and setting forth the appropriate budgetary levels for fiscal years 2022 through 2030.

AMENDMENT NO. 475
At the request of Mr. INHOFE, the names of the Senator from North Dakota (Mr. CRAMER) and the Senator from North Dakota (Mr. HIRFEY) were added as cosponsors of amendment No. 475 intended to be proposed to S. Con. Res. 5, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2021 and setting forth the appropriate budgetary levels for fiscal years 2022 through 2030.

AMENDMENT NO. 514
At the request of Mr. INHOFE, the names of the Senator from Kansas (Mr. MARSHALL), the Senator from North Dakota (Mr. CRAMER), the Senator from Iowa (Ms. ERNST), the Senator from North Carolina (Mr. TILLIS), the Senator from Florida (Mr. RUBIO), the Senator from Kansas (Mr. MORAN), the Senator from Oklahoma (Mr. LANKFORD), the Senator from Louisiana (Mr. SASSONY) and the Senator from Missouri (Mr. HAWLEY) were added as cosponsors of amendment No. 514 intended to be proposed to S. Con. Res. 5, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2021 and setting forth the appropriate budgetary levels for fiscal years 2022 through 2030.

AMENDMENT NO. 452
At the request of Mr. JOHNSON, the name of the Senator from Tennessee (Mr. HAGERTY) was added as a cosponsor of amendment No. 452 proposed to S. Con. Res. 5, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2021 and setting forth the appropriate budgetary levels for fiscal years 2022 through 2030.

AMENDMENT NO. 566
At the request of Ms. COLLINS, the names of the Senator from Kansas (Mr. MORAN), the Senator from West Virginia (Mrs. CAPITO), the Senator from Ohio (Mr. PORTMAN), the Senator from Maine (Mr. KING), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from West Virginia (Mr. MANCHIN) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of amendment No. 566 proposed to S. Con. Res. 5, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2021 and setting forth the appropriate budgetary levels for fiscal years 2022 through 2030.

AMENDMENT NO. 549
At the request of Mr. JOHNSON, the names of the Senator from Tennessee (Mr. HAGERTY) were added as a cosponsor of amendment No. 549 proposed to S. Con. Res. 5, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2021 and setting forth the appropriate budgetary levels for fiscal years 2022 through 2030.

AMENDMENT NO. 786
At the request of Mr. INHOFE, the names of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of amendment No. 786 proposed to S. Con. Res. 5, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2021 and setting forth the appropriate budgetary levels for fiscal years 2022 through 2030.

AMENDMENT NO. 852
At the request of Mrs. BLACKBURN, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from Indiana (Mr. YOUNG) were added as cosponsors of amendment No. 852 intended to be proposed to S. Con. Res. 5, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2021 and setting forth the appropriate budgetary level for fiscal years 2022 through 2030.

AMENDMENT NO. 878
At the request of Mr. LUJAN, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of amendment No. 878 intended to be proposed to S. Con. Res. 5, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2021 and setting forth the appropriate budgetary levels for fiscal years 2022 through 2030.

ADDITIONAL COSPONNSORS ON FEBRUARY 5, 2021
S. 63
At the request of Mr. CARDIN, the names of the Senator from Delaware (Mr. COONS) were added as a cosponsor of S. 63, a bill to establish an Office of Emerging Markets within the Small Business Administration that will strengthen the development of small business concerns in emerging markets, including those owned by women, minorities, veterans, and those located in rural areas, and for other purposes.

S. 64
At the request of Mr. CARDIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 64, a bill to amend the Small Business Act to spur entrepreneurial ecosystems in underserved communities.

S. 225
At the request of Ms. KLOBUCHAR, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Hawaii (Ms. HIRONO) were added as cosponsors of S. 225, a bill to reform the antitrust laws to better protect competition in the American economy, to amend the Clayton Act to modify the standard for an unlawful acquisition, to deter anticompetitive exclusionary conduct that harms competition and consumers, to enhance the ability of the Department of Justice and the Federal Trade Commission to enforce the antitrust laws, and for other purposes.

S. 218
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SECTION 1. APPROVAL OF ADVANCED BIOFUEL REGISTRATIONS.
(a) DEFINITIONS.—In this section:
(1) APPLICATION.—The term “application” means an application for registration under section 80.1450 of title 49, Code of Federal Regulations (as in effect on February 4, 2021)—
(A) that was submitted for approval before February 4, 2021; and
(B) for which not less than 180 days have elapsed since the date on which application was submitted for approval; and
(C) that has not been denied by the Administrator of the Environmental Protection Agency (referred to in this Act as the “Administrator”) before February 4, 2021.
(2) TRANSPORTATION FUEL.—The term “transportation fuel” has the meaning given the term in section 211(o)(1) of the Clean Air Act (42 U.S.C. 7545(o)(1)).
(b) ACTION ON APPLICATIONS.—
(1) IN GENERAL.—For the purposes of carrying out the Renewable Fuel Program under section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)) (referred to in this Act as the “Renewable Fuel Program”), an application shall be considered approved if not less than 1 State has approved the sale of fuel produced using the processes described in the application under a program designed to reduce the carbon intensity of transportation fuel.
(2) FINAL ACTION ON CERTAIN APPLICATIONS.—For the purposes of carrying out the Renewable Fuel Program, in a case in which no State has approved the sale of fuel produced using the processes described in the application under a program designed to reduce the carbon intensity of transportation fuel, not later than 90 days after the date of enactment of this Act, the Administrator shall take final action on the application.

SEC. 2. REQUIREMENT FOR ACTION ON PENDING ADVANCED BIOFUEL PATHWAYS.
For purposes of carrying out the Renewa- able Fuel Program, not later than 180 days after the date of enactment of this Act, the Administrator shall take final action on a petition for a renewable fuel pathway under section 80.1416 of title 49, Code of Federal Regulations (as in effect on February 4, 2021), if—
(1) the petition was submitted for approval and deemed complete in accordance with section 80.1416 of title 49, Code of Federal Regulations (as in effect on February 4, 2021, before February 4, 2021; and
(2) not less than 180 days have elapsed since the date on which the petition was submitted for approval and deemed complete in accordance with section 80.1416 of title 49, Code of Federal Regulations (as in effect on February 4, 2021).
SEC. 3. FUNDING.

(a) IN GENERAL.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to carry out this Act $2,000,000, to remain available until expended.

(b) ACCEPTANCE.—The Administrator shall be entitled to receive, shall accept, and shall use to carry out this Act the funds transferred under subsection (a), without further appropriation.

By Mr. REED:

S. 242. A bill to provide for an extension of temporary financing of short-time compensation programs; to the Committee on Finance.

Mr. REED. Mr. President, today I am introducing the Layoff Prevention Act. This bill would extend the financing and grant provisions for work sharing that I authored and worked to include in the Middle Class Tax Relief and Job Creation Act of 2012, and, most recently, the Coronavirus Aid, Relief, and Economic Security Act.

The concept of work sharing is simple. It allows employers to keep their workers employed—but in danger of being laid off—to keep their jobs. By giving struggling companies the flexibility to reduce hours instead of their workforce, work sharing programs prevent layoffs and help employers save money on rehiring costs. Employees who participate in work sharing keep their jobs and receive a portion of Unemployment Insurance benefits to make up for lost wages. This prevents layoffs, saves employers rehiring costs, and costs states only what it would if workers went on unemployment full-time.

Financing for work sharing programs was included in the CARES Act and extended through March 14, 2021 in the most recent COVID–19 relief legislation enacted in December. The legislation I am introducing today would build upon what is currently in law, by enacting a five-year extension of financing for permanent work sharing programs, and a two-year extension for temporary programs. This revised Layoff Prevention Act will also double funding to support states that are implementing work sharing programs, from $100 million, as provided in the CARES Act, to $200 million.

I urge my colleagues to join me in supporting passage of this bill—which will continue to spur our recovery from the pandemic—by keeping American workers on the job, saving taxpayers money, and helping people who are currently employed.

By Mr. REED:

S. 253. A bill to expand research on the cannabidiol and marijuana; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the Cannabidiol and Marijuana Research Expansion Act with my colleagues. This bill is identical to our bill which was unanimously passed by the Senate during the last session of Congress.

While anecdotal evidence suggests that marijuana and its derivatives, like cannabidiol, commonly known as CBD, may be helpful in treating serious medical conditions, and cannot be the basis for developing new medications. Rather, medication development must be based on science.

That is why our bill seeks to streamline the process associated with researching marijuana that may have un-intentionally statutory purposes.

By Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, Mr. SCHATZ, Mr. DURBIN, Ms. KLOBUCAR, Mr. TILLS, Mr. KAIN, Ms. ERNST, Mr. TESTER, and Ms. MURKOWSKI):

S. 253. A bill to expand research on the cannabidiol and marijuana; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, Mr. SCHATZ, Mr. DURBIN, Ms. KLOBUCAR, Mr. TILLS, Mr. KAIN, Ms. ERNST, Mr. TESTER, and Ms. MURKOWSKI):

SEC. 1. DEFINITIONS.

As used in this Act:

(1) the term "cannabidiol" means the cannabinoid commonly known as CBD, and its derivatives, isomers, homologues, and salts;

(2) "cannabis" means all derivatives of the Cannabis sativa plant, including, but not limited to, marihuana and its derivatives; and

(3) "Marijuana" includes cannabis and all derivatives of cannabis, and the preparation of any cannabis or derivative thereof for human use or administration to any human being.

SEC. 2. RESEARCH EXPANSION.

(a) AUTHORIZATION OF EXPANSION.—The Secretary of Health and Human Services shall, from amounts appropriated to carry out this Act, and in addition to amounts appropriated to carry out the Controlled Substances Act, make available to the National Institutes of Health for research purposes:

(1) $20 million to carry out the public health research, training, and education that is necessary to conduct research on the effects of cannabis and cannabinoids and the development of treatments for medical conditions (including those that may arise from exposure to cannabis), and the regulation of use of cannabis and cannabinoids on a science-based evidence-driven basis.

(b) FEDERAL REGULATIONS.—The Secretary of Health and Human Services, in coordination with the Office of Management and Budget, shall ensure that any rules or regulations issued in the future affecting research on cannabinoids and its derivatives do not restrict research on cannabinoids with the intent to provide treatments for medical conditions.

(c) RESEARCH PARTNERS.—The Secretary of Health and Human Services shall utilize partnerships with private entities, academic institutions, and state and local governments to further research on cannabis and its derivatives.

(d) STATE AND LOCAL AUTHORITIES.—In the event that a state or local government is involved in research on cannabis and its derivatives, the Secretary of Health and Human Services shall consult with the appropriate state and local authorities to ensure that the research is conducted in accordance with state and local laws.

SEC. 3. FUNDING.

(a) IN GENERAL.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to carry out this Act $2,000,000, to remain available until expended.

(b) ACCEPTANCE.—The Administrator shall be entitled to receive, shall accept, and shall use to carry out this Act the funds transferred under subsection (a), without further appropriation.

By Mr. REED:

S. 252. A bill to amend the VI of the Social Security Act to provide additional funding for States, Tribal governments, and local communities due to the Coronavirus Disease 2019 (COVID–19) public health emergency, and for other purposes; to the Committee on Finance.

Mr. REED. Mr. President, in order to build on a key provision I authored in the CARES Act, which provided states with $150 billion in Coronavirus Relief Funds, I am reintroducing the State and Local Emergency Stabilization Fund Act to help state and local governments shoulder the costs of the coronavirus and its devastating impact on lives, livelihoods, and the economy. The State and Local Emergency Stabilization Fund Act has three critical components: authorizing new funding, assuring flexibility in spending the funds, and extending the time period for which the funding can be spent.

Specifically, the bill would provide State and local governments an additional $600 billion in funding, includes a protective $5 billion small state minimum, treats the District of Columbia and the Commonwealth of Puerto Rico as States, and reserves funds for territories and Tribes. In addition, $59 billion would be allocated to States based on their relative coronavirus infection rates, and $285 billion would be reserved for local governments. The bill makes it crystal clear that Coronavirus Relief Funds are flexible and may be used to maintain state and local services. And it gives State and local governments until June 30, 2021 to spend the money in order to ensure funding can be equitably allocated and disbursed to help communities combat COVID-19 and recover.

According to a November 29, 2020 Wall Street Journal article, “State and local government spending on public services fell at a seasonally adjusted annual rate of 3.7% in the third quarter from the second, according to the Commerce Department. That followed a 6% decline in the second quarter, the sharpest since 1952. By October, the sector had roughly 1.2 million fewer jobs than a year earlier. It could take four to eight years for the national economy to recover from the pandemic, estimates Dan White, director of fiscal-policy research at Moody’s Analytics. State and local governments could take up to 10 or 15 years, he said.”

Mr. President, we should all let that sink in. “State and local government could take up to 10 or 15 years” to recover from the pandemic. The scale and pace of this public health emergency and its impact on our economy requires each of us to swiftly set aside party lines to give our states and local governments an additional $600 billion in funding, includes a protective $5 billion small state minimum, treats the District of Columbia and the Commonwealth of Puerto Rico as States, and reserves funds for territories and Tribes. In addition, $59 billion would be allocated to States based on their relative coronavirus infection rates, and $285 billion would be reserved for local governments. The bill makes it crystal clear that Coronavirus Relief Funds are flexible and may be used to maintain state and local services. And it gives State and local governments until June 30, 2021 to spend the money in order to ensure funding can be equitably allocated and disbursed to help communities combat COVID-19 and recover.

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By Mr. REED (for himself, Mr. BROWN, Mr. LEAHY, Mr. MENENDEZ, Ms. WARNER, Mr. VAN HOLLEN, Ms. CORTEZ MASTO, Ms. SINDEMA, Mrs. MURRAY, Mr. WYDEN, Mr. DURBIN, Mr. CARPER, Mr. SANDERS, Mr. CASEY, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. MERRICK, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. KAIN, Ms. DUCKWORTH, Mr. CARSON, Mr. HERRERA, Mr. Tester, Mr. OSGOOD, Ms. SMITH, Mrs. SHAHEEN, Ms. HIRONO, Mr. SCHATZ, and Mr. WARNER):

S. 263 A bill to preserve health benefits for workers; to the Committee on Finance.

Mr. REED. Mr. President, along with Senators Brown, Leahy and many of my colleagues, I am reintroducing legislation that would create a $75 billion Homeowner Assistance Fund that builds on the success of the Hardest Hit Fund at the Department that I championed in 2010.

The Hardest Hit Fund provided funds to 18 state-level Housing Finance Agencies, directing targeted foreclosure prevention assistance to households and neighborhoods in states like Rhode Island hit hard by the economic and housing market downturn. The Homeowner Assistance Fund expands this model to provide a flexible source of Federal aid to all State-level Housing Finance Agencies. This Federal funding could then be used to help struggling households remain in their homes while they search for new employment or wait to get back to work. Financial assistance could go towards rental payments, mortgage payments, delinquency, default, foreclosures, or loss of utility services, such as water, gas, electricity, and the Internet as well as paying property taxes.

One of the key lessons COVID-19 has taught us is how many families, their homes may be the single most effective and accessible form of personal protective equipment. The last thing we should be doing is making housing less stable at the worst possible time. According to the 2021 National Bureau of Economic Research working paper, “policies that limit evictions are found to reduce COVID-19 infections by 3.8% and reduce deaths by 11%. Moratoria on utility disconnections reduce COVID-19 infections by 4.4% and mortality rates by 7.4%. Had such policies been in place across all counties (i.e., adopted as Federal policy) from early March 2020 through the end of November 2020, our estimated counterfactuals show that policies that limited evictions have reduced COVID-19 infections by 14.2% and deaths by 40.7%. For moratoria on utility disconnections, COVID-19 infections rates could have been reduced by 8.7% and deaths by 14.7%.” In short, keeping families housed saves lives, which is precisely the goal of our Homeowner Assistance Fund legislation.

I thank the Independent Community Bankers of America; Credit Union National Association; National Association of REALTORS; National Low Income Housing Coalition; National Council of State Housing Agencies; Habitat for Humanity International; National Housing Conference; National Community Reinvestment Coalition; National Association of Affordable Housing Lenders; National Leased Housing Association; Americans for Financial Reform; National Consumer Law Center; on behalf of its low-income clients; Fund for Responsible Lending; American Public Gas Association; National Rural Electric Cooperative Association; National Energy Assistance Directors’ Association; Council of State Community Development Agencies, Rhode Island Housing; and the Rhode Island Association of REALTORS.

I urge all of my colleagues to join in pressing for inclusion of the Homeowner Assistance Fund in our continued response to the coronavirus pandemic.

By Mr. DURBIN (for himself, Ms. CORTEZ MASTO, Mrs. SHAHEEN, Mr. MERKLEY, Mr. BENNET, Ms. DUCKWORTH, Ms. SANCHEZ, Mr. MENENDEZ, Mr. REED, Mr. BROWN, Ms. ROSEN, Ms. SMITH, and Ms. KLOBUCHAR):

S. 263. A bill to preserve health benefits for workers; to the Committee on Finance.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

SEC. 1. SHORT TITLE. This Act may be cited as the “Worker Health Coverage Protection Act”.

SEC. 2. PRESERVING HEALTH BENEFITS FOR WORKERS.

(a) PREMIUM ASSISTANCE FOR COBRA CONTINUATION COVERAGE AND FURLOUGHED CONTINUATION COVERAGE FOR INDIVIDUALS AND THEIR FAMILIES.

(1) PROVISION OF PREMIUM ASSISTANCE.—

(A) REDUCTION OF PREMIUMS PAYABLE.—

(i) COBRA CONTINUATION COVERAGE.—In the case of any premium for a period of coverage during the period beginning on March 1, 2020, and ending on September 30, 2021 for COBRA continuation coverage with respect to any assistance eligible individual described in paragraph (3)(B), such individual shall be treated for purposes of any COBRA continuation provision as having paid the amount of such premium if such individual (and any person other than such individual’s employer pays on behalf of such individual) 0 percent of the amount of such premium owed by such individual (as determined without regard to this subsection).

(ii) FURLOUGHED CONTINUATION COVERAGE.—In the case of any premium for a period of coverage during the period beginning on March 1, 2020, and ending on September 30, 2021, for coverage under a group health plan with respect to any assistance eligible individual described in paragraph (3)(B), such individual shall be treated for purposes of coverage under the plan offered by the plan sponsor in which the individual is enrolled as having paid such premium if such individual pays (and any person other than such individual’s employer pays on behalf of such individual) 0 percent of the amount of such premium owed by such individual (as determined without regard to this subsection).

(b) PLAN ENROLLMENT OPTION

(1) IN GENERAL.—Notwithstanding the COBRA continuation provisions, any assistance eligible individual who is enrolled in a group health plan offered by a plan sponsor, not later than 90 days after notice of the plan enrollment option described in this subparagraph, may elect to enroll in coverage under a plan offered by such plan sponsor that is different from the plan in which such individual was enrolled at the time—
(I) in the case of any assistance eligible individual described in paragraph (3)(A), the qualifying event specified in section 603(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1165(a)), section 4980B(f)(3)(B) of the Internal Revenue Code of 1986, section 2203(2) of the Public Health Service Act (42 U.S.C. 300bb-3(2)), or section 8905a of the Employee Retirement Income Security Act (29 U.S.C. 1165(a)), section 1163(2), section 4980B(f)(3)(B) of the Internal Revenue Code of 1986, section 2203(2) of the Public Health Service Act (42 U.S.C. 300bb-3(2)), or section 8905a of title 5, United States Code, except for the voluntary termination of such individual's employment by such individual, occurred, and such coverage shall be treated as COBRA continuation coverage for purposes of the applicable COBRA continuation coverage provision; or

(ii) in the case of any assistance eligible individual described in paragraph (3)(B), the furlough period began with respect to such individual.

(ii) REQUIREMENTS.—Any assistance eligible individual may elect to enroll in different coverage as described in clause (i) only if—

(I) the employer involved has made a determination that such employer will permit such assistance eligible individual to enroll in different coverage as provided under this subparagraph;

(ii) the premium for such different coverage must exceed the premium for coverage in which such individual was enrolled at the time such qualifying event occurred or immediately before such furlough began;

(iii) the coverage in which the individual elects to enroll is coverage that is also offered to the active employees of the employer, which are not in a furlough period, at the time at which such election is made; and

(iv) the different coverage in which the individual elects to enroll is not—

(1) a coverage that provides only dental, vision, counseling, or referral services (or a combination of such services);

(2) benefits that provide coverage for services furnished in an on-site medical facility maintained by the employer and that consists primarily of first-aid services, prevention and wellness care, or similar care (or a combination of such services);

(3) premium reimbursement arrangement (as defined in section 9831(d)(2) of the Internal Revenue Code of 1986); or

(cc) a flexible spending arrangement (as defined in section 106(c)(2) of the Internal Revenue Code of 1986); or

(dd) benefits that provide coverage for services furnished in an on-site medical facility maintained by the employer and that consists primarily of first-aid services, prevention and wellness care, or similar care (or a combination of such services).

(C) PREMIUM REIMBURSEMENT.—For provisions providing the payment of such premium, see section 9432 of the Internal Revenue Code of 1986, as added by paragraph (14).

(2) LIMITATION OF PERIOD OF PREMIUM ASSISTANCE.—

(A) ELIGIBILITY FOR ADDITIONAL COVERAGE.—Paragraph (1)(A) shall not apply with respect to—

(i) any assistance eligible individual described in paragraph (3)(A) for months of coverage beginning on or after the earlier of—

(I) the date following the expiration of the maximum period of continuation coverage required under the applicable COBRA continuation coverage provision; or

(ii) the earlier of—

(aa) the date following the expiration of the period of continuation coverage allowed under paragraph (4)(B)(ii); or

(bb) any assistance eligible individual described in paragraph (3)(B) for months of coverage beginning on or after the earlier of—

(I) the first date that such individual is eligible for coverage under any other group health plan other than coverage consisting of only dental, vision, counseling, or referral services (or a combination thereof), coverage under a flexible spending arrangement (as defined in section 1163(2) of the Internal Revenue Code of 1986), coverage of treatment that is furnished in an on-site medical facility maintained by the employer and that consists primarily of first-aid services, prevention and wellness care, or similar care (or a combination thereof), or eligible for benefits under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.); or

(ii) the first date that such individual is no longer in the furlough period.

(B) NOTIFICATION REQUIREMENT.—Any assistance eligible individual shall notify the group health plan with respect to which paragraph (1)(A) applies if such paragraph ceases to apply by reason of clause (I) or (II) of paragraph (1) of such section (as applicable).

Such notice shall be provided to the group health plan in such time and manner as may be specified by such Secretary.

(C) SPECIAL ENROLLMENT PERIOD FOLLOWING EXPIRATION OF PREMIUM ASSISTANCE.—Notwithstanding section 1311 of the Patient Protection and Affordable Care Act (42 U.S.C. 18031), the expiration of premium assistance pursuant to a limitation specified under subparagraph (A) shall be treated as a qualifying event for which any assistance eligible individual is eligible to enroll in a qualified health plan offered through an Exchange under title I of such Act (42 U.S.C. 18001 et seq.) during a special enrolment period.

(3) ASSISTANCE ELIGIBLE INDIVIDUAL.—For purposes of this section, the term ‘assistance eligible individual’ means, with respect to an assistance eligible individual who is a qualified beneficiary, the individual described in paragraph (3)(A) if such individual requests treatment as an assistance eligible individual described in subparagraph (A) or (B) of paragraph (3) and is denied such treatment by the Exchange to which the Exchange was referred under section 18031(e)(2), in consultation with the Secretary of the Treasury, shall provide for expedited review of such denial. An individual described in paragraph (3) shall be entitled to such review upon application to such Secretary in such form and manner as shall be provided by such Secretary, in consultation with the Secretary of the Treasury, with respect to such determination regarding such individual’s eligibility within 15 business days after receipt of such individual’s application for review under this paragraph. Either Secretary’s determination upon review of the denial shall be de novo and shall be the final determination of such Secretary. A reviewing court shall grant deference to such Secretary’s determination. The provisions of this paragraph, paragraphs (1) through (4), and paragraphs (7) through (9) shall be treated as provisions of title I of the Affordable Care Act (42 U.S.C. 1395 et seq.) for purposes of title II of such Act.
provided under any Federal program or any program of a State or political subdivision thereof financed in whole or in part with Federal funds.

(7) COBRA SPECIFIC NOTICE.—

(A) GENERAL NOTICE.—

(i) IN GENERAL.—In the case of notices provided under section 606(a)(4) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1166(a)(4)), section 4980B(b)(6)(D) of the Internal Revenue Code of 1986, section 2206(d) of the Public Health Service Act (42 U.S.C. 300bb-6(d)), or section 8905a(f)(2)(A) of title 5, United States Code, with respect to individuals who, during the period described in paragraph (3), become entitled to elect COBRA continuation coverage, the requirements of such notice shall not be treated as met unless such notice includes an additional notification to the recipient a written notice in clear and understandable language of—

(I) the availability of premium assistance with respect to such coverage under this subsection; and (II) the option to enroll in different coverage if the employer permits assistance eligible individuals described in paragraph (3)(A) to elect enrollment in different coverage under paragraph (1)(B).

(ii) ALTERNATIVE NOTICE.—In the case of COBRA continuation coverage to which the notice provision under such subparagraph (A) does not apply, the Secretary of Labor, in consultation with the Secretary of the Treasury and the Secretary of Health and Human Services, shall, in consultation with administrators of the group health plans (or other entities) that provide or administer the COBRA continuation coverage involved, provide rules requiring such notice.

(B) SPECIFIC REQUIREMENTS.—Each additional notification under subparagraph (A) shall include—

(i) the forms necessary for establishing eligibility for premium assistance under this subsection;

(ii) the name, address, and telephone number necessary to contact the plan administrator and any other person maintaining relevant information in connection with such premium assistance;

(iii) a description of the extended election period provided for in paragraph (4)(A);

(iv) a description of the obligation of the qualified beneficiary under paragraph (2)(B) and the penalty provided under section 6702C of the Internal Revenue Code of 1986 for failure to carry out the obligation;

(v) a description, displayed in a prominent manner, of the qualified beneficiary’s right to a reduced premium and any conditions on entitlement to the reduced premium;

(vi) the option of the qualified beneficiary to enroll in different coverage if the employer permits such beneficiary to elect to enroll in such different coverage under paragraph (1)(B); and

(vii) information regarding any Exchange established under title I of the Patient Protection and Affordable Care Act (42 U.S.C. 18001 et seq.) through which a qualified beneficiary may be eligible to enroll in a qualified health plan, including—

(I) the publicly accessible internet website address for the Find Local Help directory maintained by the Department of Health and Human Services; (II) the publicly accessible internet website address for the Exchange; (III) a clear explanation that—

(aa) an individual who is eligible for continuation coverage may also be eligible to enroll, with financial assistance, in a qualified health plan offered through such Exchange; if the individual elects to enroll in such continuation coverage and subsequently elects to terminate such continuation coverage before the period of such continuation coverage expires, such termination does not initiate a special enrollment period (absent a qualifying event specified in section 603(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1166(2)), section 4980B(b)(3)(B) of the Internal Revenue Code of 1986, section 2203(d) of the Public Health Service Act (42 U.S.C. 300bb-3(d)), or section 8905a of title 5, United States Code, with respect to such individual); and

(bb) an individual who elects to enroll in continuation coverage will remain eligible to enroll in a qualified health plan offered through such Exchange during an open enrollment period and may be eligible for financial assistance with respect to enrolling in such a qualified health plan;

(iv) information on consumer protections with respect to enrolling in a qualified health plan offered through such Exchange, including a disclosure of the maximum out-of-pocket cost that is applicable to such a qualified health plan to provide coverage for essential health benefits (as defined in section 1902(2) of title 42 (42 U.S.C. 1395t(r)); and the requirements applicable to the provision of such a qualified health plan under part A of title XXVII of the Public Health Service Act (42 U.S.C. 300gg et seq.);

(V) information on the availability of financial assistance with respect to enrolling in a qualified health plan, including the maximum income limit for eligibility for the maximum premium credit under section 36B of the Internal Revenue Code of 1986; and

(VI) information on any special enrollment periods during which an assistance eligible individual described in paragraph (3)(A)(i) may be eligible to enroll, with financial assistance, in a qualified health plan offered through such Exchange (including a special enrollment period for which an individual may be eligible due to the expiration of premium assistance pursuant to a limitation specified under subparagraph (A));

(C) MODEL NOTICES.—Not later than 30 days after the date of enactment of this Act, the Secretary of Labor, in consultation with the Secretary of the Treasury and the Secretary of Health and Human Services, shall prescribe models for the notification required under this paragraph (other than the notification described in clause (ii)); and

(D) NOTICE IN CONNECTION WITH EXTENDED ELECTION PERIODS.—In the case of any assistance eligible individual described in paragraph (1)(A) who became entitled to elect COBRA continuation coverage before the date of the enactment of this Act and ending on September 30, 2021, 30 days after the date of the enactment of this Act, the requirements under the applicable COBRA continuation provision.

(D) MODEL NOTICES.—Not later than 30 days after the date of enactment of this Act, with respect to any assistance eligible individual described in paragraph (3)(B)—

(i) the Secretary of Labor, in consultation with the Secretary of the Treasury and the Office of Personnel Management, shall prescribe models for the notification required under this paragraph (other than the notification described in clause (ii)); and

(ii) the Office of Personnel Management, in consultation with the Secretary of the Treasury and the Secretary of Health and Human Services, shall prescribe models for the notification required under this paragraph (other than the notification described in clause (ii)).

(E) NOTICE OF EXPIRATION OF PERIOD OF PREMIUM ASSISTANCE.—

(A) IN GENERAL.—With respect to any assistance eligible individual described in paragraph (3)(B) who, during the period described in such paragraph, becomes eligible for assistance under section (3)(A), the requirements of section 606(a)(4) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1166(a)(4)), section 4980B(b)(6)(D) of the Internal Revenue Code of 1986, section 2206(d) of the Public Health Service Act (42 U.S.C. 300bb-6(d)), or section 8905a(f)(2)(A) of title 5, United States Code, shall not be preserved as the employer of such individual and the plan administrator, in accordance with the timing requirement specified under subparagraph (B), provides to the individual a written notice in clear and understandable language of—

(i) the availability of premium assistance with respect to such coverage under this subsection;

(ii) the option of the qualified beneficiary to enroll in different coverage if the employer permits such beneficiary to elect to enroll in such different coverage under paragraph (1)(B); and

(iii) the information specified under paragraph (7)(B) (as applicable).

(B) TIMING SPECIFIED.—For purposes of subparagraph (A), the timing requirement specified in this subparagraph is—

(i) with respect to such an individual who is within a furlough period during the period beginning on the first day after the date of the enactment of this Act and ending on September 30, 2021, 30 days after the date of the enactment of this Act, 30 days after the date of the beginning of such furlough period;

(ii) with respect to any such individual who, beginning on the first day after the date of the enactment of this Act, is within a furlough period during the period beginning on the first day after the date of the enactment of this Act and ending on September 30, 2021, 30 days after the date of the beginning of such furlough period;

(C) MODEL NOTICES.—Not later than 30 days after the date of enactment of this Act, the Office of Personnel Management shall prescribe models for such notification.
such Act (42 U.S.C. 18001 et seq.) during a special enrollment period; and
(iv) the information specified in paragraph (7)(B)(vii).

(8) ELIGIBILITY.—The requirement for the group health plan administrator to provide the written notice under subparagraph (A) shall be waived in the case the premium assistance is for continuation coverage for individuals who elect continuation coverage in accordance with clause (1)(i) or (1)(ii) of paragraph (2)(A).

(9) PERIOD SPECIFIED.—For purposes of subparagraph (A), the period specified in this subparagraph shall be 21 days after the date of expiration of premium assistance for any assistance eligible individual pursuant to a limitation requiring a notice under this paragraph to be provided to such individual (including a notice under clause (ii) of section 303 of the Employee Retirement Income Security Act of 1974) that is 15 days before the date of such expiration and ending on the day that is 15 days before the date of such expiration.

(10) MODEL NOTICES.—Not later than 30 days after the date of enactment of this Act, with respect to any assistance eligible individual—
(i) the Secretary of Labor, in consultation with the Secretary of the Treasury and the Secretary of Health and Human Services, shall prescribe for the notification required under this paragraph (other than those in the case of notices in clause (ii) and (ii) in the case of any notification provided pursuant to subparagraph (A) under section 9065a of title 5, United States Code, the Office of Personnel Management shall prescribe a model for such notification.

(11) REGULATIONS.—The Secretary of the Treasury and the Secretary of Labor may jointly prescribe such regulations or other guidance as may be necessary or appropriate to carry out the provisions of this section that relate to the prevention of fraud and abuse under this section, except that the Secretary of the Treasury and the Secretary of Health and Human Services may prescribe such regulations (including interim final regulations) or other guidance as may be necessary or appropriate to carry out the provisions of paragraphs (5), (7), (8), and (9), and (11).

(12) OUTREACH.—
(A) IN GENERAL.—The Secretary of Labor, in consultation with the Secretary of the Treasury and the Secretary of Health and Human Services, shall provide outreach consisting of public education and enrollment assistance relating to premium assistance provided under this subsection. Such outreach shall target employers, group health plan administrators, public assistance programs, States, insurers, and other entities as determined by the Secretary of Labor.

(B) ENROLLMENT UNDER MEDICARE.—The Secretary of Health and Human Services shall provide outreach consisting of public education and enrollment assistance relating to premium assistance provided under this subsection. Such outreach shall target employers, group health plan administrators, public assistance programs, States, insurers, and other entities as determined by the Secretary of Health and Human Services.

(13) REPORTS.—
(A) INTERIM REPORT.—The Secretary of the Treasury and the Secretary of Labor shall jointly submit an interim report to the Committee on Education and Labor, the Committee on Ways and Means, and the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions and the Committee on Finance of the Senate Committee the Secretary of the Treasury and the Secretary of Labor shall jointly submit a final report to each Committee referred to in subparagraph (A) that includes—
(i) the number of individuals provided such assistance as of the date of the report; and
(ii) the average dollar amount (monthly and annually) of premium assistance provided under this subsection that is 45 days before the date of such expiration.

(14) COBRA PREMIUM ASSISTANCE.—
(A) IN GENERAL.—Subchapter B of chapter 65 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

SEC. 6432. CONTINUATION COVERAGE PREMIUM ASSISTANCE.

(a) IN GENERAL.—The person to whom premiums are payable for continuation coverage under section 2(a)(1) of the Worker Health Coverage Protection Act shall be allowed as a credit against the tax imposed by section 3111(a), or so much of the taxes imposed under section 3221(a) as are attributable to the rate in effect under section 3111(a), for each calendar quarter an amount equal to the premiums not paid by assistance eligible individuals for such coverage by reason of section 2(a)(1) with respect to such calendar quarter.

(b) PERSON TO WHOM PREMIUMS ARE PAYABLE.—For purposes of subsection (a), except as otherwise provided by the Secretary, the person to whom premiums are payable under such continuation coverage shall be treated as being—
(i) in the case of any group health plan which is a multiemployer plan (as defined in section 3(37) of the Employee Retirement Income Security Act of 1974), the employer maintaining the plan;
(ii) in the case of any group health plan which is a multiemployer plan (as defined in section 3(37) of the Employee Retirement Income Security Act of 1974), the employer maintaining the plan;
(iii) in the case of any group health plan which is a multiemployer plan (as defined in section 3(37) of the Employee Retirement Income Security Act of 1974), the employer maintaining the plan;
(iv) in the case of any group health plan which is a multiemployer plan (as defined in section 3(37) of the Employee Retirement Income Security Act of 1974), the employer maintaining the plan;
(v) in the case of any group health plan which is a multiemployer plan (as defined in section 3(37) of the Employee Retirement Income Security Act of 1974), the employer maintaining the plan.

(c) LIMITATIONS AND REFUNDABILITY.—
(1) CREDIT LIMIT TO CERTAIN EMPLOYMENT TAXES.—The credit allowed by subparagraph (a) with respect to any calendar quarter shall not exceed the tax imposed by section 3111(a), or so much of the taxes imposed under section 3221(a) as are attributable to the rate in effect under section 3111(a), for such calendar quarter (reduced by any credits allowed under subsections (e) and
(f) of section 3111, sections 7001 and 7003 of the Families First Coronavirus Response Act, section 2301 of the CARES Act, and sections 20204 and 20212 of the COVID–19 Tax Relief Act.

"(g) Regulations.—The Secretary shall issue such regulations or other guidance as may be necessary or appropriate to carry out this section."

"(1) the requirement to report information or the establishment of other methods for verifying the correct amounts of reimbursements under this section.

"(2) the application of this section to group health plans that are multipayer plans (as defined in section 3307(f) of the Employee Retirement Income Security Act of 1974).

"(3) to allow the advance payment of the credit determined with respect to such individual under subsection (a), subject to the limitations provided in this section, based on such information as the Secretary shall require.

("(4) to provide for the reconciliation of such advance payment with the amount of the tax at the time of filing the return of tax for the applicable quarter or taxable year, and

"(5) with respect to the application of the credit to third party payors (including professional employer organizations, certified professional employer organizations, or agents under section 349F).

"(B) Social Security Trust Funds Held Harmless.—There are hereby appropriated to the Federal Old-Age and Survivors Insurance Trust Fund, the Disability Insurance Trust Fund established under section 201 of the Social Security Act (42 U.S.C. 401) and the Social Security Equivalent Benefit Trust Fund established under section 3504 of the Railroad Retirement Act of 1974 (45 U.S.C. 231n-1(a)) amounts equal to the reduction in revenues to the Treasury by reason of this subsection (without regard to the preceding sentence) and any amounts appropriated by the preceding sentence shall be transferred from the general fund at such times and in such manner as to replicate to the extent possible the transfers which would have occurred to such Trust Fund or Account had this section not been enacted.

"(C) CLEANCHEMED.—The table of sections for chapter 65 of the Internal Revenue Code of 1986 is amended by adding at the end thereof the following new item:

"Sec. 6432. Continuation coverage premium assistance.

"(D) EFFECTIVE DATE.—The amendments made by this paragraph (A) shall be transferred from the amounts appropriated by the preceding sentence to the end of the following new item:

"Sec. 139I. Continuation coverage premium assistance.
with respect to the provision of notices described in paragraphs (7), (8), and (9).

(b) RULE OF CONSTRUCTION.—In all matters of interpretation, rules, and operational procedures, the provisions of this section shall be interpreted broadly for the benefit of workers and their families.

By Mr. DURBIN (for himself and Mr. GRAHAM):

S. 264. A bill to authorize the cancelation of removal and adjustment of status for certain individuals who are long-term United States residents and who entered the United States as children, and for other purposes; to the Committee on the Judiciary.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, SEC. 1. SHORT TITLE. This Act may be cited as the "Dream Act of 2021".

SEC. 2. DEFINITIONS. In this Act:

(1) In general.—Except as otherwise specifically provided, any term used in this Act that is used in the immigration laws shall have the meaning given such term in the immigration laws.

(2) DACA.—The term "DACA" means deferred action granted to an alien pursuant to the Deferred Action for Childhood Arrivals program announced by President Obama on June 15, 2012.

(3) Disability.—The term "disability" has the meaning specified in section 101 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102(1)).

(4) Early Childhood Education Program.—The term "early childhood education program" has the meaning given such term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

(5) Elementary School; High School; Secondary School.—The terms "elementary school", "high school", and "secondary school" have the meanings given such terms in section 101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(6) Immigration Laws.—The term "immigration laws" has the meaning given such term in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)).

(7) Institution of Higher Education.—The term "institution of higher education" means an elementary school, high school, or educational institution that—

(A) is generally available to the public;

(B) is authorized by State law to confer degrees or other educational awards; and

(C) meets such other academic standards as the Secretary of Education shall establish by regulation.

(8) Permanent Resident Status on a Conditional Basis for Certain Long-Term Residents Who Entered the United States as Children. (a) Conditional Basis for Status.—Notwithstanding section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)) for humanitarian purposes or family unity or if the waiver is otherwise in the public interest.

(b) Requirements.—The Secretary may waive the grounds of inadmissibility under paragraph (2), (6), (12), or (13) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)) for humanitarian purposes or family unity or if the waiver is otherwise in the public interest.

(c) Treatment of Expunged Convictions.—An expunged conviction shall not automatically be treated as an offense under paragraph (2), (6), (12), or (13) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)) for humanitarian purposes or family unity or if the waiver is otherwise in the public interest.

(9) Poverty Line. (a) Exceptions.—The term "unemployment" as the meaning given the term "unemployment services" in section 101(a) of title 10, United States Code.
basis under this section shall undergo a medical examination.

(B) POLICIES AND PROCEDURES.—The Secretary, with the concurrence of the Secretary of Defense, may prescribe policies and procedures for the nature and timing of the examination required under subparagraph (A).

(9) For a bachelor’s degree service.—An alien applying for permanent resident status on a conditional basis under this section shall establish that the alien has registered under the Military Selective Service Act (50 U.S.C. 3801 et seq.), if the alien is subject to registration under such Act.

(c) DETERMINATION OF CONTINUOUS PRESENCE.—

(1) TERMINATION OF CONTINUOUS PERIOD.—Any period of continuous physical presence in the United States by an alien that was authorized for permanent resident status on a conditional basis under this section shall not terminate when the alien is served a notice to appear under section 239(a) of the Immigration and Nationality Act (8 U.S.C. 1229(a)).

(2) TREATMENT OF CERTAIN BREAKS IN PRESENCE.—

(A) In General.—Except as provided in subparagraphs (B) and (C), an alien shall be considered to have failed to maintain continuous physical presence in the United States if the alien has departed from the United States for any period exceeding 90 days or for any periods, in the aggregate, exceeding 180 days.

(B) EXTENSIONS FOR EXTENUATING CIRCUMSTANCES.—The Secretary may extend the time periods described in subparagraph (A) for an alien who demonstrates that the failure to timely return to the United States was due to circumstances beyond the alien’s control, including the serious illness of the alien, or death or serious illness of a parent, grandparent, sibling, or child of the alien.

(C) TRAVEL AUTHORIZED BY THE SECRETARY.—Any period of travel outside of the United States by an alien that was authorized for permanent resident status on a conditional basis under this section shall not be considered to have terminated when the alien files an application under this section, the alien ceases to meet the requirements under subparagraph (B) or (C) of section 3(b), subject to subparagraphs (2) and (3) of that section; and

(d) LIMITATION ON REMOVAL OF CERTAIN ALIENS.—

(1) IN GENERAL.—The Secretary or the Attorney General may not remove an alien who—

(i) meets the requirements under subparagraph (A) or (C) of section 3(b); and

(ii) is enrolled in an elementary school, a secondary school, or an early childhood education program.

(B) COMMENCEMENT OF REMOVAL PROCEEDINGS.—The Secretary may not commence removal proceedings for an alien described in subparagraph (A).

(C) EMPLOYMENT.—An alien whose removal is stayed under subparagraph (A) or (B) who may not be placed in removal proceedings pursuant to subparagraph (B) shall, upon application to the Secretary, be granted an employment authorization document.

(D) LIFT OF STAY.—The Secretary or Attorney General may not lift the stay granted to an alien described in subparagraph (A) or (B) unless the alien ceases to meet the requirements under such subparagraph.

(e) EXEMPTION FROM NUMERICAL LIMITATIONS.—An alien who—

(i) has not been placed in removal proceedings; or

(ii) is in foster care or otherwise lacking the care or protective supervision necessary to meet the requirements under such subparagraph.

(f) NOTICE OF REQUIREMENTS.—At the time an alien obtains permanent resident status on a conditional basis, the Secretary shall provide notice to the alien regarding the provisions of this Act and the requirements to have the conditional basis of such status removed.

(g) DETERMINATION OF CONTINUOUS BASIS FOR PERMANENT RESIDENT STATUS.—The Secretary may terminate the permanent resident status of an alien if the alien—

(i) has failed to meet the requirements under such subparagraph.

(ii) is in foster care or otherwise lacking the care or protective supervision necessary to meet the requirements under such subparagraph.

(ii) is a child of the alien.

(h) LIMITATION ON REMOVAL OF CERTAIN ALIENS.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall remove the conditional status of an alien whose permanent resident status on a conditional basis expires under subsection (a)(1) or is terminated under subsection (c) or whose application for such status is denied and who has temporary protected status under section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a) immediately before receiving or applying for permanent resident status, as appropriate, for such status, as appropriate.

(iii) has been terminated; or

(2) SPECIFIC RULE FOR TEMPORARY PROTECTED STATUS.—An alien whose permanent resident status on a conditional basis expires under subsection (a)(1) or is terminated under subsection (c) or whose application for such status is denied and who has temporary protected status under section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a) immediately before receiving or applying for permanent resident status on a conditional basis, as appropriate, may not return to such temporary protected status if—

(A) the alien was a full-time student of a public or private postsecondary educational institution and is enrolled in an institution of higher education or has completed at least 2 years, in good standing, in an institution of higher education, a secondary school, or an education program described in section 312(a)(1)(D)(ii), shall not count toward the time requirements under this clause.

(2) HARDSHIP EXCEPTION.—The Secretary shall remove the conditional basis of an alien’s permanent resident status and grant the alien status as an alien lawfully admitted for permanent residence if the alien—

(i) satisfies the requirements under subparagraphs (A) and (B) of paragraph (1); demonstrates, to the satisfaction of the Secretary, such circumstances for the inability to satisfy the requirements under such subparagraph; and

(ii) is in foster care or otherwise lacking the care or protective supervision necessary to meet the requirements under such subparagraph.

(iii) is a full-time caregiver of a minor child; or

(iv) the removal of the alien from the United States would result in extreme hardship to the alien or the alien’s spouse, parent, stepparent, or child who is a United States citizen or is lawfully admitted for permanent residence.

(3) CITIZENSHIP REQUIREMENT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the conditional basis of an alien’s permanent resident status granted under this Act may not be removed unless the alien demonstrates that the alien satisfies the requirements under section 312(a) of the Immigration and Nationality Act (8 U.S.C. 1254a).

(B) EXCEPTION.—Subparagraph (A) shall not apply to an alien who is unable to meet the requirements under such section 312(a) due to an inability to pay reasonable fees required under subparagraph (A) if the alien—

(i) is younger than 18 years of age;

(ii) received total income, during the 12-month period immediately preceding the date on which the alien files an application under this section, that is less than 150 percent of the poverty line; and

(iii) is in foster care or otherwise lacking any parental or other familial support; and

(ii) is younger than 18 years of age and is homeless;

(iii) cannot care for himself or herself because of a serious, chronic disability; and

(ii) received total income, during the 12-month period immediately preceding the date on which the alien files an application under this section, that is less than 150 percent of the poverty line; or

(iii) is in foster care or otherwise lacking any parental or other familial support; and

(iv) is a child of the alien.

(C) APPLICATION FEE.—

(A) IN GENERAL.—The Secretary may require aliens applying for lawful permanent resident status to pay a reasonable fee that is commensurate with the cost of processing the application.

(B) EXCEPTION.—An alien may be exempted from paying the fee required under subparagraph (A) if the alien—

(i) is younger than 18 years of age; or

(ii) is in foster care or otherwise lacking any parental or other familial support; and

(iii) is a child of the alien.
a result of unreimbursed medical expenses incurred by the alien or an immediate family member of the alien; and

(2) received total income, during the 12-month period immediately preceding the date on which the alien files an application under this section, that is less than 150 per cent of the poverty line.

(5) A biometric and biographic data.—The Secretary may not remove the conditional basis of an alien’s permanent resident status unless the alien submits biometric and biographic data, in accordance with procedures established by the Secretary. The Secretary shall provide an alternative procedure for applicants who are unable to provide such biometric data because of a physical impairment.

(6) Background checks.—

(A) Requirement for background checks.—The Secretary shall utilize biometric, biographic, and other data that the Secretary determines appropriate—

(i) to conduct security and law enforcement background checks of an alien applying for removal of the conditional basis of the alien’s permanent resident status; and

(ii) to determine whether there is any criminal activity, or a record of drug use, or other behavior that would render the alien ineligible for removal of such conditional basis.

(B) Completion of background checks.—The Secretary and law enforcement background checks of an alien required under subparagraph (A) shall be completed, to the satisfaction of the Secretary, before the date on which the Secretary removes the conditional basis of the alien’s permanent resident status.

(b) Treatment for Purposes of Naturalization.—

(1) In general.—For purposes of title III of the Immigration and Nationality Act (8 U.S.C. 1401 et seq.), an alien granted permanent resident status on a conditional basis shall be considered to have been admitted to the United States, and be present in the United States, as an alien lawfully admitted for permanent residence.

(2) Limitation on application for naturalization.—An alien may not apply for naturalization while the alien is in permanent resident status on a conditional basis.

(c) Documents establishing continuity of presence in the United States.—To establish that an alien has been admitted to the United States, the alien shall submit to the Secretary documents that contain—

(1) employment records that include the employer’s name and contact information;

(2) records from any educational institution the alien has attended in the United States;

(3) records of service from the Uniformed Services;

(4) official records from a religious entity confirming the alien’s participation in a religious ceremony;

(5) passport entries;

(6) a birth certificate for a child who was born in the United States;

(7) automobile license receipts or registration;

(8) deeds, mortgages, or rental agreement contracts;

(9) tax receipts;

(10) insurance policies;

(11) remittance records;

(12) rent receipts or utility bills bearing the alien’s name or the name of an immediate family member of the alien, and the alien’s address;

(13) copies of money order receipts for money sent in or out of the United States;

(14) dated bank transactions; or

(15) 2 or more sworn affidavits from individuals who have direct knowledge of the alien’s continuous physical presence in the United States, that contain—

(A) the name, address, and telephone number of the affiant; and

(B) the nature and duration of the relationship between the affiant and the alien.

(d) Documents establishing initial entry into the United States.—To establish under section 3(b)(1)(B) that an alien was younger than 18 years of age on the date on which the alien initially entered the United States, an alien may submit documents to the Secretary, including—

(1) an admission stamp on the alien’s passport;

(2) records from any educational institution the alien has attended in the United States;

(3) any document from the Department of Justice or the Department of Homeland Security stating the alien’s date of entry into the United States;

(4) hospital or medical records showing medical treatment or hospitalization, the name of the medical facility or physician, and the date of the treatment or hospitalization;

(5) rent receipts or utility bills bearing the alien’s name or the name of an immediate family member of the alien, and the alien’s address;

(6) employment records that include the employer’s name and contact information;

(7) official records from a religious entity confirming the alien’s participation in a religious ceremony;

(8) a birth certificate for a child who was born in the United States;

(9) an automobile license receipt or registration;

(10) records from any educational institution the alien has attended in the United States;

(11) deed, mortgage, or rental agreement contracts;

(12) tax receipts;

(13) travel records;

(14) copies of money order receipts sent in or out of the country;

(15) dated bank transactions;

(16) remittance records; or

(17) insurance policies.

(e) Documents establishing receipt of a degree from an institution of higher education.—To establish that an alien has acquired a degree from an institution of higher education in the United States, the alien shall submit to the Secretary a document from the institution stating that the alien has received such a degree.

(f) Documents establishing receipt of a high school diploma, general educational development certificate, or a recognized equivalent.—To establish that an alien has earned a high school diploma or a commensurate alternative award from a public or private high school, or has obtained a general educational development certificate recognized under State law or a high school equivalency diploma in the United States, the alien shall submit to the Secretary—

(1) a high school diploma, certificate of completion, or other alternate award;

(2) a high school equivalency diploma or certification recognized under State law; or

(3) evidence that the alien passed a State-authorized exam, including the general educational development exam, in the United States.

(g) Documents establishing enrollment in an educational program.—To establish that an alien is enrolled in a school or education program described in section 3(b)(1)(D), (3)(A), (5)(A)(i), or (5)(B)(i), the alien shall submit school records from the United States school that the alien is currently attending that include—

(1) the name of the school; and

(2) the alien’s name, periods of attendance, and current grade or educational level.

(h) Documents establishing exemption from application fees.—To establish that an alien is exempt from an application fee under section 3(b)(5)(B) or 5(a)(4)(B), the alien shall submit to the Secretary the following relevant documents:

(1) Documents to establish age.—To establish that an alien meets an age requirement, the alien shall provide evidence of identity, as described in subsection (a), that establishes that the alien is younger than 18 years of age.

(2) Documents to establish income.—To establish the alien’s income, the alien shall provide—

(A) employment records that have been maintained by the Social Security Administration, the Internal Revenue Service, or any other Federal, State, or local government agency;

(B) bank records; or

(C) at least 2 sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the alien’s work and income that contain—

(i) the name, address, and telephone number of the affiant; and

(ii) the nature and duration of the relationship between the affiant and the alien.

(3) Documents to establish care, lack of familial support, homelessness, or serious, chronic disability.—To establish that an alien is in foster care, lacks parental or familial support, is homeless, or has a serious, chronic disability, the alien shall provide at least 2 sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the circumstances that contain—

(A) a statement that the alien is in foster care, or otherwise lacks parental or other familial support, is homeless, or has a serious, chronic disability, as appropriate; or

(B) the name, address, and telephone number of the affiant; and

(C) the nature and duration of the relationship between the affiant and the alien.
(4) Documents to Establish Unpaid Medical Expense.—To establish that the alien has debt as a result of unreimbursed medical expenses, the alien shall provide receipts or other documentation from a medical provider that—
(a) bear the provider’s name and address; and 
(b) bear the name of the individual receiving treatment.
(C) document that the alien has accumulated $10,000 or more in debt in the past 12 months as a result of unreimbursed medical expenses incurred by the alien or an immediate family member of the alien.
(1) Documents Establishing Qualification for Hardship Exemption.—To establish that an alien satisfies one of the criteria for the hardship exemption set forth in section 5(a)(2)(C), the alien shall submit to the Secretary at least 2 sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the circumstances that warrant the exemption, that contain—
(i) the name, address, and telephone number of the affiant; and 
(ii) the nature and duration of the relationship between the affiant and the alien.
(2) Documents Establishing Service in the Uniformed Services.—To establish that an alien has served in the Uniformed Services for at least 2 years and, if discharged, received an honorable discharge, the alien shall submit to the Secretary—
(i) a Department of Defense form DD-214; 
(ii) a National Guard Report of Separation and Record of Service form 24; 
(iii) personnel records for such service from the appropriate Uniformed Service; or 
(iv) health records from the appropriate Uniformed Service.
(k) Documents Establishing Employment.—
(1) In general.—An alien may satisfy the employment requirement under section 5(a)(1)(C)(iii) by submitting records that—
(A) establish compliance with such employment requirement; and 
(B) have been maintained by the Social Security Administration, the Internal Revenue Service, or any other Federal, State, or local government agency.
(2) Other documents.—An alien who is unable to submit the records described in paragraph (1) may satisfy the employment requirement by submitting at least 2 types of reliable documents that provide evidence of employment, including—
(A) bank records; 
(B) use of cashcards; 
(C) employer records; 
(D) records of a labor union, day labor center, or organization that assists workers in employment; 
(E) sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the alien’s work, that contain—
(i) the name, address, and telephone number of the affiant; and 
(ii) the nature and duration of the relationship between the affiant and the alien; and 
(F) remittance records.
(3) Authority to Prohibit Use of Certain Documents.—If the Secretary determines, after publication in the Federal Register and an opportunity for public comment, that any document or class of documents does not reliably establish identity or that permanent resident status on a conditional basis is being obtained fraudulently to an unacceptable degree, the Secretary may prohibit or restrict the use of such document or class of documents.
SEC. 7. RULEMAKING.
(a) Initial Publication.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall publish regulations implementing this Act in the Federal Register. Such regulations shall allow eligible individuals to immediately apply affirmatively for principal or conditional resident status on a conditional basis, without being placed in removal proceedings.
(b) Interim Regulations.—Notwithstanding section 555 of title 5, United States Code, the regulations promulgated pursuant to subsection (a) shall be effective, on an interim basis, immediately upon publication in the Federal Register, but may be subject to change by regulations notice and opportunity for a period of public comment.
(c) Final Regulations.—Not later than 180 days after the date on which interim regulations are published under this section, the Secretary shall publish final regulations implementing this Act.
(d) Paperwork Reduction Act.—The requirements under chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”), shall not apply to any action to implement this Act.
SEC. 8. CONFIDENTIALITY OF INFORMATION.
(a) In General.—The Secretary may not disclose or use information provided in applications filed under this Act or in requests for DACA for the purpose of immigration enforcement.
(b) Referrals Prohibited.—The Secretary may not refer any individual who has been granted permanent resident status on a conditional basis or who was granted DACA to U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, or any designee of either such entity.
(c) Limited Exception.—Notwithstanding subsections (a) and (b), information provided in an application for permanent resident status or a request for DACA may be shared with Federal security and law enforcement agencies—
(1) for assistance in the consideration of an application for permanent resident status on a conditional basis; 
(2) to identify or prevent fraudulent claims; 
(3) for national security purposes; or 
(4) for the investigation or prosecution of any felony not related to immigration status.
(d) Penalty.—Any person who knowingly uses, publishes, or permits information to be examined in violation of this section shall be fined not more than $10,000.
SEC. 9. RESTORATION OF STATE OPTION TO DECLARE DURABILITY RESIDENCY FOR PURPOSES OF HIGHER EDUCATION BENEFITS.
(a) In General.—Section 505 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1623) is repealed.
(b) Effective Date.—The repeal under subsection (a) shall take effect as if included in the original enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 110 Stat. 3009-546).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 33—SUPPORTING THE CONTRIBUTIONS OF CATHOLIC SCHOOLS

Mr. TOOMEY (for himself and Mr. CASEY) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. Res. 33

Whereas Catholic schools in the United States are internationally acclaimed for their academic excellence and provide students with more than just an exceptional scholastic education; and
Whereas Catholic schools instill a broad, value-centered education emphasizing the lifelong development of moral, intellectual, physical, and social values in young people in the United States; and
Whereas Catholic schools serve the United States by providing a diverse student population, from all regions of the country and all socioeconomic backgrounds, a strong academic, moral foundation, and of that student population—
(1) 22 percent of students are from racial minority backgrounds; 
(2) 18.1 percent of students are of Hispanic heritage; and 
(3) 24.5 percent of students are from non-Catholic families; and
Whereas Catholic schools are an affordable option for parents, particularly in underserved urban areas; and
Whereas Catholic schools produce students who are strongly dedicated to their faith, values, families, and communities by providing an intellectually stimulating environment rich in spiritual, character, and moral development; and
Whereas Catholic schools are committed to community service, producing graduates who help "helping others" as a core value; and
Whereas the total Catholic school student enrollment for the 2020–2021 academic year was almost 1,650,000, and the student-teacher ratio was 12.2 to 1; and
Whereas the graduation rate of students from Catholic high schools is 99 percent, with 86 percent of graduates attending 4-year colleges; and
Whereas, in the 2005 pastoral message entitled "Renewing Our Commitment to Catholic Elementary and Secondary Schools in the Third Millennium", the United States Conference of Catholic Bishops stated, "Catholic schools are often the Church’s most effective contribution to those families who are poor and disadvantaged, especially in poor inner city neighborhoods and rural areas. Catholic schools cultivate healthy interaction among the increasingly diverse populations of our society.... Our Catholic schools have produced countless numbers of well-educated and moral citizens who are leaders in our church and ecclesial community; and
Whereas National Catholic Schools Week was first established in 1974 and has been celebrated annually for the past 46 years; and
Whereas Catholic schools have waiting lists for admission, and new schools are opening across the United States; and
Whereas the theme for National Catholic Schools Week 2021 of “Catholic Schools: Learn. Faith. Excellence. Service,” reflects Catholic schools’ purpose to form students to be good citizens of the God and neighbor, and enrich society with the values of the gospel and by example of faith: Now, therefore, be it
Resolved, That the Senate—
(1) supports the goals of National Catholic Schools Week, an event—
(A) cosponsored by the National Catholic Educational Association and the United States Conference of Catholic Bishops; and 
(B) established to recognize the vital contributions of the thousands of Catholic elementary and secondary schools in the United States; 
(2) applauds the National Catholic Educational Association and the United States Conference of Catholic Bishops on the selection of a theme that all people can celebrate; and 
(3) supports—

February 4, 2021