

AMENDING THE NUTRIA ERADICATION AND CONTROL ACT OF 2003 TO INCLUDE CALIFORNIA IN THE PROGRAM

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of S. 4403 and the Senate proceed to its immediate consideration.

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

The senior assistant legislative clerk read as follows:

A bill (S. 4403) to amend the Nutria Eradication and Control Act of 2003 to include California in the program, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. KENNEDY. Mr. President, though my bill, S. 4403, a bill to amend the Nutria Eradication and Control Act of 2003 to include California in the program, amends P.L. 108-16, which calls specifically for the Secretary to “require that the program consist of management, research, and public education activities carried out in accordance with the document published by the United States Fish and Wildlife Service entitled ‘Eradication Strategies for Nutria in the Chesapeake and Delaware Bay Watersheds’ dated March 2002” and to “give consideration to the 2002 report from the Louisiana Department of Wildlife and Fisheries titled ‘Nutria in Louisiana,’” the Secretary and State participants should also consider data that has been established since 2002, in developing strategies for the eradication of Nutria.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the bill be considered read a third time.

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

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

Mr. PORTMAN. I know of no further debate on this bill.

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

The bill (S. 4403) was passed, as follows:

S. 4403

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NUTRIA ERADICATION.

The Nutria Eradication and Control Act of 2003 (Public Law 108-16) is amended—

(1) in section 2—

(A) in subsection (a)—

(i) in paragraph (1), by striking “Wetlands and tidal marshes of the Chesapeake Bay and in Louisiana” and inserting “Wetlands, tidal marshes, and agricultural lands”;

(ii) in paragraph (2), by striking “in Maryland and Louisiana”;

(iii) by amending paragraph (3) to read as follows:

“(3) Traditional harvest methods to control or eradicate nutria have failed. Consequently, marsh loss, loss of public and pri-

vate wetlands, and loss of agricultural lands are accelerating.”; and

(B) in subsection (b), by striking “the State of Maryland and the State of Louisiana” and inserting “any State that has demonstrated the need”;

and

(2) in section 3—

(A) by amending subsection (a) to read as follows:

“(a) GRANT AUTHORITY.—The Secretary of the Interior (referred to in this Act as the ‘Secretary’), may provide financial assistance to a State, in an amount that is in proportion to the total impacted area of such State affected by nutria, that has demonstrated to the Secretary sufficient need for a program to implement measures to eradicate or control nutria and restore marshland, public and private wetlands, and agricultural lands damaged by nutria.”;

(B) by striking subsection (b);

(C) in subsection (d)—

(i) in paragraph (1), by striking “the program may” and inserting “a State program referred to in subsection (a) may”;

(ii) in paragraph (2), by striking “the program may” and inserting “a State program referred to in subsection (a) may”;

(D) in subsection (e), by inserting “to a State” after “provided”;

(E) in subsection (f), by striking “\$4,000,000” and all that follows and inserting “\$12,000,000 for each of fiscal years 2021 through 2025.”; and

(F) by redesignating subsections (c) through (f) as subsections (b) through (e).

Passed the Senate September 30 (legislative day, September 29), 2020.

Mr. PORTMAN. Mr. President, 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.

EXTENSION OF THE CARIBBEAN BASIN ECONOMIC RECOVERY ACT

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Committee on Finance be discharged from further consideration of H.R. 991 and the Senate proceed to its immediate consideration.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 991) to extend certain provisions of the Caribbean Basin Economic Recovery Act until September 30, 2030, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 991) was ordered to a third reading, was read the third time, and passed.

PROTECTING BUSINESS OPPORTUNITIES FOR VETERANS ACT OF 2019

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Com-

mittee on Veterans’ Affairs be discharged from further consideration of H.R. 561 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 561) to amend title 38, United States Code, to improve the oversight of contracts awarded by the Secretary of Veterans Affairs to small business concerns owned and controlled by veterans, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. CARDIN. Mr. President, I wish to enter into a colloquy with Senators MORAN and TESTER, the chairman and ranking member of the Senate Committee on Veterans’ Affairs, to discuss H.R. 561, the Protecting Business Opportunities for Veterans Act.

H.R. 561 is important legislation that seeks to prevent large companies from using a veteran-owned small business as a front to win a small business set-aside or sole-source contract that the small business contractor is incapable of performing. To prevent this, H.R. 561 places certain subcontracting limitations on the Department of Veterans’ Affairs Vet’s First contracting program. For the agency’s small business set-asides for veteran-owned and service-disabled veteran-owned small businesses, the small business prime would need to certify that it will perform 50 percent more of the work. This limitation on subcontracting can only be circumvented if the small business prime subcontracts to a “similarly situated” business.

However, as ranking member of the Senate Small Business and Entrepreneurship Committee, I have two concerns with this legislation.

The first concern is that all the penalties for violating the limitations on subcontracting fall on the small business prime contractor and does not provide the agency with the flexibility to impose penalties on the subcontractor that is using the small business as a front to win the contract. This is inconsistent with similar Small Business Administration regulations governing other small business set-asides that provide the necessary flexibility to penalize the appropriate party.

The second concern is that the bill requires the Department of Veterans’ Affairs to monitor compliance by using a reporting system that is not used by small business prime contractors because small businesses are exempt from the requirement to provide a small business subcontracting plan. The current system does not have the capability to record compliance on limitations of subcontracting and a system has not been established by the Small Business Administration. Simply put, there is no system in place for small businesses to report into and needs to be created.