacted long overdue policies, such as finally making lynching a Federal crime, ending the use of police choke holds, expanding the use of body cameras by law enforcement, and increasing other forms of transparency and accountability.

Yet despite the impassioned pleas of Americans across the country demanding justice for George Floyd and other African-Americans who have died in police custody, Democrats blocked the Senate from even debating Senator SCOTT's thoughtful police reform bill this past summer.

Shouldn't we all be able to agree, regardless of our party affiliation, that Congress needs to take action to guarantee that no American should fear walking on the streets, especially in their own neighborhood? That guarantee should include people of color and peaceful protesters, as well as our law enforcement officers doing their jobs.

As a consequence of the Democrats' obstruction, the streets in some of America's great cities have descended into a state of chaos and lawlessness, immersed in violence and vandalism, arson and murder.

When taxpayers turn to their elected leaders—whether for assistance to provide for their families during a pandemic, for protection from unfair policing practices, or for simple safety when walking down the street—the Democrats have responded with silence and inaction.

Even when I attempted to call up a bill to reauthorize the Violence Against Women Act—a bill that is very personal to me and that also had bipartisan support—the Democrats objected to that bill as well. And the same was true for my commonsense bill, Sarah's Law, which would hold illegal immigrants who harm or murder an American citizen accountable.

It is no wonder that folks across this country are so frustrated with Washington and fed up with politicians. Folks, just one friendly reminder: Our country's direction will soon be decided by her people. America must now choose between two paths to take into the future, and that choice could not be starker.

At a time when we need leadership and reassurance, the Democrats are instead offering obstruction, lockdowns, and anarchy. Our friends across the aisle are actually promising—folks, they are promising—to increase taxes on hardworking Americans and even promising to defund the police. That is right, folks. You get to pay more taxes in exchange for less safety and security. That doesn't sound like a good deal to me.

Speaking of bad bargains, you can expect the Democrats to pass their Green New Deal if they are given the chance.

This radical environmental plan would destroy our very way of life in Iowa.

The roadmap offered by Republicans is much brighter, to say the least: reopening America safely; real reforms to end excessive use of force by police without putting the safety of everyone at risk by defunding the police; building upon the successful pro-growth policies that created the greatest economy and historically low unemployment rates for every demographic; and bringing the jobs that were exported under the previous administration back to America and ending our dependency on foreign nations like Red China.

Folks, with our country and the world facing one of the greatest health and economic emergencies in history, we simply cannot risk our recovery on the radical designs of the Democrats. Let's pursue the path towards a renewed United States of America that guarantees safety and greater opportunities for every citizen to pursue the American dream.

I yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Illinois.

UNANIMOUS CONSENT REQUEST—H.R. 549

Mr. DURBIN. Mr. President, I am going to make a unanimous consent request in a moment, but I would like to preface it by saying what it is about so that as we explain it after the unanimous consent request is objected to, it will be clearer.

In the nation of Venezuela, there exists today an incredible political situation. I have been there to see it. There is a dictator in charge, and life on the street is deadly—so deadly that millions of Venezuelans are fleeing the country as fast as possible.

There is a limitation on food and medicine. There is so much suffering and starvation and deprivation that these people have given up everything, and they are just leaving. The United States knows that this is under the leader, Maduro. It reached a point where it is physically dangerous—so much so that we have a warning to American travelers not to go to Venezuela, to stay away because it is too dangerous.

Yet thousands of Venezuelans now in the United States are facing the threat of being forced return to this deadly, dangerous situation. The same State Department that warns Americans not to travel to Venezuela is now trying to force those Venezuelans who are here as students and others to go back to this deadly situation.

Senator MENENDEZ and I and others think it just makes sense for us to give these people a shelter until it is safe for them to return to their home. That is what this request is about.

Mr. President, as in legislative session, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 549 and the Senate proceed to its immediate consideration; further, that the bill be considered read a third time

passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. THUNE. Reserving the right to object. On behalf of my colleague Senator LEE, who cannot be here to object on his own because he is chairing an Energy subcommittee hearing, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Illinois.

Mr. DURBIN. Mr. President, I know the Senator from South Dakota is making the objection on behalf of Senator LEE, and I have been called to do the same thing from time to time. I won't assign any political blame to him, but I will say this is a serious mistake and deadly mistake for these Venezuelans.

This is an issue which in many parts of America is red hot. Those of Venezuelan ancestry or those who are here in a temporary status cannot understand what just happened. They want to stay here safely. They don't want to be forced to return to this nation that is such a dangerous place under this dictator.

A number of times in the last year, Senator MENENDEZ, who is on the floor with me here, has joined with me on behalf of the Venezuelan people. President Trump boasts that he supports these people.

The idea is simple: While the country remains a dictatorial nightmare, grant Venezuelans in the United States temporary protected status or TPS. It is the kind of commonsense move a self-confident nation and one that really cares about humanity would do to demonstrate real leadership and accept.

TPS is a temporary immigration status provided to foreign nationals if returning to their country poses a serious threat to their safety for any variety of reasons—natural disaster, environmental disaster, extraordinary conditions, armed conflicts. Certainly by every objective measure, the situation in Venezuela today is deadly and dangerous. It is not a permanent immigration status we are seeking for these Venezuelans, just a measure of American decency and solidarity with those who might be in the United States when a calamity occurs in their home country. Prior administrations of both political parties have granted it for people from countries facing these circumstances.

The situation in Venezuela is dire. Currently, the United States is working with regional partners to foster an end to the disastrous dictatorship clinging to power in Venezuela.

I was there before the sham 2018 election. What I saw was heartbreaking—people starving and fainting at work from malnutrition; hospitals without power or basic medicines. I visited a Catholic children's hospital in Caracas. They told me they didn't have the basics to treat these children. Antibiotics and cancer drugs were unavailable.

Millions were fleeing this country and still are, as refugees into neighboring countries. There is brutal political repression. If you disagree with Maduro publicly, be prepared to go to prison. There is staggering government corruption and dismantling of the government's democracy. Now, the tragic impacts of coronavirus have made the situation worse as well.

I supported this administration's efforts to work with other nations to support the interim Presidency of Juan Guaido. I had a chance to speak with President Guaido on the phone yesterday. I am deeply moved by his courage and concern for the Venezuelan people amid the suffering. Think about what he is up against. Here is a man who at any moment could face imprisonment or worse.

It is remarkable that more than 2 years after an internationally discredited Presidential election, Venezuelan dictator Nicolas Maduro is now planning another illegitimate election instead of finally holding a fair, credible Presidential contest.

I asked President Guaido: Are there going to be any international observers of this international election coming up this December?

Oh, yes.

I said: Who?

He said: The Russians.

I said: What a coincidence. They are observing our election too.

Venezuela has tragically fallen from President Trump's attention. One simple step he could take is grant TPS to Venezuelans here in the United States. He repeatedly refuses. There are travel warnings to Americans telling people not to go close to Venezuela, but for the Venezuelans here on visa or TPS status: You have to go home. The President has refused, I suspect, because the depth of his anti-immigrant cruelty really has no limits.

Despite the chest-thumping to audiences in Florida about taking on Venezuelan dictators, President Trump has, in fact, turned his back on the Venezuelans in the United States who truly need his protection. Nobody should be surprised, as former National Security Advisor John Bolton wrote in his book, that the President praised Maduro as "smart" and "tough" and waffled on any kind of coherent policy in the region and told Bolton not to get too deeply involved. President Trump can't have it both ways.

I have met many Venezuelans in my home State of Illinois. I can tell you that they are desperately worried about being forced to return to the chaos, violence, and hopelessness of the current Venezuela.

The Trump administration's travel advisory says it all:

Do not travel due to COVID-19, crime, civil unrest, poor health infrastructure, kidnapping, arbitrary arrest and detention of U.S. citizens . . . Violent crime, such as homicide, armed robbery, kidnapping, and carjacking, is common.

Yet the Republicans come to the floor and object to our efforts to protect the Venezuelans who are doing

their best to avoid what I just read as a warning to American travelers.

Just today, U.N. investigators released findings saying that under Maduro, Venezuela has “committed egregious violations” amounting to crimes against humanity. How can this President and the State Department possibly force people to return to Venezuela under these conditions? And now, with Maduro detaining returning refugees and calling them “bioterrorists,” the idea of going back is even more dangerous.

Since the White House wouldn’t act more than a year ago, the House, under Democratic control, passed a bipartisan bill granting TPS to Venezuelans by a margin of 272 to 158. Senator MENENDEZ, Senator RUBIO, and I introduced a similar Senate bill, but the majority leader, MITCH MCCONNELL, still refuses to bring up any bill that just might not please President Trump—even ones that supposedly he is publicly supporting.

Senator MENENDEZ and I have tried to call up the House bill for passage, only to face objections, just as we did today, from Senate Republicans who refuse to stand up to this President’s failure on this and so many other foreign policies.

When we brought this up last July, Senate Republicans objected because they said they wanted to debate it in the Judiciary Committee. Well, 12 months passed with plenty of opportunities. Our Venezuelan TPS bill was referred to the committee in February of 2019. Yet there has been no action, no hearing, no markup. The Immigration Subcommittee is not overloaded with work. Under Chairman CORNYN, we have had exactly one subcommittee meeting in the past 1½ years. It hasn’t held a single hearing this year, and the Senate Judiciary Committee hasn’t considered a single immigration bill.

This administration could grant TPS without congressional action, but it refuses. Senate Republicans could pass the bipartisan House bill to grant Venezuelans TPS, but they refuse as well. Let it be clear that the real failure to help Venezuelans in the United States rests on their shoulders—the President and the Republican majority in the Senate.

The Venezuelan policy, like so many others with this administration and the Senate, is only there to serve President Trump and no one else.

I made my offer in the hope that we could bring this matter to the floor. I am sorry it met an objection. I thank my colleagues for joining me on this effort.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that there may be portions where I may say a few words in Spanish, and I will provide a translation for the clerk.

I ask unanimous consent to be able to do that.

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

Mr. MENENDEZ. Mr. President, we are here today once again to join Senator DURBIN, who has been on the floor with me or I with him I don’t know how many times now as it relates to this issue. We are here to urge the Senate to immediately approve legislation that would designate Venezuelans for temporary protected status.

There are some 200,000 Venezuelans who are currently living in the United States. They are unable to return home safely, and they would benefit from TPS.

We should be doing the right thing. We should be upholding American values and offering them protection, but once again, our Republican colleagues have blocked our efforts.

We know what is at stake. Venezuela continues to experience the worst humanitarian crisis in our hemisphere. Its people continue to suffer food and medicine shortages, levels of criminal violence akin to a conflict zone, and grave human rights abuses under the Maduro regime. As if that were not enough, Venezuelans face the alarming spread of COVID-19 with a public health system in ruins.

For 7 years, Maduro’s devastating abuses of the Venezuelan people have left them with little choice but to stay and suffer or flee and have a chance at survival—flee the political persecution, flee the oppression.

In Maduro’s Venezuela, families struggle to feed themselves and children tragically die of treatable diseases. More than half of all Venezuelan doctors have fled the country, and 40 percent of hospitals lack electricity and 70 percent lack regular access to water. Senate Republicans want to leave the Venezuelans who are in the United States at risk of deportation back to Maduro’s nightmare rather than take action. Meanwhile, the Maduro regime is using the spread of COVID-19 to further tighten its control.

Last month, Human Rights Watch reported that dozens of journalists, healthcare workers, human rights lawyers, and political opponents have been detained or prosecuted for merely criticizing or questioning the regime’s official statistics on the pandemic.

Take the case of Ivan Virguez, a 65-year-old human rights attorney who had expressed concern on Facebook about “quarantine centers” that had been set up by the regime. In response, police officers handcuffed him to a metal tube in a prison yard, under the Sun for 2 hours, and left him without access to a bathroom for over a day, causing him to become sick with bladder pain. Ivan remains under house arrest and without access to his criminal file and no due process.

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

As Senator DURBIN said, “just today, the United Nations released a report finding that Maduro’s yearslong cam-

paign of extrajudicial killings and torture amounts to crimes against humanity.” Yet President Trump and Senate Republicans refuse to provide humanitarian protection to Venezuelans in the United States.

The extraordinary conditions in Venezuela have forced more than 5 million Venezuelans to flee their country in search of protection. Last year, I traveled to Cucuta, which is the border city between Colombia and Venezuela, and I saw for myself the thousands of refugees and migrants who cross every day. I will never forget their stories—stories of heartbreak and suffering from people leaving everything they have ever known behind—their homes, their loved ones—in an attempt to survive.

We have applauded Venezuela’s neighbors, including Colombia, Ecuador, Peru, and Brazil, for welcoming Venezuelan refugees and migrants despite their having far fewer resources than the United States. Yet the Trump administration has failed to ensure that America lives up to its history as a beacon of freedom and hope around the world.

Many Venezuelans in the United States today who would be eligible for TPS are stuck in immigration detention. The Trump administration and the Republican-led Senate have failed to grant them TPS, which leaves them facing uncertainty and the fear of deportation. Many others who have come from Venezuela to seek political asylum have been turned back and deported—back to countries like Mexico and with all of the risks that those border cities present. They have not even been given a chance to make their political asylum claims.

So make no mistake: The Trump administration has all of the authority it needs to designate Venezuela immediately—it doesn’t need this legislation—but the President has chosen not to. That is why we introduced legislation that would grant TPS to our Venezuelan brothers and sisters. The House has already passed a similar bill.

Now, I have had other issues here in the Senate for which I have had to do this before, and I will do it again. I am not going to relent in our effort to grant Venezuelans the protections they deserve. Every time my Republican colleagues have wanted to stop our Nation from ultimately making progress, we have had to shame them into submission, and this is no different. I am not going to stop until the United States truly stands in solidarity with the Venezuelan people.

If you don’t want to give them TPS, let them make their claims for political asylum, but then you take them and turn them away before they can make cases for political asylum when we know—God—that there is a good case for political asylum coming out of Venezuela.

Then we have had colleagues in the past, one being Senator SCOTT, of Florida, who came and objected to our TPS proposal for Venezuelans. He suggested

that we have to change all of TPS because, in fact, it had become more than a temporary protected status.

Well, guess what. The Ninth Circuit Court actually made a decision which I disagree with, but we call attention to the action that comes on the heels of a disappointing Ninth Circuit decision issued on Monday that says that the Trump administration's cruel efforts to strip protections of over 300,000 current TPS holders is permissible. So there goes the argument that, oh, well, TPS is permanent. No. The President could have granted it, and he can end it when he feels the conditions in Venezuela no longer should give the opportunity for Venezuelans to continue to have temporary protected status. So that argument is out of the way.

As for debating this in the Committee on the Judiciary, well, you have had over a year to debate it since we started this. You are in the majority. You control the committee, and you control the subcommittee. You could have had the debates. We don't come to the floor lightly to seek unanimous consent. We do it after having waited a considerable time for the debates to have taken place—the debates you said you wanted—but they haven't come.

There are people living, working, and raising families legally in the United States who have Venezuelan backgrounds. Yet the President is doing everything he can to line them up for deportation. Of those at risk, 130,000 essential workers are among them, who have sacrificed their health during this pandemic to ensure that all Americans have access to healthcare, food, and basic necessities.

The administration's efforts are also endangering over 273,000 U.S. citizen children who call a TPS holder "Mom" or "Dad." That is right. In the midst of a deadly pandemic, this administration wants to deport the parents of hundreds of thousands of American children or force these families to relocate their children to unstable, wholly unfamiliar countries.

This callous disregard for TPS holders and the greater immigrant community has to stop. We shouldn't wait for the Ninth Circuit's decision to be appealed. We have to create a permanent solution for TPS holders who have become integral to our communities and deserve a pathway. The Senate should not only take up TPS but pass the American Dream and Promise Act, H.R. 6, which passed the House with bipartisan support more than a year ago.

What are we waiting for?

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

Venezuelans deserve TPS right now. We cannot wait.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, I am pleased to join my colleagues Senator MENENDEZ and Senator DURBIN in urging the U.S. Senate to do the right thing and grant protected status to

Venezuelans in this country. At this moment, I thank them for their continued leadership on this issue and for making sure we have immigration policies that live up to what this country has always stood for.

As my colleagues have pointed out, Venezuela is suffering a dire humanitarian crisis under the dictatorship of Nicolas Maduro. Its economy has collapsed, and its medical system is in free fall. They are governing through a reign of terror.

Even before COVID-19 struck, Venezuelans were facing shortages of food, of water, of gasoline, and other life-saving items. The pandemic has taken a very bad situation and made it much worse—in fact, desperate. An estimated two-thirds of physicians in Venezuela lack access to basic sanitary equipment, like gloves, masks, soap, or goggles, and only 25 percent of the doctors have reliable running water in their hospitals and clinics.

On top of this desperate economic situation, you have the political tyranny and terror that has been imposed by the Maduro regime. In fact, as my colleagues pointed out just this morning, U.N. investigators found that Venezuelan security forces and allied groups have committed systemic human rights violations, including killings and torture, amounting to crimes against humanity. Reasonable grounds exist to believe that President Maduro and his Interior and Defense Ministers ordered or contributed to these crimes against humanity, which are documented in the U.N. report. The U.N. factfinding mission has said that other national jurisdictions and the International Criminal Court should consider prosecutions. So you have a desperate situation.

President Trump claims to support the people of Venezuela who are facing this tyranny and this desperation. In fact, as Senator DURBIN said, he has on numerous occasions said he was sympathetic and that he wanted to help.

Here is what he said last year: "To the Venezuelans trapped in this nightmare, please know that all of America is behind you."

That is what President Trump said. Yet he has refused to use his authority to take action to grant Venezuelans here in the United States that temporary protected status. He wants to send them back to what he describes as a nightmare—a nightmare that is getting worse by the day as documented by the U.N. report. He wants to send them back to a place where the U.N. has just implicated the government in crimes against humanity.

Because the President refuses to do what he says—refuses to actually take action to help—the House has passed legislation to grant Venezuelans TPS. My colleagues Senator MENENDEZ and Senator DURBIN have introduced that legislation here in the Senate, and I am proud to cosponsor it. Yet, as we are saying here today, the fastest thing to do is to just take up the House bill and

pass it. So it is incredibly disturbing that our Republican colleagues would get up and block a vote on that action on the very day when the government in question, the Government of Venezuela, has been found to have committed crimes against humanity.

The majority in this Senate says: Well, don't worry about that. If you are here in the United States, we are going to insist that you go back home. We are going to insist that you put yourself and your family back this danger.

That is what our Senate Republican colleagues are saying by blocking the vote on this House TPS measure. They are forcing innocent people to go home to what the President himself described as a nightmare.

As my colleagues have said and as we know, this is part of an inhumane, anti-immigration agenda from this administration—from the Muslim ban, to ending DACA, to the termination of TPS for many other populations. This President has separated families and instilled fear in our communities.

Senator MENENDEZ referenced the Ninth Circuit Court's decision from earlier this week, the decision of its upholding, on a 2-to-1 vote, the President's decision to rescind TPS protections for over 400,000 individuals who are here, working in our communities, living here legally with their families. Many of them have been here for over 20 years. As he said, 130,000 of them are on our frontlines as essential workers. More than 10,000 of them are medical professionals who put themselves at risk to help others throughout our communities and our country. These are individuals who are our neighbors and small business men and women, and they are contributing to our communities and to our country. The President has said he wants to deport them—400,000 people—despite this hour of peril both here and even more so in the countries to which they would be required to return.

That is why we have to pass the SECURE Act—to provide stability and security to those who are on TPS. That is why we have to pass the American Dream and Promise Act that the House passed last year.

That is why we need to grant TPS to Venezuela, so, as my colleagues say, this country can do what Presidents from both political parties have done in the past and Members of the House and Senate from both political parties have done in the past, which is to live up to the idea that we are a place of refuge for those who are facing political persecution at home.

I don't know how you can more clearly define "political persecution" on this day than a finding by the United Nations that the Government of Venezuela is committing crimes against humanity, against the people of Venezuela. Yet, that is the day that, once again, we saw our Republican colleagues block this legislation that would allow our country to live up to our tradition of doing the right thing.



As Senator MENENDEZ said, I look forward to joining him as we continue to press this issue. I guess the only good news is that it seems to be getting a little harder for the other side—our Republican colleagues—to find somebody who wants to come here in the light of day and object to it. I hope that in the coming days, that number will be zero and we can actually pass this important piece of legislation.

I yield the floor.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the Dugan nomination.

The legislative clerk read the nomination of David W. Dugan, of Illinois, to be United States District Judge for the Southern District of Illinois.

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the Dugan nomination?

Mr. MENENDEZ. 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 legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from West Virginia (Mrs. CAPITO).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER (Mrs. BLACKBURN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 41, as follows:

[Rollcall Vote No. 179 Ex.]

#### YEAS—55

Alexander	Gardner	Perdue
Barrasso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hawley	Roberts
Boozman	Hoeven	Romney
Braun	Hyde-Smith	Rounds
Burr	Inhofe	Rubio
Cassidy	Johnson	Sasse
Collins	Jones	Scott (FL)
Cornyn	Kennedy	Scott (SC)
Cotton	Lankford	Shelby
Cramer	Lee	Sullivan
Crapo	Loeffler	Thune
Cruz	Manchin	Tillis
Daines	McConnell	Toomey
Durbin	McSally	Wicker
Enzi	Murkowski	Young
Ernst	Paul	
Fischer		

#### NAYS—41

Baldwin	Cortez Masto	Leahy
Bennet	Duckworth	Markey
Blumenthal	Feinstein	Menendez
Booker	Gillibrand	Merkley
Brown	Hassan	Murphy
Cantwell	Heinrich	Murray
Cardin	Hirono	Peters
Carper	Kaine	Reed
Casey	King	Rosen
Coons	Klobuchar	Schatz

Schumer	Stabenow	Warner
Shaheen	Tester	Whitehouse
Sinema	Udall	Wyden
Smith	Van Hollen	

#### NOT VOTING—4

Capito	Sanders
Harris	Warren

The nomination was confirmed.

#### VOTE ON MCGLYNN NOMINATION

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the McGlynn nomination?

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.

Mr. THUNE. The following Senator is necessarily absent: the Senator from West Virginia (Mrs. CAPITO).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The result was announced—yeas 55, nays 41, as follows:

[Rollcall Vote No. 180 Ex.]

#### YEAS—55

Alexander	Gardner	Perdue
Barrasso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hawley	Roberts
Boozman	Hoeven	Romney
Braun	Hyde-Smith	Rounds
Burr	Inhofe	Rubio
Cassidy	Johnson	Sasse
Collins	Kennedy	Scott (FL)
Cornyn	Lankford	Scott (SC)
Cotton	Lee	Shelby
Cramer	Loeffler	Sullivan
Crapo	Manchin	Thune
Cruz	McConnell	Tillis
Daines	McSally	Toomey
Durbin	Moran	Wicker
Enzi	Murkowski	Young
Ernst	Murphy	
Fischer	Paul	

#### NAYS—41

Baldwin	Hassan	Rosen
Bennet	Heinrich	Schatz
Blumenthal	Hirono	Schumer
Booker	Jones	Shaheen
Brown	Kaine	Sinema
Cantwell	King	Smith
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Markey	Udall
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murray	Whitehouse
Feinstein	Peters	Wyden
Gillibrand	Reed	

#### NOT VOTING—4

Capito	Sanders
Harris	Warren

The nomination was confirmed.

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

#### 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 Iain D. Johnston, of Illinois, to be United States District Judge for the Northern District of Illinois.

Mitch McConnell, Roger F. Wicker, John Boozman, John Cornyn, Todd Young, Joni Ernst, Roy Blunt, Shelley Moore Capito, Cindy Hyde-Smith, Deb Fischer, Mike Crapo, John Thune, Richard Burr, James E. Risch, John Barrasso, Tim Scott, Thom Tillis.

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 Iain D. Johnston, of Illinois, to be United States District Judge for the Northern District of Illinois, 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.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from West Virginia (Mrs. CAPITO).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The yeas and nays resulted—yeas 81, nays 15, as follows:

[Rollcall Vote No. 181 Ex.]

#### YEAS—81

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

#### NAYS—15

Blumenthal	Brown	Gillibrand
Booker	Cantwell	Hirono

Klobuchar  
Markey  
Menendez

Merkley  
Murray  
Schumer

Van Hollen  
Warren  
Wyden

# NOT VOTING—4

Burr  
Capito

Harris  
Sanders

The PRESIDING OFFICER. On this vote, the yeas are 81, the nays are 15.

The motion is agreed to.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Iain D. Johnston, of Illinois, to be United States District Judge for the Northern District of Illinois.

The PRESIDING OFFICER. The Senator from Arkansas.

### HEALTHCARE HEROES

Mr. BOOZMAN. Mr. President, healthcare workers have long been regarded as some of our Nation's most critical and courageous servants. During this time of challenges and uncertainty, this has never been more accurate.

Each day, our healthcare professionals make tireless sacrifices to protect and serve our country, even when it means risking their own lives to take care of others. People like Jennifer Campbell, a registered nurse from White River Health System, are a great example. She is recognized as the in-house expert for all COVID-19 testing. She has taken ownership of the community drive-up testing and worked with the Arkansas Department of Health to organize community testing.

In Malvern, Vickie Robbins, a registered nurse at Baptist Health-Hot Spring County, has volunteered to work extra hours, offered to operate drive-through screening, and volunteered to treat COVID-19 patients. Also, Lora Turknett, a registered nurse at Baptist Health-Conway, has been dependable and flexible with the hours she works to support the needs of different shifts. She provides compassionate care with a positive attitude.

During visits to medical facilities across Arkansas during the in-State work period, I was honored to personally thank frontline workers like them and so many others for the critical care they are providing. The work of these frontline workers and their colleagues has become much more difficult. We are grateful for all they do and represent.

Congress overwhelmingly supported the men and women of the medical community who are treating COVID-19 patients and are working to find a cure to address the public health crisis with the passage of the CARES Act. This critical relief was a necessary lifeline for hospitals to continue providing services to meet the demands of the communities and helping our doctors, nurses, and other medical professionals stay safe while providing care and treatment for patients.

There is more that we can do to support healthcare and ensure that pa-

tients get reliable care. Listening to the needs of hospitals is incredibly important in many efforts to assist these vital facilities, protect the jobs they create, and empower their ability to serve communities and patients all across Arkansas. Insight from the healthcare community is a valuable resource that helps shape the policies that directly impact their mission.

Along with continuing to provide critical resources like PPE, here are three things Arkansas healthcare professionals recommend we can do to improve services. First of all, we can expand broadband so more patients can take advantage of telehealth; make expanded telehealth services to Medicare permanent; and, finally, provide certainty for the 340B drug discount program.

Telehealth has become vital to providing effective care for patients during this public health emergency. Access to medical providers without leaving home offers convenience and safety against potential exposure to COVID-19. Having the option for virtual doctors' visits can be a challenge, particularly for rural areas, where broadband connectivity is limited.

This emergency has amplified the need for this connection, but, too often, providers in rural communities are unable to meet the increased demand for telehealth services. So my colleagues and I have introduced legislation to help healthcare providers expand telehealth benefits and improve access to broadband.

The Healthcare Broadband Expansion During COVID-19 Act would bolster funding for providers in rural areas to increase connectivity. This bill would help more patients get the care they need.

We have a unique opportunity to see how the modifications and updates we made to health programs during this health emergency can be beneficial in the long term.

The CARES Act provided the Department of Health and Human Services with the authority to waive telehealth requirements for Medicare during this emergency. Providers and patients have adapted expanded telehealth opportunities. We can continue to strengthen this access by making these services permanent.

Earlier this summer, I joined a bipartisan group of Senators to urge our Nation's top health agencies to make the permanent changes to telehealth requirements for Medicare that Congress authorized in the CARES Act.

Last month, President Trump issued an Executive order to improve healthcare in rural America by expanding telehealth resources and services. The President's action included a proposal to parts of Medicare's telehealth coverage. This is a step in the right direction. I look forward to working with the administration to implement a rule that will enhance the delivery of healthcare to Medicare patients.

When Arkansas hospital administrators shared their concerns over future

eligibility in the 340B program, I signed on to support Senator THUNE's bill to provide certainty to current participants. As hospitals paused elective procedures and as admissions decreased for Medicare and Medicaid patients, administrators' concerns that their hospitals would no longer be eligible for the 340B program increased. These are among the key metrics used to determine acceptance into the program. The 340B drug discount program has provided flexibility to Arkansas hospitals to help lower drug prices. Extending eligibility so they can care for low-income patients is critical.

These are three measures we can take to help patients continue to get quality, reliable care. We must remember that, like our valued healthcare workers, we play an important role in fighting the virus. By following the guidance and recommendations laid out by our public health officials, we can help our medical heroes and make a positive impact to prevent the spread of COVID-19.

I yield the floor.

The PRESIDING OFFICER. The Democratic whip.

### DACA

Mr. DURBIN. Mr. President, it has been exactly 90 days since the Supreme Court rejected President Trump's effort to end deportation protection for Dreamers. Dreamers, of course, are young immigrants who came to the United States as children, toddlers, or infants and who grew up in this country believing they were part of America, only to learn when they were old enough to be told, as teenagers, that they were undocumented through no fault of their own.

In an opinion by Chief Justice John Roberts, the Supreme Court held that the President's attempt to rescind the Deferred Action for Childhood Arrivals, known as DACA, was "arbitrary and capricious."

It was 10 years ago that I joined with then-Republican Senator Dick Lugar, of Indiana, on a bipartisan basis, to call on President Obama to use his legal authority to protect Dreamers from deportation. President Obama heard our call. He responded by creating the DACA Program. DACA provides temporary protection to Dreamers from deportation on a 2-year basis, which is renewable if they register with the government, pay a fee, and pass criminal and national security background checks. More than 800,000 Dreamers came forward to sign up for DACA.

DACA unleashed their full potential, and they could see there might be a future. They began to contribute to our country as soldiers, teachers, and small business owners. More than 200,000 DACA recipients are essential critical infrastructure workers. That is not my choice of words. It is the definition of President Trump's Department of Homeland Security. More than 200,000 DACA recipients are essential critical infrastructure workers. Among these

essential workers, 41,700 DACA recipients are in healthcare. They are doctors, intensive care nurses, paramedics, and respiratory therapists.

Despite this incredible story of these innocent children coming to the United States while not having legal status in this country but having fear of deportation and still being determined to be part of America's future, as well as the fact that they would serve our country as essential workers and healthcare workers, on September 5, 2017, President Trump repealed DACA. Hundreds of thousands of Dreamers faced losing their work permits and being deported to countries they may not even remember.

The Federal court stepped in and ordered the Trump administration to continue DACA for Dreamers who had already received this protection. However, Dreamers who had not already received DACA were blocked from applying from this protection for nearly 3 years while the case languished in court. The Center for American Progress estimates that approximately 300,000 Dreamers had been unable to apply for the program because the case was in court.

On June 19, the day after the Supreme Court rejected President Trump's repeal of DACA, I led a letter from 43 Democratic Senators to the President. We called on the President to follow the law, to immediately comply with the Supreme Court's decision and reopen DACA for those who were eligible to apply. It has been 3 months now. We haven't received any response from President Trump, and the Trump administration refuses to reopen DACA.

In July, a Federal judge issued an order for the Trump administration to begin receiving new applications for DACA. Instead, Acting—and let me underline “Acting”—Department of Homeland Security Secretary Chad Wolf has issued a memo saying that the DHS will “reject all initial requests for DACA.”

Let's be clear. The Supreme Court of the United States rejected President Trump's repeal of DACA. That means DACA returns to its original status, and the Trump administration, under Court order, must reopen the program, and it must do it now. Instead, Mr. Wolf is saying the DHS will turn away 300,000 applicants who are Dreamers who are eligible for DACA but who have not had a chance to apply.

It is important to note that the non-partisan Government Accountability Office has concluded that Acting Secretary Wolf is illegally serving. This calls into serious question any legal authority he claims in issuing a memo to refuse to reopen DACA.

This administration, which is telling America it is dedicated to law and order, is in open defiance of the Supreme Court. The stakes are high both for the rule of law and, just as importantly, for the lives of Dreamers. To ignore this is to ignore a legitimate

order of the highest Court in the land. Republicans and Democrats in Congress should come together to compel this President to follow the law and immediately comply with the Supreme Court's mandate.

On June 4 of last year, the House of Representatives passed H.R. 6, the American Dream and Promise Act. This legislation would give Dreamers a path to citizenship—my goal for years. It passed on a strong bipartisan vote. It has been pending in the Senate, sitting on the desk of Republican leader MITCH MCCONNELL, for more than 12 months.

After the Supreme Court decision, I sent a letter, signed by all 47 Democrats, calling on Senator MCCONNELL to immediately give us a vote on the Dream and Promise Act. It has been 3 months. Still no reply.

The Dream and Promise Act would also provide a path to citizenship for 400,000 immigrants who have been living in the United States on temporary protected status. More than 90 percent of them are originally from El Salvador, Honduras, and Haiti. Most of them have lived in the United States for over 20 years.

As with DACA, TPS recipients must register with the government, pay a fee, and clear criminal and national security background checks. Like DACA recipients, TPS recipients are making important contributions to America. More than 130,000 TPS holders are essential critical infrastructure workers, and 11,600 are healthcare workers.

My friend, the Senator from Arkansas, just came to the floor and lauded our healthcare heroes across America in the midst of this pandemic. I have given that same speech. I think we all have, and we mean it. Yet did you ever stop and think how many of those healthcare workers are the DACA recipients, Dreamers, TPS holders—the so-called immigrants—whom we want to reject and remove from this country? We praise them on one hand, and we tell them to get the heck out of the United States on the other. How can that be consistent?

Two years ago, I negotiated bipartisan legislation with a path to citizenship for DACA and TPS recipients. President Trump profanely dismissed our bill in an Oval Office meeting that has now become infamous. Instead, the President is trying to rescind TPS protections and deport hundreds of thousands of immigrants from our country.

A Federal judge concluded that the President broke the law and blocked his effort to end TPS. Earlier this week, in a divided decision, two Republican-appointed judges ruled the other way and lifted the injunctions. This decision makes it even more important that the Senate immediately consider the Dream and Promise Act.

Over the years since I introduced the DREAM Act, I decided the only way to tell the story of this bill was to tell the story of the Dreamers. I have come to the floor 125 times to tell the stories. Today will be the 126th. I want to tell

you the story of these two people. I will start with Esmeralda Tovar-Mora. In this photo, she is with her husband, whom I will talk about more in just a moment.

Esmeralda is the 126th Dreamer's story I have told in the Senate, and it is a good one. She came to the United States from Mexico at the age of 2, so she obviously had no voice in that decision. She grew up in Hutchinson, KS.

She sent me a letter, and here is what she said about growing up:

Growing up in the United States has been the only thing that I've known. Pledging allegiance to the American flag and singing the national anthem on a daily basis made me believe that I was truly American.

She was a good student—no, she was excellent. In high school, she was a member of the National Honor Society and president of the Key Club. She sang in her church choir and played on the tennis team. She graduated magna cum laude.

Esmeralda's experiences in the Key Club visiting nursing homes convinced her she wanted a career in healthcare.

Thanks to DACA—thanks to DACA—Esmeralda was able to work as a waitress to support herself through college. She is now a case manager at a mental health center and a medication aide in an Alzheimer's ward in Hutchinson, KS.

She is married to Michael Mora, seen in this picture. Specialist Mora serves in the Kansas National Guard and recently returned from a 9-month tour in the Middle East—National Guardsman, 9 months in the Middle East—serving a country that will not recognize his wife as a citizen.

Let me introduce you to someone else. This is special. This beautiful little girl is Esmeralda and Michael's daughter Rose. She just turned 4.

Esmeralda is on the frontlines of the coronavirus pandemic, and here is what she said:

We've been on lockdown since March 30. Since family members can't visit, my patients are scared and lonely. Many have started asking me to call them Grandma or Grandpa, a little crumb of comfort at a time when the world around them is going crazy. I'm happy to be their adopted granddaughter. It eases the pain of scrubbing my hands until they're raw and the anxiety that I could infect my beautiful family. It also makes me happy to know that I am appreciated here in Hutchinson, because right now I've got an added stress: The U.S. government wants to deport me.

I want to thank Esmeralda for her service. She is truly a health hero—an immigrant health hero. She is a DACA health hero. She is putting herself and her family at risk every day to protect others—Americans—loving members of families, and it may be their last day on Earth. She should not also have to worry about whether she is going to be deported and her family torn apart. Isn't it enough that her husband is serving our country to prove how much this family loves America?

Would we be stronger as a country if we tell Esmeralda Tovar-Mora to leave

or if she becomes an American citizen and continues to work on the frontlines of the COVID-19 pandemic? I don't think the answer is even hard. I think it is clear.

Esmerelda and hundreds of thousands of other Dreamers and TPS holders are counting on those of us in the Senate to solve this crisis that President Trump created.

I am sorry that Senate Republicans are ignoring President Trump's defiance of the Supreme Court and refusing to bring the Dream and Promise Act to the floor.

As long as I am a U.S. Senator, I will be coming to this floor to fight for Esmerelda Tovar-Mora and all immigrants. It would be an American tragedy to deport this brave and talented healthcare worker in the midst of this pandemic. We must ensure that Esmerelda and hundreds of others of our essential workforce are not forced to stop working when we need them more than ever, and we must give them a chance—just a chance—to earn their way to citizenship.

Mr. President, it has been my honor to represent Esmerelda and the hundreds of thousands of Dreamers over the years. They have never disappointed me—never.

Many times we brought to the floor of the Senate the Dream Act, bills containing the Dream Act. We have managed to pass them a few times but never at the same time as the House, so they have never become law. So for decades—literally for decades—these young people have waited for their chance. They have done everything they can possibly do to prove they love this country. What will it take to convince my colleagues? What will it take to convince them that losing this beautiful young woman, with this pretty little girl, Rose, and telling this man, who served our country in the Kansas National Guard in a 9-month tour of duty in the Middle East—what will it take to convince my Senate colleagues that these are worthy people to become American citizens?

Some of us just lucked out; we were born here. There was never a moment where we made a decision; we were Americans from the start. But for others, they have had to prove their way into this country. Hasn't this wonderful young woman proved her way into America? Hasn't she told us why she should be given the right to become—a great honor—a citizen of the United States of America?

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

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—S. RES. 697

Mr. SCOTT of Florida. Mr. President, the brave men and women of our law

enforcement are facing an onslaught of violence, harassment, and abuse. They deserve better. These selfless individuals are true heroes who put their lives on the line every day to protect our communities.

Right now, as Hurricane Sally moves across Florida's panhandle and Alabama, causing massive flooding and storm surge, law enforcement officials are working tirelessly to keep people safe. They are going out in these extremely dangerous conditions to rescue those in need.

We can never truly repay them for their service and their sacrifice. Throughout my 8 years as Governor, we lost 51 members of law enforcement in the line of duty, and you wouldn't believe the bravery of these individuals and the strength of the families and communities who support them.

As Governor and now Senator, supporting and investing in our law enforcement has always been a top priority. Because of our efforts, Florida has a 49-year low in our crime rate. Americans are moving to Florida in droves, not just for low taxes and great weather but because we have safe communities, and that is thanks to our hard-working law enforcement. That is why it is so disturbing to see the harassment, the insults, and the abuse from the liberal mob.

I remember what it was like for American soldiers coming back from Vietnam. Whether you agreed or disagreed with that war, the abuse and insults directed at our military men and women were disgusting and disgraceful. We are seeing the same thing today directed at our men and women in blue. It is just as disgraceful.

The radical left wants to defund the police—the most dangerous policy idea of my lifetime. Think about that for a minute. If you defund the police, who do you call when your house gets broken into? Who is going to patrol the streets to prevent drug trafficking and violence? Who is going to investigate murders and rapes and assaults and robberies? Who is going to protect our schools? We only have to turn on our TVs for the answer.

Over the past several months, rioters and thugs, filled with hate inspired by this goal of defunding the police, have turned their words into violent action in cities across this great country—throwing homemade bombs at officers and setting fire to police stations.

We have watched Democratic mayors and Governors turn their backs on law-and-order and try to pretend that these violent demonstrations are somehow peaceful, and their partners in the media have helped.

This past weekend, we saw another horrific act of senseless violence as two sheriff's deputies in Los Angeles were ambushed by a deranged gunman. In the evening, rioters surrounded the hospital where the deputies were fighting for their lives and chanted "We hope they die." We hope they die? We should all be denouncing this heinous

act—all of us—and praying for the speedy and full recovery of the deputies. We should all be denouncing the cruel, heartless, and frankly pathetic disregard for human life that was clearly evident from these protesters.

This anti-police mentality is raging in American cities and threatening the future of America as we know it. Our law enforcement officers dedicate their lives to protecting our communities, and we can't let these acts of violence continue.

We can all agree that reforms need to be made. That is why it is so unbelievable that my Democratic colleagues refuse to even debate the police reform bill led by Senator SCOTT of South Carolina. Instead of actually doing something and having a chance at providing healing to our Nation, Senate Democrats turned their backs on our law enforcement.

But we can't let the radical left use the crimes of a few bad actors to demonize good, hard-working police officers—officers like Sergeant Adrian Rodriguez and Sergeant James Henry of the Lakeland Police Department. They began the department's Neighborhood Program over 6 years ago and lead two outstanding teams of officers who do everything from reading at the local kindergarten classes to assisting a SWAT team with the service of high-risk drug warrants. No matter the assignment, their teams work nonstop to build community pride in the citizens' police department.

Officer Jimmie Bizzle of the Tampa International Airport Police Department is dedicated to bettering his community and supporting individuals who experience homelessness. He trains his colleagues on how to connect homeless individuals with the resources and services they need.

Corporal Margo Fergusson of the Tampa Police Department spent years of her career defending and protecting children by investigating crimes in the department's Sex Crimes and Child Abuse Unit, working tirelessly to hold offenders accountable. During the pandemic, she has been working with her fellow officers and local schools to disbursing food to families who might need a helping hand.

Detective Michelle Mahoney of the Clearwater Police Department is part of the department's Refuse to Lose Program, which engages the faith-based community with youth offenders to help them succeed and stay on a good path, offering services like tutoring, employment, and mental health help. She is known for her empathy, understanding, and compassion for her community.

Instead of attacking and defunding the police and starving these hard-working men and women of the resources they need to do their job, we need to do the opposite. We need to fund the police. We need to recognize and support the individuals who have worked so hard to make our Nation the safe America we know and love. We

need to reject dangerous proposals that threaten our communities and strip the safety we hold dear. It is time to stand up and say “enough.”

Defunding the police is un-American and the antithesis of the values that make America great. Police officers across the country risk their lives every day to keep people safe, and they deserve our appreciation. They uphold their oath to serve and protect.

Today, I am introducing a Senate resolution to condemn the widespread violence, the hatred and vilification of law enforcement, and express our unwavering support for the brave men and women in uniform who protect us.

I am proud to have Senator DAINES here today and thank him for his unwavering commitment to law enforcement and for joining us today. We ask that all of our colleagues join us in support.

To the sheriffs, police chiefs, sheriff's deputies, police officers, highway patrol, State troopers, Federal marshals, and many other law enforcement officials who serve in Florida and across the country, thank you. It is time that you get the respect you deserve, and I won't accept anything less.

Mr. President, at this time I would like to yield to my colleague from Montana.

Mr. DAINES. Mr. President, I want to thank the Senator from Florida for yielding his time. He is not only the Senator from Florida; he is also a former Governor.

Mr. President, I am here today to talk about the brave men and women of law enforcement in Montana and across this Nation. These men and women, many who are my friends, are the best of the best. Montana heroes literally put their lives on the line every day to protect our families—our moms, our dads, our kids. They don't do it for the pay or the accolades; they do it to serve their communities, to keep us safe.

The men and women wearing that badge accept that every time they leave home to go to their shift and give their loved ones a kiss goodbye, they may never come back home. That is courage.

My home county sheriff—Gallatin County, MT—Sheriff Brian Gootkin—just a little over 1 week ago, we had a huge, massive wildfire that struck the Bridgers just north and east of Bozeman. It has been my hometown for 56 years. There were huge plumes of smoke, a great big fire—11,000 acres. They rushed into the fire and evacuated the residents there. Twenty-eight homes were destroyed, and not a single person lost their life. I can tell you why—because of the actions of the Gallatin sheriff's department, firefighters, and other agencies.

This courage is something we should celebrate every day. This is something we should defend every day, including right here on the floor of the U.S. Senate. But, sadly, some people have other ideas.

The way that members of our law enforcement are being treated right now around this country is atrocious. It is disturbing. Just this past weekend, two members of L.A.'s law enforcement, a man and a woman, were ambushed while sitting in their car—shot point-blank. Many of you have seen the horrifying videos.

If that weren't sickening enough, there were violent protesters storming the hospital that they were being treated at and chanting “Let them die.” There are no words to describe the outrage of what is happening here. This anti-police rhetoric is beyond dangerous, and those who support it should be ashamed of themselves. They should be publicly condemned by every Senator, every Representative, and every Governor across this great country.

In fact, just this year, 37 officers have been killed. By the way, that is more than a 20-percent increase over the same time last year. Being a police officer in this country is more dangerous than ever before. I am having private conversations with members of law enforcement, our peace officers, men and women who will quietly tell you that it is difficult to continue to serve in this environment where they are not getting the support of their elected officials. I will tell you they are getting the support of their communities in many cases, though. But where is the outrage being expressed by those who are elected to serve, and how are these heroes repaid?

Cities and towns across our country, including Montana's very own city, Missoula, are talking about reducing their budgets and proposing abolishment in some areas—abolishment of police departments. That talk is crazy. We have some of this crazy talk in Montana, where some of our communities were looking to take school resource officers out of our schools. They were looking to slash budgets. Thankfully—thankfully—the community rose up, and they pushed back and, in most cases, stopped it. That is happening right in Montana in some communities.

The Senators standing before you today will not accept it. We should not be defunding the police. We should be defending them.

To my Democratic colleagues who support defunding these American heroes and these Montana heroes, you should be ashamed. I will always back the blue.

I yield back to my colleague Senator SCOTT.

THE PRESIDING OFFICER. The Senator from Florida.

Mr. SCOTT of Florida. Mr. President, first, I want to thank my colleague from Montana for his unwavering support for law enforcement. It is hard to believe that in a State like Montana, which is so supportive of law enforcement, there would be any city that would be thinking about reducing their police budget. It shouldn't be happening around the country.

I am honored to stand here today to support our brave law enforcement and say enough is enough. We are not going to tolerate violence, attacks, and vilification of our law enforcement. I am proud to introduce the Back the Blue resolution today. I am asking all of my colleagues to join me in support.

As in legislative session, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 697, submitted earlier today. Further, I ask unanimous consent that the resolution be agreed to; that the preamble be agreed to; and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

THE PRESIDING OFFICER. Is there objection?

The Senator from New Mexico.

Mr. UDALL. Mr. President, thank you very much for the recognition. Reserving the right to object, as a former New Mexico attorney general and assistant U.S. attorney, I have worked closely with law enforcement for many years. I have worked hard to prosecute violent crimes in my career, including crimes where law enforcement officers were the victims. I have been privileged to work with law enforcement in New Mexico, and we are all thankful for the tremendous work of the Capitol Police here in our Nation's Capital.

The Senate is united in our respect for law enforcement. Just 5 months ago, in May, the Senate passed a number of bills and a bipartisan resolution during National Police Week in support of those who serve our communities in the face of risk.

We all agree that deadly violence targeting law enforcement is appalling, and we all have expressed gratitude for the brave men and women who serve in law enforcement. The recent shooting of two law sheriff's deputies in California was heinous. Our prayers go out to the officers and their families, and the perpetrator must be brought to justice.

Like many of us here on both sides of the aisle, I am also dedicated to embracing a moment before our Nation where we confront the very real issues of systemic racial injustice. We have policy disagreements on how to do that, but I hope that we can all agree the Senate should be a place for coming together and making progress to respond to this moment in our country, not fanning the flames of division and anger.

The initial draft of this resolution has some vague but divisive language that I do not think belongs in a Senate resolution, and a number of other Members agree. Our side is asking for some reasonable changes in good faith. To reflect the public safety and trust between law enforcement and communities is fundamental to the security and prosperity of our Nation. I hope that the Senator from Florida and his colleagues are willing to accept those changes, which I will offer in response to his request. Then the Senate can

speak with a united voice and set a good example for our Nation at a time like this.

As if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of my resolution at the desk; further, that the resolution be agreed to; that the preamble be agreed to; and that the motions to reconsider be made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Florida.

Mr. SCOTT of Florida. Mr. President, reserving the right to object, I appreciate my colleague's interest in expressing support for the brave men and women of law enforcement. That is exactly what my resolution does. Why, then, would my colleague object to my resolution and propose his own to accomplish the same thing?

At first, his resolution appears to resemble my own. I note, however, that my resolution condemns not only the cowardly attacks of this past week on the Los Angeles County sheriff's deputies but also condemns the rhetoric and policies that have incited this recent spike in targeted violence against law enforcement. My colleague's resolution makes no such condemnation.

My resolution calls out the radical politicians, reckless media figures, and organized protest movements that have sought to vilify law enforcement officers as a whole and incite, encourage, or celebrate widespread criminal activity and violence against law enforcement officers. My colleague's resolution is silent about this.

My resolution calls out the radical politicians for pursuing a dangerous campaign to defund the police and starving law enforcement agencies of much needed resources to combat the crime wave sweeping through our communities. My colleague's resolution makes no such condemnation.

We have to be honest about what is happening here and across our great country. We have rioters chanting "Let them die" outside a hospital caring for two police officers who were violently attacked. "Let them die"?

Americans have the right to peacefully protest, and I support that right. But that is not what we are talking about here. We are talking about acts of violence against law enforcement, families, and businesses. My colleague's proposal takes out all references to this bad behavior.

Expressing support for law enforcement without condemning the people and groups who are perpetrating, instigating, and celebrating the violent acts committed against law enforcement officers is not enough. We can't be afraid to condemn violence against law enforcement and the defund police movement. I have no such fear.

Those radical politicians, reckless media figures, and organized protest movements deserve to be condemned for inciting, committing, and cele-

brating acts of violence against law enforcement. I stand firmly behind my resolution and behind our Nation's law enforcement.

If my colleague would be willing to work with me, we may be able to find common ground to ensure any resolution includes language that firmly denounces the violence and the causes of that violence in our communities, but my colleague's resolution does not go far enough, so I therefore respectfully object.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request?

Mr. UDALL. Yes, there is. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. UDALL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

The Senator from Indiana.

50-YEAR ANNIVERSARY OF THE VINCENNES UNIVERSITY JASPER CAMPUS

Mr. BRAUN. Mr. President, I rise this evening to recognize the 50-year anniversary of Vincennes University Jasper Campus.

Vincennes University was founded in 1801 as part of the Northwest Territory back then that would later become the State of Indiana. For over 200 years, Vincennes University has been a premier institution of higher learning for those seeking knowledge in manufacturing, logistics, aviation, and other important fields of study.

In 1970, when I was a mere junior in high school, this university expanded and established a new campus in my hometown.

With open enrollment and concentrating on jobs with fields where there were employee shortages, Vincennes University Jasper Campus is providing opportunities for all Hoosiers to add new skills to their resume that will ultimately lead to good-paying jobs, mostly right there in Indiana.

Notably, with their partnership with Purdue University, this campus provides low-income students or those in need of remedial coursework with a stepping stone to one of the Nation's top engineering schools.

I have to admit, VU Jasper Campus holds a special place in my heart. At the company I founded in the early eighties, we use this as an excellent source of recruiting people into our own company who generally come there fully skilled, ready to go, and generally end up sticking with the job, which is great.

As a Jasper native, I have seen firsthand what an asset this campus has been to our community and the economic benefit it has added to Dubois and surrounding counties.

We are lucky to have VU in Jasper, and I am happy to be here on the floor of the U.S. Senate to celebrate with them on their golden anniversary.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

CORONAVIRUS

Mr. BARRASSO. Mr. President, I come to the floor today to discuss this unprecedented obstruction that American families are facing from the Democrats. In a time when Congress really should be working toward bipartisan solutions on coronavirus, Democrats keep obstructing—over and over and over again.

It does seem to be their singular focus. It seems to me that they are going to continue to obstruct all the way until November 3, election day, putting politics first and American families last.

The obstruction has reached levels that has even made Members of their own caucus "uncomfortable," "alarmed," and "frustrated." Now, those are not my words; they are the words of Democrats sitting in Congress, in the United States, in this very building. Democrats are telling their leaders that the leaders are failing them by failing to compromise and work together toward solutions that would benefit the American people.

So the bad news for American families is that, last week, Democrats in this body, in the U.S. Senate, blocked, obstructed a targeted coronavirus aid package with policies, amazingly, that the Democrats had at one time supported. But they came here to the floor of the Senate and voted, in lockstep, no—no to children, no to jobs, no to paychecks, no to fighting the disease.

They actually blocked relief that would, one, have gotten kids back to school so kids wouldn't fall further behind from the school they have already missed, and it would have let parents get back to work. They voted no. They blocked people getting back to work safely. They blocked paycheck protection money so that paychecks could continue to go and businesses—small businesses—could remain open.

They blocked money for vaccines and treatment, for testing, so we could put the disease in the rearview mirror.

Now, the good news is that the majority of the Senate did support the legislation to help children and their parents and workers and the small businesses and the medical personnel fighting against the disease. But all those votes came from the Republican side of the aisle. Republicans are united. The Republican bill received 52 "yes" votes. All 52 were Republican. Not one single Democrat voted yes, even though the majority of that body had backed the relief efforts.

When you talked to them, they said, oh, yes, they are for this and this and this, but they voted on the U.S. Senate floor to block it. It is interesting. They even blocked allowing the Senate to discuss these issues. All we did was



come to the floor and say: We have some proposals. Let's discuss them. If you don't like them, offer amendments. We can discuss those, debate those.

They even blocked a motion to move to get that bill to the floor of the Senate—step 1 of legislating. They said no. So they may say they want to help the American people, but that is not what happened on the floor of the U.S. Senate.

The New York Times had a headline that said: "Hopes Dim for More Stimulus as Democrats Block Narrow GOP Plan." Well, they are right; it is a narrow plan because it is targeted. It is targeted to kids and schools, to workers, jobs, and the disease.

It doesn't include all of the extraneous things that NANCY PELOSI and the House put in: money for environmental justice; money for the National Endowment; money for this, that, and the next thing; money for—you name it—direct paychecks to illegal immigrants. That is just the tip of the iceberg when you take a look at their entire list. To me, it was NANCY PELOSI living on "Fantasy Island."

POLITICO said of the vote: "Senate Democrats block Republican COVID relief proposal"—Senate Democrats block—once again, blocking the things that the American families all across this country are asking when they look to Congress for help and relief.

USA TODAY had the headline: "Senate Democrats block \$300 billion coronavirus stimulus package, leaving little hope for relief before November"—\$300 billion. That is a huge amount of money that could do so much to help our schools, to help our students, to help small businesses, to help our workers, and to help fight the disease.

Unfortunately, this has been the record that we have seen coming from the Democrats ever since the pandemic began. While the virus was raging in March, Democrats delayed help for Americans by blocking the CARES Act.

The New York Times headline at that time, on March 22, said: "Emergency Economic Rescue Plan in Limbo as Democrats Block Action." So they were blocking it back in March, and they were blocking it last Thursday.

In April, as small businesses were forcibly shut down by the government, they were fighting to, one day, reopen their doors—that is all they wanted to do, get back to business; they wanted to keep employees on the payroll—Democrats, once again, blocked funding for the Paycheck Protection Program.

This is a wonderful program, Mr. President. Thirteen thousand of these loans were taken in the State of Wyoming by small businesses. I am sure, in your home State of South Dakota, similar small businesses took advantage of this opportunity. Our average loan was about \$78,000. These are small businesses that just needed help making the payroll, keeping people work-

ing, keeping people on the payroll, looking forward to the days that they could return to business as usual.

What was the NPR, National Public Radio, point on this on April 9? It was this: "Senate Democrats Block GOP Efforts to Boost Small Business Aid"—Senate Democrats blocking aid for small businesses all across the country.

Then, in August, as unemployment insurance was set to expire, Republicans asked for consent on this floor to extend the program. Democrats came to this very floor and, once again, objected.

So, today, with an opportunity to finish the fight against coronavirus, the Democrats have a full roadblock in place against any further relief. The cold, hard truth that we face is that they have delayed aid, and they have divided this country all year long.

I would go so far as to say this has hurt the country; it has hurt families; it has hurt our students; it has hurt our schools; it has hurt our healthcare providers; and it has certainly hurt people trying to recover from the disease.

Remember that the year started with the Democrats' completely partisan impeachment farce. We sat here, day after day, listening as the Democrats brought forth charge after charge against the President. That is how we started the year, and now we are ending with their blocking of coronavirus relief.

Let me assure the country, Republicans will not let you down. Republicans will continue working to put the virus in the rearview mirror and deliver what we are seeing right now, and it is the great American comeback. It is people getting back to work—over 10 million Americans back to work over the last 4 months. It is an unemployment rate down below 9 percent. It was over 9 percent for 4 months.

It is businesses reopening, kids going back to school, a vaccine on the way—great, optimistic ideas and thoughts regarding the vaccine. I met with the Secretary of Health and Human Services earlier today. I am very encouraged and optimistic about a vaccine being available to many at the end of the year.

So there is a lot to be optimistic about as the country comes back from the coronavirus because this is the great American comeback.

I yield the floor.

(Mr. BARRASSO assumed the Chair.)

The PRESIDING OFFICER (Mr. CRAMER). The Senator from Ohio.

Mr. PORTMAN. Mr. President, I am here on the floor this evening to talk about what Congress needs to do right now to help the American people with regard to this coronavirus pandemic. We are not out of the woods yet. People are still struggling, with the economy being weak, and we still have a real healthcare crisis to deal with.

Since this crisis began, Congress has come together as Republicans and Democrats both here in the Senate and

over in the House, working with the White House, to pass five coronavirus bills—five. Legislation addressed both the healthcare crisis and the economic free-fall that were caused by the virus and also by the government-imposed shutdowns. The biggest of these bills was the one you hear most about; that is, the roughly \$2 trillion in the CARES Act that was passed by a vote in this Chamber of 96 to 0—totally bipartisan.

Unfortunately, since May, when the last of these bipartisan bills was enacted, partisanship has prevailed over policy, and Washington has been paralyzed, unable to repeat the coming together for the public good.

Democrats in this Chamber have consistently insisted that the only way forward is a bill called the Heroes Act. This is a \$3.5 trillion piece of legislation that passed the House of Representatives 4 months ago along partisan lines.

By the way, \$3.5 trillion would be the most expensive legislation ever to be enacted.

When this bill passed the House 4 months ago, POLITICO and others in the media accurately called it a messaging bill that had no chance of becoming law.

It is disappointing that Democrats have continued to push this "my way or the highway" approach because this bill is a nonstarter for a lot of reasons, including the price tag and the fact that it includes non-COVID-related provisions. To name one example, it repeals the State and local tax deduction cap. That is a \$135 billion Tax Code change, and most of the benefit is going to go to the top 1 percent of wage earners. What does it have to do with COVID-19?

Now is not the time to give tax breaks to the wealthy, to make changes to our immigration policy, or impose unprecedented mandates on State election procedures that are normally in the province of the States, not us—all of which are part of the Heroes Act. Instead, this should be a time where we focus on what the American people need right now and help them to handle this healthcare and economic challenge they are facing, but that hasn't happened.

Last week I spoke on this floor about all the things in the targeted bill that was voted on last Thursday in this Chamber, where there is bipartisanship, where Democrats and Republican actually agree.

I talked about the need to extend the PPP program—Paycheck Protection Program—which is helping small businesses keep their doors open, but it expired on August 8. A lot of small businesses are saying to me back home in Ohio: I am barely holding on. When is this coming? I need an extension to this program.

Yet we can't seem to get our act together here even though it is totally nonpartisan, as far as I can tell.

The bill we voted on last Thursday also has more funding for something

desperately needed in my home State of Ohio and other States around the country, which is more money for testing. It also has more money, by the way, for developing a vaccine more quickly and effectively and for getting these anti-viral therapies up and going. All of this is stuff we should be able to agree on, right? No, we haven't been able to.

Another thing that was in that bill last Thursday was providing funding for the schools so they can reopen—K-12 but also for our colleges and universities. These schools are starting to reopen, and they need the help badly. Actually, it had enough funding in there that it was slightly more than the funding that was in the Heroes Act, the Democrats' proposal, for the same purpose—\$105 billion. Why couldn't we get together?

What else did it have? It had something very important for a lot of people who lost their jobs through no fault of their own. It had an extension of the current Federal supplement for unemployment insurance in the States. It had a \$300-per-week, Federal-taxpayer-paid additional supplement on top of the roughly \$350 that States already provide on average for unemployment. Yet that was rejected.

We couldn't even have a good vote to proceed on the bill, to have a debate on the bill so we could have an honest debate and say, oh, \$300 is too much, or it is not enough, or maybe the PPP program needs to be slightly changed this way or that way, or maybe there is less money for schools needed or more money for schools.

We couldn't even get on the bill because you need 60 votes to do that, and we only had 52, which is a majority of this Chamber, but it is not the 60-vote supermajority. Fifty-two Republicans supported it. Unfortunately, no Democrats were able to support it. I don't get that because all we were saying was, let's get on this bill and have a debate, and if later on in the process you don't like where we ended up, there is another 60-vote margin, and you can filibuster it again.

We couldn't even get on the bill to have a debate. To me, that is really sad because the American people weren't given the opportunity to get some help, but also they weren't given the opportunity to see what the differences are and have this out in the open.

That is legislation that 52 Republicans supported. We are ready to go. Let's have the discussion. Let's have the debate.

The Federal funds to help the unemployed get by was a particular concern of mine, and I want to focus on that tonight. That unemployment benefit is a classic example of where Senate Democrats have blocked what I think is a reasonable compromise—I will explain why I think that—and instead have decided to provide nothing. Nothing.

What we should do instead is we should embrace a compromise together for these families who continue to

struggle to make ends meet because some people can't go back to work still because their movie theater or their bowling alley or their motor coach company can't hire them. Either they are shut down or they simply can't hire them back. There are people who are unemployed who still need our help.

Early on in this pandemic, both Republicans and Democrats recognized this. We recognized the need to bolster the State-run unemployment insurance programs to help offset the massive job losses we saw in March and April. That is why the CARES Act we talked about earlier—this bipartisan bill—contained an unprecedented \$600-per-week additional Federal supplement on top of the State supplement for 4 months.

By the way, the State benefit in Ohio on average is \$360. The \$600 was on top of \$360, coming up to \$960 per week. We did that for a period of 4 months. That provided an important income source for a lot of people. It made a huge difference in the lives of a lot of people who early on couldn't work because the government was actually closing down businesses, saying: You can't open.

Some say that was too much. We will talk about why they say that. But it was a big help, and it was appropriate in a sense at the time to do something that big because the government itself was saying: You are going to lose your job through no fault of your own. We the government are saying you have to shut down, so we are going to provide you an unemployment benefit.

It was also used for other things—to pay rent, to pay that car payment, to just get by.

As the year has gone on, we have made progress now on slowing the spread of the coronavirus, adding testing, adding more personal protective gear, and so on. Many parts of our economy have been able to reopen in a safe and sustainable manner. And that is good. Without the help we provided in the legislation—the five bills we passed—we wouldn't be so far along. They helped. They helped keep the doors open at a lot of small businesses. They helped provide the money for our healthcare system, for testing.

With that reopening around the country, hiring picked back up, and now we have far fewer people on unemployment than we did at the beginning of this pandemic. So there are fewer people who need unemployment insurance. Unemployment is at about 8.4 percent. That is what it was last month. That is down from over 15 percent in the spring. Now, 8.4 percent is still too high, particularly compared to the record lows we saw just before this pandemic. It is more than twice what it was then. But it is undoubtedly a step in the right direction. Unemployment claims are either holding steady or dropping now in most States. That is good.

With this positive progress we were seeing, I think it was fair for Congress to want to take another look at the original unemployment insurance sup-

plement, which expired at the end of July, and see whether there was a new supplement that we could continue to help those in need while better reflecting this improved economy and the need for workers rather than a situation where the government was actually imposing shutdowns of much of our economy.

That is where things broke down. At the end of July, the \$600 supplement ended. Everybody knew it was going to end then. But Republicans and Democrats couldn't agree on how to best structure an additional UI supplement.

By the way, having differences isn't unusual around here. We have debates all the time. That debate was a big part of the negotiations in July and August. What is disappointing to me and to many of my colleagues on both sides of the aisle and to so many people we represent is that instead of taking us up on our offer that we offered—to extend the \$600 per week to be able to negotiate something, for 2 weeks, which would have put a lot of pressure on the negotiations—think about it—the Democrats said no. I don't know why they said no, but Democrats would not even allow us to extend the \$600 to put pressure on negotiations. Deliberately, they allowed these benefits to expire. It went from a \$600 benefit on top of the State benefit to zero Federal benefit.

Let me repeat that. Rather than work to agree on a weeklong extension of a lifeline for so many people to buy time to work something out, Democrats instead chose to let these benefits expire and allowed millions of Americans to go without benefits.

When we hit this impasse on the UI issue that Congress just couldn't break, the Trump administration stepped in, and President Trump quickly signed an Executive order on August 8—so a week after the benefit expired—which authorized FEMA, the Federal Emergency Management Agency, to begin distributing an emergency lost wage assistance unemployment check.

So the government stepped in at the executive branch and said: You guys in Congress can't figure this out. The \$600 has gone to zero, so you just have the State benefit now, and you have a lot of people still unemployed through no fault of their own. It is tough to get by on 360 bucks a week.

So President Trump and his administration stepped in and said: We will provide it temporarily—temporarily, because that is all the money they had through what is called the Wage Assistance Program. Under this program, \$44 billion from the Disaster Relief Fund was made available to States to use as a supplement to their unemployment insurance programs—still leaving \$25 billion, by the way, in that fund for natural disasters.

I spoke to Labor Secretary Scalia on Friday. I asked him: Is there any money left in that fund?

Remember, this was done on August 8, and they had a limited amount of money.

He said: No, ROB. Actually, it was a temporary program, meant to be a bridge so Congress would get its act together between August 8 and now.

So basically, in a month and a week, surely Congress would do something here, but we haven't. Now, that money has run out. Now, people who were getting the \$600 benefit, down to zero, and then back up to \$300, which most are getting in a lump sum because it takes a while to process this money—that \$300 is now ending. No more \$300-per-week Federal supplement.

By the way, almost every State and territory except for two has applied for and received some of this funding from the Feds. Ohio was able to receive enough funding to cover 6 weeks of lost benefits, so basically from August 1 until now. Ohio got \$1.4 billion from the fund. It is sending out its unemployment insurance benefits this week. Next week it ends because they have run out of money. They have used the Federal money.

The \$300 supplement has now ended. It is surely time for us to act. It would be timely this week and next week to now do something to provide for a supplement for people who lost their job through no fault of their own.

We could have solved this last Thursday with the targeted relief bill that came to the floor for a vote that I talked about. The timing was perfect. We could have done that because part of the negotiations that we had among ourselves, Republicans, over this and with some Democrats, I suppose, was, what is the right level? What we came up with was \$300. That was part of the bill that got 52 votes last Thursday but needed the 60 votes, and Democrats blocked it. Even though it got the majority of the Senate, it didn't get the supermajority of 60 that it needed. Again, we couldn't even get on the legislation to talk about it. That \$600 supplement in this bill was changed to \$300, which was consistent with where the administration has been over the last 5 or 6 weeks. That helps the vast majority of unemployed individuals make ends meet without driving our deficit even higher.

The \$600-a-week supplement was not sustainable over time, in part, because people were actually making more money on unemployment insurance than they were with their jobs. You were being paid more not to work than to work at \$600 on top of the State benefit. In fact, under that supplement of \$600, the median wage earner in America received 134 percent more of his or her previous wages, making it harder, therefore, to jump back into the workplace and get our economy moving again.

By the way, I heard this all over Ohio, and I know every single one of my colleagues has. They heard it from businesses, particularly small businesses but also larger businesses. The Ford Motor Company told me they had a 25-percent absenteeism rate when I visited them over the August break be-

cause people weren't coming back to work because of the benefit that they had been getting of \$600. So it was felt in small businesses, yes, but also midsize and larger businesses and also a lot of nonprofits.

I heard it from hospitals. I heard it from people who provide addiction services, recovery services, treatment programs. Nonprofits are having a hard time getting people to come back because, again, the \$600 on top of the State benefit average of the, say, \$350—\$950 a week was more than they were able to pay them. People were making more on unemployment insurance than they were at work. This was as the economy was starting to pick up. We needed jobs.

We said: How about \$300? Why did we pick \$300? Well, again, \$600 is so generous that it is paying people more. By the way, the Congressional Budget Office, a nonpartisan group here in Congress, analyzes these things. They analyzed it and said, if you continue the \$600 until next year, which is what the Democratic proposal is in their legislation, the Heroes Act—if you continue the \$600 until next year, that would result in 8 out of 10 people on unemployment insurance getting paid more on unemployment insurance than they would at work, 80 percent. That is from the CBO.

What is the right number instead of having 80 percent paid more by not working? Well, I think \$300 is about the right number. Some could say that is too high, too, but the \$300 on top of the State benefit was what was rejected last Thursday by my colleagues on the other side of the aisle.

By the way, when 80 percent of people are making more money by not working, it hurts everybody. It hurts these businesses. Small businesses and these nonprofits are not able to get people to come to work. Look at the "Help Wanted" signs you may see in your own community. It hurts the economy when you don't have this workforce and you don't have these jobs coming back.

It also hurts the workers. I think all of us should want to reconnect people to work. That is where people get their healthcare. If they have it, they are likely to get it at work. That is where about 80 percent of us get it. It is where people get their retirement, if they have it. We want more people to have that, but a 401(K) is going to be through work. This is where people get the training they need to keep up with what is happening with their job. It is where people connect with other people. It is where people get self-respect and self-esteem by working. We should be encouraging work.

Again, I think somewhere there is a number there where you are helping people who need the funds to be able to get by because they are unemployed through no fault of their own, yet you are not offering such a high benefit that it is more advantageous not to work.

The \$300-a-week amount offered last Thursday is generous compared to regular unemployment insurance. In Ohio, with the supplement, you go from \$360 a week State benefit to \$660 per week. It is a big change. It makes a big difference in people's lives. It would cover 90 percent of the lost wages for the median worker nationwide. The \$300 per week covers 90 percent of the lost wages, helping particularly low- and middle-income wage earners get by without creating, again, this \$600 disincentive to work.

Even if \$300 wasn't the perfect solution, it was certainly a starting point. It was a policy point that could have been debated and amended on the floor had we gone to the legislation. Again, we were blocked even to go to the bill to talk about it. Democrats blocked us from debating it, and so people got nothing. They don't get the \$300, which, again, 90 percent of lost wages for the median-wage worker would have been replaced by that. But they get zero. All people are left with is the State benefit now.

Again, unfortunately, in this place, politics was put ahead of the interest of struggling families who need extra help. It is stunning to me that this is the point we have reached in Congress's work to address this coronavirus pandemic.

Early on, there were so many bipartisan victories we achieved because Republicans and Democrats alike said: This is a crisis. We have to address this not as our party might want to do but as Americans—recognizing the severity of the challenge we were facing. It was encouraging to see us come together to craft the CARES Act, which passed 96 to 0 and made a big difference.

I had hoped we would be able to recognize from that victory the importance of hashing out our disagreements and coming up with a solution, finding common ground to be able to help those we represent. Unfortunately, the opposite has happened. Politics seem to have taken over. On the other side of the aisle, the Speaker of the House and others may think this is good politics for them not to move forward with something. Maybe they are right. Maybe it is good politics somehow, but it is not what is best for the American people.

By opposing a reasonable compromise on unemployment insurance, as an example, what this Congress is doing is leaving the American people high and dry at the exact time that funding for these benefits has run out.

Again, the short-term bridge that the administration provided, \$300 a week, is running out. It doesn't need to happen. Let's come to the negotiating table this week and next week. We are going to be here next week. We are supposed to vote on a continuing resolution, the funding program. We will be here. We know what the differences are. We know what the similarities are. We know how to put together a package. We know what it has to be and

what the compromise is. For Republicans and Democrats alike, it is now on us to come up with that bipartisan solution on unemployment insurance and the other pressing issues we face as the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

#### ORDER OF PROCEDURE

Mr. PORTMAN. Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, at 11:30 a.m. tomorrow, the Senate vote on the motion to invoke cloture on the Valderrama nomination; that if cloture is invoked on the Valderrama nomination, the postcloture time be expired and the Senate vote on confirmation of the nomination; I further ask that following the disposition of the Valderrama nomination, the Senate resume consideration of the Johnston nomination; finally, I ask that the postcloture time on the Johnston nomination expire at 1:30 p.m. tomorrow and the Senate vote on confirmation of the nomination; that if any of the nominations are confirmed, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### LEGISLATIVE SESSION

##### MORNING BUSINESS

Mr. PORTMAN. 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.

#### RUSSIA

Mr. GRASSLEY. Mr. President, earlier today, my colleagues, Senator SCHUMER and Senator WYDEN violated the Senate rules by attempting to offer a resolution disparaging oversight work being done by me and Senator JOHNSON. My colleague, Ranking Member WYDEN, said that the investigation Senator JOHNSON and I are engaged in is advancing a Russian disinformation campaign. To be clear, that investigation is focused on potential conflicts of interest and other wrongdoing regarding the time Vice President Biden was lead on the Obama administration's Ukraine policy. At that same time, his son, Hunter Biden, was on the board of a corrupt Ukrainian gas firm called Burisma. This investigation is a good-government investigation to better understand the effect these potential conflicts had on policy execution. This investigation is based on Federal Government records from the Obama adminis-

tration and records from a Democratic lobby shop, Blue Star Strategies. If those records are Russian disinformation, then that says more about the Obama administration than the purpose of this investigation.

I have also addressed the claim that this investigation is somehow connected to Andriy Derkach. I have said publicly on many occasions that I have never received information or material from him. I have never solicited information from him. The same is true for my staff. In fact, the only two times that I am aware of that my staff have come in contact with his information are, No. 1, when the Democrats introduced his records into a transcribed interview, and No. 2, when Minority Leader SCHUMER, Speaker PELOSI, Senator WARNER, and Representative SCHIFF used it in their July 13, 2020, letter.

They also attempted to link Andriy Telizhenko to Andriy Derkach, apparently to cast him as a nefarious foreign agent, but they neglected to mention his many connections to the Obama-Biden administration, including White House meetings and outings with White House staff. They also omitted his work for Blue Star Strategies, which was working on behalf of the corrupt Ukrainian firm that hired Hunter Biden while his father was the face of U.S. policy toward Ukraine. Democratic connections to Mr. Telizhenko are many and well documented. If they are so concerned that he is a conduit for disinformation, why did they work with him for so long?

Maybe the Democrats should take a pause and realize that they are the only ones pushing Russian disinformation. Let's not forget about the Steele Dossier. Thanks to now-declassified information, we know the dossier was filled with Russian disinformation. The Democrats bought-and-paid-for crown jewel ironically was an example of the very disinformation and collusion that it falsely accused the Trump campaign of. The Democrats pushed it for years. Now that it is a failed document, they have tried to run the same baseless smear tactic on this investigation. The facts simply aren't on their side. If my colleagues on the other side are as concerned about foreign disinformation as they claim to be, they would stop relying on it to falsely attack us. Let's stop playing these games and get back to business for the American people.

#### CONGRATULATING LOYOLA UNIVERSITY CHICAGO ON 150 YEARS

Mr. DURBIN. Mr. President, this year, Loyola University Chicago celebrates the 150th anniversary of its founding, which occurred on September 5, 1870. Loyola Chicago is a world-class institution with a storied history as a Roman Catholic Jesuit university, a strong track record of academic excellence, and the proud home of the Loyola Ramblers.

Loyola University Chicago was founded under the name of St. Ignatius College by Arnold Damen, S.J., to serve Chicago's Catholic immigrants. In 1909, the school was granted a new charter by the State of Illinois and renamed "Loyola University Chicago". That same year, the newly-named Loyola Chicago granted its first professional graduate degrees and organized its first football, basketball, and indoor baseball teams. Today, Loyola Chicago is the only Jesuit Catholic university in Illinois.

Throughout its history, Loyola Chicago has upheld its Jesuit values—being an institution of rigorous liberal arts education and academic excellence, while also being a place of inclusion and acceptance for marginalized communities, including immigrants. Loyola Chicago's Stritch School of Medicine led the country as the first medical school to accept DACA recipients, many of whom have committed to working in a medically-underserved community in Illinois after graduation.

In addition, under its previous president, Father Michael Garanzini, Loyola Chicago created Arrupe College. Arrupe is a 2-year degree program that brings Loyola Chicago's academic quality together with a focus on affordability and care for the whole person. Arrupe's low-cost and wrap-around services—including meals, childcare, and transportation—bring a high-quality Loyola Chicago education to low-income and students of color in the Chicagoland area who otherwise may not have a chance to succeed in college.

Loyola Chicago's focus on service is part of the fabric of the institution and its community. Loyola Chicago supports more than 300 community partner organizations in Chicago and the Chicagoland suburbs through student, staff, and faculty service and volunteer work. Loyola Chicago's impact can be found almost anywhere in the Chicagoland area.

Illinois has been served well and enriched by the many contributions of Loyola University Chicago. I look forward to the school's many contributions in the years ahead and several more successful runs at the NCAA basketball tournament being led by their team chaplain, the now world famous Jean Dolores Schmidt, known to all as simply Sister Jean.

I thank Loyola for its many contributions to our State and country. It is my distinct honor to congratulate President Jo Anne Rooney—the school's first female president—and the entire Loyola community of staff, faculty, students, and alumni on your 150th anniversary.

#### VOTE EXPLANATION

Ms. STABENOW. Mr. President, I was unable to attend the rollcall vote on the motion to invoke cloture on the nomination of Brett H. Ludwig, of Wisconsin, to be U.S. district judge for the

Eastern District of Wisconsin. Had I been able to attend, I would have voted in support of cloture.

Mr. President, I was unable to attend the rollcall vote on the motion to confirm the nomination of Brett H. Ludwig, of Wisconsin, to be U.S. district judge for the Eastern District of Wisconsin. Had I been able to attend, I would have voted in support of confirmation.

Mr. President, I was unable to attend the rollcall vote on the motion to invoke cloture on the nomination of Christy Criswel Wiegand, of Pennsylvania, to be U.S. district judge for the Western District of Pennsylvania. Had I been able to attend, I would have voted in support of cloture.

Mr. President, I was unable to attend the rollcall vote on the motion to invoke cloture on the nomination of Hala Y. Jarbou, of Michigan, to be U.S. district judge for the Western District of Michigan. Had I been able to attend, I would have voted in support of cloture.

Mr. President, I was unable to attend the rollcall vote on the motion to confirm the nomination of Christy Criswell Wiegand, of Pennsylvania, to be U.S. district judge for the Western District of Pennsylvania. Had I been able to attend, I would have voted in support of confirmation.

Mr. President, I was unable to attend the rollcall vote on the motion to invoke cloture on the nomination of Thomas T. Cullen, of Virginia, to be U.S. district judge for the Western District of Virginia. Had I been able to attend, I would have voted to oppose cloture.

Mr. President, I was unable to attend the rollcall vote on the motion to invoke cloture on the nomination of Diane Gujarati, of New York, to be U.S. district judge for the Eastern District of New York. Had I been able to attend, I would have voted in support of cloture.

#### TRIBUTE TO COMMANDER EDWARD H. MURRAY

Mr. SHELBY. Mr. President, I rise today to recognize the service of Commander Edward H. Murray of the U.S. Navy on the occasion of his retirement after 20 years of Active Duty. I would like to briefly share with my colleagues some of the highlights of his fine career.

For the past 20 years, Commander Murray excelled in leading Navy Sailors as an E-2C naval flight officer. He served sea tours with VAW-116, deploying on the USS *Constellation* and USS *Abraham Lincoln* in support of coalition forces in Iraq and operations in the Western Pacific. He also deployed to the Western Pacific with VTC-12 on-board the USS *Bonhomme Richard*, providing airspace and diplomatic coordination. Ashore, Commander Murray's assignments included a special selection as aide-de-camp to the four-star commander of the U.S. Naval Forces in Naples, Italy, during operations in

Kosovo and Libya. He also served my colleague, Senator TIM Kaine of Virginia, as a legislative fellow and then continued his service in the Navy Office of Legislative Affairs as deputy director of the Senate Liaison Office.

I have gotten to know Commander Murray over the past 2 years through his assignment to the Navy's Appropriations Matters Office. As a representative of the Chief of Naval Operations and Secretary of the Navy, he provided valuable support to Members of the Senate and House Appropriations Committees regarding the Navy's budgetary needs. His efforts to provide timely and transparent information to the committees contributed to the enactment of the Defense Appropriations Acts for fiscal years 2019 and 2020. Commander Murray also provided superior support to me and many of my colleagues as we traveled across Europe and Asia conducting oversight of critical national security assets abroad.

As Commander Murray departs the Pentagon, I want to take this opportunity to congratulate him on his retirement; to thank him, his wife Amanda, and his family for their years of service; and to wish him the very best going forward.

#### REMEMBERING FIREMAN 2ND CLASS ALBERT RENNER

Mr. CRAMER. Mr. President, today, as he is buried in the North Dakota Veterans Cemetery just outside of his hometown of Mandan, ND, I honor the life and patriotism of Navy Fireman 2nd Class Albert Renner. Like so many young men of this "greatest generation," he answered the call to defend his country during World War II. On December 7, 1941, at the age of 24, he made the ultimate sacrifice along with 2,402 other soldiers and sailors during the Japanese attack on Pearl Harbor. He was serving on the USS *West Virginia*, which sank after being hit by at least seven torpedoes and two bombs.

Last year, aided by a positive DNA sent by his surviving siblings several decades ago, Albert Renner's remains were finally positively identified. On Tuesday, his body arrived at the Minneapolis airport. A full military escort motorcade carrying his casket traveled the 400 miles home to Mandan. Many citizens, including veterans and fire and police men and women, stopped along the highway to solemnly pay their respects as the motorcade passed by.

Attending today's funeral service and burial are members of his family who have traveled from across the Nation to pay their respects to this beloved member of their family. Even though many of them never met him, together they are mourning the lost blessings of Albert not being a part of their family for the past 79 years.

Albert could have had a rewarding life on the family farm or in some other profession. He could have had a wife and family and home of his own.

His burial service today is a poignant reminder of how the sacrifice of heroes defending our Nation have an impact far into the future on those who knew and loved them—and those who never will.

Navy Fireman 2nd Class Albert Renner died so Americans could live in peace and prosperity. He is now back in his home State, lying in eternal rest with other North Dakota heroes. I thank the many patriots who are committed to identifying the remains of all unknown American service members and bringing them home.

To the family of Navy Fireman 2nd Class Albert Renner, I join citizens across our State and Nation in sending our sincere condolences. It is heroes like Albert who have kept our communities, State, Nation, and world safe. His life made a difference in the lives of all of us. We are forever grateful.

#### ADDITIONAL STATEMENTS

##### ZOEY'S CONGENITAL CATARACT AWARENESS DAY

• Mr. PAUL. Mr. President, a special little girl named Zoey is celebrating her first birthday on September 28, 2020. In recognition of this day, Spencer County Judge Executive John Riley is declaring it as Zoey's Congenital Cataract Awareness Day. It is the hope of her parents that every primary care clinician in Spencer County, the Commonwealth of Kentucky, and beyond, is aware of this rare cause of blindness that can be surgically treated when diagnosed early enough. As an ophthalmologist, I have had the privilege of participating in these surgeries and know how life-changing early intervention can be. Fortunately for Zoey, after three surgeries, she has a very promising prognosis. I am honored to help make Zoey's birthday wish come true by sharing her story and thereby raising awareness for the early detection and treatment of congenital cataracts.●

##### RECOGNIZING TRINITY AT CITY BEACH

• Mr. RISCH. Mr. President, as a member and former chairman of the Senate Committee on Small Business and Entrepreneurship, each month I recognize and celebrate the American entrepreneurial spirit by highlighting the success of a small business in my home State of Idaho. Today I am pleased to honor Trinity at City Beach in Sandpoint as the Idaho Small Business of the Month for September 2020 and recognize them for their efforts to reduce the spread of the COVID-19 virus.

Established by Justin Dick, Trinity moved to its City Beach location in 2009 and has been an integral part of the Sandpoint community for more than a decade. Named after the holy trinity of peppers, onions, and celery found in traditional Creole cooking,

Trinity attracts tourists and locals alike and has developed a reputation for its quality food, service, and views of Lake Pend Oreille. In addition to serving quality southern cuisine, the restaurant also provides dozens of local jobs and enhances the cultural richness of Northern Idaho through their day-to-day service and steady participation in community events.

In recent months, Trinity at City Beach has done their part to reduce the spread of COVID-19, offering carryout and dine-in eating to the Sandpoint community while safely maintaining CDC social distancing and face covering guidelines. Additionally, Dick and his team have raised money and collected food to be donated to non-profit organizations and healthcare centers in the Sandpoint area to help ease the burden on frontline workers.

Congratulations to Justin Dick and all of the employees of Trinity at City Beach on being selected as the Idaho Small Business of the Month for September 2020. You make our great State proud, and I look forward to your continued growth and success.●

#### MESSAGES FROM THE PRESIDENT

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

#### EXECUTIVE MESSAGES REFERRED

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

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

#### MESSAGE FROM THE HOUSE

At 10:36 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 requests the concurrence of the Senate:

H.R. 2639. An act to establish the Strength in Diversity Program, and for other purposes.

#### MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2639. An act to establish the Strength in Diversity Program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 4582. A bill to extend, temporarily, daylight saving time, 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-5428. A communication from the Inspector General, Department of Agriculture, transmitting, pursuant to law, a report relative to an investigation of a Forest Service (FS) employee fatality that occurred during the Frog Fire in Modoc County, California, on July 30, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5429. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to implementation and progress of the strategic plan to improve capabilities of Department of Defense training ranges and installations (OSS-2020-0704); to the Committee on Armed Services.

EC-5430. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral DeWolfe H. Miller III, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-5431. A communication from the Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "National Geospatial-Intelligence Agency (NGA) Privacy Program" (RIN0790-AK66) received during adjournment of the Senate in the Office of the President of the Senate on September 11, 2020; to the Committee on Armed Services.

EC-5432. A communication from the Federal Register Liaison Officer, Office of the Under Secretary of Defense for Acquisition and Sustainment, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Repeal of DFARS Clause 'Ordering'" (RIN0750-AL10) received during adjournment of the Senate in the Office of the President of the Senate on September 11, 2020; to the Committee on Armed Services.

EC-5433. A communication from the Federal Register Liaison Officer, Office of the Under Secretary of Defense for Acquisition and Sustainment, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Use of Defense Logistics Agency Energy as a Source of Fuel" (RIN0750-AK90) received during adjournment of the Senate in the Office of the President of the Senate on September 11, 2020; to the Committee on Armed Services.

EC-5434. A communication from the Federal Register Liaison Officer, Office of the Under Secretary of Defense for Acquisition and Sustainment, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Definition of 'Micro-purchase Threshold'" (RIN0750-AK17) received during adjournment of the Senate in the Office of the President of the Senate on September 11, 2020; to the Committee on Armed Services.

EC-5435. A communication from the Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Sexual Assault Prevention and Response (SAPR) Program" (RIN0790-AJ40) received during adjournment of the Senate in the Office of the President of the Senate on September 11, 2020; to the Committee on Armed Services.

EC-5436. A communication from the Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "National Security Agency/Central

Security Services Privacy Act Program" (RIN0790-AK68) received during adjournment of the Senate in the Office of the President of the Senate on September 11, 2020; to the Committee on Armed Services.

EC-5437. A communication from the Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Security Service Privacy Program" (RIN0790-AK67) received during adjournment of the Senate in the Office of the President of the Senate on September 11, 2020; to the Committee on Armed Services.

EC-5438. A communication from the Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "National Reconnaissance Office Privacy Act Program" (RIN0790-AK71) received during adjournment of the Senate in the Office of the President of the Senate on September 11, 2020; to the Committee on Armed Services.

EC-5439. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777, this will not cause the Department to exceed the number of frocked officers authorized; to the Committee on Armed Services.

EC-5440. A communication from the Director, Naval Reactors, Naval Nuclear Propulsion Program, transmitting, pursuant to law, the Naval Nuclear Propulsion Program's reports on environmental monitoring and radioactive waste disposal, radiation exposure, and occupational safety and health; to the Committee on Armed Services.

EC-5441. A communication from the President of the United States, transmitting, pursuant to law, a report of the continuation of the national emergency that was originally declared in Proclamation 7463 of September 14, 2001, with respect to certain terrorist attacks; to the Committee on Banking, Housing, and Urban Affairs.

EC-5442. A communication from the President of the United States, transmitting, pursuant to law, a report of the continuation of the national emergency that was originally declared in Executive Order 13848 of September 12, 2018, with respect to the threat of foreign interference in or undermining public confidence in United States elections; to the Committee on Banking, Housing, and Urban Affairs.

EC-5443. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Amending the 'Accredited Investor' Definition" (Release No. 33-10824) received during adjournment of the Senate in the Office of the President of the Senate on September 11, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-5444. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Temporary Amendments to Regulation Crowdfunding; Extension" (Release No. 33-10829) received during adjournment of the Senate in the Office of the President of the Senate on September 11, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-5445. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Rescission of Effective-Upon-Filing Procedure for NMS Plan Fee Amendments and Modified Procedures for Proposed NMS Plans and Plan Amendments" (RIN3235-AM56) received during adjournment of the Senate in the Office of the



President of the Senate on September 11, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-5446. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled “Modernization of Regulation S-K Items 101, 103, and 105” (RIN3235-AL78) received during adjournment of the Senate in the Office of the President of the Senate on September 11, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-5447. 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 Manufacture of Polystyrene Resin” (FRL No. 10014-46-Region 7) received in the Office of the President of the Senate on September 10, 2020; to the Committee on Environment and Public Works.

EC-5448. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Effluent Limitations Guidelines and Standards for the Steam Electric Power Generating Point Source Category - Reconsideration” (FRL No. 10014-41-OW) received in the Office of the President of the Senate on September 10, 2020; to the Committee on Environment and Public Works.

EC-5449. A communication from the Regulations Writer, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled “Improved Agency Guidance Documents” (RIN0960-AI47) received in the Office of the President of the Senate on September 10, 2020; to the Committee on Finance.

EC-5450. A communication from the Regulations Writer, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled “Waiver of Recovering of Certain Overpayment Debts Accruing During the COVID-19 Pandemic Period” (RIN0960-AI51) received in the Office of the President of the Senate on September 10, 2020; to the Committee on Finance.

EC-5451. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare Program; Inpatient Rehabilitation Facility Prospective Payment System for Federal Fiscal Year 2021” (RIN0938-AU05) received during adjournment of the Senate in the Office of the President of the Senate on August 20, 2020; to the Committee on Finance.

EC-5452. A communication from the Supervisor of the Regulations and Dissemination Team, Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled “Trade Adjustment Assistance for Workers” (RIN1205-AB78) received in the Office of the President of the Senate on September 10, 2020; to the Committee on Finance.

EC-5453. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Convention on Cultural Property Implementation Act, three (3) reports of the Cultural Property Advisory Committee (CPAC) from 2019 relative to memoranda of understanding and cultural property agreements; to the Committee on Finance.

EC-5454. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Convention on Cultural Property Imple-

mentation Act, a report relative to actions taken in fiscal year 2019 to conclude cultural property agreements with Bulgaria, China, Honduras, and Algeria; to the Committee on Finance.

EC-5455. A communication from the Acting Chief Privacy Officer, Department of Homeland Security, transmitting, pursuant to law, a report entitled “Social Security Number Fraud Prevention Act 2020 Annual Report to Congress”; to the Committees on Finance; and Homeland Security and Governmental Affairs.

EC-5456. 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 Labeling; Gluten-Free Labeling of Fermented or Hydrolyzed Foods; Correction” (RIN0910-AH00) received in the Office of the President of the Senate on September 10, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC-5457. A communication from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled “Procedures for PBGC Guidance” (RIN1212-AB49) received in the Office of the President of the Senate on September 10, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC-5458. A communication from the Board Members, Railroad Retirement Board, transmitting, pursuant to law, a report relative to the Board’s budget request for fiscal year 2022; to the Committee on Health, Education, Labor, and Pensions.

EC-5459. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled “Direct Grant Programs, State-Administered Formula Grant Programs, Non Discrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, Developing Hispanic-Serving Institutions Program, Strengthening Institutions Program, Strengthening Historically Black Colleges and Universities Program, and Strengthening Historically Black Graduate Institutions Program” (RIN1840-AD45) received in the Office of the President of the Senate on September 15, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC-5460. A communication from the Secretary of Education, transmitting, pursuant to law, a report relative to the notice of the rescission of outdated guidance documents; to the Committee on Health, Education, Labor, and Pensions.

EC-5461. A communication from the Director of the Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the Pension Benefit Guaranty Corporation’s fiscal year 2019 Actuarial Evaluation of the Expected Operations and Status of the PBGC Funds; to the Committee on Health, Education, Labor, and Pensions.

EC-5462. A communication from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled “Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits” (29 CFR Part 4022) received in the Office of the President of the Senate on September 10, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC-5463. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; I-5 Bridge Construction Project, Columbia River, Vancouver, Washington” ((RIN1625-AA00) (Docket No. USCG-2020-

0247)) received in the Office of the President of the Senate on September 10, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5464. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulation; North Atlantic Ocean, Ocean City, Maryland” ((RIN1625-AA08) (Docket No. USCG-2020-0361)) received in the Office of the President of the Senate on September 10, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5465. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulation; Potomac River, Between Jones Point, Virginia, and National Harbor, Maryland” ((RIN1625-AA08) (Docket No. USCG-2020-0245)) received in the Office of the President of the Senate on September 10, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5466. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Dolan Fireworks, Lake Erie, Bratenahl, Ohio” (Docket No. USCG-2020-0532) received in the Office of the President of the Senate on September 10, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5467. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Person in Charge of Fuel Transfers” ((RIN1625-AC50) (Docket No. USCG-2018-0493)) received in the Office of the President of the Senate on September 10, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5468. A communication from the Associate Administrator for Policy, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Passenger Carrier No-Defect Driver Vehicle Inspection Reports” (RIN2126-AC29) received in the Office of the President of the Senate on September 10, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5469. A communication from the Deputy Chief, Office of Economics and Analytics, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Auction of Flexible - Use Service Licenses in the 3.7-3.8 GHz Band for Next-Generation Wireless Services; Notice and Filing Requirements, Minimum Opening Bids, Upfront Payments, and Other Procedures for Auction 107; Bidding in Auction 107 Scheduled to Begin December 8, 2020” (FCC 20-110) received in the Office of the President of the Senate on September 10, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5470. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulation; Cumberland River, Hendersonville, Tennessee” ((RIN1625-AA08) (Docket No. USCG-2020-0518)) received in the Office of the President of the Senate on September 10, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5471. A communication from the Program Analyst, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “In the Matter of Update to Parts 2 and 25 Concerning Non-Geostationary, Fixed-Satellite Service Systems and Related Matters” ((FCC 20-119) (IB Docket No. 16-408)) received in the Office of the President of the Senate

on September 10, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5472. A communication from the Associate General Counsel, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Administrator, Federal Emergency Management Agency, Department of Homeland Security, received in the Office of the President of the Senate on September 10, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-5473. A communication from the Associate General Counsel, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary for Intelligence and Analysis, Department of Homeland Security, received in the Office of the President of the Senate on September 10, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-5474. 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 September 10, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-5475. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Federal Employees' Group Life Insurance Program: Clarifying Annual Rates of Pay and Amending the Employment Status of Judges of the United States Court of Appeals of Veterans Claims" (RIN3206-AN52) received during adjournment of the Senate in the Office of the President of the Senate on September 11, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-5476. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Employment in the Excepted Service" (RIN3206-AN30) received during adjournment of the Senate in the Office of the President of the Senate on September 11, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-5477. A communication from the Associate General Counsel, Office of Management and Budget, transmitting, pursuant to law, a report relative to a vacancy in the position of Director, Office of Management and Budget, received during adjournment of the Senate in the Office of the President of the Senate on September 11, 2020; to the Committee on Homeland Security and Governmental Affairs.

## PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-234. A resolution adopted by the Senate of the State of New Jersey expressing opposition to the Department of Housing and Urban Development's proposed changes to the Affirmatively Furthering Fair Housing Rule adopted in 2015; to the Committee on Banking, Housing, and Urban Affairs.

### SENATE RESOLUTION NO. 76

Whereas, In 2015, the United States Department of Housing and Urban Development ("HUD") adopted an Affirmatively Furthering Fair Housing ("AFFH") rule that established a new framework for HUD funding

recipients to meet their longstanding legal obligation under the federal Fair Housing Act to reduce barriers to fair housing and equal opportunity; and

Whereas, The AFFH rule was promulgated in response to the recommendations of the United States Government Accountability Office and affected stakeholders centered on the need for HUD to bolster its fair housing planning obligations by providing greater clarity and support to HUD funding recipients and facilitating local decision-making on fair housing priorities and goals; and

Whereas, The AFFH rule achieves these ends by providing clearer standards for meeting fair housing obligations, greater transparency, increased access to data concerning fair housing conditions and access to opportunity, and new mapping and customizable assessment tools, as well as by encouraging collaboration between jurisdictions and community input and participation; and

Whereas, The AFFH rule ultimately serves to help HUD funding recipients take meaningful actions to overcome historic patterns of segregation, promote fair housing choice, and foster inclusive communities that are free from discrimination; and

Whereas, On August 9, 2018, HUD issued an advance notice of a proposed rulemaking that would undo much of the AFFH rule for the stated reasons that the rule impeded the development and rehabilitation of affordable housing and provided inadequate autonomy to HUD funding recipients; and

Whereas, The AFFH rule has not been in effect long enough to adequately assess its effect on the development and rehabilitation of affordable housing, the rule does not in fact dictate how communities should meet their fair housing obligations, and the rule has produced concrete improvements in fair housing, such as the commitment of Chester County, Pennsylvania to reduce the number of Section 8 recipients living in high-poverty census tracts by five percentage points; and

Whereas, It is altogether fitting, proper, and in the public interest, for this House to express opposition to HUD's proposed rulemaking that would upend the AFFH rule and exacerbate housing inequities in both this State and across the United States; now, therefore, be it

*Resolved, by the Senate of the State of New Jersey:*

1. This House expresses its opposition to and disapproval of the United States Department of Housing and Urban Development's proposed rulemaking revising its Affirmatively Furthering Fair Housing rule adopted in 2015.

2. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Secretary of the Senate to the President and Vice President of the United States, the United States Secretary of Housing and Urban Development, and each member of Congress elected from this State.

POM-235. A resolution adopted by the General Assembly of the State of New Jersey urging the United States Congress and the President of the United States to eliminate funding disparities among land-grant institutions of higher education; to the Committee on Health, Education, Labor, and Pensions.

### ASSEMBLY RESOLUTION NO. 125

Whereas, Historically Black Colleges and Universities (HBCUs) have been providing a crucial means for the educational and economic advancement of African-Americans for more than a century; and

Whereas, By serving the African-American community, HBCUs serve all Americans by preparing gifted young men and women to achieve their dreams and succeed in their life goals; and

Whereas, Today, there are more than 100 HBCUs in the United States, all of which embody many of our most deeply cherished values such as equality, diversity, opportunity, and hard work; and

Whereas, HBCUs have their roots in the federal Morrill Act of 1862, which required that each state have at least one land-grant institution. Historically, most of these institutions have been predominantly white. Since African-Americans were barred from many of these land-grant institutions, a second Morrill Act was adopted in 1890 requiring states to show that race was not a factor in the admission criteria of land-grant institutions or else they would lose federal funding; and

Whereas, Instead of unifying the institutions, some states opted to create separate land-grant colleges for African-Americans, which allowed those states to keep segregated colleges and at the same time not lose federal funding; and

Whereas, 1890 land-grant institutions—HBCUs—have largely received less funding per student when compared to their 1862 land-grant counterparts, in some instances receiving only half the funding given to other institutions; and

Whereas, It should be a public policy goal of the federal government to enact laws aimed at eliminating the existing funding inequity between HBCUs and 1862 land-grant institutions; and

Whereas, By increasing funding to HBCUs, the federal government would be providing vital support to these institutions as they continue their endeavor to improve the quality of life of African-Americans by providing them with high quality education; and

Whereas, It is important, therefore, that Congress and the President of the United States enact legislation which eliminates the existing funding inequities between HBCUs and 1862 land-grant institutions in order to have equal education opportunity through equal funding for all land-grant institutions; Now, therefore, be it

*Resolved by the General Assembly of the State of New Jersey:*

1. The General Assembly of the State of New Jersey respectfully urges Congress and the President of the United States to enact legislation aimed at eliminating the existing funding inequity between Historically Black Colleges and Universities, which are the 1890 land-grant institutions of higher education, and the 1862 land-grant institutions of higher education.

2. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Clerk of the General Assembly to the President and Vice-President of the United States, the Majority and Minority Leaders of the United States Senate, the Speaker and Minority Leader of the United States House of Representatives, and to every member of New Jersey's Congressional delegation.

POM-236. A resolution adopted by the Senate of the State of Michigan urging the United States Congress to explore further avenues of relief for businesses affected by the COVID-19 pandemic; to the Committee on Banking, Housing, and Urban Affairs.

### SENATE RESOLUTION NO. 130

Whereas, The COVID-19 Pandemic has dramatically affected Michigan and the United States. The first cases in Michigan were reported on March 10, 2020, and since these initial reports more than 56,000 cases have been confirmed and more than 5,000 Michiganders have lost their lives to the novel coronavirus. Nationally, there have been more than 1.7 million cases and 100,000 deaths; and

Whereas, Mitigating the spread of the virus has required extraordinary public health

measures. Governor Gretchen Whitmer has issued executive orders prohibiting large gatherings, closing all primary and secondary schools, and requiring the temporary closure of all nonessential businesses. At the federal level, the White House Coronavirus Task Force's guidelines recommended the closure of places where people gather, including businesses, where there is evidence of community transmission. While some industries and regions of the state have begun to partially reopen, it is unclear how long mitigation measures will be necessary before normal operations can resume; and

Whereas, These measures have greatly impacted the livelihoods of business owners across the state and our nation. With the forced closures, small business owners have been forced to lay off workers and forgo income for months, while still needing to make payments for utilities, mortgages and rent, and other expenses. According to a survey by the Small Business Administration of Michigan, one in seven, or about 14 percent, of small businesses are not confident that they will survive the Pandemic. Nationally, a survey found that 7.5 million small businesses are at risk of shutting down; and

Whereas, Federal and state governments have a responsibility to assist small businesses since government mitigation measures, while for the greater good, contributed significantly to the current economic crisis. The economic uncertainty and devastation caused by the COVID-19 Pandemic and the related mitigation policies are not the fault of small business owners. It would be unjust to fail to help them and to allow them to bear an unfair share of the burden of addressing this crisis; and

Whereas, The failure of these businesses could have wide ranging negative effects for Michigan and the United States. Since the beginning of the crisis, more than 40 million Americans have filed for unemployment, including more than 1.7 million in Michigan. If small businesses are unable to reopen, many of these claimants may not be able to return to work, magnifying the already devastating economic impact of COVID-19; and

Whereas, The small business relief already enacted by Congress is not sufficient to mitigate these effects. As part of the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Congress created the Paycheck Protection Program (PPP) to provide loans to small businesses. Even though additional money was subsequently appropriated to the program, the PPP has been unable to prove relief to millions of small businesses that have been affected by the crisis: Now, therefore, be it

*Resolved by the Senate,* That we memorialize the Congress of the United States to explore further avenues of relief for businesses affected by the COVID-19 Pandemic; and be it further

*Resolved,* That copies of this resolution be transmitted to the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the Michigan congressional delegation.

POM-237. A resolution adopted by the House of Representatives of the State of Michigan urging the United States Congress and the President of the United States to immediately send humanitarian aid to Lebanon in response to the Beirut port explosion; to the Committee on Foreign Relations.

#### HOUSE RESOLUTION NO. 303

Whereas, On August 4, 2020, a cache of the chemical substance ammonium nitrate which was being stored in a warehouse on the Port of Beirut in Lebanon caught fire, resulting in an explosion that killed more than

150 people and wounded over 5,000 others. According to experts, the blast registered on seismographs at 3.3, and the blast was the third most powerful explosion in history after Hiroshima and Nagasaki in Japan during World War II; and

Whereas, In addition to the tragic loss of life, the explosion has largely destroyed the port and its infrastructure, which was responsible for 60 percent of Lebanon's imports and was one of the largest and busiest ports on the eastern Mediterranean Sea. As a result of the explosion, most of the city's grain reserves and food imports were destroyed, which is likely to cause widespread food insecurity for years to come. In addition, the city of Beirut is suffering billions in damages, with the explosion shattering glass as far as 15 miles from the scene. In response to the widespread devastation from the blast, a two-week state of emergency has been declared; and

Whereas, The people of Lebanon were already suffering from daily power outages, a lack of safe drinking water, food and fuel shortages, and limited public health care before the explosion. The COVID-19 Pandemic exacerbated these issues, resulting in Lebanon's worst economic crisis since the 1975-1990 Civil War. Now with the devastation from the explosion, it has become nearly impossible for the Lebanese people to obtain basic human rights without humanitarian aid; and

Whereas, Rescue efforts have been hampered by the lack of electricity, and medical professionals are stitching the wounded in the streets under their cellphone lights. Public Health Minister Hamad Hassan said Lebanon's health sector is short of beds and Jacked the equipment necessary to treat the injured and care for patients in critical condition. Meanwhile, many buildings and homes have been reduced to an uninhabitable mess of glass, leaving as many as 300,000 people homeless. Furthermore, the toxic gases released from the explosion, combined with the impact of COVID-19 and the thick Mediterranean summer air, have created a deeply oppressive atmosphere where the people of Beirut cannot breathe; and

Whereas, Lebanon's Prime Minister Hassan Diab and his government have stepped down after citing mass corruption that contributed to the disaster. Before the resignation, Prime Minister Hassan Diab made a plea to other countries for aid. France, Russia, Iraq, and Iran have sent planes full of doctors, medical supplies, medication, and more to help Lebanon through this crisis: now, therefore, be it

*Resolved by the House of Representatives,* That we urge the Congress and President of the United States to send humanitarian aid in the form of medical supplies, medications, and emergency funding to Lebanon in the wake of the Beirut Port Explosion, and be it further

*Resolved,* That copies of this resolution be transmitted to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, and the Michigan congressional delegation.

POM-238. A resolution adopted by the City Council of the City of Oberlin, Ohio, expressing the support for the passage of Senate Joint Resolution 6 to remove the deadline for state ratification of the equal rights amendment; to the Committee on the Judiciary.

POM-239. A resolution adopted by the Pennsylvania State Council of the Junior Order United American Mechanics memorializing its opposition to the desecration and destruction of American war monuments in this country; to the Committee on Energy and Natural Resources.

POM-240. A petition from a citizen of the State of Texas relative to recipients of public financial assistance; to the Committee on Finance.

POM-241. A petition from a citizen of the State of Texas relative to territory and statehood status; to the Committee on Energy and Natural Resources.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. WICKER for the Committee on Commerce, Science, and Transportation.

Eric J. Soskin, of Virginia, to be Inspector General, Department of Transportation.

\*Sarah E. Feinberg, of West Virginia, to be a Director of the Amtrak Board of Directors for a term of five years.

\*Chris Koos, of Illinois, to be a Director of the Amtrak Board of Directors for a term of five years.

\*Robert E. Primus, of New Jersey, to be a Member of the Surface Transportation Board for a term expiring December 31, 2022.

\*Theodore Rokita, of Indiana, to be a Director of the Amtrak Board of Directors for the remainder of the term expiring January 3, 2021.

\*Theodore Rokita, of Indiana, to be a Director of the Amtrak Board of Directors for a term expiring January 3, 2026.

By Mr. JOHNSON for the Committee on Homeland Security and Governmental Affairs.

\*John M. Barger, of California, to be a Member of the Federal Retirement Thrift Investment Board for a term expiring October 11, 2022.

\*Christopher Bancroft Burnham, of Connecticut, to be a Member of the Federal Retirement Thrift Investment Board for a term expiring September 25, 2024.

\*Frank Dunlevy, of California, to be a Member of the Federal Retirement Thrift Investment Board for a term expiring September 25, 2022.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

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

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. STABENOW (for herself and Mrs. BLACKBURN):

S. 4584. A bill to amend the Energy Policy and Conservation Act to modify the definition of water heater under energy conservation standards, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PETERS (for himself, Mr. CARPER, and Ms. KLOBUCHAR):

S. 4585. A bill to maintain prompt and reliable postal services during the COVID-19 health emergency, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

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

S. 4586. A bill to amend the CARES Act to require the uniform treatment of nationally

recognized statistical rating organizations under certain programs carried out in response to the COVID-19 emergency, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GRAHAM (for himself and Mr. SCOTT of South Carolina):

S. 4587. A bill to amend the Communications Act of 1934 to establish a program to expand access to broadband in unserved and underserved areas, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. SHAHEEN (for herself, Mr. KENNEDY, Ms. ERNST, Ms. HIRONO, Mr. RISCH, and Mr. MARKEY):

S. 4588. A bill to improve programs of the Small Business Administration to better assist small business customers in accessing broadband technology, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. BARRASSO:

S. 4589. A bill to amend the Endangered Species Act of 1973 to increase transparency, to support regulatory certainty, and to reauthorize that Act, and for other purposes; to the Committee on Environment and Public Works.

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

S. 4590. A bill to amend the National Environmental Policy Act of 1969 to reform agency process requirements, and for other purposes; to the Committee on Environment and Public Works.

By Mr. LEE:

S. 4591. A bill to amend the National Environmental Policy Act of 1969 to reform agency process requirements, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SCOTT of Florida (for himself and Mr. RUBIO):

S. 4592. A bill to establish a Maritime Task Force and a private sector advisory committee to address the health, safety, security, and logistical issues relating to the continuation of maritime travel, including the resumption of cruise operations, in United States waters during the COVID-19 public health emergency; to the Committee on Commerce, Science, and Transportation.

By Mr. BURR (for himself, Mr. BOOKER, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Ms. CANTWELL, Mr. CASEY, Ms. COLLINS, Mr. COONS, Mr. CORNYN, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FEINSTEIN, Ms. HARRIS, Mr. HEINRICH, Ms. HIRONO, Mrs. HYDE-SMITH, Mr. KAINE, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mr. MURPHY, Mrs. MURRAY, Mr. PORTMAN, Mr. REED, Ms. ROSEN, Mr. RUBIO, Mr. SANDERS, Mr. SCOTT of South Carolina, Mr. TILLIS, Ms. SMITH, Mr. VAN HOLLEN, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. 4593. A bill to award posthumously the Congressional Gold Medal to Emmett Till and Mamie Till-Mobley; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. TESTER:

S. 4594. A bill to amend title 38, United States Code, to improve and to expand eligibility for dependency and indemnity compensation paid to certain survivors of certain veterans; to the Committee on Veterans Affairs.

By Mr. MERKLEY:

S. 4595. A bill to temporarily extend the period of validity of J-1 visas issued to employees and contractors of the United States Agency for Global Media and its broadcasting networks; to the Committee on the Judiciary.

By Ms. ERNST (for herself, Mr. GRASSLEY, Mrs. FEINSTEIN, Mr. CASSIDY, and Mr. KENNEDY):

S. 4596. A bill to provide tax relief for persons affected by certain 2020 disasters; to the Committee on Finance.

By Mr. KENNEDY (for himself and Mr. BOOKER):

S. 4597. A bill to require U.S. Customs and Border Protection to permit the entry into the United States of pets accompanying United States nationals repatriating during public health emergencies; to the Committee on Finance.

By Ms. ROSEN (for herself and Mr. YOUNG):

S. 4598. A bill to provide for assistance for small manufacturers in the defense industrial supply chain on matters relating to cybersecurity; to the Committee on Armed Services.

By Mr. HEINRICH:

S. 4599. A bill to withdraw certain Federal land in the Pecos Watershed area of the State of New Mexico from mineral entry, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. HIRONO (for herself and Mr. BOOKER):

S. 4600. A bill to amend title 10, United States Code, to improve the responses of the Department of Defense to sex-related offenses, and for other purposes; to the Committee on Armed Services.

By Mr. BRAUN (for himself, Mr. WHITEHOUSE, Ms. MCSALLY, Mr. BLUMENTHAL, and Mr. KENNEDY):

S. 4601. A bill to establish an Animal Cruelty Crimes Section within the Department of Justice's Environment and Natural Resources Division, and for other purposes; to the Committee on the Judiciary.

By Mr. KENNEDY (for himself, Mr. TILLIS, Mrs. BLACKBURN, Ms. ERNST, Mr. ROUNDS, Mr. CRAMER, and Mr. RUBIO):

S. 4602. A bill to prohibit the obstruction of emergency vehicles; to the Committee on the Judiciary.

By Ms. MCSALLY:

S. 4603. A bill to promote the use of forest restoration residue harvested on National Forest System land for renewable energy, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CRUZ:

S. 4604. A bill to require the imposition of sanctions with respect to certain persons in the defense sectors of nuclear weapons states that at not fulfilling their obligations under article VI of the Nuclear Non-Proliferation Treaty, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCOTT of Florida (for himself, Mr. TILLIS, Mr. COTTON, Mrs. LOEFBLER, Ms. ERNST, Mr. BRAUN, Mr. PERDUE, Mr. GRAHAM, Mr. INHOFE, Mr. DAINES, Mr. CRUZ, Mr. RUBIO, Mr. ROUNDS, Mr. CORNYN, Ms. MCSALLY, and Mr. PORTMAN):

S. Res. 697. A resolution expressing support for the brave men and women of our law enforcement agencies and urging the people of the United States to "Back the Blue"; to the Committee on the Judiciary.

By Mr. RUBIO (for himself and Ms. BALDWIN):

S. Res. 698. A resolution designating September 2020 as "National Spinal Cord Injury

Awareness Month"; considered and agreed to.

By Mr. PETERS (for himself and Mr. KENNEDY):

S. Res. 699. A resolution expressing support for the designation of the week of September 11 through September 17 as "Patriot Week"; considered and agreed to.

By Mr. WHITEHOUSE (for himself, Ms. COLLINS, Mr. CASSIDY, Mr. BLUMENTHAL, Ms. HASSAN, Mr. MURPHY, Mr. CARPER, Mr. VAN HOLLEN, Mr. CARDIN, Mr. BOOKER, Mr. KING, Mr. WARNER, Mr. COONS, Mr. MARKEY, Ms. HIRONO, Mr. REED, Mrs. FEINSTEIN, Mrs. SHAHEEN, Mr. MERKLEY, Ms. BALDWIN, Mr. MENENDEZ, Mr. RUBIO, and Mr. KAINE):

S. Res. 700. A resolution designating the week of September 19 through September 26, 2020, as "National Estuaries Week"; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 514

At the request of Mr. TESTER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 514, a bill to amend title 38, United States Code, to improve the benefits and services provided by the Department of Veterans Affairs to women veterans, and for other purposes.

S. 593

At the request of Mr. DURBIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 593, a bill to amend the Religious Freedom Restoration Act of 1993 to protect civil rights and otherwise prevent meaningful harm to third parties, and for other purposes.

S. 633

At the request of Mr. MORAN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 633, a bill to award a Congressional Gold Medal to the members of the Women's Army Corps who were assigned to the 6888th Central Postal Directory Battalion, known as the "Six Triple Eight".

S. 839

At the request of Mr. KAINE, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 839, a bill to extend Federal Pell Grant eligibility of certain short-term programs.

S. 959

At the request of Ms. COLLINS, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of S. 959, a bill to establish in the Smithsonian Institution a comprehensive women's history museum, and for other purposes.

S. 1210

At the request of Ms. COLLINS, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1210, a bill to amend the Internal Revenue Code of 1986 to increase and make permanent the exclusion for benefits provided to volunteer firefighters and emergency medical responders.

S. 1820

At the request of Mrs. GILLIBRAND, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1820, a bill to improve the integrity and safety of horseracing by requiring a uniform anti-doping and medication control program to be developed and enforced by an independent Horseracing Anti-Doping and Medication Control Authority.

S. 2001

At the request of Ms. STABENOW, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 2001, a bill to award a Congressional Gold Medal to Willie O'Ree, in recognition of his extraordinary contributions and commitment to hockey, inclusion, and recreational opportunity.

S. 2815

At the request of Mr. SCHUMER, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Florida (Mr. SCOTT) were added as cosponsors of S. 2815, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Purple Heart Honor Mission.

S. 2936

At the request of Mr. LEAHY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2936, a bill to provide for the admission and protection of refugees, asylum seekers, and other vulnerable individuals, to provide for the processing of refugees and asylum seekers in the Western Hemisphere, and to modify certain special immigrant visa programs, and for other purposes.

S. 3051

At the request of Mr. BARRASSO, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 3051, a bill to improve protections for wildlife, and for other purposes.

S. 3264

At the request of Mr. UDALL, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 3264, a bill to expedite and streamline the deployment of affordable broadband service on Tribal land, and for other purposes.

S. 3353

At the request of Mr. CASSIDY, the names of the Senator from Arkansas (Mr. COTTON) and the Senator from Oklahoma (Mr. LANKFORD) were added as cosponsors of S. 3353, a bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients, and for other purposes.

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3353, *supra*.

S. 3366

At the request of Mr. KING, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 3366, a bill to amend the Federal

Lands Recreation Enhancement Act to make the National Parks and Federal Recreational Lands Pass available at no cost to members of Gold Star Families.

S. 3393

At the request of Mr. TESTER, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 3393, a bill to amend title 10, United States Code, to provide for concurrent receipt of veterans' disability compensation and retired pay for disability retirees with fewer than 20 years of service and a combat-related disability, and for other purposes.

S. 3471

At the request of Mr. RUBIO, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 3471, a bill to ensure that goods made with forced labor in the Xinjiang Uyghur Autonomous Region of the People's Republic of China do not enter the United States market, and for other purposes.

S. 3605

At the request of Mrs. GILLIBRAND, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 3605, a bill to amend the Specialty Crops Competitiveness Act of 2004 to provide specialty crop block grants to fund State food banks and food access networks.

S. 3718

At the request of Ms. CANTWELL, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 3718, a bill to expand the waiver of affiliation rules for certain business concerns with more than 1 physical location, and for other purposes.

S. 3753

At the request of Mr. BRAUN, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 3753, a bill to direct the Secretary of Veterans Affairs to ensure that certain medical facilities of the Department of Veterans Affairs have physical locations for the disposal of controlled substances medications.

S. 3761

At the request of Mr. TESTER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 3761, a bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to provide veterans service organizations and recognized agents and attorneys opportunities to review Department of Veterans Affairs disability rating determinations before they are finalized, and for other purposes.

S. 3899

At the request of Mr. TESTER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 3899, a bill to direct the Secretary of Veterans Affairs to carry out a retraining assistance program for unemployed veterans, and for other purposes.

S. 4003

At the request of Mr. MENENDEZ, the name of the Senator from New Hamp-

shire (Ms. HASSAN) was added as a cosponsor of S. 4003, a bill to improve United States consideration of, and strategic support for, programs to prevent and respond to gender-based violence from the onset of humanitarian emergencies and to build the capacity of humanitarian actors to address the immediate and long-term challenges resulting from such violence, and for other purposes.

S. 4110

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 4110, a bill to designate residents of the Hong Kong Special Administrative Region as Priority 2 refugees of special humanitarian concern, and for other purposes.

S. 4150

At the request of Ms. COLLINS, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors 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 name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor 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. 4159

At the request of Mr. THUNE, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 4159, a bill to amend the Electronic Signatures in Global and National Commerce Act to accommodate emerging technologies.

S. 4234

At the request of Mr. CRUZ, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 4234, a bill to require the Secretary of Commerce to identify a certain amount of Federal spectrum to be reallocated for mobile and fixed wireless broadband use, and for other purposes.

S. 4258

At the request of Mr. CORNYN, the names of the Senator from Maine (Mr. KING) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 4258, a bill to establish a grant program for small live venue operators and talent representatives.

S. 4349

At the request of Mr. KAINE, the names of the Senator from Maine (Mr. KING) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of S. 4349, a bill to address behavioral health and well-being among health care professionals.

S. 4417

At the request of Ms. HIRONO, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 4417, a bill to provide temporary impact aid construction grants

to eligible local educational agencies, and for other purposes.

S. 4422

At the request of Mr. WICKER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 4422, a bill to establish the Office of Minority Broadband Initiatives within the National Telecommunications and Information Administration, and for other purposes.

S. 4482

At the request of Mr. PORTMAN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 4482, a bill to require the Secretary of State to submit to Congress an annual report regarding instances of Arab government retribution toward citizens and residents who engage in people-to-people relations with Israelis.

S. 4526

At the request of Ms. HIRONO, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 4526, a bill to ensure that COVID-19-related Federal programs and assistance provide for the translation of informational materials relating to awareness, screening, testing, and treatment for COVID-19 into priority languages.

S. 4544

At the request of Mr. LEAHY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 4544, a bill to specify the Federal share of the costs of certain duty of the National Guard in connection with the Coronavirus Disease 2019.

S. 4559

At the request of Mr. MENENDEZ, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 4559, a bill to respond to the provision of bounties by the Government of the Russian Federation for the killing of members of the Armed Forces of the United States and members of the Resolute Support Mission led by the North Atlantic Treaty Organization and with respect to certain Russian political figures and oligarchs, and for other purposes.

S. 4571

At the request of Mr. PETERS, his name was added as a cosponsor of S. 4571, a bill to extend certain deadlines for the 2020 decennial census.

S. RES. 274

At the request of Mr. MENENDEZ, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. Res. 274, a resolution expressing solidarity with Falun Gong practitioners who have lost lives, freedoms, and other rights for adhering to their beliefs and practices, and condemning the practice of non-consenting organ harvesting, and for other purposes.

S. RES. 672

At the request of Mrs. FEINSTEIN, the names of the Senator from Massachusetts (Mr. MARKEY), the Senator from Ohio (Mr. BROWN), the Senator from Minnesota (Ms. SMITH) and the Senator

from Michigan (Mr. PETERS) were added as cosponsors of S. Res. 672, a resolution designating September 2020 as National Democracy Month as a time to reflect on the contributions of the system of government of the United States to a more free and stable world.

AMENDMENT NO. 1551

At the request of Mr. CORNYN, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of amendment No. 1551 intended to be proposed to S. 2657, a bill to support innovation in advanced geothermal research and development, and for other purposes.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 697—EXPRESSING SUPPORT FOR THE BRAVE MEN AND WOMEN OF OUR LAW ENFORCEMENT AGENCIES AND URGING THE PEOPLE OF THE UNITED STATES TO “BACK THE BLUE”

Mr. SCOTT of Florida (for himself, Mr. TILLIS, Mr. COTTON, Mrs. LOEF-FLER, Ms. ERNST, Mr. BRAUN, Mr. PERDUE, Mr. GRAHAM, Mr. INHOFE, Mr. DAINES, Mr. CRUZ, Mr. RUBIO, Mr. ROUNDS, Mr. CORNYN, Ms. MCSALLY, and Mr. PORTMAN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 697

Whereas the cowardly attack on 2 Los Angeles County Sheriff's Department deputies on September 12, 2020, is the latest example of an alarming trend of targeted violence toward Federal, State, and local law enforcement officers;

Whereas, as of September 11, 2020, the Federal Bureau of Investigation reported that 37 law enforcement officers have been feloniously killed in the United States in 2020, representing a more than 20 percent increase in law enforcement homicides compared to the same period last year;

Whereas more than 800,000 sworn law enforcement officers in the United States perform innumerable daily acts of bravery and service for their communities that often go entirely unreported;

Whereas radical politicians, reckless media figures, and organized protest movements bent on sowing civil unrest have sought to vilify and denigrate the courageous men and women of our law enforcement agencies, while inciting, encouraging, or celebrating widespread criminal activity and violence against law enforcement officers;

Whereas crime rates, including rates of violent crime, have dramatically risen in several cities across the United States as radical politicians pursue a dangerous campaign to “defund the police”, starving law enforcement agencies of much-needed resources to combat the growing threat to their communities;

Whereas maintaining law and order is fundamental to the safety, security, and prosperity of our communities; and

Whereas now is the time to “Back the Blue”, and express our full-throated support for the selfless work of our courageous law enforcement officers who protect all law-abiding citizens against the threats posed by criminals and violent domestic groups inter-

ested in sowing chaos and destruction: Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses gratitude to the brave men and women of our Federal, State, and local law enforcement agencies who selflessly serve their communities;

(2) stands united to “Back the Blue” and support the law enforcement agencies and officers that stand on the front lines every day to maintain law and order so that our communities can prosper;

(3) condemns the perpetrators, instigators, and celebrators of violence against law enforcement officers; and

(4) calls for the people of the United States to—

(A) denounce the recent cowardly attack on the Los Angeles County Sheriff's Department deputies;

(B) assist in the identification and apprehension of the criminal who perpetrated the cowardly attack; and

(C) pray for the speedy and full recovery of the deputies.

### SENATE RESOLUTION 698—DESIGNATING SEPTEMBER 2020 AS “NATIONAL SPINAL CORD INJURY AWARENESS MONTH”

Mr. RUBIO (for himself and Ms. BALDWIN) submitted the following resolution; which was considered and agreed to:

S. RES. 698

Whereas approximately 294,000 individuals in the United States live with spinal cord injuries, which cost society billions of dollars in health care costs and lost wages;

Whereas there are approximately 17,810 new spinal cord injuries in the United States each year;

Whereas more than 42,000 individuals with spinal cord injuries are veterans;

Whereas motor vehicle accidents are the leading cause of spinal cord injuries;

Whereas nearly half of all spinal cord injuries to individuals 30 years of age or younger occur as a result of motor vehicle accidents;

Whereas the average remaining years of life for individuals living with spinal cord injuries has not improved significantly since the 1980s;

Whereas there is an urgent need to develop new neuroprotection, pharmacological, and regeneration treatments to reduce, prevent, and reverse paralysis; and

Whereas increased education and investment in research are key factors in improving outcomes for individuals living with spinal cord injuries, enhancing the quality of life of individuals with spinal cord injuries, and ultimately curing paralysis: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates September 2020 as “National Spinal Cord Injury Awareness Month”;

(2) supports the goals and ideals of National Spinal Cord Injury Awareness Month;

(3) continues to support research to find better treatments, therapies, and a cure for spinal cord injuries;

(4) supports clinical trials for new therapies that offer promise and hope to individuals living with paralysis; and

(5) commends the dedication of national, regional, and local organizations, researchers, doctors, volunteers, and people across the United States who are working to improve the quality of life of individuals living with spinal cord injuries and their families.



SENATE RESOLUTION 699—EX-PRESSING SUPPORT FOR THE DESIGNATION OF THE WEEK OF SEPTEMBER 11 THROUGH SEPTEMBER 17 AS “PATRIOT WEEK”

Mr. PETERS (for himself and Mr. KENNEDY) submitted the following resolution; which was considered and agreed to:

S. RES. 699

Whereas the events that led to the signing of the Constitution of the United States by the delegates to the Constitutional Convention on September 17, 1787, have significance for every citizen of the United States and are honored in public schools across the United States on Constitution Day, which is September 17 of each year;

Whereas the rule of law, the social compact, democracy, liberty, equality, and unalienable human rights are the essential values upon which the United States flourishes;

Whereas diversity is one of the greatest strengths of the United States, and the motto inscribed on the Great Seal of the United States, “E pluribus unum”, Latin for “out of many, one”, symbolizes that individuals in the United States from all walks of life are unified by shared values;

Whereas exceptional, visionary, and indispensable individuals such as Thomas Paine, Patrick Henry, John Adams, John Marshall, George Washington, Elizabeth Cady Stanton, Susan B. Anthony, Rosa Parks, Harriet Tubman, Abraham Lincoln, Frederick Douglass, Martin Luther King, Jr., Thomas Jefferson, and James Madison founded or advanced the United States;

Whereas the Declaration of Independence, the Constitution of the United States, the Declaration of Sentiments and Resolutions signed in Seneca Falls, New York, the Gettysburg Address, the Emancipation Proclamation, and the “I Have a Dream” speech delivered by Martin Luther King, Jr., express sentiments that have advanced liberty in the United States; and

Whereas the Bennington flag (commonly known as the “76 flag”), the Betsy Ross flag, the current flag of the United States, the flag of the women’s suffrage movement, the Union flag (commonly known as the “Fort Sumter flag”), the Gadsden flag, and the flags of the States are physical symbols of the history of the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the designation of the week of September 11 through September 17 as “Patriot Week”;

(2) recognizes that understanding the history of the United States and the first principles of the United States is indispensable to the survival of the United States as a free people;

(3) acknowledges, in great reverence to the victims of the September 11, 2001, attacks, that citizens of the United States should take time to honor the first principles, founders, documents, and symbols of their history;

(4) recognizes that each generation should renew the spirit of the United States based on the first principles, historical figures, founding documents, and symbols of the United States; and

(5) encourages citizens, schools and other educational institutions, and Federal, State, and local governments and their agencies to recognize and participate in Patriot Week by honoring, celebrating, and promoting the study of the history of the United States so that all people of the United States may offer the reverence that is due to the free republic.

SENATE RESOLUTION 700—DESIGNATING THE WEEK OF SEPTEMBER 19 THROUGH SEPTEMBER 26, 2020, AS “NATIONAL ESTUARIES WEEK”

Mr. WHITEHOUSE (for himself, Ms. COLLINS, Mr. CASSIDY, Mr. BLUMENTHAL, Ms. HASSAN, Mr. MURPHY, Mr. CARPER, Mr. VAN HOLLEN, Mr. CARDIN, Mr. BOOKER, Mr. KING, Mr. WARNER, Mr. COONS, Mr. MARKEY, Ms. HIRONO, Mr. REED, Mrs. FEINSTEIN, Mrs. SHAHEEN, Mr. MERKLEY, Ms. BALDWIN, Mr. MENENDEZ, Mr. RUBIO, and Mr. KAINE) submitted the following resolution; which was considered and agreed to:

S. RES. 700

Whereas estuary regions cover only 13 percent of the land area in the continental United States but contain nearly 43 percent of the population, 40 percent of the jobs, and nearly 50 percent of the economic output of the United States;

Whereas the oceans, estuaries, and Great Lakes of the United States continue to fuel economic growth across the United States, which is evidenced by the fact that, by 2016—

(1) employment levels in economic sectors relating to oceans and estuaries had increased by 14.5 percent from employment levels in those sectors in 2007, before the Great Recession; and

(2) the average employment level of the entire economy of the United States had increased by 4.8 percent from that employment level in 2007, before the Great Recession;

Whereas, between 2015 and 2016, economic sectors relating to estuaries, oceans, and Great Lakes in the United States—

(1) created 85,000 new jobs;

(2) employed 3,300,000 individuals; and

(3) contributed \$124,000,000,000 to the gross domestic product;

Whereas, by 2018, the ocean economy supported 2,300,000 jobs in the United States, and the compensation paid to employees in such sector was \$161,900,000,000;

Whereas the commercial and recreational fishing industries support more than 1,740,000 jobs in the United States;

Whereas, in 2017—

(1) commercial and recreational saltwater fishing in the United States generated more than \$244,000,000,000 in sales and contributed \$110,700,000,000 to the gross domestic product of the United States;

(2) angler trip expenditures totaled nearly \$10,500,000,000; and

(3) saltwater recreational fishing supported 487,000 jobs, generated \$73,800,000,000 in sales across the United States, and contributed \$41,500,000,000 to the gross domestic product of the United States;

Whereas estuaries provide vital habitats for—

(1) countless species of fish and wildlife, including more than 68 percent of the commercial fish catch in the United States by value and 80 percent of the recreational fish catch in the United States by weight; and

(2) many species that are listed as threatened or endangered species;

Whereas estuaries provide critical ecosystem services that protect human health and public safety, including water filtration, flood control, shoreline stabilization, erosion prevention, and the protection of coastal communities during hurricanes, storms, and other extreme weather events;

Whereas, by the 1980s, the United States had already lost more than 50 percent of the wetlands that existed in the original 13 colonies;

Whereas some bays in the United States that were once filled with fish and oysters

have become dead zones filled with excess nutrients, chemical waste, and marine debris;

Whereas harmful algal blooms are hurting fish, wildlife, and human health and are causing serious ecological and economic harm to some estuaries;

Whereas changes in sea levels can affect estuarine water quality and estuarine habitats;

Whereas section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330) (commonly known as the “Clean Water Act”) authorizes the development of comprehensive conservation and management plans to ensure that the designated uses of estuaries are protected and to restore and maintain—

(1) the chemical, physical, and biological integrity of estuaries;

(2) water quality;

(3) a balanced indigenous population of shellfish, fish, and wildlife; and

(4) recreational activities in estuaries;

Whereas the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) provides that the policy of the United States is to preserve, protect, develop, and, if possible, restore or enhance the resources of the coastal zone of the United States, including estuaries, for current and future generations;

Whereas 29 coastal and Great Lakes States and territories of the United States operate or contain a National Estuary Program or a National Estuarine Research Reserve;

Whereas scientific study leads to a better understanding of the benefits of estuaries to human and ecological communities;

Whereas the Federal Government, State, local, and Tribal governments, national and community organizations, and individuals work together to effectively manage the estuaries of the United States;

Whereas estuary restoration efforts restore natural infrastructure in local communities in a cost-effective manner, helping to create jobs and reestablish the natural functions of estuaries that yield countless benefits; and

Whereas the week of September 19 through September 26, 2020, is recognized as “National Estuaries Week” to increase awareness among all people of the United States, including Federal Government and State, local, and Tribal government officials, about the importance of healthy estuaries and the need to protect and restore estuaries: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week of September 19 through September 26, 2020, as “National Estuaries Week”;

(2) supports the goals and ideals of National Estuaries Week;

(3) acknowledges the importance of estuaries to sustaining employment in the United States and the economic well-being and prosperity of the United States;

(4) recognizes that persistent threats undermine the health of estuaries;

(5) applauds the work of national and community organizations and public partners that promote public awareness, understanding, protection, and restoration of estuaries;

(6) supports the scientific study, preservation, protection, and restoration of estuaries; and

(7) expresses the intent of the Senate to continue working to understand, protect, and restore the estuaries of the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2656. Mr. PORTMAN (for Mr. BARRASSO (for himself and Mr. CARPER)) proposed an amendment to the bill S. 3051, to improve

protections for wildlife, and for other purposes.

## TEXT OF AMENDMENTS

**SA 2656.** Mr. PORTMAN (for Mr. BARASSO (for himself and Mr. CARPER)) proposed an amendment to the bill S. 3051, to improve protections for wildlife, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “America’s Conservation Enhancement Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—WILDLIFE ENHANCEMENT, DISEASE, AND PREDATION

Sec. 101. Theodore Roosevelt Genius Prize for reducing human-predator conflict.

Sec. 102. Losses of livestock due to depredation by federally protected species.

Sec. 103. Depredation permits for black vultures and common ravens.

Sec. 104. Chronic Wasting Disease Task Force.

Sec. 105. Invasive species.

Sec. 106. North American Wetlands Conservation Act.

Sec. 107. National Fish and Wildlife Foundation Establishment Act.

Sec. 108. Modification of definition of sport fishing equipment under Toxic Substances Control Act.

Sec. 109. Reauthorization of Chesapeake Bay Program.

Sec. 110. Reauthorization of Chesapeake Bay Initiative Act of 1998.

Sec. 111. Chesapeake watershed investments for landscape defense.

#### TITLE II—NATIONAL FISH HABITAT CONSERVATION THROUGH PARTNERSHIPS

Sec. 201. Purpose.

Sec. 202. Definitions.

Sec. 203. National Fish Habitat Board.

Sec. 204. Fish Habitat Partnerships.

Sec. 205. Fish Habitat Conservation Projects.

Sec. 206. Technical and scientific assistance.

Sec. 207. Coordination with States and Indian Tribes.

Sec. 208. Interagency Operational Plan.

Sec. 209. Accountability and reporting.

Sec. 210. Effect of this title.

Sec. 211. Nonapplicability of Federal Advisory Committee Act.

Sec. 212. Funding.

Sec. 213. Prohibition against implementation of regulatory authority by Federal agencies through Partnerships.

#### TITLE III—MISCELLANEOUS

Sec. 301. Study to review conservation factors.

Sec. 302. Study and report on expenditures.

Sec. 303. Use of value of land for cost sharing.

#### TITLE I—WILDLIFE ENHANCEMENT, DISEASE, AND PREDATION

##### SEC. 101. THEODORE ROOSEVELT GENIUS PRIZE FOR REDUCING HUMAN-PREDATOR CONFLICT.

(a) IN GENERAL.—Section 7001(d) of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (16 U.S.C. 742b note; Public Law 116-9) is amended—

(1) by striking “paragraph (7)(A)” each place such term appears and inserting “paragraph (8)(A)”;

(2) by striking “paragraph (7)(B)” each place such term appears and inserting “paragraph (8)(B)”;

(3) in paragraph (6)(C)(iv), by striking “subparagraph (C)” and inserting “clause (iii)”;

(4) by redesignating paragraph (7) as paragraph (8);

(5) by inserting after paragraph (6) the following:

“(7) THEODORE ROOSEVELT GENIUS PRIZE FOR REDUCING HUMAN-PREDATOR CONFLICT.—

“(A) DEFINITIONS.—In this paragraph:

“(i) BOARD.—The term ‘Board’ means the Reducing Human-Predator Conflict Technology Advisory Board established by subparagraph (C)(i).

“(ii) PRIZE COMPETITION.—The term ‘prize competition’ means the Theodore Roosevelt Genius Prize for reducing human-predator conflict established under subparagraph (B).

“(B) AUTHORITY.—Not later than 180 days after the date of enactment of the America’s Conservation Enhancement Act, the Secretary shall establish under section 24 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3719) a prize competition, to be known as the ‘Theodore Roosevelt Genius Prize for reducing human-predator conflict’—

“(i) to encourage technological innovation with the potential to advance the mission of the United States Fish and Wildlife Service with respect to reducing the frequency of human-predator conflict using nonlethal means; and

“(ii) to award 1 or more prizes annually for a technological advancement that promotes reducing human-predator conflict using nonlethal means, which may include the application and monitoring of tagging technologies.

“(C) ADVISORY BOARD.—

“(i) ESTABLISHMENT.—There is established an advisory board, to be known as the ‘Reducing Human-Predator Conflict Technology Advisory Board’.

“(ii) COMPOSITION.—The Board shall be composed of not fewer than 9 members appointed by the Secretary, who shall provide expertise in—

“(I) predator-human interactions;

“(II) the habitats of large predators;

“(III) biology;

“(IV) technology development;

“(V) engineering;

“(VI) economics;

“(VII) business development and management; and

“(VIII) any other discipline, as the Secretary determines to be necessary to achieve the purposes of this paragraph.

“(iii) DUTIES.—Subject to clause (iv), with respect to the prize competition, the Board shall—

“(I) select a topic;

“(II) issue a problem statement;

“(III) advise the Secretary regarding any opportunity for technological innovation to reduce human-predator conflict using nonlethal means; and

“(IV) advise winners of the prize competition regarding opportunities to pilot and implement winning technologies in relevant fields, including in partnership with conservation organizations, Federal or State agencies, federally recognized Indian Tribes, private entities, and research institutions with expertise or interest relating to reducing human-predator conflict using nonlethal means.

“(iv) CONSULTATION.—In selecting a topic and issuing a problem statement for the prize competition under subclauses (I) and (II) of clause (iii), respectively, the Board shall consult widely with Federal and non-Federal stakeholders, including—

“(I) 1 or more Federal agencies with jurisdiction over the management of native wildlife species at risk due to conflict with human activities;

“(II) 1 or more State agencies with jurisdiction over the management of native wildlife species at risk due to conflict with human activities;

“(III) 1 or more State, regional, or local wildlife organizations, the mission of which relates to the management of native wildlife species at risk due to conflict with human activities; and

“(IV) 1 or more wildlife conservation groups, technology companies, research institutions, institutions of higher education, industry associations, or individual stakeholders with an interest in the management of native wildlife species at risk due to conflict with human activities.

“(v) REQUIREMENTS.—The Board shall comply with all requirements under paragraph (8)(A).

“(D) AGREEMENT WITH NATIONAL FISH AND WILDLIFE FOUNDATION.—

“(i) IN GENERAL.—The Secretary shall offer to enter into an agreement under which the National Fish and Wildlife Foundation shall administer the prize competition.

“(ii) REQUIREMENTS.—An agreement entered into under clause (i) shall comply with all requirements under paragraph (8)(B).

“(E) JUDGES.—

“(i) APPOINTMENT.—The Secretary shall appoint not fewer than 3 judges who shall, except as provided in clause (ii), select the 1 or more annual winners of the prize competition.

“(ii) DETERMINATION BY SECRETARY.—The judges appointed under clause (i) shall not select any annual winner of the prize competition if the Secretary makes a determination that, in any fiscal year, none of the technological advancements entered into the prize competition merits an award.

“(F) CONSULTATION WITH NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—The Secretary shall consult with the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, in the case of a cash prize awarded under the prize competition for a technology that addresses conflict between humans and marine predators under the jurisdiction of the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration.

“(G) REPORT TO CONGRESS.—Not later than 60 days after the date on which a cash prize is awarded under this paragraph, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Natural Resources of the House of Representatives a report on the prize competition that includes—

“(i) a statement by the Board that describes the activities carried out by the Board relating to the duties described in subparagraph (C)(iii);

“(ii) if the Secretary has entered into an agreement under subparagraph (D)(i), a statement by the National Fish and Wildlife Foundation that describes the activities carried out by the National Fish and Wildlife Foundation relating to the duties described in paragraph (8)(B); and

“(iii) a statement by 1 or more of the judges appointed under subparagraph (E) that explains the basis on which the winner of the cash prize was selected.

“(H) TERMINATION OF AUTHORITY.—The Board and all authority provided under this paragraph shall terminate on December 31, 2023.”; and

(6) in paragraph (8) (as redesignated)—

(A) in subparagraph (A), by striking “or (6)(C)(i)” and inserting “(6)(C)(i), or (7)(C)(i)”; and

(B) in subparagraph (B)—

(i) by striking “or (6)(D)(i)” and inserting “(6)(D)(i), or (7)(D)(i)”; and

(ii) in clause (i)(VII), by striking “and (6)(E)” and inserting “(6)(E), and (7)(E)”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that data collected from the tagging of predators can inform innovative management of those predators and innovative education activities to minimize human-predator conflict.

#### SEC. 102. LOSSES OF LIVESTOCK DUE TO DEPRE- DATION BY FEDERALLY PROTECTED SPECIES.

(a) DEFINITIONS.—In this section:

(1) DEPRE-  
DATION.—

(A) IN GENERAL.—The term “depredation” means actual death, injury, or destruction of livestock that is caused by a federally protected species.

(B) EXCLUSIONS.—The term “depredation” does not include damage to real or personal property other than livestock, including—

(i) damage to—

(I) other animals;

(II) vegetation;

(III) motor vehicles; or

(IV) structures;

(ii) diseases;

(iii) lost profits; or

(iv) consequential damages.

(2) FEDERALLY PROTECTED SPECIES.—The term “federally protected species” means a species that is or previously was protected under—

(A) the Act of June 8, 1940 (commonly known as the “Bald and Golden Eagle Protection Act”) (54 Stat. 250, chapter 278; 16 U.S.C. 668 et seq.);

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or

(C) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.).

(3) INDIAN TRIBE.—The term “Indian Tribe” has the meaning given to the term “Indian tribe” in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(4) LIVESTOCK.—

(A) IN GENERAL.—The term “livestock” means horses, mules and asses, rabbits, llamas, cattle, bison, swine, sheep, goats, poultry, bees, honey and beehives, or any other animal generally used for food or in the production of food or fiber.

(B) INCLUSION.—The term “livestock” includes guard animals actively engaged in the protection of livestock described in subparagraph (A).

(5) PROGRAM.—The term “program” means the grant program established under subsection (b)(1).

(6) SECRETARIES.—The term “Secretaries” means—

(A) the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service; and

(B) the Secretary of Agriculture, acting through the Administrator of the Animal and Plant Health Inspection Service.

(b) GRANT PROGRAM FOR LOSSES OF LIVESTOCK DUE TO DEPRE-  
DATION BY FEDERALLY  
PROTECTED SPECIES.—

(1) IN GENERAL.—The Secretaries shall establish a program to provide grants to States and Indian Tribes to supplement amounts provided by States, Indian Tribes, or State agencies under 1 or more programs established by the States and Indian Tribes (including programs established after the date of enactment of this Act)—

(A) to assist livestock producers in carrying out—

(i) proactive and nonlethal activities to reduce the risk of livestock loss due to depredation by federally protected species occurring on—

(I) Federal, State, or private land within the applicable State; or

(II) land owned by, or held in trust for the benefit of, the applicable Indian Tribe; and

(ii) research relating to the activities described in clause (i); and

(B) to compensate livestock producers for livestock losses due to depredation by federally protected species occurring on—

(i) Federal, State, or private land within the applicable State; or

(ii) land owned by, or held in trust for the benefit of, the applicable Indian Tribe.

(2) ALLOCATION OF FUNDING.—

(A) REPORTS TO THE SECRETARIES.—Not later than September 30 of each year, a State or Indian Tribe desiring to receive a grant under the program shall submit to the Secretaries a report describing, for the 1-year period ending on that September 30, the losses of livestock due to depredation by federally protected species occurring on—

(i) Federal, State, or private land within the applicable State; or

(ii) land owned by, or held in trust for the benefit of, the applicable Indian Tribe.

(B) ALLOCATION.—The Secretaries shall allocate available funding to carry out this Act among States and Indian Tribes for a 1-year period ending on September 30 based on the losses described in the reports submitted for the previous 1-year period ending on September 30 under subparagraph (A).

(3) ELIGIBILITY.—To be eligible to receive a grant under paragraph (1), a State or Indian Tribe shall—

(A) designate an appropriate agency of the State or Indian Tribe to administer the 1 or more programs supplemented by the grant funds;

(B) establish 1 or more accounts to receive grant funds;

(C) maintain files of all claims received and paid under grant-funded programs, including supporting documentation; and

(D) submit to the Secretaries—

(i) annual reports that include—

(I) a summary of claims and expenditures under the program during the year; and

(II) a description of any action taken on the claims; and

(ii) such other reports as the Secretaries may require to assist the Secretaries in determining the effectiveness of assisted activities under this section.

(c) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) no State or Indian Tribe is required to participate in the program; and

(2) the program supplements, and does not replace or supplant, any State compensation programs for depredation.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$15,000,000 for each of fiscal years 2021 through 2025, of which—

(1) \$5,000,000 shall be used to provide grants for the purposes described in subsection (b)(1)(A); and

(2) \$10,000,000 shall be used to provide grants for the purpose described in subsection (b)(1)(B).

#### SEC. 103. DEPRE- DATION PERMITS FOR BLACK VULTURES AND COMMON RAVENS.

(a) IN GENERAL.—The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service (referred to in this section as the “Secretary”), may issue depredation permits to livestock producers authorizing takings of black vultures or common ravens otherwise prohibited by Federal law to prevent those vultures or common ravens from taking livestock during the calving season or lambing season.

(b) LIMITED TO AFFECTED STATES OR REGIONS.—The Secretary may issue permits

under subsection (a) only to livestock producers in States and regions in which livestock producers are affected or have been affected in the previous year by black vultures or common ravens, as determined by Secretary.

(c) REPORTING.—The Secretary shall require, as a condition of a permit under subsection (a), that the permit holder shall report to the appropriate enforcement agencies the takings of black vultures or common ravens pursuant to the permit.

#### SEC. 104. CHRONIC WASTING DISEASE TASK FORCE.

(a) DEFINITIONS.—In this section:

(1) CERVID.—The term “cervid” means any species within the family Cervidae.

(2) CHRONIC WASTING DISEASE.—The term “chronic wasting disease” means the animal disease afflicting deer, elk, and moose populations that—

(A) is a transmissible disease of the nervous system resulting in distinctive lesions in the brain; and

(B) belongs to the group of diseases known as transmissible spongiform encephalopathies, which group includes scrapie, bovine spongiform encephalopathy, and Creutzfeldt-Jakob disease.

(3) SECRETARIES.—The term “Secretaries” means the Secretary of Agriculture, acting through the Administrator of the Animal and Plant Health Inspection Service, and the Secretary of the Interior, acting through the Director of the United States Geological Survey and the Director of the United States Fish and Wildlife Service, acting jointly.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretaries shall establish within the United States Fish and Wildlife Service a task force, to be known as the “Chronic Wasting Disease Task Force” (referred to in this subsection as the “Task Force”) after the completion of the study required by subsection (c).

(2) DUTIES.—The Task Force shall—

(A) collaborate with foreign governments to share research, coordinate efforts, and discuss best management practices to reduce, minimize, prevent, or eliminate chronic wasting disease in the United States;

(B) develop recommendations, including recommendations based on findings of the study conducted under subsection (c), and a set of best practices regarding—

(i) the interstate coordination of practices to prevent the new introduction of chronic wasting disease;

(ii) the prioritization and coordination of the future study of chronic wasting disease, based on evolving research needs;

(iii) ways to leverage the collective resources of Federal, State, and local agencies, Indian Tribes, and foreign governments, and resources from private, nongovernmental entities, to address chronic wasting disease in the United States and along the borders of the United States; and

(iv) any other area where containment or management efforts relating to chronic wasting disease may differ across jurisdictions; and

(C) develop, from the recommendations developed under subparagraph (B), an action plan that gives States, the Federal Government, Indian Tribes, and the farmed cervid industry specific recommendations to ensure consistent and coordinated management and focused, prioritized research to stop the spread of and mitigate the impacts of chronic wasting disease.

(3) MEMBERSHIP.—

(A) IN GENERAL.—The Task Force shall be composed of—

(i) 1 representative of the United States Fish and Wildlife Service with experience in chronic wasting disease, to be appointed by

the Secretary of the Interior (referred to in this subsection as the "Secretary");

(i) 1 representative of the United States Geological Survey;

(iii) 2 representatives of the Department of Agriculture with experience in chronic wasting disease, to be appointed by the Secretary of Agriculture—

(I) 1 of whom shall have expertise in cervid health research; and

(II) 1 of whom shall have expertise in wildlife management;

(iv) in the case of each State in which chronic wasting disease among elk, mule deer, white-tailed deer, or moose has been reported to the appropriate State agency, not more than 2 representatives, to be nominated by the Governor of the State—

(I) not more than 1 of whom shall be a representative of the State agency with jurisdiction over wildlife management or wildlife disease in the State; and

(II) in the case of a State with a farmed cervid program or economy, not more than 1 of whom shall be a representative of the State agency with jurisdiction over farmed cervid regulation in the State;

(v) in the case of each State in which chronic wasting disease among elk, mule deer, white-tailed deer, or moose has not been documented, but that has carried out measures to prevent the introduction of chronic wasting disease among those species, not more than 2 representatives, to be nominated by the Governor of the State;

(vi) not more than 2 representatives from an Indian Tribe or Tribal organization chosen in a process determined, in consultation with Indian Tribes, by the Secretary; and

(vii) not more than 5 nongovernmental members with relevant expertise appointed, after the date on which the members are first appointed under clauses (i) through (vi), by a majority vote of the State representatives appointed under clause (iv).

(B) EFFECT.—Nothing in this paragraph requires a State to participate in the Task Force.

(4) Co-CHAIRS.—The Co-Chairs of the Task Force shall be—

(A) the Federal representative described in paragraph (3)(A)(i);

(B) 1 of the Federal representatives described in paragraph (3)(A)(iii); and

(C) 1 State representative appointed under paragraph (3)(A)(iv), to be selected by a majority vote of those State representatives.

(5) DATE OF INITIAL APPOINTMENT.—

(A) IN GENERAL.—The members of the Task Force shall be appointed not later than 180 days after the date on which the study is completed under subsection (c).

(B) NOTIFICATION.—On appointment of the members of the Task Force, the Co-Chairs of the Task Force shall notify the Chairs and Ranking Members of the Committees on Environment and Public Works and Agriculture, Nutrition, and Forestry of the Senate and Natural Resources and Agriculture of the House of Representatives.

(6) VACANCIES.—Any vacancy in the members appointed to the Task Force—

(A) shall not affect the power or duty of the Task Force; and

(B) shall be filled not later than 30 days after the date of the vacancy.

(7) MEETINGS.—The Task Force shall convene—

(A) not less frequently than twice each year; and

(B) at such time and place, and by such means, as the Co-Chairs of the Task Force determine to be appropriate, which may include the use of remote conference technology.

(8) INTERSTATE ACTION PLAN.—

(A) IN GENERAL.—Not later than 1 year after the date on which the members of the

Task Force are appointed, the Task Force shall submit to the Secretaries, and the heads of the State agencies with jurisdiction over wildlife disease and farmed cervid regulation of each State with a representative on the Task Force, the interstate action plan developed by the Task Force under paragraph (2)(C).

(B) COOPERATIVE AGREEMENTS.—

(i) IN GENERAL.—To the maximum extent practicable, the Secretaries, any other applicable Federal agency, and each applicable State may enter into a cooperative agreement to fund necessary actions under the interstate action plan submitted under subparagraph (A).

(ii) TARGET DATE.—The Secretaries shall make the best effort of the Secretaries to enter into any cooperative agreement under clause (i) not later than 180 days after the date of submission of the interstate action plan under subparagraph (A).

(C) MATCHING FUNDS.—

(i) IN GENERAL.—Subject to clause (ii), for each fiscal year, the Secretaries may provide funds to carry out an interstate action plan through a cooperative agreement under subparagraph (B) in the amount of funds provided by the applicable States.

(ii) LIMITATION.—The amount provided by the United States Fish and Wildlife Service under clause (i) for a fiscal year shall be not greater than \$5,000,000.

(9) REPORTS.—Not later than September 30 of the first full fiscal year after the date on which the first members of the Task Force are appointed, and each September 30 thereafter, the Task Force shall submit to the Secretaries, and the heads of the State agencies with jurisdiction over wildlife disease and farmed cervid regulation of each State with a representative on the Task Force, a report describing—

(A) progress on the implementation of actions identified in the interstate action plan submitted under paragraph (8)(A), including the efficacy of funding under the cooperative agreement entered into under paragraph (8)(B);

(B) updated resource requirements that are needed to reduce and eliminate chronic wasting disease in the United States;

(C) any relevant updates to the recommended best management practices included in the interstate action plan submitted under paragraph (8)(B) to reduce or eliminate chronic wasting disease;

(D) new research findings and emerging research needs relating to chronic wasting disease; and

(E) any other relevant information.

(c) CHRONIC WASTING DISEASE TRANSMISSION IN CERVIDAE RESOURCE STUDY.—

(1) DEFINITION OF ACADEMY.—In this subsection, the term "Academy" means the National Academy of Sciences.

(2) STUDY.—

(A) IN GENERAL.—The Secretaries shall enter into an arrangement with the Academy under which the Academy shall conduct, and submit to the Secretaries a report describing the findings of, a special resource study to identify the predominant pathways and mechanisms of the transmission of chronic wasting disease in wild, captive, and farmed populations of cervids in the United States.

(B) REQUIREMENTS.—The arrangement under subparagraph (A) shall provide that the actual expenses incurred by the Academy in conducting the study under subparagraph (A) shall be paid by the Secretaries, subject to the availability of appropriations.

(3) CONTENTS OF THE STUDY.—The study under paragraph (2) shall—

(A) with respect to wild, captive, and farmed populations of cervids in the United States, identify—

(i)(I) to the extent possible, the pathways and mechanisms for the transmission of chronic wasting disease within live cervid populations and cervid products, which may include pathways and mechanisms for transmission from Canada;

(II) the infection rates for each pathway and mechanism identified under subclause (I); and

(III) the relative frequency of transmission of each pathway and mechanism identified under subclause (I);

(ii)(I) anthropogenic and environmental factors contributing to new chronic wasting disease emergence events;

(II) the development of geographical areas with increased chronic wasting disease prevalence; and

(III) the overall geographical patterns of chronic wasting disease distribution;

(iii) significant gaps in current scientific knowledge regarding the transmission pathways and mechanisms identified under clause (i)(I) and potential prevention, detection, and control methods identified under clause (v);

(iv) for prioritization the scientific research projects that will address the knowledge gaps identified under clause (iii), based on the likelihood that a project will contribute significantly to the prevention or control of chronic wasting disease; and

(v) potential prevention, detection, or control measures, practices, or technologies to be used to mitigate the transmission and spread of chronic wasting disease in wild, captive, and farmed populations of cervids in the United States;

(B) assess the effectiveness of the potential prevention, detection, or control measures, practices, or technologies identified under subparagraph (A)(v); and

(C) review and compare science-based best practices, standards, and guidance regarding the prevention, detection, and management of chronic wasting disease in wild, captive, and farmed populations of cervids in the United States that have been developed by—

(i) the National Chronic Wasting Disease Herd Certification Program of the Animal and Plant Health Inspection Service;

(ii) the National Wildlife Research Center of the Animal and Plant Health Inspection Service;

(iii) the United States Geological Survey;

(iv) State wildlife and agricultural agencies, in the case of practices, standards, and guidance that provide practical, science-based recommendations to State and Federal agencies for minimizing or eliminating the risk of transmission of chronic wasting disease in the United States; and

(v) industry or academia, in the case of any published guidance on practices that provide practical, science-based recommendations to cervid producers for minimizing or eliminating the risk of transmission of chronic wasting disease within or between herds.

(4) DEADLINE.—The study under paragraph (2) shall be completed not later than 180 days after the date on which funds are first made available for the study.

(5) DATA SHARING.—The Secretaries shall share with the Academy, as necessary to conduct the study under paragraph (2), subject to the avoidance of a violation of a privacy or confidentiality requirement and the protection of confidential or privileged commercial, financial, or proprietary information, data and access to databases and research information on chronic wasting disease under the jurisdiction of—

(A) the Animal and Plant Health Inspection Service; and

(B) the United States Geological Survey.

(6) REPORT.—Not later than 60 days after the date of completion of the study, the Secretaries shall submit to the Committee on

Agriculture, Nutrition, and Forestry, the Committee on Energy and Natural Resources, and the Committee on Environment and Public Works of the Senate and the Committee on Agriculture and the Committee on Natural Resources of the House of Representatives a report that describes—

(A) the findings of the study; and

(B) any conclusions and recommendations that the Secretaries determine to be appropriate.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section—

(1) for the period of fiscal years 2021 through 2025, \$5,000,000 to the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, to carry out administrative activities under subsection (b);

(2) for fiscal year 2021, \$1,200,000 to the Secretary of the Interior, acting through the Director of the United States Geological Survey, to carry out activities to fund research under subsection (c); and

(3) for fiscal year 2021, \$1,200,000 to the Secretary of Agriculture, acting through the Administrator of the Animal and Plant Health Inspection Service, to carry out activities to fund research under subsection (c).

#### SEC. 105. INVASIVE SPECIES.

Section 10 of the Fish and Wildlife Coordination Act (16 U.S.C. 666c–1) is amended—

(1) in subsection (c)(2)—

(A) in subparagraph (A)—

(i) by redesignating clauses (i) and (ii) as clauses (ii) and (iii), respectively; and

(ii) by inserting before clause (ii) (as so redesignated) the following:

“(i) relevant Federal agencies;”;

(B) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(C) by inserting after subparagraph (A) the following:

“(B) in consultation with stakeholders, including nongovernmental organizations and industry;”;

(2) by adding at the end the following:

“(p) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section for each of fiscal years 2021 through 2025—

“(1) \$2,500,000 to the Secretary of the Army, acting through the Chief of Engineers; and

“(2) \$2,500,000 to the Secretary of the Interior.”.

#### SEC. 106. NORTH AMERICAN WETLANDS CONSERVATION ACT.

Section 7(c) of the North American Wetlands Conservation Act (16 U.S.C. 4406(c)) is amended by striking “not to exceed—” in the matter preceding paragraph (1) and all that follows through paragraph (5) and inserting “not to exceed \$60,000,000 for each of fiscal years 2021 through 2025.”.

#### SEC. 107. NATIONAL FISH AND WILDLIFE FOUNDATION ESTABLISHMENT ACT.

(a) **BOARD OF DIRECTORS OF FOUNDATION.**—

(1) **IN GENERAL.**—Section 3 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3702) is amended—

(A) in subsection (b)—

(i) by striking paragraph (2) and inserting the following:

“(2) **APPOINTMENT OF DIRECTORS.**—After consulting with the Secretary of Commerce and considering the recommendations submitted by the Board, the Secretary of the Interior shall appoint 28 Directors who, to the maximum extent practicable, shall—

“(A) be knowledgeable and experienced in matters relating to the conservation of fish, wildlife, or other natural resources; and

“(B) represent a balance of expertise in ocean, coastal, freshwater, and terrestrial resource conservation.”; and

(ii) by striking paragraph (3) and inserting the following:

“(3) **TERMS.**—Each Director (other than a Director described in paragraph (1)) shall be appointed for a term of 6 years.”; and

(B) in subsection (g)(2)—

(i) in subparagraph (A), by striking “(A) Officers and employees may not be appointed until the Foundation has sufficient funds to pay them for their service. Officers” and inserting the following:

“(A) **IN GENERAL.**—Officers”; and

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

“(B) **EXECUTIVE DIRECTOR.**—The Foundation shall have an Executive Director who shall be—

“(i) appointed by, and serve at the direction of, the Board as the chief executive officer of the Foundation; and

“(ii) knowledgeable and experienced in matters relating to fish and wildlife conservation.”.

(2) **CONFORMING AMENDMENT.**—Section 4(a)(1)(B) of the North American Wetlands Conservation Act (16 U.S.C. 4403(a)(1)(B)) is amended by striking “Secretary of the Board” and inserting “Executive Director of the Board”.

(b) **RIGHTS AND OBLIGATIONS OF FOUNDATION.**—Section 4 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703) is amended—

(1) in subsection (c)—

(A) by striking “(c) **POWERS.**—To carry out its purposes under” and inserting the following:

“(c) **POWERS.**—

“(1) **IN GENERAL.**—To carry out the purposes described in”;

(B) by redesignating paragraphs (1) through (11) as subparagraphs (A) through (K), respectively, and indenting appropriately;

(C) in subparagraph (D) (as redesignated by subparagraph (B)), by striking “that are insured by an agency or instrumentality of the United States” and inserting “at 1 or more financial institutions that are members of the Federal Deposit Insurance Corporation or the Securities Investment Protection Corporation”; and

(D) in subparagraph (E) (as redesignated by subparagraph (B)), by striking “paragraph (3) or (4)” and inserting “subparagraph (C) or (D)”; and

(E) in subparagraph (J) (as redesignated by subparagraph (B)), by striking “and” at the end;

(F) by striking subparagraph (K) (as redesignated by subparagraph (B)) and inserting the following:

“(K) to receive and administer restitution and community service payments, amounts for mitigation of impacts to natural resources, and other amounts arising from legal, regulatory, or administrative proceedings, subject to the condition that the amounts are received or administered for purposes that further the conservation and management of fish, wildlife, plants, and other natural resources; and

“(L) to do acts necessary to carry out the purposes of the Foundation.”; and

(G) by striking the undesignated matter at the end and inserting the following:

“(2) **TREATMENT OF REAL PROPERTY.**—

“(A) **IN GENERAL.**—For purposes of this Act, an interest in real property shall be treated as including easements or other rights for preservation, conservation, protection, or enhancement by and for the public of natural, scenic, historic, scientific, educational, inspirational, or recreational resources.

“(B) **ENCUMBERED REAL PROPERTY.**—A gift, devise, or bequest may be accepted by the Foundation even though the gift, devise, or bequest is encumbered, restricted, or subject to beneficial interests of private persons if any current or future interest in the gift, devise, or bequest is for the benefit of the Foundation.

“(3) **SAVINGS CLAUSE.**—The acceptance and administration of amounts by the Foundation under paragraph (1)(K) does not alter, supersede, or limit any regulatory or statutory requirement associated with those amounts.”;

(2) by striking subsections (f) and (g); and

(3) by redesignating subsections (h) and (i) as subsections (f) and (g), respectively.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—Section 10 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3709) is amended—

(1) in subsection (a), by striking paragraph (1) and inserting the following:

“(1) **IN GENERAL.**—There are authorized to be appropriated to carry out this Act for each of fiscal years 2021 through 2025—

“(A) \$15,000,000 to the Secretary of the Interior;

“(B) \$5,000,000 to the Secretary of Agriculture; and

“(C) \$5,000,000 to the Secretary of Commerce.”;

(2) in subsection (b)—

(A) by striking paragraph (1) and inserting the following:

“(1) **AMOUNTS FROM FEDERAL AGENCIES.**—

“(A) **IN GENERAL.**—In addition to the amounts authorized to be appropriated under subsection (a), Federal departments, agencies, or instrumentalities are authorized to provide funds to the Foundation through Federal financial assistance grants and cooperative agreements, subject to the condition that the amounts are used for purposes that further the conservation and management of fish, wildlife, plants, and other natural resources in accordance with this Act.

“(B) **ADVANCES.**—Federal departments, agencies, or instrumentalities may advance amounts described in subparagraph (A) to the Foundation in a lump sum without regard to when the expenses for which the amounts are used are incurred.

“(C) **MANAGEMENT FEES.**—The Foundation may assess and collect fees for the management of amounts received under this paragraph.”;

(B) in paragraph (2)—

(i) in the paragraph heading, by striking “FUNDS” and inserting “AMOUNTS”; and

(ii) by striking “shall be used” and inserting “may be used”; and

(iii) by striking “and State and local government agencies” and inserting “, State and local government agencies, and other entities”; and

(C) by adding at the end the following:

“(3) **ADMINISTRATION OF AMOUNTS.**—

“(A) **IN GENERAL.**—In entering into contracts, agreements, or other partnerships pursuant to this Act, a Federal department, agency, or instrumentality shall have discretion to waive any competitive process applicable to the department, agency, or instrumentality for entering into contracts, agreements, or partnerships with the Foundation if the purpose of the waiver is—

“(i) to address an environmental emergency resulting from a natural or other disaster; or

“(ii) as determined by the head of the applicable Federal department, agency, or instrumentality, to reduce administrative expenses and expedite the conservation and management of fish, wildlife, plants, and other natural resources.

“(B) **REPORTS.**—The Foundation shall include in the annual report submitted under

section 7(b) a description of any use of the authority under subparagraph (A) by a Federal department, agency, or instrumentality in that fiscal year.”; and

(3) by adding at the end the following:

“(d) **USE OF GIFTS, DEVISES, OR BEQUESTS OF MONEY OR OTHER PROPERTY.**—Any gifts, devises, or bequests of amounts or other property, or any other amounts or other property, transferred to, deposited with, or otherwise in the possession of the Foundation pursuant to this Act, may be made available by the Foundation to Federal departments, agencies, or instrumentalities and may be accepted and expended (or the disposition of the amounts or property directed), without further appropriation, by those Federal departments, agencies, or instrumentalities, subject to the condition that the amounts or property be used for purposes that further the conservation and management of fish, wildlife, plants, and other natural resources.”.

(d) **LIMITATION ON AUTHORITY.**—Section 11 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3710) is amended by inserting “exclusive” before “authority”.

**SEC. 108. MODIFICATION OF DEFINITION OF SPORT FISHING EQUIPMENT UNDER TOXIC SUBSTANCES CONTROL ACT.**

(a) **PROHIBITION.**—During the 5-year period beginning on the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall not take any action to regulate the lead content of sport fishing equipment or sport fishing equipment components under the Toxic Substances Control Act (15 U.S.C. 2601 et seq.).

(b) **DEFINITION OF SPORT FISHING EQUIPMENT.**—In this section, the term “sport fishing equipment” means any sport fishing equipment (as such term is defined in section 4162(a) of the Internal Revenue Code of 1986) the sale of which is subject to the tax imposed by section 4161(a) of such Code (determined without regard to any exemptions from such tax provided by section 4162 or 4221 or any other provision of such Code).

**SEC. 109. REAUTHORIZATION OF CHESAPEAKE BAY PROGRAM.**

Section 117 of the Federal Water Pollution Control Act (33 U.S.C. 1267) is amended by striking subsection (j) and inserting the following:

“(j) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section—

“(1) for fiscal year 2021, \$90,000,000;

“(2) for fiscal year 2022, \$90,500,000;

“(3) for fiscal year 2023, \$91,000,000;

“(4) for fiscal year 2024, \$91,500,000; and

“(5) for fiscal year 2025, \$92,000,000.”.

**SEC. 110. REAUTHORIZATION OF CHESAPEAKE BAY INITIATIVE ACT OF 1998.**

Section 502(c) of the Chesapeake Bay Initiative Act of 1998 (Public Law 105-312) is amended by striking “2019” and inserting “2025”.

**SEC. 111. CHESAPEAKE WATERSHED INVESTMENTS FOR LANDSCAPE DEFENSE.**

(a) **DEFINITIONS.**—In this section:

(1) **CHESAPEAKE BAY AGREEMENTS.**—The term “Chesapeake Bay agreements” means the formal, voluntary agreements—

(A) executed to achieve the goal of restoring and protecting the Chesapeake Bay watershed ecosystem and the living resources of the Chesapeake Bay watershed ecosystem; and

(B) signed by the Chesapeake Executive Council.

(2) **CHESAPEAKE BAY PROGRAM.**—The term “Chesapeake Bay program” means the program directed by the Chesapeake Executive Council in accordance with the Chesapeake Bay agreements.

(3) **CHESAPEAKE BAY WATERSHED.**—The term “Chesapeake Bay watershed” means the region that covers—

(A) the Chesapeake Bay;

(B) the portions of the States of Delaware, Maryland, New York, Pennsylvania, Virginia, and West Virginia that drain into the Chesapeake Bay; and

(C) the District of Columbia.

(4) **CHESAPEAKE EXECUTIVE COUNCIL.**—The term “Chesapeake Executive Council” means the council comprised of—

(A) the Governors of each of the States of Delaware, Maryland, New York, Pennsylvania, Virginia, and West Virginia;

(B) the Mayor of the District of Columbia;

(C) the Chair of the Chesapeake Bay Commission; and

(D) the Administrator of the Environmental Protection Agency.

(5) **CHESAPEAKE WILD PROGRAM.**—The term “Chesapeake WILD program” means the nonregulatory program established by the Secretary under subsection (b)(1).

(6) **GRANT PROGRAM.**—The term “grant program” means the Chesapeake Watershed Investments for Landscape Defense grant program established by the Secretary under subsection (c)(1).

(7) **RESTORATION AND PROTECTION ACTIVITY.**—The term “restoration and protection activity” means an activity carried out for the conservation, stewardship, and enhancement of habitat for fish and wildlife—

(A) to preserve and improve ecosystems and ecological processes on which the fish and wildlife depend; and

(B) for use and enjoyment by the public.

(8) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service.

(b) **PROGRAM ESTABLISHMENT.**—

(1) **ESTABLISHMENT.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a nonregulatory program, to be known as the “Chesapeake Watershed Investments for Landscape Defense program”.

(2) **PURPOSES.**—The purposes of the Chesapeake WILD program are—

(A) coordinating restoration and protection activities among Federal, State, local, and regional entities and conservation partners throughout the Chesapeake Bay watershed;

(B) engaging other agencies and organizations to build a broader range of partner support, capacity, and potential funding for projects in the Chesapeake Bay watershed;

(C) carrying out coordinated restoration and protection activities, and providing for technical assistance, throughout the Chesapeake Bay watershed—

(i) to sustain and enhance restoration and protection activities;

(ii) to improve and maintain water quality to support fish and wildlife, habitats of fish and wildlife, and drinking water for people;

(iii) to sustain and enhance water management for volume and flood damage mitigation improvements to benefit fish and wildlife habitat;

(iv) to improve opportunities for public access and recreation in the Chesapeake Bay watershed consistent with the ecological needs of fish and wildlife habitat;

(v) to facilitate strategic planning to maximize the resilience of natural ecosystems and habitats under changing watershed conditions;

(vi) to engage the public through outreach, education, and citizen involvement to increase capacity and support for coordinated restoration and protection activities in the Chesapeake Bay watershed;

(vii) to sustain and enhance vulnerable communities and fish and wildlife habitat;

(viii) to conserve and restore fish, wildlife, and plant corridors; and

(ix) to increase scientific capacity to support the planning, monitoring, and research activities necessary to carry out coordinated restoration and protection activities.

(3) **DUTIES.**—In carrying out the Chesapeake WILD program, the Secretary shall—

(A) draw on existing plans for the Chesapeake Bay watershed, or portions of the Chesapeake Bay watershed, including the Chesapeake Bay agreements, and work in consultation with applicable management entities, including Chesapeake Bay program partners, such as the Federal Government, State and local governments, the Chesapeake Bay Commission, and other regional organizations, as appropriate, to identify, prioritize, and implement restoration and protection activities within the Chesapeake Bay watershed;

(B) adopt a Chesapeake Bay watershed-wide strategy that—

(i) supports the implementation of a shared set of science-based restoration and protection activities developed in accordance with subparagraph (A); and

(ii) targets cost-effective projects with measurable results; and

(C) establish the grant program in accordance with subsection (c).

(4) **COORDINATION.**—In establishing the Chesapeake WILD program, the Secretary shall consult, as appropriate, with—

(A) the heads of Federal agencies, including—

(i) the Administrator of the Environmental Protection Agency;

(ii) the Administrator of the National Oceanic and Atmospheric Administration;

(iii) the Chief of the Natural Resources Conservation Service;

(iv) the Chief of Engineers;

(v) the Director of the United States Geological Survey;

(vi) the Secretary of Transportation;

(vii) the Chief of the Forest Service; and

(viii) the head of any other applicable agency;

(B) the Governors of each of the States of Delaware, Maryland, New York, Pennsylvania, Virginia, and West Virginia and the Mayor of the District of Columbia;

(C) fish and wildlife joint venture partnerships; and

(D) other public agencies and organizations with authority for the planning and implementation of conservation strategies in the Chesapeake Bay watershed.

(c) **GRANTS AND TECHNICAL ASSISTANCE.**—

(1) **CHESAPEAKE WILD GRANT PROGRAM.**—To the extent that funds are made available to carry out this subsection, the Secretary shall establish and carry out, as part of the Chesapeake WILD program, a voluntary grant and technical assistance program, to be known as the “Chesapeake Watershed Investments for Landscape Defense grant program”, to provide competitive matching grants of varying amounts and technical assistance to eligible entities described in paragraph (2) to carry out activities described in subsection (b)(2).

(2) **ELIGIBLE ENTITIES.**—The following entities are eligible to receive a grant and technical assistance under the grant program:

(A) A State.

(B) The District of Columbia.

(C) A unit of local government.

(D) A nonprofit organization.

(E) An institution of higher education as such term is defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(F) Any other entity that the Secretary determines to be appropriate in accordance with the criteria established under paragraph (3).



(3) **CRITERIA.**—The Secretary, in consultation with officials and entities described in subsection (b)(4), shall establish criteria for the grant program to help ensure that activities funded under this subsection—

(A) accomplish 1 or more of the purposes described in subsection (b)(2); and

(B) advance the implementation of priority actions or needs identified in the Chesapeake Bay watershed-wide strategy adopted under subsection (b)(3)(B).

(4) **COST SHARING.**—

(A) **DEPARTMENT OF THE INTERIOR SHARE.**—The Department of the Interior share of the cost of a project funded under the grant program shall not exceed 50 percent of the total cost of the project, as determined by the Secretary.

(B) **NON-DEPARTMENT OF THE INTERIOR SHARE.**—

(i) **IN GENERAL.**—The non-Department of the Interior share of the cost of a project funded under the grant program may be provided in cash or in the form of an in-kind contribution of services or materials.

(ii) **OTHER FEDERAL FUNDING.**—Non-Department of the Interior Federal funds may be used for not more than 25 percent of the total cost of a project funded under the grant program.

(5) **ADMINISTRATION.**—The Secretary may enter into an agreement to manage the grant program with an organization that offers grant management services.

(d) **REPORTING.**—Not later than 180 days after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a report describing the implementation of this section, including a description of each project that has received funding under this section.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—There is authorized to be appropriated to carry out this section \$15,000,000 for each of fiscal years 2021 through 2025.

(2) **SUPPLEMENT, NOT SUPPLANT.**—Funds made available under paragraph (1) shall supplement, and not supplant, funding for other activities conducted by the Secretary in the Chesapeake Bay watershed.

## **TITLE II—NATIONAL FISH HABITAT CONSERVATION THROUGH PARTNERSHIPS**

### **SEC. 201. PURPOSE.**

The purpose of this title is to encourage partnerships among public agencies and other interested persons to promote fish conservation—

(1) to achieve measurable habitat conservation results through strategic actions of Fish Habitat Partnerships that lead to better fish habitat conditions and increased fishing opportunities by—

(A) improving ecological conditions;

(B) restoring natural processes; or

(C) preventing the decline of intact and healthy systems;

(2) to establish a consensus set of national conservation strategies as a framework to guide future actions and investment by Fish Habitat Partnerships;

(3) to broaden the community of support for fish habitat conservation by—

(A) increasing fishing opportunities;

(B) fostering the participation of local communities, especially young people in local communities, in conservation activities; and

(C) raising public awareness of the role healthy fish habitat play in the quality of life and economic well-being of local communities;

(4) to fill gaps in the National Fish Habitat Assessment and the associated database of the National Fish Habitat Assessment—

(A) to empower strategic conservation actions supported by broadly available scientific information; and

(B) to integrate socioeconomic data in the analysis to improve the lives of humans in a manner consistent with fish habitat conservation goals; and

(5) to communicate to the public and conservation partners—

(A) the conservation outcomes produced collectively by Fish Habitat Partnerships; and

(B) new opportunities and voluntary approaches for conserving fish habitat.

### **SEC. 202. DEFINITIONS.**

In this title:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) **BOARD.**—The term “Board” means the National Fish Habitat Board established by section 203.

(3) **DIRECTOR.**—The term “Director” means the Director of the United States Fish and Wildlife Service.

(4) **ENVIRONMENTAL PROTECTION AGENCY ASSISTANT ADMINISTRATOR.**—The term “Environmental Protection Agency Assistant Administrator” means the Assistant Administrator for Water of the Environmental Protection Agency.

(5) **INDIAN TRIBE.**—The term “Indian Tribe” has the meaning given to the term “Indian tribe” in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(6) **NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION ASSISTANT ADMINISTRATOR.**—The term “National Oceanic and Atmospheric Administration Assistant Administrator” means the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration.

(7) **PARTNERSHIP.**—The term “Partnership” means an entity designated by Congress as a Fish Habitat Partnership under section 204.

(8) **REAL PROPERTY INTEREST.**—The term “real property interest” means an ownership interest in—

(A) land; or

(B) water (including water rights).

(9) **MARINE FISHERIES COMMISSIONS.**—The term “Marine Fisheries Commissions” means—

(A) the Atlantic States Marine Fisheries Commission;

(B) the Gulf States Marine Fisheries Commission; and

(C) the Pacific States Marine Commission.

(10) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(11) **STATE.**—The term “State” means each of the several States, Puerto Rico, American Samoa, Guam, the Northern Mariana Islands, the United States Virgin Islands, and the District of Columbia.

(12) **STATE AGENCY.**—The term “State agency” means—

(A) the fish and wildlife agency of a State; and

(B) any department or division of a department or agency of a State that manages in the public trust the inland or marine fishery resources of the State or sustains the habitat for those fishery resources pursuant to State law or the constitution of the State.

### **SEC. 203. NATIONAL FISH HABITAT BOARD.**

(a) **ESTABLISHMENT.**—

(1) **FISH HABITAT BOARD.**—There is established a board, to be known as the “National Fish Habitat Board”, whose duties are—

(A) to promote, oversee, and coordinate the implementation of this title;

(B) to establish national goals and priorities for fish habitat conservation;

(C) to recommend to Congress entities for designation as Partnerships; and

(D) to review and make recommendations regarding fish habitat conservation projects.

(2) **MEMBERSHIP.**—The Board shall be composed of 26 members, of whom—

(A) 1 shall be a representative of the Department of the Interior;

(B) 1 shall be a representative of the United States Geological Survey;

(C) 1 shall be a representative of the Department of Commerce;

(D) 1 shall be a representative of the Department of Agriculture;

(E) 1 shall be a representative of the Association of Fish and Wildlife Agencies;

(F) 4 shall be representatives of State agencies, 1 of whom shall be nominated by a regional association of fish and wildlife agencies from each of the Northeast, Southeast, Midwest, and Western regions of the United States;

(G) 2 shall be representatives of either—

(i) Indian Tribes in the State of Alaska; or

(ii) Indian Tribes in States other than the State of Alaska;

(H) 1 shall be a representative of either—

(i) the Regional Fishery Management Councils established under section 302 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852); or

(ii) a representative of the Marine Fisheries Commissions;

(I) 1 shall be a representative of the Sport Fishing and Boating Partnership Council;

(J) 7 shall be representatives selected from at least one from each of the following:

(i) the recreational sportfishing industry;

(ii) the commercial fishing industry;

(iii) marine recreational anglers;

(iv) freshwater recreational anglers;

(v) habitat conservation organizations; and

(vi) science-based fishery organizations;

(K) 1 shall be a representative of a national private landowner organization;

(L) 1 shall be a representative of an agricultural production organization;

(M) 1 shall be a representative of local government interests involved in fish habitat restoration;

(N) 2 shall be representatives from different sectors of corporate industries, which may include—

(i) natural resource commodity interests, such as petroleum or mineral extraction;

(ii) natural resource user industries; and

(iii) industries with an interest in fish and fish habitat conservation; and

(O) 1 shall be an individual in a leadership position in the private sector or landowner representative of an active partnership.

(3) **COMPENSATION.**—A member of the Board shall serve without compensation.

(4) **TRAVEL EXPENSES.**—A member of the Board may be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Board.

(b) **APPOINTMENT AND TERMS.**—

(1) **IN GENERAL.**—Except as otherwise provided in this section, a member of the Board described in any of subparagraphs (F) through (O) of subsection (a)(2) shall serve for a term of 3 years.

(2) **INITIAL BOARD MEMBERSHIP.**—

(A) **IN GENERAL.**—The initial Board shall consist of representatives as described in subparagraphs (A) through (F) of subsection (a)(2).

(B) **REMAINING MEMBERS.**—Not later than 60 days after the date of enactment of this Act, the representatives of the initial Board under subparagraph (A) shall appoint the remaining members of the Board described in

subparagraphs (H) through (O) of subsection (a)(2).

(C) **TRIBAL REPRESENTATIVES.**—Not later than 60 days after the enactment of this Act, the Secretary shall provide to the Board a recommendation of not fewer than three Tribal representatives, from which the Board shall appoint one representative pursuant to subparagraph (G) of subsection (a)(2).

(3) **STAGGERED TERMS.**—Of the members described in subsection (a)(2)(J) initially appointed to the Board—

(A) two shall be appointed for a term of 1 year;

(B) two shall be appointed for a term of 2 years; and

(C) three shall be appointed for a term of 3 years.

(4) **VACANCIES.**—

(A) **IN GENERAL.**—A vacancy of a member of the Board described in subparagraph (H), (I), (J), (K), (L), (M), (N), or (O) of subsection (a)(2) shall be filled by an appointment made by the remaining members of the Board.

(B) **TRIBAL REPRESENTATIVES.**—Following a vacancy of a member of the Board described in subparagraph (G) of subsection (a)(2), the Secretary shall recommend to the Board a list of not fewer than three Tribal representatives, from which the remaining members of the Board shall appoint a representative to fill the vacancy.

(5) **CONTINUATION OF SERVICE.**—An individual whose term of service as a member of the Board expires may continue to serve on the Board until a successor is appointed.

(6) **REMOVAL.**—If a member of the Board described in any of subparagraphs (H) through (O) of subparagraph (a)(2) misses three consecutive regularly scheduled Board meetings, the members of the Board may—

(A) vote to remove that member; and

(B) appoint another individual in accordance with paragraph (4).

(c) **CHAIRPERSON.**—

(1) **IN GENERAL.**—The representative of the Association of Fish and Wildlife Agencies appointed under subsection (a)(2)(E) shall serve as Chairperson of the Board.

(2) **TERM.**—The Chairperson of the Board shall serve for a term of 3 years.

(d) **MEETINGS.**—

(1) **IN GENERAL.**—The Board shall meet—

(A) at the call of the Chairperson; but

(B) not less frequently than twice each calendar year.

(2) **PUBLIC ACCESS.**—All meetings of the Board shall be open to the public.

(e) **PROCEDURES.**—

(1) **IN GENERAL.**—The Board shall establish procedures to carry out the business of the Board, including—

(A) a requirement that a quorum of the members of the Board be present to transact business;

(B) a requirement that no recommendations may be adopted by the Board, except by the vote of two-thirds of all members;

(C) procedures for establishing national goals and priorities for fish habitat conservation for the purposes of this title;

(D) procedures for designating Partnerships under section 204; and

(E) procedures for reviewing, evaluating, and making recommendations regarding fish habitat conservation projects.

(2) **QUORUM.**—A majority of the members of the Board shall constitute a quorum.

#### SEC. 204. FISH HABITAT PARTNERSHIPS.

(a) **AUTHORITY TO RECOMMEND.**—The Board may recommend to Congress the designation of Fish Habitat Partnerships in accordance with this section.

(b) **PURPOSES.**—The purposes of a Partnership shall be—

(1) to work with other regional habitat conservation programs to promote coopera-

tion and coordination to enhance fish populations and fish habitats;

(2) to engage local and regional communities to build support for fish habitat conservation;

(3) to involve diverse groups of public and private partners;

(4) to develop collaboratively a strategic vision and achievable implementation plan that is scientifically sound;

(5) to leverage funding from sources that support local and regional partnerships;

(6) to use adaptive management principles, including evaluation of project success and functionality;

(7) to develop appropriate local or regional habitat evaluation and assessment measures and criteria that are compatible with national habitat condition measures; and

(8) to implement local and regional priority projects that improve conditions for fish and fish habitat.

(c) **CRITERIA FOR DESIGNATION.**—An entity seeking to be designated by Congress as a Partnership shall—

(1) submit to the Board an application at such time, in such manner, and containing such information as the Board may reasonably require; and

(2) demonstrate to the Board that the entity has—

(A) a focus on promoting the health of important fish and fish habitats;

(B) an ability to coordinate the implementation of priority projects that support the goals and national priorities set by the Board that are within the Partnership boundary;

(C) a self-governance structure that supports the implementation of strategic priorities for fish habitat;

(D) the ability to develop local and regional relationships with a broad range of entities to further strategic priorities for fish and fish habitat;

(E) a strategic plan that details required investments for fish habitat conservation that addresses the strategic fish habitat priorities of the Partnership and supports and meets the strategic priorities of the Board;

(F) the ability to develop and implement fish habitat conservation projects that address strategic priorities of the Partnership and the Board; and

(G) the ability to develop fish habitat conservation priorities based on sound science and data, the ability to measure the effectiveness of fish habitat projects of the Partnership, and a clear plan as to how Partnership science and data components will be integrated with the overall Board science and data effort.

(d) **REQUIREMENTS FOR RECOMMENDATION TO CONGRESS.**—The Board may recommend to Congress for designation an application for a Partnership submitted under subsection (c) if the Board determines that the applicant—

(1) meets the criteria described in subsection (c)(2);

(2) identifies representatives to provide support and technical assistance to the Partnership from a diverse group of public and private partners, which may include State or local governments, nonprofit entities, Indian Tribes, and private individuals, that are focused on conservation of fish habitats to achieve results across jurisdictional boundaries on public and private land;

(3) is organized to promote the health of important fish species and important fish habitats, including reservoirs, natural lakes, coastal and marine environments, coral reefs, and estuaries;

(4) identifies strategic fish and fish habitat priorities for the Partnership area in the form of geographical focus areas or key stressors or impairments to facilitate strategic planning and decision making;

(5) is able to address issues and priorities on a nationally significant scale;

(6) includes a governance structure that—

(A) reflects the range of all partners; and

(B) promotes joint strategic planning and decision making by the applicant;

(7) demonstrates completion of, or significant progress toward the development of, a strategic plan to address declines in fish populations, rather than simply treating symptoms, in accordance with the goals and national priorities established by the Board; and

(8) promotes collaboration in developing a strategic vision and implementation program that is scientifically sound and achievable.

(e) **REPORT TO CONGRESS.**—

(1) **IN GENERAL.**—Not later than February 1 of the first fiscal year beginning after the date of enactment of this Act and each February 1 thereafter, the Board shall develop and submit to the appropriate congressional committees an annual report, to be entitled “Report to Congress on Future Fish Habitat Partnerships and Modifications”, that—

(A) identifies each entity that—

(i) meets the requirements described in subsection (d); and

(ii) the Board recommends to Congress for designation as a Partnership;

(B) describes any proposed modifications to a Partnership previously designated by Congress under subsection (f);

(C) with respect to each entity recommended for designation as a Partnership, describes, to the maximum extent practicable—

(i) the purpose of the recommended Partnership; and

(ii) how the recommended Partnership fulfills the requirements described in subsection (d).

(2) **PUBLIC AVAILABILITY; NOTIFICATION.**—The Board shall—

(A) make the report publicly available, including on the internet; and

(B) provide to the appropriate congressional committees and the State agency of any State included in a recommended Partnership area written notification of the public availability of the report.

(f) **DESIGNATION OR MODIFICATION OF PARTNERSHIP.**—Congress shall have the exclusive authority to designate or modify a Partnership.

(g) **EXISTING PARTNERSHIPS.**—

(1) **DESIGNATION REVIEW.**—Not later than 5 years after the date of enactment of this Act, any partnership receiving Federal funds as of the date of enactment of this Act shall be subject to a designation review by Congress in which Congress shall have the opportunity to designate the partnership under subsection (f).

(2) **INELIGIBILITY FOR FEDERAL FUNDS.**—A partnership referred to in paragraph (1) that Congress does not designate as described in that paragraph shall be ineligible to receive Federal funds under this title.

#### SEC. 205. FISH HABITAT CONSERVATION PROJECTS.

(a) **SUBMISSION TO BOARD.**—Not later than March 31 of each year, each Partnership shall submit to the Board a list of priority fish habitat conservation projects recommended by the Partnership for annual funding under this title.

(b) **RECOMMENDATIONS BY BOARD.**—Not later than July 1 of each year, the Board shall submit to the Secretary a priority list of fish habitat conservation projects that includes a description, including estimated costs, of each project that the Board recommends that the Secretary approve and fund under this title for the following fiscal year.

(c) **CRITERIA FOR PROJECT SELECTION.**—The Board shall select each fish habitat conservation project recommended to the Secretary under subsection (b) after taking into consideration, at a minimum, the following information:

(1) A recommendation of the Partnership that is, or will be, participating actively in implementing the fish habitat conservation project.

(2) The capabilities and experience of project proponents to implement successfully the proposed project.

(3) The extent to which the fish habitat conservation project—

(A) fulfills a local or regional priority that is directly linked to the strategic plan of the Partnership and is consistent with the purpose of this title;

(B) addresses the national priorities established by the Board;

(C) is supported by the findings of the habitat assessment of the Partnership or the Board, and aligns or is compatible with other conservation plans;

(D) identifies appropriate monitoring and evaluation measures and criteria that are compatible with national measures;

(E) provides a well-defined budget linked to deliverables and outcomes;

(F) leverages other funds to implement the project;

(G) addresses the causes and processes behind the decline of fish or fish habitats; and

(H) includes an outreach or education component that includes the local or regional community.

(4) The availability of sufficient non-Federal funds to match Federal contributions for the fish habitat conservation project, as required by subsection (e).

(5) The extent to which the fish habitat conservation project—

(A) will increase fish populations in a manner that leads to recreational fishing opportunities for the public;

(B) will be carried out through a cooperative agreement among Federal, State, and local governments, Indian Tribes, and private entities;

(C) increases public access to land or water for fish and wildlife-dependent recreational opportunities;

(D) advances the conservation of fish and wildlife species that have been identified by a State agency as species of greatest conservation need;

(E) where appropriate, advances the conservation of fish and fish habitats under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) and other relevant Federal law and State wildlife action plans; and

(F) promotes strong and healthy fish habitats so that desired biological communities are able to persist and adapt.

(6) The substantiality of the character and design of the fish habitat conservation project.

(d) **LIMITATIONS.**—

(1) **REQUIREMENTS FOR EVALUATION.**—No fish habitat conservation project may be recommended by the Board under subsection (b) or provided financial assistance under this title unless the fish habitat conservation project includes an evaluation plan designed using applicable Board guidance—

(A) to appropriately assess the biological, ecological, or other results of the habitat protection, restoration, or enhancement activities carried out using the assistance;

(B) to reflect appropriate changes to the fish habitat conservation project if the assessment substantiates that the fish habitat conservation project objectives are not being met;

(C) to identify improvements to existing fish populations, recreational fishing oppor-

tunities, and the overall economic benefits for the local community of the fish habitat conservation project; and

(D) to require the submission to the Board of a report describing the findings of the assessment.

(2) **ACQUISITION AUTHORITIES.**—

(A) **IN GENERAL.**—A State, local government, or other non-Federal entity is eligible to receive funds for the acquisition of real property from willing sellers under this title if the acquisition ensures—

(i) public access for fish and wildlife-dependent recreation; or

(ii) a scientifically based, direct enhancement to the health of fish and fish populations, as determined by the Board.

(B) **STATE AGENCY APPROVAL.**—

(i) **IN GENERAL.**—All real property interest acquisition projects funded under this title must be approved by the State agency in the State in which the project is occurring.

(ii) **PROHIBITION.**—The Board may not recommend, and the Secretary may not provide any funding for, any real property interest acquisition that has not been approved by the State agency.

(C) **ASSESSMENT OF OTHER AUTHORITIES.**—

The Board may not recommend, and the Secretary may not provide any funding under this title for, any real property interest acquisition unless the Partnership that recommended the project has conducted a project assessment, submitted with the funding request and approved by the Board, to demonstrate all other Federal, State, and local authorities for the acquisition of real property have been exhausted.

(D) **RESTRICTIONS.**—A real property interest may not be acquired pursuant to a fish habitat conservation project by a State, local government, or other non-Federal entity conducted with funds provided under this title, unless—

(i) the owner of the real property authorizes the State, local government, or other non-Federal entity to acquire the real property; and

(ii) the Secretary and the Board determine that the State, local government, or other non-Federal entity would benefit from undertaking the management of the real property being acquired because that is in accordance with the goals of a Partnership.

(e) **NON-FEDERAL CONTRIBUTIONS.**—

(1) **IN GENERAL.**—Except as provided in paragraphs (2) and (4), no fish habitat conservation project may be recommended by the Board under subsection (b) or provided financial assistance under this title unless at least 50 percent of the cost of the fish habitat conservation project will be funded with non-Federal funds.

(2) **NON-FEDERAL SHARE.**—Such non-Federal share of the cost of a fish habitat conservation project—

(A) may not be derived from another Federal grant program; and

(B) may include in-kind contributions and cash.

(3) **SPECIAL RULE FOR INDIAN TRIBES.**—Notwithstanding paragraph (1) or any other provision of law, any funds made available to an Indian Tribe pursuant to this title may be considered to be non-Federal funds for the purpose of paragraph (1).

(4) **WAIVER AUTHORITY.**—The Secretary, in consultation with the Secretary of Commerce with respect to marine or estuarine projects, may waive the application of paragraph (2)(A) with respect to a State or an Indian Tribe, or otherwise reduce the portion of the non-Federal share of the cost of an activity required to be paid by a State or an Indian Tribe under paragraph (1), if the Secretary determines that the State or Indian Tribe does not have sufficient funds not derived from another Federal grant program to

pay such non-Federal share, or portion of the non-Federal share, without the use of loans.

(f) **APPROVAL.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of receipt of the recommended priority list of fish habitat conservation projects under subsection (b), and subject to subsection (d) and based, to the maximum extent practicable, on the criteria described in subsection (c), the Secretary, after consulting with the Secretary of Commerce on marine or estuarine projects, shall approve or reject any fish habitat conservation project recommended by the Board.

(2) **FUNDING.**—If the Secretary approves a fish habitat conservation project under paragraph (1), the Secretary shall use amounts made available to carry out this title to provide funds to carry out the fish habitat conservation project.

(3) **NOTIFICATION.**—If the Secretary rejects under paragraph (1) any fish habitat conservation project recommended by the Board, not later than 90 days after the date of receipt of the recommendation, the Secretary shall provide to the Board, the appropriate Partnership, and the appropriate congressional committees a written statement of the reasons that the Secretary rejected the fish habitat conservation project.

## SEC. 206. TECHNICAL AND SCIENTIFIC ASSISTANCE.

(a) **IN GENERAL.**—The Director, the National Oceanic and Atmospheric Administration Assistant Administrator, the Environmental Protection Agency Assistant Administrator, and the Director of the United States Geological Survey, in coordination with the Forest Service and other appropriate Federal departments and agencies, may provide scientific and technical assistance to Partnerships, participants in fish habitat conservation projects, and the Board.

(b) **INCLUSIONS.**—Scientific and technical assistance provided under subsection (a) may include—

(1) providing technical and scientific assistance to States, Indian Tribes, regions, local communities, and nongovernmental organizations in the development and implementation of Partnerships;

(2) providing technical and scientific assistance to Partnerships for habitat assessment, strategic planning, and prioritization;

(3) supporting the development and implementation of fish habitat conservation projects that are identified as high priorities by Partnerships and the Board;

(4) supporting and providing recommendations regarding the development of science-based monitoring and assessment approaches for implementation through Partnerships;

(5) supporting and providing recommendations for a national fish habitat assessment;

(6) ensuring the availability of experts to assist in conducting scientifically based evaluation and reporting of the results of fish habitat conservation projects; and

(7) providing resources to secure State agency scientific and technical assistance to support Partnerships, participants in fish habitat conservation projects, and the Board.

## SEC. 207. COORDINATION WITH STATES AND INDIAN TRIBES.

The Secretary shall provide a notice to, and cooperate with, the appropriate State agency or Tribal agency, as applicable, of each State and Indian Tribe within the boundaries of which an activity is planned to be carried out pursuant to this title, including notification, by not later than 30 days before the date on which the activity is implemented.

**SEC. 208. INTERAGENCY OPERATIONAL PLAN.**

Not later than 1 year after the date of enactment of this Act, and every 5 years thereafter, the Director, in cooperation with the National Oceanic and Atmospheric Administration Assistant Administrator, the Environmental Protection Agency Assistant Administrator, the Director of the United States Geological Survey, and the heads of other appropriate Federal departments and agencies (including, at a minimum, those agencies represented on the Board) shall develop an interagency operational plan that describes—

(1) the functional, operational, technical, scientific, and general staff, administrative, and material needs for the implementation of this title; and

(2) any interagency agreements between or among Federal departments and agencies to address those needs.

**SEC. 209. ACCOUNTABILITY AND REPORTING.****(a) REPORTING.—**

(1) **IN GENERAL.**—Not later than 5 years after the date of enactment of this Act, and every 5 years thereafter, the Board shall submit to the appropriate congressional committees a report describing the progress of this title.

(2) **CONTENTS.**—Each report submitted under paragraph (1) shall include—

(A) an estimate of the number of acres, stream miles, or acre-feet, or other suitable measures of fish habitat, that was maintained or improved by Partnerships under this title during the 5-year period ending on the date of submission of the report;

(B) a description of the public access to fish habitats established or improved under this title during that 5-year period;

(C) a description of the improved opportunities for public recreational fishing achieved under this title; and

(D) an assessment of the status of fish habitat conservation projects carried out with funds provided under this title during that period, disaggregated by year, including—

(i) a description of the fish habitat conservation projects recommended by the Board under section 205(b);

(ii) a description of each fish habitat conservation project approved by the Secretary under section 205(f), in order of priority for funding;

(iii) a justification for—

(I) the approval of each fish habitat conservation project; and

(II) the order of priority for funding of each fish habitat conservation project;

(iv) a justification for any rejection of a fish habitat conservation project recommended by the Board under section 205(b) that was based on a factor other than the criteria described in section 205(c); and

(v) an accounting of expenditures by Federal, State, or local governments, Indian Tribes, or other entities to carry out fish habitat conservation projects under this title.

(b) **STATUS AND TRENDS REPORT.**—Not later than December 31, 2021, and every 5 years thereafter, the Board shall submit to the appropriate congressional committees a report that includes—

(1) a status of all Partnerships designated under this title;

(2) a description of the status of fish habitats in the United States as identified by designated Partnerships; and

(3) enhancements or reductions in public access as a result of—

(A) the activities of the Partnerships; or

(B) any other activities carried out pursuant to this title.

**SEC. 210. EFFECT OF THIS TITLE.**

(a) **WATER RIGHTS.**—Nothing in this title—

(1) establishes any express or implied reserved water right in the United States for any purpose;

(2) affects any water right in existence on the date of enactment of this Act;

(3) preempts or affects any State water law or interstate compact governing water; or

(4) affects any Federal or State law in existence on the date of enactment of the Act regarding water quality or water quantity.

(b) **AUTHORITY TO ACQUIRE WATER RIGHTS OR RIGHTS TO PROPERTY.**—Only a State, local government, or other non-Federal entity may acquire, under State law, water rights or rights to property with funds made available through section 212.

(c) **STATE AUTHORITY.**—Nothing in this title—

(1) affects the authority, jurisdiction, or responsibility of a State to manage, control, or regulate fish and wildlife under the laws and regulations of the State; or

(2) authorizes the Secretary to control or regulate within a State the fishing or hunting of fish and wildlife.

(d) **EFFECT ON INDIAN TRIBES.**—Nothing in this title abrogates, abridges, affects, modifies, supersedes, or alters any right of an Indian Tribe recognized by treaty or any other means, including—

(1) an agreement between the Indian Tribe and the United States;

(2) Federal law (including regulations);

(3) an Executive order; or

(4) a judicial decree.

(e) **ADJUDICATION OF WATER RIGHTS.**—Nothing in this title diminishes or affects the ability of the Secretary to join an adjudication of rights to the use of water pursuant to subsection (a), (b), or (c) of section 208 of the Departments of State, Justice, Commerce, and The Judiciary Appropriation Act, 1953 (43 U.S.C. 666).

(f) **DEPARTMENT OF COMMERCE AUTHORITY.**—Nothing in this title affects the authority, jurisdiction, or responsibility of the Department of Commerce to manage, control, or regulate fish or fish habitats under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(g) **EFFECT ON OTHER AUTHORITIES.**—

(1) **PRIVATE PROPERTY PROTECTION.**—Nothing in this title permits the use of funds made available to carry out this title to acquire real property or a real property interest without the written consent of each owner of the real property or real property interest, respectively.

(2) **MITIGATION.**—Nothing in this title authorizes the use of funds made available to carry out this title for fish and wildlife mitigation purposes under—

(A) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(B) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(C) the Water Resources Development Act of 1986 (Public Law 99-662; 100 Stat. 4082); or

(D) any other Federal law or court settlement.

(3) **CLEAN WATER ACT.**—Nothing in this title affects any provision of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), including any definition in that Act.

**SEC. 211. NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.**

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to—

(1) the Board; or

(2) any Partnership.

**SEC. 212. FUNDING.**

(a) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **FISH HABITAT CONSERVATION PROJECTS.**—There is authorized to be appropriated to the Secretary \$7,200,000 for each of fiscal years 2021 through 2025 to provide funds for fish habitat conservation projects approved

under section 205(f), of which 5 percent is authorized only for projects carried out by Indian Tribes.

(2) **ADMINISTRATIVE AND PLANNING EXPENSES.**—There is authorized to be appropriated to the Secretary for each of fiscal years 2021 through 2025 an amount equal to 5 percent of the amount appropriated for the applicable fiscal year pursuant to paragraph (1)—

(A) for administrative and planning expenses under this title; and

(B) to carry out section 209.

(3) **TECHNICAL AND SCIENTIFIC ASSISTANCE.**—There is authorized to be appropriated for each of fiscal years 2021 through 2025 to carry out, and provide technical and scientific assistance under, section 206—

(A) \$400,000 to the Secretary for use by the United States Fish and Wildlife Service;

(B) \$400,000 to the National Oceanic and Atmospheric Administration Assistant Administrator for use by the National Oceanic and Atmospheric Administration;

(C) \$400,000 to the Environmental Protection Agency Assistant Administrator for use by the Environmental Protection Agency;

(D) \$400,000 to the Secretary for use by the United States Geological Survey; and

(E) \$400,000 to the Secretary of Agriculture, acting through the Chief of the Forest Service, for use by the Forest Service.

(b) **AGREEMENTS AND GRANTS.**—The Secretary may—

(1) on the recommendation of the Board, and notwithstanding sections 6304 and 6305 of title 31, United States Code, and the Federal Financial Assistance Management Improvement Act of 1999 (31 U.S.C. 6101 note; Public Law 106-107), enter into a grant agreement, cooperative agreement, or contract with a Partnership or other entity to provide funds authorized by this title for a fish habitat conservation project or restoration or enhancement project;

(2) apply for, accept, and, subject to the availability of appropriations, use a grant from any individual or entity to carry out the purposes of this title; and

(3) subject to the availability of appropriations, make funds authorized by this Act available to any Federal department or agency for use by that department or agency to provide grants for any fish habitat protection project, restoration project, or enhancement project that the Secretary determines to be consistent with this title.

(c) **DONATIONS.**—

(1) **IN GENERAL.**—The Secretary may—

(A) enter into an agreement with any organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of that Code to solicit private donations to carry out the purposes of this title; and

(B) accept donations of funds, property, and services to carry out the purposes of this title.

(2) **TREATMENT.**—A donation accepted under this title—

(A) shall be considered to be a gift or bequest to, or otherwise for the use of, the United States; and

(B) may be—

(i) used directly by the Secretary; or

(ii) provided to another Federal department or agency through an interagency agreement.

**SEC. 213. PROHIBITION AGAINST IMPLEMENTATION OF REGULATORY AUTHORITY BY FEDERAL AGENCIES THROUGH PARTNERSHIPS.**

Any Partnership designated under this title—

(1) shall be for the sole purpose of promoting fish conservation; and

(2) shall not be used to implement any regulatory authority of any Federal agency.

## TITLE III—MISCELLANEOUS

## SEC. 301. STUDY TO REVIEW CONSERVATION FACTORS.

(a) DEFINITION OF SECRETARIES.—In this section, the term “Secretaries” means—

- (1) the Secretary of Agriculture;
- (2) the Secretary of Commerce, acting through the Assistant Administrator of the National Marine Fisheries Service; and
- (3) the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service.

(b) STUDY.—To assess factors affecting successful conservation activities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the Secretaries shall carry out a study—

(1)(A) to review any factors that threaten or endanger a species, such as wildlife disease, for which a listing under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) would not contribute to the conservation of the species; and

(B) to identify additional conservation measures that can be taken to protect and conserve a species described in subparagraph (A);

(2) to review any barriers to—

(A) the delivery of Federal, State, local, or private funds for such conservation activities, including statutory or regulatory impediments, staffing needs, and other relevant considerations; or

(B) the implementation of conservation agreements, plans, or other cooperative agreements, including agreements focused on voluntary activities, multispecies efforts, and other relevant considerations;

(3) to review factors that impact the ability of the Federal Government to successfully implement the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(4) to develop recommendations regarding methods to address barriers identified under paragraph (2), if any;

(5) to review determinations under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) in which a species is determined to be recovered by the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, or the Secretary of Commerce, acting through the Assistant Administrator of the National Marine Fisheries Service, but remains listed under that Act, including—

(A) an explanation of the factors preventing a delisting or downlisting of the species; and

(B) recommendations regarding methods to address the factors described in subparagraph (A); and

(6) to review any determinations under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) in which a species has been identified as needing listing or uplisting under that Act but remains unlisted or listed as a threatened species, respectively, including—

(A) an explanation of the factors preventing a listing or uplisting of the species; and

(B) recommendations regarding methods to address the factors described in subparagraph (A).

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretaries shall submit to the Committees on Appropriations and Environment and Public Works of the Senate and the Committees on Appropriations and Natural Resources of the House of Representatives and make publicly available a report describing the results of the study under subsection (b).

## SEC. 302. STUDY AND REPORT ON EXPENDITURES.

(a) REPORTS ON EXPENDITURES.—

(1) FEDERAL DEPARTMENTS AND AGENCIES.—

(A) IN GENERAL.—At the determination of the Comptroller General of the United States

(referred to in this section as the “Comptroller General”), to facilitate the preparation of the reports from the Comptroller General under paragraph (2), the head of each Federal department and agency shall submit to the Comptroller General data and other relevant information that describes the amounts expended or disbursed (including through loans, loan guarantees, grants, or any other financing mechanism) by the department or agency as a direct result of any provision of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) (including any regulation promulgated pursuant to that Act) during—

(i) with respect to the first report under paragraph (2), the 3 fiscal years preceding the date of submission of the report; and

(ii) with respect to the second report under paragraph (2), the 2 fiscal years preceding the date of submission of the report.

(B) REQUIREMENTS.—Data and other relevant information submitted under subparagraph (A) shall describe, with respect to the applicable amounts—

(i) the programmatic office of the department or agency on behalf of which each amount was expended or disbursed;

(ii) the provision of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) (or regulation promulgated pursuant to that Act) pursuant to which each amount was expended or disbursed; and

(iii) the project or activity carried out using each amount, in detail sufficient to reflect the breadth, scope, and purpose of the project or activity.

(2) COMPTROLLER GENERAL.—Not later than 2 years and 4 years after the date of enactment of this Act, the Comptroller General shall submit to the Committees on Appropriations, Commerce, Science, and Transportation, and Environment and Public Works of the Senate and the Committee on Appropriations and Natural Resources of the House of Representatives a report that describes—

(A) the aggregate amount expended or disbursed by all Federal departments and agencies as a direct result of any provision of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) (including any regulation promulgated pursuant to that Act) during—

(i) with respect to the first report, the 3 fiscal years preceding the date of submission of the report; and

(ii) with respect to the second report, the 2 fiscal years preceding the date of submission of the report;

(B) the provision of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) (or regulation promulgated pursuant to that Act) pursuant to which each such amount was expended or disbursed; and

(C) with respect to each relevant department or agency—

(i) the total amount expended or disbursed by the department or agency as described in subparagraph (A); and

(ii) the information described in clauses (i) through (iii) of paragraph (1)(B).

(b) REPORT ON CONSERVATION ACTIVITIES.—

(1) FEDERAL DEPARTMENTS AND AGENCIES.—At the determination of the Comptroller General, to facilitate the preparation of the report under paragraph (2), the head of each Federal department and agency shall submit to the Comptroller General data and other relevant information that describes the conservation activities by the Federal department or agency as a direct result of any provision of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) (including any regulation promulgated pursuant to that Act) during—

(A) with respect to the first report under paragraph (2), the 3 fiscal years preceding the date of submission of the report; and

(B) with respect to the second report under paragraph (2), the 2 fiscal years preceding the date of submission of the report.

(2) COMPTROLLER GENERAL.—Not later than 2 years and 4 years after the date of enactment of this Act, the Comptroller General shall submit to the Committees on Commerce, Science, and Transportation and Environment and Public Works of the Senate and the Committee on Natural Resources of the House of Representatives a report that—

(A) describes the conservation activities by all Federal departments and agencies for species listed as a threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), as reported under paragraph (1), during—

(i) with respect to the first report, the 3 fiscal years preceding the date of submission of the report; and

(ii) with respect to the second report, the 2 fiscal years preceding the date of submission of the report;

(B) is organized into categories with respect to whether a recovery plan for a species has been established;

(C) includes conservation outcomes associated with the conservation activities; and

(D) as applicable, describes the conservation activities that required interaction between Federal agencies and between Federal agencies and State and Tribal agencies and units of local government pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

## SEC. 303. USE OF VALUE OF LAND FOR COST SHARING.

The Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.) is amended—

(1) by redesignating section 13 as section 14; and

(2) by inserting after section 12 the following:

## “SEC. 13. VALUE OF LAND.

“Notwithstanding any other provision of law, any institution eligible to receive Federal funds under the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601 et seq.) shall be allowed to use the value of any land owned by the institution as an in-kind match to satisfy any cost sharing requirement under this Act.”.

## AUTHORITY FOR COMMITTEES TO MEET

Mr. PORTMAN. Mr. President, I have 7 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 COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, September 16, 2020, at 9:45 a.m., to conduct a hearing on nominations.

## COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Wednesday, September 16, 2020, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, September 16, 2020, at 10 a.m., to conduct a hearing.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, September 16, 2020, at 10:15 a.m., to conduct a business meeting and executive session on nominations.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, September 16, 2020, at 1:30 p.m., to conduct a closed hearing.

SUBCOMMITTEE ON PUBLIC LANDS, FORESTS, AND MINING

The Subcommittee on Public Lands, Forests, and Mining of the Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Wednesday, September 16, 2020, at 2:30 p.m., to conduct a hearing.

SUBCOMMITTEE ON INTELLECTUAL PROPERTY

The Subcommittee on Intellectual Property of the Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, September 16, 2020, at 2:30 p.m., to conduct a hearing.

AMERICA'S CONSERVATION ENHANCEMENT ACT

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 378, S. 3051.

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

The senior assistant legislative clerk read as follows:

A bill (S. 3051) to improve protections for wildlife, and for other purposes.

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

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “America’s Conservation Enhancement Act”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—WILDLIFE ENHANCEMENT, DISEASE, AND PREDATION**

Sec. 101. Theodore Roosevelt Genius Prize for reducing human-predator conflict.

Sec. 102. Losses of livestock due to depredation by federally protected species.

Sec. 103. Depredation permits for black vultures and common ravens.

Sec. 104. Chronic Wasting Disease Task Force.

Sec. 105. Invasive species.

Sec. 106. North American Wetlands Conservation Act.

Sec. 107. National Fish and Wildlife Foundation Establishment Act.

Sec. 108. Modification of definition of sport fishing equipment under Toxic Substances Control Act.

Sec. 109. Reauthorization of Chesapeake Bay Program.

Sec. 110. Reauthorization of Chesapeake Bay Initiative Act of 1998.

Sec. 111. Chesapeake watershed investments for landscape defense.

Sec. 112. Great Lakes monitoring, assessment, science, and research.

**TITLE II—MODERNIZING THE PITTMAN-ROBERTSON FUND FOR TOMORROW'S NEEDS**

Sec. 201. Purpose.

Sec. 202. Definitions.

Sec. 203. Apportionment of available amounts.

Sec. 204. Expenditures for management of wildlife areas and resources.

Sec. 205. Firearm and bow hunter education and safety program grants.

Sec. 206. Multistate conservation grant program.

**TITLE III—NATIONAL FISH HABITAT CONSERVATION THROUGH PARTNERSHIPS**

Sec. 301. Purpose.

Sec. 302. Definitions.

Sec. 303. National Fish Habitat Board.

Sec. 304. Fish Habitat Partnerships.

Sec. 305. Fish Habitat Conservation Projects.

Sec. 306. Technical and scientific assistance.

Sec. 307. Coordination with States and Indian Tribes.

Sec. 308. Interagency Operational Plan.

Sec. 309. Accountability and reporting.

Sec. 310. Effect of this title.

Sec. 311. Nonapplicability of Federal Advisory Committee Act.

Sec. 312. Funding.

Sec. 313. Prohibition against implementation of regulatory authority by Federal agencies through Partnerships.

**TITLE IV—MISCELLANEOUS**

Sec. 401. Sense of the Senate regarding conservation agreements and activities.

Sec. 402. Study to review conservation factors.

Sec. 403. Study and report on expenditures.

Sec. 404. Use of value of land for cost sharing.

**TITLE I—WILDLIFE ENHANCEMENT, DISEASE, AND PREDATION**

**SEC. 101. THEODORE ROOSEVELT GENIUS PRIZE FOR REDUCING HUMAN-PREDATOR CONFLICT.**

(a) **IN GENERAL.**—Section 7001(d) of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (16 U.S.C. 742b note; Public Law 116-9) is amended—

(1) in paragraphs (2)(C)(v), (3)(C)(v), (4)(C)(v), (5)(C)(v), and (6)(C)(v), by striking “paragraph (7)(A)” each place it appears and inserting “paragraph (8)(A)”;

(2) in paragraphs (2)(D)(ii), (2)(F)(ii), (3)(D)(ii), (3)(F)(ii), (4)(D)(ii), (4)(F)(ii), (5)(D)(ii), (5)(F)(ii), (6)(D)(ii), and (6)(F)(ii) by striking “paragraph (7)(B)” each place it appears and inserting “paragraph (8)(B)”;

(3) in paragraph (6)(C)(iv), in the matter preceding clause (i), by striking “subparagraph (C)” and inserting “clause (iii)”;

(4) by redesignating paragraph (7) as paragraph (8);

(5) by inserting after paragraph (6) the following:

“(7) **THEODORE ROOSEVELT GENIUS PRIZE FOR REDUCING HUMAN-PREDATOR CONFLICT.**—

“(A) **DEFINITIONS.**—In this paragraph:

“(i) **BOARD.**—The term ‘Board’ means the Reducing Human-Predator Conflict Technology Advisory Board established by subparagraph (C)(i).

“(ii) **PRIZE COMPETITION.**—The term ‘prize competition’ means the Theodore Roosevelt Genius Prize for reducing human-predator conflict established under subparagraph (B).

“(B) **AUTHORITY.**—Not later than 180 days after the date of enactment of the America’s Conservation Enhancement Act, the Secretary shall establish under section 24 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3719) a prize competition, to be known as the ‘Theodore Roosevelt Genius Prize for reducing human-predator conflict’—

“(i) to encourage technological innovation with the potential to advance the mission of the United States Fish and Wildlife Service with respect to reducing the frequency of human-predator conflict using nonlethal means; and

“(ii) to award 1 or more prizes annually for a technological advancement that promotes reducing human-predator conflict using nonlethal means, which may include the application and monitoring of tagging technologies.

“(C) **ADVISORY BOARD.**—

“(i) **ESTABLISHMENT.**—There is established an advisory board, to be known as the ‘Reducing Human-Predator Conflict Technology Advisory Board’.

“(ii) **COMPOSITION.**—The Board shall be composed of not fewer than 9 members appointed by the Secretary, who shall provide expertise in—

“(I) predator-human interactions;

“(II) the habitats of large predators;

“(III) biology;

“(IV) technology development;

“(V) engineering;

“(VI) economics;

“(VII) business development and management; and

“(VIII) any other discipline, as the Secretary determines to be necessary to achieve the purposes of this paragraph.

“(iii) **DUTIES.**—Subject to clause (iv), with respect to the prize competition, the Board shall—

“(I) select a topic;

“(II) issue a problem statement;

“(III) advise the Secretary regarding any opportunity for technological innovation to reduce human-predator conflict using nonlethal means; and

“(IV) advise winners of the prize competition regarding opportunities to pilot and implement winning technologies in relevant fields, including in partnership with conservation organizations, Federal or State agencies, federally recognized Indian Tribes, private entities, and research institutions with expertise or interest relating to reducing human-predator conflict using nonlethal means.

“(iv) **CONSULTATION.**—In selecting a topic and issuing a problem statement for the prize competition under subclauses (I) and (II) of clause (iii), respectively, the Board shall consult widely with Federal and non-Federal stakeholders, including—

“(I) 1 or more Federal agencies with jurisdiction over the management of native wildlife species at risk due to conflict with human activities;

“(II) 1 or more State agencies with jurisdiction over the management of native wildlife species at risk due to conflict with human activities;

“(III) 1 or more State, regional, or local wildlife organizations, the mission of which relates to the management of native wildlife species at risk due to conflict with human activities; and

“(IV) 1 or more wildlife conservation groups, technology companies, research institutions, institutions of higher education, industry associations, or individual stakeholders with an interest in the management of native wildlife species at risk due to conflict with human activities.

“(v) **REQUIREMENTS.**—The Board shall comply with all requirements under paragraph (8)(A).

“(D) **AGREEMENT WITH NATIONAL FISH AND WILDLIFE FOUNDATION.**—

“(i) **IN GENERAL.**—The Secretary shall offer to enter into an agreement under which the National Fish and Wildlife Foundation shall administer the prize competition.

“(ii) **REQUIREMENTS.**—An agreement entered into under clause (i) shall comply with all requirements under paragraph (8)(B).



“(E) JUDGES.—

“(i) APPOINTMENT.—The Secretary shall appoint not fewer than 3 judges who shall, except as provided in clause (ii), select the 1 or more annual winners of the prize competition.

“(ii) DETERMINATION BY SECRETARY.—The judges appointed under clause (i) shall not select any annual winner of the prize competition if the Secretary makes a determination that, in any fiscal year, none of the technological advancements entered into the prize competition merits an award.

“(F) CONSULTATION WITH NOAA.—The Secretary shall consult with the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, in the case of a cash prize awarded under the prize competition for a technology that addresses conflict between marine predators under the jurisdiction of the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, and humans.

“(G) REPORT TO CONGRESS.—Not later than 60 days after the date on which a cash prize is awarded under this paragraph, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Natural Resources of the House of Representatives a report on the prize competition that includes—

“(i) a statement by the Board that describes the activities carried out by the Board relating to the duties described in subparagraph (C)(iii);

“(ii) if the Secretary has entered into an agreement under subparagraph (D)(i), a statement by the National Fish and Wildlife Foundation that describes the activities carried out by the National Fish and Wildlife Foundation relating to the duties described in paragraph (8)(B); and

“(iii) a statement by 1 or more of the judges appointed under subparagraph (E) that explains the basis on which the winner of the cash prize was selected.

“(H) TERMINATION OF AUTHORITY.—The Board and all authority provided under this paragraph shall terminate on December 31, 2023.”; and

(6) in paragraph (8) (as so redesignated)—

(A) in subparagraph (A), in the matter preceding clause (i), by striking “or (6)(C)(i)” and inserting “(6)(C)(i), or (7)(C)(i)”;

(B) in subparagraph (B)—

(i) in the matter preceding clause (i), by striking “or (6)(D)(i)” and inserting “(6)(D)(i), or (7)(D)(i)”;

(ii) in clause (i)(VII), by striking “and (6)(E)” and inserting “(6)(E), and (7)(E)”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that data collected from the tagging of predators can inform innovative management of those predators and innovative education activities to minimize human-predator conflict.

## SEC. 102. LOSSES OF LIVESTOCK DUE TO DEPREDATION BY FEDERALLY PROTECTED SPECIES.

(a) DEFINITIONS.—In this section:

(1) DEPREDATION.—

(A) IN GENERAL.—The term “depredation” means actual death, injury, or destruction of livestock that is caused by a federally protected species.

(B) EXCLUSIONS.—The term “depredation” does not include damage to real or personal property other than livestock, including—

(i) damage to—

(I) other animals;

(II) vegetation;

(III) motor vehicles; or

(IV) structures;

(ii) diseases;

(iii) lost profits; or

(iv) consequential damages.

(2) FEDERALLY PROTECTED SPECIES.—The term “federally protected species” means a species that is or previously was protected under—

(A) the Act of June 8, 1940 (commonly known as the “Bald and Golden Eagle Protection Act”) (54 Stat. 250, chapter 278; 16 U.S.C. 668 et seq.);

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or

(C) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.).

(3) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(4) LIVESTOCK.—

(A) IN GENERAL.—The term “livestock” means horses, mules and asses, rabbits, llamas, cattle, bison, swine, sheep, goats, poultry, bees, honey and beehives, or any other animal generally used for food or in the production of food or fiber.

(B) INCLUSION.—The term “livestock” includes guard animals actively engaged in the protection of livestock described in subparagraph (A).

(5) PROGRAM.—The term “program” means the grant program established under subsection (b)(1).

(6) SECRETARIES.—The term “Secretaries” means—

(A) the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service; and

(B) the Secretary of Agriculture, acting through the Administrator of the Animal and Plant Health Inspection Service.

(b) GRANT PROGRAM FOR LOSSES OF LIVESTOCK DUE TO DEPREDATION BY FEDERALLY PROTECTED SPECIES.—

(1) IN GENERAL.—The Secretaries shall establish a program to provide grants to States and Indian tribes to supplement amounts provided by States, Indian tribes, or State agencies under 1 or more programs established by the States and Indian tribes (including programs established after the date of enactment of this Act)—

(A) to assist livestock producers in carrying out—

(i) proactive and nonlethal activities to reduce the risk of livestock loss due to depredation by federally protected species occurring on—

(I) Federal, State, or private land within the applicable State; or

(II) land owned by, or held in trust for the benefit of, the applicable Indian tribe; and

(ii) research relating to the activities described in clause (i); and

(B) to compensate livestock producers for livestock losses due to depredation by federally protected species occurring on—

(i) Federal, State, or private land within the applicable State; or

(ii) land owned by, or held in trust for the benefit of, the applicable Indian tribe.

(2) ALLOCATION OF FUNDING.—

(A) REPORTS TO THE SECRETARIES.—Not later than September 30 of each year, a State or Indian tribe desiring to receive a grant under the program shall submit to the Secretaries a report describing, for the 1-year period ending on that September 30, the losses of livestock due to depredation by federally protected species occurring on—

(i) Federal, State, or private land within the applicable State; or

(ii) land owned by, or held in trust for the benefit of, the applicable Indian tribe.

(B) ALLOCATION.—The Secretaries shall allocate available funding to carry out this Act among States and Indian tribes for a 1-year period ending on September 30 based on the losses described in the reports submitted for the previous 1-year period ending on September 30 under subparagraph (A).

(3) ELIGIBILITY.—To be eligible to receive a grant under paragraph (1), a State or Indian tribe shall—

(A) designate an appropriate agency of the State or Indian tribe to administer the 1 or more programs supplemented by the grant funds;

(B) establish 1 or more accounts to receive grant funds;

(C) maintain files of all claims received and paid under grant-funded programs, including supporting documentation; and

(D) submit to the Secretaries—

(i) annual reports that include—

(I) a summary of claims and expenditures under the program during the year; and

(II) a description of any action taken on the claims; and

(ii) such other reports as the Secretaries may require to assist the Secretaries in determining the effectiveness of assisted activities under this section.

(c) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) no State or Indian tribe is required to participate in the program; and

(2) the program supplements, and does not replace or supplant, any State compensation programs for depredation.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$15,000,000 for each of fiscal years 2021 through 2025, of which—

(1) \$5,000,000 shall be used to provide grants for the purposes described in subsection (b)(1)(A); and

(2) \$10,000,000 shall be used to provide grants for the purpose described in subsection (b)(1)(B).

## SEC. 103. DEPREDATION PERMITS FOR BLACK VULTURES AND COMMON RAVENS.

(a) IN GENERAL.—The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service (referred to in this section as the “Secretary”), may issue depredation permits to livestock producers authorizing takings of black vultures or common ravens otherwise prohibited by Federal law to prevent those vultures or common ravens from taking livestock during the calving season or lambing season.

(b) LIMITED TO AFFECTED STATES OR REGIONS.—The Secretary may issue permits under subsection (a) only to livestock producers in States and regions in which livestock producers are affected or have been affected in the previous year by black vultures or common ravens, as determined by Secretary.

(c) REPORTING.—The Secretary shall require, as a condition of a permit under subsection (a), that the permit holder shall report to the appropriate enforcement agencies the takings of black vultures or common ravens pursuant to the permit.

## SEC. 104. CHRONIC WASTING DISEASE TASK FORCE.

(a) DEFINITION OF CHRONIC WASTING DISEASE.—In this section, the term “chronic wasting disease” means the animal disease afflicting deer, elk, and moose populations that—

(1) is a transmissible disease of the nervous system resulting in distinctive lesions in the brain; and

(2) belongs to the group of diseases known as transmissible spongiform encephalopathies, which group includes scrapie, bovine spongiform encephalopathy, and Creutzfeldt-Jakob disease.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—There is established within the United States Fish and Wildlife Service a task force, to be known as the “Chronic Wasting Disease Task Force” (referred to in this subsection as the “Task Force”).

(2) DUTIES.—The Task Force shall—

(A) collaborate with foreign governments to share research, coordinate efforts, and discuss best management practices to reduce, minimize, prevent, or eliminate chronic wasting disease in the United States;

(B) develop recommendations, including recommendations based on findings of the study conducted under subsection (c), and a set of best practices regarding—

(i) the interstate coordination of practices to prevent the new introduction of chronic wasting disease;

(ii) the prioritization and coordination of the future study of chronic wasting disease, based on evolving research needs;

(iii) ways to leverage the collective resources of Federal, State, and local agencies, Indian

Tribes, and foreign governments, and resources from private, nongovernmental entities, to address chronic wasting disease in the United States and along the borders of the United States; and

(iv) any other area where containment or management efforts relating to chronic wasting disease may differ across jurisdictions;

(C) draw from existing and future academic and management recommendations to develop an interstate action plan under which States and the Federal Government agree to enact consistent management, educational, and research practices relating to chronic wasting disease; and

(D) facilitate the creation of a cooperative agreement by which States and relevant Federal agencies agree to commit funds to implement best practices described in the interstate action plan developed under subparagraph (C).

(3) MEMBERSHIP.—

(A) IN GENERAL.—The Task Force shall be composed of—

(i) 1 representative of the United States Fish and Wildlife Service with experience in chronic wasting disease, to be appointed by the Secretary of the Interior (referred to in this subsection as the “Secretary”);

(ii) 1 representative of the United States Geological Survey;

(iii) 2 representatives of the Department of Agriculture with experience in chronic wasting disease, to be appointed by the Secretary of Agriculture—

(I) 1 of whom shall have expertise in research; and

(II) 1 of whom shall have expertise in wildlife management;

(iv) in the case of each State in which chronic wasting disease among elk, mule deer, white-tailed deer, or moose has been reported to the appropriate State agency, not more than 2 representatives, to be nominated by the Governor of the State—

(I) not more than 1 of whom shall be a representative of the State agency with jurisdiction over wildlife management or wildlife disease in the State; and

(II) in the case of a State with a farmed cervid program or economy, not more than 1 of whom shall be a representative of the State agency with jurisdiction over farmed cervid regulation in the State;

(v) in the case of each State in which chronic wasting disease among elk, mule deer, white-tailed deer, or moose has not been documented, but that has carried out measures to prevent the introduction of chronic wasting disease among those species, not more than 2 representatives, to be nominated by the Governor of the State;

(vi) not more than 2 representatives from an Indian tribe or tribal organization chosen in a process determined, in consultation with Indian tribes, by the Secretary; and

(vii) not more than 5 nongovernmental members with relevant expertise appointed, after the date on which the members are first appointed under clauses (i) through (vi), by a majority vote of the State representatives appointed under clause (iv).

(B) EFFECT.—Nothing in this paragraph requires a State to participate in the Task Force.

(4) CO-CHAIRS.—The Co-Chairs of the Task Force shall be—

(A) the Federal representative described in paragraph (3)(A)(i); and

(B) 1 State representative appointed under paragraph (3)(A)(iv), to be selected by a majority vote of those State representatives.

(5) DATE OF INITIAL APPOINTMENT.—

(A) IN GENERAL.—The members of the Task Force shall be appointed not later than 180 days after the date on which the study is completed under subsection (c).

(B) NOTIFICATION.—On appointment of the members of the Task Force, the Co-Chairs of the Task Force shall notify the Chairs and Ranking Members of the Committees on Environment and

Public Works of the Senate and Natural Resources of the House of Representatives.

(6) VACANCIES.—Any vacancy in the members appointed to the Task Force—

(A) shall not affect the power or duty of the Task Force; and

(B) shall be filled not later than 30 days after the date of the vacancy.

(7) MEETINGS.—The Task Force shall convene—

(A) not less frequently than twice each year; and

(B) at such time and place, and by such means, as the Co-Chairs of the Task Force determine to be appropriate, which may include the use of remote conference technology.

(8) INTERSTATE ACTION PLAN.—

(A) IN GENERAL.—Not later than 1 year after the date on which the members of the Task Force are appointed, the Task Force shall submit to the Secretary, and the heads of the State agencies with jurisdiction over wildlife disease and farmed cervid regulation of each State with a representative on the Task Force, the interstate action plan developed by the Task Force under paragraph (2)(C).

(B) COOPERATIVE AGREEMENTS.—

(i) IN GENERAL.—To the maximum extent practicable, the Secretary, any other applicable Federal agency, and each applicable State shall enter into a cooperative agreement to fund necessary actions under the interstate action plan submitted under subparagraph (A).

(ii) TARGET DATE.—The Secretary shall make the best effort of the Secretary to enter into any cooperative agreement under clause (i) not later than 180 days after the date of submission of the interstate action plan under subparagraph (A).

(C) MATCHING FUNDS.—

(i) IN GENERAL.—Subject to clause (ii), for each fiscal year, the Federal Government shall provide funds to carry out an interstate action plan through a cooperative agreement under subparagraph (B) in the amount of funds provided by the applicable States.

(ii) LIMITATION.—The amount provided by the Federal Government under clause (i) for a fiscal year shall be not greater than \$5,000,000.

(9) REPORTS.—Not later than September 30 of the first full fiscal year after the date on which the first members of the Task Force are appointed, and each September 30 thereafter, the Task Force shall submit to the Secretary, and the heads of the State agencies with jurisdiction over wildlife disease and farmed cervid regulation of each State with a representative on the Task Force, a report describing—

(A) progress on the implementation of actions identified in the interstate action plan submitted under paragraph (8)(A), including the efficacy of funding under the cooperative agreement entered into under paragraph (8)(B);

(B) updated resource requirements that are needed to reduce and eliminate chronic wasting disease in the United States;

(C) any relevant updates to the recommended best management practices included in the interstate action plan submitted under paragraph (8)(B) to reduce or eliminate chronic wasting disease;

(D) new research findings and emerging research needs relating to chronic wasting disease; and

(E) any other relevant information.

(c) CHRONIC WASTING DISEASE TRANSMISSION IN CERVIDAE RESOURCE STUDY.—

(1) DEFINITIONS.—In this subsection:

(A) ACADEMY.—The term “Academy” means the National Academy of Sciences.

(B) CERVID.—The term “cervid” means any species within the family Cervidae.

(C) SECRETARIES.—The term “Secretaries” means the Secretary of Agriculture, acting through the Administrator of the Animal and Plant Health Inspection Service, and the Secretary of the Interior, acting through the Director of the United States Geological Survey, acting jointly.

(2) STUDY.—

(A) IN GENERAL.—The Secretaries shall enter into an arrangement with the Academy under which the Academy shall conduct, and submit to the Secretaries a report describing the findings of, a special resource study to identify the predominant pathways and mechanisms of the transmission of chronic wasting disease in wild, captive, and farmed populations of cervids in the United States.

(B) REQUIREMENTS.—The arrangement under subparagraph (A) shall provide that the actual expenses incurred by the Academy in conducting the study under subparagraph (A) shall be paid by the Secretaries, subject to the availability of appropriations.

(3) CONTENTS OF THE STUDY.—The study under paragraph (2) shall—

(A) with respect to wild, captive, and farmed populations of cervids in the United States, identify—

(i)(I) the pathways and mechanisms for the transmission of chronic wasting disease within live cervid populations and cervid products, which may include pathways and mechanisms for transmission from Canada;

(II) the infection rates for each pathway and mechanism identified under subclause (I); and

(III) the relative frequency of transmission of each pathway and mechanism identified under subclause (I);

(ii)(I) anthropogenic and environmental factors contributing to new chronic wasting disease emergence events;

(II) the development of geographical areas with increased chronic wasting disease prevalence; and

(III) the overall geographical patterns of chronic wasting disease distribution;

(iii) significant gaps in current scientific knowledge regarding the transmission pathways and mechanisms identified under clause (i)(I) and potential prevention, detection, and control methods identified under clause (v);

(iv) for prioritization the scientific research projects that will address the knowledge gaps identified under clause (iii), based on the likelihood that a project will contribute significantly to the prevention or control of chronic wasting disease; and

(v) potential prevention, detection, or control measures, practices, or technologies to be used to mitigate the transmission and spread of chronic wasting disease in wild, captive, and farmed populations of cervids in the United States;

(B) assess the effectiveness of the potential prevention, detection, or control measures, practices, or technologies identified under subparagraph (A)(v); and

(C) review and compare science-based best practices, standards, and guidance regarding the prevention, detection, and management of chronic wasting disease in wild, captive, and farmed populations of cervids in the United States that have been developed by—

(i) the National Chronic Wasting Disease Herd Certification Program of the Animal and Plant Health Inspection Service;

(ii) the United States Geological Survey;

(iii) State wildlife and agricultural agencies, in the case of practices, standards, and guidance that provide practical, science-based recommendations to State and Federal agencies for minimizing or eliminating the risk of transmission of chronic wasting disease in the United States; and

(iv) industry or academia, in the case of any published guidance on practices that provide practical, science-based recommendations to cervid producers for minimizing or eliminating the risk of transmission of chronic wasting disease within or between herds.

(4) DEADLINE.—The study under paragraph (2) shall be completed not later than 180 days after the date on which funds are first made available for the study.

(5) DATA SHARING.—The Secretaries shall share with the Academy, as necessary to conduct the study under paragraph (2), subject to

the avoidance of a violation of a privacy or confidentiality requirement and the protection of confidential or privileged commercial, financial, or proprietary information, data and access to databases on chronic wasting disease under the jurisdiction of—

(A) the Veterinary Services Program of the Animal and Plant Health Inspection Service; and

(B) the United States Geological Survey.

(6) **REPORT.**—Not later than 60 days after the date of completion of the study, the Secretaries shall submit to the Committee on Agriculture, Nutrition, and Forestry, the Committee on Energy and Natural Resources, and the Committee on Environment and Public Works of the Senate and the Committee on Agriculture and the Committee on Natural Resources of the House of Representatives a report that describes—

(A) the findings of the study; and

(B) any conclusions and recommendations that the Secretaries determine to be appropriate.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section—

(1) for the period of fiscal years 2021 through 2025, \$5,000,000 to the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, to carry out administrative activities under subsection (b);

(2) for fiscal year 2021, \$1,200,000 to the Secretary of the Interior, acting through the Director of the United States Geological Survey, to carry out activities to fund research under subsection (c); and

(3) for fiscal year 2021, \$1,200,000 to the Secretary of Agriculture, acting through the Administrator of the Animal and Plant Health Inspection Service, to carry out activities to fund research under subsection (c).

#### SEC. 105. INVASIVE SPECIES.

Section 10 of the Fish and Wildlife Coordination Act (16 U.S.C. 666c-1) is amended—

(1) in subsection (c)(2)—

(A) in subparagraph (A)—

(i) by redesignating clauses (i) and (ii) as clauses (ii) and (iii), respectively; and

(ii) by inserting before clause (ii) (as so redesignated) the following:

“(i) relevant Federal agencies;”;

(B) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(C) by inserting after subparagraph (A) the following:

“(B) in consultation with stakeholders, including nongovernmental organizations and industry;”;

(2) by adding at the end the following:

“(p) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section for each of fiscal years 2021 through 2025—

“(1) \$2,500,000 to the Secretary of the Army, acting through the Chief of Engineers; and

“(2) \$2,500,000 to the Secretary of the Interior.”.

#### SEC. 106. NORTH AMERICAN WETLANDS CONSERVATION ACT.

Section 7(c) of the North American Wetlands Conservation Act (16 U.S.C. 4406(c)) is amended by striking “not to exceed—” in the matter preceding paragraph (1) and all that follows through paragraph (5) and inserting “not to exceed \$60,000,000 for each of fiscal years 2021 through 2025.”.

#### SEC. 107. NATIONAL FISH AND WILDLIFE FOUNDATION ESTABLISHMENT ACT.

(a) **BOARD OF DIRECTORS OF FOUNDATION.**—

(1) **IN GENERAL.**—Section 3 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3702) is amended—

(A) in subsection (b)—

(i) by striking paragraph (2) and inserting the following:

“(2) **APPOINTMENT OF DIRECTORS.**—After consulting with the Secretary of Commerce and

considering the recommendations submitted by the Board, the Secretary of the Interior shall appoint 28 Directors who, to the maximum extent practicable, shall—

“(A) be knowledgeable and experienced in matters relating to the conservation of fish, wildlife, or other natural resources; and

“(B) represent a balance of expertise in ocean, coastal, freshwater, and terrestrial resource conservation.”; and

(ii) by striking paragraph (3) and inserting the following:

“(3) **TERMS.**—Each Director (other than a Director described in paragraph (1)) shall be appointed for a term of 6 years.”; and

(B) in subsection (g)(2)—

(i) in subparagraph (A), by striking “(A) Officers and employees may not be appointed until the Foundation has sufficient funds to pay them for their service. Officers” and inserting the following:

“(A) **IN GENERAL.**—Officers”;

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

“(B) **EXECUTIVE DIRECTOR.**—The Foundation shall have an Executive Director who shall be—

“(i) appointed by, and serve at the direction of, the Board as the chief executive officer of the Foundation; and

“(ii) knowledgeable and experienced in matters relating to fish and wildlife conservation.”.

(2) **CONFORMING AMENDMENT.**—Section 4(a)(1)(B) of the North American Wetlands Conservation Act (16 U.S.C. 4403(a)(1)(B)) is amended by striking “Secretary of the Board” and inserting “Executive Director of the Board”.

(b) **RIGHTS AND OBLIGATIONS OF FOUNDATION.**—Section 4 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703) is amended—

(1) in subsection (c)—

(A) by striking “(c) **POWERS.**—To carry out its purposes under” and inserting the following:

“(c) **POWERS.**—

“(1) **IN GENERAL.**—To carry out the purposes described in”;

(B) by redesignating paragraphs (1) through (11) as subparagraphs (A) through (K), respectively, and indenting appropriately;

(C) in subparagraph (D) (as redesignated by subparagraph (B)), by striking “that are insured by an agency or instrumentality of the United States” and inserting “at 1 or more financial institutions that are members of the Federal Deposit Insurance Corporation or the Securities Investment Protection Corporation”;

(D) in subparagraph (E) (as redesignated by subparagraph (B)), by striking “paragraph (3) or (4)” and inserting “subparagraph (C) or (D)”;

(E) in subparagraph (J) (as redesignated by subparagraph (B)), by striking “and” at the end;

(F) by striking subparagraph (K) (as redesignated by subparagraph (B)) and inserting the following:

“(K) to receive and administer restitution and community service payments, amounts for mitigation of impacts to natural resources, and other amounts arising from legal, regulatory, or administrative proceedings, subject to the condition that the amounts are received or administered for purposes that further the conservation and management of fish, wildlife, plants, and other natural resources; and

“(L) to do acts necessary to carry out the purposes of the Foundation.”; and

(G) by striking the undesignated matter at the end and inserting the following:

“(2) **TREATMENT OF REAL PROPERTY.**—

“(A) **IN GENERAL.**—For purposes of this Act, an interest in real property shall be treated as including easements or other rights for preservation, conservation, protection, or enhancement by and for the public of natural, scenic, historic, scientific, educational, inspirational, or recreational resources.

“(B) **ENCUMBERED REAL PROPERTY.**—A gift, devise, or bequest may be accepted by the Founda-

tion even though the gift, devise, or bequest is encumbered, restricted, or subject to beneficial interests of private persons if any current or future interest in the gift, devise, or bequest is for the benefit of the Foundation.

“(3) **SAVINGS CLAUSE.**—The acceptance and administration of amounts by the Foundation under paragraph (1)(K) does not alter, supersede, or limit any regulatory or statutory requirement associated with those amounts.”;

(2) by striking subsections (f) and (g); and

(3) by redesignating subsections (h) and (i) as subsections (f) and (g), respectively.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—Section 10 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3709) is amended—

(1) in subsection (a), by striking paragraph (1) and inserting the following:

“(1) **IN GENERAL.**—There are authorized to be appropriated to carry out this Act for each of fiscal years 2021 through 2025—

“(A) \$15,000,000 to the Secretary of the Interior;

“(B) \$5,000,000 to the Secretary of Agriculture; and

“(C) \$5,000,000 to the Secretary of Commerce.”;

(2) in subsection (b)—

(A) by striking paragraph (1) and inserting the following:

“(1) **AMOUNTS FROM FEDERAL AGENCIES.**—

“(A) **IN GENERAL.**—In addition to the amounts authorized to be appropriated under subsection (a), Federal departments, agencies, or instrumentalities are authorized to provide funds to the Foundation through Federal financial assistance grants and cooperative agreements, subject to the condition that the amounts are used for purposes that further the conservation and management of fish, wildlife, plants, and other natural resources in accordance with this Act.

“(B) **ADVANCES.**—Federal departments, agencies, or instrumentalities may advance amounts described in subparagraph (A) to the Foundation in a lump sum without regard to when the expenses for which the amounts are used are incurred.

“(C) **MANAGEMENT FEES.**—The Foundation may assess and collect fees for the management of amounts received under this paragraph.”;

(B) in paragraph (2)—

(i) in the paragraph heading, by striking “FUNDS” and inserting “AMOUNTS”;

(ii) by striking “shall be used” and inserting “may be used”; and

(iii) by striking “and State and local government agencies” and inserting “, State and local government agencies, and other entities”; and

(C) by adding at the end the following:

“(3) **ADMINISTRATION OF AMOUNTS.**—

“(A) **IN GENERAL.**—In entering into contracts, agreements, or other partnerships pursuant to this Act, a Federal department, agency, or instrumentality shall have discretion to waive any competitive process applicable to the department, agency, or instrumentality for entering into contracts, agreements, or partnerships with the Foundation if the purpose of the waiver is—

“(i) to address an environmental emergency resulting from a natural or other disaster; or

“(ii) as determined by the head of the applicable Federal department, agency, or instrumentality, to reduce administrative expenses and expedite the conservation and management of fish, wildlife, plants, and other natural resources.

“(B) **REPORTS.**—The Foundation shall include in the annual report submitted under section 7(b) a description of any use of the authority under subparagraph (A) by a Federal department, agency, or instrumentality in that fiscal year.”; and

(3) by adding at the end the following:

“(d) **USE OF GIFTS, DEVISES, OR BEQUESTS OF MONEY OR OTHER PROPERTY.**—Any gifts, devises, or bequests of amounts or other property, or any other amounts or other property, transferred to, deposited with, or otherwise in the

possession of the Foundation pursuant to this Act, may be made available by the Foundation to Federal departments, agencies, or instrumentalities and may be accepted and expended (or the disposition of the amounts or property directed), without further appropriation, by those Federal departments, agencies, or instrumentalities, subject to the condition that the amounts or property be used for purposes that further the conservation and management of fish, wildlife, plants, and other natural resources.”.

(d) **LIMITATION ON AUTHORITY.**—Section 11 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3710) is amended by inserting “exclusive” before “authority”.

**SEC. 108. MODIFICATION OF DEFINITION OF SPORT FISHING EQUIPMENT UNDER TOXIC SUBSTANCES CONTROL ACT.**

Section 3(2)(B) of the Toxic Substances Control Act (15 U.S.C. 2602(2)(B)) is amended—

(1) in clause (v), by striking “and” at the end; (2) in clause (vi) by striking the period at the end and inserting “, and”; and

(3) by inserting after clause (vi) the following: “(vii) any sport fishing equipment (as such term is defined in section 4162(a) of the Internal Revenue Code of 1986) the sale of which is subject to the tax imposed by section 4161(a) of such Code (determined without regard to any exemptions from such tax provided by section 4162 or 4221 or any other provision of such Code), and sport fishing equipment components.”.

**SEC. 109. REAUTHORIZATION OF CHESAPEAKE BAY PROGRAM.**

Section 117 of the Federal Water Pollution Control Act (33 U.S.C. 1267) is amended by striking subsection (j) and inserting the following:

“(j) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section—

“(1) for fiscal year 2020, \$90,000,000;  
“(2) for fiscal year 2021, \$90,500,000;  
“(3) for fiscal year 2022, \$91,000,000;  
“(4) for fiscal year 2023, \$91,500,000; and  
“(5) for fiscal year 2024, \$92,000,000.”.

**SEC. 110. REAUTHORIZATION OF CHESAPEAKE BAY INITIATIVE ACT OF 1998.**

Section 502(c) of the Chesapeake Bay Initiative Act of 1998 (Public Law 105-312; 112 Stat. 2963; 129 Stat. 2579; 132 Stat. 691) is amended by striking “2019” and inserting “2025”.

**SEC. 111. CHESAPEAKE WATERSHED INVESTMENTS FOR LANDSCAPE DEFENSE.**

(a) **DEFINITIONS.**—In this section:

(1) **CHESAPEAKE BAY AGREEMENTS.**—The term “Chesapeake Bay agreements” means the formal, voluntary agreements—

(A) executed to achieve the goal of restoring and protecting the Chesapeake Bay watershed ecosystem and the living resources of the Chesapeake Bay watershed ecosystem; and

(B) signed by the Chesapeake Executive Council.

(2) **CHESAPEAKE BAY PROGRAM.**—The term “Chesapeake Bay program” means the program directed by the Chesapeake Executive Council in accordance with the Chesapeake Bay agreements.

(3) **CHESAPEAKE BAY WATERSHED.**—The term “Chesapeake Bay watershed” means the region that covers—

(A) the Chesapeake Bay;

(B) the portions of the States of Delaware, Maryland, New York, Pennsylvania, Virginia, and West Virginia that drain into the Chesapeake Bay; and

(C) the District of Columbia.

(4) **CHESAPEAKE EXECUTIVE COUNCIL.**—The term “Chesapeake Executive Council” means the council comprised of—

(A) the Governors of each of the States of Delaware, Maryland, New York, Pennsylvania, Virginia, and West Virginia;

(B) the Mayor of the District of Columbia;

(C) the Chair of the Chesapeake Bay Commission; and

(D) the Administrator of the Environmental Protection Agency.

(5) **CHESAPEAKE WILD PROGRAM.**—The term “Chesapeake WILD program” means the non-regulatory program established by the Secretary under subsection (b)(1).

(6) **GRANT PROGRAM.**—The term “grant program” means the Chesapeake Watershed Investments for Landscape Defense grant program established by the Secretary under subsection (c)(1).

(7) **RESTORATION AND PROTECTION ACTIVITY.**—The term “restoration and protection activity” means an activity carried out for the conservation, stewardship, and enhancement of habitat for fish and wildlife—

(A) to preserve and improve ecosystems and ecological processes on which the fish and wildlife depend; and

(B) for use and enjoyment by the public.

(8) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service.

(b) **PROGRAM ESTABLISHMENT.**—

(1) **ESTABLISHMENT.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a nonregulatory program, to be known as the “Chesapeake Watershed Investments for Landscape Defense program”.

(2) **PURPOSES.**—The purposes of the Chesapeake WILD program include—

(A) coordinating restoration and protection activities among Federal, State, local, and regional entities and conservation partners throughout the Chesapeake Bay watershed;

(B) engaging other agencies and organizations to build a broader range of partner support, capacity, and potential funding for projects in the Chesapeake Bay watershed;

(C) carrying out coordinated restoration and protection activities, and providing for technical assistance, throughout the Chesapeake Bay watershed—

(i) to sustain and enhance restoration and protection activities;

(ii) to improve and maintain water quality to support fish and wildlife, habitats of fish and wildlife, and drinking water for people;

(iii) to sustain and enhance water management for volume and flood damage mitigation improvements to benefit fish and wildlife habitat;

(iv) to improve opportunities for public access and recreation in the Chesapeake Bay watershed consistent with the ecological needs of fish and wildlife habitat;

(v) to facilitate strategic planning to maximize the resilience of natural ecosystems and habitats under changing watershed conditions;

(vi) to engage the public through outreach, education, and citizen involvement to increase capacity and support for coordinated restoration and protection activities in the Chesapeake Bay watershed;

(vii) to sustain and enhance vulnerable communities and fish and wildlife habitat;

(viii) to conserve and restore fish, wildlife, and plant corridors; and

(ix) to increase scientific capacity to support the planning, monitoring, and research activities necessary to carry out coordinated restoration and protection activities.

(3) **DUTIES.**—In carrying out the Chesapeake WILD program, the Secretary shall—

(A) draw on existing plans for the Chesapeake Bay watershed, or portions of the Chesapeake Bay watershed, including the Chesapeake Bay agreements, and work in consultation with applicable management entities, including Chesapeake Bay program partners, such as the Federal Government, State and local governments, the Chesapeake Bay Commission, and other regional organizations, as appropriate, to identify, prioritize, and implement restoration and protection activities within the Chesapeake Bay watershed;

(B) adopt a Chesapeake Bay watershed-wide strategy that—

(i) supports the implementation of a shared set of science-based restoration and protection ac-

tivities developed in accordance with subparagraph (A); and

(ii) targets cost-effective projects with measurable results; and

(C) establish the grant program in accordance with subsection (c).

(4) **COORDINATION.**—In establishing the Chesapeake WILD program, the Secretary shall consult, as appropriate, with—

(A) the heads of Federal agencies, including—

(i) the Administrator of the Environmental Protection Agency;

(ii) the Administrator of the National Oceanic and Atmospheric Administration;

(iii) the Chief of the Natural Resources Conservation Service;

(iv) the Chief of Engineers;

(v) the Director of the United States Geological Survey;

(vi) the Secretary of Transportation;

(vii) the Chief of the Forest Service; and

(viii) the head of any other applicable agency;

(B) the Governors of each of the States of Delaware, Maryland, New York, Pennsylvania, Virginia, and West Virginia and the Mayor of the District of Columbia;

(C) fish and wildlife joint venture partnerships; and

(D) other public agencies and organizations with authority for the planning and implementation of conservation strategies in the Chesapeake Bay watershed.

(c) **GRANTS AND TECHNICAL ASSISTANCE.**—

(1) **CHESAPEAKE WILD GRANT PROGRAM.**—To the extent that funds are made available to carry out this subsection, the Secretary shall establish and carry out, as part of the Chesapeake WILD program, a voluntary grant and technical assistance program, to be known as the “Chesapeake Watershed Investments for Landscape Defense grant program”, to provide competitive matching grants of varying amounts and technical assistance to eligible entities described in paragraph (2) to carry out activities described in subsection (b)(2).

(2) **ELIGIBLE ENTITIES.**—The following entities are eligible to receive a grant and technical assistance under the grant program:

(A) A State.

(B) The District of Columbia.

(C) A unit of local government.

(D) A nonprofit organization.

(E) An institution of higher education.

(F) Any other entity that the Secretary determines to be appropriate in accordance with the criteria established under paragraph (3).

(3) **CRITERIA.**—The Secretary, in consultation with officials and entities described in subsection (b)(4), shall establish criteria for the grant program to help ensure that activities funded under this subsection—

(A) accomplish 1 or more of the purposes described in subsection (b)(2); and

(B) advance the implementation of priority actions or needs identified in the Chesapeake Bay watershed-wide strategy adopted under subsection (b)(3)(B).

(4) **COST SHARING.**—

(A) **DEPARTMENT OF THE INTERIOR SHARE.**—The Department of the Interior share of the cost of a project funded under the grant program shall not exceed 50 percent of the total cost of the project, as determined by the Secretary.

(B) **NON-DEPARTMENT OF THE INTERIOR SHARE.**—

(i) **IN GENERAL.**—The non-Department of the Interior share of the cost of a project funded under the grant program may be provided in cash or in the form of an in-kind contribution of services or materials.

(ii) **OTHER FEDERAL FUNDING.**—Non-Department of the Interior Federal funds may be used for not more than 25 percent of the total cost of a project funded under the grant program.

(5) **ADMINISTRATION.**—The Secretary may enter into an agreement to manage the grant program with an organization that offers grant management services.

(d) **REPORTING.**—Not later than 180 days after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a report describing the implementation of this section, including a description of each project that has received funding under this section.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—There is authorized to be appropriated to carry out this section \$15,000,000 for each of fiscal years 2021 through 2025.

(2) **SUPPLEMENT, NOT SUPPLANT.**—Funds made available under paragraph (1) shall supplement, and not supplant, funding for other activities conducted by the Secretary in the Chesapeake Bay watershed.

**SEC. 112. GREAT LAKES MONITORING, ASSESSMENT, SCIENCE, AND RESEARCH.**

(a) **DEFINITIONS.**—In this section:

(1) **DIRECTOR.**—The term “Director” means the Director of the United States Geological Survey.

(2) **GREAT LAKES BASIN.**—The term “Great Lakes Basin” means the air, land, water, and living organisms in the United States within the drainage basin of the Saint Lawrence River at and upstream from the point at which such river and the Great Lakes become the international boundary between Canada and the United States.

(b) **FINDINGS.**—Congress finds the following:

(1) The Great Lakes support a diverse ecosystem, on which the vibrant and economically valuable Great Lakes fisheries depend.

(2) To continue successful fisheries management and coordination, as has occurred since signing of the Convention on Great Lakes Fisheries between the United States and Canada on September 10, 1954, management of the ecosystem and its fisheries require sound, reliable science, and the use of modern scientific technologies.

(3) Fisheries research is necessary to support multi-jurisdictional fishery management decisions and actions regarding recreational and sport fishing, commercial fisheries, tribal harvest, allocation decisions, and fish stocking activities.

(4) President Richard Nixon submitted, and Congress approved, Reorganization Plan No. 4 (84 Stat. 2090), conferring science activities and management of marine fisheries to the National Oceanic and Atmospheric Administration.

(5) Reorganization Plan No. 4 expressly excluded fishery research activities within the Great Lakes from the transfer, retaining management and scientific research duties within the already-established jurisdictions under the 1954 Convention on Great Lakes Fisheries, including those of the Great Lakes Fishery Commission and the Department of the Interior.

(c) **MONITORING, ASSESSMENT, SCIENCE, AND RESEARCH.**—

(1) **IN GENERAL.**—The Director may conduct monitoring, assessment, science, and research, in support of the binational fisheries within the Great Lakes Basin.

(2) **SPECIFIC AUTHORITIES.**—The Director shall, under paragraph (1)—

(A) execute a comprehensive, multi-lake, freshwater fisheries science program;

(B) coordinate with and work cooperatively with regional, State, tribal, and local governments; and

(C) consult with other interested entities groups, including academia and relevant Canadian agencies.

(3) **INCLUDED RESEARCH.**—To properly serve the needs of fisheries managers, monitoring, assessment, science, and research under this section may include—

(A) deepwater ecosystem sciences;

(B) biological and food-web components;

(C) fish movement and behavior investigations;

(D) fish population structures;

(E) fish habitat investigations;

(F) invasive species science;

(G) use of existing, new, and experimental biological assessment tools, equipment, vessels, other scientific instrumentation and laboratory capabilities necessary to support fishery management decisions; and

(H) studies to assess impacts on Great Lakes Fishery resources.

(4) **SAVINGS CLAUSE.**—Nothing in this section is intended or shall be construed to impede, supersede, or alter the authority of the Great Lakes Fishery Commission, States, and Indian tribes under the Convention on Great Lakes Fisheries between the United States of America and Canada on September 10, 1954, and the Great Lakes Fishery Act of 1956 (16 U.S.C. 931 et seq.).

(d) **AUTHORIZATION OF APPROPRIATIONS.**—For each of fiscal years 2021 through 2025, there is authorized to be appropriated \$15,000,000 to carry out this section.

**TITLE II—MODERNIZING THE PITTMAN-ROBERTSON FUND FOR TOMORROW'S NEEDS**

**SEC. 201. PURPOSE.**

The first section of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669) is amended by adding at the end the following: “One of the purposes of this Act is to provide financial and technical assistance to the States for the promotion of hunting and recreational shooting.”

**SEC. 202. DEFINITIONS.**

Section 2 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669a) is amended—

(1) by redesignating paragraphs (2) through (9) as paragraphs (4) through (11), respectively; and

(2) by inserting after paragraph (1) the following:

“(2) for the purposes of determining the number of paid hunting-license holders in a State, the term ‘fiscal year’ means the fiscal year or license year of the State;

“(3) the term ‘hunter recruitment and recreational shooter recruitment’ means any activity or project to recruit or retain hunters and recreational shooters, including by—

“(A) outreach and communications as a means—

“(i) to improve communications with hunters, recreational shooters, and the general public with respect to hunting and recreational shooting opportunities;

“(ii) to reduce barriers to participation in these activities;

“(iii) to advance the adoption of sound hunting and recreational shooting practices;

“(iv) to promote conservation and the responsible use of the wildlife resources of the United States; and

“(v) to further safety in hunting and recreational shooting;

“(B) providing education, mentoring, and field demonstrations;

“(C) enhancing access for hunting and recreational shooting, including through range construction; and

“(D) providing education to the public about the role of hunting and recreational shooting in funding wildlife conservation.”

**SEC. 203. APPORTIONMENT OF AVAILABLE AMOUNTS.**

(a) **APPORTIONMENT OF CERTAIN TAXES.**—The first subsection (c) of section 4 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c) is amended—

(1) by inserting “APPORTIONMENT OF REVENUES FROM PISTOLS, REVOLVERS, BOWS, AND ARROWS.” after the enumerator;

(2) by striking “One-half” and inserting the following:

“(1) **IN GENERAL.**—Subject to paragraph (2), ½”;

(3) by striking “: Provided, That” and inserting a period;

(4) by striking “each State shall be apportioned not more than 3 per centum and not less

than 1 per centum of such revenues” and inserting the following:

“(2) **CONDITION.**—The amount apportioned to each State under paragraph (1) shall be not greater than 3 percent and not less than 1 percent of the revenues described in that paragraph”;

(5) in paragraph (2) (as so designated), by striking “one-sixth of 1 per centum of such revenues” and inserting “¼ of 1 percent of those revenues”;

(6) by striking “For the purpose” and inserting the following:

“(3) **POPULATION DETERMINATION.**—For the purpose”;

(7) by adding at the end the following:

“(4) **USE OF FUNDS.**—In addition to other uses authorized under this Act, amounts apportioned under this subsection may be used for hunter recruitment and recreational shooter recruitment.”

(b) **TECHNICAL CORRECTIONS.**—Section 4 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c) is amended—

(1) by redesignating the second subsection (c) and subsection (d) as subsections (d) and (e), respectively; and

(2) in subsection (e) (as so redesignated), in paragraph (3), by striking “subsection (c)” and inserting “subsection (d)”.

**SEC. 204. EXPENDITURES FOR MANAGEMENT OF WILDLIFE AREAS AND RESOURCES.**

Section 8 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669g) is amended—

(1) in subsection (a), in the third sentence, by striking “and public relations”;

(2) in subsection (b)(1), by striking “, as a part of such program”.

**SEC. 205. FIREARM AND BOW HUNTER EDUCATION AND SAFETY PROGRAM GRANTS.**

Section 10(a)(1)(A) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h-1(a)(1)(A)) is amended—

(1) in clause (iii), by striking “and” at the end; and

(2) by adding at the end the following:

“(v) the enhancement of hunter recruitment and recreational shooter recruitment; and”.

**SEC. 206. MULTISTATE CONSERVATION GRANT PROGRAM.**

(a) **IN GENERAL.**—Section 11 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h-2) is amended—

(1) in subsection (a)(1)—

(A) by striking “Not more than” and inserting the following:

“(A) **IN GENERAL.**—Not more than”;

(B) by adding at the end the following:

“(B) **AVAILABILITY FOR HUNTER AND RECREATIONAL SHOOTER GRANTS.**—Not more than \$5,000,000 of the revenues covered into the fund from any tax imposed under section 4161(b) of the Internal Revenue Code of 1986 for a fiscal year shall be available to the Secretary exclusively for making hunter recruitment and recreational shooter recruitment grants that promote a national hunting and shooting sport recruitment program, including related communication and outreach activities.”;

(2) in subsection (b)(3), in the matter preceding subparagraph (A), by striking “International”;

(3) in subsection (c)(2)(A)—

(A) in the matter preceding clause (i), by striking “International”;

(B) in clause (i), by inserting “or to recreational shooting activities” after “wildlife”;

and

(4) in subsection (d), by inserting “or to recreational shooting activities” after “wildlife”.

(b) **STUDY.**—Not later than 10 years after the date of enactment of this Act, the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, shall—

(1) review and evaluate the effects of the funds made available under subparagraph (B)

of section 11(a)(1) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h-2(a)(1)) on funds available for wildlife conservation; and

(2) submit a report describing the results of the review and evaluation under paragraph (1) to—

(A) the Committee on Environment and Public Works of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

### **TITLE III—NATIONAL FISH HABITAT CONSERVATION THROUGH PARTNERSHIPS**

#### **SEC. 301. PURPOSE.**

The purpose of this title is to encourage partnerships among public agencies and other interested persons to promote fish conservation—

(1) to achieve measurable habitat conservation results through strategic actions of Fish Habitat Partnerships that lead to better fish habitat conditions and increased fishing opportunities by—

(A) improving ecological conditions;

(B) restoring natural processes; or

(C) preventing the decline of intact and healthy systems;

(2) to establish a consensus set of national conservation strategies as a framework to guide future actions and investment by Fish Habitat Partnerships;

(3) to broaden the community of support for fish habitat conservation by—

(A) increasing fishing opportunities;

(B) fostering the participation of local communities, especially young people in local communities, in conservation activities; and

(C) raising public awareness of the role healthy fish habitat play in the quality of life and economic well-being of local communities;

(4) to fill gaps in the National Fish Habitat Assessment and the associated database of the National Fish Habitat Assessment—

(A) to empower strategic conservation actions supported by broadly available scientific information; and

(B) to integrate socioeconomic data in the analysis to improve the lives of humans in a manner consistent with fish habitat conservation goals; and

(5) to communicate to the public and conservation partners—

(A) the conservation outcomes produced collectively by Fish Habitat Partnerships; and

(B) new opportunities and voluntary approaches for conserving fish habitat.

#### **SEC. 302. DEFINITIONS.**

In this title:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) **BOARD.**—The term “Board” means the National Fish Habitat Board established by section 303.

(3) **DIRECTOR.**—The term “Director” means the Director of the United States Fish and Wildlife Service.

(4) **ENVIRONMENTAL PROTECTION AGENCY ASSISTANT ADMINISTRATOR.**—The term “Environmental Protection Agency Assistant Administrator” means the Assistant Administrator for Water of the Environmental Protection Agency.

(5) **INDIAN TRIBE.**—The term “Indian Tribe” has the meaning given to the term “Indian tribe” in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(6) **NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION ASSISTANT ADMINISTRATOR.**—The term “National Oceanic and Atmospheric Administration Assistant Administrator” means the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration.

(7) **PARTNERSHIP.**—The term “Partnership” means an entity designated by Congress as a Fish Habitat Partnership under section 304.

(8) **REAL PROPERTY INTEREST.**—The term “real property interest” means an ownership interest in—

(A) land; or

(B) water (including water rights).

(9) **MARINE FISHERIES COMMISSIONS.**—The term “Marine Fisheries Commissions” means—

(A) the Atlantic States Marine Fisheries Commission;

(B) the Gulf States Marine Fisheries Commission; and

(C) the Pacific States Marine Commission.

(10) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(11) **STATE.**—The term “State” means each of the several States, Puerto Rico, American Samoa, Guam, the Northern Mariana Islands, the United States Virgin Islands, and the District of Columbia.

(12) **STATE AGENCY.**—The term “State agency” means—

(A) the fish and wildlife agency of a State; and

(B) any department or division of a department or agency of a State that manages in the public trust the inland or marine fishery resources of the State or sustains the habitat for those fishery resources pursuant to State law or the constitution of the State.

#### **SEC. 303. NATIONAL FISH HABITAT BOARD.**

(a) **ESTABLISHMENT.**—

(1) **FISH HABITAT BOARD.**—There is established a board, to be known as the “National Fish Habitat Board”, whose duties are—

(A) to promote, oversee, and coordinate the implementation of this title;

(B) to establish national goals and priorities for fish habitat conservation;

(C) to recommend to Congress entities for designation as Partnerships; and

(D) to review and make recommendations regarding fish habitat conservation projects.

(2) **MEMBERSHIP.**—The Board shall be composed of 26 members, of whom—

(A) one shall be a representative of the Department of the Interior;

(B) one shall be a representative of the United States Geological Survey;

(C) one shall be a representative of the Department of Commerce;

(D) one shall be a representative of the Department of Agriculture;

(E) one shall be a representative of the Association of Fish and Wildlife Agencies;

(F) four shall be representatives of State agencies, one of whom shall be nominated by a regional association of fish and wildlife agencies from each of the Northeast, Southeast, Midwest, and Western regions of the United States;

(G) two shall be representatives of either—

(i) Indian Tribes in the State of Alaska; or

(ii) Indian Tribes in States other than the State of Alaska;

(H) one shall be a representative of either—

(i) the Regional Fishery Management Councils established under section 302 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852); or

(ii) a representative of the Marine Fisheries Commissions;

(I) one shall be a representative of the Sportfishing and Boating Partnership Council;

(J) seven shall be representatives selected from at least one from each of the following:

(i) the recreational sportfishing industry;

(ii) the commercial fishing industry;

(iii) marine recreational anglers;

(iv) freshwater recreational anglers;

(v) habitat conservation organizations; and

(vi) science-based fishery organizations;

(K) one shall be a representative of a national private landowner organization;

(L) one shall be a representative of an agricultural production organization;

(M) one shall be a representative of local government interests involved in fish habitat restoration;

(N) two shall be representatives from different sectors of corporate industries, which may include—

(i) natural resource commodity interests, such as petroleum or mineral extraction;

(ii) natural resource user industries; and

(iii) industries with an interest in fish and fish habitat conservation; and

(O) one shall be a leadership private sector or landowner representative of an active partnership.

(3) **COMPENSATION.**—A member of the Board shall serve without compensation.

(4) **TRAVEL EXPENSES.**—A member of the Board may be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Board.

(b) **APPOINTMENT AND TERMS.**—

(1) **IN GENERAL.**—Except as otherwise provided in this section, a member of the Board described in any of subparagraphs (F) through (O) of subsection (a)(2) shall serve for a term of 3 years.

(2) **INITIAL BOARD MEMBERSHIP.**—

(A) **IN GENERAL.**—The initial Board shall consist of representatives as described in subparagraphs (A) through (F) of subsection (a)(2).

(B) **REMAINING MEMBERS.**—Not later than 60 days after the date of enactment of this Act, the representatives of the initial Board under subparagraph (A) shall appoint the remaining members of the Board described in subparagraphs (H) through (O) of subsection (a)(2).

(C) **TRIBAL REPRESENTATIVES.**—Not later than 60 days after the enactment of this Act, the Secretary shall provide to the Board a recommendation of not fewer than three Tribal representatives, from which the Board shall appoint one representative pursuant to subparagraph (G) of subsection (a)(2).

(3) **STAGGERED TERMS.**—Of the members described in subsection (a)(2)(J) initially appointed to the Board—

(A) two shall be appointed for a term of 1 year;

(B) two shall be appointed for a term of 2 years; and

(C) three shall be appointed for a term of 3 years.

(4) **VACANCIES.**—

(A) **IN GENERAL.**—A vacancy of a member of the Board described in subparagraph (H), (I), (J), (K), (L), (M), (N), or (O) of subsection (a)(2) shall be filled by an appointment made by the remaining members of the Board.

(B) **TRIBAL REPRESENTATIVES.**—Following a vacancy of a member of the Board described in subparagraph (G) of subsection (a)(2), the Secretary shall recommend to the Board a list of not fewer than three Tribal representatives, from which the remaining members of the Board shall appoint a representative to fill the vacancy.

(5) **CONTINUATION OF SERVICE.**—An individual whose term of service as a member of the Board expires may continue to serve on the Board until a successor is appointed.

(6) **REMOVAL.**—If a member of the Board described in any of subparagraphs (H) through (O) of subsection (a)(2) misses three consecutive regularly scheduled Board meetings, the members of the Board may—

(A) vote to remove that member; and

(B) appoint another individual in accordance with paragraph (4).

(c) **CHAIRPERSON.**—

(1) **IN GENERAL.**—The representative of the Association of Fish and Wildlife Agencies appointed under subsection (a)(2)(E) shall serve as Chairperson of the Board.

(2) **TERM.**—The Chairperson of the Board shall serve for a term of 3 years.



(d) MEETINGS.—

(1) IN GENERAL.—The Board shall meet—

(A) at the call of the Chairperson; but

(B) not less frequently than twice each calendar year.

(2) PUBLIC ACCESS.—All meetings of the Board shall be open to the public.

(e) PROCEDURES.—

(1) IN GENERAL.—The Board shall establish procedures to carry out the business of the Board, including—

(A) a requirement that a quorum of the members of the Board be present to transact business;

(B) a requirement that no recommendations may be adopted by the Board, except by the vote of two-thirds of all members;

(C) procedures for establishing national goals and priorities for fish habitat conservation for the purposes of this title;

(D) procedures for designating Partnerships under section 304; and

(E) procedures for reviewing, evaluating, and making recommendations regarding fish habitat conservation projects.

(2) QUORUM.—A majority of the members of the Board shall constitute a quorum.

#### SEC. 304. FISH HABITAT PARTNERSHIPS.

(a) AUTHORITY TO RECOMMEND.—The Board may recommend to Congress the designation of Fish Habitat Partnerships in accordance with this section.

(b) PURPOSES.—The purposes of a Partnership shall be—

(1) to work with other regional habitat conservation programs to promote cooperation and coordination to enhance fish populations and fish habitats;

(2) to engage local and regional communities to build support for fish habitat conservation;

(3) to involve diverse groups of public and private partners;

(4) to develop collaboratively a strategic vision and achievable implementation plan that is scientifically sound;

(5) to leverage funding from sources that support local and regional partnerships;

(6) to use adaptive management principles, including evaluation of project success and functionality;

(7) to develop appropriate local or regional habitat evaluation and assessment measures and criteria that are compatible with national habitat condition measures; and

(8) to implement local and regional priority projects that improve conditions for fish and fish habitat.

(c) CRITERIA FOR DESIGNATION.—An entity seeking to be designated by Congress as a Partnership shall—

(1) submit to the Board an application at such time, in such manner, and containing such information as the Board may reasonably require; and

(2) demonstrate to the Board that the entity has—

(A) a focus on promoting the health of important fish and fish habitats;

(B) an ability to coordinate the implementation of priority projects that support the goals and national priorities set by the Board that are within the Partnership boundary;

(C) a self-governance structure that supports the implementation of strategic priorities for fish habitat;

(D) the ability to develop local and regional relationships with a broad range of entities to further strategic priorities for fish and fish habitat;

(E) a strategic plan that details required investments for fish habitat conservation that addresses the strategic fish habitat priorities of the Partnership and supports and meets the strategic priorities of the Board;

(F) the ability to develop and implement fish habitat conservation projects that address strategic priorities of the Partnership and the Board; and

(G) the ability to develop fish habitat conservation priorities based on sound science and data, the ability to measure the effectiveness of fish habitat projects of the Partnership, and a clear plan as to how Partnership science and data components will be integrated with the overall Board science and data effort.

(d) REQUIREMENTS FOR RECOMMENDATION TO CONGRESS.—The Board may recommend to Congress for designation an application for a Partnership submitted under subsection (c) if the Board determines that the applicant—

(1) meets the criteria described in subsection (c)(2);

(2) identifies representatives to provide support and technical assistance to the Partnership from a diverse group of public and private partners, which may include State or local governments, nonprofit entities, Indian Tribes, and private individuals, that are focused on conservation of fish habitats to achieve results across jurisdictional boundaries on public and private land;

(3) is organized to promote the health of important fish species and important fish habitats, including reservoirs, natural lakes, coastal and marine environments, coral reefs, and estuaries;

(4) identifies strategic fish and fish habitat priorities for the Partnership area in the form of geographical focus areas or key stressors or impairments to facilitate strategic planning and decision making;

(5) is able to address issues and priorities on a nationally significant scale;

(6) includes a governance structure that—

(A) reflects the range of all partners; and

(B) promotes joint strategic planning and decision making by the applicant;

(7) demonstrates completion of, or significant progress toward the development of, a strategic plan to address declines in fish populations, rather than simply treating symptoms, in accordance with the goals and national priorities established by the Board; and

(8) promotes collaboration in developing a strategic vision and implementation program that is scientifically sound and achievable.

(e) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than February 1 of the first fiscal year beginning after the date of enactment of this Act and each February 1 thereafter, the Board shall develop and submit to the appropriate congressional committees an annual report, to be entitled “Report to Congress on Future Fish Habitat Partnerships and Modifications”, that—

(A) identifies each entity that—

(i) meets the requirements described in subsection (d); and

(ii) the Board recommends to Congress for designation as a Partnership;

(B) describes any proposed modifications to a Partnership previously designated by Congress under subsection (f);

(C) with respect to each entity recommended for designation as a Partnership, describes, to the maximum extent practicable—

(i) the purpose of the recommended Partnership; and

(ii) how the recommended Partnership fulfills the requirements described in subsection (d).

(2) PUBLIC AVAILABILITY; NOTIFICATION.—The Board shall—

(A) make the report publicly available, including on the internet; and

(B) provide to the appropriate congressional committees and the State agency of any State included in a recommended Partnership area written notification of the public availability of the report.

(f) DESIGNATION OR MODIFICATION OF PARTNERSHIP.—Congress shall have the exclusive authority to designate or modify a Partnership.

(g) EXISTING PARTNERSHIPS.—

(1) DESIGNATION REVIEW.—Not later than 5 years after the date of enactment of this Act, any partnership receiving Federal funds as of the date of enactment of this Act shall be sub-

ject to a designation review by Congress in which Congress shall have the opportunity to designate the partnership under subsection (f).

(2) INELIGIBILITY FOR FEDERAL FUNDS.—A partnership referred to in paragraph (1) that Congress does not designate as described in that paragraph shall be ineligible to receive Federal funds under this title.

#### SEC. 305. FISH HABITAT CONSERVATION PROJECTS.

(a) SUBMISSION TO BOARD.—Not later than March 31 of each year, each Partnership shall submit to the Board a list of priority fish habitat conservation projects recommended by the Partnership for annual funding under this title.

(b) RECOMMENDATIONS BY BOARD.—Not later than July 1 of each year, the Board shall submit to the Secretary a priority list of fish habitat conservation projects that includes a description, including estimated costs, of each project that the Board recommends that the Secretary approve and fund under this title for the following fiscal year.

(c) CRITERIA FOR PROJECT SELECTION.—The Board shall select each fish habitat conservation project recommended to the Secretary under subsection (b) after taking into consideration, at a minimum, the following information:

(1) A recommendation of the Partnership that is, or will be, participating actively in implementing the fish habitat conservation project.

(2) The capabilities and experience of project proponents to implement successfully the proposed project.

(3) The extent to which the fish habitat conservation project—

(A) fulfills a local or regional priority that is directly linked to the strategic plan of the Partnership and is consistent with the purpose of this title;

(B) addresses the national priorities established by the Board;

(C) is supported by the findings of the habitat assessment of the Partnership or the Board, and aligns or is compatible with other conservation plans;

(D) identifies appropriate monitoring and evaluation measures and criteria that are compatible with national measures;

(E) provides a well-defined budget linked to deliverables and outcomes;

(F) leverages other funds to implement the project;

(G) addresses the causes and processes behind the decline of fish or fish habitats; and

(H) includes an outreach or education component that includes the local or regional community.

(4) The availability of sufficient non-Federal funds to match Federal contributions for the fish habitat conservation project, as required by subsection (e).

(5) The extent to which the fish habitat conservation project—

(A) will increase fish populations in a manner that leads to recreational fishing opportunities for the public;

(B) will be carried out through a cooperative agreement among Federal, State, and local governments, Indian Tribes, and private entities;

(C) increases public access to land or water for fish and wildlife-dependent recreational opportunities;

(D) advances the conservation of fish and wildlife species that have been identified by a State agency as species of greatest conservation need;

(E) where appropriate, advances the conservation of fish and fish habitats under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) and other relevant Federal law and State wildlife action plans; and

(F) promotes strong and healthy fish habitats so that desired biological communities are able to persist and adapt.

(6) The substantiality of the character and design of the fish habitat conservation project.

## (d) LIMITATIONS.—

(1) REQUIREMENTS FOR EVALUATION.—No fish habitat conservation project may be recommended by the Board under subsection (b) or provided financial assistance under this title unless the fish habitat conservation project includes an evaluation plan designed using applicable Board guidance—

(A) to appropriately assess the biological, ecological, or other results of the habitat protection, restoration, or enhancement activities carried out using the assistance;

(B) to reflect appropriate changes to the fish habitat conservation project if the assessment substantiates that the fish habitat conservation project objectives are not being met;

(C) to identify improvements to existing fish populations, recreational fishing opportunities, and the overall economic benefits for the local community of the fish habitat conservation project; and

(D) to require the submission to the Board of a report describing the findings of the assessment.

## (2) ACQUISITION AUTHORITIES.—

(A) IN GENERAL.—A State, local government, or other non-Federal entity is eligible to receive funds for the acquisition of real property from willing sellers under this title if the acquisition ensures—

(i) public access for fish and wildlife-dependent recreation; or

(ii) a scientifically based, direct enhancement to the health of fish and fish populations, as determined by the Board.

## (B) STATE AGENCY APPROVAL.—

(i) IN GENERAL.—All real property interest acquisition projects funded under this title must be approved by the State agency in the State in which the project is occurring.

(ii) PROHIBITION.—The Board may not recommend, and the Secretary may not provide any funding for, any real property interest acquisition that has not been approved by the State agency.

(C) ASSESSMENT OF OTHER AUTHORITIES.—The Board may not recommend, and the Secretary may not provide any funding under this title for, any real property interest acquisition unless the Partnership that recommended the project has conducted a project assessment, submitted with the funding request and approved by the Board, to demonstrate all other Federal, State, and local authorities for the acquisition of real property have been exhausted.

(D) RESTRICTIONS.—A real property interest may not be acquired pursuant to a fish habitat conservation project by a State, local government, or other non-Federal entity conducted with funds provided under this title, unless—

(i) the owner of the real property authorizes the State, local government, or other non-Federal entity to acquire the real property; and

(ii) the Secretary and the Board determine that the State, local government, or other non-Federal entity would benefit from undertaking the management of the real property being acquired because that is in accordance with the goals of a Partnership.

## (e) NON-FEDERAL CONTRIBUTIONS.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (4), no fish habitat conservation project may be recommended by the Board under subsection (b) or provided financial assistance under this title unless at least 50 percent of the cost of the fish habitat conservation project will be funded with non-Federal funds.

(2) NON-FEDERAL SHARE.—Such non-Federal share of the cost of a fish habitat conservation project—

(A) may not be derived from another Federal grant program; and

(B) may include in-kind contributions and cash.

(3) SPECIAL RULE FOR INDIAN TRIBES.—Notwithstanding paragraph (1) or any other provision of law, any funds made available to an Indian Tribe pursuant to this title may be consid-

ered to be non-Federal funds for the purpose of paragraph (1).

(4) WAIVER AUTHORITY.—The Secretary, in consultation with the Secretary of Commerce with respect to marine or estuarine projects, may waive the application of paragraph (2)(A) with respect to a State or an Indian Tribe, or otherwise reduce the portion of the non-Federal share of the cost of an activity required to be paid by a State or an Indian Tribe under paragraph (1), if the Secretary determines that the State or Indian Tribe does not have sufficient funds not derived from another Federal grant program to pay such non-Federal share, or portion of the non-Federal share, without the use of loans.

## (f) APPROVAL.—

(1) IN GENERAL.—Not later than 90 days after the date of receipt of the recommended priority list of fish habitat conservation projects under subsection (b), and subject to subsection (d) and based, to the maximum extent practicable, on the criteria described in subsection (c), the Secretary, after consulting with the Secretary of Commerce on marine or estuarine projects, shall approve or reject any fish habitat conservation project recommended by the Board.

(2) FUNDING.—If the Secretary approves a fish habitat conservation project under paragraph (1), the Secretary shall use amounts made available to carry out this title to provide funds to carry out the fish habitat conservation project.

(3) NOTIFICATION.—If the Secretary rejects under paragraph (1) any fish habitat conservation project recommended by the Board, not later than 90 days after the date of receipt of the recommendation, the Secretary shall provide to the Board, the appropriate Partnership, and the appropriate congressional committees a written statement of the reasons that the Secretary rejected the fish habitat conservation project.

**SEC. 306. TECHNICAL AND SCIENTIFIC ASSISTANCE.**

(a) IN GENERAL.—The Director, the National Oceanic and Atmospheric Administration Assistant Administrator, the Environmental Protection Agency Assistant Administrator, and the Director of the United States Geological Survey, in coordination with the Forest Service and other appropriate Federal departments and agencies, may provide scientific and technical assistance to Partnerships, participants in fish habitat conservation projects, and the Board.

(b) INCLUSIONS.—Scientific and technical assistance provided under subsection (a) may include—

(1) providing technical and scientific assistance to States, Indian Tribes, regions, local communities, and nongovernmental organizations in the development and implementation of Partnerships;

(2) providing technical and scientific assistance to Partnerships for habitat assessment, strategic planning, and prioritization;

(3) supporting the development and implementation of fish habitat conservation projects that are identified as high priorities by Partnerships and the Board;

(4) supporting and providing recommendations regarding the development of science-based monitoring and assessment approaches for implementation through Partnerships;

(5) supporting and providing recommendations for a national fish habitat assessment;

(6) ensuring the availability of experts to assist in conducting scientifically based evaluation and reporting of the results of fish habitat conservation projects; and

(7) providing resources to secure State agency scientific and technical assistance to support Partnerships, participants in fish habitat conservation projects, and the Board.

**SEC. 307. COORDINATION WITH STATES AND INDIAN TRIBES.**

The Secretary shall provide a notice to, and cooperate with, the appropriate State agency or Tribal agency, as applicable, of each State and

Indian Tribe within the boundaries of which an activity is planned to be carried out pursuant to this title, including notification, by not later than 30 days before the date on which the activity is implemented.

**SEC. 308. INTERAGENCY OPERATIONAL PLAN.**

Not later than 1 year after the date of enactment of this Act, and every 5 years thereafter, the Director, in cooperation with the National Oceanic and Atmospheric Administration Assistant Administrator, the Environmental Protection Agency Assistant Administrator, the Director of the United States Geological Survey, and the heads of other appropriate Federal departments and agencies (including, at a minimum, those agencies represented on the Board) shall develop an interagency operational plan that describes—

(1) the functional, operational, technical, scientific, and general staff, administrative, and material needs for the implementation of this title; and

(2) any interagency agreements between or among Federal departments and agencies to address those needs.

**SEC. 309. ACCOUNTABILITY AND REPORTING.**

## (a) REPORTING.—

(1) IN GENERAL.—Not later than 5 years after the date of enactment of this Act, and every 5 years thereafter, the Board shall submit to the appropriate congressional committees a report describing the progress of this title.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include—

(A) an estimate of the number of acres, stream miles, or acre-feet, or other suitable measures of fish habitat, that was maintained or improved by Partnerships under this title during the 5-year period ending on the date of submission of the report;

(B) a description of the public access to fish habitats established or improved under this title during that 5-year period;

(C) a description of the improved opportunities for public recreational fishing achieved under this title; and

(D) an assessment of the status of fish habitat conservation projects carried out with funds provided under this title during that period, disaggregated by year, including—

(i) a description of the fish habitat conservation projects recommended by the Board under section 305(b);

(ii) a description of each fish habitat conservation project approved by the Secretary under section 305(f), in order of priority for funding;

## (iii) a justification for—

(I) the approval of each fish habitat conservation project; and

(II) the order of priority for funding of each fish habitat conservation project;

(iv) a justification for any rejection of a fish habitat conservation project recommended by the Board under section 305(b) that was based on a factor other than the criteria described in section 305(c); and

(v) an accounting of expenditures by Federal, State, or local governments, Indian Tribes, or other entities to carry out fish habitat conservation projects under this title.

(b) STATUS AND TRENDS REPORT.—Not later than December 31, 2021, and every 5 years thereafter, the Board shall submit to the appropriate congressional committees a report that includes—

(1) a status of all Partnerships designated under this title;

(2) a description of the status of fish habitats in the United States as identified by designated Partnerships; and

(3) enhancements or reductions in public access as a result of—

(A) the activities of the Partnerships; or

(B) any other activities carried out pursuant to this title.

**SEC. 310. EFFECT OF THIS TITLE.**

(a) WATER RIGHTS.—Nothing in this title—

(1) establishes any express or implied reserved water right in the United States for any purpose;

(2) affects any water right in existence on the date of enactment of this Act;

(3) preempts or affects any State water law or interstate compact governing water; or

(4) affects any Federal or State law in existence on the date of enactment of the Act regarding water quality or water quantity.

(b) **AUTHORITY TO ACQUIRE WATER RIGHTS OR RIGHTS TO PROPERTY.**—Only a State, local government, or other non-Federal entity may acquire, under State law, water rights or rights to property with funds made available through section 312.

(c) **STATE AUTHORITY.**—Nothing in this title—  
(1) affects the authority, jurisdiction, or responsibility of a State to manage, control, or regulate fish and wildlife under the laws and regulations of the State; or

(2) authorizes the Secretary to control or regulate within a State the fishing or hunting of fish and wildlife.

(d) **EFFECT ON INDIAN TRIBES.**—Nothing in this title abrogates, abridges, affects, modifies, supersedes, or alters any right of an Indian Tribe recognized by treaty or any other means, including—

(1) an agreement between the Indian Tribe and the United States;

(2) Federal law (including regulations);

(3) an Executive order; or

(4) a judicial decree.

(e) **ADJUDICATION OF WATER RIGHTS.**—Nothing in this title diminishes or affects the ability of the Secretary to join an adjudication of rights to the use of water pursuant to subsection (a), (b), or (c) of section 208 of the Departments of State, Justice, Commerce, and The Judiciary Appropriation Act, 1953 (43 U.S.C. 666).

(f) **DEPARTMENT OF COMMERCE AUTHORITY.**—Nothing in this title affects the authority, jurisdiction, or responsibility of the Department of Commerce to manage, control, or regulate fish or fish habitats under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(g) **EFFECT ON OTHER AUTHORITIES.**—

(1) **PRIVATE PROPERTY PROTECTION.**—Nothing in this title permits the use of funds made available to carry out this title to acquire real property or a real property interest without the written consent of each owner of the real property or real property interest, respectively.

(2) **MITIGATION.**—Nothing in this title authorizes the use of funds made available to carry out this title for fish and wildlife mitigation purposes under—

(A) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(B) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(C) the Water Resources Development Act of 1986 (Public Law 99-662; 100 Stat. 4082); or

(D) any other Federal law or court settlement.

(3) **CLEAN WATER ACT.**—Nothing in this title affects any provision of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), including any definition in that Act.

#### **SEC. 311. NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.**

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to—

(1) the Board; or

(2) any Partnership.

#### **SEC. 312. FUNDING.**

(a) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **FISH HABITAT CONSERVATION PROJECTS.**—There is authorized to be appropriated to the Secretary \$7,200,000 for each of fiscal years 2021 through 2025 to provide funds for fish habitat conservation projects approved under section 305(f), of which 5 percent is authorized only for projects carried out by Indian Tribes.

(2) **ADMINISTRATIVE AND PLANNING EXPENSES.**—There is authorized to be appropriated

to the Secretary for each of fiscal years 2021 through 2025 an amount equal to 5 percent of the amount appropriated for the applicable fiscal year pursuant to paragraph (1)—

(A) for administrative and planning expenses under this title; and

(B) to carry out section 309.

(3) **TECHNICAL AND SCIENTIFIC ASSISTANCE.**—There is authorized to be appropriated for each of fiscal years 2021 through 2025 to carry out, and provide technical and scientific assistance under, section 306—

(A) \$400,000 to the Secretary for use by the United States Fish and Wildlife Service;

(B) \$400,000 to the National Oceanic and Atmospheric Administration Assistant Administrator for use by the National Oceanic and Atmospheric Administration;

(C) \$400,000 to the Environmental Protection Agency Assistant Administrator for use by the Environmental Protection Agency;

(D) \$400,000 to the Secretary for use by the United States Geological Survey; and

(E) \$400,000 to the Secretary of Agriculture, acting through the Chief of the Forest Service, for use by the Forest Service.

(b) **AGREEMENTS AND GRANTS.**—The Secretary may—

(1) on the recommendation of the Board, and notwithstanding sections 6304 and 6305 of title 31, United States Code, and the Federal Financial Assistance Management Improvement Act of 1999 (31 U.S.C. 6101 note; Public Law 106-107), enter into a grant agreement, cooperative agreement, or contract with a Partnership or other entity to provide funds authorized by this title for a fish habitat conservation project or restoration or enhancement project;

(2) apply for, accept, and, subject to the availability of appropriations, use a grant from any individual or entity to carry out the purposes of this title; and

(3) subject to the availability of appropriations, make funds authorized by this Act available to any Federal department or agency for use by that department or agency to provide grants for any fish habitat protection project, restoration project, or enhancement project that the Secretary determines to be consistent with this title.

(c) **DONATIONS.**—

(1) **IN GENERAL.**—The Secretary may—

(A) enter into an agreement with any organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of that Code to solicit private donations to carry out the purposes of this title; and

(B) accept donations of funds, property, and services to carry out the purposes of this title.

(2) **TREATMENT.**—A donation accepted under this title—

(A) shall be considered to be a gift or bequest to, or otherwise for the use of, the United States; and

(B) may be—

(i) used directly by the Secretary; or

(ii) provided to another Federal department or agency through an interagency agreement.

#### **SEC. 313. PROHIBITION AGAINST IMPLEMENTATION OF REGULATORY AUTHORITY BY FEDERAL AGENCIES THROUGH PARTNERSHIPS.**

Any Partnership designated under this title—

(1) shall be for the sole purpose of promoting fish conservation; and

(2) shall not be used to implement any regulatory authority of any Federal agency.

#### **TITLE IV—MISCELLANEOUS**

#### **SEC. 401. SENSE OF THE SENATE REGARDING CONSERVATION AGREEMENTS AND ACTIVITIES.**

It is the sense of the Senate that—

(1) voluntary conservation agreements benefit species and the habitats on which the species rely;

(2) States, Indian Tribes, units of local government, landowners, and other stakeholders

should be encouraged to participate in voluntary conservation agreements; and

(3) the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, and the Secretary of Commerce, acting through the Assistant Administrator of the National Marine Fisheries Service, should consider the enrollment in, and performance of, conservation agreements and investment in, and implementation of, general conservation activities by States, Indian Tribes, units of local government, landowners, and other stakeholders in making determinations under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

#### **SEC. 402. STUDY TO REVIEW CONSERVATION FACTORS.**

(a) **DEFINITION OF SECRETARIES.**—In this section, the term “Secretaries” means—

(1) the Secretary of Agriculture;

(2) the Secretary of Commerce, acting through the Assistant Administrator of the National Marine Fisheries Service; and

(3) the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service.

(b) **STUDY.**—To assess factors affecting successful conservation activities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the Secretaries shall carry out a study—

(1) to review any factors that threaten or endanger a species for which a listing under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) would not contribute to the conservation of the species;

(2) to review any barriers to—

(A) the delivery of Federal, State, local, or private funds for such conservation activities, including statutory or regulatory impediments, staffing needs, and other relevant considerations; or

(B) the implementation of conservation agreements, plans, or other cooperative agreements, including agreements focused on voluntary activities, multispecies efforts, and other relevant considerations;

(3) to review factors that impact the ability of the Federal Government to successfully implement the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(4) to develop recommendations regarding methods to address barriers identified under paragraph (2), if any;

(5) to review determinations under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) in which a species is determined to be recovered by the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, or the Secretary of Commerce, acting through the Assistant Administrator of the National Marine Fisheries Service, but remains listed under that Act, including—

(A) an explanation of the factors preventing a delisting or downlisting of the species; and

(B) recommendations regarding methods to address the factors described in subparagraph (A); and

(6) to review any determinations under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) in which a species has been identified as needing listing or uplisting under that Act but remains unlisted or listed as a threatened species, respectively, including—

(A) an explanation of the factors preventing a listing or uplisting of the species; and

(B) recommendations regarding methods to address the factors described in subparagraph (A).

(c) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretaries shall submit to the Committees on Appropriations and Environment and Public Works of the Senate and the Committees on Appropriations and Natural Resources of the House of Representatives and make publicly available a report describing the results of the study under subsection (b).

#### **SEC. 403. STUDY AND REPORT ON EXPENDITURES.**

(a) **REPORTS ON EXPENDITURES.**—

## (1) FEDERAL DEPARTMENTS AND AGENCIES.—

(A) IN GENERAL.—At the determination of the Comptroller General of the United States (referred to in this section as the “Comptroller General”), to facilitate the preparation of the reports from the Comptroller General under paragraph (2), the head of each Federal department and agency shall submit to the Comptroller General data and other relevant information that describes the amounts expended or disbursed (including through loans, loan guarantees, grants, or any other financing mechanism) by the department or agency as a direct result of any provision of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) (including any regulation promulgated pursuant to that Act) during—

(i) with respect to the first report under paragraph (2), the 3 fiscal years preceding the date of submission of the report; and

(ii) with respect to the second report under paragraph (2), the 2 fiscal years preceding the date of submission of the report.

(B) REQUIREMENTS.—Data and other relevant information submitted under subparagraph (A) shall describe, with respect to the applicable amounts—

(i) the programmatic office of the department or agency on behalf of which each amount was expended or disbursed;

(ii) the provision of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) (or regulation promulgated pursuant to that Act) pursuant to which each amount was expended or disbursed; and

(iii) the project or activity carried out using each amount, in detail sufficient to reflect the breadth, scope, and purpose of the project or activity.

(2) COMPTROLLER GENERAL.—Not later than 2 years and 4 years after the date of enactment of this Act, the Comptroller General shall submit to the Committees on Appropriations, Commerce, Science, and Transportation, and Environment and Public Works of the Senate and the Committee on Appropriations and Natural Resources of the House of Representatives a report that describes—

(A) the aggregate amount expended or disbursed by all Federal departments and agencies as a direct result of any provision of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) (including any regulation promulgated pursuant to that Act) during—

(i) with respect to the first report, the 3 fiscal years preceding the date of submission of the report; and

(ii) with respect to the second report, the 2 fiscal years preceding the date of submission of the report;

(B) the provision of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) (or regulation promulgated pursuant to that Act) pursuant to which each such amount was expended or disbursed; and

(C) with respect to each relevant department or agency—

(i) the total amount expended or disbursed by the department or agency as described in subparagraph (A); and

(ii) the information described in clauses (i) through (iii) of paragraph (1)(B).

## (b) REPORT ON CONSERVATION ACTIVITIES.—

(1) FEDERAL DEPARTMENTS AND AGENCIES.—At the determination of the Comptroller General, to facilitate the preparation of the report under paragraph (2), the head of each Federal department and agency shall submit to the Comptroller General data and other relevant information that describes the conservation activities by the Federal department or agency as a direct result of any provision of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) (including any regulation promulgated pursuant to that Act) during—

(A) with respect to the first report under paragraph (2), the 3 fiscal years preceding the date of submission of the report; and

(B) with respect to the second report under paragraph (2), the 2 fiscal years preceding the date of submission of the report.

(2) COMPTROLLER GENERAL.—Not later than 2 years and 4 years after the date of enactment of this Act, the Comptroller General shall submit to the Committees on Commerce, Science, and Transportation and Environment and Public Works of the Senate and the Committee on Natural Resources of the House of Representatives a report that—

(A) describes the conservation activities by all Federal departments and agencies for species listed as a threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), as reported under paragraph (1), during—

(i) with respect to the first report, the 3 fiscal years preceding the date of submission of the report; and

(ii) with respect to the second report, the 2 fiscal years preceding the date of submission of the report;

(B) is organized into categories with respect to whether a recovery plan for a species has been established;

(C) includes conservation outcomes associated with the conservation activities; and

(D) as applicable, describes the conservation activities that required interaction between Federal agencies and between Federal agencies and State and Tribal agencies and units of local government pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

**SEC. 404. USE OF VALUE OF LAND FOR COST SHARING.**

The Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.) is amended—

(1) by redesignating section 13 as section 14; and

(2) by inserting after section 12 the following:

**“SEC. 13. VALUE OF LAND.**

“Notwithstanding any other provision of law, any institution eligible to receive Federal funds under the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601 et seq.) shall be allowed to use the value of any land owned by the institution as an in-kind match to satisfy any cost sharing requirement under this Act.”.

Mr. PORTMAN. I ask unanimous consent that the committee-reported substitute amendment be withdrawn; that the Barrasso substitute amendment at the desk be agreed to; and that the bill, as amended, be considered read a third time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was withdrawn.

The amendment (No. 2656), in the nature of a substitute, was agreed to, as follows:

(The amendment is printed in today’s RECORD under “Text of Amendments.”)

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?

The bill (S. 3051), as amended, was passed.

Mr. PORTMAN. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

## RESOLUTIONS SUBMITTED TODAY

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 698, S. Res. 699, and S. Res. 700.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. PORTMAN. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and that the motions to reconsider be considered made and laid upon the table, all en bloc.

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today’s RECORD under “Submitted Resolutions.”)

ORDERS FOR THURSDAY,  
SEPTEMBER 17, 2020

Mr. PORTMAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:45 a.m., Thursday, September 17; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day and morning business be closed; finally, following leader remarks, the Senate proceed to executive session to resume consideration of the Valderrama nomination under the previous order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

## ORDER FOR ADJOURNMENT

Mr. PORTMAN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of our Democratic colleagues.

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

The PRESIDING OFFICER. The Senator from Nevada.

## WILDFIRES

Ms. ROSEN. Mr. President, the West is on fire. At this very moment, historic wildfires are raging across our Western States. Communities have been devastated. Homes have been destroyed. Businesses have been turned to rubble. In the wake of these disasters, many families have been left with absolutely nothing.

Nevadans are no strangers to seeing wildfires wreak havoc in our State. Just this year, Nevada has seen over 650 fires. Yet what is happening now is something different. These are some of the largest fires the West has ever seen. Already, in 2020, over 4.7 million acres of land have been burned across

our Nation, and we have already seen billions of dollars in economic losses and damage.

Despite what you might hear from our President, these disasters are not blue State issues. That kind of partisan sentiment is just unconscionable. We must take a nonpartisan approach to saving lives and protecting property from fires that know no partisan affiliation. It doesn't matter that these fires are in the State of California or in the State of Oregon or in the State of Idaho. These disasters are happening in our United States. These fires are impacting our communities, and in this time of crisis, we have a responsibility to really help one another—to help our communities and to help our friends and our neighbors.

People have died in these disasters, and some people are still missing. Over 30,000 courageous men and women are risking their lives to fight these fires and to save those families and save those properties. I am really proud to say that Nevada's firefighters have been deployed to assist in combating many of these disasters. I am so proud of them.

As a result of these fires, the air quality in some of our communities is so poor and so unhealthy that it is exceeding 20-year records. This toxic haze has already impacted air quality in my own State of Nevada, and it is not just in Western States. This harmful smoke is spreading. It has been measured as far away as the east coast—in places like New York City and right here in Washington, DC. These fires put our collective health—all of ours—in jeopardy, especially now, during the pandemic.

As I have said before, these fires impact every single one of us. Do you know why? It is because this is an environmental issue; this is an economic issue; this is a public health issue; and it is absolutely a climate issue.

The science speaks for itself. Climate change and increased temperatures directly correlate to the growing intensity of these wildfires, and the longer we fail to address climate change, the more costly and more dangerous and deadly the impact is going to be for our friends, our neighbors, our States, and our communities.

September is wildfire preparedness month, and make no mistake: We need to get a handle on these disasters. We need to provide resources to our local communities, to our firefighters, and to our land management agencies immediately. This is why I cosponsored my colleague Senator HARRIS' Wildfire Defense Act, which is legislation that would provide FEMA resources so that our local communities can develop wildfire defense plans and allow all of us to respond more effectively.

We also need to address climate change, and we need to be proactive and practical, which is why, earlier this year, I cosponsored Senator CARPER's climate change resolution. This

resolution recognizes that climate change is real, that human activity is the primary cause, and that Congress must take immediate action to address one of the most pressing issues of our time.

We need to act. Lives are on the line, and we need to act now. Nevada, the West, and Americans across the country are counting on all of us. So we need to get to work.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

### WILDFIRES

Mr. MERKLEY. Mr. President, apocalypse, fire, fueled by wind coming over the top of the Cascade Mountains, turning into a blowtorch that races down the western slopes of those mountains, incinerating the towns in its path—that is what is happening in my home State of Oregon.

Imagine suddenly waking up at 4:30 in the morning to a house filled with smoke. You realize you have to clear the area before the situation gets a lot worse. You and your partner race to pack up some essentials, load them and your pets into the car in your garage, and then you can't get the garage door open because there is no power. The power lines have been taken down by the winds and by the power poles being burned and falling over. So you open the garage door by hand, and just as you are about to lift it, you look out a little window, and you see an inferno engulfing your neighbor's home. So you make a desperate dash in the other direction and out the backdoor—the fire at your heels. You race toward the river at the bottom of the hill, hoping—praying—there will be some kind of safety.

It is a terrifying scenario, but it is not out of some movie. For Larry Tripoli and Fran Howe, of Gates, OR, it was a reality just a few nights ago when the Beachie Creek fire roared through Santiam Canyon, incinerating homes, businesses, and entire neighborhoods. They got to the river, and they waded knee deep in the water as the trees burned around them on both banks.

Fran recalled: "I thought we were going to die."

Fortunately, help arrived late that night, just before 12 midnight. The firefighters and emergency workers risked their lives and safety to come and rescue those who were fleeing the fire. Many folks worked to help their neighbors get noticed even as the fire was descending on the town.

At this moment, all across Oregon, people are facing similarly terrifying experiences as historic wildfires have burned more than a million acres—more than twice those burned in a normal year. They burned in a small period of time—most of them over this past week. There are 10 citizens who have lost their lives, and dozens are missing. We are afraid there will be more bad news to come.

It is hard to imagine. I mean, I have seen the results of a fire near John Day that came down a valley, and there were widely spaced homes in the forest on both sides of the river, and I have seen that those homes were burned. But I have never seen anything like this—neighborhood after neighborhood, the commercial district, the apartment complexes, the mobile home housing parks, completely scorched—every building you can see.

When I toured this last Friday, the only thing I could compare it to were pictures I had seen of Hiroshima after the bomb; cities in Europe that had been firebombed, like Dresden—massive devastation, incinerating everything.

This is what has just happened in my home State. In one town of Phoenix, OR—this is a picture from Phoenix. The mayor estimated that perhaps 1,000 residences had been burned between the mobile homes, the manufactured homes, the apartment complexes, and the standalone houses—several thousand people with nothing to return to.

You know, I met with folks last Friday and Saturday as Senator WYDEN and I started in the north part of the State and went all the way down south. I traveled 600 miles by car. I was driving. I never got out of the smoke. I remember fires where we passed 20 miles through the smoke, 30 miles through the smoke. I drove over 600 miles. I was never out of that smoke.

Parts of the State glowed like the aftereffects of a bomb. This is our State capital with that orange, fire-infused sky behind it in Salem, OR, the result of the Santiam fire that comes down toward the city of Salem.

That smoke doesn't just hover and stay in one place. As the wind starts to blow, it spreads across the country. So here we are. This is the September 15 fire chart. These purple areas—an index of over 500 parts per million—incredibly unhealthy to breathe, and you can see the State of Oregon covered, on through Idaho and Montana, right on across the country—California.

Everyone is dealing with the smoke. I just got off a Zoom call just a little while ago, and the first three people who spoke were talking about how uncomfortable they were because of their asthma or breathing conditions affected by the smoke. The air quality in Portland has ranked as the worst among the world's major cities for the last 5 days in a row, and in smaller towns across the State, it has been far worse.

People saw all kinds of dramatic, powerful scenes of the approaching fires, the approaching bank of clouds. It was a week ago Monday that I decided to drive up to the Columbia Gorge. I didn't get 20 miles from my house, and I saw this wall of smoke. So I got off the freeway and took the old scenic highway up to Crown Point—a lookout point high in the cliffs where you can see way to the east and way to

the west—just to see that. What is going on with this massive cloud? You could see how dramatic the approaching smoke cloud was from these fires.

As we think about these devastating fires, we have to think about them in terms of the individuals who have been so dramatically affected. Some have been injured by the fires; some have been killed by the fires.

So as Senator WYDEN and I proceeded from the northern border to the southern border to visit fire refugees in different centers that have been set up and to visit some coordinated care briefings and then to visit two towns—Phoenix and Talent—that had been incinerated, the most powerful moment was sitting down at a table with individuals along the way.

I took away this collective impression: individuals who had escaped and were just thinking, my goodness, how fortunate I am that I got out with my life; individuals who had escaped, but they didn't know the fate of their family members who may not have escaped. One father lost the grandmother in the family and his son, who died in a car with the family dog in the son's lap, and as he was going to search for his wife, he met a woman on the road. He said, "I am searching for my wife," and she responded, "I am your wife." Because she was so affected by the smoke and burned by the fire, he didn't recognize her.

I met folks who realized that they had escaped but also recognized that every single thing—a lifetime of records, photos, film, financial records, family heirlooms—all of it, everything, gone.

So the issues become even more complicated. Think about the children who were just starting school when these Labor Day fires descended. They lost their laptops; they lost their tablets after being coached on how to attend school electronically. The family has lost, perhaps, their funds, and now they are driving 40, 60 miles to family or to a friend's house. How do they sign up for school? How do they deal with the stress that is on them from what has happened and the remaining stress of the impact on the family and those they are still searching for?

And food—road closures stop the movement of food from getting to them, getting to stores and restaurants and communities. There are food shortages because they can't be resupplied.

Whether it is Breitenbush Hot Springs, one of our State's most beloved resorts, losing half of its buildings or Simple Machine Winery in Talent burning to the ground—this is an adjacent city, Phoenix and Talent. One woman told me: I not only lost everything, I lost my job because the business I work at has burned to the ground as well. This is on top of the pandemic, and this is on top of the economic implosion.

Many of the residences that burned were those that served lower income citizens—the mobile home parks, the

manufactured housing parks where the houses are closer together and the fireproofing of the walls is less than required in stick-built houses. Apartment complexes—I saw this whole field where you could see steel girders going up two stories and crossbeams at the top of the steel and then steel stairs and nothing else. They were almost like a sculpture standing in the middle of the field, and there was one after another, after another in the heart of these apartment complexes. The apartments were completely gone.

I also heard on this trip such appreciation for our local leaders and our first responders—the firefighters, the EMTs, the National Guard unit doing an incredible job of helping to rescue them, an incredible job of doing point defense or a lot more residences would have burned. They were risking their lives trying to get people out before that blowtorch of a fire descended on a town. They were building fire lines and clearing dead brush and trees from around houses, dropping water.

I saw orange splotches as I toured these two towns from when the retardant had been dropped. But then, as the smoke compiled, the planes couldn't fly—not to drop water, not to drop fire retardant.

These families are going to need everything we can possibly do to help them out. They are devastated and rebuilding their lives. Getting their feet on the ground is going to be really hard.

Friends will help, and family will help, and local government will help. But we, too, at the Federal level need to be there to help and make sure these FEMA programs are expeditiously conducted to assist the individuals with the individual assistance and then to assist the communities with the rebuilding—rebuilding of these towns. Local revenues? Those are gone. Property taxes? Those are gone. Revenues from the local businesses, the fees they pay? Those are gone. We are going to have to provide a lot of support.

I applaud the White House for quickly approving Governor Brown's request for an emergency declaration. Our whole legislative delegation was calling and requesting and saying: Pay attention to this; we need it quickly. And we got it. We got it quickly. That emergency declaration is really about food and shelter assistance.

Then we said that we really need the major disaster declaration, and we got that within about a day of its being submitted—again, prompt action by the White House.

Then we applied for a health emergency declaration, and we got that this morning—again, expeditiously.

Those are doors where you have to unlock the door to the resources, and those declarations are the keys that open that door. But now we need the supplies to come through that door to really start this long process of support for individuals and for our communities.

One of the things we encountered was the valuable help of our Oregon State National Guard. Three years ago I worked to start funding a training program for the National Guard so they could help fight these fires, and our Oregon portion of this was the training of 375 National Guard members put into three 125-member teams. It was great that they were trained and ready to go, but we ran into a problem, and that problem was we didn't have enough crew chiefs. The crew chiefs come from outside to conduct the team's work, and you need five or six crew chiefs for every team, for every group of 125. The crew chiefs are all tied up all around the country.

Then the Governor said: We need not only those 375; we need two more teams—another 250. The initial response was, no, the funds aren't available. But I checked and found out there were funds left, and they were approved quite quickly—again, a thank-you to the executive branch for approving them at that point.

We still needed crew chiefs, and I just got word a short period ago that there are crew chiefs now en route to Oregon. We have found some from around the country to go and enable those Oregon National Guard members to be able to be deployed. So that is another step forward.

We can't stop there. We have to look beyond the immediate crisis. We have to help the families rebuild the homes. We have to help the local businesses recover, rebuild.

We have to think about not just the fire damage but the smoke damage. I have introduced the Smoke-Ready Communities Act that would enable communities to prepare safe zones where you have filtered air in key buildings so those who have lung conditions and are affected by the smoke have somewhere safe to get to, to be able to breathe.

I think it is a pretty logical thing for us to do and a small-dollar investment in partnership with communities to create some highly filtered space of air for people with lung challenges.

I have written the Wildfire Smoke Emergency Declaration Act because in the past we thought only of the direct fire impact, but now we are seeing all this smoke that is having such a major impact. In the last major smoke episode, we saw our outdoor activities like the Shakespeare Festival close down. We saw furniture salesmen who couldn't sell the furniture because of smoke damage. We had a massive impact on our wine industry with smoke-tainted grapes. By the way, even though the buyers of those grapes turned them down, it turned out they were pretty good grapes, and the community came together and created an Oregon wine, a unity wine, and it was great wine and people loved it. So those grapes found a home and found a product. They came together to solve a problem. We had trouble with our hazelnuts with the smoke.



So a declaration act and the Smoke-Ready Communities Act but also action to help field workers. Think about the field workers—the agriculture workers working right now harvesting, and they are in that smoke—500 parts per million small particles damaging their lungs. We need to be set up to help the agricultural community. They are truly frontline workers whose health shouldn't be compromised in that manner.

And we need to make our forests more resistant to fires. Now, I know President Trump has said that is the whole key, and why can't Oregon and California get their act together. Well, let me point out that the majority of the forest we are talking about, those are Federal forests. It is Federal forest. It is Federal management that is so missing.

What I proposed in the Wildfire-Resilient Communities Act is that we spend \$1 billion. It should be \$1 billion dollars a year thinning these overgrown second-growth forests. What do you get out of that? You get jobs; you get saw logs for our mills, and you get a forest that is much more resistant to fire.

It isn't just the thinning. Then it is what they call the mowing to reduce the shrubs that have built up, and then it is the prescribed burn that goes back 2 or 3 years later. This is to avoid the pattern of the fire in the past we had which was to burn the shrubbery on the floor which grows back quickly and prevents that over-dense forest. So we should do that. We should pass the Wildfire-Resilient Communities Act, put the funding in, and create permanent authorization for our collaboratives.

What is a collaborative? To those outside the forest world, that probably isn't a familiar term. It is where you bring the environmental community and the timber community together, and they develop what they call a prescription for thinning the forest and mowing it and doing a prescribed burn. By working together and having a plan, they stay out of the courts because court paralysis has been a major obstacle. So let's take that collaborative model. Let's build on the success of the collaborative and stewardship agreements, which are very similar, but it takes resources and here has been the challenge.

Every time we seek the resources to do more on the front end to make the forest more fire-resilient, it is blocked by individuals who say: Hey, let's go back to the 1950s clearcuts. My friends, that doesn't work. When you clearcut and replant, you now create a new forest where the trees are too close together and they are all the same height and they are absolutely primed once again for fire. The thinning, the prescribed burns, the mowing, this has a big impact.

I went to a forest outside of Sisters, OR, where these measures have been used, and there was a fire that had

been bearing down on Sisters, OR. And when it met the section of the forest that had been thinned, it stopped because the fuel wasn't there to propagate itself forward, and because of the thinning, the fire crews could get through the forest to the frontline of the fire. So it worked very effectively that way.

Now there are situations of high winds when the forest fire becomes a blow torch. Nothing is going to stop it. But often fires move at a modest pace, and that is where the thinning and mowing and prescribed burns can make a real difference. So I am hoping we can have partnership in that approach.

Some have said: Well, isn't it the environmental laws that prevent us from undertaking this effort? And the answer is no. We have 2.3 million acres in Oregon that have gone through the environmental process. We could do the thinning, mowing, prescribed burns tomorrow if we had the funds to do it.

So jobs, fire resilience, better timber stands, better ecosystem, saw logs to the mill. That is all the win, win, win, win products of this approach.

Colleagues, I know many of you have come to me and said: What can we do? Well, there are really two things. Help us do forest management in the collaborative style, in the stewardship style—in the thinning, prescribed burn, mowing style. Help us do that, and also let's recognize that this situation in Oregon and California and many, many other States isn't simply a freak occurrence of the winds. It is a situation where the forest is drier than it has ever been before. Drier than a kiln-dried 2 by 4. If you have gone to the hardware store to get kiln-dried 2 by 4s, they have been baked to have all the moisture baked out of them. There is less moisture in the forest during these periods of drought and heat than there is in that kiln-dried 2 by 4. They are ready to burn at a second's notice.

So this is the result of the changing dynamic of climate. The forest season has gotten much longer. It is no longer a June through August affair; it is a March through October affair. In California, it is a year-round calendar affair now. If you track this decade over decade, each one is worse. There is a longer fire season with more intensive fires and more acres burned. So that is a more difficult project.

Our Earth is wrapped by the commons of our air, and that air holds now a lot more carbon dioxide and a lot more methane and traps a lot more heat, and it is affecting everything. In Oregon, it isn't just the fires. It is also our snowpack. Our snowpack, decade after decade, is smaller and smaller. Why? Because it is warmer and warmer.

How does that affect things? Well, do you like to fish? If you like to fish, you know that a warmer, smaller stream is bad for the salmon returning; it is bad for the trout. And if you are a farmer, you know that smaller snowpack means less irrigation water and less

water to recharge the groundwater that you use when you don't have enough irrigation water, when you have to pump it out of the ground. So we have big impacts not just with the timber community with the forest burning but also on our ag community and our fishing community. The three pillars of our rural economy are all being substantially affected.

Offshore, it is a warmer Pacific Ocean, and it is a more acidic Pacific Ocean—30 percent more acidic than before we started burning fossil fuels. And people say: What is the connection? Well, those waves take the carbon dioxide in the air and convert it to carbonic acid. There is a 30-percent increase in acidity that is affecting our shellfish reproduction. Worry about that—that shellfish are having a hard time reproducing.

So this isn't an urban issue versus a rural issue. This is not a red issue versus a blue issue. This is the economy, the pillars of America, in farming, fishing, and forests being profoundly affected.

So let's work together to take this on. Yes, improve our forest management. We have altered the forests dramatically with our replantings that grow up at the same height and are too close together, but we can make those same second-growth forests far more resilient, jobs, and saw logs at the same time.

Let's work together to improve the health of the forest, especially around our urban areas, our small towns.

To my colleagues who say this is a moment when we are seeing not just the fires, we are seeing other impacts around the Nation; we are seeing the intense storms in the Midwest; and we are seeing the tropical storms and hurricanes hitting the gulf and never-before-seen storm surges on the East Coast—so we are all in this together. Let's work together to assist the families so powerfully affected. Let's work together to rebuild the communities. Let's work together to fund forest management in a way it has to be funded as a counterpart to the strategy of forest replanting that we have undertaken.

Let's work together to take on the warming planet because it affects everything and not just in Oregon and not just in the United States but across our planet. It is our responsibility. Let's get it done.

Thank you.

ADJOURNMENT UNTIL 9:45 A.M.  
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:45 a.m. tomorrow.

Thereupon, the Senate, at 7:56 p.m., adjourned until Thursday, September 17, 2020, at 9:45 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

FEDERAL ELECTION COMMISSION

ALLEN DICKERSON, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FEDERAL ELECTION COMMISSION FOR A TERM EXPIRING APRIL 30, 2025, VICE CAROLINE C. HUNTER, RESIGNED.

EXECUTIVE OFFICE OF THE PRESIDENT

MICHAEL RIGAS, OF MASSACHUSETTS, TO BE DEPUTY DIRECTOR FOR MANAGEMENT, OFFICE OF MANAGEMENT AND BUDGET, VICE MARGARET WEICHERT, RESIGNED.

FEDERAL COMMUNICATIONS COMMISSION

NATHAN A. SIMINGTON, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 2019, VICE MICHAEL P. O'RIELLY, TERM EXPIRED.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. MARK C. SCHWARTZ

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

*To be colonel*

JONATHAN P. KOERNIG

CONFIRMATIONS

Executive nominations confirmed by the Senate September 16, 2020:

THE JUDICIARY

TODD WALLACE ROBINSON, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA.

DAVID W. DUGAN, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF ILLINOIS.

STEPHEN P. MCGLYNN, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF ILLINOIS.