House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. Cuellar).

DESIGNATION OF THE SPEAKER PRO TEMPORE
The Speaker pro tempore laid before the House the following communication from the Speaker:
WASHINGTON, DC, March 10, 2021.
I hereby appoint the Honorable Henry Cuellar to act as Speaker pro tempore on this day.
Nancy Pelosi, Speaker of the House of Representatives.

PRAYER
The Chaplain, the Reverend Margaret Grun Kibben, offered the following prayer:
Almighty God, as these lawmakers take their sides on this factional bill before them, we pray Your mercy. Forgive them—all of them—for when called upon to respond to a once-in-a-century pandemic that has rocked our country, upended its economy, and widened the chasm of partisan opinion, they have missed the opportunity to step above the fray and unite to attend to this national crisis.
In failing to address the acrimony and divisions which have prevailed in this room, the servants You have called to lead this country have contributed to the spread of an even more insidious contagion of bitterness and spite.
Rather than employing the preventive measures of compassion, kindness, humility, gentleness, and patience, this armor has been set aside in favor of argument, disparaging words, and divisiveness.
You have warned us that a house divided against itself cannot stand. And the armor has been set aside in favor of arrogance, gentleness, and patience, this house that their labor will not be in vain.
We offer ourselves and our prayers to You in the strength of Your name.
Amen.

THE JOURNAL
The Speaker pro tempore. Pursuant to section 5(a)(1)(A) of House Resolution 8, the Journal of the last day’s proceedings is approved.

PLEDGE OF ALLEGIANCE
The Speaker pro tempore. Will the gentleman from California (Mr. Vargas) come forward and lead the House in the Pledge of Allegiance.
Mr. VARGAS 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The Speaker pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

REMEMBERING DR. WILLIE BLAIR
(Mr. VARGAS asked and was given permission to address the House for 1 minute.)
Mr. VARGAS. Mr. Speaker, I rise today with my colleague, Congresswoman SARA JACOBS, to honor San Diego leader Dr. Willie Blair.
As a San Diego community leader, Dr. Blair left a legacy for those demanding social justice and equity. He served his country as a Vietnam combat veteran; a former congressional staffer; and locally as a leader of Black American Political Association of California-San Diego chapter, or BAPAC.
In 2017, he was elected as BAPAC’s president, where he continued his work in civil and human rights and used his stature to promote quality leadership in the community.
Dr. Blair is survived by his daughter, U.S. Air Force officer Deborah Smith; his siblings Janet, Trece, and Roger; and several nieces.
We are very lucky to have a leader like Dr. Blair, who paved the way for future changemakers. All of us who knew Dr. Blair loved him and respected him dearly. We are saddened by his passing.

TAKING AWAY EMPLOYEE CHOICE
(Mr. HERN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)
Mr. HERN. Mr. Speaker, last year, I stood right here and argued against the many concerns I have with the PRO Act. Thirteen months later, nothing has been done to address those concerns or earn bipartisan support.
The PRO Act is a dangerous example of power for union leaders without necessary protections for union members.
One of the biggest glaring failures of this legislation is taking away employee choice, effectively repeating right-to-work laws across the country, like in my home State of Oklahoma, where we choose to empower employees and employers alike. Where workers have previously had the freedom to choose whether or not to pay fees and join unions, they will now be forced to pay membership fees or lose their job.
American workers and American ingenuity made our country what it is now we stand in need of healing and reconciliation.
today. If my colleagues insist on moving forward with legislation that empowers union bosses and strips independence from our workers, we will lose to countries like China, who profit from sweatshops and child labor.

Many of the ideas in this bill have already been rejected in the court system, making this bill pointless and a waste of time.

**THIS PANDEMIC REQUIRES A BOLD INVESTMENT**

(Mr. CARBAJAL asked and was given permission to address the House for 1 minute.)

Mr. CARBAJAL. Mr. Speaker, a once-in-a-lifetime pandemic requires bold investment, and that is what the American Rescue Plan is.

This bill invests $20 billion to get shots in arms and make sure everyone knows where, when, and how to get a vaccine.

Many students are back in school or are going back soon. California will get $15 billion to reopen safely and keep schools open to make up for lost time. We have also invested in the backbone of our economy: small businesses. In fact, economists believe this bill can bring us back to near full employment in about a year.

To ensure local governments can keep providing essential services, this bill delivers over $259 million to cities and counties in my district alone.

Finally, this package invests in the American people. Direct payments, unemployment benefits, tax credits, and healthcare subsidies will help lift 12 million people out of poverty.

Mr. Speaker, I look forward to voting for this bill.

**SPENDING BILL IS NOT TARGETED, TIMELY, NOR TIED TO COVID RELIEF**

(Mrs. WAGNER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WAGNER. Mr. Speaker, I rise in opposition to the partisan $1.9 trillion spending bill before us today. It is shameful that Democrats have disregarded their obligation to provide real COVID relief to the American people and are instead attempting to use this process to jam through partisan agenda items.

This bill is not targeted, timely, nor tied to COVID relief. We need to focus on solving the critical issues at hand: getting vaccines to Americans; providing relief for our local businesses, restaurants, and entertainment venues; and supporting those who have been seriously impacted by this pandemic.

Only 9 percent of this massive $1.9 trillion package goes to fighting COVID-19, and outside of stimulus payments, nearly half won’t even be spent this year. It is simply unfathomable that Democrats want to spend money years down the road when we have so many pressing needs to address today.

We have worked in a bipartisan manner to pass five—five—relief measures, and I am disappointed that the Democrats have decided to be so egregiously partisan in a time of crisis.

Mr. Speaker, I urge my colleagues to oppose this bill.

**A MAJORITY OF AMERICANS SUPPORT UNIVERSAL BACKGROUND CHECKS**

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, more than 90 percent of Americans support universal background checks for those purchasing guns. Today, I urge my colleagues to do the same by supporting H.R. 8 and H.R. 1446. These bills will keep guns out of the hands of those who aren’t allowed to have them in the first place.

For years, I have introduced a bill to prevent people from skipping the background check process by purchasing guns at gun shows, and I am very glad that H.R. 8 accomplishes this. If you can’t buy a gun from a licensed dealer, you shouldn’t be able to buy a gun anywhere, especially at a gun show.

H.R. 1446 closes the Charleston loophole, which allows individuals to buy guns before their background check is completed. Ensuring community safety shouldn’t have a back door.

With gun deaths and gun sales surging in 2020, we must act now to close these loopholes and meaningfully combat gun violence.

Mr. Speaker, I urge a “yes” vote on these two votes today.

**HONORING THE LIFE OF GLEENNA FOUBERG**

(Mr. JOHNSON of South Dakota asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of South Dakota. Mr. Speaker, I urge a “yes” vote on these two votes today.

When Glenna died in January, she left behind her loving family and thousands of us to whom she had taught so much.

**HONORING THE SELFLESS BRAVERY OF TIMOTHY CHADWICK, SR.**

(Ms. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Ms. CAROLYN B. MALONEY of New York. Mr. Speaker, today, the House will vote to approve the American Rescue Plan for poor and middle America.

The false choice of Wall Street or Main Street is no more. This plan helps the neighborhood streets and the homes where real people live and struggle every day.

This plan is supported by 75 percent of the American people. It will help the cities of Niagara Falls and Buffalo, the county of Erie; will return the American economy to full employment; and will grow that economy by 6 percent, a rate not seen in many, many decades. This is a good plan that provides direct assistance to the people of this country who need it.

Mr. Speaker, I urge my colleagues to support this plan.

**HONORING THE SELFLESS BRAV-ERY OF TIMOTHY CHADWICK, SR.**

(Ms. TENNEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. TENNEY. Mr. Speaker, today, I rise to honor the selfless bravery and service of a member of my community in New York’s 22nd Congressional District, Timothy Chadwick, Sr.

Mr. Chadwick served our country in the Air Force during the Vietnam war. Timothy’s story is shared by so many Vietnam veterans across our country. While serving in Laos, Timothy was exposed to Agent Orange, which has plagued his health ever since.

Many U.S. servicemembers who were stationed in Vietnam were exposed to the toxic herbicide known as Agent Orange. As a result, our veterans are at an increased risk of developing cancer, Parkinson’s disease, non-Hodgkin’s lymphoma, and many other deadly illnesses.

These brave veterans risked everything to defend our freedom, and they deserve our support as they overcome the effects of their service. I will never stop standing up and fighting for veterans like they stood up and fought for us.

God bless men like Timothy Chadwick and so many others who served our Nation honorably, and God bless all the men and women currently serving in the U.S. Armed Forces.

**SALUTING ALIYAH BOSTON**

(Ms. PLASKETT asked and was given permission to address the House for 1 minute.)

Ms. PLASKETT. Mr. Speaker, today, I rise to honor Glenna Fouberg.

Many of the ideas in this bill have already been rejected in the court system, making this bill pointless and a waste of time.

**HONORING THE SELFLESS BRAV-ERY OF TIMOTHY CHADWICK, SR.**

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**SALUTING ALIYAH BOSTON**

(Ms. PLASKETT asked and was given permission to address the House for 1 minute.)

Ms. PLASKETT. Mr. Speaker, today, I rise to honor the selfless bravery and service of a member of my community in New York’s 22nd Congressional District, Timothy Chadwick, Sr.

Mr. Chadwick served our country in the Air Force during the Vietnam war. Timothy’s story is shared by so many Vietnam veterans across our country. While serving in Laos, Timothy was exposed to Agent Orange, which has plagued his health ever since.

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God bless men like Timothy Chadwick and so many others who served our Nation honorably, and God bless all the men and women currently serving in the U.S. Armed Forces.
Ms. PLASKETT. Mr. Speaker, this month is not only Women’s History Month, but it is also Virgin Islands History Month, and what better way to celebrate it than today for me to salute Virgin Islands’ native and basketball upcoming star, Aliyah Boston, who had another dominant performance in South Carolina’s 67–62 win over Georgia in the SEC tournament final.

Boston put up 27 points and 10 rebounds for her 15th double-double of the year, and was named the tournament MVP as South Carolina captured its sixth championship in the last 7 years.

“Aliyah was huge,” said Coach Dawn Staley after the game. “She has to be that dominant in order for us to win these kind of basketball games.”

Aliyah, you are huge. You are dominant. And what better way to recognize Women’s History Month and Virgin Islands History Month by a Virgin Islander and a woman making history.

IT IS TIME TO PUT STUDENTS FIRST

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, just over 1 year ago, we entered a COVID crackdown. Businesses and schools shut their doors—some of them, sadly, for good. Communities across the Nation continue to feel this pain.

For more than 365 days, far too many of our Nation’s school children have been confined to virtual learning—forced to sit at home behind a computer instead of a classroom.

The implications of students being left out of the classroom are much bigger than parents being inconvenienced or students missing their friends. Every day that we wait to reopen our schools is another day we look the other way as youth mental health continues to plummet.

Every day we wait to reopen our schools is another day our students fall behind.

Mr. Speaker, allowing American school children to return to the classroom is long overdue.

It is time to listen to the science. It is time to put the students first. And it is time to reopen our schools.

A PLEA TO ALL TEXANS

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, this morning I make a personal plea to my fellow Texans. I recognize that there has been an overload of tiredness and desire to go back to work and maybe a desire to party.

Unfortunately, with bad advice and political emphasis, the mask order will be lifted today on March 10 in our State.

Our State is being plagued by the United Kingdom variant. We are still on the hot list for the number of deaths. We have not reached a certain number in terms of lowering the infection rate, and we haven’t reached any kind of level in terms of vaccination.

Removing the restrictions and having remove-mask parties is going to be a disaster.

I make this plea: Wear your mask, socially distance. Restaurants and other businesses be responsible.

We are on the way with a rescue, but I beg of my fellow Texans, let us not go backwards to create more deaths, to create more hospitalizations, more loved ones that we will not have at the dinner table.

This is not a time to go backwards. This is a time to go forward. Wear your mask. Let’s be responsible.

I ask my constituents on Washington Avenue: Do not have a remove-mask party tonight because you will be walking into a destiny of death.

EXCUSES

(Mr. BARR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARR. Mr. Speaker, after enactment of five bipartisan COVID relief bills last year totaling $4 trillion in assistance for healthcare workers, businesses, schools, testing, and vaccines, with over $1 trillion in already appropriated funds still unspent, with an unprecedented level of monetary stimulus from the Fed already in the pipeline with no end in sight, with massive pent-up demand and an economy poised for full recovery, with the success of Operation Warp Speed delivering multiple safe and effective vaccines in record time, with literally millions of Americans benefiting from the mass distribution of those vaccines every single day, with all of these heroic efforts to defeat this virus already in place, why is it that Democrats in Congress are so determined at all costs to ram through this hyperpartisan $2 trillion spending spree with zero bipartisan support?

The answer is that they are exploiting this pandemic as an excuse:

An excuse to force passage of this budget-busting monstrosity, 90 percent of which is totally unrelated to COVID-19.

An excuse to bail out mismanaged State and local governments for liabilities unrelated to COVID.

An excuse to use taxpayer funds to fund Planned Parenthood.

An excuse to send stimulus checks to prisoners and illegal immigrants.

An excuse to expand the welfare state and pay people not to work.

In sum, an excuse to advance an unrelated liberal agenda Democrats call the “most progressive bill in American history” that will lead to huge tax increases.

I urge all my colleagues to vote “no.”

REOPEN AMERICA

(Mrs. GREENE of Georgia asked and was given permission to address the House for 1 minute.)

Mrs. GREENE of Georgia. Mr. Speaker, I thank my colleague and the good gentleman here for explaining why $1.9 trillion in spending is reckless, irresponsible, and the wrong thing to do.

We still have $1 trillion set aside for COVID relief and spending. There is no need to enslave the American people, our children, our grandchildren, our great grandchildren, and generations going forward in more debt.

We are $28 trillion in debt. This Congress is ramming through unbelievable things at a rapid pace.

This must be stopped. We have to give pause and consideration to what we are doing. This is a waste of money and a complete waste of time.

Reopening America is a much better way to go.

MOTION TO ADJOURN

(Mrs. GREENE of Georgia. Mr. Speaker, I move that the House do now adjourn.)

The SPEAKER pro tempore. The question is on the motion to adjourn.

The SPEAKER pro tempore. The motion to adjourn was carried.

The vote was taken by electronic device, and there were—yeas 149, nays 235, not voting 47, as follows:

[Roll No. 71]

YEAS—149

Ernst

Green (CO)

Hart (PA)

Herrera Beutler (WA)

Clyde

Gonnella, Tony

Allen

Good (VA)

Armstrong

Gooden (TX)

Crawford

Graves (LA)

Baird

Graves (MO)

Balderson

Greene (GA)

Bar

Grogan

Bents

Hagerty

Bergman

Hagerty

Bugs

Hagerty

Bilirakis

Hagerty

Bishop (NC)

Hagerty

Boebert

Hagerty

Boet

Hagerty

Bray

Hagerty

Brooks

Hagerty

Buchan

Hagerty

Buchett

Hagerty

Buchett

Hagerty

Cammak

Hagerty

Cook

Hagerty

Carter (GA)

Hagerty

Cawthorn

Hagerty

Chabot

Hagerty

China

Hagerty

Cloud

Hagerty

Cline

Hagerty

Gohmert

Keeler
The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Subtitle A—Agriculture

Sec. 1001. Food supply chain and agriculture pandemic response.

Sec. 1002. Emergency rural development grants for USDA for rural health care.

Sec. 1003. Pandemic program administration funds.

Sec. 1004. Funding for the USDA Office of Inspector General for General Accountability and Program Integrity.

Sec. 1005. Farm loan assistance for socially disadvantaged farmers and ranchers.

Sec. 1006. USDA assistance and support for socially disadvantaged farmers, ranchers, forest land owners and operators, and groups.

Sec. 1007. Use of the Commodity Credit Corporation for commodities and associated expenses.

Subtitle B—Nutrition

Sec. 1101. Supplemental nutrition assistance program.

Sec. 1102. Additional assistance for SNAP online purchasing and technology improvements.

Sec. 1103. Additional funding for nutrition assistance programs.

Sec. 1104. Commodity supplemental food program.

Sec. 1105. Improvements to WIC benefits.

Sec. 1106. WIC program modernization.

Sec. 1107. Meals and supplements reimbursements for individuals who have not attained the age of 25.

Sec. 1108. Pandemic EBT program.

TITLE II—COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Subtitle A—Education Matters

PART 1—DEPARTMENT OF EDUCATION


Sec. 2005. Outlying areas.


Sec. 2007. Student aid administration.


Sec. 2010. Institute of Education Sciences.

Sec. 2011. Program administration.


Sec. 2013. Modification of revenue requirements for proprietary institutions of higher education.

Sec. 2014. Funding for the Individuals with Disabilities Education Act.

PART 2—MISCELLANEOUS

Sec. 2101. Pandemic EBT.

Title II. American Rescue Plan Act of 2021

Mr. YARMUTH. Mr. Speaker, pursuant to House Resolution 198, I call up the bill (H.R. 1319) to provide for reconciliation pursuant to title II of S. Con. Res. 5, with the Senate amendment thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Speaker pro tempore.

Mr. Speaker, the House adjourned.
Sec. 2902. Extended unemployment benefits under the Railroad Unemployment Insurance Act.

Sec. 2903. Extension of waiver of the 7-day waiting period for benefits under the Railroad Unemployment Insurance Act.


Subtitle K—Ratepayer Protection

Sec. 2911. Funding for LIHEAP.

Sec. 2912. Funding for water assistance program.

Subtitle L—Assistance for Older Americans, Grandfamilies, and Kinship Families

Sec. 2921. Supporting older americans and their families.

Sec. 2922. National Technical Assistance Center on Grandfamilies and Kinship Families.

**TITLE III—COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS**

Subtitle A—Defense Production Act of 1950

Sec. 3101. COVID–19 emergency medical supplies enhancement.

Subtitle B—Housing Provisions

Sec. 3201. Emergency rental assistance.

Sec. 3202. Emergency housing vouchers.

Sec. 3203. Emergency assistance for rural housing.

Sec. 3204. Housing counseling.

Sec. 3205. Homelessness assistance and supportive services program.

Sec. 3206. Homemaker Assistance Fund.

Sec. 3207. Relief measures for section 502 and 304 direct loan borrowers.

Sec. 3208. Fair housing activities.

Subtitle C—Small Business (SBA)

Sec. 3301. State Small Business Credit Initiative.

Subtitle D—Public Transportation

Sec. 3401. Federal Transit Administration grants.

**TITLE IV—COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS**

Sec. 4001. Emergency Federal Employee Leave Fund.

Sec. 4002. Funding for the Government Accountability Office.

Sec. 4003. Pandemic Response Accountability Committee funding availability.

Sec. 4004. Funding for the White House.

Sec. 4005. Federal Financial Management Agency appropriation.

Sec. 4006. Funeral assistance.

Sec. 4007. Emergency food and shelter program funding.

Sec. 4008. Humanitarian relief.

Sec. 4009. Cybersecurity and Infrastructure Security Agency.

Sec. 4100. Appropriation for the United States Digital Service.

Sec. 4101. Appropriation for the Technology Modernization Fund.

Sec. 4102. Appropriation for the Federal Citizen Services Fund.

Sec. 4103. AFG and SAFER program funding.

Sec. 4104. Emergency management performance grant funding.

Sec. 4105. Extension of reimbursement authority for Federal contractors.

Sec. 4106. Eligibility for workers’ compensation benefits for Federal employees diagnosed with COVID-19.

**TITLE V—COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS**

Sec. 6001. Economic adjustment assistance.

Sec. 6002. Funding for pollution and disparate impacts of the COVID–19 pandemic.

Sec. 6003. United States Fish and Wildlife Service.

**TITLE VII—COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION**

Subtitle A—Transportation and Infrastructure

Sec. 7101. Grants to the National Railroad Passenger Corporation.

Sec. 7102. Relief for airports.

Sec. 7103. Emergency FAA Employee Leave Fund.

Sec. 7104. Emergency TSA Employee Leave Fund.

Subtitle B—Aviation Manufacturing Jobs Protection

Sec. 7201. Definitions.

Sec. 7202. Payroll support program.

Subtitle C—Airlines

Sec. 7301. Air Transportation Payroll Support Program Extension.

Subtitle D—Consumer Protection and Commerce Oversight

Sec. 7401. Funding for consumer product safety fund to protect consumers from potentially dangerous products related to COVID–19.

Sec. 7402. Funding for E-Rate support for emergency educational connections and devices.

Sec. 7403. Funding for Department of Commerce Inspector General.

Sec. 7404. Federal Trade Commission funding for COVID–19 related work.

Subtitle E—Science and Technology

Sec. 7501. National Institute of Standards and Technology.

Sec. 7502. National Science Foundation.

Subtitle F—Corporation for Public Broadcasting

Sec. 7601. Support for the Corporation for Public Broadcasting.

**TITLE VIII—COMMITTEE ON VETERANS’ AFFAIRS**

Sec. 8001. Funding for claims and appeals processing.

Sec. 8002. Funding for medical care and health needs.

Sec. 8003. Funding for supply chain modernization.

Sec. 8004. Funding for State homes.

Sec. 8005. Funding for the Department of Veterans Affairs Office of Inspector General.

Sec. 8006. COVID–19 veteran rapid retraining assistance program.

Sec. 8007. Prohibition on copayments and cost sharing for veterans during emergency relating to COVID–19.

Sec. 8008. Emergency Department of Veterans Affairs Employee Leave Fund.

**TITLE IX—COMMITTEE ON FINANCE**

Subtitle A—Crisis Support for Unemployed Workers

PART I—EXTENSION OF CARES ACT UNEMPLOYMENT PROVISIONS

Sec. 9011. Extension of Pandemic Unemployment Assistance.

Sec. 9012. Extension of emergency unemployment relief for governmental entities and nonprofit organizations.

Sec. 9013. Extension of Federal Pandemic Unemployment Compensation.

Sec. 9014. Extension of full Federal funding of the first week of compensable regular unemployment for States with no waiting week.

Sec. 9015. Extension of emergency State staffing flexibility.

Sec. 9016. Extension of pandemic emergency unemployment compensation.
Sec. 9017. Extension of temporary financing of short-time compensation payments in States with programs in law.

Sec. 9018. Extension of temporary financing of short-time compensation agreements for States without programs in law.

PART 2—EXTENSION OF FFCCRA UNEMPLOYMENT PROVISIONS

Sec. 9021. Extension of temporary assistance for States with advances.

Sec. 9022. Extension of full Federal funding of extended unemployment compensation.

PART 3—DEPARTMENT OF LABOR FUNDING FOR TIMELY, ACCURATE, AND EQUITABLE PAYMENT

Sec. 9031. Funding for administration.

Sec. 9032. Funding for fraud prevention, equitable access, and timely payment to eligible workers.

PART 4—OTHER PROVISIONS

Sec. 9041. Extension of limitation on excess business losses of noncorporate taxpayers.

Sec. 9042. Suspension of tax on portion of unemployment compensation.

Subtitle B—Emergency Assistance to Families Through Home Visiting Programs

Sec. 9101. Emergency assistance to families through home visiting programs.

Subtitle C—Emergency Assistance to Children and Families

Sec. 9201. Pandemic Emergency Assistance.

Subtitle D—Elder Justice and Support Guarantee

Sec. 9301. Additional funding for aging and disability services programs.

Subtitle E—Support to Skilled Nursing Facilities in Response to COVID–19

Sec. 9401. Provision for infection control support to skilled nursing facilities through contracts with quality improvement organizations.

Sec. 9402. Funding for strike teams for resident and employee safety in skilled nursing facilities.

Subtitle F—Preserving Health Benefits for Workers

Sec. 9501. Preserving health benefits for workers.

Subtitle G—Promoting Economic Security

PART 1—2021 RECOVERY RELATES TO INDIVIDUALS

Sec. 9601. 2021 recovery rebates to individuals.

Sec. 9611. Child tax credit improvements for 2021.

Sec. 9612. Application of child tax credit in possession sessions.

PART 3—EARNED INCOME TAX CREDIT

Sec. 9621. Strengthening the earned income tax credit for individuals with no qualifying children.

Sec. 9622. Taxpayer eligible for childless earned income credit in case of qualifying children who fail to meet certain identification requirements.

Sec. 9623. Credit allowed in case of certain separated spouses.

Sec. 9624. Modification of disqualified investment income test.

Sec. 9625. Application of earned income tax credit in possessions of the United States.

Sec. 9626. Temporary special rule for determining earned income for purposes of earned income tax credit.

PART 4—DEPENDENCY CARE ASSISTANCE

Sec. 9631. Refundability and enhancement of child and dependent care tax credit.

Sec. 9632. Increase in exclusion for employer-provided dependent care assistance.

PART 5—CREDITS FOR PAID SICK AND FAMILY LEAVE

Sec. 9641. Payroll credits.

Sec. 9642. Credit for sick leave for certain self-employed individuals.

Sec. 9643. Credit for family leave for certain self-employed individuals.

PART 6—EMPLOYER RETENTION CREDIT

Sec. 9651. Extension of employee retention credit.

PART 7—PREMIUM TAX CREDIT

Sec. 9661. Improving affordability by expanding premium assistance for consumers.

Sec. 9662. Temporary modification of limitations on reconciliation of tax credits for coverage under a qualified health plan with advance payments of such credit.

Sec. 9663. Application of premium tax credit in case of individuals receiving unemployment compensation during 2021.

PART 8—MISCELLANEOUS PROVISIONS

Sec. 9671. Repeal of election to allocate interest, etc. on worldwide basis.

Sec. 9672. Tax treatment of targeted EIDL advances.

Sec. 9673. Tax treatment of restaurant revitalization grants.

Sec. 9674. Modification of exceptions for reporting of third party network transactions.

Sec. 9675. Modification of treatment of student loan forgiveness.

Subtitle H—PENSIONS

Sec. 9701. Temporary delay of designation of multiemployer plans as in endangered, critical, or critical and declining status.

Sec. 9702. Temporary extension of the funding improvement and rehabilitation periods for multiemployer pension plans in critical and endangered status for 2020 or 2021.

Sec. 9703. Adjustments to funding standard account rules.

Sec. 9704. Special financial assistance program for financially troubled multiemployer plans.

Sec. 9705. Extended amortization for single employer plans.

Sec. 9706. Extension of pension funding stabilization percentages for single employer plans.

Sec. 9707. Modification of special rules for minimum funding standards for community newspaper plans.

Sec. 9708. Expansion of limitation on excessive employee remuneration.

Subtitle I—Child Care for Workers

Sec. 9801. Child care assistance.

Subtitle L—Medicaid

Sec. 9811. Mandatory coverage of COVID–19 vaccines and administration and treatment under Medicaid.

Sec. 9812. Modifications to certain coverage under Medicaid for pregnant and postpartum women.

Sec. 9813. State option to provide qualifying community-based mobile crisis centers.

Sec. 9814. Temporary increase in FMAP for medical assistance under State Medicaid plans which begin to exceed amounts for certain mandatory individuals.

Sec. 9815. Extension of 100 percent Federal medical assistance percentage to Urban Indian Health Organizations and Native Hawaiian Health Care Systems.

Sec. 9816. Sunset of limit on maximum rebate amount for single source drugs and innovator multiple source drugs.

Sec. 9817. Additional support for Medicaid home and community-based services during the COVID–19 emergency.

Sec. 9818. Funding for State strike teams for resident and employee safety in nursing facilities.

Sec. 9819. Special rule for the period of a declared public health emergency related to coronavirus.

Subtitle K—Children’s Health Insurance Program

Sec. 9821. Mandatory coverage of COVID–19 vaccines and administration and treatment under CHIP.

Sec. 9822. Modifications to certain coverage under CHIP for pregnant and postpartum women.

Subtitle L—Medicare

Sec. 9831. Floor on the Medicare area wage index for hospitals in all-urban States.

Sec. 9832. Secretarial authority to temporarily waive or modify application of certain Medicare requirements with respect to ambulance services furnished during certain emergency periods.

Sec. 9833. Funding for Office of Inspector General.

Subtitle M—Coronavirus State and Local Fiscal Recovery Funds

Sec. 9901. Coronavirus State and Local Fiscal Recovery Funds.

Subtitle N—Other Provisions

Sec. 9911. Funding for providers relating to COVID–19.

Sec. 9912. Extension of customs user fees.

TITLE X—COMMITTEE ON FOREIGN RELATIONS

Sec. 10001. Department of State operations.

Sec. 10002. United States Agency for International Development operations.

Sec. 10003. Global response.

Sec. 10004. Humanitarian response.

Sec. 10005. Multilateral assistance.

TITLE XI—COMMITTEE ON INDIAN AFFAIRS

Sec. 11001. Indian Health Service.

Sec. 11002. Bureau of Indian Affairs.

Sec. 11003. Housing assistance and supportive services programs for Native Americans.

Sec. 11004. COVID–19 response resources for the preservation and maintenance of Native American languages.

Sec. 11005. Bureau of Indian Education.

Sec. 11006. American Indian, Native Hawaiian, and Alaska Native education.

TITLE I—COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Subtitle A—Agriculture

Sec. 1001. FOOD SUPPLY CHAIN AND AGRICULTURE PANDEMIC RESPONSE.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Secretary of Agriculture for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $4,000,000,000, to remain available until expended, to carry out this section.

(b) USE OF FUNDS.—The Secretary of Agriculture shall use the amounts made available pursuant to subsection (a) for—

(1) to purchase food and agricultural commodities;

(2) to purchase and distribute agricultural commodities (including fresh produce, dairy, seafood, eggs, and meat) to individuals in need, including through delivery to nonprofit organizations and through restaurants and other food...
related entities, as determined by the Secretary, that may receive, store, process, and distribute food items; (3) to make grants and loans for small or mid-sized processors or distributors, seafood processing facilities and processing vessels, farmers markets, producers, or other organizations to respond to COVID-19, including for measures to protect workers against COVID-19; and (4) to make loans and grants and provide other assistance to maintain and improve food and agricultural supply chain resiliency.

(c) Animal Health.—

(1) COVID-19 Animal Surveillance.—The Secretary of Agriculture shall conduct monitoring and surveillance of susceptible animals for incidence of SARS-CoV-2.

(2) Funding.—Out of the amounts made available under this subsection (a), the Secretary shall use $300,000,000 to carry out this subsection.

(d) Overtime Fees.—

(1) Small Establishment; Very Small Establishment Definitions.—The terms “small establishment” and “very small establishment” have the meaning given those terms in the final rule entitled “Pathogen Reduction; Hazard Analysis and Critical Control Point (HACCP) Systems” published in the Federal Register on July 25, 1996 (61 Fed. Reg. 38886).

(2) overtime inspection cost reduction.—Notwithstanding section 10703 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 2219a), the Act of June 5, 1948 (21 U.S.C. 695), section 24 of the Egg Products Inspection Act (21 U.S.C. 1053), and any regulations promulgated by the Department of Agriculture implementing such provisions of law and subject to the availability of funds under paragraph (3), the Secretary of Agriculture shall reduce the amount of overtime inspection costs borne by federally-inspected small establishments and very small establishments engaged in meat, poultry, or egg products processing and subject to the requirements of the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), the Poultry Products Inspection Act (21 U.S.C. 421 et seq.), or the Egg Products Inspection Act (21 U.S.C. 1031 et seq.), for inspection activities carried out during the period of fiscal years 2021 through 2030.

(3) Funding.—Out of the amounts made available under subsection (a), the Secretary shall use $10,000,000 to carry out this subsection.

SEC. 1002. EMERGENCY RURAL DEVELOPMENT GRANTS FOR RURAL HEALTH CARE.

(a) Grant Program.—Title I of the Agriculture Act of 2002 (42 U.S.C. 4951 et seq.) (hereinafter referred to as the “Secretary”) shall use the funds made available by this section to establish an emergency pilot program for rural development activities involving more than 130 days following the date of enactment of this Act to provide grants to eligible applicants (as defined in section 5357.61(a) of title 7, Code of Federal Regulations) to be awarded by the Secretary based on rural development needs related to the COVID-19 pandemic.

(b) Uses.—An eligible applicant to whom a grant is awarded under this section may use the grant funds for costs, including those incurred prior to the issuance of the grant, as determined by the Secretary, of facilities which primarily serve the socially disadvantaged; and shall use not less than 1 percent of the total amount of funding provided under subsection (a) for purposes described in this section to (A) loan funds to socially disadvantaged farmer or rancher; (B) loan funds to socially disadvantaged farmer or rancher; (C) loan funds to socially disadvantaged farm or rancher; and (D) loan funds to socially disadvantaged farm or rancher.

(c) Definition.—In this section—

(1) Farm Loan.—The term “farm loan” means—

(A) a loan administered by the Farm Service Agency under subtitles A, B, or C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922 et seq.); and

(B) a Commodity Credit Corporation Farm Storage Security Loan Program loan.

(2) Secretary.—The term “Secretary” means the Secretary of Agriculture.

SEC. 1003. PANDEMIC PROGRAM ADMINISTRATION.

In addition to amounts otherwise available, there are appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $500,000,000, to remain available until September 30, 2021, to carry out this section, of which not more than 3 percent may be used by the Secretary for administrative purposes and not more than 2 percent may be used by the Secretary for technical assistance or for purposes relating to heirs’ property, as determined by the Secretary.

SEC. 1004. FUNDING FOR THE USDA OFFICE OF INSPECTOR GENERAL FOR OVERSIGHT OF COVID-19-RELATED PROGRAMS.

In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $2,500,000, to remain available until September 30, 2022, for audits, investigations, and other oversight activities of projects and activities carried out with funds made available to the Department of Agriculture related to the COVID-19 pandemic.

SEC. 1005. FARM LOAN ASSISTANCE FOR SOCIALLY DISADVANTAGED FARMERS AND RANCHERS.

(a) Payments.—

(1) Appropriation.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of amounts in the Treasury not otherwise appropriated, $500,000,000, to remain available until expended, for necessary administrative expenses associated with carrying out this subtitle.

(2) Payments.—The Secretary shall provide a payment in an amount up to 120 percent of the outstanding indebtedness of each socially disadvantaged farmer or rancher as of January 1, 2021, to pay off the loan directly or to the socially disadvantaged farmer or rancher (or a combination of both) for the purpose of—

(A) direct farm loan made by the Secretary to the socially disadvantaged farmer or rancher; and

(B) farm loan guaranteed by the Secretary the borrower of which is the socially disadvantaged farmer or rancher.

(b) DEFINITIONS.—In this section—

(1) Farm Loan.—The term “farm loan” means—

(A) a loan administered by the Farm Service Agency under subtitles A, B, or C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922 et seq.); and

(B) a Commodity Credit Corporation Farm Storage Security Loan Program loan.

(2) Secretary.—The term “Secretary” means the Secretary of Agriculture.
disadvantaged farmers, ranchers, or forest landowners that are former farm loan borrowers that suffered related adverse actions or past discrimination or bias in Department of Agriculture programs, as determined by the Secretary.

c. DEFINITIONS.—In this section:

(1) NONINDUSTRIAL PRIVATE FOREST LAND.—The term ‘‘nonindustrial private forest land’’ has the meaning given the term in section 1210(a)(18) of the Food Security Act of 1985 (16 U.S.C. 3801(a)(18)).

(2) SOCIALLY DISADVANTAGED FARMER, RANCHER, OR FOREST LANDOWNER.—The term ‘‘socially disadvantaged farmer, rancher, or forest landowner’’ means a farmer, rancher, or owner or operator of nonindustrial private forest land who is a member of a socially disadvantaged group.

(3) SOCIALLY DISADVANTAGED GROUP.—The term ‘‘socially disadvantaged group’’ has the meaning given the term in section 202(a)(1) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)).

SEC. 1007. USE OF THE COMMODITY CREDIT CORPORATION FOR COMMODITIES AND TECHNOLOGIES

In addition to amounts otherwise made available, there are appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $800,000,000, to remain available until September 30, 2023, to use the Commodity Credit Corporation to acquire and make available commodities under section 406(b) of the Food for Peace Act (7 U.S.C. 1736(b)) and for expenses under such section.

Subtitle B—Nutrition

SEC. 1101. SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

(a) VALUE OF BENEFITS.—Section 702(a)(1) of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260) is amended by striking ‘‘June 30, 2021’’ and inserting ‘‘September 30, 2021’’.

(b) SNAP ADMINISTRATIVE EXPENSES.—In addition to amounts otherwise available, there is hereby appropriated for fiscal year 2021, out of any amounts in the Treasury not otherwise appropriated, $1,150,000,000, to remain available until September 30, 2023, with amounts to be obligated for each of fiscal years 2021, 2022, and 2023, for the costs of State administrative expenses associated with carrying out this section and administering the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), of which—

(1) $15,000,000 shall be for necessary expenses of the Secretariat (in this section referred to as the ‘‘Secretary’’) for management and oversight of the program; and

(2) $1,135,000,000 shall be for the Secretary to make grants to each State agency for each of fiscal years 2021 through 2023 as follows:

(A) 75 percent of the amounts available shall be allocated to States based on the share of each State of households that participate in the supplemental nutrition assistance program as reported by the Department of Agriculture over the most recent 12-month period for which data are available, adjusted by the Secretary (as of the date of the enactment of this Act) for participation in disaster programs under section 5(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(h)); and

(B) 25 percent of the amounts available shall be allocated to States based on the increase in the number of households that participate in the supplemental nutrition assistance program as reported by the Department of Agriculture over the most recent 12-month period for which data are available, adjusted by the Secretary (as of the date of the enactment of this Act) for participation in disaster programs under section 5(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(h)).

SEC. 1102. ADDITIONAL ASSISTANCE FOR SNAP ONLINE PURCHASING AND TECHNOLOGY IMPROVEMENTS.

(a) FUNDING.—In addition to amounts otherwise made available, there is appropriated for fiscal year 2021, out of any amounts in the Treasury not otherwise appropriated, $25,000,000, to remain available until September 30, 2026, to carry out this section.

(b) USE OF FUNDS.—The Secretary of Agriculture may use the amounts made available pursuant to subsection (a)—

(1) to make technological improvements to improve online purchasing in the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)(14));

(2) to modernize electronic benefit transfer technology;

(3) to support the mobile technologies demonstration projects and the use of mobile technologies authorized under section 7(h)(14) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)(14)); and

(4) to provide technical assistance to educate retailers on the process and technical requirements for the online acceptance of the supplemental nutrition assistance program benefits, for mobile payments, and for electronic benefit transfer modernization initiatives.

SEC. 1106. WIC PROGRAM MODERNIZATION

(a) DEFINITIONS.—In this section:

(A) APPLICABLE PERIOD.—The term ‘‘applicable period’’ means—

(i) the period from January 1, 2021, to January 31, 2022, in the case of the Washington, D.C., area; and

(ii) the period from January 1, 2021, to January 31, 2023, in the case of all other areas.

(B) ENDING NOT LATER THAN.—The term ‘‘ending not later than’’—

(i) during the applicable period described in subparagraph (A), as selected by a State agency; and

(ii) during the applicable period described in subparagraph (A), as selected by the Secretary, out of funds in the Treasury not otherwise appropriated, $250,000,000 for fiscal years 2021 through 2023.

(c) PROGRAM.—The term ‘‘program’’ means the special supplemental nutrition program for women, infants, and children established by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1766(r)).

(Sec. 1107. Meals and Supplements Reimbursements for Individuals Who Have Not Attained the Age of 25)

(a) PROGRAM FOR AT-RISK SCHOOL CHILDREN.—Beginning on the date of enactment of this Act, paragraph (a) of section 17(i)(1)(A) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(n)), as added by the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–260) is amended by striking ‘‘25 years’’ and inserting ‘‘25 years of age’’.

(b) AUTHORITY TO INCREASE AMOUNT OF CASH-VALUE VOUCHER.—The Secretary may, during the public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247a) on January 31, 2020, for the Coronavirus Disease 2019 (COVID–19), and in response to challenges relating to that public health emergency, the Secretary may, in carrying out the program, increase the amount of a cash-value voucher under a qualified food package to an amount that is less than or equal to $3.

SEC. 1108. USE OF INCREASED AMOUNT.—The term ‘‘State agency’’ means any State agency that notifies the Secretary of—

(A) the intent to use that increased amount, without further application; and

(B) the applicable period selected by the State agency during which that increased amount shall apply.

(d) SUNSET.—The authority of the Secretary under subsection (b), and the authority of a State agency to increase the amount of a cash-value voucher under subsection (c), shall terminate on September 30, 2022.

(e) FUNDING.—In addition to amounts otherwise made available, there is appropriated to the Secretary, out of funds in the Treasury not otherwise appropriated, $900,000,000 to carry out this section, to remain available until September 30, 2022.
reimburse institutions that are emergency shelters under such section 17(i) (42 U.S.C. 1766(i)) for meals and supplements served to individuals who, at the time of such service—

(1) have not attained the age of 25; and

(2) are receiving assistance, including non-residential assistance, from such emergency shelter.

(b) PARTICIPATION BY EMERGENCY SHELTERS.—Beginning on the date of enactment of this section, notwithstanding paragraph (5)(A) of section 17(t) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(t)), during the school emergency declaration under section 319 of the Public Health Service Act (42 U.S.C. 247d), the Secretary shall reimburse emergency shelters under such section 17(t)(1) (42 U.S.C. 1766(t)(1)) for meals and supplements served to individuals who, at the time of such service have not attained the age of 25.

(c) DEFINITIONS.—In this section—

(1) EMERGENCY SHELTER.—The term ‘‘emergency shelter’’ has the meaning given the term under section 17(h)(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(h)(1)).

(2) SECRETARY.—The term ‘‘Secretary’’ means the Secretary of Agriculture.

SEC. 1108. PANDEMIC EBT PROGRAM.

Section 1108 of the Families First Coronavirus Response Act (7 U.S.C. 2001 note; Public Law 116–136) is amended—

(1) in subsection (a)—

(A) by striking ‘‘During fiscal years 2020 and 2021’’ and inserting ‘‘In any school year in which there is a public health emergency designation’’;

(B) by inserting ‘‘or in a covered summer period following a school session’’ after ‘‘in session’’;

(2) in subsection (g), by striking ‘‘During fiscal year 2020, the’’ and inserting ‘‘The’’;

(3) in subsection (h)(1)—

(A) by inserting ‘‘either’’ after ‘‘at least 1 child enrolled in such a covered child care facility and’’; and

(B) by inserting ‘‘or a Department of Agriculture grant-funded nutrition assistance program in the Commonwealth of the Northern Mariana Islands, Puerto Rico, or American Samoa’’ before ‘‘shall be eligible to receive assistance’’;

(4) by redesigning subsections (i) and (j) as subsections (i) and (k), respectively;

(5) by inserting after subsection (h) the following:—

‘‘(i) EMERGENCIES DURING SUMMER.—The Secretary of Agriculture may permit a State agency to extend a State agency plan approved under subsection (b) for not more than 90 days for the purpose of operating the plan during a covered summer period, during which time schools participating in the school lunch program under the Richard B. Russell National School Lunch Act or the school breakfast program under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) and covered child care facilities shall be deemed closed for purposes of this section.’’

(6) in subsection (i) (as so redesignated)—

(A) by redesigning paragraphs (2) through (6) as paragraphs (3) through (7), respectively;

(B) by inserting after paragraph (1) the following:

‘‘(2) COVERED SUMMER PERIOD.—The term ‘‘covered summer period’’ means a summer period that follows a school year during which there was a public health emergency designation.’’; and

(C) in paragraph (5) (as so redesignated), by striking ‘‘or another coronavirus with pandemic potential’’; and

(7) in subsection (k) (as so redesignated), by inserting ‘‘Federal agencies, before ‘‘State agencies’’.

TITLE II—COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Subtitle A—Education Matters

PART 1—DEPARTMENT OF EDUCATION

SEC. 2001. ELEMENTARY AND SECONDARY SCHOOL EMERGENCY RELIEF FUND.

(a) IN GENERAL.—In addition to amounts otherwise available through the Education Stabilization Fund, there is appropriated to the Department of Education for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $122,774,800,000, to remain available through September 30, 2023, to carry out this section.

(b) GRANTS.—From funds provided under subsection (a), the Secretary shall—

(1) use $800,000,000 for the purposes of identifying homeless and providing services to homeless children and youth with—

(A) wrap-around services in light of the challenges of COVID-19; and

(B) assistance needed to enable homeless children and youth to attend school and participate fully in school activities; and

(2) from the remaining amounts, make grants to each State educational agency in accordance with this section.

(c) ALLOCATIONS TO STATES.—The amount of each grant under paragraph (b) shall be allocated by the Secretary to each State in the same proportion as each State received under part A of title I of the Elementary and Secondary Education Act of 1965 in the most recent fiscal year.

(2) AVAILABILITY OF FUNDS.—Each State shall make allocations under paragraph (1) to local educational agencies in an expedited and timely manner and, to the extent practicable, not later than 60 days after the receipt of such funds.

(d) USES OF FUNDS.—A local educational agency that receives funds under this section—

(1) shall reserve not less than 50 percent of such funds to address learning loss through the implementation of evidence-based and research-informed interventions, such as summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended-year programs, and ensure that such interventions are responsive to students’ academic, social, and emotional needs and address the disproportionate impact of the coronavirus on the student subgroups described in section 1111(b)(2)(B)(ii) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(ii)), students experiencing homelessness, and children and youth in foster care; and

(2) shall use the remaining funds for any of the following:

(A) Any activity authorized by the Elementary and Secondary Education Act of 1965.

(B) Any activity authorized by the Individuals with Disabilities Education Act.

(C) Any activity authorized by the Adult Education and Family Literacy Act.


(E) Coordination of preparedness and response efforts of local educational agencies with the Federal, State, and local public health emergency departments, and other relevant agencies, to improve coordinated responses among such entities to prevent, prepare for, and respond to coronavirus.

(F) Activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth, including how outreach and service delivery will meet the needs of each population.

(G) Developing and implementing procedures and systems to improve the preparedness and response efforts of local educational agencies.

(H) Training and professional development for the staff of the local educational agency on sanitization and minimizing the spread of infectious diseases.

(I) Purchasing supplies to sanitize and clean the facilities of a local educational agency, including buildings operated by such agency.

(J) Planning for, coordinating, and implementing activities related to summer learning and supplemental afterschool programs, including providing classroom instruction or online learning during the months and weeks after the end of the school year for low-income students, children with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care.

(M) Providing mental health services and supports, including through the implementation of evidence-based full-service community schools.

(N) Addressing learning loss among students, including low-income students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children and youth in foster care, of the local educational agency, including—

(i) infrastructure activities for schools to reduce risk of virus transmission and exposure to environmental health hazards, and to support student health needs.

(ii) improving student attendance and improving student engagement in distance education.

(iii) School facility repairs and improvements to enable operations of schools to respond to expected steam and water corrosion concerns, developing protocols and systems to improve the indoor air quality in school facilities, including mechanical and non-mechanical heating, ventilation, and air conditioning systems, filtering, purification and other air cleaning, fans, control systems, and window and door replacement.

(Q) Developing strategies and implementing public health protocols including, to the greatest extent practicable, in line with guidance from the Centers for Disease Control and Prevention for the reopening and operation of school facilities to effectively maintain the health and safety of students, educators, and other staff.

(R) Other activities that are necessary to maintain the operation of and continuity of

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services in local educational agencies and continuing to employ existing staff of the local educational agency.

(f) STATE FUNDING.—With funds not otherwise allocated under this section, a State—
(1) shall reserve not less than 5 percent of the total amount of grant funds awarded to the State under this section to carry out, directly or through grants or contracts, the implementation of evidence-based summer enrichment programs, and ensure that such programs respond to students’ academic, social, and emotional needs and address the disproportionate impact of the coronavirus on the student populations described in section 1111(b)(2)(B)(xi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(xi)), students experiencing homelessness, and children and youth in foster care, including by providing additional support to local educational agencies to fully address such impacts;
(2) shall reserve not less than 1 percent of the total amount of grant funds awarded to the State under this section to carry out, directly or through grants or contracts, the implementation of evidence-based summer enrichment programs, and ensure such programs respond to students’ academic, social, and emotional needs and address the disproportionate impact of the coronavirus on the student populations described in section 1111(b)(2)(B)(xi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(xi)), students experiencing homelessness, and children and youth in foster care;
(3) shall reserve not less than 1 percent of the total amount of grant funds awarded to the State under this section to carry out, directly or through grants or contracts, the implementation of evidence-based summer enrichment programs, and ensure such programs respond to students’ academic, social, and emotional needs and address the disproportionate impact of the coronavirus on the student populations described in section 1111(b)(2)(B)(xi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(xi)), students experiencing homelessness, and children and youth in foster care; and
(4) may reserve not more than one-half of 1 percent of the total amount of grant funds awarded to the State under this section to carry out, directly or through grants or contracts, the implementation of evidence-based summer enrichment programs, and ensure such programs respond to students’ academic, social, and emotional needs and address the disproportionate impact of the coronavirus on the student populations described in section 1111(b)(2)(B)(xi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(xi)), students experiencing homelessness, and children and youth in foster care; and
(g) REALLOCATION.—A State shall return to the Secretary any funds received under this section that the State does not award within 1 year of receiving such funds and the Secretary shall reallocate such funds to the remaining States in accordance with subsection (c).

(h) DEFINITIONS.—In this section—

(1) the terms ‘child’, children with disabilities’, ‘distance education’, ‘elementary school’, ‘full-service community school’, ‘evidence-based’, ‘secondary school’, ‘local educational agency’, ‘parent’, ‘Secretary’, ‘State educational agency’, and ‘technology’ have the meanings given those terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801); (2) the term ‘full-service community school’ has the meaning given that term in section 4622(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7272(2)); and (3) the term ‘mean each’ refers to the mean each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

(i) SAFE RETURN TO IN-PERSON INSTRUCTION.—

(1) IN GENERAL.—In addition to amounts otherwise available through the Emergency Assistance to Non-Public Schools Program, there is appropriated to the Department of Education for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $2,750,000,000, to remain available through September 30, 2023, for making allocations to Non-Public Schools Programs to provide services or assistance to non-public schools that enroll a significant percentage of low-income students and are most impacted by the qualifying emergency.

(b) LIMITATIONS.—Funds provided under subsection (a) shall not be used to provide reimbursements to any non-public school.

SEC. 2003. HIGHER EDUCATION EMERGENCY RELIEF FUND.

In addition to amounts otherwise available, there is appropriated to the Department of Education for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $39,584,570,000, to remain available through September 30, 2023, for allocations to institutions of higher education in accordance with the same terms and conditions of section 314 of the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (division M of Public Law 116–260), except that—

(1) subsection (a)(1) of such section 314 shall be applied by substituting ‘91 percent’ for ‘89 percent’;

(2) subsection (a)(2) of such section 314 shall be applied—
(A) in the matter preceding subparagraph (A), by substituting ‘under the heading ‘Higher Education’ in the Department of Education Appropriations Act, 2020’ for ‘in the Further Consolidated Appropriations Act, 2020’ for ‘in the Further Consolidated Appropriations Act, 2020’ (Public Law 116–94)’; and
(B) in subparagraph (B), by substituting ‘under the heading ‘Higher Education’ in the Department of Education Appropriations Act, 2020’ for ‘in the Further Consolidated Appropriations Act, 2020’ (Public Law 116–94)’;

(3) an institution that receives an allocation apportioned in accordance with clause (ii) of subsection (b)(3) of such section 314 shall, at the endowment (as defined in section 479A of the Higher Education Act of 1965 (20 U.S.C. 1087tt)) of the institution, have a total endowment size of $1,000,000 for any high-poverty school served by the local educational agency in such fiscal year (if any); and

(4) an institution that receives an allocation apportioned in accordance with clause (ii) of subsection (b)(3) of such section 314, shall not, in fiscal year 2022 or 2023, reduce State and local funding (as calculated on a per-pupil basis) for any high-need local educational agency in the State by an amount that exceeds the overall per-pupil reduction in State funds, if any, across all local educational agencies in such State in such fiscal year.

(2) HIGHER EDUCATION LOCAL EDUCATIONAL AGENCIES.—For the purpose of relieving fiscal burdens incurred by States in preventing, preparing for, and responding to the coronavirus, the Secretary of Education may waive any maintenance of effort requirements associated with the Education Stabilization Fund.

(b) STATE MAINTENANCE OF EQUITY.—

(1) IN GENERAL.—As a condition of receiving funds under section 2001, a State shall maintain support for elementary and secondary education, and for higher education (which shall include State funding to institutions of higher education and State need-based financial aid, and shall not include support for capital outlays, or capital outlay and other expenditures for construction or for tuition and fees paid by students), in each of fiscal years 2022 and 2023 at least at the proportional levels of such State’s support for elementary and secondary education and for higher education relative to such State’s overall spending, averaged over fiscal years 2017, 2018, and 2019.

WAIVERS.—For the purposes of subsection (a), a State may make a request for a fiscal year that the Secretary waive any maintenance of effort requirements associated with the Education Stabilization Fund.

(c) LOCAL EDUCATIONAL AGENCY MAINTENANCE OF EQUITY FOR HIGH-POVERTY SCHOOLS.—

(1) IN GENERAL.—As a condition of receiving funds under section 2001, a local educational agency shall not, in fiscal years 2022 or 2023—
(A) reduce per-pupil funding (as calculated on a per-pupil basis) for any high-need local educational agency for any high-need local educational agency in the State by an amount that exceeds the overall per-pupil reduction in State funds, if any, across all local educational agencies in such State in such fiscal year.

(2) HIGHER POVERTY LOCAL EDUCATIONAL AGENCIES.—Notwithstanding paragraph (1), as a condition of receiving funds under section 2001, a local educational agency shall not, in fiscal year 2022 or 2023, reduce State funding (as calculated on a per-pupil basis) for any high-need local educational agency in the State by an amount that exceeds the overall per-pupil reduction in State funds, if any, across all local educational agencies in such State in such fiscal year.

SEC. 2004. MAINTENANCE OF EFFORT AND MAINTENANCE OF EQUITY.

(a) STATE MAINTENANCE OF EQUITY.—

(1) IN GENERAL.—As a condition of receiving funds under section 2001, a State shall maintain support for elementary and secondary education, and for higher education (which shall include State funding to institutions of higher education and State need-based financial aid, and shall not include support for capital outlays, or capital outlay and other expenditures for construction or for tuition and fees paid by students), in each of fiscal years 2022 and 2023 at least at the proportional levels of such State’s support for elementary and secondary education and for higher education relative to such State’s overall spending, averaged over fiscal years 2017, 2018, and 2019.

(b) STATE MAINTENANCE OF EQUITY.—

(1) IN GENERAL.—As a condition of receiving funds under section 2001, a State shall maintain support for elementary and secondary education, and for higher education (which shall include State funding to institutions of higher education and State need-based financial aid, and shall not include support for capital outlays, or capital outlay and other expenditures for construction or for tuition and fees paid by students), in each of fiscal years 2022 and 2023 at least at the proportional levels of such State’s support for elementary and secondary education and for higher education relative to such State’s overall spending, averaged over fiscal years 2017, 2018, and 2019.

SEC. 2005. MAINTENANCE OF EFFORT AND MAINTENANCE OF EQUITY.

(a) STATE MAINTENANCE OF EQUITY.—

(1) IN GENERAL.—As a condition of receiving funds under section 2001, a State shall maintain support for elementary and secondary education, and for higher education (which shall include State funding to institutions of higher education and State need-based financial aid, and shall not include support for capital outlays, or capital outlay and other expenditures for construction or for tuition and fees paid by students), in each of fiscal years 2022 and 2023 at least at the proportional levels of such State’s support for elementary and secondary education and for higher education relative to such State’s overall spending, averaged over fiscal years 2017, 2018, and 2019.

(b) STATE MAINTENANCE OF EQUITY.—

(1) IN GENERAL.—As a condition of receiving funds under section 2001, a State shall maintain support for elementary and secondary education, and for higher education (which shall include State funding to institutions of higher education and State need-based financial aid, and shall not include support for capital outlays, or capital outlay and other expenditures for construction or for tuition and fees paid by students), in each of fiscal years 2022 and 2023 at least at the proportional levels of such State’s support for elementary and secondary education and for higher education relative to such State’s overall spending, averaged over fiscal years 2017, 2018, and 2019.
(B) reduce per-pupil, full-time equivalent staff in any high-poverty school by an amount that exceeds—
   (i) the total reduction in full-time equivalent staff employed by such educational agency in fiscal year 2022 or 2023 that exceeds at least 1 of the following criteria in such fiscal year:
   (A) local educational agency has a total enrollment of 3,000 students;
   (B) such local educational agency operates a single school;
   (C) such local educational agency serves all students within each grade span with a single school;
   (D) such local educational agency demonstrates an exceptional or uncontrollable circumstance, such as unpredictable changes in student enrollment or a precipitous decline in the financial resources of such agency, as determined by the Secretary of Education.

(d) Definitions.—In this section:

(1) ELEMENTARY EDUCATION; SECONDARY EDUCATION.—The terms ‘‘elementary education’’ and ‘‘secondary education’’ have the meaning given such terms under State law.

(2) HIGHEST POVERTY LOCAL EDUCATIONAL AGENCY.—‘‘Highest-poverty local educational agency’’ means a local educational agency that is among the group of local educational agencies in the State that—
   (A) serves the highest percent-ages of economically disadvantaged students in the State, on the basis of the most recent satis-factory data available from the Department of Commerce (or, for local educational agencies for which no such data are available, such other data as the Secretary of Education determines are satisfactory); and
   (B) collectively serve not less than 20 percent of the State’s total enrollment of students served by all local educational agencies in the State.

(3) HIGHEST POVERTY LOCAL EDUCATIONAL AGENCY.—The term ‘‘high-need local educational agency’’ means a local educational agency that is among the group of local educational agencies in the State that—
   (A) in rank order, have the highest percent-ages of economically disadvantaged students in the State, on the basis of the most recent satis-factory data available from the Department of Commerce (or, for local educational agencies for which no such data are available, such other data as the Secretary of Education determines are satisfactory); and
   (B) collectively serve not less than 50 percent of the State’s total enrollment of students served by all local educational agencies in the State.

(4) HIGH-POVERTY SCHOOL.—(A) In general.—The term ‘‘high-poverty school’’ means, with respect to a school served by a local educational agency, a school that is in the highest quartile of schools served by such local educational agency based on the percent-age of economically disadvantaged students served by such educational agency in accordance with subparagraph (B).

(B) Determination.—In making the determina-tion under subparagraph (A), a State shall—
   (i) select a measure of poverty established for the purposes of this paragraph by the Secretary of Education and apply such measure consistently to all schools served by that State;
   (ii) over- all per-pupil reduction in State funds.—The term ‘‘overall per-pupil reduction in State funds’’ means, with respect to a fiscal year—
   (A) the aggregate number of children enrolled in all schools served by all local educational agencies in the State in the fiscal year for which the determination is being made;
   (B) the aggregate number of children enrolled in all schools served by all local educational agencies in the State in the fiscal year for which the determination is being made.

SEC. 2005. OUTLYING AREAS.

In addition to amounts otherwise available, there is appropriated to the Department of Edu-cation for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $5,000,000, to remain available until expended, for the purposes of this section.

SEC. 2006. GALLAUDET UNIVERSITY.

In addition to amounts otherwise available, there is appropriated to the Department of Edu-cation for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $19,250,000, to remain available through Sep-teMBER 30, 2023, for the Kendall Demonstration School, the Model Secondary School for the Deaf, education to prevent, prepare for, and respond to coronavirus, including to defray expenses associated with coronavirus (including lost revenue, reimbursable expenses for expenses already incurred, technology costs associated with a transition to distance education, faculty and staff trainings, and payroll) and to provide financial aid grants to stu-dents, which may be used for any component of the student’s cost of attendance.

SEC. 2007. STUDENT AID ADMINISTRATION.

In addition to amounts otherwise available, there is appropriated to the Department of Edu-cation for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $91,120,000, to remain available through Sep-teMBER 30, 2023, for Student Aid Administration within the Department of Education to prevent, prepare for, and respond to coronavirus includ-ing direct outreach to students and borrowers about financial aid, economic impact payments, means-tested benefits, unemployment assistance, and tax benefits, for which the students and borrowers may be eligible.

SEC. 2008. HOWARD UNIVERSITY.

In addition to amounts otherwise available, there is appropriated to the Department of Edu-cation for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $35,000,000, to remain available through Sep-teMBER 30, 2023, for Howard University to pre-vent, prepare for, and respond to coronavirus, including to defray expenses associated with coronavirus (including lost revenue, reimbursable expenses for expenses already incurred, technology costs associated with a transition to distance education, faculty and staff trainings, and payroll) and to provide financial aid grants to stu-dents, which may be used for any component of the student’s cost of attendance.

SEC. 2009. NATIONAL TECHNICAL INSTITUTE FOR THE DEAF.

In addition to amounts otherwise available, there is appropriated to the Department of Edu-cation for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $19,250,000, to remain available through Sep-teMBER 30, 2023, for the National Technical Insti-tute for the Deaf to prevent, prepare for, and respond to coronavirus, including to defray expenses associated with coronavirus (including lost revenue, reimbursable expenses for expenses already incurred, technology costs associated with a transition to distance education, faculty and staff trainings, and payroll) and to provide financial aid grants to students, which may be used for any component of the student’s cost of attendance.

SEC. 2010. INSTITUTE OF EDUCATION SCIENCES.

In addition to amounts otherwise available, there is appropriated to the Department of Edu-cation for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $100,000,000, to remain available through Sep-teMBER 30, 2023, for the Institute of Education Sciences to carry out research related to ad-dressing learning loss caused by the coronavirus among the student subgroups described in section 1111(b)(2)(B)(i) of the Elementary and Sec-ondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(i)) and students experiencing homelessness and children and youth in foster care, and to disseminate such findings to State educational agencies and local educational agencies and other appropriate entities.

SEC. 2011. PROGRAM ADMINISTRATION.

In addition to amounts otherwise available, there is appropriated to the Department of Edu-cation for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $15,000,000, to remain available through Sep-teMBER 30, 2024, for Program Administration within the Department of Education to prevent, prepare for, and respond to coronavirus, and for salaries and expenses necessary to implement this part.

SEC. 2012. OFFICE OF INSPECTOR GENERAL.

In addition to amounts otherwise available, there is appropriated to the Department of Edu-cation for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $3,000,000, to remain available until expended, for the Office of Inspector General of the De-partment of Education to prevent, prepare for, and respond to coronavirus, and for salaries and expenses necessary for oversight, investigations, and audits of programs, grants, and projects funded under this part carried out by the Office of Inspector General.

SEC. 2013. MODIFICATION OF REVENUE REQUIREMENTS FOR PROPRIETARY INSTITUTIONS OF HIGHER EDUCATION.

(a) In General.—Section 487(a)(24) of the Higher Education Act of 1965 (20 U.S.C. 1094(d)(24)) is amended by striking ‘‘funds pro-vided to a student to be used to attend such in-stitutions’’ and inserting ‘‘funds provided under this repairment’’ and inserting ‘‘Federal education assistance funds’’.

(b) Implementation of Non-Federal Revenue Requirement.—Section 487(d) of the Higher Education Act of 1965 (20 U.S.C. 1094(d)) is amended—

(1) in the subsection heading, by striking ‘‘Non-title IV’’ and inserting ‘‘Non-Federal’’; and

(2) in paragraph (1)(C), by striking ‘‘funds for a program under this title’’ and inserting ‘‘Fed-eral education assistance funds’’.

SEC. 2014. FUNDING FOR THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.

(a) Amounts for IDEA.—There are appropriated to the Secretary of Education for fiscal year 2021, out of any money in the Treasury not otherwise appropriated—
   (1) $2,580,000,000 for grants to States under part B of the Individuals with Disabilities Education Act;
   (2) $200,000,000 for preschool grants under sec-tion 619 of the Individuals with Disabilities Education Act; and
   (3) $230,000,000 for programs for infants and toddlers with disabilities under part C of the In-dividuals with Disabilities Education Act.

(b) General Provisions.—Any amount ap-propriated under subsection (a) is in addition to
other amounts appropriated or made available for the applicable purpose.

PART 2—MISCELLANEOUS

SEC. 2021. NATIONAL ENDOWMENT FOR THE ARTS.

In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $135,000,000, to remain available until expended, under the National Foundation on the Arts and the Humanities Act of 1965, as follows:

(1) Forty percent shall be for grants, and relevant administrative expenses, to State agencies and regional arts organizations that support organizations’ programming and general operating expenses to cover up to 100 percent of the costs of the programs which the grants support, to prevent, prepare for, respond to, and recover from the coronavirus.

(2) Sixty percent shall be for direct grants, and relevant administrative expenses, that support organizations’ programming and general operating expenses to cover up to 100 percent of the costs of the programs which the grants support, to prevent, prepare for, respond to, and recover from the coronavirus.

SEC. 2022. NATIONAL ENDOWMENT FOR THE HUMANITIES.

In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $135,000,000, to remain available until expended, under the National Foundation on the Arts and the Humanities Act of 1965, as follows:

(1) Forty percent shall be for grants, and relevant administrative expenses, to State humanities councils that support humanities organizations’ programming and general operating expenses to cover up to 100 percent of the costs of the programs which the grants support, to prevent, prepare for, respond to, and recover from the coronavirus.

(2) Sixty percent shall be for direct grants, and relevant administrative expenses, that support humanities organizations’ programming and general operating expenses to cover up to 100 percent of the costs of the programs which the grants support, to prevent, prepare for, respond to, and recover from the coronavirus.

SEC. 2023. INSTITUTE OF MUSEUM AND LIBRARY SERVICES.

In addition to amounts otherwise available, there is appropriated to the Institute of Museum and Library Services for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $200,000,000, to remain available until expended, under the Institute of Museum and Library Services Act of 1986, as follows:

(1) Forty percent shall be for grants, and relevant administrative expenses, to State agencies and regional libraries organizations that support libraries’ programming and general operating expenses to cover up to 100 percent of the costs of the programs which the grants support, to prevent, prepare for, respond to, and recover from the coronavirus.

(2) Sixty percent shall be for direct grants, and relevant administrative expenses, that support libraries organizations’ programming and general operating expenses to cover up to 100 percent of the costs of the programs which the grants support, to prevent, prepare for, respond to, and recover from the coronavirus.

SEC. 2201. CHILD CARE AND DEVELOPMENT BLOCK GRANT FUNDING.

(a) CHIL DR CARE AND DEVELOPMENT BLOCK GRANT FUNDING.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any amounts in the Treasury not otherwise appropriated, $14,900,000,000, to remain available through September 30, 2021, to carry out the program authorized under section 658C of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9303), without regard to subparagraphs (B) and (D) of section 658E(c)(3)(E) of such Act (42 U.S.C. 9304e(c)(3)(E)). Payments made to States, territories, Indian Tribes, and Tribal organizations are authorized to use such funds to provide child care assistance to health care sector employees, emergency responders, sanitation workers, and other workers deemed essential during the response to the coronavirus by public officials, without regard to the income eligibility requirements of section 658B(4) of the Child Care and Development Block Grant Act (42 U.S.C. 9303m(4)).

(b) ADMINISTRATIVE COSTS.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any amounts in the Treasury not otherwise appropriated, $35,000,000, to remain available through September 30, 2021, for the costs of providing technical assistance and conducting research and for the administrative costs to carry out this section and section 2202 of this title.

(c) SUPPLEMENT NOT SUPPLANT.—Amounts made available under this section shall be used to supplement and not supplant other Federal, State, and local public funds expended to provide child care services for eligible individuals.

SEC. 2202. CHILD CARE STABILIZATION.

(a) DEFINITIONS.—In this section:

(1) COVID–19 PUBLIC HEALTH EMERGENCY.—The term ‘‘COVID–19 public health emergency’’ means the public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d) on January 31, 2020, with respect to COVID–19, including any renewal of the declaration.

(2) ELIGIBLE CHILD CARE PROVIDER.—The term ‘‘eligible child care provider’’ means—

(A) an eligible child care provider as defined in section 658P of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9303n);

(B) a child care provider that is licensed, regulated, or accredited by the State, territory, or Indian Tribe on the date of enactment of this Act, that is licensed, regulated, or accredited by the State and local health and safety requirements.

(c) GRANTS.—From the amounts appropriated under this section, the Secretary shall make subgrants to states, territories, and Indian tribes to support the stability of the child care sector during the COVID–19 public health emergency, and to the extent practicable, to provide continuous funding for the eligible child care providers for the duration of the emergency.

SEC. 2203. CHILD CARE STABILIZATION FUNDING.

(a) CHIL DR CARE AND DEVELOPMENT BLOCK GRANT FUNDING.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any amounts in the Treasury not otherwise appropriated, $14,900,000,000, to remain available through September 30, 2021, for grants under this section in accordance with the Child Care and Development Block Grant Act of 1990.

(b) ALLOCATION OF AMOUNTS.—Amounts appropriated under this section (subsection (a)) shall be allocated as follows:

(1) Not less than $10,000,000 shall be for the Occupational Safety and Health Administration, of which $2,000,000 shall be for Susan Harwood training grants and not less than $5,000,000 shall be for enforcement activities related to COVID–19 at high risk workplaces including health care facilities and related processing facilities, agricultural workplaces and correctional facilities.

(2) Not less than $2,000,000 shall be for the Office of Inspector General.

Subtitle C—Human Services and Community Supports

SEC. 2204. SERVICES TO SENIORS.

(a) GRANTS FOR SERVICES TO SENIORS.—In addition to amounts otherwise available, there is appropriated, $35,000,000, to remain available until expended, under the Older Americans Act of 1965, as follows:

(1) Forty percent shall be for grants, and relevant administrative expenses, to provide individually designed services to eligible older persons to prevent, prepare for, respond to, and recover from the coronavirus.

(2) Sixty percent shall be for direct grants, and relevant administrative expenses, that support organizations’ programming and general operating expenses to cover up to 100 percent of the costs of the programs which the grants support, to prevent, prepare for, respond to, and recover from the coronavirus.

SEC. 2205. CHILD CARE STABILIZATION.

(a) DEFINITIONS.—In this section:

(1) COVID–19 PUBLIC HEALTH EMERGENCY.—The term ‘‘COVID–19 public health emergency’’ means the public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d) on January 31, 2020, with respect to COVID–19, including any renewal of the declaration.

(2) ELIGIBLE CHILD CARE PROVIDER.—The term ‘‘eligible child care provider’’ means—

(A) an eligible child care provider as defined in section 658P of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9303n);

(B) a child care provider that is licensed, regulated, or registered in the State, territory, or Indian Tribe on the date of enactment of this Act, that is licensed, regulated, or registered in the State and local health and safety requirements.

(c) GRANTS.—From the amounts appropriated under this section, the Secretary shall make subgrants to Indian Tribes and Tribal organizations to support the stability of the child care sector during the COVID–19 public health emergency, and, to the extent practicable, to provide continuous funding for the eligible child care providers for the duration of the emergency.
(HI) the provider will provide relief from co-payments and tuition payments for the families enrolled in the provider’s program, to the extent possible, and prioritize such relief for families struggling to make either type of payment, (ii) accept and process applications submitted under this subparagraph on a rolling basis, and provide subgrant funds in advance of provider expenditures, except as provided in subsection (e)(2).

(E) Obligation.—The lead agency shall notify the Secretary if it is unable to obligate at least 50 percent of the funds received pursuant to subsection (c) that are available for subgrants described in this paragraph within 9 months of the date of enactment of this Act.

(2) Use of funds.—(I) IN GENERAL.—A qualified child care provider that receives funds through such a subgrant shall use the funds for at least one of the following:

(A) Personnel costs, including payroll and salaries or similar compensation for an employee (including any sole proprietor or independent contractor), employee benefits, premium pay, or costs for employee recruitment and retention.

(B) Rent (including rent under a lease agreement) or payment on any mortgage obligation, utilities, facility maintenance or improvements, or insurance.

(C) Personal protective equipment, cleaning and sanitization and other health services, or training and professional development related to health and safety practices.

(D) Purchases of or upgrades to equipment and supplies used to respond to the COVID–19 public health emergency.

(E) Goods and services necessary to maintain or resume child care services.

(F) Mental health supports for children and employees.

(II) Reimbursement.—The qualified child care provider may use the subgrant funds to reimburse employees for amounts that were made unavailable or unusable due to the COVID–19 public health emergency described in paragraph (1) to respond to the COVID–19 public health emergency.

(3) Supplement not supplant.—Amounts made available to carry out this section shall be used to supplement and not supplant other Federal, State, and local public funds expended to provide child care services for eligible individuals.

SECT. 2205. HEAD START.

In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any amounts in the Treasury not otherwise appropriated, $1,000,000,000, to remain available through September 30, 2021, to carry out the Head Start Act, including for Federal administrative expenses. After reserving funds for Federal administrative expenses, the Secretary shall allocate all remaining amounts to Head Start agencies for one-time grants, and shall allocate to each Head Start agency an amount that bears the same ratio to the portion available for allocation as the number of enrolled children served by the Head Start agency bears to the number of enrolled children served by all Head Start agencies.

SECT. 2204. PROGRAMS FOR SURVIVORS.

(a) Voluntary.—Section 303 of the Family Violence Prevention and Services Act (42 U.S.C. 10403) is amended by adding at the end the following:

“(h) ADDITIONAL FUNDING.—For the purposes of carrying out this title, in addition to amounts otherwise available for such purposes, there are appropriated, out of any amounts in the Treasury not otherwise appropriated, for fiscal year 2021, to remain available until expended as otherwise provided in this section, the following:

“(1) $2,500,000, to be carried out sections 301 through 312, to be allocated in the manner described in subsection (a)(2), except that—

“(A) a reference in subsection (a)(2) to an amount appropriated under subsection (a)(1) shall be considered to be a reference to an amount appropriated under this paragraph,

“(B) in paragraph (1) to ‘the end of the following fiscal year’ shall be considered to be a reference to ‘the end of fiscal year 2025’; and

“(C) funds made available to a State in a grant under section 306(a) and obligated in a timely manner shall be available for expenditure by the State or a recipient of funds from the grant, through the end of fiscal year 2025;

“(d) GRANTS TO SUPPORT SURVIVORS OF SEXUAL ASSAULT.—

(1) IN GENERAL.—In addition to amounts otherwise available, there is appropriated, out of any amounts in the Treasury not otherwise appropriated, to the Secretary of Health and Human Services, to allocate through the Director of the Family Violence Prevention and Services Program, shall—

(2) USE OF FUNDS.—From amounts appropriated under paragraph (1), the Secretary, through the Director of the Family Violence Prevention and Services Program, shall—

(3) GRANTS TO SUPPORT CULTURALLY SPECIFIC POPULATIONS.—

(1) IN GENERAL.—In addition to amounts otherwise available, there is appropriated, out of any amounts in the Treasury not otherwise appropriated, to the Secretary of Health and Human Services, to allocate through the Director of the Family Violence Prevention and Services Program, shall—

(2) USE OF FUNDS.—From amounts appropriated under paragraph (1), the Secretary, through the Director of the Family Violence Prevention and Services Program, shall—

(4) ADMINISTRATIVE COSTS.—In addition to amounts otherwise available, there is appropriated, out of any amounts in the Treasury not otherwise appropriated, $2,500,000 for fiscal year 2021, to remain available until expended, for the Federal administrative costs of carrying out subsections (c) and (d).

SECT. 2205. CHILD ABUSE PREVENTION AND TREATMENT.

In addition to amounts otherwise available, there is appropriated to the Secretary of Health and Human Services for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, for the purposes described in section 101 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 12576(a)) and section 105(b) of the National and Community Service Act of 1990 (42 U.S.C. 12576(b)), $20,000,000 to be used—

(1) to carry out subsection (b)(4) of section 105 of the National and Community Service Act of 1990 (42 U.S.C. 12576(b)), except that—

(A) in subsection (b)(4) of such section 203, ‘‘subgrant’’ shall be deemed to be ‘‘100 percent’’; and

(B) subsections (b)(1)(B) and (c) of such section 203 shall not apply; and

(2) for grants made under section 16(b) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 12576(b)).
(5) NATIONAL SENIOR SERVICE CORPS.—$30,000,000 shall be used for the purposes described in section 200 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5009).

(6) NATIONAL SERVICE TRUST.—$75,000,000 shall be used for the Corporation for National and Community Service for administrative expenses to carry out programs and activities funded by subsection (a).

(7) OFFICE OF INSPECTOR GENERAL.—$9,000,000 shall be used for the Office of Inspector General of the Corporation for National and Community Service for salaries and expenses necessary for oversight and audit of programs and activities funded by subsection (a).

Title D—Public Health

SEC. 2301. FUNDING FOR COVID–19 VACCINE ACTIVITIES AT THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary of Health and Human Services in this subsection the amount described in subsection (b).

(b) AMOUNT.—$7,500,000,000, to remain available until expended, to carry out activities, for administration of the National Service Trust, and for payment to the Trust for the provision of educational awards pursuant to section 154(a)(1)(A) of the National and Community Service Act of 1990 (42 U.S.C. 12691(a)(1)(A)).

SEC. 2302. FUNDING FOR VACCINE CONFIDENCE ACTIVITIES.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $148,000,000, to remain available until expended, for activities related to production of ancillary medical products and supplies related to vaccines; and $30,000,000 shall be used for the purposes described in subsection (c). In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $7,500,000,000, to remain available until expended, for administration of the National Service Trust, and for payment to the Trust for the provision of educational awards pursuant to section 154(a)(1)(A) of the National and Community Service Act of 1990 (42 U.S.C. 12691(a)(1)(A)).

Subtitle E—Testing

SEC. 2401. FUNDING FOR COVID–19 TESTING, CONTACT TRACING, AND MITIGATION ACTIVITIES.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary of Health and Human Services in this subsection the amount described in subsection (b).

(b) AMOUNT.—Not later than 21 days after the date of enactment of this Act, the Secretary shall, out of any money in the Treasury described in subsection (a), provide supplemental funding to any State, locality, or territory that received less of the amounts that were appropriated in title XI of the 1990 Tax Act for assistance to fight the consultation services referred to as the **Secretary**) for public health emergency preparedness cooperative agreement awards under section 319(c) of the Public Health Service Act (42 U.S.C. 247d-3a).

SEC. 2402. FUNDING FOR COVID–19 VACCINES, THERAPEUTICS, AND MEDICAL SUPPLIES.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $6,050,000,000, to remain available until expended, for necessary expenses with respect to research, development, manufacturing, production, and the purchase of vaccines, therapeutics, and ancillary medical products and supplies to prevent, prepare, or respond—

(1) SARS-CoV-2 or any viral variant mutating therefrom with pandemic potential; and

(2) COVID–19 and other disease with potential for creating a pandemic.

Subtitle F—Funding for State Vaccine Grant

SEC. 2501. FUNDING FOR STATE VACCINE GRANTS.—

(1) DEFINITIONS.—In this subsection:

(A) BASE FORMULA.—The term “base formula” means the amount that applies to the Public Health Emergency Preparedness cooperative agreement in fiscal year 2020.

(B) ALTERNATIVE ALLOCATION.—The term “alternative allocation” means an allocation to each State, territory, or locality calculated using the percentage derived from the allocation formula (as so defined) and the ratio of the aggregate amount of fiscal year 2020 Public Health Emergency Preparedness cooperative agreement awards under section 319(c) of the Public Health Service Act (42 U.S.C. 247d-3a).

(2) SUPPLEMENTAL FUNDING.—

(A) IN GENERAL.—Not later than 21 days after the date of enactment of this Act, the Secretary shall, out of amounts described in subsection (a), provide supplemental funding to any State, locality, or territory that received less of the amounts that were appropriated under title XI of the 1990 Tax Act for assistance to fight the Consultation Services referred to as the **Secretary** for public health emergency preparedness cooperative agreement awards under section 319(c) of the Public Health Service Act (42 U.S.C. 247d-3a).

(C) NATIONAL SERVICE TRUST.—In addition to amounts otherwise made available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $148,000,000, to remain available until expended, for the Office of Inspector General, for salaries and expenses necessary for oversight and audit of programs and activities funded by subsection (a).

(C) SUPPORT FOR SARS–COV–2 OR ANY VIRAL VARIANT MUTATING THEREFROM WITH PANDEMIC POTENTIAL; AND

(D) SUPPORT FOR COVID–19 AND OTHER DISEASE WITH POTENTIAL FOR creating a pandemic.

(E) SUPPORT FOR THE ACQUISITION, CONSTRUCTION, ALTERATION, OR RENOVATION OF FACILITIES FOR THE PRODUCTION OF DIAGNOSTICS AND ANCILLARY MEDICAL PRODUCTS AND SUPPLIES WHERE THE SECRETARY DETERMINES THAT SUCH AN INVESTMENT IS NECESSARY TO ENSURE THE PRODUCTION OF SUFFICIENT AMOUNTS OF SUCH SUPPLIES;

(F) ESTABLISH AND EXPAND FEDERAL, STATE, LOCAL, AND TERMINAL PUBLIC HEALTH DEPARTMENTS FOR ACTIVITIES TO DETECT, DIAGNOSE, TRAVERSE, AND MONITOR SARS-CoV-2 AND COVID–19 INFECTIONS AND RELATED STRATEGIES AND ACTIVITIES TO MITIGATE THE SPREAD OF COVID–19;

(G) SUPPORT THE DEVELOPMENT, MANUFACTURING, PROCUREMENT, DISTRIBUTION, AND ADMINISTRATION OF TESTS TO DETECT OR DIAGNOSE SARS-CoV-2 AND COVID–19 INFECTIONS AND RELATED STRATEGIES AND ACTIVITIES TO MITIGATE THE SPREAD OF COVID–19;

(H) SUPPORT THE DEVELOPMENT, MANUFACTURING, PROCUREMENT, DISTRIBUTION, AND ADMINISTRATION OF MEDICAL EQUIPMENT RELATED TO THE TREATMENT, PREVENTION, OR DIAGNOSIS OF COVID–19; AND

(I) SUPPORT THE DEVELOPMENT, MANUFACTURING, PROCUREMENT, DISTRIBUTION, AND ADMINISTRATION OF MEDICAL EQUIPMENT RELATED TO THE TREATMENT, PREVENTION, OR DIAGNOSIS OF COVID–19; AND
workforce related to genomic sequencing, analyti-
cs to strengthen and expand activities and
通告, to conduct, expand, and improve activities to
or laboratories to strengthen a public health work-
ated agreements with, State, local, and terri-
ruminant public health departments or public health la-
conducted acting through the Director of the Centers for Disease Control and Prevention,
acted otherwise appropriated, $500,000,000, to re-
year 2021, out of any money in the Treasury not
or UNC in section 338A, 338B, and 338I of the Public Health Service Act (42 U.S.C. 254l–1, 254q–1) with respect to the health workforce, and
(4) to establish, expand, and sustain the health care workforce to prevent, prepare for, and respond to COVID–19, and to carry out other health workforce–related activities.
(5) to modify, enhance, and expand health care services and infrastructure; and
(6) to conduct community outreach and educa-
care, or renovation of facilities to improve
even the circulation and transmission of viruses
mating and tracking of viruses and other organisms, including SARS–CoV–2–
use amounts awarded pursuant to subsection (a) for the costs of carrying out any of the activities described in subsection (b) during the period beginning on the date of the declaration of a public health emergency by the Secretary under section 319 of the Public Health Service Act (42 U.S.C. 247d) on January 31, 2020, with respect to COVID–19 and ending on the date of such award.
SEC. 2602. FUNDING FOR NATIONAL HEALTH SERVICE CORPS.
(b) USE OF FUNDS.—From amounts appro-
ated, $7,600,000,000, to remain available until
the State, territorial, or local public health department involved; or
the purposes of the activities funded under this section.
(4) Subawards from recipients of awards under subsection (a) to local health departments for
ed, to strengthen and expand activities and
orphaned private public or public organization with demonstrated expertise in implementing public health programs and established relationships with such State, territorial, or local public health departments, particularly in medically underserved areas.
(5) to enhance information technology, data
sustaining a public health workforce, including by
related to public health capabilities;
lish, expand, and sustain a public health work-
ate representatives of the health care workforce, and
other emerging infectious disease threats globally, including
(2) to detect, diagnose, trace, and monitor
or underway, or in progress, or in the process of being under- taken, or involving any public health, public health practice, or public health administration activity, or
(4) to begin, expand, and sustain a public health work-
oral funding for public health—
clude, in addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021 out of any money in the Treasury not otherwise appropriated, $1,750,000,000, to remain available until expended, to strengthen and expand activities and workforce related to genomic sequencing, analytics, and disease surveillance.
(2) grants or cooperative agreements to State, local, Tribal, or territorial public health departments or public health laboratories;
(3) to use genomic sequencing to identify out-
breaks and clusters of diseases or infections, including
COVID–19; and
(4) to develop effective disease response strat-
tages based on genomic sequencing and surveil-
sance data;
(2) Personal protective equipment, data man-
agement and other technology, or other neces-
sary supplies.
(3) Administrative costs and activities nec-
essary for awardees to implement activities
(1) Costs, including wages and benefits, re-
lated to the recruiting, hiring, and training of individu-
als—
(a) to serve as case investigators, contact
(2) Administrative costs or necessary expenses
(3) to purchase equipment and supplies to
(3) Costs, including wages and benefits, re-
logue threats, including academic and work-
force support for analytics and informatics infras-
tructure and data collection systems.
Subtitle F—Public Health Workforce
SEC. 2501. FUNDING FOR PUBLIC HEALTH WORK-
(a) IN GENERAL.—In addition to amounts oth-
erwise available, there is appropriated to the Secretary of Health and Human Services (in this subtitle referred to as the "Secretary") for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $7,660,000,000, to remain available until expended, to carry out activities related to establishing, and sustain-
taining a public health workforce, including by making awards to State, local, and territorial public health departments.
(2) USE OF FUNDS FOR PUBLIC HEALTH DE-
PARTMENTS.—Amounts made available to an
awardee pursuant to subsection (a) shall be used for the following:
(b) USE OF FUNDS.—From amounts appro-
riated by subsection (a), the Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall:
(a) IN GENERAL.—In addition to amounts oth-
erwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $750,000,000, to remain available until expended, for activities to be conducted acting through the Director of the Centers for Disease Control and Prevention to combat SARS–CoV–2, COVID–19, and other organisms, including SARS–CoV–2–
(1) conduct, expand, and improve activities to sequence genomes, identify mutations, and sur-
vey the circulation and transmission of viruses and other organisms, including strains of SARS–
CoV–2–
(2) grants or cooperative agreements to, or enter into cooperative agreements with, State, local, and territorial departments to estab-
lish, expand, and sustain a public health work-
force; and
(7) to cover administrative and program sup-
certain necessary to conduct activities related to
subparagraph (a).
SEC. 2402. FUNDING FOR SARS-CoV-2 GENOMIC SEQUENCING AND SURVEILLANCE.
(a) IN GENERAL.—In addition to amounts oth-
erwise available, there is appropriated to the Secretary for fiscal year 2021 out of any money in the Treasury not otherwise appropriated, $20,000,000, to remain available until expended, for activities to be conducted acting through the Director of the Centers for Disease Control and Prevention to strengthen and expand activities and efforts to modernize the United States disease surveill-
ance, or renovation of facilities to improve
terminal public health departments to estab-
lish, expand, and sustain a public health work-
force, including by making awards to State, local, and territorial public health departments.
(3) enhance intervention specialists, epidemiologists, pro-
gram managers, laboratory personnel, infor-
maticians, communicators and policy ex-
erts, and other any positions as may be re-
quired to prevent, prepare for, and respond to COVID–19;
(b) who are employed by—
(i) the State, territorial, or local public health department involved; or
(ii) a nonprofit private or public organization
(a) IN GENERAL.—In addition to amounts oth-
erwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $800,000,000, to remain available until expended, for carrying out sections 338A, 338B, and 338I of the Public Health Service Act (42 U.S.C. 254l–1, 254q–1) with respect to the health workforce, and
(3) to purchase equipment and supplies to
(2) to detect, diagnose, trace, and monitor
COVID–19 infections and related activities nec-
essary to mitigate the public laboratory, in-
cluding activities related to, and equipment or supplies purchased for, testing, contact tracing, surveillance, mitigation, and treatment of COVID–19;
(3) to purchase equipment and supplies to
(4) Subawards from recipients of awards under subsection (a) to local health departments for
(1) Costs, including wages and benefits, re-
related to public health capabilities; and
(4) to develop effective disease response strat-
tages based on genomic sequencing and surveil-
sance data;
(a) IN GENERAL.—In addition to amounts oth-
erwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $1,750,000,000, to remain available until expended, to strengthen and expand activities and workforce related to genomic sequencing, analytics, and disease surveillance.
(2) grants or cooperative agreements with, State, local, and territorial public health departments or public health laboratories;
(3) to use genomic sequencing to identify out-
breaks and clusters of diseases or infections, including
COVID–19; and
(4) to develop effective disease response strat-
tages based on genomic sequencing and surveil-
sance data;
(a) IN GENERAL.—In addition to amounts oth-
erwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $1,750,000,000, to remain available until expended, to strengthen and expand activities and workforce related to genomic sequencing, analytics, and disease surveillance.
(2) grants or cooperative agreements with, State, local, and territorial public health departments or public health laboratories;
(3) to use genomic sequencing to identify out-
breaks and clusters of diseases or infections, including
COVID–19; and
(4) to develop effective disease response strat-
tages based on genomic sequencing and surveil-
sance data;
SEC. 2706. FUNDING FOR COMMUNITY-BASED FUNDING FOR LOCAL SUBSTANCE USE DISORDER SERVICES.

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $30,000,000, to remain available until expended, for purposes described in subsection (b).

(b) USE OF FUNDS.—The Secretary, acting through the Assistant Secretary for Mental Health and Substance Use and in consultation with the Director of the Centers for Disease Control and Prevention, shall provide for the purpose described in subsection (a).

SEC. 2707. FUNDING FOR THE NATIONAL CHILD TRAUMATIC STRESS NETWORK.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $10,000,000, to remain available until expended, for purposes described in subsection (a).

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $120,000,000, to remain available until expended, for the purpose described in subsection (b).

(b) USE OF FUNDS.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, shall use amounts appropriated by subsection (a) to establish a National Child Traumatic Stress Network to address the problem of high-risk or medically underserved persons who experience violence-related stress.
SEC. 2709. FUNDING FOR PROJECT AWARE.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $30,000,000, to remain available until expended, for carrying out section 520A of the Public Health Service Act (42 U.S.C. 290b–32) with respect to advancing wellness and resiliency in education.

SEC. 2710. FUNDING FOR YOUTH SUICIDE PREVENTION.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $30,000,000, to remain available until expended, for carrying out section 520A of the Public Health Service Act (42 U.S.C. 290b–32).

SEC. 2711. FUNDING FOR BEHAVIORAL HEALTH WORKFORCE EDUCATION AND TRAINING.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $100,000,000, to remain available until expended, for carrying out section 756 of the Public Health Service Act (42 U.S.C. 294d–1).

SEC. 2712. FUNDING FOR PEDIATRIC MENTAL HEALTH CARE ACCESS.

In addition to amounts otherwise available, there is appropriated to the Secretary, acting through the Assistant Secretary for Mental Health and Substance Use, for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $80,000,000, to remain available until expended, for carrying out section 330M of the Public Health Service Act (42 U.S.C. 254c–19).

SEC. 2713. FUNDING FOR EXPANSION GRANTS FOR CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINICS.

In addition to amounts otherwise available, there is appropriated to the Secretary, acting through the Assistant Secretary for Mental Health and Substance Use, for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $420,000,000, to remain available until expended, for grants to community organizations that meet the criteria and review activities.

Subtitle I—Exchange Grant Program

SEC. 2801. ESTABLISHING A GRANT PROGRAM FOR EXCHANGE MODERNIZATION.

(a) IN GENERAL.—Out of funds appropriated under subsection (a) of section 2112(a) of the Railroad Retirement Board; and

(b) the percentage of households in the State, or under the jurisdiction of the Indian Tribe, that spend more than 30 percent of monthly income on housing; and

(2) reserve up to 3 percent of the amount appropriated in this section for Indian Tribes and tribal organizations.

(c) DEFINITION.—In this section, the term ‘‘Indian Tribe’’ means each of the 50 States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

Subtitle L—Assistance for Older Americans, Grandfamilies, and Kinship Families

SEC. 2921. SUPPORTING OLDER AMERICANS AND THEIR FAMILIES.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated for

(h) by striking ‘‘$27,975,000’’, and inserting ‘‘$27,975,000’’; and

(C) by striking ‘‘265 days of unemployment’’ and inserting ‘‘265 days of unemployment’’.

SEC. 2902. EXTENDED UNEMPLOYMENT BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.

(a) IN GENERAL.—Section 2(c)(2)(D) of the Railroad Unemployment Insurance Act (45 U.S.C. 532(c)(2)(D)) is amended—

(1) in clause (i)—

(A) by striking ‘‘165 days’’ and inserting ‘‘185 days’’;

(B) by striking ‘‘33 consecutive 14-day periods’’ and inserting ‘‘33 consecutive 14-day periods’’;

(ii) in clause (i)—

(A) by striking ‘‘120 days of unemployment’’ and inserting ‘‘265 days of unemployment’’;

(B) by striking ‘‘12 consecutive 14-day periods’’ and inserting ‘‘30 consecutive 14-day periods’’;

and

(C) by striking ‘‘15 consecutive 14-day periods’’ and inserting ‘‘33 consecutive 14-day periods’’;

(2) in clause (ii)—

(A) by striking ‘‘19 consecutive 14-day periods’’ and inserting ‘‘26 consecutive 14-day periods’’;

(B) by striking ‘‘265 days of unemployment’’ and inserting ‘‘265 days of unemployment’’;

(C) by striking ‘‘12 consecutive 14-day periods’’ and inserting ‘‘30 consecutive 14-day periods’’;

and

(D) by striking ‘‘14 consecutive 14-day periods’’ and inserting ‘‘26 consecutive 14-day periods’’;

(3) in clause (iii)—

(A) by striking ‘‘June 30, 2021’’ and inserting ‘‘June 30, 2022’’;

(B) by striking ‘‘the provisions of clauses (i) and (ii) shall not apply to any employee whose extended benefit period under subparagraph (B) begins after March 14, 2021, and shall not apply to any employee with respect to any registration period beginning after April 5, 2021.’’ and inserting ‘‘the provisions of clauses (i) and (ii) shall apply to any employee with respect to any registration period beginning after September 6, 2021.’’; and

(4) in clause (e), by adding at the end the following paragraph:

In addition to amounts otherwise available, there is appropriated, for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $30,000,000, to remain available until September 30, 2022, for carrying out this section.

Subtitle J—Continued Assistance to Rail Workers

SEC. 2901. ADDITION OF ENHANCED BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.

(a) IN GENERAL.—Section 2(a)(5)(A) of the Railroad Retirement Act (45 U.S.C. 532(a)(5)(A)) is amended—

(2) in the first sentence—

(A) by striking ‘‘March 14, 2021’’ and inserting ‘‘September 6, 2021’’;

(B) by striking ‘‘or July 1, 2020’’ and inserting ‘‘or July 1, 2021’’; and

(c) by striking ‘‘2020’’ and inserting ‘‘2021’’.
fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $1,434,000,000, to remain available until expended, to carry out the Older Americans Act of 1965.

(b) Activities of the Center.—The Center shall—

(1) engage experts to stimulate the development of new and identify existing evidence-based, evidence-informed, and exemplary practices and programs related to health and social supports for older adults, including mental health and substance use disorder treatment, education, nutrition, housing, financial needs, legal issues, disability self-determination, caregiver support, and other issues to help serve caregivers, children, and their parents in grandfamilies and kinship families;

(2) encourage and support the implementation of the evidence-based, evidence-informed, and exemplary practices or programs identified under paragraph (1) to support grandfamilies and kinship families and to promote coordination of services for grandfamilies and kinship families across systems that support them;

(3) facilitate learning across States, territories, Indian Tribes, Tribal organizations, and urban Indian organizations, providing technical assistance, resources, and training related to issues described in paragraph (1) to individuals and entities across systems that directly work with grandfamilies and kinship families;

(4) help government programs, nonprofit and other community-based organizations, and Indian Tribes, Tribal organizations, and urban Indian organizations, serving grandfamilies and kinship families, to plan and coordinate responses to assist grandfamilies and kinship families during natural, man-made, or other events, including disasters, emergencies, and public health and national security threats;

(5) assist government programs, and nonprofit and other community-based organizations, in promoting equity and implementing culturally and linguistically appropriate approaches as the programs and organizations serve grandfamilies and kinship families.

SECTION 2922. NATIONAL TECHNICAL ASSISTANCE CENTER ON GRANDFAMILIES AND KINSHIP FAMILIES.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary of Health and Human Services $1,444,000,000 to remain available through September 30, 2025, to carry out the Older Americans Act of 1965.

(b) Activities of the Center.—The Center shall—

(1) provide training, technical assistance, and resources for government programs, nonprofit and other community-based organizations, and Indian Tribes, Tribal organizations, and urban Indian organizations, that serve grandfamilies and kinship families to support the health and well-being of members of these families including caregivers, children, and their parents. The Center shall focus primarily on serving grandfamilies and kinship families in which the primary caregiver is an adult age 55 or older, or the child has one or more disabilities.

(2) Activities of the Center.—The Center shall—

(1) engage experts to stimulate the development of new and identify existing evidence-based, evidence-informed, and exemplary practices and programs related to health and social supports for older adults, including mental health and substance use disorder treatment, education, nutrition, housing, financial needs, legal issues, disability self-determination, caregiver support, and other issues to help serve caregivers, children, and their parents in grandfamilies and kinship families;

(2) encourage and support the implementation of the evidence-based, evidence-informed, and exemplary practices or programs identified under paragraph (1) to support grandfamilies and kinship families and to promote coordination of services for grandfamilies and kinship families across systems that support them;

(3) facilitate learning across States, territories, Indian Tribes, Tribal organizations, and urban Indian organizations, providing technical assistance, resources, and training related to issues described in paragraph (1) to individuals and entities across systems that directly work with grandfamilies and kinship families;

(4) help government programs, nonprofit and other community-based organizations, and Indian Tribes, Tribal organizations, and urban Indian organizations, serving grandfamilies and kinship families, to plan and coordinate responses to assist grandfamilies and kinship families during natural, man-made, or other events, including disasters, emergencies, and public health and national security threats;

(5) assist government programs, and nonprofit and other community-based organizations, in promoting equity and implementing culturally and linguistically appropriate approaches as the programs and organizations serve grandfamilies and kinship families.
2021" after “the amount reserved under subsection (a)(2)(A)” and

(B) in clause (i) of subparagraph (B), by substituting “the amount equal to 0.5 percent of the amount appropriated under subsection (a)(1)” with “the amount equal to 0.3 percent of the amount appropriated under subsection (a)(1) of section 3201 of the American Rescue Plan Act of 2021.”

(3) HIGH-NEED GRANTEES.—The Secretary shall allocate funds reserved under subsection (a)(2)(D) to eligible grantees with a high need for assistance under this section, with the number of very low-income renter households paying more than 50 percent of income on rent or living in substandard or overcrowded conditions, rental market changes in each metropolitan area since February 2020 used as the factors for allocating funds.

(c) FUNDING SCHEDULE.—

(1) IN GENERAL.—The Secretary shall pay all eligible grantees not less than 40 percent of each such eligible grantee’s total allocation provided under subsection (b) within 60 days of enactment of this Act.

(2) SUBSEQUENT PAYMENTS.—The Secretary shall pay to eligible grantees additional amounts in tranches up to the full amount of the eligible grantee’s total allocation in accordance with a procedure established by the Secretary, provided that any such procedure established by the Secretary shall require that an eligible grantee must have obligated not less than 25 percent of the funds already disbursed by the Secretary pursuant to this section prior to disbursement of additional amounts.

(d) USE OF FUNDS.—

(1) IN GENERAL.—An eligible grantee shall only use the funds provided from payments made under subsection (a) for purposes specified in paragraph (2) and other eligible expenses as a result of extraordinary circumstances or that, despite taking reasonable cost savings measures, would otherwise be required to terminate rental assistance for families as a result of insufficient funding.

(2) ELIGIBLE HOUSEHOLDS.—The term “eligible household” means a household of 1 or more individuals who are—

(A) homeless (as such term is defined in section 103(a) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(a)));

(B) at risk of homelessness (as such term is defined in section 103(a)(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(a)(2)));

(C) The Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa;

(D) recently homeless, as determined by the Secretary; or

(E) recently homeless, as determined by the Secretary, and for whom providing rental assistance will prevent the family’s homelessness or having high risk of housing instability.

(3) ALLOCATION.—The Secretary shall notify public housing agencies under subsection (a), which shall be tenant-based rental assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(4) USE OF FUNDS.—The Secretary may use any funds received in accordance with this subsection only for purposes specified in paragraph (2) and other eligible expenses as a result of extraordinary circumstances or that, despite taking reasonable cost savings measures, would otherwise be required to terminate rental assistance for families as a result of insufficient funding.

(e) ELIGIBILITY FOR REALLOCATED FUNDS.—The Secretary shall require an eligible grantee to have obligated 50 percent of the total amount of any allocation of funds described in paragraph (2) to be eligible to receive funds reallocated under paragraph (1) of this subsection.

(f) PAYMENT OF REALLOCATED FUNDS BY THE SECRETARY.—The Secretary shall pay to each eligible grantee for a payment of reallocated funds described in paragraph (2) the amount allocated to such eligible grantee in accordance with the procedure established by the Secretary in accordance with paragraph (1)

(g) USE OF REALLOCATED FUNDS.—Eligible grantees may use any funds received in accordance with this subsection only for purposes specified in paragraph (2) and other eligible expenses as a result of extraordinary circumstances or that, despite taking reasonable cost savings measures, would otherwise be required to terminate rental assistance for families as a result of insufficient funding.

(h) EXTENSION OF AVAILABILITY UNDER PROGRAM FOR EXISTING FUNDING.—(Paraphrase (1) of section 501(e) of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260) to amounts appropriated under section 501 of this Act.

(i) REALLOCATION OF FUNDS.—

(1) IN GENERAL.—Beginning March 31, 2022, the Secretary shall reallocate funds allocated to eligible grantees in accordance with subsection (b) but that have not yet paid in accordance with subsection (c)(2) according to a procedure established by the Secretary.

(2) ELIGIBILITY FOR REALLOCATED FUNDS.—The Secretary shall require an eligible grantee to have obligated 50 percent of the total amount of any allocation of funds described in paragraph (2) to be eligible to receive funds reallocated under paragraph (1) of this subsection.

(j) TERMS AND CONDITIONS.—

(1) IN GENERAL.—The terms and conditions under which the Secretary may make any payments under this section shall be consistent with the formula under section 501 of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260) and the procedures established by the Secretary.

(2) USE OF FUNDS.—Funds provided for rental assistance in this section shall be used to provide financial assistance to eligible households, not to exceed 18 months, including the payment of—

(I) rent;

(II) rental arrears;

(III) utilities and home energy costs;

(IV) utilities and home energy costs arrears; and

(V) other expenses related to housing, as defined by the Secretary.

(3) ADMINISTRATIVE COSTS.—Not more than 20 percent of the total amount paid to an eligible grantee for administrative costs attributable to providing financial assistance, housing stability services, and other eligible rental housing and eviction prevention activities, including for data collection and reporting requirements related to such funds.

(k) OTHER AFFORDABLE RENTAL HOUSING AND EVICTION PREVENTION ACTIVITIES.—An eligible grantee may use any funds from payments made under this section that are unobligated on October 1, 2022, for purposes in addition to those specified in subsection (b) to the extent that the grantee—

(i) prior to obligating any funds for such purposes, the eligible grantee has obligated not less than 75 percent of the total funds allocated to such eligible grantee in accordance with this section;

(j) DISTRIBUTION OF ASSISTANCE.—Amounts appropriated under subsection (a)(1) of this section shall be subject to the same terms and conditions for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $5,000,000,000, to remain available until September 30, 2023, for—

(1) incremental emergency vouchers under subsection (b);

(2) renewals of the vouchers under subsection (b);

(3) fees for the costs of administering vouchers under subsection (b) and other eligible expenses as a result of extraordinary circumstances or that, despite taking reasonable cost savings measures, would otherwise be required to terminate rental assistance for families as a result of insufficient funding.

(l) EMERGENCY VOUCHERS.—

(1) IN GENERAL.—(Paraphrase (1) of section 501 of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260) to amounts appropriated under section 501 of this Act.

(2) QUALIFYING INDIVIDUALS OR FAMILIES DEFINED.—For the purposes of this section, qualifying individuals or families are those who are—

(A) homeless (as such term is defined in section 103(a) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(a)));

(B) at risk of homelessness (as such term is defined in section 103(a)(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(a)(2)));

(C) fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking, as defined by the Secretary; or

(D) recently homeless, as determined by the Secretary, and for whom providing rental assistance will prevent the family’s homelessness or having high risk of housing instability.

(3) ALLOCATION.—The Secretary shall notify public housing agencies under subsection (a), which shall be tenant-based rental assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(4) TERMS AND CONDITIONS.—(Paraphrase (1) of section 501 of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260) to amounts appropriated under section 501 of this Act.

(5) UNIT OF LOCAL GOVERNMENT.—The term “unit of local government” has the meaning given such term in section 501 of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260) and the procedures established by the Secretary.

(6) SECRETARY.—The term “Secretary” means the Secretary of Housing and Urban Development.

(7) FUNDING.—(Paraphrase (1) of section 501 of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260) to amounts appropriated under section 501 of this Act.

(8) 2021 VOUCHERS.—Notwithstanding any other provision of law, the Secretary may use any funds received from the Treasury to make emergency voucher payments under this section during fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $5,000,000,000, to remain available until September 30, 2022.

(k) Waiver of Alternative Requirement.—The Secretary may not impose any alternative requirement for any provision of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), for any public housing agency or any public housing program, for any program funded under any Act of Congress, for fair housing, non-discrimination, labor standards, and the environment, upon a finding that the
waiver or alternative requirement is necessary to expedite or facilitate the use of amounts made available in this section.

(6) TERMINATION—Upon final report and finding, the Secretary may at any time terminate any grant or contract in whole or in part, and may suspend, modify, or rescind any such grant or contract in whole or in part. Any such grant or contract that is terminated, suspended, modified, or rescinded under this section shall be subject to the requirements and conditions applicable to the remainder of any grant or contract that was in effect at the time of such termination, suspension, modification, or rescission.

SEC. 3205. HOMELESSNESS ASSISTANCE AND SUPPORT SERVICES PROGRAM.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Secretary of Housing and Urban Development, State housing finance agencies, and NeighborWorks organizations for the purpose of providing housing counseling services, as authorized by section 401(5)(D) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(5)(D)), and to carry out the functions and purposes set forth in section 402 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302), and to carry out any other function and purpose of this Act not otherwise provided for by law.

(b) USE OF FUNDS.—The Secretary shall use the amounts made available under this section for the costs to the Secretary of administering this section and for the costs to the Secretary of administering the provisions of this section by notice.

(c) ADMINISTRATION AND OVERSIGHT.—The provisions of this section shall not be subject to the requirements and conditions applicable to the remainder of any grant or contract that was in effect at the time of such termination, suspension, modification, or rescission.

SEC. 3206. HOMEOWNER ASSISTANCE FUND.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Secretary of the Treasury for the Homeowner Assistance Fund established under subsection (c) for fiscal year 2021, out of any money in the Treasury, $9,961,000,000, to remain available until September 30, 2025, for the purpose of providing financial assistance to homeowners who are unable to make mortgage payments due to a reduction in income or extraordinary expenses who meet one of the requirements set forth in section 12741(b) of the Cranston-Gonzalez National Affordable Housing Act.

(b) AMOUNTS AVAILABLE.—The appropriation under subsection (a) shall be used by the Secretary to fund programs that provide financial assistance to homeowners who are unable to make mortgage payments due to a reduction in income or extraordinary expenses who meet one of the requirements set forth in section 12741(b) of the Cranston-Gonzalez National Affordable Housing Act.

(c) ELIGIBILITY.—For the purposes of this section, the term ‘homeowner’ means a homeowner who meets one of the requirements set forth in section 12741(b) of the Cranston-Gonzalez National Affordable Housing Act.

(d) ADMINISTRATIVE COSTS.—The amounts made available under this section shall be subject to the requirements and conditions applicable to the remainder of any grant or contract that was in effect at the time of such termination, suspension, modification, or rescission.

(e) REPORT.—The Secretary shall submit to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report describing the expenditures made available under this section.

(f) USE OF FUNDS.—The amounts made available under this section shall be used by the Secretary to fund programs that provide financial assistance to homeowners who are unable to make mortgage payments due to a reduction in income or extraordinary expenses who meet one of the requirements set forth in section 12741(b) of the Cranston-Gonzalez National Affordable Housing Act.

(2) of this Act.—The term ‘‘dwelling’’ means any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more individuals.

(3) ELIGIBLE ENTITY.—The term ‘‘eligible entity’’ means—

(A) a State; or

(B) any entity eligible for payment under subsection (f).

(4) MORTGAGE.—The term ‘‘mortgage’’ means any conveyance in trust, or other consensual security interest on a principal residence of a borrower that is (i) a 1- to 4-unit dwelling or (ii) a residential real property that includes a 1- to 4-unit dwelling; and

(B) the unpaid principal balance of which was, at the time of origination, not more than the conforming loan limit.

(5) FUND.—The term ‘‘Fund’’ means the Homeowner Assistance Fund established under subsection (c).

(6) SECRETARY.—The term ‘‘Secretary’’ means the Secretary of the Treasury.

(7) STATE.—The term ‘‘State’’ means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

(c) ESTABLISHMENT OF FUND.—

(1) ESTABLISHMENT; QUALIFIED EXPENSES.—There is established in the Department of Housing and Urban Development a Homeowner Assistance Fund to mitigate financial hardships associated with the coronavirus pandemic by providing such funds as are appropriated by subsection (a) to eligible entities for preventing homeowner mortgage delinquencies, defaults, foreclosures, loss of utilities or home energy services, and displacements of homeowners experiencing financial hardship after January 21, 2020, through qualified expenses related to mortgages and housing, which include—

(A) mortgage payment assistance;

(B) financial assistance to allow a homeowner to reinstate a mortgage or to pay other housing related costs related to a period of forbearance, delinquency, or default;

(C) rental assistance;

(D) facilitating interest rate reductions;

(E) payment assistance for—

(i) utilities, including electric, gas, home energy, and water;

(ii) internet service, including broadband internet access service, as defined in section 8.1(b) of title 47, Code of Federal Regulations (or any successor regulation);

(iii) homeowner’s insurance, flood insurance, and mortgage insurance; and

(iv) other association, condominium association fees, or common charges;

(F) reimbursement of funds expended by a State, local government, or designated entity under provisions of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–94) and the Coronavirus Response, Relief, and Economic Security Act (Public Law 116–136); and

(G) any other assistance to promote housing stability for homeowners, including preventing mortgage delinquency, default, foreclosure, post-foreclosure eviction of a homeowner, or the loss of utility or home energy services, as determined by the Secretary.

(2) TARGETING.—Not less than 60 percent of amounts made to each eligible entity allocated amounts under subsection (d) or (f) shall be used for qualified expenses that assist homeowners having incomes equal to or less than 100 percent of the area median income for their corresponding county or the average of 100 percent of the median income for the United States, as determined by the Secretary of Housing and Urban Development, whichever is greater. The remaining amounts that were not requested by such State among the States that have requested funds by the 45th day after the date of enactment of this Act shall be used for qualified expenses that fund assistance to socially disadvantaged individuals.

(d) ALLOCATION OF FUNDS.—

(1) ADMINISTRATION.—Of any amounts made available under this section, the Secretary shall reserve—

(A) to the Department of the Treasury, an amount not to exceed $40,000,000 to administer funds under subsection (f); and

(B) to the Inspector General of the Department of the Treasury, an amount to not exceed $2,000,000 for oversight of the program under this section.

(2) FOR STATES.—After the application of paragraphs (1), (4), and (5) of this subsection and subparagraph (A) of paragraph (3) of this subsection, the Secretary shall allocate the remaining funds available within the Homeowner Assistance Fund to each State of the United States, the District of Columbia, the Commonwealth of Puerto Rico based on need, for such State relative to all States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico determined under this Act, which is determined by reference to—

(A) the average number of unemployed individuals measured over a period of time not fewer than 3 months and not more than 12 months; and

(B) the total number of mortgagors with—

(i) mortgage payments that are more than 30 days past due; or

(ii) mortgages in foreclosure.

(3) SMALL STATE MINIMUM.—

(A) IN GENERAL.—Each State of the United States, the District of Columbia, and the Commonwealth of Puerto Rico shall receive no less than $50,000,000 for the purposes established in this section.

(B) PRO RATA ADJUSTMENTS.—The Secretary shall adjust the pro rata basis the amount of the allocation of this section to each State, the District of Columbia, and the Commonwealth of Puerto Rico determined under this subsection without regard to this subparagraph to the extent necessary to comply with the requirements of subparagraph (A).

(4) TERRITORY SET-ASIDE.—Notwithstanding any other provision of this section, the amounts appropriated under subsection (a) shall be allocated to the Secretary of the Interior for each territory of the United States which is any of the Commonwealths of the Northern Mariana Islands or Guam, American Samoa, or the United States Virgin Islands, and the Commonwealth of Puerto Rico based on each such territory’s share of the combined total population of all such territories, as determined by the Secretary. For the purposes of this paragraph, population shall be determined based on the most recent year for which data are available from the United States Census Bureau.

(T) TRIBAL SET-ASIDE.—The Secretary shall allocate to funds any eligible entity designated under subsection (f) pursuant to the requirements of that subsection.

(e) DISTRIBUTION OF FUNDS TO STATES.—

(1) IN GENERAL.—The Secretary shall make payments, beginning not later than 45 days after enactment of this Act, from amounts allocated under subparagraphs (A) and (B) of paragraph (3) of this subsection to the Secretary of Housing and Urban Development for direct loans and grants to any eligible entity for the purpose of providing payments from the Fund to serve homeowners experiencing mortgage delinquency, default, or foreclosure, or otherwise providing funds to prevent foreclosure or post-foreclosure eviction of a homeowner or prevent mortgage delinquency or loss of housing or utilities as a response to the coronavirus disease (COVID) pandemic; and

(G) any other assistance to promote housing stability for homeowners experiencing mortgage delinquency, default, or foreclosure, or otherwise providing funds to prevent foreclosure or post-foreclosure eviction of a homeowner, or the loss of utility or home energy services, respectively, as determined by the Secretary.

(2) REALLOCATION.—If a State does not request allocated funds by the 45th day after the date of enactment of this Act, such State shall not be eligible for a payment from the Secretary pursuant to this section, and the Secretary shall, by the 80th day after the date of enactment of this Act, reallocate any amounts not requested by such State among the States that received funds by the 45th day after the date of enactment of this Act. For such amounts, the Secretary shall allocate funds to socially disadvantaged individuals.
(b) ADMINISTRATIVE EXPENSES.—The Secretary may use not more than 3 percent of the amounts appropriated under this section for administrative purposes.

Subtitle C—Small Business (SSBCI)

SEC. 3001. STATE SMALL BUSINESS CREDIT INITIATIVE.

(a) STATE SMALL BUSINESS CREDIT INITIATIVE.—

(I) IN GENERAL.—The State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5701 et seq.) is amended—

(A) in section 3002—

(i) in subsection (b)—

(I) by amending paragraph (1) to read as follows:

‘‘(1) IN GENERAL.—Not later than 30 days after the date of enactment of subsection (d), the Secretary shall allocate Federal funds to participating States so that each State is eligible to receive an amount equal to what the State would receive under the 2021 allocation, as determined under paragraph (2);’’;

(ii) in paragraph (2)—

(aa) by striking ‘‘2008’’ each place such term appears and inserting ‘‘2021’’;

(bb) by striking ‘‘2009’’ each place such term appears and inserting ‘‘2022’’;

(cc) in subparagraph (A), by striking ‘‘The Secretary’’ and inserting ‘‘With respect to States other than Tribal governments, the Secretary’’;

(dd) in subparagraph (B), by striking ‘‘2007’’ and inserting ‘‘2019’’;

(II) by adding at the end the following:

‘‘(C) ALLOCATION.—The Secretary shall allocate Federal funds to participating States beginning on the date that the Secretary approves the State small business credit initiative. The Secretary may use not more than 3 percent of the amounts appropriated under this section for administrative expenses, other than expenses incurred for—

(A) legal, accounting, and financial advising services, either directly or contracted for by the Secretary; and

(B) technical assistance services, either directly or contracted for by the Secretary, to provide technical assistance to very small businesses, 

(f) DEFINITIONS.—Section 3002 of the State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5702) is amended by adding at the end the following:

‘‘(f) DEFINITIONS.—(1) ‘State’ means a State government (including any political subdivision or instrumentality of a State) that has adopted a technical assistance plan under which a State determines appropriate, including through consultation with available employment and economic data regarding each State that the plan would substantially promote small businesses; and

(2) ‘advisory services’ means any service that involves the assessment of the economic,ensure business enterprises owned and controlled by socially and economically disadvantaged individuals have access to credit and investments, provide technical assistance to help small businesses applying for various support programs, and to pay reasonable costs of administering such initiative.

(2) RECISSION.—With respect to amounts appropriated under subparagraph (A)—

(i) the Secretary of the Treasury shall complete all disbursements and remaining obligations before the end of the 6-year period beginning on the date that the Secretary approves the State small business credit initiative.

(ii) any amounts that remain unexpended (whether obligated or unobligated) on September 30, 2021, shall be rescinded and deposited into the general fund of the Treasury.

(iii) any amounts that remain unexpended (whether obligated or unobligated) on September 30, 2030, shall be rescinded and deposited into the general fund of the Treasury.

(iv) the Secretary of the Treasury shall ensure that funds are returned to the appropriate Treasury account.

(v) amounts appropriated for fiscal year 2021 to carry out the Program, $500,000,000 may be used by the Secretary to make awards to States to carry out programs under this section.

(vi) the Secretary shall allocate Federal funds to participating States that have delivered employment and economic data regarding each State that are unavailable from the Bureau of Labor Statistics of the Department of Labor, the Secretary shall allocate not less than $50,000,000 to States that have not been advised of the amounts allocated to a State or the Secretary to be no longer available to such State under subparagraph (A) may be reallocated by the Secretary to other participating States. In making such allocations, the Secretary shall take into account the maximum allocation requirements under subsection (b)(2)(B) or the specific allocation for Tribal governments described under subsection (b)(1)(C).

(d) ADDITIONAL ALLOCATIONS TO SUPPORT VERY SMALL BUSINESSES.—Section 3003 of the State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5702), as amended by subsection (b)(2) of section 3003(d), is further amended by adding at the end the following:

‘‘(f) ADDITIONAL ALLOCATIONS TO SUPPORT VERY SMALL BUSINESSES.—(1) IN GENERAL.—Of the amounts appropriated for fiscal year 2021 to carry out the Program, $500,000,000 may be used by the Secretary to provide funds to States to carry out a technical assistance plan under which a State will provide legal, accounting, and financial advising services, either directly or contracted for with legal, accounting, and financial advising firms, with priority given to business enterprises owned and controlled by socially and economically disadvantaged individuals, to very small businesses.

(2) ‘technical assistance plan’ means a plan to provide technical assistance to business enterprises owned and controlled by socially and economically disadvantaged individuals applying for grants awards.

(3) ‘very small business’ means a business with fewer than 10 employees; and

(4) the Secretary shall—

(A) require Tribal governments to individually or jointly wish to participate in the Program to file a notice of intent with the Secretary not later than 30 days after the date of enactment of subsection (d); and

(B) may include independent contractors as sole proprietors.

(2) TECHNICAL ASSISTANCE.—Section 3009 of the State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5708) is amended by adding at the end the following:

‘‘(e) TECHNICAL ASSISTANCE.—Of the amounts appropriated for fiscal year 2021 to carry out the Program, $500,000,000 may be used by the Secretary to provide funds to States to carry out a technical assistance plan under which a State will provide legal, accounting, and financial advising services, either directly or contracted for with legal, accounting, and financial advising firms, with priority given to business enterprises owned and controlled by socially and economically disadvantaged individuals, to very small businesses.

(2) ‘technical assistance plan’ means a plan to provide technical assistance to business enterprises owned and controlled by socially and economically disadvantaged individuals applying for grants awards.

(A) ‘State programs under the Program’ means—

(i) any allocation awarded by the Secretary to support small businesses under this Act; and

(ii) any amounts that remain unexpended (whether obligated or unobligated) on September 30, 2021, shall be rescinded and deposited into the general fund of the Treasury.

(B) ‘other Federal programs that support small businesses’ means—

(i) transfer amounts to the Minority Business Development Agency, so that the Agency may use such amounts in a manner the Agency determines appropriate, including through consultation with third parties to provide technical assistance to business enterprises owned and controlled by socially and economically disadvantaged individuals applying for grants awards.

(3) ‘Tribal governments’ means—

(A) a Tribal government, or a group of Tribal governments that jointly apply for an allocation.

(B) if the Secretary determines appropriate, including through consultation with available employment and economic data regarding each Tribe that the plan would substantially promote small businesses; and

(4) ‘Tribal governments’ means—

(A) a Tribal government, or a group of Tribal governments that jointly apply for an allocation.

(5) ‘technical assistance services’ means any service that involves the assessment of the economic,
public health emergency, including the purchase of personal protective equipment; and

(ii) any State that does not receive an allocation under clause (i) that received an amount for similar activities to prevent, prepare for, and respond to coronavirus that is equal to or greater than 20 percent of the combined 2018 rural operating costs of the recipients and subrecipients in that State shall receive an amount equal to 10 percent of such State's 2018 rural operating costs.

(4) CAPITAL INVESTMENTS.—

(A) IN GENERAL.—Of the amounts made available under subsection (a)(1), $1,245,000,000 shall be for grants administered under subsections (d) and (e) of section 5311 of title 49, United States Code; and

(ii) $250,000,000 shall be for grants administered under subsection (h) of section 5309 of title 49, United States Code.

(B) FUNDING DISTRIBUTION.—

(i) IN GENERAL.—Of the amounts made available in subparagraph (A)(i), $1,250,000,000 shall be provided to each recipient for all projects with existing full funding grant agreements that received allocations for fiscal year 2019 or 2020, except that recipients with projects open for rebids under paragraph (1) are not eligible to receive a grant under this subparagraph. Funds shall be provided proportionally based on the non-capital investment grant share of the amount allocated.

(ii) FUNDING DISTRIBUTION.—Of the amounts made available in subparagraph (A)(i), $175,000,000 shall be provided to each recipient for all projects with existing full funding grant agreements that received an allocation prior to fiscal year 2019, except that projects open for revenue service are not eligible to receive a grant under this subparagraph and no project may receive more than 40 percent of the amount allocated under this clause. The Administrator of the Federal Transit Administration shall proportionally distribute funds in excess of such percent to recipients for which the percentage of the project that exceeds 40 percent. Funds shall be provided proportionally based on the non-capital investment grant share of the amount allocated.

(iii) ELIGIBLE RECIPIENTS.—For amounts made available in subparagraph (A)(ii), eligible recipients shall be any recipient of an allocation under subsection (h) of section 5309 of title 49, United States Code, or an applicant in the project development phase described in paragraph (2) of such subsection.

(5) SECTION 5311 SERVICES.

(A) IN GENERAL.—Of the amounts made available under subsection (a), $100,000,000 shall be available for grants to recipients for (i) any State that received an amount for similar activities to prevent, prepare for, and respond to coronavirus that is equal to or greater than 15 percent of the combined 2018 rural operating costs of the recipients and subrecipients in that State shall receive an amount equal to 5 percent of such State's 2018 rural operating costs;
the restoration of services as the coronavirus public health emergency concludes and shall be available in accordance with such section.

(B) AVAILABILITY OF FUNDS FOR ROUTE PLANNING.—Amounts made available under subparagraph (A) shall be available for route planning designed to—

(i) increase ridership and reduce travel times, while maintaining or expanding the total level of vehicle revenue miles of service provided in the planning period; or

(ii) make service improvements to increase the quality or frequency of service provided to low-income riders and disadvantaged neighborhoods or communities.

(B) ADMINISTRATION.—Amounts made available under subparagraph (A) shall not be used for route planning related to transitioning public transportation service provided as of the date of receipt of funds to a transportation network company or other third-party contract provider, unless the existing provider of public transportation service is a third-party contract provider.

(F) RECIPIENTS AND SUBRECIPIENTS REQUIRING ADDITIONAL ASSISTANCE.—

(A) IN GENERAL.—Of the amounts made available under subsection (a), $390,000,000 shall be for grants to eligible recipients or subrecipients of funds under sections 5307 or 5311 of title 49, United States Code, that, as a result of COVID–19, require additional assistance for costs related to operations, personnel, cleaning, and sanitization combating the spread of pathogens on transit systems, and debt service payments incurred to maintain operations and avoid layoffs and furloughs.

(B) ADMINISTRATION.—Funds made available under subparagraph (A) shall, after allocation, be administered as if provided under paragraph (1) or (3), as applicable.

(C) APPLICATION REQUIREMENTS.—

(i) IN GENERAL.—The Administrator of the Federal Transit Administration may not allocate funds to an eligible recipient or subrecipient of funds under chapter 53 of title 49, United States Code, unless the recipient provides to the Administrator—

(I) estimates of financial need; (II) data on reductions in farebox or other sources of local revenue for sustained operations; (III) a spending plan for such funds; and (IV) evidence that the applicant spends a greater than 90 percent of funds available to the applicant from funds made available for similar activities in fiscal year 2020.

(ii) BALANCING.—The Administrator of the Federal Transit Administration shall—

(I) not later than 180 days after the date of enactment of this Act, issue a Notice of Funding Opportunity for assistance under this paragraph; and (II) not later than 120 days after the application deadline established in the Notice of Funding Opportunity under subclause (I), make awards under this paragraph to selected applicants.

(D) EVALUATION.—

(I) IN GENERAL.—Applications for assistance under this paragraph shall be evaluated by the Administrator of the Federal Transit Administration on a competitive basis, with funding awarded to an eligible recipient or subrecipient, including projections of future financial need to maintain service as a percentage of the 2020 costs that has not been replaced by the funds made available to the eligible recipient or subrecipient from funds previously made available for the operating expenses of transit agencies related to the response to the COVID–19 public health emergency.

(ii) RESTRICTION.—Amounts made available under this paragraph shall only be available for operating expenses.

(iv) STATE APPLICANTS.—A State may apply for assistance under this paragraph on behalf of an eligible recipient or subrecipient or a group of eligible recipients or subrecipients.

(U) UNOBLIGATED FUNDS.—If amounts made available under this paragraph remain unobligated as of September 30, 2025, such amounts shall be available for any purpose eligible under sections 5307 or 5311 of title 49, United States Code.

(TITLE IV) COMMITTEE ON HOMELAND SECURITY AND APPROPRIATIONS

SEC. 4001. EMERGENCY FEDERAL EMPLOYEE LEAVE FUND.

(a) ESTABLISHMENT; APPROPRIATION.—There is established in the Treasury the Emergency Federal Employee Leave Fund (in this section referred to as the “Fund”), to be administered by the Director of the Office of Personnel Management, for the purposes set forth in subsection (b). In addition to amounts available therefor there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $750,000,000, which shall be deposited into the Fund and remain available through September 30, 2022. The Fund is available for reasonable expenses incurred by the Office of Personnel Management in administering this section.

(b) PURPOSE.—Amounts in the Fund shall be available for reimbursement to an agency for the use of paid leave by any employee of the agency who is unable to work because the employee—

(1) is subject to a Federal, State, or local quarantine or isolation due to COVID–19; (2) has been advised by a healthcare provider to self-quarantine due to concerns related to COVID–19; (3) is caring for an individual who is subject to such an order or has been so advised; (4) is experiencing symptoms of COVID–19 and seeking a medical diagnosis; (5) is caring for a son or daughter of such employee if the school or place of care of the son or daughter has been closed, if the school or place of care of such son or daughter maintains a virtual learning instruction model or requires or makes optional a hybrid of in-person and virtual learning instruction models, or the child care provider of such son or daughter is unavailable, due to COVID–19 precautions; (6) is experiencing any other substantially similar condition; (7) is caring for a family member with a mental or physical disability or who is 55 years of age or older and incapable of self-care, without regard to whether another individual other than the employee is capable of care for such family member, if the place of care for such family member is closed or the direct care provider is unavailable; (8) is obtaining immunization related to COVID–19 or is recovering from any injury, disability, illness, or condition related to such immunization;

(c) LIMITATIONS.—

(1) PERIOD OF AVAILABILITY.—Paid leave under this section may only be provided to and used by an employee during the period beginning on the date of enactment of this Act and ending on September 30, 2021.

(2) TOTAL HOURS; AMOUNT.—Paid leave under this section shall be—

(A) provided to an employee in an amount not to exceed 600 hours of paid leave for each full-time equivalent of a part-time employee, employee on an uncommon work schedule, or employee with a seasonal work schedule, in an amount not to exceed the pro-rata equivalent of 600 hours to the extent amounts in the Fund remain available for reimbursement; (B) shall be paid at the same hourly rate as other leave; and (C) may not be provided to an employee if the leave would result in payments greater than $2,800 in aggregate for any biweekly period for a part-year employee or an equivalent biweekly limit for a part-time employee.

(2) Relationship to other leave.—Paid leave under this section shall—

(A) is in addition to any other leave provided to an employee; and (B) shall not be used by an employee concurrently with any other paid leave.

(c) CALCULATION OF RETIREMENT BENEFIT.—An employee provided with paid leave under this section shall reduce the total service used to calculate any Federal civilian retirement benefit.

(d) EMPLOYEE DEFINED.—In this section, the term “employee” means—

(1) an individual in the executive branch for whom annual and sick leave is provided under subsection (a) of section 5521 of title 5, United States Code; (2) an individual employed by the United States Postal Service; (3) an individual employed by the Postal Regulatory Commission; and (4) an employee of the Public Defender Service for the District of Columbia and the District of Columbia Courts.

SEC. 4002. FUNDING FOR THE GOVERNMENT ACCOUNTABILITY OFFICE.

In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $77,000,000, to remain available until September 30, 2025, to fund necessary expenses of the Government Accountability Office to prevent, prepare for, and respond to COVID–19 and to support oversight of the Coronavirus response and of funds provided in this Act or any other Act pertaining to the Coronavirus pandemic.

SEC. 4003. PANDEMIC RESPONSE ACCOUNTABILITY COMMITTEE FUNDING AVAILABLE.

In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $12,800,000, to remain available until September 30, 2021, to fund necessary expenses for the White House, to prevent, prepare for, and respond to coronavirus.

SEC. 4004. FUNDING FOR THE WHITE HOUSE.

In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $40,000,000, to remain available until September 30, 2025, for the Pandemic Response Accountability Committee to support oversight of the Coronavirus response and of funds provided in this Act or any other Act pertaining to the Coronavirus pandemic.

SEC. 4005. FEDERAL EMERGENCY MANAGEMENT AGENCY ACCOUNTING.

In addition to amounts otherwise available, there is appropriated to the Federal Emergency Management Agency for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $50,000,000,000, to remain available until September 30, 2025, for the Pandemic Response Accountable Committee to support oversight of the Coronavirus response and of funds provided in this Act or any other Act pertaining to the Coronavirus pandemic.

SEC. 4006. FUNDING FOR THE GOVERNMENT ACCOUNTABILITY OFFICE.

In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $75,000,000, to remain available until September 30, 2025, to carry out the purposes of the Disaster Relief Fund for costs associated with major disaster declarations.

SEC. 4007. EMERGENCY FOOD AND SHELTER PROGRAM FUNDING.

In addition to amounts otherwise available, there is appropriated to the Federal Emergency Management Agency for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $500,000,000,000, to remain available until September 30, 2025, for the Federal Emergency Management Agency to prevent, prepare for, and respond to coronavirus.

SEC. 4007. EMERGENCY FOOD AND SHELTER PROGRAM FUNDING.

In addition to amounts otherwise available, there is appropriated to the Federal Emergency Management Agency for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $500,000,000,000, to remain available until September 30, 2025, to carry out the purposes of the Disaster Relief Fund for costs associated with major disaster declarations.
SEC. 4016. ELIGIBILITY FOR WORKERS' COMPENSATION BENEFITS FOR FEDERAL EMPLOYEES DIAGNOSED WITH COVID-19.

(a) In General.—Subject to subsection (c), a covered employee shall, with respect to any covered exposure period that supports local or regional news, be entitled to such benefits for such claim, including disability compensation, medical care, and survivor benefits.

(b) Definitions.—In this section:

(1) COVERED EMPLOYEE.—(A) In general.—The term ‘covered employee’ means an individual—

(i) who is an employee under section 8101(1) of title 5, United States Code, employed in the Federal Civil Service at anytime during the period beginning on January 27, 2020, and ending on January 27, 2023;

(ii) who is diagnosed with COVID-19 during such period; and

(iii) who, during a covered exposure period prior to such diagnosis, carries out duties that—

(I) require contact with patients, members of the public, or other employees.

(II) include a risk of exposure to the novel coronavirus.

(2) TELEWORKING EXCEPTION.—The term ‘covered employee’ does not include any employee otherwise covered by subparagraph (A) who is exclusively teleworking during a covered exposure period, regardless of whether such employment is full time or part time.

(3) NOVEL CORONAVIRUS.—The term ‘novel coronavirus’ means SARS-CoV-2 or any other coronavirus declared to be a pandemic by public health authorities.

(c) LIMITATION.—

(1) DETERMINATIONS MADE ON OR BEFORE THE DATE OF ENACTMENT.—This section shall not apply with respect to any covered employee who is determined to be entitled to benefits under subchapter I of chapter 81 of title 5, United States Code, for a claim described in subsection (a) if such determination is made on or before the date of enactment of this Act.

(2) LIMITATION ON DURATION OF BENEFITS.—No funds are authorized to be appropriated to pay, and no benefits may be paid for, claims approved on the basis of subsection (a) after September 30, 2030. No administrative costs related to any such claim may be paid after such date.

(3) EMPLOYERS’ COMPENSATION FUND.—

(A) In general.—In general, benefits for claims approved on the basis of subsection (a) shall not be included in the annual statement of the cost of benefits and other payments of an agency or instrumentality under section 8147(b) of title 5, United States Code.

(B) FAIR SHARE PROVISION.—Costs of administration for claims described in paragraph (1) may be apportioned by the Employees’ Compensation Fund; and

(B) shall not be subject to the fair share provisions in section 8147(c) of title 5, United States Code.

TITLE V—COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

SEC. 5001. MODIFICATIONS TO PAYCHECK PROTECTION PROGRAM.

(a) ELIGIBILITY OF ADDITIONAL COVERED NONPROFIT ENTITIES FOR COVERED LOANS UNDER THE PAYCHECK PROTECTION PROGRAM.—

(1) IN GENERAL.—Section 7(a)(36) of the Small Business Act (15 U.S.C. 636(a)(36)), as amended by the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Veterans Act, is further amended—

(A) in paragraph (37(A), by inserting ‘‘(I) the additional covered nonprofit entity means an organization that, but for subclauses (1)(d) and (1)(dd) of clause (vii), would be eligible for a covered loan under clause (vii) shall be eligible to receive a covered loan if the entity employs not more than 500 employees at any physical location of the entity or organization.’’; and

(B) in subsection (b)—

(i) in clause (ii), by adding at the end the following:

‘‘(f) ELIGIBILITY OF CERTAIN ORGANIZATIONS.—Subject to the provisions in this subparagraph, during the covered period—

(1) a nonprofit organization shall be eligible for a covered loan if the nonprofit organization employs not more than 500 employees at any physical location of the organization; and

(2) an additional covered nonprofit entity and an organization that, but for subclauses (1)(d) and (1)(dd) of clause (vii), would be eligible for a covered loan under clause (vii) shall be eligible to receive a covered loan if the entity employs not more than 500 employees at any physical location of the entity or organization.’’; and

(ii) by adding at the end the following:

‘‘(II) ELIGIBILITY OF ADDITIONAL COVERED NONPROFIT ENTITIES.—An additional covered nonprofit entity shall be eligible to receive a covered loan if—

(I) the additional covered nonprofit entity does not receive more than 15 percent of its receipts from lobbying activities; and

(ii) the lobbying activities of the additional covered nonprofit entity do not comprise more than 15 percent of the total activities of the organization.’’.

(2) MODIFICATIONS TO ELIGIBILITY OF SMALL BUSINESSES.—Paragraph (37)(A)(i) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)), as added by the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Veterans Act, is further amended—

(A) in paragraph (37)(A)(i), by inserting ‘‘(I) the additional covered nonprofit entity means an organization that, but for subclauses (1)(d) and (1)(dd) of clause (vii), would be eligible for a covered loan under clause (vii) shall be eligible to receive a covered loan if the entity employs not more than 500 employees at any physical location of the entity or organization.’’; and

(B) in subsection (b)—

(i) in clause (ii), by adding at the end the following:

‘‘(f) ELIGIBILITY OF SMALL BUSINESSES.—A business concern or other organization that was not eligible to receive a covered loan on the date of enactment of this subclause, and that was not eligible to receive a covered loan on the date of enactment of this subclause, is assigned a North American Industry Classification System code of 519130, certifies in good faith as an Internet news publisher that it uses not more than 50 percent of its revenues from sales of periodical publisher, and is engaged in the collection and distribution of local and regional and national news and information shall be eligible to receive a covered loan for the continued provision of news, information, content, or emergency information if—

(1) the business concern or organization employs not more than 500 employees, or the size standard established by the Administrator for that North American Industry Classification code per physical location of the business concern or organization; and

(2) the business concern or organization makes a good faith certification that proceeds of the loan will be used to support expenses at the following:

(a) the daily newspaper; the weekly newspaper; the business newspaper; or the business and entrepreneur newspaper; and

(b) the business concern or organization that supports local or regional news.’’;
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(B) in clause (iv)—
(1) in subsection (III), by striking “and” at the end;

(iii) in subclause (IV), by striking the period at the end and inserting “;”;

(ii) by adding at the end following:

(V) any business concern or other organization that—
(A) is located in a Federally-designated disaster area (as determined under section 7(a)(36)(A) of the Small Business Act (15 U.S.C. 636(a)) in 2020 or 2021.

(2) DIRECT APPROPRIATIONS.—In addition to amounts otherwise available, there is appropriated to the Administrator for fiscal year 2021, out of any amounts otherwise appropriated, $7,250,000,000, to remain available until expended, for carrying out this section.

SEC. 5002. TARGETED EIDL ADVANCE.

(a) DEFINITIONS.—In this section—
(1) the term “Administrator” means the Administrator of the Small Business Administration; and

(2) the terms “covered entity” and “economic loss” have the meanings given them in section 331(a) of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116–260); or

(b) APPROPRIATIONS.—In addition to amounts otherwise available, there is appropriated to the Administrator for fiscal year 2021, out of any amounts otherwise appropriated, $15,000,000,000—

(1) to remain available until expended; and

(2) of which the Administrator shall use—

(A) $10,000,000,000 to make payments to covered entities that have not received the full amounts to which the covered entities are entitled under section 331 of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116–260); and

(B) $5,000,000,000 to make payments under section 1110(e) of the CARES Act (15 U.S.C. 9009(c)), each of which shall be—

(i) made to a covered entity that—

(I) has suffered an economic loss of greater than 50 percent; and

(II) employs not more than 10 employees; and

(iii) with respect to the covered entity to which the payment is made, in addition to any payment made to the covered entity under section III(c) of the CARES Act (15 U.S.C. 9009(c)) or section 331 of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116–260).

SEC. 5003. SUPPORT FOR RESTAURANTS.

(a) DEFINITIONS.—In this section—

(1) COMMITTEE AUTHORITY.—Section 1120(b)(1) of the CARES Act (Public Law 116–136) is amended by striking “$806,450,000,000” and inserting “$813,700,000,000”.

(2) DIRECTIONS.—In addition to amounts otherwise available, there is appropriated to the Administrator of the Small Business Administration for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $7,250,000,000, to remain available until expended, for carrying out this section.

(c) COORDINATION WITH CONTINUATION COVERAGE.—

(1) PAYCHECK PROTECTION PROGRAM.—Section 7(a)(12) of the Small Business Act (as redesignated, transferred, and amended by section 304(b) of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (Public Law 116–260)) is amended—

(A) by striking “CARES Act or” and inserting “CARES Act, or”;

(B) by striking “or” at the end of item (aa); and


(2) PAYCHECK PROTECTION PROGRAM SECOND DRAW.—Section 7(a)(37)(J)(ii) of the Small Business Act, as amended by the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116–260), is amended by striking “(a)(i)(II)” and “(i)(IV)” and inserting “(a)(i)(III)”.

(3) PAYCHECK PROTECTION PROGRAM SECOND DRAW.—Section 7(a)(37)(J)(iii)(I) of the Small Business Act, as amended by the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116–260), is amended—

(A) by striking “CARES Act or” and inserting “CARES Act,”;

(B) by striking “or” at the end of item (bb); and


(4) COMMITMENT AUTHORITY AND APPROPRIATIONS.—
shall award grants to eligible entities in the
section (b) and paragraph (3), the Administrator
identification that may not be common to their
fiers over requiring other forms of registration or
applicant to use their existing business identi-
ations for grants under this subsection, the
lishing priority under subparagraph (A), an ap-
(2) APPROPRIATIONS.—In addition to amounts
available under subparagraph (A)—
(I) $5,000,000,000 shall be available to eligible entities. U.S. grants made during 2019 of not
more than $500,000; and
(II) $23,660,000,000 shall be available to the Administrator to award grants under subsection (c) in a calendar year to eligible entities of different sizes based on annual gross receipts.
(ii) ADJUSTMENTS.—The Administrator may make adjustments as necessary to the distribu-
tion of funds under clause (i)(II) based on de-
mand and the relative local costs in the markets in
which eligible entities operate.
(3) USE OF FUNDS.—The Administrator shall use amounts in the Fund to make grants de-
scribed in subsection (c).
(a) IN GENERAL.—There is established in the
Treasury the Restaurant Revitalization Fund for fiscal year
2021, out of any money in the Treasury not oth-
erwise appropriated, $28,660,000,000, to remain
available until expended.
(b) DISTRIBUTION.—Of the amounts made
available under subparagraph (A)—
(I) $5,000,000,000 shall be available to eligible entities. U.S. grants made during 2019 of not
more than $500,000; and
(II) $23,660,000,000 shall be available to the Administrator to award grants under subsection (c) in a calendar year to eligible entities of different sizes based on annual gross receipts.
(ii) ADJUSTMENTS.—The Administrator may make adjustments as necessary to the distribu-
tion of funds under clause (i)(II) based on de-
mand and the relative local costs in the markets in
which eligible entities operate.
(3) USE OF FUNDS.—The Administrator shall use amounts in the Fund to make grants de-
scribed in subsection (c).
(C) רותי גורוד, נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל נמל ن
SEC. 5005. SHUTTERED VENUES OPERATORS.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury, not otherwise appropriated, $174,850,000 to remain available until expended.

(b) ADMINISTRATION OF FUNDS.—Of the funds provided by this section, 25 percent shall be used for Federal costs to administer such assistance utilizing temporary Federal personnel as may be necessary consistent with the requirements applicable to such administrative funding in fiscal year 2020 to prevent, prepare for, and respond to coronavirus and for necessary expenses for responding to economic injury as a result of coronavirus.

(c) Of the funds provided by this section, up to 25 percent shall be used for grants for small businesses, nonprofits, and venues that are eligible under sections 209 and 703 of the Small Business Act and Economic Development Act of 1965 (42 U.S.C. 3149 and 3233) to prevent, prepare for, and respond to coronavirus and for necessary expenses for responding to economic injury as a result of coronavirus.

(d) Of the funds provided by this section, up to 25 percent shall be used for grants for small businesses, nonprofits, and venues that are eligible under section 104(k)(7)(A) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601(k)(7)(A)); and

(e) Of the funds provided by this section, up to 25 percent shall be used for grants for small businesses, nonprofits, and venues that are eligible under section 103 of the Clean Air Act (42 U.S.C. 7403) and grants and activities authorized under section 165 of such Act (42 U.S.C. 7405).

SEC. 6002. FUNDING FOR POLLUTION AND DISASTER IMPACTS OF THE COVID–19 PANDEMIC.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated for the fiscal year ending September 30, 2024, out of any money in the Treasury, not otherwise appropriated, $100,000,000, to remain available until expended.

(b) ADMINISTRATION OF FUNDS.—Of the funds provided by this section, 25 percent shall be used for Federal costs to administer such assistance utilizing temporary Federal personnel as may be necessary to address disproportionate environmental and public health harms and risks in minority populations or low-income populations under—

(1) section 195(b) of the Clean Air Act (42 U.S.C. 7403(b));

(2) section 1442 of the Safe Drinking Water Act (42 U.S.C. 300j-1);

(3) section 104(c)(7)(A) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601(k)(7)(A)); and

(4) sections 791 through 797 of the Energy Policy Act of 2005 (42 U.S.C. 16131 through 16137); and

(c) Of the funds provided by this section, 25 percent shall be used for grants and activities authorized under subsections (a) through (c) of section 103 of the Clean Air Act (42 U.S.C. 7403) and grants and activities authorized under section 165 of such Act (42 U.S.C. 7405).

SEC. 5006. DIRECT APPROPRIATIONS.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Administrator for fiscal year 2021, out of any money in the Treasury, not otherwise appropriated, $2,530,000,000, to remain available until expended—

(1) $1,500,000,000 for administrative expenses, including to prevent, prepare for, and respond to the COVID–19 pandemic, domestically or internationally, including administrative expenses related to paragraphs (36) and (37) of section 7(a) of the Small Business Act, section 324 of Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116–260), section 5002 of the Small Business Act, section 601(k)(5) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601(k)(5)); and

(2) $500,000,000 for to carry out the disaster loan program authorized by section 7(b) of the Small Business Act (15 U.S.C. 636(b)), of which $70,000,000 shall be for the cost of direct loans authorized by such section and $350,000,000 shall be for administrative expenses to carry out such program.

(b) INSPECTOR GENERAL.—In addition to amounts otherwise available, there is appropriated to the Inspector General of the Small Business Administration for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $2,530,000,000, to remain available until expended, for necessary expenses of the Office of Inspector General.
(2) FUNDING SHARE.—The share of funding provided under paragraph (1) with respect to a covered State-supported route shall be distributed as follows:

(A) For each covered State-supported route shall receive 7 percent of the costs allocated to the route in fiscal year 2019 under the cost allocation methodology adopted pursuant to section 208 of the Rail Investment and Improvement Act of 2008 (Public Law 110–432).

(B) Any remaining amounts after the distribution described in subparagraph (A) shall be apportioned to each covered State-supported route in proportion to the passenger revenue of such route and other revenue allocated to such route in fiscal year 2019, multiplied by the total passenger revenue and other revenue allocated to all covered State-supported routes in fiscal year 2019.

(3) COVERED STATE-SUPPORTED ROUTE DEFINED.—In this subsection, the term “covered State-supported route” means a State-supported route, as such term is defined in section 24102 of title 49, United States Code, but does not include a State-supported route for which service was terminated on or before February 1, 2020.

(f) USE OF FUNDS FOR DEBT REPAYMENT OR PREPAYMENT.—Not more than $160,885,000 of the aggregate amounts made available under subsections (a) and (b) shall be—

(1) for the repayment or prepayment of debt incurred by the National Railroad Passenger Corporation under financing arrangements entered into prior to the date of enactment of this Act; and

(2) for any required reserves, costs, and fees related to such debt, including for loans from the Department of Transportation and loans that would otherwise have been paid from National Railroad Passenger Corporation revenues.

(g) PROJECT MANAGEMENT OVERSIGHT.—Not more than $2,000,000 of the aggregate amounts made available under subsections (a) and (b) shall be made available to the Administrator of the Federal Aviation Administration for project management oversight.

(h) REQUIREMENTS AND LIMITATIONS.—Amounts made available under this section—

(A) IN GENERAL.—In addition to amounts otherwise available, there is appropriated for each fiscal year, out of any funds in the Treasury not otherwise appropriated, $8,000,000,000, to remain available until September 30, 2024, for assistance to sponsors of airports, as such terms are defined in section 47102 of title 49, United States Code, for the purpose of preventing, preparing for, and responding to coronavirus in fiscal year 2020.

(B) DISTRIBUTION.—The amounts made available under paragraph (a) for each set-aside in this paragraph shall be apportioned to the extent practicable and to the extent possible, to the extent permitted by State laws, local laws, and applicable trust indentures; and

(C) ELIGIBLE AIRPORTS.—Any airport that was awarded any amount under this section shall be eligible to receive such amount.

(i) DEFINITION.—In this section:

(1) ELIGIBLE LARGE AIRPORT CONCESSION.—The term “eligible large airport concession” means a concession as defined in section 23.3 of title 49, Code of Federal Regulations, that is terminal and has maximum gross receipts, averaged over the previous three fiscal years, of not more than $56,420,000.

(2) ELIGIBLE SMALL AIRPORT CONCESSION.—The term “eligible small airport concession” means a concession as defined in section 23.3 of title 49, Code of Federal Regulations, that is terminal and—

(A) a small business with maximum gross receipts, averaged over the previous 3 fiscal years, of less than $56,420,000; or

(B) a joint venture (as defined in section 23.3 of title 49, Code of Federal Regulations).

SEC. 7102. RELIEF FOR AIRPORTS.

(a) IN GENERAL.—

(1) COVERED STATE-SUPPORTED ROUTE.—(A) IN GENERAL.—Not more than $69,000,000,000 shall be paid to each sponsor of airports, as such term is defined in section 47102 of title 49, United States Code, based on—

(i) the total passenger enplanements compared to the total passenger enplanements in calendar year 2019.

(B) FUNDING SHARE FOR DEVELOPMENT PROJECTS.—(A) IN GENERAL.—Not more than $69,000,000,000 shall be available under subsection (a)(1) to be made available to prevent, prepare for, and respond to coronavirus of less than $56,420,000; or

(B) DISTRIBUTION.—Amounts paid under this paragraph shall be—

(i) for each nonprimary airport, for each set-aside, the sponsor shall provide such relief from rent and minimum annual guarantees to airport concessions, of less than $56,420,000, of which at least $64,000,000 shall be available to provide relief to eligible small airport concessions and of which at least $56,000,000 shall be available to provide relief to eligible large airport concessions located at primary airports.

(B) DISTRIBUTION.—The amounts made available under paragraph (a) for each set-aside in this paragraph shall be—

(i) for each nonprimary airport, the sponsor shall provide such relief from rent and minimum annual guarantees to airport concessions, of less than $56,420,000, of which at least $64,000,000 shall be available to provide relief to eligible small airport concessions and of which at least $56,000,000 shall be available to provide relief to eligible large airport concessions located at primary airports.

(iii) for each set-aside, the sponsor shall provide such relief from rent and minimum annual guarantees to airport concessions, of less than $56,420,000, of which at least $64,000,000 shall be available to provide relief to eligible small airport concessions and of which at least $56,000,000 shall be available to provide relief to eligible large airport concessions located at primary airports.

(C) REMAINING AMOUNTS.—Any amount remaining after distribution shall be—

(i) for each nonprimary airport, the sponsor shall provide such relief from rent and minimum annual guarantees to airport concessions, of less than $56,420,000, of which at least $64,000,000 shall be available to provide relief to eligible small airport concessions and of which at least $56,000,000 shall be available to provide relief to eligible large airport concessions located at primary airports.

(ii) for each set-aside, the sponsor shall provide such relief from rent and minimum annual guarantees to airport concessions, of less than $56,420,000, of which at least $64,000,000 shall be available to provide relief to eligible small airport concessions and of which at least $56,000,000 shall be available to provide relief to eligible large airport concessions located at primary airports.

(b) ELIGIBLE AIRPORTS.—Any airport that was awarded any amount under this section shall be eligible to receive such amount.

(c) ADMINISTRATIVE EXPENSES.—The amounts made available under paragraph (a) shall be used to—

(i) directly support sponsored airports, as such term is defined in section 47102(c) of title 49, United States Code, that are in compliance with the Emergency FAA Employee Leave Fund (in this section referred to as the “Fund”), to be administered by the Administrator of the Federal Aviation Administration, for the purposes set forth in subsection (b).

(ii) for each set-aside, the sponsor shall provide such relief from rent and minimum annual guarantees to airport concessions, of less than $56,420,000, of which at least $64,000,000 shall be available to provide relief to eligible small airport concessions and of which at least $56,000,000 shall be available to provide relief to eligible large airport concessions located at primary airports.

(iii) for each set-aside, the sponsor shall provide such relief from rent and minimum annual guarantees to airport concessions, of less than $56,420,000, of which at least $64,000,000 shall be available to provide relief to eligible small airport concessions and of which at least $56,000,000 shall be available to provide relief to eligible large airport concessions located at primary airports.

(d) ELIGIBILITY.—Any financial assistance provided under this section to an airport shall be subject to clawback by the Secretary, if the Secretary determines that—

(i) the airport is experiencing economic hardship as a direct result of the requirement; or

(ii) the requirement reduces aviation safety or security.

(e) EXCEPTION.—The workforce retention requirement if the Secretary determines that—

(i) the airport is experiencing economic hardship as a direct result of the requirement; or

(ii) the requirement reduces aviation safety or security.

(f) IN GENERAL.—Not more than $100,000,000 shall be made available for general aviation and commercial service airports that are not primary airports (as such term is defined in section 47102 of title 49, United States Code) for costs related to operations, personnel, cleaning, sanitization, janitorial services, combating the spread of pathogens at the airport, and debt service payments.

(g) REMAINING AMOUNTS.—Any amount remaining after distribution shall be—

(i) for each nonprimary airport, for each set-aside, the sponsor shall provide such relief from rent and minimum annual guarantees to airport concessions, of less than $56,420,000, of which at least $64,000,000 shall be available to provide relief to eligible small airport concessions and of which at least $56,000,000 shall be available to provide relief to eligible large airport concessions located at primary airports.

(ii) for each set-aside, the sponsor shall provide such relief from rent and minimum annual guarantees to airport concessions, of less than $56,420,000, of which at least $64,000,000 shall be available to provide relief to eligible small airport concessions and of which at least $56,000,000 shall be available to provide relief to eligible large airport concessions located at primary airports.

(h) DEFINITIONS.—In this section:

(1) ELIGIBLE LARGE AIRPORT CONCESSION.—The term “eligible large airport concession” means a concession as defined in section 23.3 of title 49, Code of Federal Regulations, that is terminal and has maximum gross receipts, averaged over the previous three fiscal years, of not more than $56,420,000.

(2) ELIGIBLE SMALL AIRPORT CONCESSION.—The term “eligible small airport concession” means a concession as defined in section 23.3 of title 49, Code of Federal Regulations.

SEC. 7102A. EMERGENCY FAA FEEPALE FUND.

(a) ESTABLISHMENT; APPROPRIATION.—There is established in the Federal Aviation Administration the Emergency FAA Employee Leave Fund (in this section referred to as the “Fund”), to be administered by the Administrator of the Federal Aviation Administration, for the purposes set forth in subsection (b).

(b) PURPOSE.—Amounts in the Fund shall be available for the Administrator to pay leave under this section by any employee of the Administration who is unable to work because the employee—

(1) is subject to a Federal, State, or local quarantine or isolation order related to COVID–19; or

(2) has been advised by a health care provider to self-quarantine due to concerns related to COVID–19.

(c) ELIGIBILITY.—Any financial assistance provided under this section shall be subject to clawback by the Secretary.

(d) ELIGIBILITY.—Any financial assistance provided under this section shall be subject to clawback by the Secretary.

(e) ELIGIBILITY.—Any financial assistance provided under this section shall be subject to clawback by the Secretary.

(f) ELIGIBILITY.—Any financial assistance provided under this section shall be subject to clawback by the Secretary.

(g) ELIGIBILITY.—Any financial assistance provided under this section shall be subject to clawback by the Secretary.
(8) is obtaining immunization related to COVID–19 or is recovering from any injury, disability, illness, or condition related to such immunization.

(c) LIMITATIONS.—

(1) FUND AVAILABILITY.—Paid leave under this section may only be provided to and used by an employee of the Administration during the period beginning on the date of enactment of this section and ending on September 30, 2021.

(2) TOTAL HOURS; AMOUNT.—Paid leave under this section—

(A) shall be provided to an employee of the Administration in an amount not to exceed 600 hours of paid leave for each full-time employee, and in the case of a part-time employee, employee on a common tour of duty, or employee with a seasonal work schedule, in an amount not to exceed the proportional equivalent of 600 hours to the extent amounts in the Fund remain available for reimbursement;

(B) shall be paid at the same hourly rate as other leave payments; and

(C) may not be provided to an employee if the leave would result in payments greater than $2,800 in aggregate for any biweekly pay period for a full-time employee, or a proportionally equivalent biweekly limit for a part-time employee.

(3) RELATIONSHIP TO OTHER LEAVE.—Paid leave under this section—

(A) in addition to any other leave provided to an employee of the Administration; and

(B) may not be used by an employee of the Administration concurrently with any other paid leave.

(4) CALCULATION OF RETIREMENT BENEFIT.—Any paid leave provided to an employee of the Administration under this section shall reduce the total service used to calculate any Federal civilian retirement benefit.

SEC. 7104. EMERGENCY TSA EMPLOYEE LEAVE FUND.

(a) ESTABLISHMENT; APPROPRIATION.—There is established in the Transportation Security Administration (in this section referred to as the "Administration") the Emergency TSA Employee Leave Fund (in this section referred to as the "Fund"), to be administered by the Administrator of the Administration, for the purposes set forth in subsection (b). In addition to amounts in the Treasury not otherwise appropriated, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $13,000,000, which shall be deposited into the Fund and remain available through September 30, 2022.

(b) PURPOSE.—Amounts in the Fund shall be available to the Administration for the use of paid leave under this section by any employee of the Administration who is unable to work because the employee—

(1) is subject to a Federal, State, or local quarantine or isolation order related to COVID–19;

(2) has been advised by a health care provider to self-quarantine due to concerns related to COVID–19;

(3) is caring for an individual who is subject to such an order or has been so advised;

(4) is experiencing symptoms of COVID–19 and seeking a medical diagnosis;

(5) is caring for a son or daughter of such employee if the school or place of care of the son or daughter has been closed, if the school of such son or daughter requires or makes eligible a virtual learning instruction model or requires or makes optional a hybrid of in-person and virtual learning instruction models, or the child care program or provider for such son or daughter is unavailable, due to COVID–19 precautions;

(6) is experiencing any other substantially similar condition;

(7) is caring for a family member with a mental or physical disability who is 55 years of age or older and incapable of self-care, without regard to whether another individual other than the employee is available to care for such family member, if the place of care for such family member is closed or the direct care provider is unavailable, due to COVID–19 or is recovering from any injury, disability, illness, or condition related to such immunization;

(8) is obtaining immunization related to COVID–19 or is recovering from any injury, disability, illness, or condition related to such immunization.

(c) LIMITATIONS.—

(1) FUND AVAILABILITY.—Paid leave under this section shall only be provided to and used by an employee of the Administration during the period beginning on the date of enactment of this section and ending on September 30, 2021.

(2) TOTAL HOURS; AMOUNT.—Paid leave under this section—

(A) shall be provided to an employee of the Administration in an amount not to exceed 600 hours of paid leave for each full-time employee, and in the case of a part-time employee, employee on a common tour of duty, or employee with a seasonal work schedule, in an amount not to exceed the proportional equivalent of 600 hours to the extent amounts in the Fund remain available for reimbursement;

(B) shall be paid at the same hourly rate as other leave payments; and

(C) may not be provided to an employee if the leave would result in payments greater than $2,800 in aggregate for any biweekly pay period for a full-time employee, or a proportionally equivalent biweekly limit for a part-time employee.

(3) RELATIONSHIP TO OTHER LEAVE.—Paid leave under this section—

(A) is in addition to any other leave provided to an employee of the Administration; and

(B) may not be used by an employee of the Administration concurrently with any other paid leave.

(4) CALCULATION OF RETIREMENT BENEFIT.—Any paid leave provided to an employee of the Administration under this section shall reduce the total service used to calculate any Federal civilian retirement benefit.

Subtitle B—Aviation Manufacturing Jobs Protection

SEC. 7201. DEFINITIONS.

In this subtitle:

(1) ELIGIBLE EMPLOYEE GROUP.—The term "eligible employee group" means the portion of an employer's United States workforce that—

(A) does not exceed 25 percent of the employer's total United States workforce as of April 1, 2020; and

(B) contains only employees with a total compensation level of $200,000 or less per year; and

C) is engaged in aviation manufacturing activities and services, and maintenance, repair, and overhaul activities and services.

(2) AVIATION MANUFACTURING COMPANY.—The term "aviation manufacturing company" means a corporation, firm, or other business entity—

(A) that—

(i) actively manufactures an aircraft, aircraft engine, propeller, or a component, part, or system of an aircraft or aircraft engine under a Federal Aviation Administration production approval or certificate issued prior to June 1, 2019;

(ii) holds a certificate issued under part 14 of title 14, Code of Federal Regulations, for maintenance, repair, and overhaul of aircraft, aircraft engines, components, or propellers; or

(iii) operates a process certified to SAE AS9100 related to the design, development, or provision of an aviation product or service, including a part, component or engine;

(B) which—

(i) is established, created, or organized in the United States or under the laws of the United States;

(ii) is a corporation, firm, or other business entity that is involved in the total compensation level for the eligible employee group, subject to the employer's right to discipline or terminate an employee in accordance with employer policy, between the dates of application and the date on which such an agreement and receipt of public contributions under this subtitle; and

(ii) has involuntarily furloughed or laid off at least 10 percent of its workforce in 2020; and has experienced at least a 15 percent decline in 2020 revenues compared to 2019.

(D) that, as supported by sworn financial statements or other appropriate data, has identified the eligible employee group and the amount of total compensation level for the eligible employee group;

(E) that agrees to provide private contributions, and maintain the total compensation level for the eligible employee group for the duration of an agreement under this subtitle;

(F) that agrees to provide immediate notice and justification to the Administration of involuntary furloughs or layoffs exceeding 10 percent of the workforce that is not included in an eligible employee group for the duration of an agreement and receipt of public contributions under this subtitle;

(G) that has not conducted involuntary furloughs or reductions in public contributions under this subtitle; and

(H) that—

(i) in the case of a corporation, firm, or other business entity including any parent company or subsidiary of such an entity, or any other business entity that holds any type or production certificate or similar authorization issued under section 44704 of title 49, United States Code, with respect to a type-, category-, or airframe-certified aircraft and over under part 25 of title 14, Code of Federal Regulations, certificated with a passenger seating capacity of 50 or more, agrees to refrain from conducting involuntary furloughs or layoffs, or reducing pay rates and benefits, for the eligible employee group, subject to the employer's right to discipline or terminate an employee in accordance with employer policy from the date of application until September 30, 2021, or the duration of the agreement and receipt of public contributions under this subtitle; and

(ii) in the case of corporation, firm, or other business entity not specified under subparagraph (i), agrees to refrain from conducting involuntary furloughs or layoffs, or reducing pay rates and benefits, for the eligible employee group, subject to the employer's right to discipline or terminate an employee in accordance with employer policy from the date of application until September 30, 2021, or the duration of the agreement and receipt of public contributions under this subtitle; and

(E) EMPLOYER.—The term "employer" means an aviation manufacturing company that is an employer (as defined in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203)).

(F) PRIVATE CONTRIBUTION.—The term "private contribution" means the contribution funded by the employer under this subtitle to maintain 50 percent of the eligible employee group's total compensation level, and combined with the public contribution, is sufficient to maintain the total compensation level for the eligible employee group as of April 1, 2020.

(G) PUBLIC CONTRIBUTION.—The term "public contribution" means the contribution funded by the Federal Government under this subtitle to provide 50 percent of the eligible employees' total compensation level, and combined with the private contribution, is sufficient to maintain the total compensation level for those in the eligible employee group as of April 1, 2020.
exceeding overtime and premium pay, and excluding any Federal, State, or local payroll taxes paid, as of April 1, 2020.

SEC. 7202. PAYROLL SUPPORT PROGRAM.

(a) IN GENERAL.—The Secretary shall establish a payroll support program and enter into agreements with employers who meet the eligibility criteria specified in subsection (b) and are not in default of a collective bargaining agreement, to provide public contributions to supplement compensation of an eligible employee group. There is appropriated for fiscal year 2021, out of amounts in the Treasury not otherwise appropriated, $3,000,000,000, to remain available until September 30, 2023, for the Secretary to carry out the payroll support program authorized under the preceding subsection for which 1 percent of the funds may be used for implementation costs and administrative expenses.

(b) ELIGIBILITY.—The Secretary shall enter into an agreement and provide public contributions, for a term no longer than 6 months, solely with an employer that agrees to use the funds received under an agreement exclusively for the continuation of employee wages, salaries, and benefits, to maintain the total compensation level for the eligible employee group as of April 1, 2020, for the duration of the agreement, and to facilitate the retention, rehire, or recall of employees of the employer, except that such funds may not be used for back pay of returning rehired or recalled employees.

(c) ELIGIBILITY.—The Secretary may not enter into any agreement under this section with an employer who was a credit recipient under section 2001 of the CARES Act (26 U.S.C. 3111 note) for the immediately preceding calendar quarter ending before such agreement is entered into, who received financial assistance under section 4112 of the CARES Act (15 U.S.C. 3111 note) for the immediately preceding calendar quarter, or who is currently expending financial assistance under the paycheck protection program authorized under section 4102 of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260).

(d) REDUCTIONS.—To avoid any shortfalls in assistance that would otherwise be provided under this subtitle, the Secretary shall reduce, on a pro rata basis, the financial assistance provided under this subtitle.

(e) AGREEMENT DEADLINE.—No agreement may be entered into by the Secretary under the payroll support program established under subsection (a) after the last day of the 6 month period that begins on the effective date of the first agreement entered into under such program.

Subtitle C—Airlines

SEC. 7301. AIR TRANSPORTATION PAYROLL SUPPORT PROGRAM EXTENSION.

(a) DEFINITIONS.—The definitions in section 40102(a) of title 49, United States Code, shall apply with respect to terms used in this section, except that:

(1) the term “catering functions” means preparation, assembly, or both, of food, beverages, provisions and related supplies for delivery, and the delivery of such items, directly to aircraft or to a person on near airport property for subsequent delivery to aircraft;

(2) the term “contractor” means:

(A) a person that performs, under contract with a passenger air carrier conducting operations under part 121 of title 14, Code of Federal Regulations—

(i) catering functions; or

(ii) functions on the property of an airport that are directly related to the air transportation of persons, property, or mail, including the loading and unloading of property on aircraft, assistance to passengers under part 382 of title 14, Code of Federal Regulations, security, airport ticketing and check-in functions, ground transportation, catering, cleaning, sanitization and sanitation functions and waste removal; or

(B) a subcontractor that performs such functions;

(3) the term “employee” means an individual, other than a corporate officer, who is employed by an air carrier;

(4) the term “eligible air carrier” means an air carrier that—

(A) received financial assistance pursuant section 403(b)(1)(A) of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260);

(B) provides air transportation as of March 31, 2021;

(C) has not conducted involuntary furloughs or reduced pay rates or benefits between March 31, 2021, and the date on which the air carrier makes a certification to the Secretary pursuant to subparagraph (D); and

(D) certifies to the Secretary that such air carrier will—

(i) refrain from conducting involuntary furloughs or reducing pay rates or benefits until September 30, 2021, or the date on which assistance provided under this section is exhausted, whichever is later;

(ii) refrain from purchasing an equity security of the contractor or the parent company of the contractor that is listed on a national securities exchange on or before September 30, 2021;

(iii) refrain from paying dividends, or making other capital distributions, with respect to common stock (or equivalent interest) of such air carrier through September 30, 2021;

(iv) during the 2-year period beginning April 1, 2021, and ending April 1, 2023, refrain from paying salaries, and benefits to—

(I) any officer or employee of the air carrier whose total compensation exceeded $425,000 in calendar year 2019 (other than a corporate officer); or

(II) any officer or employee of the air carrier that is listed on a national securities exchange on or before September 30, 2021, whose total compensation exceeded $3,000,000 in calendar year 2019, and the date on which the contractor makes a certification to the Secretary pursuant to subparagraph (D); and

(bb) severance pay or other benefits upon termination of employment with the air carrier which exceeds twice the maximum total compensation received by the officer or employee from the air carrier in calendar year 2019;

(b) the term “Secretary” means the Secretary of the Treasury.

(b) PAYROLL SUPPORT GRANTS.—

(1) IN GENERAL.—The Secretary shall make available to eligible air carriers and eligible contractors, financial assistance exclusively for the continuation of payment of employee wages, salaries, and benefits to (A) air carriers, in an aggregate amount of $14,000,000,000; and (B) eligible contractors, in an aggregate amount of $15,000,000,000.

(2) APPOINTMENTS.—

(A) IN GENERAL.—The Secretary shall apportion funds to eligible air carriers and eligible contractors in accordance with the requirements of this section not later than April 15, 2021.

(B) ELIGIBLE AIR CARRIERS.—The Secretary shall apportion funds made available under paragraph (1)(A) to each eligible air carrier in the ratio that—

(i) the amount received by the air carrier pursuant to section 403(a) of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260) bears to

(ii) $15,000,000,000.

(C) ELIGIBLE CONTRACTORS.—The Secretary shall apportion to each eligible contractor, an amount equal to the total amount such contractor received pursuant to section 403(a) of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260).

(3) IN GENERAL.—

(A) FORMS, TERMS, AND CONDITIONS.—The Secretary shall provide financial assistance to an eligible air carrier or eligible contractor under this section in the same form and on the same terms and conditions as determined by pursuant to section 403(b)(1)(A) of title IV of division N of the Consolidated Appropriations Act, 2021 (Pub. L. No. 116–260).

(B) PROCEDURES.—The Secretary shall publish streamlined and expedited procedures not later than 5 days after the date of enactment of this section for eligible air carriers and eligible contractors to submit requests for financial assistance under this section.

(C) DEADLINE FOR IMMEDIATE PAYROLL ASSISTANCE.—Not later than 10 days after the date of enactment of this section, the Secretary shall make initial payments to eligible air carriers and eligible contractors that submit requests for financial assistance approved by the Secretary.

(D) TAXPAYER PROTECTION.—The Secretary shall require the financial assistance is issued by recipients of financial assistance under this section in the same form and amount, and under
the same terms and conditions, as determined by the Secretary under section 408 of subtitle A of title IV of division N of the Consolidated Appropriations Act, 2021 (Pub. L. No. 116-200).

(5) All amounts made available under paragraph (1)(A), $10,000,000 shall be made available to the Secretary for costs and administrative expenses associated with providing financial assistance under this section.

(c) FUNDING.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $15,000,000,000, to remain available until expended, to carry out this section.

Subtitle D—Consumer Protection and Commerce Oversight

SEC. 7401. FUNDING FOR CONSUMER PRODUCT SAFETY FUND TO PROTECT CONSUMERS FROM POTENTIALLY DANGEROUS PRODUCTS RELATED TO COVID-19.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Consumer Product Safety Commission for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $50,000,000, to remain available until September 30, 2026, for the purposes described in subsection (b).

(b) PURPOSES.—The funds made available in subsection (a) may be used for purposes of the Consumer Product Safety Commission to—

(1) carry out the requirements in title XX of division F of the Consolidated Appropriations Act, 2021 (Pub. L. No. 116-200);

(2) enhance targeting, surveillance, and screening of consumer products, particularly COVID–19 products, entering the United States at ports of entry, including ports of entry for de minimis shipments;

(3) enhance monitoring of internet websites for the offering for sale new and used consumer products, particularly COVID–19 products, and coordination with retail and resale websites to improve identification and elimination of listings of such products;

(4) increase awareness and communication particularly of COVID–19 product related risks and other consumer product safety information; and

(5) improve the Commission’s data collection and analysis system especially with a focus on consumer product safety risks resulting from the COVID–19 pandemic, socially disadvantaged individuals and other vulnerable populations.

(c) DEFINITIONS.—In this section—

(1) the term “Commission” means the Consumer Product Safety Commission;

(2) the term “consumer product” means consumer products in violation of an applicable consumer product safety standard under the Consumer Product Safety Act (15 U.S.C. 2651 et seq.) or any similar rule, regulation, standard, or ban under any other Act enforced by the Commission;

(3) the term “COVID–19 emergency period” means the period during which a public health emergency declared pursuant to section 319 of the Public Health Service Act (42 U.S.C. 247d) with respect to COVID–19 (COVID–19), including under any renewal of such declaration, is in effect; and

(4) the term “Eligible Expenses” means consumer products, as defined by section 3(a)(5) of the Consumer Product Safety Act (15 U.S.C. 2022(a)(5)), whose risks have been significantly affected by COVID–19 or whose availability has materially increased during the COVID–19 emergency period as a result of the COVID–19 pandemic.

SEC. 7402. FUNDING FOR E-RATE SUPPORT FOR EMERGENCY EDUCATIONAL CONNECTIONS AND DEVICES.

(a) REGULATIONS REQUIRED.—Not later than 60 days after the enactment of this Act, the Commission shall promulgate regulations providing for the provision, from amounts made available from the Emergency Connectivity Fund, of support under paragraphs (1)(B) and (2) of section 254(h) of the Communications Act of 1934 (47 U.S.C. 254(h)) to eligible telecommunications or advanced telecommunications and information services, except that any reimbursement of a school or library for the costs associated with any eligible equipment may not exceed 100 percent of the amount made available from the Emergency Connectivity Fund for the purchase of such equipment.

(b) SUPPORT AMOUNT.—In providing support under the covered regulations, the Commission shall reimburse 100 percent of the costs associated with the eligible equipment, advanced telecommunications and information services, or eligible equipment and information services, except that any reimbursement of a school or library for the costs associated with any eligible equipment may not exceed 100 percent of the amount made available from the Emergency Connectivity Fund for the purchase of such equipment.

(c) ENFORCEMENT.—The Commission shall use—

(1) the provisions of section 408(e)(2)(A) of the Consumer Product Safety Act (15 U.S.C. 2658(e)(2)(A)) for the enforcement of the covered regulations; and

(2) the Consumer Product Safety Commission for the offering for sale of new and used violative consumer products, as defined by section 3(a)(5) of the Consumer Product Safety Act, as such term is used in section 2(1) of the Federal Trade Commission Consumer Sentinel Network.

(d) DEFINITIONS.—In this section:

(1) the term “Commission” means the Federal Communications Commission;

(2) the term “coverage regulations” means the regulations promulgated under subsection (a);

(3) the term “COVID–19 emergency period” means the period during which a public health emergency declared pursuant to section 319 of the Public Health Service Act (42 U.S.C. 247d) with respect to COVID–19 (COVID–19), including under any renewal of such declaration, is in effect; and

(4) the term “Eligible Expenses” means eligible expenses, as defined by section 3(a)(5) of the Consumer Product Safety Act (15 U.S.C. 2022(a)(5)), whose risks have been significantly affected by COVID–19 or whose availability has materially increased during the COVID–19 emergency period as a result of the COVID–19 pandemic.

SEC. 7403. FUNDING FOR DEPARTMENT OF COMMERCE INSPECTOR GENERAL.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Department of Commerce, for the fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $2,000,000, for the purposes described in subsection (b).

(b) PURPOSES.—The funds provided under this section may be used by the Department of Commerce, to support and fund—

(1) a data center at the National Institute of Standards and Technology for fiscal year 2021, out of any money in the Treasury not otherwise available, there is appropriated to the National Institute of Standards and Technology for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $360,000,000, for the purchase of such equipment.

(2) the term “Eligible Expenses” means equipment, as defined by section 3(a)(5) of the Consumer Product Safety Act (15 U.S.C. 2022(a)(5)), whose risks have been significantly affected by COVID–19 or whose availability has materially increased during the COVID–19 emergency period as a result of the COVID–19 pandemic.

SEC. 7404. FEDERAL TRADE COMMISSION FUNDING FOR COVID–19 RELATED WORK.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Federal Trade Commission for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $2,000,000, for the purposes described in subsection (b).

(b) PURPOSES.—The funds provided under this section may be used by the Federal Trade Commission to—

(1) $4,000,000 to fund the process and monitor consumer complaints received into the Consumer Sentinel Network, including increased complaints received regarding unfair or deceptive acts or practices related to COVID–19;

(2) $2,000,000 for consumer-related education, including in connection with unfair or deceptive acts or practices related to COVID–19, and any other programs that are based on the award of new or extended research contracts, cooperative agreements, scholarships, fellowships, and internships, and related administrative expenses to
prevent, prepare for, and respond to coronavirus.

Subheading: Corporation for Public Broadcasting

SEC. 7601. SUPPORT FOR THE CORPORATION FOR PUBLIC BROADCASTING.

In addition to amounts otherwise made available, there is appropriated to the Corporation for Public Broadcasting for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $275,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, including for fiscal stabilization grants to public telecommunications entities specified in section 330 of the Communications Act of 1934 (47 U.S.C. 397), with no deduction for administrative or other costs of the Corporation, to maintain programming and services, and preserve small and rural stations threatened by declines in non-Federal revenues.

TITLE VIII—COMMITTEE ON VETERANS’ AFFAIRS

SEC. 8001. FUNDING FOR CLAIMS AND APPEALS.

In addition to amounts otherwise made available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $275,000,000, to remain available until expended, for the claims and appeals program of the Department.

SEC. 8002. FUNDING AVAILABILITY FOR MEDICAL FACILITIES.

In addition to amounts otherwise made available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $4,142,000,000, to remain available until September 30, 2022, for the construction, pursuant to sections 308, 310, 7101 through 7103, United States Code, of additional medical facilities for veterans in proportion to each trust fund from which such amounts are derived.

SEC. 8003. FUNDING FOR SUPPLY CHAIN MODERNIZATION.

In addition to amounts otherwise made available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $100,000,000, to remain available until September 30, 2022, for the supply chain modernization initiative under sections 308, 310, 7101, and 7102 of title 38, United States Code.

SEC. 8004. FUNDING FOR STATE HOMES.

In addition to amounts otherwise made available, there are appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $14,482,000,000, to remain available until September 30, 2022, for the construction, pursuant to section 1701 of title 38, United States Code, for health care furnished through the Veterans Community Care program in sections 1703(c)(1) and 1703(c)(5) of such title.

SEC. 8005. FUNDING FOR THE DEPARTMENT OF VETERANS AFFAIRS.

In addition to amounts otherwise made available, there is appropriated to the Office of Inspector General of the Department of Veterans Affairs for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $10,000,000, to remain available until expended, for audits, investigations, and other oversight of programs carried out or funds made available to the Department of Veterans Affairs.

SEC. 8006. COVID-19 VETERAN RAPID RETRAINING ASSISTANCE PROGRAM.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall carry out a program under which the Secretary shall provide up to 12 months of retraining assistance to an eligible veteran for the pursuit of a covered program of education. Such retraining assistance may be in addition to any other entitlement to educational assistance or benefits for which a veteran is, or has been, eligible.

(b) ELIGIBLE VETERANS.—

(1) IN GENERAL.—In this section, the term ‘eligible veteran’ means a veteran who—

(A) as of the date of the receipt by the Secretary of an application for assistance under this section, is at least 22 years of age but not more than 66 years of age;

(B) as of such date, is unemployed by reason of the covered public health emergency, as certified by the veteran; and

(C) as of such date, is not eligible to receive educational assistance under chapter 30, 31, 32, 33, or 35 of title 38, United States Code.

(2) TREATMENT OF VETERANS WHO TRANSFER ENTITLEMENT.—For purposes of paragraph (1)(C), a veteran who has transferred all of the veteran’s entitlement to educational assistance under section 3319 of title 38, United States Code, shall be considered to be a veteran who is not eligible to receive educational assistance under chapter 33 of such title.

(c) COVERED PROGRAMS OF EDUCATION.—

(1) IN GENERAL.—For purposes of this section, a covered program of education (as such term is defined in section 3313 of title 38, United States Code) for training, pursued on a full-time or part-time basis—

(A) is approved under chapter 36 of such title;

(B) leads to a degree, at an institution leading to a degree, or a covered program of education not leading to a degree, at an institution listed in section 206 of title 38, United States Code;

(C) provides notice to the educational institution that the veteran would receive a housing stipend payment under this section;

(D) is not in receipt of compensation for a service-connected disability rated totally disabling as a result of unemployability; and

(E) will not provide any unemployment compensation (as defined in section 65(b)(2) of the Internal Revenue Code of 1986), including any cash benefit received pursuant to subtitle A of title II of the Social Security Act (42 U.S.C. 12501 et seq.), as of the first day on which the veteran would receive a housing stipend payment under this section.

(2) TREATMENT OF VETERANS WHO COMPLETE PROGRAMS.—In the case of a veteran referred to in paragraph (1)(C), if the veteran has completed a covered program of education described in paragraph (1)(C) had the veteran found employment during the period preceding the date of enactment of this Act that would have been payable under paragraph (1)(B) when the veteran provided notice to the educational institution that the veteran would receive a housing stipend payment under such paragraph, the veteran’s entitlement to educational assistance payable under section 3313(c) of title 38, United States Code, shall be reduced by an amount that, when added to the amount specified under subsection (c)(1)(B) of section 3313 of title 38, United States Code,
(B) in the case of a covered program of education other than a program of education leading to a degree at an institution other than an institution of higher learning pursued on more than a half-time basis, the amount specified under subsection (g)(3)(A)(ii) of such section; or
(C) in the case of a covered program of education pursued on less than a half-time basis, or a covered program of education pursued on more than a half-time basis, the amount specified under subsection (c)(1)(B)(iii) of such section.

(4) LIMITATION.—In the case of an emergency unemployment assistance program under this section if the veteran fails to find employment in a field related to the program of education within the 180-period beginning on the date the veteran withdrew from or completed the program.

(e) NO TRANSFERABILITY.—Retraining assistance provided under this section may not be transferred to another individual.

(f) LIMITATION.—Not more than 17,250 eligible veterans may receive retraining assistance under this section.

(g) TERMINATION.—No retraining assistance may be paid under this section after the date that is 21 months after the date of enactment of this Act.

(h) FUNDING.—In addition to amounts otherwise available there is appropriated to the Department of Veterans Affairs for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $386,000,000, to remain available until expended, to carry out this section.

SEC. 9007. PROHIBITION ON COPAYMENTS AND COST SHARING FOR VETERANS DURING EMERGENCY RELATING TO COVID–19.

(a) IN GENERAL.—The Secretary of Veterans Affairs—

(1) shall provide for any copayment or other cost sharing in connection with health care under the laws administered by the Secretary received by a veteran during the period specified in subsection (b); and

(2) shall reimburse any veteran who paid a copayment or other cost sharing for health care under the laws administered by the Secretary received by a veteran during such period the amounts paid by the veteran.

(b) PERIOD SPECIFIED.—The period specified in this subsection is the period beginning on April 6, 2020, and ending on September 30, 2021.

(c) LIMITATIONS.—(1) PERIOD OF AVAILABILITY.—Paid leave under this section may only be provided to and used by a covered employee during the period beginning on the date of enactment of this Act and ending on September 30, 2021.

(2) TOTAL HOURS; AMOUNT.—Paid leave under this section—

(A) shall be provided to a covered employee in an amount not to exceed 600 hours of paid leave for each full-time employee, and in the case of a part-time employee, employee on an uncontinuous work schedule, in an amount not to exceed the proportional equivalent of 600 hours to the extent amounts in the Fund remain available for reimbursement;

(B) shall be paid at the same hourly rate as other leave payments; and

(C) may not be used by a covered employee if the leave would result in payments greater than $2,800 in aggregate for any biweekly pay period for a full-time employee, or a proportionately equivalent biweekly limit for a part-time employee.

(3) RELATIONSHIP TO OTHER LEAVE.—Paid leave under this section—

(A) is in addition to any other leave provided to a covered employee; and

(B) may not be used by a covered employee concurrently with other leave.

(4) CALCULATION OF RETIREMENT BENEFIT.—Any paid leave provided to a covered employee under this section shall reduce the total service used to calculate any Federal civilian retirement benefit.

(d) COVERED EMPLOYER DEFINED.—In this section, the term “covered employer” means an employer in the Department of Veterans Affairs that is appointed under chapter 74 of title 38, United States Code.

TITLE IX—COMMITTEE ON FINANCE

Subtitle A—Crisis Support for Unemployed Workers

PART I—EXTENSION OF CARES ACT UNEMPLOYMENT PROVISIONS

SEC. 9011. EXTENSION OF PANDEMIC UNEMPLOYMENT ASSISTANCE.

(a) IN GENERAL.—Section 2102(c) of the CARES Act (15 U.S.C. 9021(c)) is amended—

(1) by striking “60 weeks” and inserting “79 weeks”;

(2) by striking “50-week period” and inserting “79-week period”;

(b) HOLD HARMLESS FOR PROPER ADMINISTRATION.—In the case of an individual who is eligible to receive pandemic unemployment assistance under section 2102 of the CARES Act (15 U.S.C. 9021) as of the day before the date of enactment of this Act and on the date of enactment of this Act becomes eligible for pandemic emergency unemployment compensation under section 2107 of the CARES Act (15 U.S.C. 9025) by reason of the amendments made by section 9016(b) of this title, any payment of pandemic emergency unemployment assistance under such section 2102 made after the date of enactment of this Act to such individual during an appropriate period of time, as determined by the Secretary of Labor, that should have been made under such section 2102 shall not be considered to be an overpayment of assistance under such section 2102, except that an individual may not receive payment for assistance under section 2102 and a payment for assistance under section 2107 for the same week of unemployment.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply as if included in the CARES Act (Public Law 116–136), except that no amount shall be payable by virtue of such amendments with respect to any week of unemployment ending before March 9, 2021.

SEC. 9012. EXTENSION OF FEDERAL PANDEMIC UNEMPLOYMENT COMPENSATION.

(a) IN GENERAL.—Section 2104(c)(2) of the CARES Act (15 U.S.C. 9023(c)(2)) is amended by striking “March 14, 2021” and inserting “September 6, 2021.”

(b) AMOUNT.—Section 2104b(1)(A)(ii) of such Act (15 U.S.C. 9023b(3)(A)(ii)) is amended by striking “March 14, 2021” and inserting “September 6, 2021.”

SEC. 9014. EXTENSION OF FULL FEDERAL FUNDING OF THE FIRST WEEK OF COMPENSABLE REGULAR UNEMPLOYMENT FOR STATES WITH NO WAITING WEEK.

(a) IN GENERAL.—Section 2105(c)(2) of the CARES Act (15 U.S.C. 9024c(c)(2)) is amended by striking “March 14, 2021” and inserting “September 6, 2021.”

(b) FULL REIMBURSEMENT.—Paragraph (3) of section 2105(c) of such Act (15 U.S.C. 9024c(c)) is repealed and such section shall be applied to weeks of unemployment to which an agreement under section 2103 of such Act applies as if such paragraph had not been enacted. In implementing the preceding sentence, a State may, if necessary, reenter the agreement with the Secretary under section 2103 of such Act, and retroactively pay for the first week of regular compensation without a waiting week consistent with...
with State law (including a waiver of State law) and receive full reimbursement for weeks of unemployment that ended after December 31, 2020.

SEC. 9015. EXTENSION OF EMERGENCY MANAGEMENT FUNDING FOR HOMELAND SECURITY.

If a State modifies its unemployment compensation law and policies, subject to the succeeding sentence, with respect to personnel standards and eligibility and other temporary actions as provided in the Act, such emergency management funding for homeland security may be used for any such purpose as the Secretary of Homeland Security or such State may determine to be necessary to provide immediate assistance to the unemployed, and to meet administrative costs of the State or territory.

SEC. 9016. EXTENSION OF EMERGENCY UNEMPLOYMENT UNEMPLOYMENT COMPENSATION.

(a) IN GENERAL.—Section 2107(g)(3) of the CARES Act (15 U.S.C. 9025(g)(3)) is amended by striking “(2)” and inserting “(2)”.

(b) EFFECTIVE DATE.—The amendments made by this section apply to weeks beginning on or after March 14, 2021.

SEC. 9017. EXTENSION OF TEMPORARY FINANCING OF SHORT-TIME COMPENSATION PAYMENTS IN STATES WITH PROVEN PROGRAMS IN LAW.

Section 2106(b)(2)(B) of the CARES Act (15 U.S.C. 9026(b)(2)(B)) is amended by striking “24” and inserting “53”.

SEC. 9018. EXTENSION OF TEMPORARY FINANCING OF SHORT-TIME COMPENSATION AGREEMENTS FOR STATES WITHOUT PROGRAMS IN LAW.

Section 2106(b)(2)(C) of the CARES Act (15 U.S.C. 9026(b)(2)(C)) is amended by striking “24” and inserting “53”.

PART 3—DEPARTMENT OF LABOR FUNDING FOR TIMELY, ACCURATE, AND EQUITABLE PAYMENT

SEC. 9031. FUNDING FOR ADMINISTRATION.

In addition to amounts otherwise available, there is appropriated to the Employment and Training Administration of the Department of Labor for fiscal year 2021, out of any money in the Treasury, $300,000,000 to remain available until expended, to cover the costs of enforcing those provisions of law that require the Secretary to publish guidance, verify or validate identity, implement Federal programs, and accelerate claims processing or process claims backlogs due to the pandemic.

SEC. 9032. FUNDING FOR FRAUD PREVENTION, EQUITABLE ACCESS, AND TIMELY PAYMENT TO ELIGIBLE WORKERS.

Subtitle A of title II of division A of the CARES Act (Public Law 116-136) is amended by adding at the end the following:

“SEC. 2118. FRAUD PREVENTION, EQUITABLE ACCESS, AND TIMELY PAYMENT TO ELIGIBLE WORKERS.

“(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary of Labor for fiscal year 2021, out of any money in the Treasury, $53,000,000, appropriated to the Secretary of Labor for fiscal year 2021, out of any money in the Treasury, $53,000,000, to remain available until expended, to detect and prevent fraud, promote equitable access, and ensure the timely payment of benefits with respect to unemployment compensation programs, as extended under subtitle A of title IX of the American Rescue Plan Act of 2021.

“(b) USE OF FUNDS.—Amounts made available under subsection (a)—

“(1) for Federal administrative costs related to the purposes described in subsection (a);

“(2) to pay hazard pay or other additional income to Federal employees or former employees on a non-competitive basis, and other temporary actions to quickly address claims backlogs due to the pandemic.

“(c) EFFECTIVE DATE.—The amendments made by this section shall apply to weeks beginning after December 31, 2021.

Subtitle B—Emergency Assistance to Families Through Home Visiting Programs

SEC. 9011. EMERGENCY ASSISTANCE TO FAMILIES THROUGH HOME VISITING PROGRAMS.

Effective 1 day after the date of enactment of this Act, title V of the Social Security Act (42 U.S.C. 701–712) is amended by inserting after section 511 the following:

“SEC. 511A. EMERGENCY ASSISTANCE TO FAMILIES THROUGH HOME VISITING PROGRAMS.

“(a) SUPPLEMENTAL APPROPRIATION.—In addition to amounts otherwise available, out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated to the Secretary of Labor $53,000,000, to be used to enable eligible entities to conduct programs in accordance with section 511 and subsection (c) of this section.

“(b) USE OF FUNDS.—Funds made available by subsection (a) of this section, an entity may—

“(1) as of the date of the enactment of this section, be conducting a program under section 511;

“(2) ensure the modification of grants, contracts, and other agreements, as applicable, executed under section 511, subject to section 511(d), in accordance with the purposes described in subsection (a); and

“(3) reaffirm that, in conducting the program, the entity will focus on priority populations (as defined in section 511(d)(4)).

“(c) DETERMINATION OF ELIGIBILITY FOR FUNDS.—To be eligible to receive funds made available by subsection (a) of this section, an entity shall—

“(1) not have reduced funding for, or staffing levels of, the program on account of reduced enrollment in the program; and

“(2) provide, in a manner that is proportionate to the funding of the program, the funds—

“(A) to serve families with home visits or with virtual visits, that may be conducted by the use of electronic information and telecommunications technologies, in a service delivery model described in section 511(d)(3)(A); and

“(B) for the purposes described in paragraph (1), to serve families with home visits or with virtual visits, that may be conducted by the use of electronic information and telecommunications technologies, in a service delivery model described in section 511(d)(3)(A); and

“(C) to serve families with home visits or with virtual visits, that may be conducted by the use of electronic information and telecommunications technologies, in a service delivery model described in section 511(d)(3)(A).
for families served, and may include training on how to safely conduct intimate partner violence screenings, and training on safety and planning for families served to support the family outcome improvements listed in section 311(d)(2)(B).

‘‘(4) for the acquisition by families served by programs under section 311 of such technological means as are needed to conduct and support a virtual health visit program under section 311 for the purpose of enabling the family to meet the emergency needs of the family.

Subtitle C—Emergency Assistance to Children and Families

SEC. 3001. PANDEMIC EMERGENCY ASSISTANCE. Section 403 of the Social Security Act (42 U.S.C. 603) is amended by adding at the end the following:

‘‘(c) PANDEMIC EMERGENCY ASSISTANCE.—

‘‘(1) In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury of the United States not otherwise appropriated, $1,000,000,000, to remain available until expended, to carry out this subsection.

‘‘(2) RESERVATION OF FUNDS FOR TECHNICAL ASSISTANCE.—Of the amount specified in paragraph (1), the Secretary shall reserve an amount equal to the amount so reallocated, divided by

‘‘(3) ALLOTMENTS.—

‘‘(A) 50 STATES AND THE DISTRICT OF COLUMBIA.

‘‘(i) TOTAL AMOUNT TO BE ALLOTTED.—The Secretary shall allot a total of 92.5 percent of the amount specified in paragraph (1) that is not reserved under paragraph (2) among the 50 States and the District of Columbia, divided by

‘‘(aa) the population of children in the State, determined on the basis of the most recent population estimates as determined by the Bureau of the Census;

‘‘(bb) the total population of children in the States that are not territories, as so determined; plus

‘‘(dd) 50 percent, multiplied by—

‘‘(aa) the amount expended by the States for basic assistance, non-recurrent short term benefits, and emergency assistance in fiscal year 2019, reported by the State under section 411; divided by

‘‘(bb) the total amount expended by the States that are not territories for basic assistance, non-recurrent short term benefits, and emergency assistance in fiscal year 2019, as so reported by the States.

‘‘(B) TERRITORIES AND INDIAN TRIBES.—The Secretary shall allot among the territories and Indian tribes otherwise eligible for grants under this part such portions of 7.5 percent of the amount specified in paragraph (1) that are not reserved under paragraph (2) as the Secretary deems appropriate based on the needs of the territory or Indian tribe involved.

‘‘(C) EXPENDITURE COMMITMENT REQUIREMENT.—To receive the full amount of funding payable under this subsection, a State or Indian tribe shall inform the Secretary as to whether it intends to comply with the requirements of this paragraph and provide that information—

‘‘(i) in the case of a State that is not a territory, within 45 days after the date of the enactment of this section;

‘‘(ii) in the case of a territory or an Indian tribe, within 90 days after such date of enactment.

‘‘(D) GRANTS.—

‘‘(A) IN GENERAL.—The Secretary shall provide funds to each State and Indian tribe to which an amount is allotted under paragraph (3), from the amount so allotted.

‘‘(B) TREATMENT OF UNUSED FUNDS.—

‘‘(i) In the case of the Secretary shall reallocate in accordance with paragraph (3) all funds provided to any State or Indian tribe under this subsection that are not used, among the other States and Indian tribes eligible for funds under this subsection. For purposes of paragraph (3), the Secretary shall treat the funds as if included in the amount specified in part of this paragraph.

‘‘(ii) PROVISION.—The Secretary shall provide funds to each such other State or Indian tribe in an amount equal to the amount so reallocated.

‘‘(E) USE OF FUNDS.—

‘‘(A) IN GENERAL.—A State or Indian tribe to which funds are provided under this subsection may use the funds only for non-recurrent short term benefits, whether in the form of cash or in other forms.

‘‘(B) LIMITATION ON USE FOR ADMINISTRATIVE EXPENSES.—A State or Indian tribe to which funds are provided under this subsection shall not expend more than 5 percent of the funds for administrative purposes.

‘‘(C) NONSUPPLEMENTATION.—Funds provided under this subsection shall be used to supplement and not supplant other Federal, State, or tribal funds for services and activities that promote the purposes of this part.

‘‘(D) EXPENDITURE DEADLINE.—

‘‘(i) IN GENERAL.—Except as provided in clause (ii) of this subparagraph, the Secretary shall spend an amount equal to the amount so allocated within 12 months after receipt.

‘‘(ii) EXCEPTION FOR REALLOTTED FUNDS.—A State or Indian tribe to which funds are provided under paragraph (4)(B) shall spend the funds within 12 months after receipt.

‘‘(F) SUSPENSION OF TERRITORY SPENDING CAP.—Section 1108 shall not apply with respect to any funds provided under this subsection.

‘‘(G) DEFINITIONS.—In this subsection:

‘‘(1) APPLICABLE PERIOD.—The term ‘applicable period’ means the period that begins with April 1, 2021, and ends with September 30, 2022.

‘‘(2) NON-RECURRENT SHORT TERM BENEFITS.—The term ‘non-recurrent short term benefits’ has the meaning given the term in OMB approved Form ACF-1969, published on July 31, 2014.

‘‘(3) STATE.—The term ‘State’ means the 50 States of the United States, the District of Columbia, and the territories.

‘‘(4) TERRITORY.—The term ‘territory’ means the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

Subtitle D—Elder Justice and Support Guarantee

SEC. 3001. ADDITIONAL FUNDING FOR AGING AND DISABILITY SERVICES PROGRAMS. Section 1397f of the Social Security Act (42 U.S.C. 1397f–9) is amended by adding at the end the following:

‘‘(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, of any money in the Treasury not otherwise appropriated, $250,000,000, to remain available until expended, to carry out the programs described in subtitle B.

‘‘(b) USE OF FUNDS.—Of the amount made available by subsection (a), $180,000,000 shall be made available to carry out the programs described in subtitle B in fiscal year 2021, of which not less than an amount equal to $10,000,000, the amount previously provided in fiscal year 2021 to carry out section 2042(b) shall be made available to carry out such section; and

‘‘(c) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated for fiscal year 2022, of any money in the Treasury not otherwise appropriated, $250,000,000, to remain available until expended, for purposes of requiring multiple organizations described in paragraph (1) to provide to skilled nursing facilities (as defined in section 1819(a)), infection control and vaccination uptake support relating to the prevention or mitigation of COVID–19, as determined appropriate by the Secretary.

SEC. 3002. FUNDING FOR STRIKE TEAMS FOR RESIDENT AND EMPLOYEE SAFETY IN SKILLED NURSING FACILITIES. Section 1819 of the Social Security Act (42 U.S.C. 1395i–3) is amended by adding at the end the following new subsection:

‘‘(k) FUNDING FOR STRIKE TEAMS.—In addition to amounts otherwise available, there is appropriated for the Secretary, out of any monies in the Treasury not otherwise appropriated, $250,000,000, to remain available until expended, for purposes of requiring multiple organizations described in paragraph (1) to provide to skilled nursing facilities (as defined in section 1819(a)) for infection control and vaccination uptake support relating to the prevention or mitigation of COVID–19, as determined appropriate by the Secretary.

SEC. 3001. PROVIDING FOR INFECTION CONTROL SUPPORT TO SKILLED NURSING FACILITIES THROUGH CONTRACTS WITH QUALITY IMPROVEMENT ORGANIZATIONS. Section 1862(g) of the Social Security Act (42 U.S.C. 1395u–96) is amended by striking ‘‘the Secretary’’ and inserting ‘‘(1) the Secretary’’; and

‘‘(2) by adding at the end the following new paragraph:

‘‘(A) IN GENERAL.—The Secretary shall contract with not less than 50 quality improvement organizations, to remain available until expended, to carry out section 1819; and

‘‘(B) REDUCTION OF PREMIUMS PAYABLE.—In addition to amounts otherwise available, there is appropriated for the Secretary, out of any monies in the Treasury not otherwise appropriated, $250,000,000, to remain available until expended, for purposes of requiring multiple organizations described in paragraph (1) to provide to skilled nursing facilities (as defined in section 1819(a)) for infection control and vaccination uptake support relating to the prevention or mitigation of COVID–19, as determined appropriate by the Secretary.

SEC. 3001. PRESERVING HEALTH BENEFITS FOR WORKERS. Section 319 of the Social Security Act (42 U.S.C. 1397i–6) is amended by adding at the end the following:

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

‘‘(1) PROVISION OF PREMIUM ASSISTANCE.—

‘‘(A) REDUCTION OF PREMIUMS PAYABLE.—In the case of any premium for a period of coverage during the period beginning on the first day of the first month beginning after the date of the enactment of this Act, and ending on September 30, 2021, for COBRA continuation coverage with respect to any assistance eligible individual described in paragraph (3), such individual shall be eligible for a reduction in the premium as if paying in full the amount of such premium. 30, 2021, for COBRA continuation coverage with respect to any assistance eligible individual described in paragraph (3), such individual shall be eligible for a reduction in the premium as if paying in full the amount of such premium.
health plan with respect to which paragraph
(1)(A) applies if such paragraph ceases to apply
by reason of clause (i) of subparagraph (A) (as
applicable). Such notice shall be provided to the
employer at the time at which such election
to enroll is coverage that is also of-
continuation coverage for purposes of the appli-
cable COBRA continuation coverage provision.

(ii) REQUIREMENTS.—Any assistance eligible
individual may elect to enroll in different cov-
erage as described in clause (i) only if—
(I) the employer involved has made a deter-
mination that such employer will permit such
assistance eligible individual to enroll in dif-
ferent coverage as provided under this subpara-
graph,
(II) the premium for such different coverage
does not exceed the premium for coverage in
which such individual was enrolled at the time
such qualifying event occurred,
(III) the different coverage in which the indi-
vidual elects to enroll is coverage that is also of-
mitted by reason of a qualifying event specified
in section 603(c) of the Employee Retirement In-
come Security Act of 1974, and section 2791(c) of the Public Health Service Act, except
for the voluntary termination of such individ-
ual's employment by such individual, occurr-
(ed, and such coverage shall be treated as COBRA
continuation coverage for purposes of the appli-
cable COBRA continuation coverage provision.

(iii) REQUIREMENTS.—Any assistance eligible
individual may elect to enroll in different cov-
erage as described in clause (i) only if—
(I) the employer involved has made a deter-
mination that such employer will permit such
assistance eligible individual to enroll in dif-
ferent coverage as provided under this subpara-
graph,
(II) the premium for such different coverage
does not exceed the premium for coverage in
which such individual was enrolled at the time
such qualifying event occurred,
(III) the different coverage in which the indi-
vidual elects to enroll is not—
(aa) coverage that provides only excepted ben-
efits (as defined in section 9832(c) of the Internal Revenue Code of 1986), and
(bb) a qualified flexible spending arrangement (as defined in section 9831(d)(2) of the Internal Revenue Code of 1986); or
(cc) a flexible spending arrangement (as de-
defined in section 105(c)(2) of the Internal Re-
venue Code of 1986)

(2) LIMITATION OF PERIOD OF PREMIUM ASSIST-
ANCE.—

(A) ELIGIBILITY FOR ADDITIONAL COVERAGE.

Paragraph (1)(A) shall not apply with respect to any assistance eligible individual described in
paragraph (3) for months of coverage beginning
on or after the earlier of—
(i) the first date that such individual is eligi-
ble for coverage under any other group health plan (other than coverage consisting of only
excepted benefits (as defined in section 9832(c) of the Internal Revenue Code of 1986), section
733(c) of the Employee Retirement Income Security Act of 1974, and section 2791(c) of the Public Health Service Act;
(ii) the date on which the notification required to be provided under subparagraph
(A) shall in-
necessary to contact the plan administrator and
any other person maintaining relevant informa-
tion in connection with such premium assistance.

(iii) a description of the extended election pe-
riod provided for in paragraph (4)(A);
(iv) a description of the obligation of the ap-
parent group health plan (or other entity) to pr-

(D) MODEL NOTICES.—Not later than 30 days
after the date of enactment of this Act, in con-

(i) the first date that such individual is eligi-
ble for coverage under any other group health plan (other than coverage consisting of only
excepted benefits (as defined in section 9832(c) of the Internal Revenue Code of 1986), section
733(c) of the Employee Retirement Income Security Act of 1974, and section 2791(c) of the Public Health Service Act)

(2) EXTENSION OF ELECTION PERIOD AND EF-
FICT ON COVERAGE.—

(1)(A) Applies if such paragraph ceases to apply
by reason of clause (i) of subparagraph (A) (as
applicable). Such notice shall be provided to the
employer at the time at which such election
to enroll is coverage that is also of-

the employer involved has made a deter-
mination that such employer will permit such
assistance eligible individual to enroll in dif-
ferent coverage as provided under this subpara-
graph,
(II) the premium for such different coverage
does not exceed the premium for coverage in
which such individual was enrolled at the time
such qualifying event occurred,
(III) the different coverage in which the indi-
vidual elects to enroll is not—
(aa) coverage that provides only excepted ben-
efits (as defined in section 9832(c) of the Internal Revenue Code of 1986), and
(bb) a qualified flexible spending arrangement (as defined in section 9831(d)(2) of the Internal Revenue Code of 1986); or
(cc) a flexible spending arrangement (as de-
defined in section 105(c)(2) of the Internal Re-

the Secretary of Labor.

(B) SPECIFIC REQUIREMENTS.—Each additional
notice under subparagraph (A) shall in-
clude—

(1) a description, displayed in a prominent
manner, of the qualified beneficiary's right to a
subsidized premium and any conditions on enti-
tlement to the subsidized premium; and

if the employer permits such beneficiary to elect to en-
roll in such different coverage under paragraph
(1)(A) and failure to provide such notice
shall be treated as a failure to meet the notice
requirements under the applicable COBRA con-

(ii) ANOTHER NOTICE.—If the employer
requires under the applicable COBRA con-

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

(ii) the option to enroll in different coverage
if the employer permits such beneficiary to
enroll in such different coverage under para-
graph (1)(A) of this subsection, the Secretary
of Labor, in consultation with the Secretary of the
Treasury, shall, in consultation with employers, pro-

(iii) a description of the extended election pe-
riod provided for in paragraph (4)(A);
(iv) a description of the obligation of the ap-
parent group health plan (or other entity) to pr-

(D) MODEL NOTICES.—Not later than 30 days
after the date of enactment of this Act, in con-

(i) the first date that such individual is eligi-
ble for coverage under any other group health plan (other than coverage consisting of only
excepted benefits (as defined in section 9832(c) of the Internal Revenue Code of 1986), section
733(c) of the Employee Retirement Income Security Act of 1974, and section 2791(c) of the Public Health Service Act)

the employer involved has made a deter-
mination that such employer will permit such
assistance eligible individual to enroll in dif-
ferent coverage as provided under this subpara-
paragraph.

(iii) a description of the extended election pe-
riod provided for in paragraph (4)(A);
(iv) a description of the obligation of the ap-
parent group health plan (or other entity) to pr-

(D) MODEL NOTICES.—Not later than 30 days
after the date of enactment of this Act, in con-

(i) the first date that such individual is eligi-
ble for coverage under any other group health plan (other than coverage consisting of only
excepted benefits (as defined in section 9832(c) of the Internal Revenue Code of 1986), section
733(c) of the Employee Retirement Income Security Act of 1974, and section 2791(c) of the Public Health Service Act)

the employer involved has made a deter-
mination that such employer will permit such
assistance eligible individual to enroll in dif-
ferent coverage as provided under this subpara-
paragraph.

(ii) ANOTHER NOTICE.—If the employer
requires under the applicable COBRA con-

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

(ii) the option to enroll in different coverage
if the employer permits such beneficiary to
enroll in such different coverage under para-
graph (1)(A) of this subsection, the Secretary
of Labor, in consultation with the Secretary of the
Treasury, shall, in consultation with employers, pro-

(iii) a description of the extended election pe-
riod provided for in paragraph (4)(A);
(iv) a description of the obligation of the ap-
parent group health plan (or other entity) to pr-

(D) MODEL NOTICES.—Not later than 30 days
after the date of enactment of this Act, in con-

(i) the first date that such individual is eligi-
ble for coverage under any other group health plan (other than coverage consisting of only
excepted benefits (as defined in section 9832(c) of the Internal Revenue Code of 1986), section
733(c) of the Employee Retirement Income Security Act of 1974, and section 2791(c) of the Public Health Service Act)

the employer involved has made a deter-
mination that such employer will permit such
assistance eligible individual to enroll in dif-
ferent coverage as provided under this subpara-
paragraph.

(G) NOTICE OF EXPIRATION OF PERIOD OF PREMI-
UM ASSISTANCE.—

(A) IN GENERAL.—With respect to any assist-
ance eligible individual, subject to subpara-
graph (B), 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(h)(6)(D) of the Internal Revenue Code of 1986, or section 2204(4) of the Public Health Service Act (42 U.S.C. 2204(4)) shall not be treated as met unless the plan administrator notifies the recipient in clear and understandable language of—
(C) provides to such individual a written notice in clear and understandable language—

(i) that the premium assistance for such individual will expire soon and the prominent identifications and required information are contained in—

(ii) that such individual may be eligible for coverage without any premium assistance through—

(I) COBRA continuation coverage; or

(II) coverage under a group health plan.

(B) EXCEPTION.—The requirement for the group health plan administrator to provide the written notice under subparagraph (A) shall be waived if the premium assistance for such individual expires pursuant to clause (i) of paragraph (1) of subparagraph (A).

(C) PERIOD SPECIFIED.—For purposes of subparagraph (A), the period specified in this subparagraph is, with respect to the date of expiration of the premium assistance for any eligible individual pursuant to a limitation requiring a notice under this paragraph, the period beginning on the day that is 45 days before the date of such expiration and ending on the day that is 15 days before the date of such expiration.

(D) MODEL NOTICES.—Not later than 45 days after the date of enactment of this Act, with respect to any assistance eligible individual, the Secretary of Labor, in consultation with the Secretary of the Treasury and the Secretary of Health and Human Services, shall provide model notices for the notification required under this paragraph.

(7) VIOLATIONS.—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 subsection, including the prevention of fraud and abuse under this subsection, except that the Secretary of Labor and the Secretary of Health and Human Services may not prescribe regulations (including interim final regulations) or other guidance as may be necessary or appropriate to carry out the provisions of paragraphs (5), (6), and (8).

(8) 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 plans, plan administrators, and covered individuals, States, insurers, and other entities as determined appropriate by such Secretaries. Such outreach shall include an initial focus on employers and individuals electing continuation coverage who are referred to in paragraph (5)(C). Information on such premium assistance, including enrollment, shall also be made available on websites of the Departments of Labor, Treasury, and Health and Human Services.

(B) ENROLLMENT UNDER MEDIicare.—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 individuals who lose health insurance coverage. Such outreach shall include information regarding enrollment for Medicare beneficiaries, as well as outreach and enrollment assistance for persons enrolled in Medicare. Such outreach shall include methods for addressing timely enrollment delays of such enrollment by such individuals, including lifetime penalties for failure of timely enrollment.

(9) DEFINITIONS.—For purposes of this section:

(A) ADMINISTRATOR.—The term ‘administrator’ has the meaning given such term in section 3(14)(A) of the Employee Retirement Income Security Act of 1974, and includes a COBRA administrator.

(B) COBRA CONTINUATION COVERAGE.—The term ‘continuation coverage’ means continuation coverage provided pursuant to part 6 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 (other than under title XXII of such Act or section 4980B of the Internal Revenue Code of 1986 (other than subparagraph (A) of section 4980B(f)(1) of such section insofar as it relates to pediatric vaccines), or under a State program that provides comparable continuation coverage. Such term does not include coverage under a group health plan for the period beginning on the date of the loss of health coverage under a cafeteria plan within the meaning of section 125 of the Internal Revenue Code of 1986.

(C) COBRA CONTINUATION PROVISION.—The term ‘COBRA continuation provision’ means the provisions of law described in subparagraph (B).

(D) COVERED EMPLOYEE.—The term ‘covered employee’ has the meaning given such term in section 607(2) of the Employee Retirement Income Security Act of 1974.

(E) QUALIFIED BENEFICIARY.—The term ‘qualified beneficiary’ has the meaning given such term in section 607(3) of the Employee Retirement Income Security Act of 1974.

(F) GROUP HEALTH PLAN.—The term ‘group health plan’ has the meaning given such term in section 607(1) of the Employee Retirement Income Security Act of 1974.

(G) STATE.—The term ‘State’ includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(H) PERIOD OF COVERAGE.—Any reference in this subsection to a period of coverage shall be treated as a reference to a monthly or shorter period beginning on the day that is 15 days before the date of such expiration and ending on the day that is 45 days before the date of such expiration.

(I) PLAN.—The term ‘plan’ has the meaning given such term in section 3(16)(A) of the Employee Retirement Income Security Act of 1974.

(J) PREMIUM.—The term ‘premium’ includes, with respect to COBRA continuation coverage, any administrative fee.

(10) IMPLEMENTATION FUNDING.—In addition to amounts otherwise made available, out of any funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary of Labor for fiscal year 2021, $10,000,000, to remain available until expended, for the Employee Benefits Security Administration to carry out the provisions of this subtitle.

(b) COBRA PREMIUM ASSISTANCE.—

(1) ALLOWANCE OF CREDIT.—

(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 a group health plan not provided by a State plan and described in section 3(37) of the Employee Retirement Income Security Act of 2006, or (B) under which some or all of the coverage provided is a group health plan as defined in section 3(37) of the Employee Retirement Income Security Act of 2006, shall be allowed as a credit against the tax imposed by section 3111(b), or so much of the taxes imposed under section 3221(a) as are attributable to the rate in effect under such section for any calendar quarter, such excess shall be treated as an overpayment that shall be refunded under sections 6402(a) and 6430(b).

(B) CREDIT MAY BE ADVANCED.—In anticipation of the credit, including the refundable portion under subparagraph (A), the credit may be advanced, according to forms and instructions provided by the Secretary, up to an amount calculated under subsection (a) through the end of the most recent payroll period.

‘(C) TREATMENT OF DEPOSITS.—The Secretary shall waive any penalty under section 6656 for any failure to make a deposit of the tax imposed by sections 3111(b), or 3221(a), as are attributable to the rate in effect under section 3111(b), if the Secretary determines that such failure was due to the anticipation of the credit allowed under this section.

‘(D) TREATMENT OF PAYMENTS.—For purposes of section 6656, any amounts due to the Secretary as are attributable to a credit claimed under this section (and any amount paid by the Secretary by mistake) shall be treated as an overpayment under section 6402(a) and 6430(b).

‘(E) DENIAL OF DOUBLE BENEFIT.—For purposes of section 6656, the credit allowed by subsection (a) shall not exceed the amount which is taken into account as qualified wages under section 2301 of the CARES Act or section 501(c)(1) and exempt from taxation under section 501(a) of the Internal Revenue Code of 1986.

‘(F) DESTRUCTION OF DOUBLE BENEFIT.—For purposes of chapter 1, the gross income of any person allowed a credit under this section shall be increased for the taxable year which includes the last day of any calendar quarter during which such credit is allowed by the amount of such credit.

‘(G) PROHIBITION OF DEDUCTIONS.—Any credit allowed under this section shall not be allowed with respect to any amounts taken into account as qualified wages under section 2301 of the CARES Act or section 3131 of this title or as qualified health plan expenses under section 7001(d) or 7003(d) of the Families First Coronavirus Response Act or section 3131 or 3132 of this title.

‘(H) EXTENTION OF LIMITATION ON ASSSESSMENT.—Notwithstanding section 6501, the limitation on the time for assessment of any amount attributable to a credit claimed under this section shall not expire before the date that is 5 years after the later of the date on which the original return which includes the calendar quarter with respect to which such credit is determined is filed, or

‘(i) if the date on which such return is treated as filed under section 6601(b)(2).

(2) the date on which such return is treated as filed under section 6601(b)(2).
(g) REGULATIONS.—The Secretary shall issue such regulations, or other guidance, forms, instructions, and publications, as may be necessary or appropriate to carry out this section, including—

(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 multiemployer plans (as defined in section 3(57) of the Employee Retirement Income Security Act of 1974);

(3) to allow the advance payment of the credit determined 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 credit at the time of filing the return of tax for the applicable quarter or taxable year, and

(5) allowing the credit to third party payors (including professional employer organizations, certified professional employer organizations, or agents under section 3594).

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 65 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

“Sec. 6412. Continuation coverage premium assistance.—

(2) EFFECTIVE DATE.—The amendments made by this paragraph shall apply to premiums for which subsection (a)(1)(A) applies and wages paid after April 1, 2021.

(d) SPECIAL RULE IN CASE OF EMPLOYEE PAYMENT THAT IS NOT REQUIRED UNDER THIS SECTION.—

(i) IN GENERAL.—In the case of an assistance eligible individual who pays, with respect any period of coverage to which subsection (a)(1)(A) applies, any amount of the premium for such coverage (whether or not such insured individual would have (but for this Act) been required to pay, the person to whom such payment is payable shall reimburse such individual for the amount of such premium paid.

(ii) CREDIT OF REIMBURSEMENT.—A person to which clause (i) applies shall be allowed a credit in the manner provided under section 6412 of the Internal Revenue Code of 1986 for any amount paid to the employee under such clause.

(iii) PAYMENT OF CREDITS.—Any person to which clause (i) applies shall make the payment required under clause (ii) to the individual not later than 60 days after the date on which such individual made the premium payment.

(j) PENALTY FOR FAILURE TO NOTIFY.—The penalty for failure to notify the health plan of cessation of eligibility for premium assistance shall be imposed under this section, based on information the Secretary of Labor may require shall pay a penalty equal to the greater of—

(1) the $2,800 amount in subsection (b)(1) of section 6412A, or

(2) the $5,000 amount in subsection (b)(1) of section 6412A for a surgical expense.

(k) DEFINITIONS AND SPECIAL RULES.—

(1) IN GENERAL.—For purposes of this section, the term ‘dependents’ includes the dependents of an individual eligible for assistance, who are not residents of the United States for at least 6 months of the taxable year in which the individual is eligible for such assistance, or who are not residents of the United States but who are otherwise eligible for such assistance.

(2) SPECIAL RULES.—

(A) ELIGIBLE INDIVIDUAL.—For purposes of this section, the term ‘eligible individual’ includes the dependents of an individual eligible for assistance, who are not residents of the United States for at least 6 months of the taxable year in which the individual is eligible for such assistance, or who are not residents of the United States but who are otherwise eligible for such assistance.

(3) CREDIT TREATED AS REFUNDABLE.—The credit allowed by subsection (a) shall be treated as refundable.

(l) CREDIT TREATED AS REFUNDABLE.—The credit allowed by subsection (a) shall be treated as refundable.

(m) CREDIT TREATED AS REFUNDABLE.—

(1) IN GENERAL.—The credit allowed by subsection (a) shall be treated as refundable.

(2) LIMITATION ON CREDIT.—The credit allowed by subsection (a) shall be limited to the greater of—

(1) the $2,800 amount in subsection (b)(1) of section 6412A, or

(2) the $5,000 amount in subsection (b)(1) of section 6412A.

(n) CREDIT TREATED AS REFUNDABLE.—

(1) IN GENERAL.—The credit allowed by subsection (a) shall be treated as refundable.

(2) LIMITATION ON CREDIT.—The credit allowed by subsection (a) shall be limited to the greater of—

(1) the $2,800 amount in subsection (b)(1) of section 6412A, or

(2) the $5,000 amount in subsection (b)(1) of section 6412A.

(o) CREDIT TREATED AS REFUNDABLE.—

(1) IN GENERAL.—The credit allowed by subsection (a) shall be treated as refundable.

(2) LIMITATION ON CREDIT.—The credit allowed by subsection (a) shall be limited to the greater of—

(1) the $2,800 amount in subsection (b)(1) of section 6412A, or

(2) the $5,000 amount in subsection (b)(1) of section 6412A.

(p) CREDIT TREATED AS REFUNDABLE.—

(1) IN GENERAL.—The credit allowed by subsection (a) shall be treated as refundable.

(2) LIMITATION ON CREDIT.—The credit allowed by subsection (a) shall be limited to the greater of—

(1) the $2,800 amount in subsection (b)(1) of section 6412A, or

(2) the $5,000 amount in subsection (b)(1) of section 6412A.

(q) CREDIT TREATED AS REFUNDABLE.—

(1) IN GENERAL.—The credit allowed by subsection (a) shall be treated as refundable.

(2) LIMITATION ON CREDIT.—The credit allowed by subsection (a) shall be limited to the greater of—

(1) the $2,800 amount in subsection (b)(1) of section 6412A, or

(2) the $5,000 amount in subsection (b)(1) of section 6412A.

(r) CREDIT TREATED AS REFUNDABLE.—

(1) IN GENERAL.—The credit allowed by subsection (a) shall be treated as refundable.

(2) LIMITATION ON CREDIT.—The credit allowed by subsection (a) shall be limited to the greater of—

(1) the $2,800 amount in subsection (b)(1) of section 6412A, or

(2) the $5,000 amount in subsection (b)(1) of section 6412A.

(s) CREDIT TREATED AS REFUNDABLE.—

(1) IN GENERAL.—The credit allowed by subsection (a) shall be treated as refundable.

(2) LIMITATION ON CREDIT.—The credit allowed by subsection (a) shall be limited to the greater of—

(1) the $2,800 amount in subsection (b)(1) of section 6412A, or

(2) the $5,000 amount in subsection (b)(1) of section 6412A.
(4) REDUCTION OF REFUNDABLE CREDIT.—The amount of the credit which would (but for this paragraph) be allowable under subsection (a) shall be reduced (but not below zero) by the aggregate of all credits made or allowed to the taxpayer (or, except as otherwise provided by the Secretary, any dependent of the taxpayer) under subsection (g). Any failure to so reduce the amount of the credit which would be allowable under subsection (a) shall have a mathematical or clerical error and assessed according to section 6213(b)(1).

(2) ADVANCE REFINDS AND CREDITS.—(I) IN GENERAL.—Subject to paragraphs (5) and (6), each individual who was an eligible individual for such individual's first taxable year beginning in 2020 shall be made a payment against the tax imposed by chapter 1 for such taxable year in an amount equal to the advance refund amount for such taxable year.

(2) ADVANCE REFUND AMOUNT.—(A) IN GENERAL.—For purposes of paragraph (1), the advance refund amount is the amount that would be determined, as if paragraph (1) were a separate paragraph, under section 6428A(f)(1) in the case of any determination referred to in paragraph (1). (B) TREATMENT OF DECEASED INDIVIDUALS.—For purposes of determining the advance refund amount with respect to such taxable year, the amount described in subparagraph (A) of this paragraph shall be treated as a separate paragraph, under section 6428A, for purposes of the advance refund amount for such taxable year (except that subparagraph (E) thereof shall not apply).

(2) ADVANCE REFUND AMOUNT.—(A) IN GENERAL.—For purposes of paragraph (1), the advance refund amount is the amount that would be determined, as if paragraph (1) were a separate paragraph, under section 6428A(f)(1) in the case of any determination referred to in paragraph (1). (B) TREATMENT OF DECEASED INDIVIDUALS.—For purposes of determining the advance refund amount with respect to such taxable year, the amount described in subparagraph (A) of this paragraph shall be treated as a separate paragraph, under section 6428A, for purposes of the advance refund amount for such taxable year (except that subparagraph (E) thereof shall not apply).

(2) ADVANCE REFUND AMOUNT.—(A) IN GENERAL.—For purposes of paragraph (1), the advance refund amount is the amount that would be determined, as if paragraph (1) were a separate paragraph, under section 6428A(f)(1) in the case of any determination referred to in paragraph (1). (B) TREATMENT OF DECEASED INDIVIDUALS.—For purposes of determining the advance refund amount with respect to such taxable year, the amount described in subparagraph (A) of this paragraph shall be treated as a separate paragraph, under section 6428A, for purposes of the advance refund amount for such taxable year (except that subparagraph (E) thereof shall not apply).

(3) ADVANCE REFUND AMOUNT.—(A) IN GENERAL.—For purposes of paragraph (1), the advance refund amount is the amount that would be determined, as if paragraph (1) were a separate paragraph, under section 6428A(f)(1) in the case of any determination referred to in paragraph (1). (B) TREATMENT OF DECEASED INDIVIDUALS.—For purposes of determining the advance refund amount with respect to such taxable year, the amount described in subparagraph (A) of this paragraph shall be treated as a separate paragraph, under section 6428A, for purposes of the advance refund amount for such taxable year (except that subparagraph (E) thereof shall not apply).

(3) TIMING AND MANNER OF PAYMENTS.—The Secretary shall, subject to the provisions of this title and consistent with rules similar to the rules of subparagraphs (B) and (C) of section 6211(b)(4)(A), refund or credit any overpayment attributable to this subsection as rapidly as possible, and in such manner as to minimize or eliminate the need for overpayments attributable to such overpayments electronically if appropriate. No refund or credit shall be made or allowed under this section after December 31, 2020.

(4) INTEREST.—No interest shall be allowed on any overpayment attributable to this subsection.

(5) APPLICATION TO INDIVIDUALS WHO HAVE FILED A RETURN OF TAX FOR 2019.—(A) IN GENERAL.—Except as otherwise provided under section 6428A(f)(4), refund or credit any overpayment attributable to this subsection as rapidly as possible, and in such manner as to minimize or eliminate the need for overpayments attributable to such overpayments electronically if appropriate. No refund or credit shall be made or allowed under this section after December 31, 2020.

(6) INTEREST.—No interest shall be allowed on any overpayment attributable to this subsection.
(a) subject to reduction or offset pursuant to subsection (c), (d), (e), or (f) of section 6402 of the Internal Revenue Code of 1986 or any similar authority permitting offset, or

(b) not permitted by another assessed Federal tax that would otherwise be subject to levy or collection.

(3) CONFORMING AMENDMENTS.—

(A) subsection (b) of section 1242(b) of title 31, United States Code, is amended by inserting ‘6428A,’ after ‘6428A,’.

(B) the table of sections for subchapter B of chapter 65 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 6428A the following new item:

‘Sec. 6428B. 2021 recovery rebates to individuals.

(1) In general.—The Secretary shall, for purposes of fiscal year 2021, out of any money in the Treasury not otherwise appropriated:

(1) $1,464,500,000 to remain available until September 30, 2023 for necessary expenses for the Internal Revenue Service for the administration of the advance payments, the provision of taxpayer assistance, and the furtherance of integrated, modernized, and secure Internal Revenue Service systems which are used for the collection of tax and not supplant any other authorizations that may be available for this purpose.

(2) $8,250,000 to remain available until September 30, 2023 for the Treasury Inspector General for Tax Administration for the purposes of overseeing activities related to the administration of this section (and the amendments made by this section), which shall supplement and not supplant any other authorizations that may be available for this purpose, and

(3) $9,000,000 to remain available until September 30, 2023 for necessary expenses for the Bureau of the Fiscal Service to carry out this section (and the amendments made by this section), which shall supplement and not supplant any other authorizations that may be available for this purpose, and

(b) APPROPRIATIONS.—Immediately upon the enactment of this Act, in addition to amounts otherwise available, there are appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated:

(1) $1,464,500,000 to remain available until September 30, 2023 for necessary expenses for the Internal Revenue Service for the administration of the advance payments, the provision of taxpayer assistance, and the furtherance of integrated, modernized, and secure Internal Revenue Service systems which are used for the collection of tax and not supplant any other authorizations that may be available for this purpose.

(2) $8,250,000 to remain available until September 30, 2023 for the Treasury Inspector General for Tax Administration for the purposes of overseeing activities related to the administration of this section (and the amendments made by this section), which shall supplement and not supplant any other authorizations that may be available for this purpose, and

(3) $9,000,000 to remain available until September 30, 2023 for necessary expenses for the Bureau of the Fiscal Service to carry out this section (and the amendments made by this section), which shall supplement and not supplant any other authorizations that may be available for this purpose.

(b) ADVANCE PAYMENT OF CREDIT.—

(1) IN GENERAL.—Except as otherwise provided in section 24(i)(1), the Secretary shall, for purposes of fiscal year 2021, out of any money in the Treasury not otherwise appropriated:

(A) establish an on-line portal which allows taxpayers to—

1. elect not to receive payments under this section, and

2. provide information to the Secretary which would be relevant to a modification under subsection (b)(3)(B) of the annual advance amount under paragraph (1) if the death of such child is known to the Secretary as of the beginning of the calendar year in which the estimate under such paragraph is made.

(B) maintain a list of all taxpayers to whom payments have been made under this section, including the estimated amount of payments made to each such taxpayer, and

(C) a significant change in the taxpayer’s income, and

any other factor which the Secretary may provide.

(2) NOTICE OF PAYMENTS.—Not later than January 31 of the calendar year following any calendar year during which the Secretary makes one or more payments to any taxpayer under this section, the Secretary shall provide such taxpayer with a written notice which includes the following information:

1. the amount of such payments made to such taxpayer during the calendar year described in such notice; and

2. the aggregate amount of such payments made to such taxpayer during the calendar year described in such notice.
such calendar year, and such other information as the Secretary determines appropriate.

(2) **APPLICATION OF CERTAIN RULES.—** Rules similar to the rules of subparagraphs (B) and (C) of section 6242A(c)(2) shall apply for purposes of this section.

(3) **EXCEPTION FROM REDUCTION OR OFFSET.— For any individual under this section shall not be—**

(a) subject to reduction or offset pursuant to subsections (c), (d), (e), or (f) of section 6020 or any similar or related offset provisions of Federal law, or

(b) reduced or offset by other assessed Federal taxes that would otherwise be subject to levy or collection.

(4) **APPLICATION OF ADVANCE PAYMENTS IN THE POSSESSIONS OF THE UNITED STATES.—**

(a) **IN GENERAL.—** The advance payment amount determined under this section shall be determined—

(i) by applying section 24(i)(1) without regard to the phrase ‘or is a bona fide resident of Puerto Rico (within the meaning of section 957(a))’;

(ii) **without regard to section 24(k)(3)(H)(I).**

(b) **MIRROR CODE POSSESSIONS.—** In the case of any possession of the United States with a mirror code tax system (as defined in section 24(k)), this section shall not be treated as part of the income tax laws of the United States for purposes of determining the income tax law of such possession unless such possession elects to have this section be so treated.

(c) **ADMINISTRATIVE EXPENSES OF ADVANCE PAYMENTS.—**

(i) **MIRROR CODE POSSESSIONS.—** In the case of any possession described in subparagraph (B) which makes the election described in such subparagraph, the amount otherwise paid by the Secretary to such possession under section 24(k)(3)(H)(I) with respect to taxable years beginning in 2021 shall be increased by $300,000 if the plan described in subparagraph (A) of section 24(k)(3) with respect to such possession under section 24(k)(3) with respect to such possession under section 24(k)(3) is determined by reference to the income tax law of such possession.

(ii) **ADMINISTRATIVE EXPENSES OF ADVANCE PAYMENTS.—**

(a) **APPLICATION OF ELECTRONIC FUNDS PAYMENT.—** The Secretary may pay, upon the request of the possession of the United States to which the payment is to be made, an amount equal to the increase determined under clause (i) or (ii) immediately upon approval of the plan referred to in such clause, respectively.

(b) **APPLICATION.—** No payments shall be made under the program established under subsection (a) with respect to—

(1) any period before July 1, 2021, or

(2) any period after December 31, 2021.

(d) **REGULATIONS.—** The Secretary shall issue such regulations or other guidance as the Secretary determines necessary or appropriate to carry out the purposes of this section and subsections (i)(1) and (j) of section 24, including regulations or other guidance which provides for procedures under which provisions wherein the filing status of the taxpayer for a taxable year is different from the status used for determining the annual advance amount.

(2) **APPLICATION OF CREDIT AND ADVANCE CREDIT.—** Section 24 of such Code, as amended by the preceding provision of this Act, is amended—

(a) **IN GENERAL.—** The amount of the credit allowed under this section to any taxpayer for any taxable year shall be reduced (but not below zero) by the aggregate amount of payments made by the Secretary to such taxpayer during such taxable year. Any failure to so reduce the credit shall be treated as arising out of a mathematical or clerical error and assessed according to section 6213(b).

(b) **EXCESS ADVANCE PAYMENTS.—**

(a) **IN GENERAL.—** If the aggregate amount of payments made by the Secretary during the taxable year exceeds the amount of the credit allowed under this section to such taxpayer for such taxable year (determined without regard to paragraph (1)), the tax imposed by this chapter for such taxable year shall be increased by the amount of such excess. Any failure to so increase the tax shall be treated as arising out of a mathematical or clerical error and assessed according to section 6213(b).

(2) **ADDITIONAL AMOUNT.—** For purposes of this paragraph, the term ‘applicable income threshold’ means—

(1) $2,000, multiplied by

(2) the number of qualified children taken into account in determining the annual advance amount with respect to the taxpayer under section 7527A with respect to months beginning in such taxable year, over the number of qualified children taken into account in determining the credit allowed under this section for such taxable year.

(3) **DETERMINATION OF APPROPRIATE AMOUNT.**

(a) **IN GENERAL.—** The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

(b) **EFFECTIVE DATE.—**

(1) **IN GENERAL.—** The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

(2) **APPLICATION OF ADVANCE PAYMENT PROGRAM.—** The Secretary of the Treasury (or the Secretary’s designee) shall establish the program described in section 7527A of the Internal Revenue Code of 1986 as soon as practicable after the date of the enactment of this Act, except that the Secretary shall ensure that the timing of the establishment of such program does not interfere with carrying out section 6422B(g) as rapidly as possible.

SEC. 9612. APPLICATION OF CHILD TAX CREDIT TO POSSESSIONS.

(a) **IN GENERAL.—**Section 24 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this Act, is amended by adding at the end the following new subsection:

(k) **APPLICATION OF CREDIT IN POSSESSIONS.—**

(a) **IN GENERAL.—** The Secretary shall pay to each possession of the United States with a mirror code tax system amounts equal to the (loss if any) to that possession by reason of subsections (d) and (i)(1) thereof, with respect to any possession of the United States with a mirror code tax system amounts determined by reference to section 24(k)(3) with respect to such possession under such provisions.

(b) **COORDINATION WITH CREDIT ALLOWED AGAINST UNITED STATES INCOME TAXES.—**No credit shall be allowed under this section for any taxable year to any individual to whom a credit allowable under any provision of the United States with a mirror code tax system by reason of the application of this section in such possession for such taxable year.

(c) **MIRROR CODE TAX SYSTEM.—**For purposes of this paragraph, the term ‘mirror code tax system’ means, with respect to each possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

(d) **PUERTO RICO.—** The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

(e) **APPLICATION OF REFUNDABLE CREDIT TO RESIDENTS OF PUERTO RICO.—**

(1) **IN GENERAL.—** The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

(2) **APPLICATION TO TAXABLE YEARS IN 2020.—**

(a) **APPLICATION OF CREDIT.—** The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

(B) **COORDINATION WITH CREDIT ALLOWED AGAINST UNITED STATES INCOME TAXES.—**No credit shall be allowed under this section for any taxable year to any individual to whom a credit allowable under any provision of the United States with a mirror code tax system by reason of the application of this section in such possession for such taxable year.

(3) **APPLICATION OF ADVANCE PAYMENT TO RESIDENTS OF PUERTO RICO.—**
“(B) APPLICATION TO TAXABLE YEARS AFTER 2021.—In the case of any bona fide resident of Puerto Rico (within the meaning of section 931(a)) for any taxable year beginning after December 31, 2020, the applicable minimum age’ for ‘age 25’ shall be applied by substituting ‘the applicable minimum age’ for ‘age 25’. ”

“(A) IN GENERAL.—The Secretary shall pay to American Samoa amounts estimated by the Secretary as being equal to the aggregate benefits that would have been provided to residents of American Samoa by the application of this section for taxable years beginning after 2020 if the provisions of this section had been in effect in American Samoa (applied as if American Samoa were the United States and without regard to the application of this section to bona fide residents of Puerto Rico under subsection (1)(A)).”

“(B) DISTRIBUTION REQUIREMENT.—Subparagraph (A) shall not apply unless American Samoa has a plan, which has been approved by the Secretary, under which American Samoa will promptly distribute such payments to its residents.”

“(C) COORDINATION WITH CREDIT ALLOWED AGAINST UNITED STATES INCOME TAXES.—In the case of a taxable year with respect to which a plan is approved under subparagraph (B), this section (other than this subsection) shall not apply to any individual eligible for a distribution under such plan.”

“(D) APPLICATION OF SECTION IN EVENT OF ABSENCE OF APPROVED PLAN.—In the case of a taxable year with respect to which a plan is not approved under subparagraph (B), this section (other than this subsection) shall not apply to any individual eligible for a distribution under such plan.”

“(E) IN GENERAL.—Chapter 77 of the Internal Revenue Code of 1986 is amended by—

(1) by striking ‘‘(A) the applicable minimum age’’

(2) in subparagraph (B)(i)—

“(a) the specified matching amount for such calendar year.”

(3) Section 32(n)(1)(B)(i) of such Code is amended—

(1) in the matter preceding subparagraph (A), by inserting ‘‘2021 in the case of the dollar amount in subsection (i)(1)’’ after ‘‘2015’’.

(2) in subparagraph (B)(i)—

(a) by striking ‘‘subsections (b)(2)(A) and (b)(3) and inserting ‘‘(2021 in the case of the dollar amount specified in this paragraph.’’.

(3) (4) in subparagraph (B)(ii)—

(i) is married (as determined under section 7703(a)) and does not file a joint return for the taxable year,

(ii) resides with a qualifying child of the individual for more than one-half of such taxable year, and

(iii) during the last 6 months of such taxable year, does not have the same principal place of abode as the individual’s spouse and is not a member of the same household with the individual’s spouse by the end of the taxable year.”

(b) CONFORMING AMENDMENTS.—

(1) Section 32(c)(1)(A) of such Code is amended by striking the last sentence.

(2) Section 32(c)(1)(E)(ii) of such Code is amended by striking ‘‘(within the meaning of section 7703)’’.

(3) Section 32(d)(1) of such Code, as amended by subsection (a), is amended by striking ‘‘(within the meaning of section 7703)’’.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. 9624. MODIFICATION OF DISQUALIFIED INVESTMENT INCOME TEST.

(a) IN GENERAL.—Section 32(b) of the Internal Revenue Code of 1986 is amended by striking ‘‘$2,200’’ and inserting ‘‘$10,000’’.

(b) INFLATION ADJUSTMENT.—Section 32(b)(1) of such Code is amended—

(1) in the matter preceding subparagraph (A), by inserting ‘‘2021 in the case of the dollar amount in subsection (i)(1)’’ after ‘‘2015’’.

(2) in subparagraph (B)(i)—

(a) by striking ‘‘subsections (b)(2)(A) and (b)(3) and inserting ‘‘(2021 in the case of the dollar amount specified in this paragraph.’’.

(3) (4) in subparagraph (B)(ii)—

(i) is married (as determined under section 7703(a)) and does not file a joint return for the taxable year,

(ii) resides with a qualifying child of the individual for more than one-half of such taxable year, and

(iii) during the last 6 months of such taxable year, does not have the same principal place of abode as the individual’s spouse and is not a member of the same household with the individual’s spouse by the end of the taxable year.”

(b) CONFORMING AMENDMENTS.—

(1) Section 32(c)(1)(A) of such Code is amended by striking the last sentence.

(2) Section 32(c)(1)(E)(ii) of such Code is amended by striking ‘‘(within the meaning of section 7703)’’.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. 9625. APPLICATION OF EARNED INCOME TAX CREDIT IN POSSESSIONS OF THE UNITED STATES.

(a) IN GENERAL.—Chapter 77 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

“SEC. 7530. APPLICATION OF EARNED INCOME TAX CREDIT IN POSSESSIONS OF THE UNITED STATES.

“(a) PUERTO RICO.—

“(1) IN GENERAL.—With respect to calendar year 2021 and each calendar year thereafter, the Secretary shall, except as otherwise provided in this subsection, make payments to Puerto Rico equal to—

(A) the specified matching amount for such calendar year, plus

(B) the expenditures made by Puerto Rico during such calendar year for education efforts with respect to individual taxpayers and tax return preparers relating to the earned income tax credit, or

(ii) $1,000,000.

(2) REQUIREMENT TO REFORM EARNED INCOME TAX CREDITS.—The Secretary shall not make any payments under paragraph (1) with respect to any calendar year unless Puerto Rico has in effect an earned income tax credit for taxpayers in Puerto Rico beginning in or with such calendar year which (relative to the earned income tax credit which was in effect for taxable years beginning in or with calendar year 2019) increases the percent of the earned income tax credit as a credit for each group of individuals with respect to which such percentage is separately stated or
determined in a manner designed to substantially increase workforce participation.

"(3) SPECIFIED MATCHING AMOUNT.—For purposes of this subsection—

(A) IN GENERAL.—The term ‘specified matching amount’ means, with respect to any calendar year, the lesser of—

(i) the excess (if any) of—

(I) the amount earned by Puerto Rico of the earned income tax credit for taxable years beginning in or with such calendar year, or

(ii) $29,000,000.

(ii) INFLATION ADJUSTMENT.—In the case of any calendar year after 2021, the term ‘base amount’ means the greater of—

(i) the product of 3, multiplied by the base amount for such calendar year, or

(ii) the product of 3, multiplied by the base amount for such calendar year, minus

(A) BASE AMOUNT FOR 2021.—In the case of calendar year 2021, the term ‘base amount’ means the greater of—

(i) the amount earned by Puerto Rico of the earned income tax credit for taxable years beginning in or with calendar year 2019 (rounded to the nearest multiple of $2,000,000), or

(ii) $30,000,000.

(ii) INFLATION ADJUSTMENT.—In the case of any calendar year after 2021, the term ‘base amount’ means the dollar amount determined under clause (i) increased by an amount equal to—

(i) such dollar amount, multiplied by—

(ii) the cost-of-living adjustment determined under section 1(f) for such calendar year, determined by substituting ‘calendar year 2020’ for ‘calendar year 2016’ in subparagraph (A)(ii) thereof.

Any amount determined under this clause shall be rounded to the nearest multiple of $1,000,000.

"(4) RULES RELATED TO PAYMENTS.—

(A) Timing of Payments.—The Secretary shall make payments under paragraph (1) for any calendar year—

(i) after receipt of such information as the Secretary may require to determine such payments, and

(ii) except as provided in clause (i), within a reasonable period of time before the due date for individual income tax returns (as determined under the laws of Puerto Rico) for taxable years which began on the first day of such calendar year.

(B) INFORMATION.—The Secretary may require the reporting of such information as the Secretary may require to carry out this subsection.

(C) DETERMINATION OF COST OF EARNED INCOME TAX CREDIT.—For purposes of this subsection, the cost to Puerto Rico of the earned income tax credit shall be determined by the Secretary under the laws of Puerto Rico and shall include reductions in revenues received by Puerto Rico by reason of such credit and refunds attributable to such credit, but shall not include any administrative costs with respect to such credit.

"(B) POSSESSIONS WITH MIRROR CODE TAX SYSTEMS.—

"(1) IN GENERAL.—With respect to calendar year 2021 and each calendar year thereafter, the Secretary shall, except as otherwise provided in this subsection, make payments to American Samoa equal to—

(A) the lesser of—

(i) the cost to American Samoa of the earned income tax credit for taxable years beginning in or with such calendar year, or

(ii) $26,000,000, plus

(B) in the case of calendar years 2021 through 2025, the lesser of—

(i) the expenditures made by American Samoa during such calendar year for education efforts with respect to individual taxpayers and tax return preparers relating to such earned income tax credit, or

(ii) $50,000.

"(2) REQUIREMENT TO ENSURE THAT EARNED INCOME TAX CREDIT IS TREATED AS MATH. ERRORS.—For purposes of section 6213 of the Internal Revenue Code of 1986, an incorrect use on a return of earned income pursuant to subsection (a) shall be treated as a mathematical or clerical error.

"(3) NO EFFECT ON DETERMINATION OF CROSS-REFUND.—Except as otherwise provided in this subsection, the Internal Revenue Code of 1986 shall be applied without regard to any substitution under subsection (a).

"(4) TREATMENT OF CERTAIN POSSESSIONS.—

"(A) PAYMENTS TO POSSESSIONS WITH MIRROR CODE TAX SYSTEMS.—The Secretary of the Treasury shall pay to each possession of the United States which has a mirror code tax system amounts equal to the loss (if any) to that possession by reason of the application of the provisions of this section (other than this subsection) under section 32 of the Internal Revenue Code of 1986. Such amounts shall be determined by the Secretary of the Treasury based on information provided by the government of the respective possession.

"(B) Payments to Other Possessions.—The Secretary of the Treasury shall pay to each possession of the United States which does not have a mirror code tax system amounts estimated by the Secretary of the Treasury as being equal to the aggregate benefits (if any) that would have been provided to residents of such possession by reason of the provisions of this section (other than this subsection) under section 32 of the Internal Revenue Code of 1986 if a mirror code tax system had been in effect in such possession. The preceding sentence shall not apply unless the respective possession has a plan, which has been approved by the Secretary of the Treasury, under which such possession will promptly distribute such payments to its residents.

"(5) MIRROR CODE TAX SYSTEM.—For purposes of this section, the term ‘mirror code tax system’ means, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

"(4) TREATMENT OF PAYMENTS.—For purposes of section 1324 of title 31, United States Code, the payments under this section shall be treated in the same manner as a refund due from a credit provision referred to in subsection (b)(2) of such section.

PART 4—DEPENDENT CARE ASSISTANCE

SEC. 9631. REFUNDABILITY AND ENHANCEMENT OF CHILD AND DEPENDENT CARE TAX CREDIT

(a) IN GENERAL.—Section 21 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

"(2) Special Rules for 2021.—In the case of any taxable year beginning after December 31, 2020, and before January 1, 2022—

(1) CREDIT MADE REFUNDABLE.—If the taxpayer (in the case of a joint return, either spouse) has a principal place of abode in the United States (determined as provided in section 32) for more than one-half of the taxable year, the credit allowed under subsection (a) shall be treated as a credit allowed under part subpart C (and not allowed under this subpart).

(2) INCREASE IN DOLLAR LIMIT ON AMOUNT CREDITABLE.—Subsection (c) shall be applied—

(A) by substituting '$8,000' for '$3,000' in paragraph (1) thereof, and

(B) by substituting '$6,000' for '$5,000' in paragraph (2) thereof.

(3) INCREASE IN APPLICABLE PERCENTAGE.—Subsection (a)(2) shall be applied—

(A) by substituting '50 percent' for '35 percent' and

(B) by substituting '$12,500' for '$10,000'.

(4) APPLICATION OF PHASEOUT TO HIGH INCOME INDIVIDUALS.—

"(A) IN GENERAL.—Subsection (a)(2) shall be applied by substituting the phrase ‘phaseout percentage’ for ‘20 percent’. March 10, 2021
“(B) PHASEOUT PERCENTAGE.—The term ‘phaseout percentage’ means 20 percent reduced (but not below zero) by 1 percentage point for each $2,000 (or fraction thereof) by which the payor’s adjusted gross income for the taxable year exceeds $400,000.”

(b) APPLICATION OF CREDIT IN POSSESSION.—Section 5109(b)(3) of title 31, United States Code, as amended by subsection (a) of this section, is amended by adding at the end the following new subsection:

“(b) APPLICATION OF CREDIT IN POSSESSION.—This section (determined without regard to the first quarter of calendar year 2021 or any amendment made by this section) shall apply to taxable years beginning in or with 2021. Such amounts shall be determined by the Secretary based on information provided by the government of the respective possession.

(2) LIMITATIONS AND REFUNDABILITY.—(A) The amount of the credit allowed to a payor under subsection (a) shall be increased by the excess (if any) of—

(B) LEAVE MUST MEET REQUIREMENTS.—If an employer fails to comply with any requirement of such Act (determined without regard to section 5108(b)(4)) with respect to paid sick time for which such credit is allowed under subsection (a), such credit shall not be allowed with respect to such paid sick time.

(2) QUALIFIED HEALTH PLAN EXPENSES.—For purposes of this subsection, the term ‘qualified health plan expenses’ means amounts paid or incurred by the employer to maintain a group health plan as if such amounts were paid or incurred by the employer during the calendar quarter on behalf of its employees.

(3) RETROACTIVE PLAN AMENDMENTS.—A plan, which has been approved by the Secretary, with respect to any calendar quarter, shall be treated as failing to meet a requirement of such Act if—

(c) RETROACTIVE PLAN AMENDMENTS.—A plan, which has been approved by the Secretary, with respect to any calendar quarter, shall be treated as failing to meet any requirement of such Act if—

(2) the plan is operated consistent with the terms of such amendment during the period beginning on the effective date of the amendment and ending on the date the amendment is adopted.

(2) so much of the employer’s collectively bargained defined benefit pension plan contributions as are similarly allocable to the qualified sick leave wages for which such credit is so allowed, plus

(b) DEFINITION OF CREDIT.—In anticipation of the credit, the refundable portion of the credit described in subsection (a) shall be added to the employer’s taxable income for the taxable year to which such credit relates.

(b) DEFINITION OF CREDIT.—In anticipation of the credit, the refundable portion of the credit described in subsection (a) shall be added to the employer’s taxable income for the taxable year to which such credit relates.

(c) CONFORMING AMENDMENTS.—(1) Section 6402(a)(4)(A) of such Code, as amended by the preceding provisions of this Act, is amended by inserting “21 by reason of subsection (g) thereof,” before “24”.

(b) DEFINITIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. 9631. PAYROLL CREDITS.

(a) IN GENERAL.—Chapter 21 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subchapter:

“Subchapter D—Credits

“Sec. 3311. Credit for qualified sick leave.

“Sec. 3312. Payroll credit for qualified sick leave.

“Sec. 3313. Special rule related to tax on employees.

“Sec. 3314. Credit for qualified sick leave.

“Sec. 3315. Definition of qualified sick leave wages.

“Sec. 3316. Application of credit for certain health plan expenses.

“Sec. 3317. Allocation of credit for amounts paid under certain collectively bargained agreements.

(b) RETROACTIVE PLAN AMENDMENTS.—A plan described in paragraph (2) shall be treated as failing to meet a requirement of such Act if—

(b) DEFINITIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

(2) so much of the employer’s collectively bargained defined benefit pension plan contributions as are similarly allocable to the qualified sick leave wages for which such credit is so allowed, plus
"(iii) are required to be made pursuant to the terms of a collective bargaining agreement in effect with respect to such calendar quarter.

(B) PENSION CONTRIBUTION RATE.—The term ‘pension contribution rate’ means the contribution rate that the employer is obligated to pay on behalf of its employees under the terms of a collective bargaining agreement for benefits under a defined benefit pension plan under such agreement, as such rate is applied to contribution base units (as defined by section 4001(a)(11) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1301(a)(11)).

(C) ALLOCATION RULES.—The amount of collectively bargained defined benefit pension contributions or other qualified sick leave wages for any calendar quarter shall be the product of—

(i) the pension contribution rate (expressed as a hourly rate), and

(ii) the number of hours for which qualified sick leave wages were provided to employees covered under the collective bargaining agreement in subparagraph (A)(iii).

(D) COLLECTIVELY BARGAINED APPRENTICESHIP PROGRAM CONTRIBUTIONS.—For purposes of this section—

(A) IN GENERAL.—The term ‘collectively bargained apprenticeship program contributions’ means wages paid by an employer on behalf of its employees with respect to the calendar quarter to a registered apprenticeship program, and

(B) REGISTERED APPRENTICESHIP PROGRAM.—The term ‘registered apprenticeship program’ means an apprenticeship program registered under the Act of August 16, 1937 (commonly known as the ‘National Apprenticeship Act’; 50 Stat. 664, title 29, Code of Federal Regulations).

(D) ALLOCATION RULES.—The amount of collectively bargained apprenticeship program contributions allocated to qualified sick leave wages for any calendar quarter shall be the product of—

(i) the apprenticeship program contribution rate (expressed as an hourly rate), and

(ii) the number of hours for which qualified sick leave wages were provided to employees covered under the collective bargaining agreement in subparagraph (A)(iii) during the calendar quarter.

(E) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

(A) APPLICABLE EMPLOYMENT TAXES.—For purposes of this section, all references to the term ‘applicable employment taxes’ means the following:

(i) the taxes imposed under section 3111(b).

(ii) the taxes imposed under section 3221(a) as are attributable to the rate in effect under section 3111(b).

(B) WAGES.—For purposes of this section, the term ‘wages’ means wages (as defined in section 3121(a) determined without regard to paragraphs (1) through (22) of section 3121(b) and compensation (as defined in section 3301(e), determined without regard to paragraphs (1) through (22) of section 3301(e)) earned during the calendar quarter.

(C) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as may be necessary to carry out the purposes of this subsection, including—

(i) requiring such other guidance to prevent the avoidance of the purposes of the limitations under this section;

(ii) requiring such other guidance to minimize compliance and record-keeping burdens under this section;

(iii) regulations or other guidance providing for waiver of penalties for failure to deposit amounts in anticipation of the allowance of the credit under this section, and

(iv) regulations or other guidance for recapture of the benefit of credits determined under this section in cases where there is a subsequent adjustment to the credit determined under subsection (a).

(D) APPLICATION OF SECTION.—This section shall apply only to wages paid with respect to the period beginning on April 1, 2021, and ending on September 30, 2021.

(E) TREATMENT OF DEPOSITS.—The Secretary shall waive any penalty under section 6656 for any failure to make a deposit of applicable employment taxes if the Secretary determines that such failure was due to the anticipation of the credit allowed under this section.

(F) NON-DISCRIMINATION REQUIREMENT.—No credit shall be allowed under this section to any individual employer for any calendar quarter if such employer, with respect to the availability of the provision qualified sick leave wages to which this section otherwise applies for such calendar quarter, discriminates in favor of highly compensated employees (within the meaning of section 414(q)), full-time employees, or employees on the basis of employment tenure with such employer.

SEC. 3132. PAYROLL CREDIT FOR PAID FAMILY LEAVE.

(A) IN GENERAL.—In the case of an employer, there shall be allowed as a credit against applicable employment taxes for each calendar quarter an amount equal to 100 percent of the qualified family leave wages paid by such employer with respect to such calendar quarter.

(B) LIMITATIONS AND REFUNDABILITY.—(1) WAGES TAKEN INTO ACCOUNT.—The amount of qualified family leave wages taken into account under subsection (a), plus any increases under subsection (c), with respect to any individual shall not exceed the product of—

(a) a grant under section 324 of the Economic Hard-Hit Small Businesses, Non-Profits, and Venues Act, or

(b) increases under subsection (c) of the American Rescue Plan Act of 2021.

(2) APPLICATION WHERE PPP LOANS NOT FORGIVEN.—In the case of an employer who applied for a PPP loan under section 324 of the Economic Hard-Hit Small Businesses, Non-Profits, and Venues Act, or who applied for a PPP loan under section 325 of the American Rescue Plan Act of 2021, the pardon or forgiveness of amounts paid with respect to such loan shall not affect the computation of the credit allowed under this section.

(3) REFUNDABILITY OF EXCESS CREDIT.—Notwithstanding any other provision of law, any amount attributable to a credit claimed under this section which a credit is allowed under such section, which a credit is allowed under section 2301 or section 41 which is attributable to such amount shall be allowed as a credit against applicable employment taxes for each calendar quarter in the period in the quarter.

(4) REGULATIONS.—The Secretary shall issue guidance prescribed by—
means wages paid by an employer which would be required to be paid by reason of the Emergency Family and Medical Leave Expansion Act (including the amendments made by such Act) as if such amendments were made by such Act) applied after March 31, 2021.

(2) RULES OF APPLICATION.—

(A) IN GENERAL.—For purposes of determining whether wages are qualified family leave wages under paragraph (1),—

(i) section 110(a)(2)(A) of the Family and Medical Leave Act of 1993 shall be applied by inserting 'or less than such amount' in the first sentence of section 501(a)(2) of such Act;

(ii) each reference in section 501(a)(1)(B) of such Act to an amount shall be treated as failing to meet a requirement of such Act

(B) COLLECTIVELY BARGAINED DEFINED BENEFIT PENSION PLANN CONTRIBUTIONS.—For purposes of this subsection—

(A) IN GENERAL.—The term 'collectively bargained defined benefit pension plan contributions' has the meaning given such term under section 3131(e)(2).

(B) ALLOCATION RULES.—The amount of collectively bargained defined benefit pension plan contributions taken into account as qualified family leave wages for any calendar quarter shall be the product of—

(i) the minimum rate of contributions (as defined in subparagraph (A)(i)), expressed as an hourly rate, and

(ii) the number of hours for which qualified family leave wages were provided to employees covered under the collective bargaining agreement described in section 3131(e)(2)(A)(i) during the calendar quarter.

(C) COLLECTIVELY BARGAINED APPRENTICE-SHIP PROGRAM CONTRIBUTIONS.—For purposes of this section—

(A) IN GENERAL.—The term 'collectively bargained apprenticeship program contributions' has the meaning given such term under section 3131(e)(3).

(B) ALLOCATION RULES.—For purposes of this section, the amount of collectively bargained apprenticeship program contributions allocated to qualified family leave wages for any calendar quarter shall be the product of—

(i) the apprenticeship contribution rate (as defined in section 3131(e)(3)), expressed as an hourly rate, and

(ii) the number of hours for which qualified family leave wages were provided to employees covered under the collective bargaining agreement described in section 3131(e)(3)(A)(i) during the calendar quarter.

(D) RULES OF SUBTRACTION.—

(I) DEFINITIONS AND SPECIAL RULES.—

(1) APPLICABLE EMPLOYMENT TAXES.—For purposes of this section, the term 'applicable employment taxes' means the following:

(A) The taxes imposed under section 3111(b), (B) so much of the taxes imposed under section 3221(a) as are attributable to the rate in effect under section 3111(b).

(2) WAGES.—For purposes of this section, the term 'wages' means wages (as defined in section 3131(e)(2)), expressed as an hourly rate.

(3) COLLECTIVELY BARGAINED APPRENTICE-SHIP PROGRAM CONTRIBUTIONS.—For purposes of this section, the term 'collectively bargained apprenticeship program contributions' means amounts paid or incurred by the employer to provide and maintain a group health plan (as defined in section 3131(e)(3)), expressed as an hourly rate.

(4) DENIAL OF DOUBLE BENEFIT.—For purposes of chapter I, the gross income of the employer, for the taxable year which includes the calendar quarter for which the credit is allowed, plus

(5) ELECTION TO NOT TAKE CERTAIN WAGES INTO ACCOUNT.—This section shall not apply to so much of the qualified family leave wages paid by an eligible employer as such employer elects (at such time and in such manner as the Secretary may prescribe) to not take into account for purposes of this section.

(6) ELECTION TO NOT TAKE CERTAIN WAGES INTO ACCOUNT.—This section shall not apply to so much of the qualified family leave wages paid by an eligible employer as such employer elects (at such time and in such manner as the Secretary may prescribe) to not take into account for purposes of this section.

(7) PENSION CONTRIBUTIONS.—No credit shall be allowed under this section to the Government of the United States or to any agency or instrumentality thereof. The preceding sentence shall not apply to any organization described in section 501(c)(3) and exempt from tax under section 501(a) of the Internal Revenue Code of 1986.

(8) EXTENSION OF LIMITATION ON ASSESSMENT.—Notwithstanding section 6501, the limitation on the time period for the assessment of any tax attributable to a credit claimed under this section shall not expire before the date that is 5 years after the later of—

(A) the date on which the original return which includes the calendar quarter with respect to which such credit is determined is filed, or

(B) the date on which such return is treated as filed under section 6501(b)(2).

(9) COORDINATION WITH CERTAIN PROGRAMS.—

(A) IN GENERAL.—This section shall not apply to so much of the qualified family leave wages paid by an eligible employer as such wages are taken into account as payroll costs in connection with—

(i) a covered loan under section 7(a)(37) or 7A of the Small Business Act,

(ii) a grant under section 324 of the Economic Opportunity Act, or

(iii) a restaurant revitalization grant under section 5003 of the American Rescue Plan Act of 2021.

(B) APPLICATION WHERE PPP LOANS NOT FORGIVEN.—The Secretary shall issue guidance providing that payroll costs paid during the covered period shall not be treated as qualified family leave wages under this section by reason of paragraph (A)(i) to the extent the covered loan under section 7(a)(37) or 7A of the Small Business Act is not forgiven by reason of a decision under section 7(a)(37) or 7A of such Act.

Terms used in the preceding sentence which are also used in section 7(a)(37) or 7(a)(37)(J) of the Small Business Act shall, when applied in connection with either such section, have the same meaning as when used in such section, respectively.

(10) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as may be necessary to carry out the purposes of this section, including—

(A) regulations or other guidance to prevent the avoidance of the purposes of the limitations under this section,

(B) regulations or other guidance to minimize compliance and record-keeping burdens under this section,

(C) regulations or other guidance providing for waiver of penalties for failure to deposit amounts in anticipation of the allowance of the credit allowed under this section,

(D) regulations or other guidance for recapitulating the benefit of credits determined under this section in cases where there is a subsequent adjustment to the credit determined under subsection (a),

(E) regulations or other guidance to ensure that the wages taken into account under this section conform with the paid leave required to be provided under the Emergency Family and Medical Leave Expansion Act (including the amendments made by such Act),

(F) regulations or other guidance to permit the advancement of the credit determined under subsection (a), and

(G) regulations or other guidance with respect to the allocation, reporting, and substantiation of collectively bargained defined benefit pension plan contributions and collectively bargained apprenticeship program contributions.
the period beginning on April 1, 2021, and ending
on September 30, 2021.

“(i) TREATMENT OF DEPOSITS.—The Secretary
shall waive any penalty under section 6662 for any
failure to make a deposit of applicable em-
ployment taxes if the Secretary determines that
such failure was due to the anticipation of the credit
allowed under this section.

(1) EXCISE TAX REMISSION.—No credit shall be allowed under this section to any employer for any calendar quarter if such em-
ployer, with respect to the availability of the provisions of section 3132 (respectively).

(d) EFFECTIVE DATE.—The amendments made
by this section shall be treated in the same manner as a refund due from a credit provision referred to in subsection (b) of such section.

(h) REGULATIONS.—The Secretary shall pre-
scribe such regulations or other guidance as may be necessary to carry out the purposes of this section, including—

(1) regulations or other guidance to effectuate the purposes of this section, and

(2) regulations or other guidance to minimize compliance and record-keeping burdens under this section.

SEC. 9642. CREDIT FOR FAMILY LEAVE FOR CER-
TAIN SELF-EMPLOYED INDIVIDUALS.

(a) In general.—In the case of an eligible self-
employed individual, there shall be allowed as a credit against the tax imposed by chapter 31 of the Internal Revenue Code of 1986 for any taxable year an amount equal to the qualified sick leave equivalent amount with respect to the individual.

(b) Eligible self-employed individual.—

(1) In general.—The term ‘‘eligible self-
employed individual’’ means an individual who—

(A) regularly carries on any trade or business within the meaning of section 1324 of title 31, United States Code;

(B) would be entitled to receive paid leave during the taxable year pursuant to the Emergency Paid Sick Leave Act if—

(i) the individual were an employee of an em-
ployer (other than himself or herself), or

(ii) such Act applied after March 31, 2021.

(2) Rules of application.—For purposes of paragraph (1)(B), in determining whether an in-
dividual would be entitled to receive paid leave under the Emergency Paid Sick Leave Act, such Act shall be applied—

(A) by inserting ‘‘the employee is seeking or
awaiting the results of a diagnostic test for, or a medical diagnosis of, COVID–19’’ in paragraph (1)(A), in determining whether an individual has been exposed to COVID–19 or is unable to work pending the results of such test or diagnosis, or the employee is obtaining immuni-
sation related to COVID–19 or recovering from any injury, disability, illness, or condition re-
lated to such immunization’’ after ‘‘medical di-
agnosis of’’ in paragraph (1)(A), and

(B) by applying section 3102(b)(1) of such Act
separately with respect to each taxable year.

(c) Qualified sick leave equivalent amount.

(1) In general.—The term ‘‘qualified sick
leave equivalent amount’’ means, with respect
to any eligible self-employed individual, an amount equal to—

(A) the number of days during the taxable year (but not more than 10) that the individual was unable to perform services in any trade or business referred to in section 1402 of the Internal
Revenue Code of 1986 for a reason with re-
spect to which such individual would be entitled to receive paid leave as described in subsection (b), multiplied by

(B) the lesser of—

(i) $200 ($511 in the case of any day of paid
sick time described in paragraph (1), (2), or (3) of section 5102(a) of the Emergency Paid Sick Leave Act, applied with the modification de-
scribed in paragraph (1)(A), in determining whether such individual would be entitled to receive paid leave as described in such section, or

(ii) 67 percent (100 percent in the case of any day of paid sick time described in paragraph (1), (2), or (3) of section 5102(a) of the Emergency Paid Sick Leave Act) of the individual’s daily self-
employment income for the taxable year.

(2) Average daily self-employment income.

For purposes of this subsection, the term
‘‘average daily self-employment income’’ means an amount equal to—

(A) the net earnings from self-employment of the individual for the taxable year, divided by

(B) 260.

(3) Election to use prior year net earnings from self-employment income.—In the case of an individual who is not self-employment income, and

within the meaning of section 1402 of the Internal

(4) Election not to take days into ac-
count.—Any day shall not be taken into ac-
count under paragraph (1) if the eligible self-
employed individual elects (at such time and in
such manner as the Secretary may prescribe) to not take such day into account for purposes of such paragraph.

(d) Credit refundable.—

(1) In General.—The credit determined
under this section shall be treated as a credit allowed to the taxpayer under subpart C of part IV of subchapter A of chapter 1 of such Code.

(2) Treatment of payments.—For purposes of section 3124 of title 31, United States Code, any refund due from the credit determined under this section shall be treated in the same manner as a refund due from a credit provision referred to in subsection (b) of such section.

(e) Special rules.—

(1) Documentation.—No credit shall be al-
lowed under this section unless the individual
maintains such documentation as the Secretary
may prescribe to satisfy the Secretary that such individual is an eligible self-employed individual.

(2) Denial of double benefit.—In the case
of an individual who receives wages (as defined in section 3121(a) of the Internal Revenue Code of 1986) or compensation (as defined in section 3321(a) of such Code) paid by an employer which are required to be treated under the Emergency Paid Sick Leave Act, the qualified sick leave equivalent amount otherwise determined under subsection (c) of this section shall be re-
duced (but not below zero) to the extent that the sum of the amount described in such subsection and in section 3131(b)(1) of such Code exceeds $2,000 ($5,110 in the case of any day any portion of which is paid sick time described in para-
graph (1), (2), or (3) of section 5102(a) of the Emergency Paid Sick Leave Act).

(f) Application of section.—Only days oc-
curring during the period beginning on April 1, 2021, and ending on September 30, 2021, may be taken into account under subsection (c)(1)(A).

(g) Application of Credit in Certain Pos-
sessions.—

(1) Payments to possessions with mirror
code tax systems.—The Secretary shall pay to
each possession of the United States which has a mirror code tax system amounts equal to the loss (if any) to that possession by reason of the application of the provisions of this section.

Such amounts shall be determined by the Sec-
retary based on information provided by the
government of the respective possession.

(2) Payments to other possessions.—The Secretary shall pay to each possession of the United States which does not have a mirror code tax system amounts estimated by the Secretary and equal to the loss (if any) that would have been provided to residents of such possession by reason of the provisions of this section if a mirror code tax system had been included in such possession. Such prescribing a sentence shall not apply unless the respective pos-
session has a plan, which has been approved by the Secretary, under which such possession will promptly distribute such payments to its resi-
dents.

(3) Mirror code tax system.—For purposes of
this section, the term ‘‘mirror code tax sys-
tem’’ means, with respect to any possessing of the United States, the income tax system of such possession if the income tax liability of the resi-
dents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

(g) Treatment of Payments.—For purposes
of section 3124 of title 31, United States Code, the payments under this subsection shall be treated in the same manner as a refund due from a credit provision referred to in subsection (b) of such section.

(h) Regulations.—The Secretary shall pre-
scribe such regulations or other guidance as may be necessary to carry out the purposes of this section, including—

(1) regulations or other guidance to effectuate the purposes of this section, and

(2) regulations or other guidance to minimize compliance and record-keeping burdens under this section.

SEC. 9643. CREDIT FOR SICK LEAVE FOR CERT-
AIN SELF-EMPLOYED INDIVIDUALS.

(a) In general.—In the case of an eligible self-
employed individual, there shall be allowed as a credit against the tax imposed by chapter
1 of the Internal Revenue Code of 1986 for any taxable year an amount equal to 100 percent of the qualified family leave equivalent amount with respect to the individual.

(b) Eligible self-employed individual.—

(1) In General.—The term ‘‘eligible self-
employed individual’’ means an individual who—

(A) regularly carries on any trade or business
within the meaning of section 1402 of the Inter-

nual Revenue Code of 1986, and

(B) would be entitled to receive paid leave
during the taxable year pursuant to the Emer-

nancy Family and Medical Leave Extension Act if

(i) the individual were an employee of an em-
ployer (other than himself or herself), or

(ii) section 122(a)(1)(F) of the Family and
Medical Leave Act of 1993 applied after March
31, 2021.

(2) Rules of application.—For purposes of
paragraph (1)(B), in determining whether an in-
dividual would be entitled to receive paid leave under the Emergency Family and Medical Leave Act of 1993, the Secretary shall apply—

(A) by inserting ‘‘the employee is seeking or
awaiting the results of a diagnostic test for, or a medical diagnosis of, COVID–19’’ in paragraph (1)(A), in determining whether an employee has been exposed to COVID–19 or is un-
able to work pending the results of such test or diagnosis, or the employee is seeking or
awaiting the results of a diagnostic test for, or a medical diagnosis of, COVID–19 and such em-
ployee has been exposed to COVID–19 or is un-
able to work pending the results of such test or diagnosis, or the employee is obtaining immuni-
sation related to COVID–19 or recovering from any injury, disability, illness, or condition re-
lated to such immunization’’ after ‘‘medical di-
agnosis of’’ in paragraph (1)(A), and

(B) by applying section 3102(b)(1) of such Act
separately with respect to each taxable year.

(c) Qualified sick leave equivalent amount.

(1) In general.—The term ‘‘qualified sick
leave equivalent amount’’ means, with respect
(II) by striking "after taking leave after such section for 10 days" in paragraph (2)(A) thereof.

(2) QUALIFIED FAMILY LEAVE EQUIVALENT AMOUNT.—For purposes of this section—

(1) the term "qualified family leave equivalent amount" means, with respect to any eligible self-employed individual, an amount equal to the product of—

(A) 67 percent of the average daily self-employment income of the individual for the taxable year, or;

(B) $200.

(2) AVERAGE DAILY SELF-EMPLOYMENT INCOME.—For purposes of this subsection, the term "average daily self-employment income" means an amount equal to—

(A) the net earnings from self-employment income of the individual for the taxable year, divided by;

(B) 365.

(3) ELECTION TO USE PRIOR YEAR NET EARNINGS FROM SELF-EMPLOYMENT INCOME.—In the case of an election under subparagraph (A) (at such time and in such manner as the Secretary may provide) the application of this paragraph, paragraph (2)(A) shall be applied by substituting "the prior taxable year" for "the taxable year".

(4) COORDINATION WITH CREDIT FOR SICK LEAVE.—Any day taken into account in determining the qualified sick leave equivalent amount with respect to any eligible self-employed individual under section 9642 shall not be taken into account in determining the qualified family leave equivalent amount with respect to such individual under this section.

(5) CREDIT REFUNDABLE.—

(A) IN GENERAL.—The credit determined under this section shall be treated as a refundable tax credit for purposes of section 44B(a).

(B) 260.

(6) ELECTION TO TAKE INTO ACCOUNT—

(A) PAYMENTS TO POSSESSIONS WITH MIRROR CODE TAX SYSTEM.—For purposes of this section, "average daily self-employment income" means an amount equal to—

(a) the net earnings from self-employment income of the individual for the taxable year, divided by;

(b) 365.

(B) payments to other possession

(C) payments to other possession.

(D) payments to other possession.

(E) payments to other possession.

(F) payments to other possession.

(G) payments to other possession.

(H) payments to other possession.

(I) payments to other possession.

(J) payments to other possession.

(K) payments to other possession.

(L) payments to other possession.

(M) payments to other possession.

(N) payments to other possession.

(O) payments to other possession.

(P) payments to other possession.

(Q) payments to other possession.

(R) payments to other possession.

(S) payments to other possession.

(T) payments to other possession.

(U) payments to other possession.

(V) payments to other possession.

(W) payments to other possession.

(X) payments to other possession.

(Y) payments to other possession.

(Z) payments to other possession.

(A) IN GENERAL.—Subchapter D of chapter 21 of subtitle C of the Internal Revenue Code of 1986, as added by section 9641, is amended by adding at the end the following:

"SEC. 3141. EXTENSION OF EMPLOYER RETENTION CREDIT FOR EMPLOYERS SUBJECT TO CLOSURE DUE TO COVID-19.

(1) IN GENERAL.—In the case of an eligible employer, there shall be allowed as a credit against applicable employment taxes for each calendar quarter an amount equal to 70 percent of the qualified wages with respect to each employee of such employer for such calendar quarter.

(2) QUALIFIED WAGES.—

(A) IN GENERAL.—The term 'qualified wages' means—

(i) with respect to a calendar quarter in which the average number of full-time employees (within the meaning of section 4441I) employed by such employer during 2019 was greater than 500, wages paid by such eligible employer for such calendar quarter which are not includable in gross receipts due to circumstances described in subsection (c)(i) or (II) of paragraph (2)(A)(ii), or

(ii) with respect to an eligible employer for which the average number of full-time employees (within the meaning of section 4441H) employed by such eligible employer during 2019 was greater than 500,

(3) LIMITATIONS AND REFUNDABILITY.—

(A) IN GENERAL.—The amount of qualified wages with respect to any eligible employer which may be taken into account under subsection (a) for any calendar quarter shall not exceed $10,000.

(B) RECOVERY STARTUP BUSINESSES.—In the case of an eligible employer which is a recovery startup business (as defined in section 501(c) and exempt from tax under section 501(a)),

(1) in the case of eligible employer for which the average number of full-time employees (within the meaning of section 4441I) employed by such employer during 2019 was greater than 500, wages paid by such eligible employer for such calendar quarter which are not includable in gross receipts due to circumstances described in subsection (c)(i) or (II) of paragraph (2)(A)(ii), or

(2) in the case of an eligible employer for which the average number of full-time employees (within the meaning of section 4441H) employed by such eligible employer during 2019 was greater than 500,

(3) QUALIFIED WAGES.—

(A) IN GENERAL.—The term 'qualified wages' means—

(i) with respect to an eligible employer described in subsection (I) of paragraph (2)(A)(ii),
wages paid by such eligible employer with respect to an employee during any period described in such clause, or

(II) with respect to an eligible employer described in clause (II) of such paragraph, wages paid by such eligible employer with respect to an employee during such quarter.

(B) SPECIAL RULE FOR EMPLOYERS NOT IN EXISTENCE—In the case of any employer that was not in existence in 2019, subparagraph (A) shall be applied by substituting ‘2020’ for ‘2019’ each place it appears.

(C) SEVERELY FINANCIALLY DISTRESSED EMPLOYERS.—

(1) IN GENERAL.—Notwithstanding subparagraph (A), in the case of a severely financially distressed employer, the term ‘quarantine wages’ means wages paid by such employer with respect to an employee during any calendar quarter.

(2) DEFINITION.—The term ‘severely financially distressed employer’ means an eligible employer as defined in paragraph (2), determined by substituting ‘less than 10 percent’ for ‘less than 80 percent’ in subparagraph (A)(i)(II) thereof.

(D) EXCEPTION.—The term ‘quarantine wages’ shall include any wages taken into account under sections 41, 45A, 45P, 55, 1396, 3131, and 3132.

(E) TAXABLE YEARS.—

(1) IN GENERAL.—Such term shall include wages (as defined in section 3121(a)) and compensation (as defined in section 3121(e)). For purposes of the preceding sentence, in the case of any entity described in subparagraph (f)(2), wages as defined in section 3121(a) shall be determined without regard to paragraph (5), (6), (7), (10), and (13) of section 3121(b) except with respect to services performed in a penal institution by an inmate thereof.

(F) ALLOWANCE FOR CERTAIN HEALTH PLAN EXPENSES.—(1) IN GENERAL.—Such term shall include amounts paid by the eligible employer to provide and maintain a group health plan (as defined in section 5000(b)(1)), but only to the extent that such amounts are excluded from the gross income of employees by reason of section 106(a).

(2) ALLOCATION RULES.—For purposes of this section, amounts treated as wages under clause (i) shall be treated as paid with respect to any employee (and with respect to any period) to the extent that such amounts are properly allocable to such employee (and to such period) in such manner as the Secretary may prescribe. Except as otherwise provided by the Secretary, such allocations shall be treated as properly made if made on the basis of being pro rata among periods of coverage.

(G) RECOVERY STARTUP BUSINESS.—The term ‘recovery startup business’ means any employer—

(A) which began carrying on any trade or business after February 13, 2020,

(B) which for the taxable year ending in the calendar year beginning after the 2020 tax year described in subclause (a) or (b) of section 52, or subsection (a) or (b) of section 41H, shall be treated as one employer for purposes of this section.

(H) AGGREGATION RULE.—All persons treated as a single employer under rules similar to the rules under section 415(c)(3) for the 3-taxable-year period ending with the taxable year described in paragraph (a) for which the credit is determined under subsection (f) for which the credit is determined under subsection (a) does not exceed $1,000,000, and

(C) which, with respect to such calendar quarter, is not described in subsection (i) or (II) of paragraph (2)(A)(ii).

(6) OTHER TERMS.—Any term used in this section which is also used in this chapter or chapter 22 shall have the same meaning as when used in such chapter.

(7) RULES TO APPLY.—For purposes of this section, rules similar to the rules of sections 311(d)(2) and 280A(c)(2) shall apply.

(f) CERTAIN GOVERNMENTAL EMPLOYERS.—

(1) IN GENERAL.—This credit shall not apply to the Government of the United States, the government of any State or political subdivision thereof, or any agency or instrumentality of any of the foregoing.

(2) EXCEPTION.—(A) Any organization described in section 501(c)(1) and exempt from tax under section 501(c)(a), or

(B) Any entity described in paragraph (1) if—

(i) such entity is a college or university, or

(ii) the primary function of such entity is providing medical or hospital care.

In the case of any entity described in subparagraph (B), such entity shall be treated as satisfying the requirements of clause (ii) if the Secretary determines that it is providing medical or hospital care.

(g) ELECTION TO TAKE CERTAIN WAGES INTO ACCOUNT.—This section shall not apply to so much of the wages paid by an eligible employer as are employed (at such time and in such manner as the Secretary may prescribe) to not take into account for purposes of this section.

(i) COORDINATION WITH CERTAIN PROGRAMS.—

(1) IN GENERAL.—This section shall not apply to so much of the wages paid by an eligible employer as are treated as wages under clause (iv) of section 412(q)(1) and 280C(a) shall apply.

(j) AGGREGATION RULE.—All persons treated as a single employer under rules similar to the rules under section 415(c)(3) for the 3-taxable-year period ending with the taxable year described in paragraph (a) for which the credit is determined under subsection (f) for which the credit is determined under subsection (a) does not exceed $1,000,000, and

(C) which, with respect to such calendar quarter, is not described in subsection (i) or (II) of paragraph (2)(A)(ii).

(6) OTHER TERMS.—Any term used in this section which is also used in this chapter or chapter 22 shall have the same meaning as when used in such chapter.

(7) RULES TO APPLY.—For purposes of this section, rules similar to the rules of sections 311(d)(2) and 280A(c)(2) shall apply.

(k) TREATMENT OF DEPOSITS.—The Secretary shall require, in this section, based on such information as the Secretary shall require, any person who is described in paragraph (a)(3)(A)(v) or (B) to so much of the qualified wages paid by an eligible employer as are treated as wages under this section by reason of paragraph (1) to the extent that—

(A) a covered loan under section 7(a)(37) or 7A of the Small Business Act is not forgiven by reason of a decision under section 7(a)(37)(J) of such Act, or

(B) a covered loan under section 7A of the Small Business Act is not forgiven by reason of a decision under section 7A(37)(J) of such Act, or

(l) EXTENSION OF LIMITATION ON ASSESSMENTS.—Notwithstanding section 6501, the limitation on the time period for the assessment of any amount attributable to a credit claimed under this section shall not expire before the date that is 5 years after the date on which the return is filed. Any failure to so reduce the credit shall be treated as arising out of a mathematical or clerical error and assessed according to section 6501(b)(1).

(m) REGULATIONS AND GUIDANCE.—The Secretary shall—

(1) prescribe rules to implement this section, including regulations for the application of the credit under subsection (a) to third party payors (including professional employer organizations, certified professional employer organizations, or any other third party payor to accurately report such tax credits based on the information provided, including through the use of EINs, and

(2) with respect to the application of the credit under subsection (a) to third party payors (including professional employer organizations, certified professional employer organizations, or any other third party payor to accurately report such tax credits based on the information provided, including through the use of EINs, and

(3) To prevent the avoidance of the purposes of the limitations under this section, including the use of EINs, and

(n) APPLICATION.—This section shall only apply to so much of the wages paid by the employer in calendar year 2021.

(o) REFUNDS.—Paragraph (2) of section 324(b) of title 31, United States Code, is amended by adding at the end the following:—

“(p) CERIAL AMENDMENT.—The table of sections for subchapter D of chapter 21 of title 31 of the Internal Revenue Code of 1986 is amended by adding at the end the following:—

“Sec. 3134. Employer retention credit for employees subject to closure due to COVID-19.”

(q) EFFECTIVE DATE.—The amendments made by this section shall apply to calendar quarters beginning after June 30, 2021.
**PAR T 7—PREMIUM T AX CRED I T**

**SEC. 9661. IMPROVING A FFORDABILITY BY EX- PANDING PREMIUM ASSISTANCE FOR CONSUMERS.**

(a) In General.—Section 36B(b)(3)(A) of the Internal Revenue Code of 1986 is amended by adding at the end the following new clause:

“(iii) TEMPORARY PERCENTAGES FOR 2022 AND 2023.—In the case of a taxable year beginning in 2021 or 2022—

“(I) clause (ii) shall not apply for purposes of adjusting premium percentages under this subparagraph, and

“(II) the following table shall be applied in lieu of the table contained in clause (i):

<table>
<thead>
<tr>
<th>Income (as a percent of poverty line)</th>
<th>Initial Percentage</th>
<th>Final Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 150.0 percent</td>
<td>0.0</td>
<td>0.0</td>
</tr>
<tr>
<td>150.0 percent up to 200.0 percent</td>
<td>0.0</td>
<td>0.0</td>
</tr>
<tr>
<td>200.0 percent up to 250.0 percent</td>
<td>2.0</td>
<td>4.0</td>
</tr>
<tr>
<td>250.0 percent up to 300.0 percent</td>
<td>4.0</td>
<td>6.0</td>
</tr>
<tr>
<td>300.0 percent up to 400.0 percent</td>
<td>6.0</td>
<td>8.5</td>
</tr>
<tr>
<td>400.0 percent and higher</td>
<td>8.5</td>
<td>8.5</td>
</tr>
</tbody>
</table>

(b) Conforming Amendment.—Section 36B(c)(1) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(E) TEMPORARY RULE FOR 2021 AND 2022.—In the case of a taxable year beginning in 2021 or 2022, subparagraph (A) shall be applied without regard to ‘but does not exceed 400 percent’. ”.

(c) Effective Date.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

**SEC. 9662. TEMPORARY MODIFICATION OF LI- MITATIONS ON RECONCILIATION OF TAX CREDITS FOR COVERAGE UNDER A QUALIFIED HEALTH PLAN WITH ADVANCEMENTS OF SUCH CREDIT.**

(a) In General.—Section 36B(f)(2)(B) of the Internal Revenue Code of 1986 is amended by adding at the end the following new clause:

“(iii) TEMPORARY MODIFICATION ON INCREASE.—In the case of any taxable year beginning in 2021, for any taxpayer who files for such taxable year an income tax return reconciling any advance payment of the credit under this section, the Secretary shall treat subparagraph (A) as not applying.”.

(b) Effective Date.—The amendment made by this section shall apply to taxable years beginning after December 31, 2019.

**SEC. 9663. APPLICATION OF PREMIUM TAX CRED- IT TO TAXPAYER IN CASE OF INDIVIDUALS RECEI- VING UNEMPLOYMENT COMPENSA- TION DURING 2021.**

(a) In General.—Section 36B of the Internal Revenue Code of 1986 is amended by redesignating subsection (g) as subsection (h) and by inserting after subsection (f) the following new subsection:

“(g) Special Rule for Individuals Who Re- ceive Unemployment Compensation During 2021.—

“(1) In general.—For purposes of this section, in the case of a taxpayer who has received, or has been approved to receive, unemployment compensation for any week beginning during 2021, for the taxable year in which such week begins—

“(A) such taxpayer shall be treated as an app- licable taxpayer, and

“(B) there shall not be taken into account any household income of the taxpayer in excess of 133 percent of the poverty line for a family of the size involved.

“(2) Unemployment Compensation.—For purposes of this subsection, the term ‘unemploy- ment compensation’ has the meaning given such term in section 65(b).

“(3) Evidence of Unemployment Compensation.—For purposes of this subsection, a tax- payer shall not be treated as having received (or been allowed to apply to unemployment compen- sation for any week unless such taxpayer provides self-certification of, and such document- ation as the Secretary shall prescribe which demonstrates such receipt or approval of

“(4) Clarification of Rules Remaining Applicable.—

(II) the following table shall be applied in lieu of the table contained in clause (i):
“(i) pursuant to an agreement with any entity described in subparagraph (A) or any private education lender (as defined in section 140(a) of the Truth in Lending Act) under which the funds are to be provided to such educational organization, or

(ii) pursuant to a program of such educational organization which is designed to encourage educational improvement in occupations with unmet needs or in areas with unmet needs and under which the services provided by the students (or former students) are for or under the direction of a governmental unit or an organization described in section 501(c)(3) and exempt from tax under section 501(a), or

(D) by an educational organization described in section 170(b)(1)(A)(ii) or by an organization exempt from tax under section 501(a) to refinance a loan to an individual to assist the individual in attaining any such educational organization but only if the refinancing loan is pursuant to a program of the refinancing organization which is described as described in subparagraph (C)(ii).

The preceding sentence shall not apply to the discharge of a loan made by an organization described in subparagraph (C) or made by a private education lender (as defined in section 140(a)(7) of the Truth in Lending Act) if the discharge is on account of services performed for such plan, or

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to discharges of loans after December 31, 2020.

SEC. 9701. TEMPORARY DELAY OF DESIGNATION OF MULTIMEMBER PLANS AS IN ENDANGERED, CRITICAL, OR CRITICAL AND ENDANGERED STATUS.

(a) IN GENERAL.—Notwithstanding the actuarial certification under section 305(b)(3) of the Employee Retirement Income Security Act of 1974 or section 432(b)(3) of the Internal Revenue Code of 1986, if a plan sponsor of a multiemployer plan elects the application of this section, then, for purposes of section 305 of such Act and section 432 of such Code—

(1) the status of the plan for its first plan year beginning during the period beginning on March 1, 2020, and ending on February 28, 2021, or the next succeeding plan year (as designated by the plan sponsor in such election), shall be the same as the status of such plan under such sections for the plan year preceding such designated plan year, and

(2) in the case of a plan which was in endangered or critical status for the plan year preceding the designated plan year described in paragraph (1), the plan shall not be required to update its plan or schedules under section 305(c)(6) of such Act and section 432(c)(6) of such Code, or section 305(c)(3)(B) of such Act and section 432(c)(3)(B) of such Code, whichever is applicable, until the plan year following the designated plan year described in paragraph (1).

(b) EXCEPTION FOR PLANS BECOMING CRITICAL DURING ELECTION.—If—

(1) an election was made under subsection (a) with respect to a multiemployer plan, and

(2) pursuant to such election, been certified by the plan actuary under section 305(b)(3) of the Employee Retirement Income Security Act of 1974 and section 432(b)(3) of the Internal Revenue Code of 1986 to be in critical status for the designated plan year described in subsection (a)(1), then such plan shall be treated as a plan in critical status for such plan year under which the plan is described in paragraph 497(q)(1)(A) of such Code, section 302(b)(3) of such Act (without regard to the second sentence thereof), and section 401(b)(5) of such Code (without regard to the second sentence thereof).

(c) ELECTION AND NOTICE.—

(1) ELECTION.—An election under subsection (a) shall be made at such time and in such manner as the Secretary of the Treasury or the Secretary’s delegate may prescribe and, once made, may be revoked only with the consent of the Secretary, and

(2) NOTICE TO PARTICIPANTS.—

(a) In General.—Notwithstanding section 305(b)(3)(D) of the Employee Retirement Income Security Act of 1974 and section 432(b)(3)(D) of the Internal Revenue Code of 1986, if, by reason of an election made under subsection (a), the plan is in neither endangered nor critical status, the plan sponsor shall provide to the participants and beneficiaries, the bargaining parties, the Pension Benefit Guaranty Corporation, and the Secretary of Labor a notice of the election under subsection (a) and other information as the Secretary of the Treasury (in consultation with the Secretary of Labor) may require.

(b) Amendments.—An election under subsection (a) shall be made at such time, and in such manner as the Secretary of Labor or the Secretary’s delegate may prescribe and, once prescribed, shall be regarded for purposes of applying the provisions of sections 305 of the Employee Retirement Income Security Act of 1974 and section 432 of the Internal Revenue Code of 1986 to such plan year.

(c) Effective Date.—This section shall apply to plan years beginning after December 31, 2019.

SEC. 9703. ADJUSTMENTS TO FUNDING STANDARDS AND ACCOUNT RULES.

(a) Adjustments.—

(1) AMENDMENT TO EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—Section 304(b)(8)(D) of such Act and 431(b)(8)(D) of such Code and the amendments made by the application of this subparagraph, the Secretary of the Treasury shall rely on the plan sponsor’s calculations of plan losses unless such calculations are clearly erroneous.”.

(2) AMENDMENT TO INTERNAL REVENUE CODE OF 1986.—Section 431(b)(8) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(ii) by inserting ‘February 29, 2020’ for ‘August 31, 2008’ each place it appears in subparagraphs (A)(i), (B)(i)(I), and (B)(i)(II),

(‘iii) by substituting ‘this subparagraph or subparagraph (A)’ for ‘this subparagraph and subparagraph (A)’ both in subparagraph (B)(ii).

The preceding sentence shall not apply to a plan to which special financial assistance is granted under section 4262. For purposes of the application of this paragraph, the Secretary of the Treasury shall rely on the plan sponsor’s calculations of plan losses unless such calculations are clearly erroneous.”.

(b) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall take effect as of the first day of the plan year year ending on or after February 29, 2020, except that any election a plan may make pursuant to this section that affects the plan’s funding standard account for the first plan year beginning after February 29, 2020, shall be disregarded for purposes of applying the provisions of section 365 of the Employee Retirement Income Security Act of 1974 and section 432 of the Internal Revenue Code of 1986 to such plan year.

(2) RESTRICTIONS ON BENEFIT INCREASES.—Notwithstanding paragraph (1), the restrictions on plan amendments increasing benefits in sections 304(b)(8)(D) of such Act and 431(b)(8)(D) of such Code, as applied by the amendments made by this section, shall take effect on the date of enactment of this Act.

SEC. 9704. SPECIAL FINANCIAL ASSISTANCE PROGRAM FOR FINANCIALLY TROUBLED MULTIMEMBER PLANS.

(a) Appropriation.—Section 4055 of the Employee Retirement Income Security Act of 1974 (without regard to the second sentence thereof).
"(ii) An eighth fund shall be established for special financial assistance to multiemployer pension plans under section 4262, and to pay for necessary administrative and operating expenses of the corporation relating to such assistance.

(b) Financial Assistance Authority.—The Employee Retirement Income Security Act of 1974 is amended by inserting after section 4261 of such Act (29 U.S.C. 1431) the following:

"SEC. 4262. SPECIAL FINANCIAL ASSISTANCE BY THE CORPORATION.

"(a) Special Financial Assistance.—

"(1) IN GENERAL.—The corporation shall provide special financial assistance to an eligible multiemployer plan under this section, upon the application of a plan sponsor of such a plan for such assistance.

"(2) INAPPLICABILITY OF CERTAIN REPAYMENT OBLIGATION.—A plan receiving special financial assistance under this section shall not be subject to repayment obligations with respect to such special financial assistance.

"(b) Eligible Multiemployer Plans.—

"(1) In general.—For purposes of this section, a multiemployer plan is an eligible multiemployer plan if—

"(A) the plan is in critical and declining status (within the meaning of section 305(b)(6)) in any plan year beginning in 2020 through 2022;

"(B) a suspension of benefits has been approved with respect to the plan under section 4263(c)(9) as of the date of the enactment of this section;

"(C) in any plan year beginning in 2020 through 2022, a plan may not use more than 30% of its current liabilities (as defined in section 434(i)(6)) to meet its benefit payments to inactive participants which is less than 2 to 3; or

"(D) the plan became insolvent for purposes of section 418E of the Internal Revenue Code of 1986 as of March 10, 2021, and has not been rehabilitated as of that date, and the plan has an actuary to be in critical status (within the meaning of section 305(b)(2)), has a modified actuarial assumption, and has a modified funded percentage of less than 40 percent, and

"(C) that, during a period no longer than the first 6 months following the date of enactment of this section, applications may not be filed by an eligible multiemployer plan unless—

"(a) the corporation notifies the plan within 120 days of the filing of the application that the application is incomplete, any proposed change or assumption is unreasonable, or the plan is not eligible under this section, in which case the corporation shall specify the reasons the plan is ineligible for special financial assistance, any proposed change or assumption is unreasonable, or the plan is not eligible under this section. Special financial assistance issued by the corporation under this section shall be a transfer of funds in the amount that the corporation determines appropriate, from the general fund of the Treasury, but in no case shall such transfers occur after December 31, 2026.

"(a) Determination on application for special financial assistance.—

"(1) IN GENERAL.—The corporation may specify in regulations or guidance under subsection (c) that, during a period no longer than the first 6 months following the date of enactment of this section, applications may not be filed by an eligible multiemployer plan unless—

"(A) the plan is in critical and declining status (within the meaning of section 305(b)(6)) in any plan year beginning in 2020 through 2022;

"(B) a suspension of benefits has been approved with respect to the plan under section 4263(c)(9) as of the date of the enactment of this section;

"(C) the multiemployer plan has implemented benefit suspensions under section 305(e)(9) as of the date of the enactment of this section; or

"(D) the corporation determines it appropriate based on other similar circumstances.

"(b) Eligibility for special financial assistance.—

"(1) IN GENERAL.—Special financial assistance under this section shall be submitted to the corporation, no later than 1 year after a plan's special financial assistance application is approved by the corporation, unless the corporation determines it is appropriate to extend this deadline.

"(2) There is appropriated from the general fund of the Treasury, but in no case shall such amounts as are necessary for the operating expenses of the corporation. The corporation shall ensure that an application for special financial assistance under this section shall be submitted no later than December 31, 2026.

"(a) Determination on application for special financial assistance.—

"(1) IN GENERAL.—The corporation may specify in regulations or guidance under subsection (c) that, during a period no longer than the first 6 months following the date of enactment of this section, applications may not be filed by an eligible multiemployer plan unless—

"(A) the plan is in critical and declining status (within the meaning of section 305(b)(6)) in any plan year beginning in 2020 through 2022;

"(B) a suspension of benefits has been approved with respect to the plan under section 4263(c)(9) as of the date of the enactment of this section;

"(C) the multiemployer plan has implemented benefit suspensions under section 305(e)(9) as of the date of the enactment of this section; or

"(D) the corporation determines it appropriate based on other similar circumstances.

"(c) Actuarial Assumptions.—

"(1) Eligibility for special financial assistance under this section shall be submitted to the corporation, no later than 1 year after a plan's special financial assistance application is approved by the corporation, unless the corporation determines it is appropriate to extend this deadline.

"(2) The corporation shall—

"(A) notify the plan of the date on which the application is submitted, and

"(B) In general.—The corporation shall—

"(1) IN GENERAL.—The corporation may specify in regulations or guidance under subsection (c) that, during a period no longer than the first 6 months following the date of enactment of this section, applications may not be filed by an eligible multiemployer plan unless—

"(A) the plan is in critical and declining status (within the meaning of section 305(b)(6)) in any plan year beginning in 2020 through 2022;

"(B) a suspension of benefits has been approved with respect to the plan under section 4263(c)(9) as of the date of the enactment of this section;

"(C) the multiemployer plan has implemented benefit suspensions under section 305(e)(9) as of the date of the enactment of this section; or

"(D) the corporation determines it appropriate based on other similar circumstances.

"(2) Eligibility for special financial assistance under this section shall be submitted to the corporation, no later than 1 year after a plan's special financial assistance application is approved by the corporation, unless the corporation determines it is appropriate to extend this deadline.

"(a) Determination on application for special financial assistance.—

"(1) IN GENERAL.—The corporation may specify in regulations or guidance under subsection (c) that, during a period no longer than the first 6 months following the date of enactment of this section, applications may not be filed by an eligible multiemployer plan unless—

"(A) the plan is in critical and declining status (within the meaning of section 305(b)(6)) in any plan year beginning in 2020 through 2022;

"(B) a suspension of benefits has been approved with respect to the plan under section 4263(c)(9) as of the date of the enactment of this section;

"(C) the multiemployer plan has implemented benefit suspensions under section 305(e)(9) as of the date of the enactment of this section; or

"(D) the corporation determines it appropriate based on other similar circumstances.

"(b) Eligibility for special financial assistance under this section shall be submitted to the corporation, no later than 1 year after a plan's special financial assistance application is approved by the corporation, unless the corporation determines it is appropriate to extend this deadline.

"(a) Determination on application for special financial assistance.—

"(1) IN GENERAL.—The corporation may specify in regulations or guidance under subsection (c) that, during a period no longer than the first 6 months following the date of enactment of this section, applications may not be filed by an eligible multiemployer plan unless—

"(A) the plan is in critical and declining status (within the meaning of section 305(b)(6)) in any plan year beginning in 2020 through 2022;

"(B) a suspension of benefits has been approved with respect to the plan under section 4263(c)(9) as of the date of the enactment of this section; or

"(D) the corporation determines it appropriate based on other similar circumstances.

"(2) Eligibility for special financial assistance under this section shall be submitted to the corporation, no later than 1 year after a plan's special financial assistance application is approved by the corporation, unless the corporation determines it is appropriate to extend this deadline.

"(a) Determination on application for special financial assistance.—

"(1) IN GENERAL.—The corporation may specify in regulations or guidance under subsection (c) that, during a period no longer than the first 6 months following the date of enactment of this section, applications may not be filed by an eligible multiemployer plan unless—

"(A) the plan is in critical and declining status (within the meaning of section 305(b)(6)) in any plan year beginning in 2020 through 2022;

"(B) a suspension of benefits has been approved with respect to the plan under section 4263(c)(9) as of the date of the enactment of this section; or

"(D) the corporation determines it appropriate based on other similar circumstances.

"(2) Eligibility for special financial assistance under this section shall be submitted to the corporation, no later than 1 year after a plan's special financial assistance application is approved by the corporation, unless the corporation determines it is appropriate to extend this deadline.
of special financial assistance needed based on the projected funded status of the plan as of the last day of the plan year ending in 2051, whether the plan proposes to repay benefits over 5 years or a longer period.

(ii) the product of the plan's normal cost (as defined in section 204(h)(4) of the Employee Retirement Income Security Act of 1974) minus the plan's contributions thereon, and any other factors, as determined by the corporation in consultation with the Secretary of the Treasury, to the extent the assumptions used to determine the amount of special financial assistance needed are sufficient to pay benefits as required in subsection (j)(1).

(2) In the case of any plan which proposes in its application to change the assumptions used to determine the amount of special financial assistance needed as provided in subsection (e)(4), the corporation shall consult with the Secretary of the Treasury regarding such proposed change in assumptions.

(3) The corporation may impose conditions on an eligible multiemployer plan to make benefit payments and plans contributions in a manner consistent with the plan’s assumptions or guidance that temporary priority consideration is available for plans which are insolvent within the meaning of section 41B of the Internal Revenue Code of 1986 or likely to become so insolvent or for plans which have suspended benefits under section 305(e)(9), or that are otherwise based on the funded status of the plan under section 305 as permitted by subsection (d), the corporation shall consult with the Secretary of the Pension Benefit Guaranty Corporation regarding any granting of priority consideration to such plans.

(c) Premium Rate Increase.—Section 4006(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1396(a)(3)) is amended—

(1) In subparagraph (A)—

(2)(B), by striking “and” at the end of paragraph (2)(B),

(2) by adding at the end the following:

(3) If the corporation specifies in regulations that the plan’s assumptions are unreasonable.

(4) If the plan is an eligible multiemployer plan or the plan is subject to the Pension Benefit Guaranty Corporation.

(5) In the case of any plan which proposes to make a change to the interest rate otherwise required under this subsection for eligibility or financial assistance under rules providing for the plan’s most recently completed certification of plan status before January 1, 2021, provided that such interest rate does not exceed the interest rate limit, and in the case of any other assumption, use the assumptions that the plan used in its most recently completed certification of plan status before January 1, 2021, unless such assumptions are unreasonable.

(d) Interest Rate Limit.—For purposes of clause (i), the interest rate limit is the rate specified in section 430 (regulating modifications made under clause (i) of such section) for the month in which the application for special financial assistance is filed by the eligible multiemployer plan or the 3 preceding months, with such specified rate increased by 200 basis points.

(e) Changes in Assumptions.—If a plan determines that use of one or more prior assumptions is unreasonable, the plan may in its application to change such assumptions, provided that the plan discloses such changes in its application and describes why such assumptions are no longer reasonable. The plan may not propose a change to the interest rate otherwise required under this subsection for eligibility or financial assistance amount.

(f) Plans Receiving Special Financial Assistance.—In the case of an eligible multiemployer plan receiving special financial assistance under section 4262 of such Act—

(1) R E S U L T A N C E S .—If an eligible multiemployer plan receiving special financial assistance under section 4262 of the Employee Retirement Income Security Act of 1974, as amended by adding at the end the following new paragraph:

(2) Plans Receiving Special Financial Assistance.—If an eligible multiemployer plan receiving special financial assistance under section 4262 of the Employee Retirement Income Security Act of 1974, as amended by adding at the end the following new paragraph:
the effective date for the special financial assistance occurs, for participants and beneficiaries of such month, and

(ii) provides payment equal to the amount of benefits previously suspended to any participants or beneficiaries in pay status as of the effective date of the special financial assistance, payable, as determined by the plan—

(I) as a lump sum within 3 months of such effective date; or

(ii) in equal monthly installments over a period of 5 years, commencing within 3 months of such effective date, with no adjustment for interest.

(B) RESTRICTIONS ON THE USE OF SPECIAL FINANCIAL ASSISTANCE.—Special financial assistance received by the plan may be used to make benefit payments and pay plan expenses. Such assistance shall be segregated from other plan assets, and shall be invested by the plan in investment-grade bonds or other investments as permitted by regulations or other guidance issued by the Pension Benefit Guaranty Corporation.

(C) CONDITIONS ON PLANS RECEIVING SPECIAL FINANCIAL ASSISTANCE.—

(i) IN GENERAL.—The Pension Benefit Guaranty Corporation, in consultation with the Secretary, may impose, by regulation or other guidance, reasonable conditions on an eligible single-employer plan receiving special financial assistance relating to increases in future accrual rates, modification of benefit improvements, allocation of plan assets, reductions in employer contribution rates, diversion of contributions and allocation of expenses to other benefit plans, and withdrawal liability.

(ii) LIMITATION.—The Pension Benefit Guaranty Corporation shall not impose conditions on an eligible single-employer plan as a condition of, or following receipt of, special financial assistance relating to—

(I) any prospective reduction in plan benefits (including benefits that may be adjusted pursuant to subsection (e)(9));

(II) plan governance, including selection of, removal of, and terms of contracts with, trustees, actuaries, investment managers, and other service providers; or

(III) any funding rules relating to the plan.

(D) ASSISTANCE DISREGARDED FOR CERTAIN PURPOSES.—

(I) FUNDING STANDARDS.—Special financial assistance received by the plan shall not be taken into account for determining contributions required under section 430.

(II) IN GENERAL.—If the plan becomes insolvent within the meaning of section 412 after receiving special financial assistance, the plan shall be subject to all rules applicable to insolvent plans.

(E) INELIGIBILITY FOR SUSPENSION OF BENEFITS.—The plan shall not be eligible to apply for a new suspension of benefits under subsection (e)(9)(G).

(3) ELIGIBLE MULTIPLEmployer PLAN.—

(A) IN GENERAL.—For purposes of this section, a multiemployer plan is an eligible multiemployer plan if—

(I) the plan is in critical and declining status in any plan year beginning in 2020 through 2022;

(ii) a suspension of benefits has been approved with respect to the plan under subsection (e)(9) as of the date of the enactment of this subsection;

(iii) in any plan year beginning in 2020 through 2022, the plan is certified by the plan actuary to be in critical status, has a modified funded percentage of less than 40 percent, and has a ratio of active to inactive participants which is less than 2 to 3; or

(iv) the plan became insolvent within the meaning of section 412 after December 16, 2014, and has remained so insolvent and has not been terminated as of the date of enactment of this subsection.

(B) MODIFIED FUNDED PERCENTAGE.—For purposes of subparagraph (A)(ii), the term ‘‘modified funded percentage’’ means the percentage equal to a fraction the numerator of which is current value of plan assets (as defined in section 3(26) of the Employee Retirement Income Security Act of 1974) and the denominator of which is current liabilities (as defined in section 431(c)(6)(D)).

(C) COORDINATION WITH PENSION BENEFIT GUARANTY CORPORATION.—In prescribing the application process for eligible multiemployer plans to receive special financial assistance under section 432 of the Employee Retirement Income Security Act of 1974 and reviewing applications of such plans, the Pension Benefit Guaranty Corporation shall coordinate with the Secretary in the following manner:

(1) In the case of a plan which has suspended benefits under subsection (e)(9)—

(i) in determining whether to approve the application, such corporation shall consult with the Secretary regarding the plan’s proposed method of reinstating benefits, as described in the plan’s application and in accordance with guidance issued by the Secretary, and

(ii) such corporation shall consult with the Secretary regarding the amount of special financial assistance needed based on the projected funded status of the plan as of the last day of the plan year ending in 2021, whether the plan proposes to repay benefits over 5 years or as a lump sum, as required by paragraph (2)(A)(ii), and any other relevant factors, as determined by such corporation in consultation with the Secretary, to ensure the amount of assistance shall be such requirement and is sufficient to pay benefits as required in section 4262(j)(1) of such Act.

(B) In the case of any plan which proposes in its application to change the assumptions used, as provided in paragraph (1)(C)(iii), such corporation shall consult with the Secretary regarding such proposed change in assumptions.

(C) If such plan is in regulation or guidance that temporary priority consideration is available for plans which are insolvent within the meaning of section 418 or likely to become so insolvent or for plans which have suspended benefits under subsection (e)(9), or (B) subparagraphs (A) and (B) of paragraph (2) shall each be applied by substituting ‘‘15-year-plan period’’ for ‘‘7-year-plan period’’.

(D) ASSISTANCE DISREGARDED FOR CERTAIN PURPOSES.—

(i) any prospective reduction in plan benefits (including benefits that may be adjusted pursuant to subsection (e)(9));

(ii) plan governance, including selection of, removal of, and terms of contracts with, trustees, actuaries, investment managers, and other service providers; or

(iii) any funding rules relating to the plan.

(E) INELIGIBILITY FOR SUSPENSION OF BENEFITS.—The plan shall not be eligible to apply for a new suspension of benefits under subsection (e)(9)(G).

(4) COORDINATION WITH PENSION BENEFIT GUARANTY CORPORATION.—In prescribing the application process for eligible employer plans to receive special financial assistance under section 482 of the Employee Retirement Income Security Act of 1974 and reviewing applications of such plans, the Pension Benefit Guaranty Corporation shall coordinate with the Secretary in the following manner:

(1) In the case of a plan which has suspended benefits under subsection (e)(9)—

(i) in determining whether to approve the application, such corporation shall consult with the Secretary regarding the plan’s proposed method of reinstating benefits, as described in the plan’s application and in accordance with guidance issued by the Secretary, and

(ii) such corporation shall consult with the Secretary regarding the amount of special financial assistance needed based on the projected funded status of the plan as of the last day of the plan year ending in 2021, whether the plan proposes to repay benefits over 5 years or as a lump sum, as required by paragraph (2)(A)(ii), and any other relevant factors, as determined by such corporation in consultation with the Secretary, to ensure the amount of assistance shall be such requirement and is sufficient to pay benefits as required in section 4262(j)(1) of such Act.

(B) In the case of any plan which proposes in its application to change the assumptions used, as provided in paragraph (1)(C)(iii), such corporation shall consult with the Secretary regarding such proposed change in assumptions.

(C) If such plan is in regulation or guidance that temporary priority consideration is available for plans which are insolvent within the meaning of section 418 or likely to become so insolvent or for plans which have suspended benefits under subsection (e)(9), or (B) subparagraphs (A) and (B) of paragraph (2) shall each be applied by substituting ‘‘15-year-plan period’’ for ‘‘7-year-plan period’’.

(D) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2018.

SEC. 9706. EXTENSION OF PENSION FUNDING STABILIZATION PERCENTAGES FOR SINGLE EMPLOYER PLANS.

(a) AMENDMENTS TO INTERNAL REVENUE CODE OF 1986.—

(I) IN GENERAL.—The table contained in subsection (II) of section 430(h)(2)(C)(ii) of the Internal Revenue Code of 1986 is amended to read as follows:

Any year in the period starting in 2011 and ending in 2012 90% 110% Any year in the period starting in 2013 and ending in 2016 95% 105% Any year in the period starting in 2017 and ending in 2020 90% 110% Any year in the period starting in 2021 and ending in 2024 85% 115% Any year in the period starting in 2025 and ending in 2028 80% 120% Any year in the period starting in 2029 and ending in 2032 75% 125% Any year in the period starting in 2033 and ending in 2038 70% 130%

(2) FLOOR ON 25-YEAR AVERAGES.—Subclause (I) of section 430(h)(2)(C)(iv) of such Code is amended by adding at the end of the following:

‘‘Notwithstanding anything in this subclause, if the average of the first, second, or third segment rate for any 25-year period is less than 5 percent, such average shall be deemed to be 5 percent.’’

(b) AMENDMENTS TO EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—

(I) IN GENERAL.—The table contained in subsection (II) of section 303(h)(2)(C)(iii) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1053(h)(2)(C)(iii)) is amended to read as follows:

Any year in the period starting in 2011 and ending in 2012 90% 110% Any year in the period starting in 2013 and ending in 2016 95% 105% Any year in the period starting in 2017 and ending in 2020 90% 110% Any year in the period starting in 2021 and ending in 2024 85% 115% Any year in the period starting in 2025 and ending in 2028 80% 120% Any year in the period starting in 2029 and ending in 2032 75% 125% Any year in the period starting in 2033 and ending in 2038 70% 130%.’’
(2) FLOOR ON 25-YEAR AVERAGES.—Subclause (I) of section 303(h)(2)(C)(iv) of such Act (29 U.S.C. 1083h(2)(C)(iv)) is amended by adding at the end the following: ‘‘Notwithstanding anything in this subclause, if the average of the first, second, or third segment rate for any 25-year period is less than 5 percent, such average shall be deemed to be 5 percent.’’.

(3) CONFORMING AMENDMENTS.—

(A) IN GENERAL.—Section 101(f)(2)(D) of such Act (29 U.S.C. 1011(d)(6)) is amended in such section.

(i) in clause (i) by striking ‘‘the Bipartisan Budget Act of 2015’’ both places it appears

appearance in and inserting ‘‘, the Bipartisan Budget Act of 2015, and the American Rescue Plan Act of 2021’’, and

(ii) in clause (ii) by striking ‘‘2029’’ and inserting ‘‘2029’’.

(B) STATEMENTS.—The Secretary of Labor shall allow the statements required under subsections (I) and (II) of section 101(f)(2)(D)(i) of such Act to conform to the amendments made by this section.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply with respect to plan years beginning after December 31, 2019.

(2) PLAN SPONSOR NOT TO APPLY.—A plan sponsor may elect not to have the amendments made by this section apply to any plan year beginning before January 1, 2022, either (as specified in the election): —

(A) for all purposes for which such amendments apply, or

(B) solely for purposes of determining the adjusted funding target attainment percentage under sections 436 of the Internal Revenue Code of 1986 and 206(g) of the Employee Retirement Income Security Act of 1974 for such plan year.

SEC. 9701. MODIFICATION OF SPECIAL RULES FOR MINIMUM FUNDING STANDARDS FOR COMMUNITY NEWSPAPER PLANS.

(a) AMENDMENT TO INTERNAL REVENUE CODE OF 1986.—Section 436 of the Internal Revenue Code of 1986 is amended to read as follows:

‘‘(m) SPECIAL RULES FOR COMMUNITY NEWSPAPER PLANS.—

‘‘(1) IN GENERAL.—An eligible newspaper plan sponsor of a plan under which no participant has had the participant’s accrued benefit increased (whether because of service or compensation) after April 2, 2019, may elect to have the alternative standards described in paragraph (4) apply to such plan.

‘‘(2) ELIGIBLE NEWSPAPER PLAN SPONSOR.—

The term ‘eligible newspaper plan sponsor’ means a plan sponsor of—

(A) any community newspaper plan, or

(B) any other plan sponsored, as of April 2, 2019, by a member of the same controlled group of a community newspaper plan if such member is in the trade or business of publishing I or more newspapers.

(ii) by 1 or more persons residing primarily in a State in which the community newspaper has been published on newspaper or carrier-distributed print

(iii) by a combination of persons described in subparagraph (I) or (II), or

(iv) by more newspapers which were published by the same family, and does not publish or distribute a daily newspaper that is carrier-distribut-

(v) not in general circulation.

(vi) has not been regularly published on the minimum applicable percentage is:

(II) the alternative standards described in this paragraph are the following:

(1) ALTERNATIVE MINIMUM FUNDING STANDARDS.—The alternative standards described in this paragraph are the following:

(2) INTEREST RATES.—

(i) IN GENERAL.—Notwithstanding subsection (h)(2)(C) and except as provided in clause (ii), the first, second, and third segment rates in effect for any month for purposes of this section shall be 4 percent.

(ii) NEW BENEFIT ACCRUALS.—Notwithstanding subsection (h)(2), for purposes of determining the funding target and normal cost of a plan for any plan year, the present value of any benefits accrued or earned under the plan for a plan year with respect to which an election under paragraph (1) is in effect shall be determined on the basis of the United States Treasury obligation yield curve for the day that is the valuation date of such plan for such plan year.

(iii) UNITED STATES TREASURY OBLIGATION YIELD CURVE.—For purposes of this subsection, the term ‘United States Treasury obligation yield curve’ means, with respect to any day, a yield curve which shall be prescribed by the Secretary for such day on interest-bearing obligations of the United States Government.

(iv) SHORTFALL AMORTIZATION BASE.—

(I) PREVIOUS SHORTFALL AMORTIZATION BASE.—The shortfall amortization bases determined under subsection (c)(3) for all plan years preceding the first plan year to which the election under paragraph (1) applies (and all shortfall amortization installments determined with respect to such bases) shall be reduced to zero under rules similar to the rules of subsection (c)(6).

(ii) NEW SHORTFALL AMORTIZATION BASE.—

Notwithstanding subsection (c)(3), the shortfall amortization base for the first plan year to which the election under paragraph (1) applies shall be the funding shortfall of such plan for such plan year with respect to the interest rates as modified under subparagraph (A).

(iii) DETERMINATION OF SHORTFALL AMORTIZATION INSTANCES.—

(1) 30-YEAR PERIOD.—Subparagraphs (A) and (B) of subsection (c)(2) shall be applied by substituting ‘‘30-plan-year’’ for ‘‘7-plan-year’’ each place it appears.

(ii) NO SPECIAL ELECTION.—The election under subparagraph (D) of subsection (c)(2) shall not apply to any plan year to which the election under paragraph (1) applies.

(D) EXEMPTION FROM AT-RISK TREATMENT.—

Subsection (i) shall not apply.

(5) COMMUNITY NEWSPAPER PLAN.—For purposes of this term—

(A) IN GENERAL.—The term ‘community newspaper plan’ means any plan to which this subsection applies maintained as of December 31, 2018, by an eligible newspaper plan sponsor—

(i) maintains the plan on behalf of participants and beneficiaries with respect to employment in the trade or business of publishing I or more newspapers, which were published by the employer at any time during the 11-year period ending on December 31, 2019,

(ii)(I) is not a company the stock of which is publicly traded (on a stock exchange or in an over-the-counter market), and is not controlled, directly or indirectly, by such a company or

(ii)(II) is not in general circulation.

(iii) Has not been regularly published on the minimum applicable percentage is:

(III) is published on newspaper or electronically less frequently than 3 times per week.

(iv) Does not have a bona fide list of paid subscribers.

(C) CONTROL.—A person shall be treated as controlled by another person if such other person possesses, directly or indirectly, the power to direct or cause the direction and management of such person (including the power to elect a majority of the members of the board of directors of such person) through the ownership of voting securities.

(D) CONTROLLED GROUP.—For purposes of this subsection, the term ‘controlled group’ means all persons treated as a single employer under subsection (b), (c), (m), or (o) of section 414 of December 20, 2019, or

(b) AMENDMENT TO EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—Subsection (m) of section 302 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(m)) is amended to read as follows:

‘‘(m) SPECIAL RULES FOR COMMUNITY NEWSPAPER PLANS.—

‘‘(1) IN GENERAL.—An eligible newspaper plan sponsor of a plan under which no participant has had the participant’s accrued benefit increased (whether because of service or compensation) after April 2, 2019, may elect to have the alternative standards described in paragraph (4) apply to such plan.

(ii) by 1 or more persons residing primarily in a State in which the community newspaper has been published on newspaper or carrier-distributed print

(iii) by a combination of persons described in subparagraph (I) or (II), or

(iv) by more newspapers which were published by the same family, and does not publish or distribute a daily newspaper that is carrier-distribut-

(v) not in general circulation.

(vi) has not been regularly published on the minimum applicable percentage is:

(II) the alternative standards described in this paragraph are the following:

(1) ALTERNATIVE MINIMUM FUNDING STANDARDS.—The alternative standards described in this paragraph are the following:

(2) INTEREST RATES.—

(i) IN GENERAL.—Notwithstanding subsection (h)(2)(C) and except as provided in clause (ii), the first, second, and third segment rates in effect for any month for purposes of this section shall be 4 percent.

(ii) NEW BENEFIT ACCRUALS.—Notwithstanding subsection (h)(2), for purposes of determining the funding target and normal cost of a plan for any plan year, the present value of any benefits accrued or earned under the plan for a plan year with respect to which an election under paragraph (1) is in effect shall be determined on the basis of the United States Treasury obligation yield curve for the day that is the valuation date of such plan for such plan year.

(iii) UNITED STATES TREASURY OBLIGATION YIELD CURVE.—For purposes of this subsection, the term ‘United States Treasury obligation yield curve’ means, with respect to any day, a yield curve which shall be prescribed by the Secretary for such day on interest-bearing obligations of the United States Government.

(iv) SHORTFALL AMORTIZATION BASE.—

(I) PREVIOUS SHORTFALL AMORTIZATION BASE.—The shortfall amortization bases determined under subsection (c)(3) for all plan years preceding the first plan year to which the election under paragraph (1) applies (and all shortfall amortization installments determined with respect to such bases) shall be reduced to zero under rules similar to the rules of subsection (c)(6).

(ii) NEW SHORTFALL AMORTIZATION BASE.—

Notwithstanding subsection (c)(3), the shortfall amortization base for the first plan year to which the election under paragraph (1) applies shall be the funding shortfall of such plan for such plan year with respect to the interest rates as modified under subparagraph (A).

(iii) DETERMINATION OF SHORTFALL AMORTIZATION INSTANCES.—

(1) 30-YEAR PERIOD.—Subparagraphs (A) and (B) of subsection (c)(2) shall be applied by substituting ‘‘30-plan-year’’ for ‘‘7-plan-year’’ each place it appears.

(ii) NO SPECIAL ELECTION.—The election under subparagraph (D) of subsection (c)(2) shall not apply to any plan year to which the election under paragraph (1) applies.

(D) EXEMPTION FROM AT-RISK TREATMENT.—

Subsection (i) shall not apply.

(5) COMMUNITY NEWSPAPER PLAN.—For purposes of this term—

(A) IN GENERAL.—The term ‘community newspaper plan’ means any plan to which this subsection applies maintained as of December 31, 2018, by an eligible newspaper plan sponsor—

(i) maintains the plan on behalf of participants and beneficiaries with respect to employment in the trade or business of publishing I or more newspapers, which were published by the employer at any time during the 11-year period ending on December 31, 2019,

(ii)(I) is not a company the stock of which is publicly traded (on a stock exchange or in an over-the-counter market), and is not controlled, directly or indirectly, by such a company or

(ii)(II) is not in general circulation.

(v) Does not have a bona fide list of paid subscribers.

(C) CONTROL.—A person shall be treated as controlled by another person if such other person possesses, directly or indirectly, the power to direct or cause the direction and management of such person (including the power to elect a majority of the members of the board of directors of such person) through the ownership of voting securities.

(D) CONTROLLED GROUP.—For purposes of this subsection, the term ‘controlled group’ means all persons treated as a single employer under subsection (b), (c), (m), or (o) of section 414 of December 20, 2019, or
Section 9708. Expansion of Limitation on Excessive Employer Remuneration. Paragraph (3) of section 162(m) of the Internal Revenue Code of 1986 is amended—

(1) by redesignating subparagraph (C) as subparagraph (D), and

(2) by striking “or” at the end of subparagraph (B).

(b) Treatment Under Medicaid.

Subtitle J—Medicaid

Section 9881. Mandatory Coverage of COVID-19 Vaccines and Administration and Treatment Under Medicaid.

(a) Coverage.—

(1) In general.—Section 1905(a)(4) of the Social Security Act (42 U.S.C. 1396d(a)(4)) is amended by striking the semicolon at the end and inserting “; and (E) during the period beginning on the date of the enactment of the American Rescue Plan Act of 2021 and ending on the last day of the first calendar quarter that begins one year after the last day of the emergency period described in section 1135(q)(1)(B), a COVID-19 vaccine and administration of the vaccine; and (F) during the period beginning on the date of the enactment of the American Rescue Plan Act of 2021 and ending on the last day of the first calendar quarter that begins one year after the last day of the emergency period described in section 1135(q)(1)(B), testing and treatments for COVID-19, including specialized equipment and therapies (including preventative therapies), and, without regard to the requirements of section 1902(a)(10)(B) (relating to comparability), in the case of an individual who is discharged with or presumed to have had COVID-19, during the period such individual has (or is presumed to have) COVID-19, the treatment of a condition that may seriously complicate the course of COVID-19, and the treatment of COVID-19 under the State plan (or waiver of such plan).”;

(2) Making COVID-19 Vaccine Available to Additional Eligible Populations and Treatment Available to Certain Uninsured.—Section 1902(a)(10) of such Act (42 U.S.C. 1396d(a)(10)) is amended—

(1) by inserting “or” at the end of subparagraph (A), and

(A) by striking “and treatment under Medicaid” and inserting “, and medical assistance for vaccines described in section 1905(a)(4)(E) and the administration of such vaccines during the period described in such section (VII)”;

(B) by inserting “and medical assistance for vaccines described in section 1905(a)(4)(E) and";
[The text is too long to be included here. Please consult the original document for the complete text.]
equivalent, to the medical assistance available for an individual described in subsection (a)(10)(A)(i); and
(ii) be provided for the individual while pregnant and during the month prior to birth, if (A) the pregnancy and the birth are expected to occur within the same month, and (B) the woman is entitled to medical assistance under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

(b) Amendment by subsection (a) shall apply with respect to State elections made under paragraph (16) of section 1902(e) of the Social Security Act (42 U.S.C. 1396a(e)(16)) as added by subsection (a), during the 5-year period beginning on the 1st day of the 1st fiscal year quarter that begins on or after the first fiscal year quarter beginning after the date that is 1 year after the date of the enactment of this Act.

SEC. 8183. STATE OPTION TO PROVIDE QUALIFYING COMMUNITY-BASED MOBILE CRISIS INTERVENTION SERVICES.

Title XIX of the Social Security Act is amended by section 1946 (42 U.S.C. 1396w–5) the following new section:

"(a) IN GENERAL.—Notwithstanding section 1902(a)(1) (relating to Statewideness), section 1902(a)(10)(B) (relating to comparability), section 1902(c)(1) (relating to freedom of choice of providers), or section 1902(a)(27) (relating to provider agreements), a State may, during the 5-year period beginning on the 1st day of the 1st fiscal year quarter that begins one year after the date of the enactment of this Act,

(1) by adding at the end the following new section:

"SEC. 1947. STATE OPTION TO PROVIDE QUALIFYING COMMUNITY-BASED MOBILE CRISIS INTERVENTION SERVICES.

Title XIX of the Social Security Act is amended by section 1946 (42 U.S.C. 1396w–5) the following new section:

"(a) IN GENERAL.—Notwithstanding section 1902(a)(1) (relating to Statewideness), section 1902(a)(10)(B) (relating to comparability), section 1902(c)(1) (relating to freedom of choice of providers), or section 1902(a)(27) (relating to provider agreements), a State may, during the 5-year period beginning on the 1st day of the 1st fiscal year quarter that begins one year after the date of the enactment of this Act,

(1) by adding after section 1946 (42 U.S.C. 1396w–5) the following new section:

"SEC. 1947. STATE OPTION TO PROVIDE QUALIFYING COMMUNITY-BASED MOBILE CRISIS INTERVENTION SERVICES.

"(a) IN GENERAL.—Notwithstanding section 1902(a)(1) (relating to Statewideness), section 1902(a)(10)(B) (relating to comparability), section 1902(c)(1) (relating to freedom of choice of providers), or section 1902(a)(27) (relating to provider agreements), a State may, during the 5-year period beginning on the 1st day of the 1st fiscal year quarter that begins one year after the date of the enactment of this Act,

(1) by adding at the end the following new section:

"SEC. 1947. STATE OPTION TO PROVIDE QUALIFYING COMMUNITY-BASED MOBILE CRISIS INTERVENTION SERVICES.

"(a) IN GENERAL.—Notwithstanding section 1902(a)(1) (relating to Statewideness), section 1902(a)(10)(B) (relating to comparability), section 1902(c)(1) (relating to freedom of choice of providers), or section 1902(a)(27) (relating to provider agreements), a State may, during the 5-year period beginning on the 1st day of the 1st fiscal year quarter that begins one year after the date of the enactment of this Act,

(1) by adding at the end the following new section:

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(1) by adding at the end the following new section:

"SEC. 1947. STATE OPTION TO PROVIDE QUALIFYING COMMUNITY-BASED MOBILE CRISIS INTERVENTION SERVICES.
increased under subsection (g), (2), (aa), or (ii) of section 1905 of such Act (42 U.S.C. 1396d), section 1915(k) of such Act (42 U.S.C. 1396n(k)), or section 6008(a) of the Families First Coronavirus Response Act (116–127), shall be increased by 10 percentage points with respect to expenditures of the State under the State Medicaid program for home and community-based services authorized under paragraph (2)(B) that are provided during the HCBS program improvement period (as defined in paragraph (2)(A)). In no case may the application of the previous sentence result in the Federal medical assistance percentage determined for a State being more than 95 percent with respect to such expenditures. Any payment made to Puerto Rico, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or American Samoa for expenditures on medical assistance that are subject to the Federal medical assistance percentage increase specified under the first sentence of this paragraph shall not be taken into account for purposes of applying payment limits under subsections (j) and (g) of section 1100 of the Social Security Act (42 U.S.C. 1396).

(2) DEFINITIONS.—In this section:

(A) HCBS PROGRAM IMPROVEMENT PERIOD.—The term ‘‘HCBS program improvement period’’ means, with respect to a State, the period—

(i) beginning on April 1, 2021; and

(ii) ending on March 31, 2022.

(B) HOME AND COMMUNITY-BASED SERVICES.—The term ‘‘home and community-based services’’ means any of the following:

(i) Home and community-based services authorized under paragraph (7) of section 1905(a) of the Social Security Act (42 U.S.C. 1396d(a)).

(ii) Case management services authorized under paragraph (24) of such section.

(iii) PAce services authorized under paragraph (26) of such section.

(iv) Traditional personal care services authorized under subsections (b), (c), (i), and (k) of section 1915 of such Act (42 U.S.C. 1396n), such services authorized under a waiver under section 1115(a) of such Act (42 U.S.C. 1315), and such services through coverage authorized under section 1937 of such Act (42 U.S.C. 1396a–7).

(v) Case management services authorized under section 1905(a)(19) of the Social Security Act (42 U.S.C. 1396d(a)(19)) and section 1915(g) of such Act (42 U.S.C. 1396n(g)).

(vi) Rehabilitation services, including those related to behavioral health, described in section 1915(k) of such Act (42 U.S.C. 1396n(k)), such services authorized under a waiver under section 1115(a) of such Act (42 U.S.C. 1315), and such services through coverage authorized under section 1937 of such Act (42 U.S.C. 1396a–7).

(vii) Personal care services authorized under paragraph (7) of section 1905(a) of the Social Security Act (42 U.S.C. 1396d(a)).

(viii) Services specified by the Secretary of Health and Human Services.

(C) ELIGIBLE INDIVIDUAL.—The term ‘‘eligible individual’’ means any individual who becomes eligible for medical assistance under a State Medicaid program.

(D) MEDICAID PROGRAM.—The term ‘‘Medicaid program’’ means the medical assistance program established under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) by the State, or a State plan that was adjusted by the amount described in paragraph (3), and includes any waiver or demonstration under such title or under section 1115 of such Act (42 U.S.C. 1315) relating to such program.

(E) STATE.—The term ‘‘State’’ has the meaning given such term for purposes of title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) (including any waiver or demonstration under such title or under section 1115 of such Act (42 U.S.C. 1315)) relating to such program.

(2) REQUIRED IMPLEMENTATION OF CERTAIN ACTIVITIES.—The State shall implement, or supplement the implementation of, one or more activities to enhance, expand, or strengthen home and community-based services authorized under the State Medicaid program.

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SEC. 9188. FUNDING FOR STATE STRIKE TEAMS FOR RESIDENT AND EMPLOYEE RESPONSE TO TRAUMA IN NURSING FACILITIES.

Section 1919 of the Social Security Act (42 U.S.C. 1396) is amended by adding at the end the following new subsection:

(‘‘(k) FUNDING FOR STATE STRIKE TEAMS.—In addition to amounts otherwise available, there is appropriated to the Secretary, out of any monies in the Treasury not otherwise appropriated, $250,000,000, to remain available until expended, for purposes of allocating such amount among the States (including the District of Columbia and each territory of the United States) for such a State to establish and implement a strike team that will be deployed to a nursing facility in the State with diagnosed or suspected cases of COVID–19 among residents or staff for the purposes of assisting with clinical care, infection control, or staffing during the emergency period described in section 1135(g)(1)(B) and the 1-year period immediately following the emergency period’’.

SEC. 9189. SPECIAL RULE FOR THE PERIOD OF A DECLARED PUBLIC HEALTH EMERGENCY DURING THE COVID–19 PANDEMIC.

(a) In General.—Section 1933(b)(3) of the Social Security Act (42 U.S.C. 1396d–4(f)(3)) is amended—

(1) in subparagraph (A), by striking ‘‘subparagraph (E) and (F)’’ and inserting ‘‘subparagraphs (E) and (F)’’; and

(2) by adding at the end the following new subparagraph:

‘‘(F) ALLOTMENTS DURING THE CORONAVIRUS TEMPORARY MEDICAID FMAP INCREASE.—‘‘(I) IN GENERAL.—Notwithstanding any other provision of this subsection, for any fiscal year for which the Federal medical assistance percentage applicable to expenditures under this section is increased pursuant to section 6008 of the Families First Coronavirus Response Act, the Secretary shall recalculate the annual DSH allotment, including the DSH allotment specified under paragraph (6)(A)(vi), to ensure that the total DSH payments (including both Federal and State shares) that a State may make related to a fiscal year is equal to the total DSH payments that the State could have made for such fiscal year without regard to the Federal medical assistance percentage.

‘‘(II) NO APPLICATION TO ALLOTMENTS BEGINNING AFTER COVID–19 EMERGENCY PERIOD.—The DSH allotment for any State for the first fiscal year beginning after the end of the emergency period described in section 1135(g)(1)(B) or any succeeding fiscal year shall be determined under this paragraph without regard to the DSH allotments determined under clause (i).’’.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect and apply as if included in the Families First Coronavirus Response Act (Public Law 116–127).

Subtitle K—Children’s Health Insurance Program

SEC. 9211. MANDATORY COVERAGE OF COVID–19 VACCINES AND ADMINISTRATION AND TREATMENT UNDER CHIP.

(a) COVERAGE.—

(1) IN GENERAL.—Section 2103(c) of the Social Security Act (42 U.S.C. 1397c(c)) is amended by adding at the end the following paragraph:

‘‘(II) REQUIRED COVERAGE OF COVID–19 VACCINES.—Regardless of the type of coverage elected by a State under subsection (a), the child health assistance provided for a targeted low-income pregnant woman (as such terms are defined for purposes of such section), shall include coverage, during the period beginning on the date of the enactment of this paragraph and ending on the last day of the calendar quarter that begins one year after the last day of the emergency period described in section 1135(g)(1)(B) for COVID–19 vaccine (and the administration of the vaccine); and

‘‘(III) testing and treatments for COVID–19, including specialized equipment and therapies (including preventive therapies), and, in the case of an individual who is diagnosed with or presumed to have COVID–19, during the period which such individual is (or is presumed to be) COVID–19, the treatment of a condition that may seriously complicate the treatment of COVID–19, if otherwise covered under the State child health plan (or waiver of such plan).

(2) PROHIBITION OF COST SHARING.—Section 2103(e)(2) of the Social Security Act (42 U.S.C. 1397c(e)(2)), as amended by section 6004(b)(3) of the Families First Coronavirus Response Act, is amended—

(A) in the paragraph header, by inserting ‘‘a COVID–19 VACCINE, COVID–19 vaccine (and the administration of the vaccine)’’ before ‘‘OR PREGNANCY–RELATED ASSISTANCE’’; and

(B) by striking ‘‘visits described in section 1916(a)(2)(G), or and inserting ‘‘services described in section 1916(a)(2)(H)’’.

(3) TEMPORARY INCREASE IN FEDERAL PAYMENTS FOR COVERAGE AND ADMINISTRATION OF COVID–19 VACCINES.—Section 2105(c) of the Social Security Act (42 U.S.C. 1397e(c)) is amended by adding at the end the following new paragraph:

‘‘(12) TEMPORARY ENHANCED PAYMENT FOR COVERAGE AND ADMINISTRATION OF COVID–19 VACCINES.—During the period described in section 1905(h)(2), notwithstanding subsection (b), the enhanced FMAP for a State, with respect to payments under subsection (a) for expenditures under the State child health plan (or a waiver of such plan) for a vaccine described in section 1905(a)(4)(E) (and the administration of such a vaccine), shall be equal to 100 percent.

(B) ADJUSTMENT OF STATE MATCHES.—Section 2104(m) of the Social Security Act (42 U.S.C. 1397d(m)) is amended—

(1) in paragraph (2)(B), in the matter preceding clause (i), by striking paragraphs (5) and (7) and inserting paragraphs (5), (7), and (12); and

(2) by adding at the end the following new paragraph:

‘‘(12) ADJUSTING ALLOCATIONS TO ACCOUNT FOR INCREASED FEDERAL PAYMENTS FOR COVERAGE AND ADMINISTRATION OF COVID–19 VACCINES.—If a State, commonwealth, or territory receives the federal child health plan payment for a fiscal year (beginning with fiscal year 2021) under subsection (a) of section 2105 for expenditures that are subject to the enhanced FMAP specified in clause (c)(12) of such section, the amount of the allocation determined for the State, commonwealth, or territory under such subsection—

(A) for such fiscal year shall be increased by the projected expenditures for such year by the State, commonwealth, or territory under the State child health plan (or a waiver of such plan) for vaccines described in section 1905(a)(4)(E) (and the administration of such vaccines); and

(B) any additional expenditures available in the subsequent fiscal year, the fiscal year allotment that was adjusted by the amount described in subparagraph (A) shall be adjusted on the basis of the difference between—

(i) such projected amount of expenditures described in subparagraph (A) for such fiscal year

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described in such subparagraph by the State, commonwealth, or territory; and

‘‘(ii) the actual amount of expenditures for such fiscal year described in subparagraph (A) by the State, commonwealth, or territory under the State child health plan (or waiver of such plan) for vaccines described in section 1905(a)(4)(E) (and the administration of such vaccines).’’

SEC. 9822. MODIFICATIONS TO CERTAIN COVERAGE UNDER CHIP FOR PREGNANT AND POSTPARTUM WOMEN.

(a) MODIFICATIONS—

(1) IN GENERAL.—Sec. 2107(e) of the Social Security Act (42 U.S.C. 1397gg(e)(1)) is amended—

(A) by redesignating subparagraphs (J) through (S) as subparagraphs (K) through (T), respectively; and

(B) by inserting after subparagraph (I) the following new subparagraph:

‘‘(J) Paragaphs (S) and (16) of section 1902(e) (relating to the State option to provide medical assistance consisting of all benefits during pregnancy and throughout the 12-month postpartum period under title XIX, if the State provides child health assistance for targeted low-income children who are pregnant or who are under the age of 19, to pregnant women and the territory has elected to apply such paragraph (16) with respect to pregnant women under title XIX, the provisions of this subparagraph shall apply under the State child health plan or waiver for targeted low-income children or targeted low-income pregnant women during pregnancy and the 12-month postpartum period shall be required and not at the option of the State and shall include coverage of all items or services provided to a targeted low-income child or targeted low-income pregnant woman (as applicable) under the State child health plan or waiver.’’.

(2) OPTIONAL COVERAGE OF TARGETED LOW-INCOME PREGNANT WOMEN.—Sec. 2112(d)(2)(A) of the Social Security Act (42 U.S.C. 1397gg(d)(2)(A)) is amended by inserting after ‘‘60-day period’’ the following: ‘‘, or, in the case that subparagraph (A) of section 1902(e)(16) applies to the State child health plan (or waiver of such plan), pursuant to section 2107(e)(1), the 12-month period.’’.

(b) EFFECTIVE DATE.—The amendments made by subsection (a), shall apply with respect to States elections made under paragraph (16) of section 1902(e) of the Social Security Act (42 U.S.C. 1396a(e)), as added by section 9812(a) of this title, beginning on the 5-year period beginning on the 1st day of the 1st fiscal year quarter that begins one year after the date of the enactment of this Act.

Subtitle L—Medicare

SEC. 9831. FLOOR OR ALL-URBAN AREA WAGE INDEX FOR HOSPITALS IN ALL-URBAN STATES.

(a) IN GENERAL.—Sec. 1886(d)(3)(E) of the Social Security Act (42 U.S.C. 1395ww(d)(3)(E)) is amended—

(1) in clause (i), in the first sentence, by striking ‘‘or (ii)’’ and inserting ‘‘, (iii), or (iv)’’; and

(2) by adding at the end the following new clause:

‘‘(iii) WAIVING BUDGET NEUTRALITY.—Pursuant to the fifth sentence of clause (i), this clause shall not be applied in a budget neutral manner.

‘‘(IV) ALL-URBAN STATE DEFINED.—In this clause, the term ‘all-urban State’ means a State in which there are no rural areas (as defined in paragraph (2)(D)) or a State in which there are no hospitals classified as rural under this section.’’

(b) WAIVING BUDGET NEUTRALITY.—Sec. 1886(d)(3)(E)(i) of the Social Security Act (42 U.S.C. 1395ww(d)(3)(E)(i)) is amended in the fifth sentence of clause (i), by striking ‘‘and the amendments’’ and inserting ‘‘, the amendments’’; and

(2) by inserting after amendments made by section 9831(a) of the American Rescue Plan Act of 2021’’ after ‘‘Care Act’’.

SEC. 9832. SECRETARIAL AUTHORITY TO TEMPORARILY SUSPEND PAYMENT OF CERTAIN MEDICARE REQUIREMENTS WITH RESPECT TO AMOUNTS FUNDED DURING CERTAIN EMERGENCY PERIODS.

(a) WAIVER AUTHORITY.—Sec. 1135(b) of the Social Security Act (42 U.S.C. 1320b–5(b)) is amended—

(1) in the first sentence—

(A) in paragraph (7), by striking ‘‘and’’ at the end;

(B) in paragraph (8), by striking the period at the end and inserting ‘‘;’’; and

(C) by inserting after paragraph (8) the following new paragraph:

‘‘(9) any requirement under section 1861(s)(7) or section 1834(l) that an ambulance service include the transport of an individual to the extent necessary to allow payment for ground ambulance services furnished in response to a 911 call (as equivalent in areas without a 911 call system in cases in which an individual would have been transported to a destination permitted under Medicare regulations (as described in section 410.40 to title 42, Code of Federal Regulations (regulations)) but such transport did not occur as a result of community-wide emergency medical service (EMS) protocols due to the public health emergency described in subsection (g)(1)(B);’’;

and

(2) in the flush matter at the end, by adding at the end the following:

‘‘Ground ambulance services for which payment is made pursuant to paragraph (9) shall be paid at the base rate that would have been paid under the fee schedule established under 1834(l) (excluding any mileage payments) had no transport occurred and, with respect to ambulance services furnished by a critical access hospital or an entity described in paragraph (8) of such section, at the amount that would otherwise be paid under such paragraph.’’

(b) EMERGENCY PERIOD EXCEPTION.—Sec. 1135(s)(1)(B) of the Social Security Act (42 U.S.C. 1320b–5(g)(1)(B)) is amended, in the matter preceding clause (i), by striking ‘‘subsection (h)(8)’’ and inserting ‘‘paragraphs (8) and (9) of subsection (h)’’.

SEC. 9833. FUNDING FOR OFFICE OF INSPECTOR GENERAL.

In addition to amounts otherwise available, there is appropriated to the inspector general of the Department of Health and Human Services for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $750,000,000, for making payments under this title to States, territories, and Tribal governments to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease 2019—COVID–19, and

(2) $50,000,000, to remain available until expended, for the costs of the Secretary for administration of the funds established under this title.

(9) AUTHORITY TO MAKE PAYMENTS.—

(1) PAYMENTS TO TERRITORIES.—The Secretary shall reserve $4,500,000,000 of the amount appropriated under subsection (a)(1) to make payments to Tribal governments.

(2) ALLOCATION.—Of the amount reserved under subparagraph (A)—

(1) $50 percent of such amount shall be allocated by the Secretary equally to each territory; and

(2) 50 percent of such amount shall be allocated by the Secretary as an additional amount to each territory in the same proportion to 1⁄2 of the total amount reserved under subparagraph (A) as the population of the territory bears to the total population of all such territories.

(3) PAYMENT.—The Secretary shall pay each territory the total of the amounts allocated for the territory under subparagraph (B) in accordance with paragraph (6).

(4) PAYMENTS TO TRIBAL GOVERNMENTS.—

(A) IN GENERAL.—The Secretary shall reserve $20,000,000,000 of the amount appropriated under subsection (a)(1) to make payments to Tribal governments.

(2) ALLOCATION.—Of the amount reserved under subparagraph (A)—

(1) $1,000,000,000 shall be allocated by the Secretary equally among each of the Tribal governments; and

(2) $19,000,000,000 shall be allocated by the Secretary to the Tribal governments in a manner determined by the Secretary.

(5) PAYMENT.—The Secretary shall pay each Tribal government the total of the amounts allocated for the Tribal government under subparagraph (B) in accordance with paragraph (6).

(6) PAYMENTS TO EACH OF THE 50 STATES AND THE DISTRICT OF COLUMBIA.—

(A) IN GENERAL.—The Secretary shall reserve $195,300,000,000 of the amount appropriated under subsection (a)(1) to make payments to each of the 50 States and the District of Columbia.

(B) ALLOCATIONS.—Of the amount reserved under subparagraph (A)—

(1) $25,500,000,000 of such amount shall be allocated by the Secretary equally among each of the 50 States and the District of Columbia;

(2) an amount equal to $1,250,000,000 less the amount allocated for the District of Columbia pursuant to section 601(c)(6) shall be allocated by the Secretary as an additional amount to the District of Columbia; and

(3) an amount equal to the remainder of the amount reserved under subparagraph (A) after the application of clauses (i) and (ii) of this subparagraph shall be allocated to the Secretary as an additional amount to each of the 50 States and the District of Columbia in an amount which bears the same proportion to such remainder as the average estimated number of seasonal-
adjusted unemployed individuals in all of the 50 States and the District of Columbia over the same period.

"(C) PAYMENT.—

(i) IN GENERAL.—Subject to clause (ii), the Secretary shall pay each of the 50 States and the District of Columbia, from the amount re- served under paragraph (A), the amounts allocated for the State and District of Columbia under subparagraph (B) in accordance with paragraph (6).

(ii) MINIMUM PAYMENT REQUIREMENT.—

(1) IN GENERAL.—The sum of—

(aa) the total amounts allocated for 1 of the 50 States or the District of Columbia under subparagraph (B) (as determined without regard to this clause); and

(bb) the amounts allocated under section 603 to the Indian Self-Determination and Education Assistance Act (42 U.S.C. 6601 et seq.) (as determined without regard to nonentitlement units of local government in the State) and to metropolitan cities and counties in the State;

shall not be less than the amount allocated to the State or District of Columbia for fiscal year 2020 under section 601, including any amount paid directly to a unit of local government in the State or Territory.

(iii) PRO RATA ADJUSTMENT.—The Secretary shall adjust on a pro rata basis the amount of the allocation to the 50 States and the District of Columbia under paragraph (B)(ii) (without regard to this clause) to the extent necessary to comply with the require- ment of this paragraph as determined in each such State or territory.

(iv) PRO RATA ADJUSTMENT AUTHORITY.—The amounts otherwise determined for allocation and payment under paragraphs (1), (2), and (3) may be adjusted by the Secretary on a pro rata basis to the extent necessary to ensure that all available funds are allocated to States, terri- tories, and Tribal governments in accordance with paragraph (3) as specified in each such paragraph (as applicable).

(v) POPULATION DATA.—For purposes of de- termining allocations for a territory under this subsection, the population of the territory shall be determined based on the most recent data avail- able from the Bureau of the Census.

(vi) NOTING.—

"(A) STATES AND TERRITORIES.—

(i) IN GENERAL.—To the extent practicable, subject to clause (ii), with respect to each State and Territory, the Secretary shall exercise the authority to withhold payment of up to 50 percent of the amount allocated to each State and territory (other than payment of the amount allocated under paragraph (3)(B)(ii) to the District of Columbia) for a period of up to 12 months from the date on which the Secretary provides the certification required under subsection (d)(1) is pro- vided to the Secretary.

(ii) AUTHORITY TO SPLIT PAYMENT.—To the extent practicable, subject to clause (ii), with respect to each State and Territory, the Secretary shall have the authority to split payments made under this section, the Secretary shall make the payment required for the State or territory not later than the date on which such certification is made.

(d) CERTIFICATION AND REPORTS.—

(i) IN GENERAL.—In order for a State or terri- tory to receive a payment under this section, or a transfer of funds under section 603(c)(4), the State or territory shall submit a certification to the Secretary with a certification, signed by an authorized of- ficer of such State or territory, that such State or territory requires the payment or transfer of funds made available under this section in order to—

(A) provide for necessary investments in water, sewer, or broadband infrastructure;

(B) respond to workers performing essen- tial public health service;

(C) respond to, or recovered by, a public health emergency by providing premium pay to eligible workers of the State, territory, or Tribal govern- ment that are performing such essential work, or by providing benefits to eligible employers that have eligible workers who perform essential work;

(D) to make necessary investments in water, sewer, or broadband infrastructure;

(ii) FURTHER RESTRICTION ON USE OF FUNDS.—

(A) IN GENERAL.—A State or territory shall not use funds provided under this section or transferred pursuant to section 603(c)(4) to either directly or indirectly offset a reduction in the net tax revenue of such State or territory resulting from a change in law, regulation, or ad- ministrative interpretation during the covered period that reduces any tax (by providing for a reduction in a rate, a rebate, a deduction, a credit, or otherwise) or delays the imposition of any tax or tax increase.

(b) PENSION FUNDS.—No State or territory may use funds made available under this section to make pension contributions for an eligible employee of the State, territory, or Tribal government.

(iii) USE OF FUNDS.—Subject to paragraph (2), the amount of funds received by each State, territory, or Tribal government from a payment made under this section or a transfer made under section 603(c)(4) have been expended or returned to the Secretary.

(iv) REGULATIONS.—The Secretary shall have the authority to issue such regulations as may be necessary or appropriate to carry out this section.

(v) DEFINITIONS.—In this section—

(A) COVERED PERIOD.—The term ‘covered period’ means, with respect to a State, territory, or Tribal government, the 12-month period beginning on March 3, 2021.

(B) TRIBAL GOVERNMENTS.—To the extent practicable, with respect to a case of a State or a territory, all modifications to the State’s or territory’s tax revenue sources during the covered period, and the manner in which such other information as the Secretary may require for the administration of this section.

(C) RECIPIENT.—Any State, territory, or Tribal government that has failed to comply with subsection (c) shall be required to repay to the Secretary an amount equal to the amount of funds that remain unaccounted for in violation of subsection (c)(2)(A), the amount the State or terri- tory shall be required to repay shall be lower or higher by—

(i) the amount of the applicable reduction to net tax revenue attributable to such violation; and

(ii) the amount of funds received by such State or territory pursuant to a payment made under this section or a transfer made under section 603(c)(4).

(i) PREMIUM PAY.—The term ‘premium pay’ means an amount of up to $13 per hour that is provides for eligible worker, in addition to wages or remuneration the eligible worker otherwise receives, for all work performed by the eligible worker during the COVID-19 public health emergency.

(ii) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $130,200,000,000, for making payments under this section to met-ropolitan cities, nonentitlement units of local
government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (COVID–19).

(2) AUTHORITY TO MAKE PAYMENTS.—

(A) IN GENERAL.—Of the amount appropriated under subsection (a), the Secretary shall reserve $45,570,000,000 to make payments to metropolitan cities.

(B) ALLOCATION AND PAYMENT.—From the amount reserved under subparagraph (A), in accordance with paragraph (2), the Secretary shall allocate, and, in accordance with paragraph (7), pay to each metropolitan city an amount determined for the metropolitan city consisting of an amount the Secretary determines that such payment or amount otherwise determined for allocation under subparagraph (A) is allocable to a metropolitan city, and each county for which an amount is allocated under paragraph (3), the Secretary shall pay such amount to the city, county, for which an amount is allocated.

(3) TRANSFER AUTHORITY.—(A) A METROPOLITAN CITY.—In the case of a metropolitan city, the Secretary may transfer to another entity any amount allocated to a metropolitan city, subject to clause (ii).

(B) SPECIAL RULES.—(i) IN GENERAL.—No county that is an ‘urban county’ (as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) shall receive less than the amount that it would otherwise receive if the amount paid under this paragraph were allocated to metropolitan cities and counties under section 106(b) of the Housing and Community Development Act of 1974 (42 U.S.C. 5306(b)).

(ii) COUNTIES THAT ARE NOT UNITS OF GENERAL LOCAL GOVERNMENT.—In the case of an amount to be paid to a county that is not a unit of general local government, the amount shall instead be paid to the State in which such county is located, and such State shall distribute such amount to the unit of general local government within such county in an amount that bears the same proportion to the amount to be paid to such county as the population of such units of general local government bears to the total population of such county.

(iii) DISTRICT OF COLUMBIA.—For purposes of this paragraph, the District of Columbia shall be considered to consist of a single county that is a unit of general local government.

(4) CONSOLIDATED GOVERNMENTS.—A unit of general local government that has formed a consolidated government, or that is geographically contained (in full or in part) within the boundaries of another unit of general local government, shall be treated as one unit for each of paragraphs (1), (2), and (3), as applicable, based on the respective formulas specified in such paragraphs.

(B) TO RESPOND TO WORKERS PERFORMING ESSENTIAL WORK DURING THE COVID–19 PUBLIC HEALTH EMERGENCY; OR PROVIDING GRANTS TO ELIGIBLE EMPLOYERS THAT HAVE ELIGIBLE WORKERS WHO PERFORM ESSENTIAL WORK; OR PROVIDING GRANTS TO ELIGIBLE EMPLOYERS THAT HAVE ELIGIBLE WORKERS WHO PERFORM ESSENTIAL WORK, AND NONPRIVILEGED ALLOCATIONS.

(3) TRANSFER AUTHORITY.—(A) A METROPOLITAN CITY.—In the case of a metropolitan city, the Secretary may transfer to another entity any amount allocated to a metropolitan city, subject to clause (ii).

(B) PERIOD OF DETERMINATION.—For purposes of determining allocations under this section, the population of an entity shall be determined based on the most recent data are available from the Bureau of the Census, available from such other data as a State determines appropriate.

(7) TIMING.—The FIRST TRANCHE AMOUNT.—To the extent practicable, with respect to each metropolitan city for which an amount is allocated under paragraph (1), each State for which an amount is allocated under paragraph (2) for distribution to nonentitlement units of local government, and each county for which an amount is allocated under paragraph (3), the Secretary shall pay from such allocation the First Tranche Amount for such city, State, or county not later than 60 days after the date of enactment of this section.

(B) SECOND TRANCHE AMOUNT.—The Secretary shall pay to each metropolitan city for which an amount is allocated under paragraph (1), each State for which an amount is allocated under paragraph (2) for distribution to nonentitlement units of local government, and each county for which an amount is allocated under paragraph (3), the Second Tranche Amount for such city, State, or county not earlier than 12 months after the date on which the First Tranche Amount is paid to the city, State, or county.
“(4) TRANSFERS TO STATES.—Notwithstanding paragraph (1), a metropolitan city, nonentitlement unit of local government, or county receiving a payment from funds made available under this section shall transfer such funds to the State in which such entity is located.

“(d) REPORTING.—Any metropolitan city, nonentitlement unit of local government, or county receiving a payment from funds made available under this section shall provide to the Secretary periodic reports providing a detailed accounting of the uses of such funds by such metropolitan city, nonentitlement unit of local government, or county and including such other information as the Secretary may require for the administration of this section.

“(e) LEVEL OF SPENDING.—Any metropolitan city, nonentitlement unit of local government, or county that has failed to comply with subsection (c) shall be required to repay to the Secretary an amount equal to the amount of funds used in violation of such subsection.

“(f) REGULATIONS.—The Secretary shall have the authority to issue such regulations as may be necessary or appropriate to carry out this section.

“(g) DEFINITIONS.—In this section:

“(1) ‘City’ means a county, parish, or other equivalent county division (as defined by the Bureau of the Census).

“(2) ‘Eligible worker’ means any worker who is receiving assistance under a Federal program or program implemented by a metropolitan city, nonentitlement unit of local government, or county that has designated as critical to protect the health and well-being of the residents of their metropolitan city, nonentitlement unit of local government, or county.

“(3) FIRST TRANCHE AMOUNT.—The term ‘First Tranche Amount’ means, with respect to each metropolitan city for which an amount is allocated under subsection (b)(1), each State for which an amount is allocated under subsection (b)(2) for distribution to nonentitlement units of local government, and each county for which an amount is allocated under subsection (b)(3), 50 percent of the amount so allocated to such metropolitan city, State, or county (as applicable).

“(4) METROPOLITAN CITY.—The term ‘metropolitan city’ has the meaning given that term in section 102(a)(4) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302(a)(4)) and includes an urbanized area, as defined by the Bureau of the Census, that is incorporated as a city and is a political subdivision of a State within its jurisdiction.

“(5) NONENTITLED LOCAL GOVERNMENT.—The term ‘nonentitled local government’ means a ‘city’, as that term is defined in section 102(a)(5) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302(a)(5)), that is not a metropolitan city.

“(6) PREMIUM PAY.—The term ‘premium pay’ has the meaning given such term in section 602(a)(1)

“(7) SECOND TRANCHE AMOUNT.—The term ‘Second Tranche Amount’ means, with respect to each metropolitan city for which an amount is allocated under subsection (b)(1), each State for which an amount is allocated under subsection (b)(2) for distribution to nonentitlement units of local government, and each county for which an amount is allocated under subsection (b)(3), an amount not to exceed 50 percent of the amount so allocated to such metropolitan city, State, or county.

“(8) SECRETARY.—The term ‘Secretary’ means the Secretary of Housing and Urban Development.

“(9) STATE.—The term ‘State’ means each of the States, the Commonwealth of Puerto Rico, the States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa.

“(10) UNIT OF GENERAL LOCAL GOVERNMENT.—The term ‘unit of general local government’ has the meaning given such term in section 102(a)(1) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302(a)(1)).

“SEC. 604. CORONAVIRUS CAPITAL PROJECTS

“(a) APPROPRIATION.—In addition to amounts otherwise appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $2,000,000,000 to remain available until September 30, 2023, with amounts to be obligated for each of fiscal years 2022 and 2023 in accordance with subsection (b), for making payments under this section to eligible revenue sharing counties and eligible Tribal governments.

“(b) AUTHORITY TO MAKE PAYMENTS.—

“(1) PAYMENTS TO ELIGIBLE REVENUE SHARING COUNTIES.—For each of fiscal years 2022 and 2023, the Secretary shall reserve $750,000,000 of the total amount appropriated under subsection (a) to allocate and pay to each eligible revenue sharing county in amounts that are determined by the Secretary taking into account economic conditions of each eligible revenue sharing county, using measurements of poverty rates, income, unemployment rates as well as other economic indicators, over the 20-year period ending with September 30, 2023.

“(2) PAYMENTS TO ELIGIBLE TRIBAL GOVERNMENTS.—For each of fiscal years 2022 and 2023, the Secretary shall reserve $250,000,000 of the total amount appropriated under subsection (a) to allocate and pay to eligible Tribal governments in amounts that are determined by the Secretary taking into account economic conditions of each eligible Tribe.

“(c) USE OF PAYMENTS.—An eligible revenue sharing county or an eligible Tribal government may use funds provided under a payment made under subsection (a) not for an governmental purpose other than a lobbying activity.

“(d) REPORTING REQUIREMENT.—Any eligible revenue sharing county receiving a payment under this section shall provide to the Secretary periodic reports providing a detailed accounting of the uses of fund by such eligible revenue sharing county and such other information as the Secretary may require for the administration of this section.

“(e) RECOUPMENT.—Any eligible revenue sharing county that has failed to submit a report required under subsection (d), or fails to comply with subsection (c), shall be required to repay to the Secretary an amount equal to:

“(i) in the case of a failure to comply with subsection (c), the amount of funds used in violation of such subsection; and

“(ii) in the case of a failure to submit a report required under subsection (d), such amount as the Secretary determines appropriate, but not to exceed 5 percent of the amount paid to the eligible revenue sharing county under this section for the fiscal year.

“(f) DEFINITIONS.—In this section:

“(1) ELIGIBLE REVENUE SHARING COUNTY.—The term ‘eligible revenue sharing county’ means—

“(A) any county, parish, or borough—

“(i) that is independent of any other unit of local government;

“(ii) that, as determined by the Secretary, is the principal provider of government services for the area within its jurisdiction; and

“(iii) for which, as determined by the Secretary, there is a negative revenue impact due to the implementation of a Federal program or changes to such program; and

“(B) the District of Columbia, the Commonwealth of Puerto Rico, Guam, and the United States Virgin Islands.

“(2) ELIGIBLE TRIBAL GOVERNMENT.—The term ‘eligible tribal government’ means the recognized governing body of a recognized Indian Tribe.

“(3) ELIGIBLE TRIBE.—The term ‘eligible Tribe’ means any Indian or Alaska Native tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of the date of enactment of this section pursuant to section 104 of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450f).

“(4) SECRETARY.—The term ‘Secretary’ means the Secretary of the Treasury.

“SEC. 605. LOCAL ASSISTANCE AND TRIBAL CON- SISTENCY FUND.

“(a) APPROPRIATION.—In addition to amounts otherwise appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $2,000,000,000 to
inserting "FISCAL RECOVERY, AND CRITICAL CAPITAL PROJECTS FUNDS".

SEC. 9011. FUNDING FOR PROVIDERS RELATING TO COVID–19.

(a) FUNDING.—In addition to amounts otherwise available, there is authorized and appropriated, $8,500,000,000 for purposes of making payments to eligible health care providers for health care related expenses and lost revenues that are attributable to COVID–19. Amounts appropriated under the preceding sentence shall remain available until expended.

(b) APPLICATION REQUIREMENT.—To be eligible for a payment under this section, an eligible health care provider shall submit to the Secretary an application in such form and manner as the Secretary shall prescribe. Such application shall contain—

(1) a statement justifying the need of the provider for the payment, including documentation of the health care related expenses attributable to COVID–19 and lost revenues attributable to COVID–19;

(2) The tax identification number of the provider;

(3) Such assurances as the Secretary determines is necessary to ensure compliance with any conditions imposed by the Secretary under this section;

(4) Any other information determined appropriate by the Secretary;

(5) Rural provider or supplier.—The term ‘rural provider or supplier’ means—

(A) a provider or supplier located in a rural area (as defined in section 1861(aa)(2)); or

(B) a provider or supplier located in a rural area pursuant to section 1861(aa)(2); or

(C) a provider or supplier that furnishes home health, hospice, or long-term services and supports in an individual’s home located in a rural area (as defined in section 1861(aa)(2)); or

(D) a provider or supplier that furnishes home health, hospice, or long-term services and supports in an individual’s home located in a rural area (as defined in section 1861(aa)(2));

(6) Eligible health care provider.—The term ‘eligible health care provider’ means—

(A) a provider of services (as defined in section 1861(a)); or

(B) a provider of services (as defined in section 1861(a)) that—

(i) is enrolled in the Medicare program under title XVIII;

(ii) furnishes home health, hospice, or long-term care services and supplies in a rural area (as defined in section 1861(aa)(2)); or

(iii) is a rural provider or supplier; or

(2) a rural provider or supplier that—

(i) is enrolled with a State Medicaid plan under the waiver or similar plan and submits reports at such time, in such form, and containing such information as the Secretary shall prescribe) as the Secretary determines is necessary to ensure compliance with any conditions imposed by the Secretary under this section.

(3) Any other information determined appropriate by the Secretary;

(4) Limitation.—Payments made to an eligible health care provider under this section may not be used to reimburse any expense or loss that—

(1) has been reimbursed from another source;

(2) another source is obligated to reimburse.

SEC. 9012. EXTENSION OF CUSTOMS USER FEES.

(a) IN GENERAL.—Section 13031(c) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended—

(1) in subparagraph (A), by striking “October 21, 2029” and inserting “September 30, 2030”; and

(2) in subparagraph (B), by striking “October 21, 2029” and inserting “September 30, 2030.”

(b) RATES FOR MERCHANDISE PROCESSING FEES.—Section 503 of the United States-Korea Free Trade Agreement Implementation Act (Public Law 113-41; 19 U.S.C. 3865 note) is amended by striking “October 21, 2029” and inserting “September 30, 2030.”

SEC. 10001. DEPARTMENT OF STATE OPERATIONS.

In addition to amounts otherwise available, there is authorized and appropriated to the Secretary of State for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $204,000,000, to remain available until September 30, 2022, for necessary expenses of the Department of State to carry out the authorities, functions, and responsibilities in the conduct of the foreign affairs of the United States, to prevent, prepare for, and respond to coronavirus domestically or internationally, which shall include maintaining Department of State operations.

SEC. 10002. UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT OPERATIONS.

In addition to amounts otherwise available, there is authorized and appropriated to the Administer of the United States Agency for International Development for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $41,000,000, to remain available until September 30, 2022, for the conduct of the foreign affairs of the United States, to prevent, prepare for, and respond to coronavirus domestically or internationally, and for other operations and maintenance requirements related to the conduct of the foreign affairs of the United States.

SEC. 10003. GLOBAL RESPONSE.

(a) IN GENERAL.—In addition to amounts otherwise available, there is authorized and appropriated to the Secretary of State for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $8,675,000,000, to remain available until September 30, 2022, for necessary expenses to carry out the provisions of section 607 of the Foreign Assistance Act of 1961 (22 U.S.C. 2427) for necessary expenses of the United States Agency for International Development to prevent, prepare for, and respond to coronavirus domestically or internationally, and for other operations and maintenance requirements related to the conduct of the foreign affairs of the United States.

SEC. 10004. HUMANITARIAN RESPONSE.

(a) IN GENERAL.—In addition to amounts otherwise available, there is authorized and appropriated to the Secretary of State for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $500,000,000, to remain available until September 30, 2022, for the costs of resettling refugees in the United States.

SEC. 10005. MULTILATERAL ASSISTANCE.

In addition to amounts otherwise available, there is authorized and appropriated to the Secretary of State for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $580,000,000, to remain available until September 30, 2022, for contributions to and support of organizations that provide assistance programs for the elimination of hunger and malnutrition in the developing world, and for other purposes.
September 30, 2022, to carry out the provisions of section 301(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2221(a)) to prevent, prepare for, and respond to coronavirus, which shall include support for the priorities and objectives of the United Nations Global Humanitarian Response Plan COVID–19 through voluntary contributions to international organizations and programs administered by such organization.

## TITLE XI—COMMITTEE ON INDIAN AFFAIRS

### SEC. 11001. INDIAN HEALTH SERVICE.

(a) In addition to amounts otherwise available, there is appropriated, with respect to the Indian Health Service (in this section referred to as the “Secretary”) for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $6,094,000,000, to remain available until expended, of which—

(1) $5,484,000,000 shall be for carrying out the Act of August 5, 1954 (42 U.S.C. 2001 et seq.), the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Indian Health Care Improvement Act (25 U.S.C. 1601 et seq.), and titles II and III of the Public Health Service Act (42 U.S.C. 201 et seq. and 241 et seq.) with respect to the Indian Health Service;

(b) $2,000,000,000 shall be for lost reimbursement amounts, either directly or through reimbursement, for obligations for the purposes specified in this section that were incurred to prevent, prepare for, and respond to COVID–19 and on the date on which the public health emergency was declared by the Secretary on January 31, 2020, pursuant to section 319 of the Public Health Service Act (42 U.S.C. 247d–6) with respect to COVID–19 and ending on the date of the enactment of this Act.

(c) Funds made available under subsection (a) to Tribes and Tribal organizations under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) shall be available on a one-time basis. Such non-recurring funds shall not be part of the amount required by section 106 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5325), and such funds shall only be used for the purposes identified in this section.

### SEC. 11002. BUREAU OF INDIAN AFFAIRS.

(a) In general.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $900,000,000 to remain available until expended, pursuant to the Snyder Act (25 U.S.C. 13), of which—

(1) $500,000,000 shall be for Tribal housing improvement;

(2) $772,500,000 shall be for Tribal government services, public safety and justice, social services, child welfare assistance, and for other related expenses;

(3) $7,500,000 shall be for necessary expenses to expedite or facilitate the use of Tribal COVID–19 vaccines, and

(b) Exclusions from calculation.—Funds appropriated under subsection (a) shall be excluded from funds provided by those Tribal governments that participate in the “Small and Needy” program.

(c) One-time base funds.—Funds made available under subsection (a) shall be used, in part, to make new awards or increase prior awards to eligible recipients under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) and shall be used to make new awards or increase prior awards to eligible affordable housing activities under NAHASDA.

### SEC. 11003. HOUSING ASSISTANCE AND SUPPORT SERVICES PROGRAMS OF THE SECRETARY.

(a) Appropriation.—In addition to amounts otherwise available, there is appropriated to the Secretary of Housing and Urban Development (in this section referred to as the “Secretary”) for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $750,000,000, to remain available until September 30, 2023, for—

(1) $300,000,000 shall be for formula grants under title I of the Housing and Community Development Act of 1974, subject to the following terms and conditions:

   (A) Use.—Amounts made available under this paragraph shall be used for emergency funds that constitute imminent threats to health and safety and are designed to prevent, prepare for, and respond to coronavirus.

   (B) Planning.—Not to exceed 20 percent of any grant made with funds made available under this paragraph shall be used for planning and management development and administrative costs.

   (C) Timing of obligations.—Amounts made available under this paragraph shall be used, as necessary, to cover or reimburse allowable costs that were incurred to prevent, prepare for, and respond to coronavirus.

   (D) Waivers or alternative requirements.—The Secretary may waive or specify alternative requirements for any provision of NAHASDA (25 U.S.C. 4101 et seq.) or regulation applicable to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) or regulation applicable to the Native Hawaiian Home Block Grant program other than requirements related to fair housing, nondiscrimination, labor standards, and the environment, upon a finding that the waiver or alternative requirement is necessary to expedite or facilitate the use of amounts made available under this paragraph.

(2) Indian Self-Determination and Education Assistance Act grants.—Of the amounts made available under this paragraph which are not accepted, are voluntarily returned, or otherwise recaptured for any reason shall be used to fund grants under paragraph (2) of title I of the Housing and Community Development Act of 1974, subject to the following terms and conditions:

(a) Use.—Amounts made available under this paragraph shall be used for activities and assistance authorized under title I of the Housing and Community Development Act of 1974, subject to the following terms and conditions:

   (A) Requirements.—Funds made available under the Native Hawaiian Housing Block Grant program, as authorized under title I of NAHASDA, subject to the following terms and conditions:

   (B) Timing of obligations.—Amounts made available under this paragraph shall be used for grants under title I of NAHASDA and shall be distributed according to the same funding formula used in fiscal year 2021.

(b) Native Hawaiians.—Of the amounts made available under this paragraph, $5,000,000 shall be made available under title VIII of NAHASDA.

(c) Use.—Amounts made available under this paragraph shall be used by recipients to prevent, prepare for, and respond to coronavirus, including to maintain normal operations and fund eligible affordable housing activities under NAHASDA during the period that the program is impacted by coronavirus. In addition, amounts made available under subparagraph (B) may be used to provide rental assistance to eligible Native Hawaiian families both on and off the Hawaiian Home.

(d) Timing of obligations.—Amounts made available under this paragraph shall be used, as necessary, to cover or reimburse allowable costs that were incurred to prevent, prepare for, and respond to coronavirus that are incurred by a recipient, including for costs incurred after January 21, 2020.

### SEC. 11004. WAIVERS OR ALTERNATIVE REQUIREMENTS.

(a) Waivers or Alterative Requirements.—The Secretary may waive or specify alternative requirements for any provision of the Indian Self-Determination and Education Assistance Act or Native Hawaiian Housing Block Grant program other than requirements related to fair housing, nondiscrimination, labor standards, and the environment, upon a finding that the waiver or alternative requirement is necessary to expedite or facilitate the use of amounts made available under this paragraph.

(b) Planning.—Not to exceed 20 percent of any grant made with funds made available under this paragraph shall be used for planning and management development and administrative costs.

(c) Timing of obligations.—Amounts made available under this paragraph shall be used, as necessary, to cover or reimburse allowable costs that were incurred to prevent, prepare for, and respond to coronavirus.

### SEC. 11005. INDIAN COMMUNITY DEVELOPMENT BLOCK GRANTS.

(a) Use.—Amounts made available under this paragraph shall be used for the purposes described in subparagraph (C) and (G) of section 301(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151(a)).

(b) Planning.—Not to exceed 20 percent of any grant made with funds made available under this paragraph shall be used for planning and management development and administrative costs.

(c) Timing of obligations.—Amounts made available under this paragraph shall be used for the purposes described in subparagraph (C) and (G) of section 301(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151(a)).
(A) OTHER COSTS.—$5,000,000 shall be used for the administrative costs to oversee and administer the implementation of this section, and pay for associated information technology, financial reporting, and auditing.


(a) Section 816 of the Native American Programs Act of 1974 (42 U.S.C. 2992d) is amended by adding at the end the following:

"(c) The Secretary shall:

(1) upon determination that need exists, delegate to the National Endowment for the Humanities, the Institute of American Indian and Alaska Native Culture, and the National Museum of the American Indian the authority to allocate funds for preservation grants and government-to-government funding agreements.

(2) in addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $20,000,000, to remain available until expended, for grants to entities eligible to receive assistance under subsection (a)(1) to ensure the survival and continuing vitality of Native American languages and cultures and to support the implementation of this section, and pay the administrative costs to oversee and administer the implementation of this Act.".

(b) Section 803C of the Native American Programs Act of 1974 (42 U.S.C. 2990b-3) is amended by adding at the end the following:

"(g) EMERGENCY GRANTS FOR NATIVE AMERICAN LANGUAGE PRESERVATION AND MAINTENANCE ACT OF 1965.—Not later than 180 days after the enactment of this Act, the Secretary shall award grants to entities eligible to receive assistance under subsection (a)(1) to ensure the survival and continuing vitality of Native American languages and cultures and to support the implementation of this Act."

(c) Section 1141(b) of the Elementary and Secondary Education Act, of which—

(1) $20,000,000 shall be for awards for Tribal Colleges or Universities (as defined in section 1141(3) of the Higher Education Act of 1965 (20 U.S.C. 1062));

(2) $190,000,000, to remain available until expended, for grants to Tribal colleges or Universities (as defined in section 316(b)(3) of the Higher Education Act of 1965 (20 U.S.C. 1087)); and

(3) $850,000,000, to remain available until expended, for grants to entities eligible to receive assistance under subsection (a)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7441(c))."

SEC. 11005. BUREAU OF INDIAN EDUCATION.

In addition to amounts otherwise available, there is appropriated to the Bureau of Indian Education for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $90,000,000, to remain available until expended, for grants to Tribal colleges or Universities (as defined in section 316(b)(3) of the Higher Education Act of 1965 (20 U.S.C. 1087)).

SEC. 11006. AMERICAN INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION ACT.

In addition to amounts otherwise available, there is appropriated to the Department of Education for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $850,000,000, to remain available until expended, for grants to Tribal colleges or Universities (as defined in section 316(b)(3) of the Higher Education Act of 1965 (20 U.S.C. 1087)) and for Tribal Colleges or Universities (as defined in section 1141(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7441(c)); and

Mr. YARMUTH. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to review and examine this legislation and insert extraneous material into the RECORD on the Senate amendment to H.R. 1319.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. YARMUTH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the sponsor of this legislation, I am immensely proud that we will soon send this bill to President Biden’s desk to be signed into law. We have worked with the urgency this pandemic demands, while following every House rule and proper procedure required for a budget reconciliation package.

The American Rescue Plan is aggressive—no doubt about it. But researchers and health professionals have told us this is what is needed to scale up testing and tracing; to address PPE shortages, stock up our vaccine distribution. They have told us these investments are needed if we want to save lives and defeat this pandemic once and for all.

Economists have also made clear what is needed is to generate a strong, inclusive economic recovery. And again, we listened. This bill provides direct financial relief to more than 80 percent of American families. It helps feed hungry Americans and provides financial assistance to unemployed workers to cover their health care expenses during the greatest health crisis of our lifetimes. It prevents more than 10 million workers from losing lifeline unemployment benefits—while also making the first $10,200 of these payments tax free. It helps families facing eviction stay in their homes. And it expands the earned income tax credit, putting more money in the pockets of hardworking Americans.

The American Rescue Plan will provide the resources needed to open schools safely and make up for lost time in the classroom. It will cut the child poverty rate in half—in half. Just think about what that will mean for those children and their futures—and the future of our country.

The legislation has been called one of the most consequential pieces of legislation in modern history. Well, I guess that depends—if you are measuring in terms of relief for nearly every American family and individual; if your yardstick is lifting millions of children out of poverty and giving parents the help they desperately need; if your metrics are a strong and inclusive economic future both in the short term and long term, then it is easy to agree.

And the American people do. They get what we are doing. They know all too well the challenges facing our Nation, and that is why the vast majority of them—Democrats, Republicans, and independents—support the American Rescue Plan.
that are most in need, to reopen schools in our communities and store-fronts on Main Street, and to crush the virus and put shots in Americans' arms. Instead, less than 9 percent of this bailout goes to crushing the virus and developing vaccines. Only 5 percent of the K-12 education funding will be spent this year, even as Americans are told this money is needed to reopen their children's schools.

Of course, Democrat leaders are more than happy to spend hundreds of billions to bail out States, sending a disproportionate share of that money to those States run by their political buddies that will reward and incentivize further lockdowns.

Just look at how they changed the State funding formula. California, where revenues are, in fact, up, and they are sitting on a surplus of $10-plus billion, will now get billions more than they otherwise would have, a direct reward to the Speaker and Vice President's home State.

It was all so predictable, really. From the very beginning of this process, Republicans have been saying that this is all about the Democrats' desire to crush their enemies rather than Democrats trying to notch some wins for their political base, to appease their allies rather than help Americans.

Amazingly, Democrats are not even shy now about admitting that fact. The White House Chief of Staff has called this bill the "most progressive domestic legislation in a generation."

Leader SCHUMER, in the Senate, called it "one of the most progressive pieces of legislation...in decades."

We are here today, Mr. Speaker, because Democrats made a choice, a choice to put their own partisan political ambitions ahead of the needs of the working class, ahead of the needs of the American people. When our Democrat colleagues speak of unity, they mean keeping their party together, not pulling this country together.

That is why we have before us this wrong plan at the wrong time for so many wrong reasons.

Mr. Speaker, I reserve the balance of my time.

Mr. YARMUTH. Mr. Speaker, I yield 45 seconds to the gentleman from California (Ms. LEK), a distinguished member of the Budget Committee.

Ms. LEK of California. Mr. Speaker, I rise in strong support of this rescue plan.

I thank Chairman YARMUTH, the Speaker, and all the committee chairs for this historic and transformative bill.

We have struggled through a year of gross neglect. People have suffered. They have died. They have lost their jobs and businesses. Families are living on the edge. But today, thank God, help is on the way.

We included provisions to ensure that communities of color disproportionately impacted by the virus get the care and vaccines they desperately need. We included support for State and local governments, for our essential workers, resources to help our schools open safely, child tax credits that will cut child poverty in half, and investments to crush the virus worldwide.

We will, however, continue to fight for a $15 minimum wage to lift low-income people out of poverty.

I ask for an "aye" vote.

Mr. SMITH of Missouri. Mr. Speaker, I appreciate the gentleman from Nevada. I will remind him that if this bill is signed into law, his 500,000 seniors will face a $3 billion cut to Medicare. So his vote today will cost a $3 billion cut to the seniors of Nevada.

Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. Metric).

Mr. MEUSER. Mr. Speaker, over the past year, Congress passed five bipartisan and targeted relief bills, totaling $3.7 trillion, to respond to the COVID-19 pandemic. These packages succeeded in supporting our economy through the worst of this crisis.

Now, Democrat leadership wants to spend another $2 trillion on an excessive plan that directs just 1 percent toward vaccines, 1 percent, and provides far beyond what is needed to fuel our continued recovery.

States will receive $350 billion on top of the $500 billion already allocated. Revenue is actually up in these States. Supplementing unemployment compensation while small business is hurting for employees is the wrong move to be made at this time.

Mr. Speaker, in this bill, felons, including currently incarcerated murderers, were not exempt from receiving these stimulus checks that are intended for taxpayers.

Federal workers, Mr. Speaker, will receive up to $35 an hour, in addition to their full salary, to care for a child learning from home.

Why do Federal workers deserve such privilege? Mr. Speaker, when we should be focused on economic recovery, getting our children back to school, and vaccine distribution? That is what is in the interests of the American people.

Mr. YARMUTH. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. HORNSDORD), a distinguished member of the Budget Committee.

Mr. HORNSDORD. Mr. Speaker, I rise in support of the American Rescue Plan.

Last year, as the COVID-19 pandemic first spread, I worked across the aisle to pass the CARES Act. Passing that bill required compromise, and the final legislation omitted key provisions that I wanted us to deliver on. But the American people got the relief they needed, and that was what was the most important thing.

One year later, with Democrats in the White House, Republicans won't help us in this pandemic. Why? Because Donald Trump's name won't be on the stimulus checks? Is that how easily they will abandon their constituents?

The American Rescue Plan will deliver $1,400 stimulus checks, cut child poverty in half, and provide critical support to help our communities recover and reopen.

The time for action is now, and if Republicans won't help us crush the coronavirus, we will do it without them.

For the sake of my constituents and all Americans, I am voting "yes" on the American Rescue Plan.

Mr. SMITH of Missouri. Mr. Speaker, I appreciate the gentleman from Nevada. I will remind him that with this bill, if it is signed into law, his 500,000 seniors will face a $3 billion cut to Medicare. So his vote today will cost a $3 billion cut to the seniors of Nevada.

Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. Metric).

Mr. MEUSER. Mr. Speaker, over the past year, Congress passed five bipartisan and targeted relief bills, totaling $3.7 trillion, to respond to the COVID-19 pandemic. These packages succeeded in supporting our economy through the worst of this crisis.

Now, Democrat leadership wants to spend another $2 trillion on an excessive plan that directs just 1 percent toward vaccines, 1 percent, and provides far beyond what is needed to fuel our continued recovery.

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of the most effective laws to fight pov-
erty in a generation,” and would “cut the child poverty rate in half.”

The Associated Press declares: “Se-
veral million people stand to save hun-
dreds of dollars in health insurance
costs in the biggest expansion of Fed-
eral help for health insurance” since the Affordable Care Act.

I call upon my Republican colleagues
to stop their March madness and show
some compassion for their constituents
who are less than wealthy.

Mr. SMITH of Missouri. Mr. Speaker, I
appreciate the gentleman from South
Carolina, and I will remind him that if
this bill becomes law, the 1 million
seniors in his State will face a $7 bil-
lion cut over the next 10 years to Medi-
care.

Mr. Speaker, I yield 1 minute to the
gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speak-
er, I rise today to oppose this bill and
to urge my colleagues to do the same.

After passing more than $3 trillion
worth of relief packages, we find our-
selves finally overcoming the COVID–19
virus. We have successfully developed
vaccines to combat this virus in record
time, and now we see our economy
opening up and coming back to full
strength.

What is more, we have yet to spend
$1 trillion that has already been en-
acted, that has already been appro-
priated, already been voted on.

What would we want to pass another $1.9
trillion? You will find the reasons in
the more than 90 percent of the bill
that does not specifically target com-
bating COVID–19.

What you will find is a partisan list
of priorities and bailouts, 27 percent of
it going to bailing out State and local
governments that insisted on contin-
ued harmful lockdowns and did little
to stop the virus, 21 percent dedicated
to partisan policies that will reduce em-
ployment, and 45 percent of the bill
won’t even be spent until 2022 or later.

Perhaps that is why only two Repub-
lican amendments of 229 were accepted.
The only thing bipartisan about this
bill has been the opposition to it.

Mr. YARMUTH. Mr. Speaker, I yield
myself such time as I may consume.

Mr. Speaker, I suspect we will listen
to this throughout this debate. The
rankinr member of the Budget Com-
mittee, Mr. SMITH, persists in trying to
scare the American people because he
doesn’t have a valid argument against
this incredible popular bill.

Let me make this very clear: The
statutory PAYGO requirements, which
would cause a cut in Medicare, has
never happened, won’t happen, and will
never happen. In 2017, when Repub-
licans cut taxes for the wealthy and big
corporations, we faced the same prob-
lem. We cured that. Democrats helped
Republicans face the same problem.

What’s different this time is that any
Medicare dollars get cut be-
cause of this bill is if Republicans don’t
help us correct it.

Mr. Speaker, I yield 45 seconds to the
gentleman from California (Mr. LEVIN),
a distinguished member of the Vet-
erans’ Affairs Committee.

Mr. LEVIN of California. Mr. Speak-
er, as the proud vice chair of the House
Committee on Veterans’ Affairs, I par-
ticularly want to call out the critical
relief that the American Rescue Plan
provides for those who have served our
country.

The bill includes important funding
for the Veterans Health Administra-
tion, prohibits copayments for medical
care for veterans during the pandemic,
strengthens VA’s supply chain mod-
erization, and helps State Veterans
Homes upgrade and enhance their safe-
ty operations.

It provides critical funding to in-
crease VA’s claims and appeals process
to reduce the backlog caused by
COVID–19, and it funds enhanced over-
sight through VA’s Office of Inspector
General.

As chair of the Economic Oppor-
tunity Subcommittee, I am particu-
larly proud that it provides $386 mil-
lon for a rapid retraining program to
help unemployed veterans get back to
work.

Thanks to the leadership of Com-
mittee Chairman MARK TAKANO and
our colleagues, this bill provides the
relief that veterans need and deserve.

To our Nation’s veterans, help is on
the way.

Mr. SMITH of Missouri. Mr. Speaker,
I appreciate the gentleman from Cali-
ifornia, and I will remind him that his
State has 27 percent of the homeless
population in the United States. But
under this bill, the CBO projects that
precisely zero dollars of the $5 billion
will be spent this year. Wrong plan at
the wrong time for so many wrong rea-
sons.

Mr. Speaker, I yield 2 minutes to the
gentleman from Virginia (Mr. Good).

Mr. GOOD of Virginia. Mr. Speaker,
this bill is what Democrat control
looks like.

At $1.9 trillion, this bill spends an
average of $6,000 per American citizen.

What would you say to somebody
claiming to be a friend, who forced you
to take out a loan for $6,000 because
he might give you $1,400 from a portion
of those loan proceeds? Would you con-
sider that a good deal?

What if the same friend had already
forced you to take out loans totaling
$85,000 and you had little to nothing to
show for it?

That is the average citizen’s share of
the national debt.

This bill takes aggregate so-called
COVID relief spending to $6 trillion
to alleviate an estimated $300 billion
in lost wages. This is 20 times the spend-
ing compared to the lost wages.

What is next?

This is not even the beginning of the
end of the Democrats’ insatiable desire
to spend their citizens into financial
ruin.

Only 9 percent of the $1.9 trillion
is even related to COVID relief, while 91
percent is for pet Democrat projects.

We still have $1 trillion unspent from
the previous $4 trillion, and despite the
efforts of the Republicans on the Budg-
et Committee begging the President
for answers, we can’t even get an ac-
counting for that.

The CDC estimated last spring that
it would cost $25 billion to reopen the
schools, and there was $70 billion al-
ready spent in the $4 trillion worth of
COVID packages from last year. How-
ever, there is no pressure on the
schools to reopen to get the additional
$130 billion that is in this bill. Those
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At least the House Democrats didn’t
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that were included in the bill passed by the House and Senate are:

1. The debt is already at $28 trillion. So higher interest rates will cause a catastrophic death spiral.

2. The Senate-passed bill reduces to $80,000 the phase-out range for qualification of an individual to receive direct payments under the legislation.

3. The Senate-passed bill extends the Federal Pandemic Unemployment Compensation (FPUC) only until March 27, but it retains the weekly benefit at the current $300 per week, and it also exempts up to $10,200 in unemployment benefits received in 2020 from federal income taxes for households making less than $150,000.

Like the House bill, the Senate-passed bill finishes the job on the President’s promise to provide $2,000 per person in direct assistance to households across America with checks of $1,400 per person, following the $600 down payment enacted in December.

The bill will also provide direct housing assistance and nutrition assistance for 40 million Americans, expand access to safe and reliable child care and affordable health care, extend unemployment insurance so that 18 million American workers can pay their bills and support 27 million children with an expanded Child Tax Credit and more than 17 million low-wage childless workers through an improved Earned Income Tax Credit.

The bill supports communities struggling with the economic fallout by providing, like the House bill, crucial support for the hardest-hit small businesses, especially those owned by entrepreneurs from racial and ethnic backgrounds that have experienced systemic discrimination, with economic injury disaster loans (EIDL) grants, expanded PPP eligibility and more.

This legislation provides crucial resources to protect the jobs of first responders, frontline public health workers, and other essential workers.

Finally, and very important, the American Rescue Plan Act establishes the Coronavirus Local Fiscal Recovery Fund and provides $45.570 billion in direct funding to major metropolitan cities and local governments.

With our vote today in support of the American Rescue Plan, congressional Democrats and President Biden are making good on our commitment to the American people that help is on the way to crush the virus, open our schools safely, and build back better.

Mr. Speaker, by an overwhelming margin (72 percent), the public wants and is demanding that we act to provide more economic relief to address the damage caused by the coronavirus pandemic.

Nearly two-thirds (65 percent) of Republicans and Republican-leaning independents believe an additional relief package is necessary, while more than nine in ten (92 percent) Democrats and Democratic leaders say more coronavirus aid will be needed. Even the most conservative Republicans favor more relief by a 56 percent–44 percent margin.

Nearly nine-in-ten of all adults (88 percent) in lower-income households say an additional package is necessary, while 81 percent of Republicans in lower-income households (81 percent) say additional aid is needed now.

The American Rescue Plan Act will put food on the table, by expanding the SNAP program and respecting Black family farmers.

The American Rescue Plan Act will put people back to work by prioritizing funding for transit, airlines and airports, and the disaster relief fund.

The American Rescue Plan Act will put a priority on protecting renters and homeowners, preventing homelessness, and providing $10 billion for the Defense Production Act to procure essential medical supplies and equipment.

The American Rescue Plan Act will put money in people’s pockets with direct payments, Unemployment Insurance, Child Tax Credit, the Earned Income Tax Credit, and includes pension security and expanded Affordable Care Act coverage.

The American Rescue Plan Act will provide $17 billion in critical funding to help the VA meet the health and economic security of veterans, especially as relates to the benefits claims and appeals backlog caused by COVID–19.

The American Rescue Plan Act will produce and distribute the vaccine and test, treat and protect all Americans, including communities of color.

The American Rescue Plan Act will provide desperately needed funding for our heroes—health care workers, first responders, sanitation, transportation and food workers, and teachers—in states, localities, tribes, and territories.

Let me speak briefly about another crucially important feature of the legislation we will pass today.

The American Rescue Plan Act establishes the Coronavirus Local Fiscal Recovery Fund and provides $45.570 billion in direct funding to major metropolitan cities and local governments.

In my home state of Texas, metropolitan cities are estimated to receive $10.327 billion in direct coronavirus relief funding, while the state of Texas is slated to receive $16.824 billion, for an estimated $27.152 billion total to the state of Texas.

During the Budget Committee markup, I proposed, and the Committee agreed that any effort to strip or reduce this vital funding is to be rejected, so major metropolitan cities, like Houston, receive the direct COVID–19 relief funding desperately needed to battle the coronavirus, restore critical services to struggling families, and help save the jobs of essential public servants like teachers, firefighters, and other first responders.

Let me discuss briefly why direct funding to major metropolitan cities and counties is so critical.

The purpose of providing for direct payment to major metropolitan cities like Houston and counties like Harris County, as opposed to the County having to receive an allocation from the State, is so that the local governments, who are in the best position to identify and respond, will be able to tailor the funding to meet the urgent needs of their communities.

In the example, under the direct payment provisions in the CARES Act, Harris County received more federal funding relative to the amount that would have been received through the State program and had the flexibility needed for more efficient use of this funding, which was a concern voiced even by State leaders over the restrictive way that the State of Texas distributed CARES Act funding.

By directly allocating funding to metropolitan cities and areas like Houston and Harris County, local authorities can work with the communities to determine the specific needs of Harris County residents.

As a result, Harris County Commissioners Court approved, for the following
Mr. Speaker, the bipartisan action we took since Republican stalling already caused a but only a long-delayed down payment; we cannot afford any more delays, especially since Republican stalling already caused a painful lapse in critical unemployment assistance last year, and additional unemployment assistance is set to expire on March 14, 2021. That is why the American Rescue Plan Act is absolutely crucial and the right thing to do and to do right now.

The American Rescue Plan Act proposed by President Biden takes a multipronged approach to tackling child health and affordable health insurance stemming from the COVID–19 pandemic. No one is better prepared or more experienced to lead the American rescue than President Biden, who as Vice-President oversaw the implementation of the CARES Act, which saved millions of jobs and rescued our economy from the Great Recession the Obama Administration and the nation inherited from a previous Republican administration.

And let us not forget that President Obama also placed his confidence in his vice-president to oversee the rescue of the automotive industry, which he did so well that the American car industry fully recovered its status as the world leader.

Mr. Speaker, to crush the virus and safely reopen schools, the American Rescue Plan Act will mount a national vaccination program that includes setting up community vaccination sites nationwide and makes the investments necessary to scale up for schools. It will also take complementary measures to combat the virus, including scaling up testing and tracing, addressing shortages of personal protective equipment and other critical supplies, investing in high-quality treatments, and addressing health care disparities.

The American Rescue Plan Act delivers immediate relief to working families bearing the brunt of the crisis by providing $1,400 per person in direct cash assistance to households across America, bringing the total (including the $600 down payment enacted in December) to $2,000.

Additionally, the plan will also provide direct housing and nutrition assistance to families struggling to get by, expand access to affordable, reliable and affordable health care, extend and expand unemployment insurance so American workers can pay their bills, and give families with children as well as childless workers a boost through enhanced tax credits.

Mr. Speaker, the American Rescue Plan Act provides much needed support for communities struggling with the economic fallout, including hard-hit small businesses, especially those owned by entrepreneurs from racial and ethnic backgrounds that have experienced systemic discrimination.

Finally, the plan also provides crucial resources to protect the jobs of first responders, frontline public health workers, teachers, transit workers, and other essential workers that all Americans depend on.

Mr. Speaker, the COVID–19 pandemic, as did the videos of the unjustified killings of George Floyd, Breonna Taylor, Ahmed Arbery, and so many others, laid bare for the nation to see the stark racial and ethnic inequalities exacerbated by the virus.

In my home state of Texas, as of the end of September 2020, there have been more than 760,000 cases of COVID–19 and 16,000 deaths.

According to the Texas Department of State Health Care Services, 70 percent of the confirmed fatalities were people of color. In Texas, COVID–19 mortality rates are 30 percent higher for African Americans and 80 percent higher for Hispanics overall.

The differences become much larger when accounting for age; for example, in the 25 to 44-year-old age group, African American mortality rates are more than four times higher than White rates, and the Hispanic rates are more than seven times higher.

One factor in Hispanic and African American populations being more likely to contract COVID–19 is employment in occupations associated with public contact and that cannot be done remotely. The sad fact is that most workers in these occupations are less able to be absent from their job or to have paid time off.

In Texas, people of color make up more than 40 percent of cashiers, retail salespersons, child care workers, licensed practical nurses, more than 50 percent of bus drivers and transit workers, medical and nursing assistants, personal care aids, and home health aides, and more than 60 percent of building cleaners and housekeepers.

In addition, Hispanic and African American populations in Texas are less likely to have health insurance and to have a regular health care provider, so less likely to seek or receive early care for symptoms, especially in the first months of the epidemic.

And African American and Hispanic populations are also more likely to have an underlying health condition that makes them more vulnerable to the effects of COVID–19.

To respond and mitigate the devastation wrought by COVID–19 on Americans, and especially marginal and vulnerable communities of color, I have introduced H.R. 330, the “Delivering Covid–19 Vaccines to All Regions and Vulnerable Communities Act” or “COVID–19 Delivery Act,” which I invite all Members to join as sponsors.

Under the COVID–19 Delivery Act, FEMA will be authorized and directed to lead the effort for vaccine delivery from the receipt of manufacturing facilities to delivery to designated inoculation sites (hospital, clinic, doctors’ offices, school, places of worship, community centers, parks, or neighborhood gathering locations). The legislation directs FEMA to develop and deploy a fully staffed and resourced 24–7 advanced real-time tracking system that allows FEMA to monitor shipments of vaccine units that can provide end-to-end transparency on the temperature, real-time location, origin, and destination data, anticipated time of arrival, and report on changes and update recipients on the progress of their delivery and report on changes that may impact expected delivery or the viability of the vaccine while in transit. The legislation directs FEMA to develop and deploy an integrated and secure communications system that allows public health departments to communicate their vaccine readiness, capability of receiving vaccines, delivery locations, details of facility capability of storing, securing, personnel authorized to receive deliveries, logistics for delivering vaccines to patients, record on vaccination locations to ensure the life and safety of personnel and patients who seek to provide or receive vaccinations are free of interference or threat.
Finally, the COVID–19 Delivery Act directs FEMA to conduct public education and patient engagement through the provision of inoculations of persons in areas and locations where vulnerable populations are under performing in getting vaccinations.

Mr. Speaker, I see the disparities in the lives of so many of my constituents who suffer disproportionately from medical conditions that make COVID–19 deadly.

They work low wage or no wage jobs to make ends meet, and they have no health insurance and rely on community health centers or public health services for routine care.

I call them friends and neighbors because they are that to me.

No one is benefiting from the COVID–19 economy.

The U.S. poverty rate has grown at a historic rate over the past five months, with 7.8 million Americans falling into poverty after the expanded $600 a week in unemployment assistance expired at the end of July.

This represents the greatest increase since the government began tracking poverty sixty years ago.

In the city of Houston, nine key service sectors, accounting for 70 percent of all jobs, hemorrhaged more than 1.3 million jobs, which to average folks is another way of saying that more than 1.34 million persons lost their livelihoods.

Houston workers lost jobs in the following areas:

- Healthcare: 391,000;
- Retail: 303,600;
- Food services: 267,000;
- Finance: 166,000;
- Private Education: 63,400;
- Arts and Entertainment: 37,400;
- Accommodations: 28,700;
- Air Transportation: 20,200;
- Other Services: 115,800.

In addition to these positions, jobs were also lost in other areas, the largest of which was the construction industry, which shut down 30,700 jobs.

Professional and business services followed, with 25,300 jobs lost, although 13,900 were temporary or provisional jobs in employment services; upstream oil lost 12,300 in March/April; and non-oil manufacturing lost 7,700 jobs.

Americans out of work due to COVID–19 have generated 86 million jobless claims, with new claims being filed in recent weeks topping 800,000.

Millions of Americans who lost their jobs during the pandemic have fallen thousands of dollars behind on rent and utility bills, a clear warning sign that people are running out of money to meet basic needs.

If this is not enough evidence of what is happening just look at the miles of vehicles lined up outside of food distribution centers for assistance, as we see nightly on our television screens and in our communities.

Moody’s Analytics warned in November 2020 that 9 million renters said they were behind on rent, according to a Census Bureau survey.

The Bureau of the Census reports that twenty-one percent of all renters are behind on their rent, of which twenty-nine percent are African American families and seventeen percent are Hispanic households.

According to the Federal Reserve Bank of Philadelphia’s analysis of persons who were employed prior to the pandemic, 1.3 million of these households are now, on average of $5,400 in debt on rent and utilities, after the family breadwinners lost their jobs.

The new COVID–19 relief legislation passed last week by Congress and reluctantly but finally signed by the President, requires unemployment assistance but cuts that assistance from $600 a week to $300 a week without consideration of the facts on the ground, which are that millions of Americans remain out of work due to COVID–19 public health policy, and have been without sufficient income since August 1, 2020.

The Centers for Disease Control and Prevention (CDC) reported that as of February 23, 2021, 28.3 million cases of COVID–19, resulting in more than 503,000 deaths, had been reported in the United States.

What the costs will be to our nation from this destruction of lives and livelihoods have yet to be fully calculated.

It is a tragedy that too many households who have lost a member to COVID–19 are struggling to accept these deaths, but it is also the friends, coworkers, business owners, professionals, students, teachers, wives, husbands, brothers, sisters, aunts, cousins, and grandparents who also are feeling these losses because someone that mattered to them is no longer here.

Each of these lives impacted dozens of other lives, too many of whom were not allowed to be present with them during their final moments on this earth, but whose suffering is too often overlooked because we unduly preoccupy ourselves with only the immediate family.

I strongly support the Senate Amendment to H.R. 1319, the American Rescue Plan Act of 2021 and urge all Members to join me in voting for its passage and to send the message to the American people that their voices have been heard, their request for assistance answered, and that help is on the way.

Mr. SMITH of Missouri. Mr. Speaker, I appreciate the gentlewoman from Wisconsin (Mr. GROTHMAN).

Mr. GROTHMAN. Mr. Speaker, jeez, we could talk for 2 hours.

First thing, one of the things that hasn’t been mentioned here is the increase in the income tax credit for single people has a marriage penalty in it. I bring it up because I know the strength that Black Lives Matter had in this last election. I know it is a group that doesn’t like the old-fashioned family. I am disturbed that we have another program here in which we are increasing the marriage penalty.

Second thing, we have loan forgiveness on farms based on ethnicity. Some people are going to get forgiveness; some people aren’t. This program is not that is incredibly divisive. I think we started with a divisive inaugural speech right off the bat, and to go down this route is only going to create divisiveness in America.

The third thing, to have a bill with this high spending, with the Federal Reserve printing up this amount of money, is inevitably going to result in inflation.

I feel so sorry for young people today. As the cost of housing goes through the roof, I don’t know how they are going to be able to afford a house. But we also have incredible increase in food costs and increase in energy costs. I don’t want to call it the Joe Biden inflation, but I am afraid that is where we are heading.

Fourth thing, in the rush to judgment, giving checks to people who are incarcerated. I have talked to my correctional officers about this. I don’t know how they are supposed to feel, in which they have to work every day and the people who they are taking care of are going to be getting checks out of this.

Finally, I have had two municipalities in my district, from which I have been contacted, in which the amount of money they are getting is over 10 times what they feel would make them whole.

I think we are being very reckless about the degree to which we are spending money here.

Mr. YARMUTH. Mr. Speaker, I yield 45 seconds to the gentlewoman from the Virgin Islands (Ms. PLASKETT), a distinguished member of the Budget Committee.

Ms. PLASKETT. Mr. Speaker, I hope my colleague from Wisconsin will not leave at this time, as he has talked about Black Lives Matter.

How dare you—how dare you say that Black Lives Matter. Black people, do not understand old-fashioned families. Despite some of the issues, some of the things that you have put forward that I have heard out of your mouth in the Committee on Oversight and Reform, in your own district, we have been able to keep our families for over 400 years in the assault on our families to not have Black lives or not even have Black families. How dare you say that we are not interested in families in the Black community. That is outrageous. That should be stricken down.

Mr. Speaker, I was going to talk about the American Rescue Plan. We know that this is going to provide relief to not only Black lives, Black Americans, but all Americans, that we are interested in families and their welfare.

Forty-nine days ago President Biden took office and promised the American people that help is on the way. Today we take our final steps forward on that promise.

Millions of Americans will be supportive who have been economically crippled by a year-long pandemic. Most of this money goes directly to the American people that help is on the way. Today we take our final steps forward on that promise.
Mr. SMITH of Missouri. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. JEFFRIES), the Democratic Caucus chairman and a distinguished member of the Budget Committee.

Mr. JEFFRIES. Mr. Speaker, the COVID–19 pandemic is a once-in-a-century crisis. It requires a once-in-a-century comprehensive, compassionate, and continuing congressional response. That is what the American Rescue Plan is all about.

More than 500,000 Americans have died. Hundreds of thousands of businesses have closed. Almost 30 million Americans have been infected by the coronavirus. Millions of Americans are dealing with unemployment, food insecurity, or are on the brink of homelessness.

So much pain, suffering, and death, and our Republican colleagues want us to do nothing? What is wrong with them?

We are going to act with the fierce urgency of now. We will crush the virus. We will provide direct relief to everyday Americans who are struggling. We will revive the economy. We will send the American Rescue Plan to President Biden’s desk. We will build back better for the people. Help is on the way.

Mr. SMITH of Missouri. Mr. Speaker, I appreciate the gentleman from New York, and I will remind him that, with passage of this bill, his State’s 3 million seniors could see a cut to Medicare of $27 billion over the next 10 years.

I would also like to remind Mr. JEFFRIES that the CBO says that, without any additional stimulus, our economy later on in this year will be the highest GDP growth that we have seen in 15 years. So that help of extra government spending is not necessary to bail out your friends and allies who are struggling. It will revive the economy. We will send the American Rescue Plan to President Biden’s desk. We will build back better for the people. Help is on the way.

The American Rescue Plan will re-

prevent the spread of the virus, as well as critical oversight prevention to ensure transparency of this full $1.9 trillion package.

The American Rescue Plan will rebuild our pandemic-torn Nation from the ground up and stronger than ever.

Everyday Americans want this bill.

Mr. SMITH of Missouri. Mr. Speaker, I appreciate the gentlewoman from New York, and I would like to remind her that, in her home State, she has 16 percent—she’s the country’s homeless population in the United States; but under this bailout, the CBO projects that precisely zero dollars—zero dollars—of the $5 billion that is in this bill will go to help the homeless population this coming year.

Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), the leader of the working class party.

Mr. MCCARTHY. Mr. Speaker, before I begin, I want to thank Congressman JASON SMITH for his work as the ranking Republican on the Budget Committee.

Mr. Speaker, I know the Democrats in the House are excited because all their work has even transpired the way to Nevada, because now the socialist Democratic wing of the party has taken over there as well.

From H.R. 1 to voting to defund the police, House Democrats have abandoned any pretense of unity. They passed three major bills in one month with zero bipartisan support.

Today, they plan to pass another. Like the others, it represents a missed opportunity for Congress to focus on the real needs of the American people.

At $1.9 trillion in new spending, the so-called American Rescue Plan is the most expensive single bill in American history.

Let’s put that number in context. Mr. Speaker, if you put it in today’s numbers, World War II cost our government $4.8 trillion. But if we pass this bill, our country’s total relief, COVID relief, spending will now total $5.5 trillion.

This so-called relief bill will end up costing every hardworking taxpayer in America more than $5,000 each. You send the government your tax dollars, but you only get a fraction of what you pay for, at the very best.

You know, we warn people on the internet about email scams. It is like one of those email. You get an email and you can’t get a promise you will get millions of dollars, but first you have to wire them some money. That is exactly what is happening here today.

This is the reality of the bill before us. It shows money on special interests, but one major bill in this package that does not require them to open when the CDC says it is safe and at a time when so many kids are desperate for personal social interaction?

We are going to act with the fierce urgency of now. We will crush the virus. We will provide direct relief to everyday Americans who are struggling. We will revive the economy. We will send the American Rescue Plan to President Biden’s desk. We will build back better for the people. Help is on the way.

What is wrong with them?

We are going to act with the fierce urgency of now. We will crush the virus. We will provide direct relief to everyday Americans who are struggling. We will revive the economy. We will send the American Rescue Plan to President Biden’s desk. We will build back better for the people. Help is on the way.

Mr. Speaker, I reserve the balance of my time.
Well, every American is now going to pay more than $5,000 so we can send it to San Francisco and give them 92 percent of their budget deficit. Interesting how socialism works. In both the House and the Senate, the only bipartisan vote has been against this. And after five relief bills, it is on track to be the first passed by strictly party lines.

Mr. Speaker, I have heard people across the country say this bill today is costly, corrupt, and liberal. Now even the Biden White House agrees: It is very liberal. They called this the most progressive piece of legislation in history.

For those who are watching, progressive means socialism, the same party that runs here, and now the Democratic Party of Nevada is the socialist Democratic Party.

So let’s be clear: This isn’t a rescue bill. It isn’t a relief bill. It is a laundry list of left-wing priorities that predate the pandemic and do not meet the needs of American families. No wonder even House Democrats have said they are embarrassed by what is in this bill. And just this week, one of their own Members said, “There is no question there is some waste in there.” But they will still vote for it anyway.

In fact, if you are a member of the swamp, you do pretty well under this bill. But for the American people, it means serious problems immediately on the horizon.

Consider this: Mr. Speaker, it will only be Democrats who vote for this bill that will cause $36 billion in cuts to Medicare starting this year. What they choose to do is cut Medicare to those who need it and send $600 million to San Francisco to pay for 92 percent of their budget deficit.

Or consider K-12 education. Democrats say they need $130 billion to re-open schools, but their bill only allocates $6 billion to help schools this fiscal year. Two-thirds of the total funding for education won’t even be spent until 2023 at latest.

But don’t worry, San Francisco will get their money now. The schools need to wait. You have priorities.

Do Democrats expect schools to re-open 2 years from now? I guess that is what they are saying with this bill. They have no plan to get children back in the classroom full time.

This week marks the 1-year anniversary of school districts across the country switching to school behind a screen. We still don’t know the full effects of this decision, but we do know keeping classrooms closed has created an education and mental health problem for students and parents. It has been a lost year for our children’s education. And even more devastating, one in four young adults has struggled with suicidal thoughts.

Experience and scientific evidence say reopen schools now. It is necessary and it is safe.

Mr. Speaker, the last time this bill was on the floor, we offered an amendment to take that money for that subway just outside of San Francisco and put that money for the children’s mental health and others. Unfortunately, Mr. Speaker, all the Democrats said was, no; that subway by San Francisco was more important.

But, fortunately, we were able to remove that from the bill in the Senate. But luckily here, all the Democrats were able to think the priority is not those who live in San Francisco. But because Democrats are following the demands of special interests, not science, they are telling children to wait with no end in sight.

Now, Mr. Speaker, I want to applaud the Democrats on the other side because they put their money where their mouth is. They are telling the American public: First give me $5,000. I know you have to work harder, but what I am going to do—because this is how socialism works, the Democrats are now going to decide who should get that money. And you know what? At least they give it to the people they respect the most.

So let’s go through this. Compared to the subsidies for the swamp, Democrats want to give Federal employees, who have not been laid off, an extra $21,000 to help cope with virtual schooling. But if you are in the private sector or if you have been laid off, you don’t get any of that. But what they want to do is take the money from you, give it to any Federal employee, who gets a bonus of $21,000, even though they have never been laid off.

So if you are in Washington, in the swamp, you are part of the team. If you are a hardworking taxpayer, sorry, you just send a bill. But if you are in San Francisco, we are going to help pay for your deficit.

What does it say to the millions of mothers and fathers who had to quit their job to take care of their kids at home or in school? Or compare that to Title X. This bill will allow organizations like Planned Parenthood to access $50 million for abortion, but when there is a pandemic and a socialist reign, we are going to charge you $5,000 regardless of how you feel about it, and that is where the money is going to be spent.

Now, the Democrats believe schools should wait a couple years to get their money, but not Planned Parenthood. We have to get that money there quick.

Or compare it to how we fund States, Mr. Speaker. We have always had a formula, but, Mr. Speaker, now that we are going to do the bill this way where there is only one-party rule, we are going to change the formula of how States are funded.

So let’s analyze that. Democrats claim States and local governments need $350 billion.

Now, where do they get that number? Well, if they read the headlines, it would confirm States are not in financial distress. Nearly half saw an increase in revenue last year. And some, even including my home State of California, they have a budget surplus.

Now, Mr. Speaker, I understand in Washington they may not understand what the word ‘surplus’ means; that means you have more money, that you actually saved money. What California is going to get is a windfall.

Remember, San Francisco is in California. Mr. Speaker, that just happens to be the Speaker’s district as well. They have a $650 million deficit.

Now, some of the challenges that San Francisco has—you see, if you are in San Francisco and you are homeless, they will pay for your alcohol and they will pay for your cannabis. So it costs more money. So that is why you have a deficit.

But it is okay because we don’t need to send the schools money today, we can send that years from now, but we need to get San Francisco 92 percent of their deficit taken care of.

Now, we have a pandemic going on, and we are going to spend $1.9 trillion, but only 9 percent of that needs to go to COVID because San Francisco needs a lot of money.

So what have they done now is they reward bad behavior. That is one of the few places that is facing a shortfall. They are actually punishing States that did it right. American taxpayers didn’t vote for this, but thanks to the blue State payout, they are. The bill rewards bad behavior.

Now, President Biden, he hasn’t had a press conference, but he did say one time, and someone picked it up, “Show me what to cut.”

Well, the Senate actually cut tens of billions of dollars in spending from the Biden bill that the House passed.

Now, I feel bad, Mr. Speaker, because Speaker Pelosi at first had, like, $112 billion for that really important COVID subway just outside of San Francisco. Now, before that bill was able to get to the floor and the public found out about it—I guess it got good press because they added more money to it—it got to $140 billion.

Now, when it came to the floor here, there was a group of people—well, Mr. Speaker, let’s just say who it was, it was the Republicans, they thought a better priority was to spend that $140 million for children with mental health issues because we have watched study after study of children being left out of school; suicide, obesity.

What about those children who have parents who don’t work for the Federal Government? They don’t get a bonus. And some of those parents had to quit their job to care for their children;
it got to $140 billion.

So Republicans thought—I know it is a small amount compared to $1.9 trillion—we thought, wouldn’t that be a better use of the money? So we offered
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that on this floor, Mr. Speaker. But unfortunately, Mr. Speaker, the Democrats said “no” to that, that this subway was more important to the children.

Well, luckily on the Senate side, they took the position Mr. Speaker, the American public thought for a government maybe the price could get a little lower and that Americans wouldn’t have to pay $5,000 a person. Maybe they saved a little money. No, no, no, no.

You see, Mr. Speaker, the Democrats are in charge of the Senate, too, so they now decided since they couldn’t build a subway, they would just plus that money up.

So where did they spend it? Well, Mr. Speaker, you have got to give them credit. They took the same advice that the Democrats in the House had. You see, they added an extra $25,000 bonus for State employees. Let’s just not reward the employees of the Federal Government with a $25,000 bonus, is it not?

And then they added $15 billion for taxpayer-funded healthcare subsidies that illegal immigrants are eligible for.

Now, you know this, Mr. Speaker, based upon your district and others, you know what is happening down at the border. President Biden has created a new border crisis. There are more people able to come in, not being tested for COVID, but lo and behold, they are now going to get subsidized healthcare.

Lucky, we can spend more money on that, Mr. Speaker. There is probably much more coming now with the Biden border crisis.

But will this help the people get back to work? No.

Will this help students get back in the classroom? No.

But will it help vaccines get to those who want it? No.

But will it help take care of 92 percent of San Francisco’s budget deficit? Oh, yes, they will. It will.

It just throws out money without accountability even though there are trillions of dollars sitting there right now that have already been appropriated that can go out to help.

Remember what Margaret Thatcher said, Mr. Speaker: “The problem with socialism is that you eventually run out of other people’s money.” You have been doing a very good job of it so far.

There is still work to do to defeat the virus, but it is clear we are nearing the final stage of the fight. For 12 terrible months, the American worker has struggled through lockdowns, sacrificed through closures, and suffered through mandates. They persevered through it all. And now their government wants to take $5,000 more of it to make sure a Federal employee that wasn’t laid off, a State employee that wasn’t laid off gets bonuses. And lo and behold, we have got to make sure San Francisco gets the dollars to take care of. Not in 2 years like the schools, but today.

President Trump’s Operation Warp Speed, previous bipartisan efforts in Congress, and the American people worked tirelessly toward that outcome. President Biden was set up for success both economically and with vaccines, but in that short amount of time what have they been able to accomplish down at the Biden administration? They have raised our gasoline prices, so not only are you asking them to pay for this bill, you are taking more out of their pocket, and at the same time by a stroke of a pen he laid off millions of those workers.

Mr. Speaker, I know this for sure, I know where you serve, and I know your passion for serving. I know the people in your district that are getting laid off for the XL pipeline. I know that wasn’t your wish. It is harder to pay a bigger tax bill when you don’t have a job.

It is even worse when that job was taken away by your President.

It is even worse when you go out to look for a new job and that same President has changed the policy along the border, and now you are competing with people who are not even Americans; and they are getting subsidized healthcare because of this bill.

Mr. Speaker, I believe the American public wants something different. I believe they are proud of the fact we did something here that was bipartisan.

I believe they were proud of the fact that because of Operation Warp Speed we now have three vaccines.

I believe they are proud when we were energy independent.

I believe they were proud when they had more money in their pocket, and they didn’t have to pay so much for gasoline.

Mr. Speaker, socialism has destroyed many countries. I just watched Ven- euzuela offer new currency. What was it, a million, a billion dollars is worth 50 cents today? How did it all start? I have watched socialism grow in this body, and it has grown out of this body, and I see within your own party you no longer even speak to say that you are Democrats anymore, Mr. Speaker. You are socialist Democrats. That is the lead of the Democratic party. Mr. Speaker, the chairman of the Senate Budget Committee isn’t even registered as a Democrat. So what would you think would be produced?

Mr. Speaker, whoever votes for this bill, I want you to look the people in the eye. I want you to think about that American worker, let’s help them, and explain to them why only 9 percent goes to defeat COVID. Why do they have to give $5,000, and you redistribute it to people who weren’t even laid off? You give bonuses to the titles you care most about.

Mr. Speaker, I have heard our Speaker say many times where you spend your money shows your values. Well, representing San Francisco, Mr. Speaker, but we don’t. Ninety percent of the budget deficit of San Francisco is going to be paid with this bill.

But for that parent out there who has been struggling for the last year that is the teacher, the coach, the music instructor, the recess participant, help is not on the way. Help is not on the way.

For those who studied government and always thought working something bipartisan would be positive, that is no longer the case.

For those who thought they could have a fair debate on the floor, you take away even the offer to have an amendment. And when we do and we prioritize the children of this Nation over the boiler, take a look at the vote. There will be a bipartisan vote against this bill.

You can wave to me. It is okay. I want you to wave to the American public when they have to wave away $5,000, so a Federal employee that never has been laid off gets $21,000 to deal with their children being at home. Who is going to represent them? Who is going to be their voice?

Mr. Speaker, I will promise you this: We will never stop listening to those voices. We will never stop fighting for those voices. And there will be a day that that will be the majority voice in this House. Unfortunately, Mr. Speaker, I have not seen that year.

History will not be kind about what transpires today, but I still believe that America is a great hope for the future, that we are all conceived in liberty and dedicated to the proposition that we are all equal.

This body seems as though only one can have a voice, but that will not last long and that will change shortly.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

Mr. YARMUTH. Mr. Speaker, we have just listened to a repetitive recitation of all the arguments we have heard about the American Rescue Plan for the last 6 weeks or so, and they consist essentially of scare tactics, misinformation, and the calling everything socialism. You know, if Democrats had a potluck picnic, the Republicans would call it socialism.
What we say is: This is a bill that responds uniquely to a unique national crisis and it does it in a way that the American people believe is the right way.

So I respond to the minority leader by saying, a poll just this morning reported that 60 percent of the American people support the American Rescue Plan. Only 18 percent oppose it. Fifty-nine percent of Republicans support the American Rescue Plan.

Despite his attempts to divide this country and to demonize the Speaker and others, the American people understand that this is the appropriate step to take at the appropriate time.

Mr. Speaker, I yield 45 seconds to the gentleman from Florida (Mr. SCALISE), a distinguished member of the Budget Committee.

Mr. Speaker, I yield 4 minutes to the gentleman from California (Ms. CHU), a distinguished member of the Budget Committee.

Ms. CHU. Mr. Speaker, every day, constituents in my district are asking when the $1,400 survival checks are coming and when they can get help with their rent so that they don’t become homeless. They are suffering, and they need help now.

Mr. Speaker, the American Rescue Plan is a real plan to crush the virus by speeding vaccine distribution and increasing access to healthcare. This will not only mean safer families but also safer classrooms for teachers and students. It means continuation of $300 a-week checks in unemployment insurance, and it supports our businesses so they don’t close.

Mr. Speaker, with over half a million dead, we need a way to end this crisis and help our people. That is exactly what today’s bill will do. I strongly urge a “yes” vote.

Mr. SMITH of Missouri. Mr. Speaker, I yield 4 minutes to the gentleman from Louisiana (Mr. SCALISE), the Republican whip.

Mr. SCALISE. Mr. Speaker, I thank my friend from Missouri for yielding.

Mr. Speaker, I rise in strong opposition to this massive non-COVID spending bill. If you look over the last year during this pandemic, Congress has come together many times in a bipartisan way to specifically help families who are struggling, to help small businesses who are hanging on by a thread, and to try to put more money into finding a vaccine.

Mr. Speaker, if we were successful in those initiatives—in fact, so successful that we now have three proven vaccines that are out there working because of President Trump’s Operation Warp Speed. We were able to help millions of small businesses stay afloat. There are still more struggling. In many cases, in States that are managing this, you are seeing a disparate impact.

Mr. Speaker, instead of working with Republicans and Democrats, President Biden has taken an all-alone approach, to allow Speaker PELOSI to write a bill behind closed doors and bring the bill forward, not allowing a single Demo-
Mr. SMITH of Missouri. Mr. Speaker, I just want to make sure. This Chamber may not have heard, but under the leadership of President Trump in 2019, we hit the lowest poverty ever—lowest poverty. So thank you, President Trump.

Mr. Speaker, I reserve the balance of my time.

Mr. YARMUTH. Mr. Speaker, I yield 1 1/2 minutes to the gentlewoman from California (Ms. Waters), the distinguished chair of the Committee on Financial Services.

Ms. WATERS. Mr. Speaker, I thank President Biden and all of the Democratic leadership for this wonderful, historic piece of legislation. That's what we are voting on here today. This indeed responds to the needs of the American people during this pandemic. This is why I came to Congress to do this kind of work, and I am so proud to be a Democratic Member of Congress at this time.

This bill not only supports education; it gives stimulus checks to put food on the table and unemployment assistance. Small businesses will be able to reopen and stay open. Then everybody will have access to the vaccines that will be made available because of this bill. It has been said more than once that this bill will take children out of poverty. They will be able to depend on regular assistance to them and their families every month. I am so pleased that as the chair of the Committee on Financial Services, I have in my jurisdiction, $77 billion to deal with some very critical issues.

This bill includes critical funding for emergency rental assistance, providing $22.5 billion to pay the back rent and future rent payments owed by millions of struggling families. That is in urban communities, rural communities, Black, White, and Asian. All folks will have access to this rental assistance.

Mr. Speaker, combined with the funding in the emergency rental assistance I negotiated in the December stimulus package and the $5 billion for 70,000 new housing vouchers that are included in this package, this bill is truly historic and will help people across the Nation to remain safely housed.

Mr. SMITH of Missouri. Mr. Speaker. I yield 3/4 minutes to the gentlewoman from the great State of Colorado (Mrs. Boebert).

Mrs. BOEBERT. Mr. Speaker, I thank the ranking member of the Budget Committee, my friend, Congressman Jason Smith, for yielding me time.

Mr. Speaker, COVID relief, here we go again. The left continues to manipulate English language however it suits their fancy, lying to the American people about what is really happening in the swamp.

American Rescue Plan? Please. President Biden is dropping bombs before anybody is getting checks.

Relief? Where is the relief for moms and dads trying to return their children to school?

This legislation has more funding for Democrat pet projects than it does for getting our kids out from behind the screens and back into the classrooms. Democrats say this money that hasn't been and won't be spent any time soon is urgently needed to safely reopen schools. But, many States have had their schools open for months now. By one estimate, State departments of education have between $53 and $63 billion in Federal funds to reopen that is unspent. This bill has another $330 billion, but only 1 percent would be spent this school year.

Democrats should stop using kids' schooling as a bargaining chip for more money for teachers' unions. Stop holding our children's education hostage for your pet projects and your lobbyist friends.

What about our seniors? Where is the relief for those who have suffered under the draconian leadership of Cuomo, Whitmer, and Newsom?

This legislation uses COVID like cheap drugstore concealer, masking the nasty truth about Democrat spending. This is nothing more than a trashy spending spree while doing nothing for those who have suffered the most from this China virus.

With $1 trillion left unspent from previous COVID bills, only 9 percent of this bill is going to address COVID-related issues. About 45 percent of it won't be spent until 2022 and beyond.

It begs the question: Why would Democrat leadership, divisive, and, frankly, unhelpful bills? Mr. Speaker, the answer can be found on K Street, where lobbyists close to Pelosi, Schumer, and Biden are already chilling the bubbly.

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Mr. Speaker, America can see why this legislation will be the first COVID bill to receive bipartisan support.

Americans know this bill will benefit States and unions that have been poorly mismanaged; but on Main Street, the small businesses will continue to suffer, $90 billion to bail out private pension plans, $500 billion to States and localities to keep their economies locked down.

Less than 9 percent of this $1.9 trillion goes to something COVID-related. Meanwhile, Planned Parenthood gets funding, pensions get bailed out, and San Francisco's balance sheets go from red to black. I have said it before, and I will say it again: Planned Parenthood can go fund themselves.

If conservatives were in charge, Mr. Speaker, you would see a limited and targeted relief plan, while enabling businesses and schools to remain open and reigniting our economy. Look at Florida and Texas, that have led the way. Never forget, these jobs are essential, and the best stimulus package is to reopen.

Mr. YARMUTH. Mr. Speaker, I yield 45 seconds to the gentlewoman from Virginia (Ms. Wexton), a distinguished member of the Budget Committee.

Ms. WEXTON. Mr. Speaker, we all want to get out of this pandemic and back to normal. We want to ensure that our kids can learn safely and in their classrooms. We want to get more shots into arms. We want to put money directly into the pockets of the Americans in need. We want to restore jobs in our communities.

We have to take action now, and the American Rescue Plan is the best way forward. Our colleagues across the aisle want to gaslight the American people on this, but they know that this bill has the support of over 70 percent of Americans, and there is a reason for that. The American Rescue Plan meets the needs of our families and communities now.

With this bill, we will finally put this pandemic behind us. We will cut child poverty in half. We will deliver transformative tax cuts for our families, especially working moms. This is a great deal because help is here. With a trillion dollars.

Mr. SMITH of Missouri. Mr. Speaker, I reserve the balance of my time.

Mr. YARMUTH. Mr. Speaker, I yield 45 seconds to the distinguished gentleman from Texas (Mr. Doggett), a member of Budget Committee.

Mr. DOGGETT. Mr. Speaker, rescue and relief for those awaiting lifesaving vaccines, for struggling small businesses, indebted families about to lose their home, for impoverished children, and for those who are eager to get their children back in school, survival checks are coming.

And the same Republicans who defeated relief for 7 long months last year seem determined to block this lifeline this year. Texas families tell me they cannot wait for more of your Republican gamesmanship. Our mayors and county judges across Texas, they have been the ones who stood alone, shoud- dering the burden of leadership, after multiple Trump failures and outrageous Abbott interference. They need help in providing for our communities. That is why the relief works.

Let's preserve the promise of life and liberty for those whose future has been dimmed by hardship. Republicans will not again deny the relief that we are delivering today.

Mr. SMITH of Missouri. Mr. Speaker, I yield 1 minute to the gentleman from Mississippi (Mr. Guest).

Mr. GUEST. Mr. Speaker, over the last year, Republicans and Democrats have worked together on numerous occasions to provide COVID relief for the American people. Unfortunately, this bill was not that way. This legislation is a completely partisan bill that has yet to receive one Republican vote in either the House or the Senate.

This is a spending bill, appropriating nearly $2 trillion at a time in which we still have $1 trillion in unspent funding from previous relief bills. This bill will be passed at a time in which our econ- omy is growing, in which unemployment is dropping, in a time where nearly 90 percent of American families receive relief for the first time ever.

This bill includes $75 billion to fund stadiums and sports leagues. This is a 100 percent payback for over $20 billion in unspent relief funds already available to the National Football League. This is a $2 trillion bill that includes $69 billion to bail out school districts that have failed to reopen.

This is a $2 trillion bill that includes $70 billion in new housing vouchers that are included in this package. This bill does not even include funding to provide COVID relief for the American people.
I say it is supported by Democrats and Republicans with one exception: the Republicans who serve in this Congress. Republicans across the country support it. Independents across the country support it. Democrats support it. This is the time to act.

Mr. SMITH of Missouri. Mr. Speaker, I reserve the balance of my time.

Mr. YARMUTH. Mr. Speaker, I yield 45 seconds to the gentleman from New York (Ms. CLARKE), a distinguished member of the Energy and Commerce Committee.

Ms. CLARKE of New York. Mr. Speaker, I thank the gentleman from Kentucky for yielding. Mr. Speaker, I rise once again in support of the American Rescue Plan Act. This monumental and comprehensive legislation will bring a sustained critical relief to the American people: $1,400 million in the deficit and to the most economically distressed Americans, cutting child poverty in half, $26 billion for emergency rental assistance, and $7.25 billion in new money for the PPP program.

New York was the outbreak epicenter of the virus. We experienced unprecedented loss and economic devastation. But the American Rescue Plan; Brooklyn, New York; and the Nation can look forward to a future beyond devastating pandemic.

No amount of gaslighting, alternative facts, fear-mongering, and conspiracy theories will fool the American people. President Biden and the Democrats to the American people:

Mr. SMITH of Missouri. Mr. Speaker, I reserve the balance of my time.

Mr. YARMUTH. Mr. Speaker, I yield 45 seconds to the gentleman from California (Mr. KHANNA), a distinguished member of the House Ways and Means Committee and Oversight and Reform Committee.

Mr. KHANNA. Mr. Speaker, this bill is historic because it buries the myth that the cause of childhood poverty is lack of choice, lack of hard work, or a lack of love. The bill affirms the simple truth that the cause of poverty is a lack of income to cover basic necessities.

No child in America should be deprived of food, of medicine, of clothing, or of education because of the accident of birth. That is what this bill stands for. It represents and marks an ideological revolution on behalf of justice.

Mr. SMITH of Missouri. Mr. Speaker, I reserve the balance of my time.

Mr. YARMUTH. Mr. Speaker, I yield 45 seconds to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), a distinguished member of the Oversight and Reform Committee and the Appropriations Committee.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, to honor the half million Americans who perished in this pandemic and rescue the millions still struggling in its fiscal chokehold, we must end this national viral nightmare.

The American Rescue Plan is our best hope and the most ambitious, progressive legislation in scope and impact since the Affordable Care Act. It delivers direct payments to families, helps our schools safely reopen, and ensures small businesses and Main Street store owners also secure up testing and vaccine deployments, especially to underserved communities.

This plan’s tax changes likely cut child poverty in half. If we want kids behind desks, shots in arms, and people in this American Rescue Plan delivers vital relief now and lays a solid foundation for the future.

Thankfully, the misers are no longer in charge, and help is on the way.

Mr. SMITH of Missouri. Mr. Speaker, I reserve the balance of my time.

Mr. YARMUTH. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. MEEKS), the distinguished chairman of the House Foreign Affairs Committee.

Mr. MEEKS. Mr. Speaker, as chair of the House Foreign Affairs Committee, I speak in support of the international provisions of the American Rescue Plan.

Pandemics do not respect international borders. COVID-19 won’t end in America until it is brought under control around the world. The $10 billion included in this package for international support are a small, yet critical, investment in fighting COVID and its effects around the world.

This portion of the bill prioritizes global health, providing more that $4.6 billion to relieve overburdened healthcare systems and medical workers, and helping governments and multilateral partners develop and distribute vaccines.

To address the humanitarian crises exacerbated by this pandemic, the American Rescue Plan provides funding for lifesaving assistance, including school meals, food, and basic medical care. It also provides COVID-related relief to refugees, who are already among the most vulnerable; and to our multilateral partners, such as the World Food Program and UNICEF, who can leverage their other partners and their global reach to maximize these dollars.

These provisions would also provide nearly $1 billion in flexible funding for economic support to help ensure that we need isn’t an extension of the economic impacts of COVID, which are already severe.

It will support our diplomats and development professionals, enabling them to scale up and adapt to the pandemic, and continue to serve America’s foreign commitments and our country’s interests around the world.

The Foreign Affairs provisions represent approximately 1⁄2 of 1 percent of the overall package. These funds support America’s foreign commitments to the poorest nations least able to tackle the pandemic.

Mr. SMITH of Missouri. Mr. Speaker, I reserve the balance of my time.
Mr. YARMUTH. Mr. Speaker, I yield 30 seconds to the gentleman from Texas (Mr. GREEN), a distinguished member of the Financial Services Committee.

Mr. GREEN of Texas. Mr. Speaker, and still I rise, and still I rise, and still I rise, and still I rise, and still I rise; a demonstration of gratitude and appreciation for the Biden administration. This administration did not give up, did not give in. This administration has become now a symbol of hope and help for working class people. It is time for us to put more emphasis on workers and less emphasis on the billionaire class.

Mr. SMITH of Missouri. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, there is this popular phrase that our Speaker is known for that we must pass the bill before we know what is in it. Well, the other side also said that you must poll the bill before we know what is in it. After they figure out what is in this bill, they won’t like it.

We have looked at this bill. We have read it.

Less than 9 percent of all funding of this bill goes for healthcare spending to crush the virus and to put vaccinations in the arms of Americans. More than 20 percent of this bill goes to policies that harm jobs and reduce employment, and $36 billion will be cut from Medicare just next year alone because of this bill. Over $360 billion will be cut from seniors in 10 years because of this bill.

Mr. Speaker, when the facts are polled, the American people will know that this is a progressive wish list forced down by the Democratic Party.

Mr. Speaker, I yield back the balance of my time.

Mr. YARMUTH. Mr. Speaker, may I inquire how much time remains.

The SPEAKER pro tempore. The gentleman from Kentucky has 4 minutes remaining.

Mr. YARMUTH. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, this morning there was a really interesting article in the Louisville, Kentucky, paper, The Courier-Journal, because yesterday the Beshear administration presented to the general assembly the numbers that Kentucky was going to experience based on this American Rescue Plan, the money that was going to go to the State, the money that was going to go to counties and cities, the money that was going to go to higher education—half of which has to be used to support students in need—and the amount of money that was going to go to help children out of poverty.

The way it was described in this article was that these legislators—overwhelmingly Republican, our State house is 75–25, and our senate is 38–9—were stunned, and they were excited. One person described it as: the excitement was palpable.

Of course it is. This is life changing for so many constituents of theirs. It is life changing for the future of the Commonwealth of Kentucky.

Let me put it this way: We have 4.4 million Kentuckians—4 million out of 4.4 million, 92 percent—who will be getting a check, a $1,400 check, some a little bit less, but most $1,400, and 1.2 two million children will be eligible for an extended child tax credit—1.2 million children. The magnitude of the impact of this bill is truly stunning.

Now, some people will say—and you can infer from many things the Republicans have said—that none of those people deserve the $1,400. They don’t need it.

I hope they all go home and tell those people that they represent, you really don’t need that $1,400. You haven’t suffered because of this pandemic. You haven’t had to care for a relative or a child who has not been able to go to school, and you haven’t had any extra expenses because of the pandemic. You just don’t need it. You are a moderate-income person. Don’t take the $1,400.

I want to hear that conversation because it is not going to happen. As a matter of fact, we are all concerned about on our side is Republicans who are making against this and then they are going to show up at every ribbon cutting for every project that is funded out of this bill, and they are going to puff up their chest and take credit for all these great benefits that are coming to their constituents. It is okay if they want to take credit for it. It is fine.

What are we concerned about is that we have finally, in this body and in this Congress, risen to the occasion in the context of a terrible national disaster.

What astounds me when I listen to the arguments against this bill is that nobody was at fault here. At least nobody out in the country was at fault. All the people who are going to get $1,400 didn’t do anything wrong. All these kids who are going to get raised out of poverty certainly didn’t do anything wrong. The people who are now in food lines in many cities across the country, who never ever would have been in a food line before, didn’t do anything wrong.

Who is going to help?

Do we say this is all survival of the fittest?

No. We rose to the occasion. We delivered. The American people I know support us.

Mr. Speaker, I urge everyone to support the American Rescue Plan Act of 2021, and I yield back the balance of my time.

Mr. NEAL. Mr. Speaker, I yield such time as I may consume.

Mr. Speaker, this pandemic has been ruthless. With over half a million lives lost, we are a nation in a constant state of mourning. Sadly, we cannot take away the pain and the suffering of our friends, neighbors, and loved ones. But with this seismic legislation, we are delivering much-needed help and relief to millions of our fellow Americans.

In a few minutes, this Chamber will pass and then send to President Biden a monumental piece of legislation that will begin to turn the tide of an unprecedented health and economic crisis.

I want to thank Speaker PELOSI for the confidence that she offered to the Ways and Means Committee as we wrote most of this legislation.

In the 23 years that I have served in this House, I don’t know that I will ever cast a more important vote than what we are about to do and of such great consequence in but a few minutes.

I am immensely proud of the work that the Ways and Means Committee members did to make this legislation a reality. We heard the American people, and we went big. We proudly contributed substantial solutions that will strengthen our recovery from this pandemic and rebuild our economy to work better for all Americans. The Ways and Means Committee was responsible for $1 trillion of this expenditure.

To contain the public health crisis and make health coverage more accessible are key components of the expansion of the Affordable Care Act since it was enacted and which the Ways and Means Committee helped to write. We are bringing down costs for jobless Americans saving them thousands of dollars in health insurance costs and more. We will also include assistance for nursing homes that are desperate to contain this virus.

We are going to help those struggling to stay afloat by putting cash in their pockets and simultaneously creating liquidity and demand. For the jobless, we extend Federal unemployment benefits to keep them afloat for the better days that lie ahead.

We have made three key tax credits for lower- and middle-income workers and families more generous, more flexible, and more capable of tackling the inequality and concentrated wealth that exists in our country. We already know that a key to our recovery will be giving parents the tools to go back to work even though their previous childcare may have been unended. We will ease their worries by making childcare more accessible and indeed more affordable.

This child tax credit will lift millions out of poverty, and the expanded earned-income tax credit will put money into the pockets of the lowest-income workers.

Mr. Speaker, listen to this following statistic: All in all, there will be an increase in aftertax income for the poorest 20 percent of Americans by increasing their income by 20 percent. That is a staggering achievement. It is a life-changing achievement.

Lastly, we also made a long overdue fix to multiemployer pension plans that protect hard-earned savings of workers, many of whom have been on the front lines of this crisis. These
Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to remind my friend and my chairman, who I have great respect for, Mr. NEAL, that the Tax Cuts and Jobs Act was one of the pivotal successes of the Trump administration that led to the lowest poverty among all Americans that had existed in decades, if not ever, and the strongest economy and lowest unemployment among all demographic groups.

Whereas, this plan, this so-called COVID relief plan, is not, in fact, a COVID relief plan at all. By far, most of the money goes to creating new entitlement programs. You see, my friends on the other side of the aisle will oppose today go directly to working-class Americans.

However, with the next chart, Mr. Speaker, you can look at their package, and it was nearly the same size. By the way, they borrowed $2.3 trillion for it. It had overwhelming support from their side of the aisle. But look who the benefits went to. The evidence is overwhelming as to who the benefits went to.

This package is nearly the same size as what they did, but the impact of what we are about to do will be extraordinary.

Multiple reports have highlighted how the tax cuts bill did not, as proponents claimed, grow the economy or indeed—the great hoax—pay for itself. That never happened. Yet they continue to stand behind a law that put the powerful and the wealthy first, and they dismiss what we are about to do today.

Hardworking Americans have been for too long left behind, and that ends today. This bill will save lives and livelihoods. We will help families stay housed, put food on the table, and access affordable healthcare. Most importantly, this package will help families avoid impossible choices.

Mr. Speaker, I urge our colleagues to rise to this moment and support this important legislation, and I reserve the balance of my time.

Mr. RICE of South Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to remind my friend and my chairman, who I have great respect for, Mr. NEAL, that the Tax Cuts and Jobs Act was one of the pivotal successes of the Trump administration that led to the lowest poverty among all Americans that had existed in decades, if not ever, and the strongest economy and lowest unemployment among all demographic groups.

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Mr. Speaker, I urge our colleagues to rise to this moment and support this important legislation, and I reserve the balance of my time.
Mr. DAVID SCOTT of Georgia. He brought up the issue of the Black farmers. It is important for you to know that our Black farmers were not included in the other pieces, so we got them $4 billion just to help them and technical assistance. America needs that.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. RICE of South Carolina. Mr. Speaker, I would remind the gentleman that, due to the enormity of this bill, if $800 million of this bill goes to food assistance, that represents less than one-one thousandths of the total. That is a very tiny, small fraction.

Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. AARRINGTON).

Mr. AARRINGTON. Mr. Speaker, the American people deserve the truth. Over the past year, Republican and Democrat lawmakers have worked together to provide temporary and targeted assistance to the American people. Five times, we passed bipartisan legislation, totaling $1 trillion, to help families get back on their feet and our country get back to work.

Which begs the question, Mr. Speaker: Why now are Democrats, who control Congress and control the White House, abandoning bipartisanship to jam through this partisan legislation without a single Republican vote?

I will tell you why. It is because this is not COVID relief. It is a $2 trillion blue State boondoggle and a Trojan horse for their reckless partisan policies.

It is because Speaker PELOSI is throwing your tax dollars at Democrat cronies like a float captain throws beads at a Mardi Gras parade: bailouts for union pensions, bailouts for cash-flush States like California, bailouts for schools that still refuse to open their doors to struggling students.

This massive spending bill, masquerading as COVID relief, will bankrupt the country. It will bankrupt it and saddle our children with insurmountable debt.

I urge my colleagues to vote “no” on this bill.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER), the chairman of the Subcommittee on Trade and a valued senior member of the Ways and Means Committee.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman’s comments moments ago. This is historic legislation dealing with priorities long neglected. The charts that he presented tell it all.
The Republicans, with their $1.7 trillion tax cut, primarily for people who didn’t need it, versus our priorities, dealing with making a major impact on child poverty, dealing with health, dealing with our local governments being able to survive. This is a reflection on Democratic values, and the difference it makes is stark.

I am proud to vote in favor of this recovery act. I am proud of what it is going to do for people who need it most. The contrast between Democrat and what the Republicans did when they used reconciliation could not be more stark.

I appreciate the gentleman illustrating it, and I hope that the House will approve this measure.

Mr. NEAL of South Carolina. Mr. Speaker, I yield myself such time as I may consume.

I agree that the priorities could not be more stark, when the Tax Cuts and Jobs Act led to the most successful economy if not ever, seeing the lowest unemployment among African Americans, Hispanics, and women in the history of the United States. Whereas, this bill just represents a massive expansion of our entitlement system.

Our priorities are to get people to work. The Democrats’ priorities are to get people hooked on the government, to make them reliant on government checks.

Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. WENSTRUP).

Mr. WENSTRUP. Mr. Speaker, I rise today to oppose this solely Democrat payoff spending bill.

I will agree with my colleagues, it is historic. I agree with my colleagues, it is consequential. There is no doubt about it. I am sure that with $1.9 trillion, somebody will be helped. I am quite sure of that. But the next generation of Americans are not going to be than that.

Let’s be honest with the American people. This is not a COVID relief bill. Members of this body came together four times last Congress and passed legislation that actually provided relief to our constituents. This bill is so incredibly far away from that, as Republicans have been completely frozen out of this process.

Mr. Speaker, what is the result? Only 9 percent goes towards defeating the virus. $1.5 billion for Amtrak, which is already sitting on $1 billion in unspent aid. Maybe riding Amtrak is a good idea, but don’t look at what I am doing behind your back with the other $5.5 billion in unspent aid, which is a prescription for ruin.

$60 million for environmental justice grants, Mr. Speaker. That doesn’t educate our children.

Roughly $1 trillion on other liberal pet projects, when we have $1 trillion from the previous bipartisan bills that has been left unspent.

Can someone explain what has to do with COVID relief? Anybody?

If Members are serious about directly addressing the medical and economic challenges our country faces, like getting businesses open, getting students back to school, getting vaccines to Americans who want them, I will work with anyone in this body to do so. You know Republicans will, because we did several times until Democrats ignored us this Congress.

Please, let’s not pretend this bill is about COVID relief. That simply is not true.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentleman from Connecticut (Mr. LARSON). Mr. Speaker, I want to thank President Biden for his science-based efforts in defeating this virus and his unrelenting focus on putting American families back on their feet.

The American Rescue Plan meets the moment and fulfills that old adage that help is on the way.

This bill gets shots into arms, money into people’s pockets, and provides their communities, and especially our schools, with the relief that they need. In Connecticut, 1.5 million working families will receive $4 billion. This relief is felt by those families—I say to my colleagues—as those families sit at the kitchen table and look across at each other and talk about their day-to-day needs and what needs to be met, Mr. Speaker.

And so this bipartisan relief package that we have put forward—and I say bipartisan, because when you talk to the general public and when you talk to the people that need this relief directly, you see that more than 70 percent of Democrats, Republicans, and the unaffiliated support this bill.

Mr. RICE of South Carolina. Mr. Speaker, what my friends across the aisle are saying is: Here is your $1,400 check, but don’t look at what I am doing behind your back with the other $5,500 I am borrowing in your name and in the names of each of your children.

Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. REED).

Mr. REED. Mr. Speaker, I don’t need a sheet of paper to express my words here today.

I rise in objection to this bill, because this bill is being passed on the backs of 500,000 plus of our fellow American citizens’ deaths, under the guise that you are passing a bill on a partisan basis, on their souls, in order to do COVID relief. This isn’t relief. This is because you guys won the majority.

I am speaking to the American people, to speak truth. You won the majority, you took the opportunity to put forth an agenda, and you didn’t include bipartisan support.

I had one simple amendment on this bill. $1,400 is going to go to convicted child molesters in State prisons. What is that doing to stimulate the economy? Why does a child molester, who is sitting in State prison, need $1,400 to buy cigarettes or play video games in State prison? That is your priority. That is what you put in this bill. You didn’t even debate our bipartisan amendment to try and have that included.

Let’s be honest with the American people. You are playing politics. You are carrying forward an agenda. I get it. You won the election. But this is an agenda, and an agenda that is killing our fellow American citizens.

We put together $4 trillion worth of relief to the American people on a bipartisan basis. We should have done it again, and you didn’t. It is wrong. That is why I say no to this bill.

The SPEAKER pro tempore. Members are again reminded to direct their remarks to the Chair.

Mr. NEAL. Mr. Speaker, the gentleman from New York, my friend, knows that that decision was rendered by a federal judge, not by this Chamber.

Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PASCARELL), chairman of the Subcommittee on Oversight, who has led on a number of provisions, including extending the earned income tax credit to Puerto Rico.

Mr. PASCARELL. Mr. Speaker, a lot of people are waiting to get this done. It is up to us to help Americans who can’t buy their groceries or pay their rent and are not in prison.

It is up to us to protect seniors in nursing homes.

It is up to us to ensure that every American has quality health insurance and is able to get vaccinated.

These are Congress’ burdens, our burdens.

I am voting yes, because Ingrid from Rutherford told me it would help her pay the rent or utilities. How can I say no to that?

I am voting yes, because Bradley from Fort Lee told me that a new stimulus check was the only way he could get help for his kids until he finds work. I am voting yes for that.

Our cities and States are being bled into bankruptcy. They contemplate cuts to public safety in schools that will be felt for a generation without us acting.

Americans are crying out for help, Mr. Speaker. Can you hear them? They have given us the burden to act. Today, we are going to deliver. We should be happy today. We should not be angry.

Mr. RICE of South Carolina. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. LAHOOD).

Mr. LAHOOD. Mr. Speaker, I rise today in opposition to the Democrats so-called COVID relief bill.

Congress’ focus should be specifically dialed in on crushing this virus, creating jobs, and getting our economy back open.

Unfortunately, this package falls well short.
Some of us have heard this debate be-
land (Mr. HOYER), the distinguished
cine distribution.

Congress should work to incentivize
lican input.

cifically designed not to allow Repub-
tive agenda item was partisan and spe-
President Biden’s first major legisla-
covery even more difficult.

rules on small businesses, making the
burdensome costs, regulations, and
conomic disaster.

our efforts must be targeted.

In Illinois, we have seen the negative
impact of the tax-and-spend agenda
that put our State on the path to eco-
omic disaster.

The bipartisan stimulus plan by the
administration will impose new,
burdensome costs, regulations, and
rules on small businesses, making the
recovery even more difficult.

It is disheartening that following
calls to spend money to help keep busi-
ity, Congress should work to incentivize
rowth, focus on job creation and vac-
cine distribution.

To generate a strong economy, we
need to get government out of the way,
open our communities, and enable
mericans to thrive.

Mr. NEAL. Mr. Speaker, I yield 1
minute to the gentleman from Mary-
land (Mr. HOYER), the distinguished
majority leader of our House.

Mr. HOYER. Mr. Speaker, some of us
have been here for some period of time.
Some of us have heard this debate be-
fore. My friend, Mr. REED, from New
ork, opined, and others have opined,
about how we passed a number of bi-
partisan bills, five to be exact, March 4,
March 14, March 27, April 24, and then
we had a hiatus, because the majority
leader of the Senate said we ought to
take a break and see what happens, and
the minority leader of the House said
the same thing. So we didn’t take any
action. Frankly, tens of thousands of
people died—hundreds of thousands of
people died.

Now, I point out that we have acted
five times: 415–2, 363–40—a voice vote
on the CARES Act, $2 trillion—389–5,
and 359–53.

Now, if you include the CASH Act,
which we passed, because the Presi-
dent, i.e., Mr. Trump, said we needed
more money for people, so we passed
the bill and 44 Republicans voted for
that bill as well.

Now, there is only one thing that has
changed since we passed those first five
bills. We now have a Democratic Presi-
dent and not a Republican President.
That is the only thing that has

The need is there. The virus is still
with us. The economy is struggling.
But now we have a Democratic Presi-
dent, so I expect zero of you to vote for
this.

Excuse me, Mr. Speaker. Mr. Speak-
er, I expect zero Republicans to vote
for this bill.

Why do I expect that? Because I was
here in 2009 when, under George Bush,
with more money for the banks than
this country has seen since the Great De-
pression.

Very frankly, Mr. Speaker, we passed
two major pieces of legislation to deal
with that recession. One was called
TARP, the Troubled Asset Relief Pro-
gram. A Republican President and
Democrats passed that bill. Only a
third, Mr. Speaker, of the Republicans
would support President Bush.

□ 1230
You can shake your head, but you look
at the RECORD, that is the fact.
That is the fact.

Democrats supported the request of a
Republican President, because we
thought it was in the best interests of
the country and our people. And the
only reason it passed this House is be-
cause Democrats, 172 of us, stood up
with George Bush and voted for that
program, and it was a big vote for us.
It was the right thing to do, but politi-
cally it was a bad vote.

How sad, Mr. Speaker, I think it is
that we passed five bipartisan votes
with a Republican President. Now the
TARP is different, and we don’t
want to give him any credit, so we are
going to cut off the nose of the Amer-
icans people to spite the face of Amer-
ica.

Mr. Speaker, the Democratic major-
ity in the House acted, passing an amended version of the
American Rescue Plan that this House
approved on February 27. The version
they sent us back reflects the same
commitment demonstrated by this
House to take the big and bold action
demanded by the American people and
overwhelmingly supported not just by
Democrats, but by Republicans.

The Republicans outside this House
support this bill. Only the Republicans
inside this House, unanimously ap-
parently, oppose this bill while some 80
percent of the Republicans in America
pollied say, “We are for this bill.”

But we have a Democratic President,
I get it. President Biden’s plan is re-
lected in this legislation. It says
President Biden’s plan, but this is our
plan. This is a plan we built over a year
of tough debate, long debate, sub-
stantive debate and discussion on both
sides of the aisle, and in a bipartisan
fashion passed those five bills.

This bill is consistent with the mea-
sures we passed last year to confront
the challenges to our public health and
economic well-being. It achieves a
number of critical goals: It puts vac-
cines into Americans’ arms; it will put
money in Americans’ pockets; it will
put children back in classrooms; it will
put millions of Americans back to
work and reopen businesses safely; and
it will put at ease the frontline and es-
sential workers who are in the public
sector, like teachers, the first respond-
ers, by ensuring that State, local, Trib-
al, and territorial governments can
keep them employed.

Mr. Speaker, the American people
overwhelmingly support this legisla-
tion, with more than three-quarters in
favor of its enactment, according to a
Morning Consult poll from March 3rd.
I would like to see some of the NRCC
polls because I think they give the
same message. But, of course, maybe
those people polled didn’t realize there
was a Democratic President. Heaven
forbid that we vote for something that
a Democratic President wants.

Mr. Speaker, I put our party up to
any kind of analysis in terms of our bi-
partisan support for Republican Presi-
dents when we thought it was in the
best interests of the country. Nearly 6
in 10 Republicans want to see this bill
passed.

Listen to your people. I am surprised
some of our Republican colleagues are
not planning to vote for this legisla-
tion. I hope they will do so. I hope
they will do so because I think it is in
the best interests of our Nation, of our
families, of our individuals, of our busi-
nesses, of our economy. I hope they
will join Democrats in taking action
to help the nearly 10 million Americans
who are out of work compared to this
time last year.

We waited. This is what happened. I
hope they will also join Democrats in
voting to extend expanded unemploy-
ment insurance benefits that would
otherwise lapse for more than 11 mil-
ion families this weekend and to make
good on our promise to send another
round of $1,400 stimulus checks to most
Americans.

What are they going to do with that
check? They are going to put it in the
economy, and it is going to grow the
economy and create jobs.

And I hope they will join us in sup-
porting a massive effort at deploying
vaccines and testing so we can defeat
this virus.

The American Rescue Plan means an
end to the failed approach of hitting
the pause button. It didn’t work. It is
time to hit the start button. It is time
to start Building Back Better through
bold action. That is a political slogan.
I like it. I have a Make It In America
slogan myself.

But this is not about slogans. It is
about investment in our country, in
our economy, and in our people, our
families, our children, and, yes, the
most vulnerable among us. That is
what my faith teaches me to do. This is
what I have learned at the knee of my
parents, what I have learned in service
and what I have been taught by the
Church. This is what we learned from
the Civil Rights Movement.

It is time for us to face our challenges
with all of our strength and resolve.
This is a vote to have each other’s backs as fellow
Americans in this time of difficulty.
Mr. Speaker, with our votes today, we can send this legislation to President Biden so he can sign it into law and get the help that America and Americans need.

Mr. RICE of South Carolina. Mr. Speaker, I would remind my friend, the majority leader, that the reason that this bill is not bipartisan is there has been no effort to make it bipartisan.

There have been zero committee meetings on this. Ms. PELOSI uses COVID-19 as an excuse to keep the aid from Washington so that she can write these liberal grab bag bills on her own. There were no hearings on this in the Ways and Means Committee or I don’t think any other committee. I am sure we could have found a bipartisan response to this, but instead they chose, because they have the majority now, to ram through their list of liberal priorities in a massive expansion of the entitlement system under the guise of COVID relief.

Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. CLYDE).

Mr. CLYDE. Mr. Speaker, I rise today in strong opposition to the Senate amendment to this payoff package. According to the Treasury, at the end of the 10-year horizon provided by the Constitution to the States in the CARES Act pandemic relief funding remained unspent. And this payoff package provides them an additional $360 billion.

The partisan formula used will direct hundreds of millions more to liberal States like California and New York. That is because the formula is determined by the State’s population of unemployed people. States that enacted stricter lockdowns with the heavy hand of government saw higher unemployment rates and, therefore, will get more money.

I will also highlight the racist socially disadvantaged farmers and ranchers provision. This provision should be a violation of the Civil Rights Act of 1964, and I call on the Department of Justice to investigate it if it becomes law. It is shameful and, in my opinion, illegal. I cannot justify conditioning relief based on race and ethnicity. This is not equality under the law. Federal aid dollars should be colorblind, and this bill puts the Federal Government in a precarious position.

Mr. Speaker, I urge my colleagues to vote no on this package.

Mr. NEAL. Mr. Speaker, I am glad Mr. HOYER also pointed out that many of us did support President Bush’s relief package. I voted for it twice.

We met with Hank Paulson, the Secretary of the Treasury, in the Ways and Means Committee library, and he said, “You have to do this.” We followed suit and supported it.

It has come to my attention that there is some uncertainty about the effective date of the tax provisions of the American Rescue Plan Act of 2021. In section 9706 of the bill, we allow single-employer pension plans to measure their liabilities by using interest rates that are closer to historical norms, rather than the low interest rates that are in effect today in part because of the pandemic. This provision will enable both plans and participants to weather this crisis far better. I’d like to clarify an issue relating to the effective date of this provision. Plans can choose to have the provision apply starting in 2020. In addition, plans can elect to have the provision apply starting in 2022, so that it does not apply until 2022. It also is our intent that plans can elect for the provision to apply starting in 2021. We believe that is the right interpretation of the language of the bill. We want to give plans the maximum flexibility so that tomorrow’s retirees can achieve a secure retirement. My staff has run this interpretation by the staff of the Joint Committee on Taxation and they also agree that an election to have the interest rate smoothing apply starting in 2021 is permitted by the language in the American Rescue Plan Act of 2021.

Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. DANNY K. DAVIS), the chair of the Worker and Family Support Subcommittee, who has been a champion for the expanded childcare credit in this legislation.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, this is the day that millions of Americans have been waiting for, and now it is here.

This is the day that we get serious about cutting child poverty in half, about putting millions of doses in the arms of people, vaccinations that they will get.

This is the day when individuals know that their government cares.

There are millions of doses that have been delivered. They have hope because now they can pay their rent, pay the mortgage, buy the baby milk, get the automobile repaired.

This is the day that the pastor at my church would say that the Lord has made, let us rejoice and be glad in it. I say this is the day that we restore the economy of America and save our Nation.

Mr. RICE of South Carolina. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PALLONE), the chairman of the Energy and Commerce Committee.

Mr. PALLONE. Mr. Speaker, I heard some of the Republican Members say they want to fight the virus, yet they are voting “no” on this bill. I would say they should do the opposite. If they want to fight the virus, they should be voting “yes” on this bill.

Unlike under President Trump, when there was no national plan to fight the virus, under President Biden, for the first time we have a national plan to fight the virus that does not force States and local governments to compete with each other for testing, contact tracing, and medical supplies. The American Rescue Plan will support the national effort to ramp up distribution and administration of life-saving COVID-19 vaccines, as well as the implementation of a national testing strategy that will help us quickly track and contain the virus. It also includes the largest expansion of healthcare coverage since the passage of the Affordable Care Act, including lower monthly premiums for millions of Americans and a coverage expansion for millions under Medicaid who are currently uninsured.

Mr. Speaker, the American Rescue Plan lives up to its name. It rescues families by providing critical utility bill assistance so they can keep their lights on, the heat working, and the water running. It rescues kids by boosting internet connectivity to bridge the digital divide and close the homework gap. It supports 27 million children with the expanded child tax credit. It puts food on the tables of families by providing critical utility bill assistance so they can keep their lights on. It helps keep people in their homes by providing critical utility bill assistance so they can keep their lights on. It helps families in a generation.

Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. SÁNCHEZ), who was a lead supporter of expanding the child tax credit and a longstanding advocate for helping laid-off workers through COBRA.

Ms. SÁNCHEZ. Mr. Speaker, I rise today to support the American Rescue Plan, and I want to thank Chairman NEAL for his work to ensure that this package keeps our promises.

This rescue plan is transformative. It is the biggest investment in American families in a generation.

It puts shots in arms, money in pockets, children back to school, and people in jobs.

It invests in research, development, and production to get vaccines out to all Americans.

It helps keep people in their homes and apartments.

It puts food on the tables of families who are experiencing hunger.

It supports 27 million children with an expanded child tax credit.

It helps more than 27 million American workers through the earned income tax credit.

It lowers healthcare costs and helps families keep their health coverage up to date. It helps American workers through the earned income tax credit package.

It lowers healthcare costs and helps families keep their health coverage up to date. It helps American workers through the earned income tax credit.
Ms. DELBENE. Mr. Speaker, I rise today in support of the American Rescue Plan, a bill that will deliver crucial relief to millions of Americans who have been struggling for far too long. The pandemic has caused economic uncertainty, hardship, and turmoil. An estimated 8 million people have fallen into poverty during this crisis making the need for relief even greater.

This bill includes an antipoverty measure I have fought for: An expansion of the child tax credit. The expansion will provide increased payments to help families pay bills and buy essentials. The expansions in this bill are estimated to cut child poverty in half. This will transform the lives of many families and children.

As chair of the New Democrat Coalition, I am working to make the child tax credit permanent with Representatives DELauro and Torres. Democrats are united around our shared goal to rebuild the middle class and make some of the biggest antipoverty reforms in a generation.

I welcome my colleagues on the other side of the aisle to join us. Lifting children out of poverty should not be partisan.

The American Rescue Plan will get our economy back on track and crush the virus. I urge my colleagues to vote “yes” on this critical legislation.

Mr. RICE of South Carolina. Mr. Speaker, I yield 1 minute to the gentlewoman from Alabama (Ms. SEWELL), a member of the Ways and Means Committee, who has been a powerful voice for home-visiting programs and the help they provide to pregnant women and children.

Ms. SEWELL. Mr. Speaker, today is a day of great progress and great promise. I rise today to urge my colleagues to vote in favor of the American Rescue Plan.

The American Rescue Plan will save lives and livelihoods. It will put vaccines in the arms of Americans and provides $20 billion in a nationwide vaccine plan.

It also puts children safely back in schools with a nearly $130 billion investment. It will put money in people’s pockets by delivering $1,400 stimulus checks, as well as expand reliable childcare and affordable healthcare. It will extend unemployment benefits to 18 million Americans and so many Alabamians that I represent.

It will put people back to work by providing critical support for the hardest hit small businesses, expanding PPP eligibility and much more. It will give lots of needed money directly to localities, to local cities and counties. In fact, $472 million of direct funding will come to the State of Alabama in my district.

Mr. Speaker, I want my constituents to know and all Americans to know that help is indeed on the way.

Mr. RICE of South Carolina. Mr. Speaker, I would point out to my friend from Alabama that because of the change in the allocation formula in this bill, relief for States—from the prior COVID relief bills—now this formula will focus on the unemployed; therefore, places that have shut their economies down and hurt their citizens economically will get more money than places who haven’t.

As a result, Alabama is the fourth or fifth largest loser in this bill in State and local government recovery money. Alabama will lose about $890 million, almost $1 billion, and that works out to approximately $178 lost for every man, woman, and child living in Alabama.

Mr. Speaker, I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentlewoman from Washington (Ms. DELBENE), a member of the Ways and Means Committee, who has been a tireless champion for this legislation’s historic expansion of the child tax credit.

Ms. DELBENE. Mr. Speaker, I rise today in support of the American Rescue Plan, a bill that will deliver crucial relief to millions of Americans who have been struggling for far too long. The pandemic has caused economic uncertainty, hardship, and turmoil. An estimated 8 million people have fallen into poverty during this crisis making the need for relief even greater.

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I welcome my colleagues on the other side of the aisle to join us. Lifting children out of poverty should not be partisan.

The American Rescue Plan will get our economy back on track and crush the virus. I urge my colleagues to vote “yes” on this critical legislation.

Mr. RICE of South Carolina. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. BEYER), a valued member of the Ways and Means Committee, who played a central role in shepherding this legislation through 2 days of Ways and Means consideration.

Mr. BEYER. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, my vote today for the American Rescue Plan will be the most consequential vote I have ever cast.

Today, we show that democracy works.

Today, we make available all the resources needed to end a pandemic that has killed 527,000 Americans.

Today, we lift millions of American children out of poverty.

Today, we make the investment to get our children back to school safely.

Today, we authorize economic income payments to millions of our citizens behind on their rents and car payments and unable to buy groceries.

Today, we extend unemployment insurance for the 10 percent of Americans still out of work because of the virus.

Today, we send national help to those State and local governments who employed the heroes who provide our quality of life: police, firefighters, teachers, child protective service workers, sanitation workers, and many others.

And, today, we reject the social Darwinism of our Republican friends. We reject the ethic of every man, woman, and child for themselves.

Mr. Speaker, I am proud to vote for this bill today.

Mr. RICE of South Carolina. Mr. Speaker, I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. EVANS), a member of the Ways and Means Committee, who has been a leader on expanding the earned income tax credit.

Mr. EVANS. Mr. Speaker, I thank the gentleman for his service.

This act is big and bold, and it begins to keep our promise to Build Back Better. This is a historic bill, a policy revolution.

It includes: cutting child poverty in half, expanding the earned income tax credit, saving people’s pensions. It means a shot in the arm, returning kids to school safely, and more people back in jobs.

My constituents in Philadelphia feel it is needed now. This is something we all should be working on together.

I thank the chairman of the Ways and Means Committee and all of the
Throughout California, essential workers, many of them Black and Latinos, are keeping our economy running. Frontline healthcare workers are exhausted from caring for their patients day after day, month after month during this pandemic, and local and state government workers who are providing food to every single day to those in need. They need us to pass the American Rescue Plan.

Across the country people are terrified that they or a loved one will get hospitalized for COVID-19 before being vaccinated and end up in the hospital or dead. They are scared that the American Dream is drifting further and further away. They need us to pass the American Rescue Plan.

That is why 75 percent of Americans support this plan. Democrats, Republicans, independents from red States and blue States, they are urging us to pass this plan, and they are urging their Representatives to listen to themselves and all their colleagues on the Republican side of the aisle not to turn a deaf ear to their cause and do the right thing and vote with Democrats to pass this bill.

Mr. RICE of South Carolina. Mr. Speaker, I reserve the balance of my time.

Mr. GOMEZ. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. PANETTA), a member of the Ways and Means Committee, who was one of the loudest voices for expanding employee retention tax credit and a lean on all provisions that will improve care for our seniors and their families.

Mr. PANETTA. Mr. Speaker, 1 year ago this week we left Congress early because of COVID-19. Since then our entire way of life has been upended with the worst pandemic in a century, where at times we weren’t taming this COVID tiger, we were just riding it.

Yet, despite that rough ride, we did our job in Congress with five massive relief bills that kept the economy afloat, the poverty rate flat, and put us in the position where today we are neck and neck in this race between infections and infections.

Yet my colleagues on the other side want to slow us down by voting “no,” claiming process or price or pork or politics.

Well, I support the American Rescue Plan, not just because we need to speed up our response but because this bill is about people; their health, their vaccines, their jobs, their businesses, their local governments, and getting our kids back to school safely.

So let’s do our job. Let’s defeat this disease. Let’s win this race by voting “yes” on the American Rescue Plan.

Mr. RICE of South Carolina. Mr. Speaker, I would remind my friend that only about 9 percent of this bill actually goes to speed vaccine production and delivery around the country. And if more of that were occurring in this bill there may be more bipartisan support.

Let’s set the record straight. It is true that 9 percent—their favorite talking point—9 percent, or $177 billion is for vaccines, testing, and other healthcare infrastructure.

Well, what about the other 90 percent? $241 billion for $1,400 stimulus checks, $350 billion for struggling State and local governments, $246 billion for unemployment insurance, $219 billion for children and childcare so parents can return to work, $178 billion to help reopen schools, $100 billion for farmers and small businesses, $28 billion for restaurants and live venues, $40 billion for renters and homeowners who need assistance.

Let’s pass this bill. Stop the phony-baloney talking points and get the American people the relief they need.

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Mr. RICE of South Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would remind my friend that what we are doing here is waving a $1,400 check in front of our constituency and saying, “Look at this,” but we are like the Wizard of Oz, “Don’t look at what is going on behind the curtain,” because what we are doing with this $1.9 trillion bill is borrowing $5,500 for every man, woman, and child in this country.

We are giving them $1,400 so it is palatable to them. We are giving them a little sugar. We are not reminding them about the $4,100 other dollars that they are borrowing in their name, of which $1,067 goes to bail out blue States like New York and California.

Mr. Speaker, $177 of their money, of that $4,100, goes to bail out union pension plans; $750, folks back home, of your $4,100 that we are borrowing in your name and your wife’s name and your kids’ names is going to extend unemployment benefits to pay people more to sit home than they can make at work; $34 goes to museums and National American Library Association; $393 goes to K-12 and $120 to colleges and universities, of your money, each of your money, and there is no requirement that they reopen; $58 goes for public health organizations, including Planned Parenthood.

Mr. Speaker, this bill, again, is simply a guise. COVID relief, no. As Mr. CLEYBURN said: Let’s use this disaster to mold things to our vision. And they are doing exactly that. This is a massive expansion of the entitlement programs.

Mr. Speaker, I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I yield 30 seconds to the distinguished gentleman from Michigan (Mrs. LAWRENCE).

Mrs. LAWRENCE. Mr. Speaker, the scale of our relief bill must match the scale of this crisis, and the American Rescue Plan meets this moment.

In addition, this comprehensive plan includes much-needed relief for our battered cities. As a former mayor, I understand the struggle and strain of our cities right now. Congress cannot sit back as our mayors, Democrats and Republicans, are calling for help. This is not a Democrat or Republican issue. This pandemic is reaching every corner of our country.

Mr. Speaker, let’s answer this call and pass the American Rescue Plan.

Mr. RICE of South Carolina. Mr. Speaker, I remind the people back home that the scale of this plan that this gentlewoman who is about to $5,500 borrowed for every man, woman, and child in this country, and your children will pay that money back. They will pay it back in higher taxes. They will pay it back in lost opportunity. They will pay it back in weaker economic growth.

Mr. Speaker, I reserve the balance of my time.

Mr. NEAL. Madam Speaker, I yield 30 seconds to the gentlewoman from New Mexico (Ms. LÉGER FERNÁNDEZ).

Ms. LÉGER FERNÁNDEZ. Mr. Speaker, I have spoken with New Mexicans all across my district. I have
talked to mayors, local officials, Tribal leaders. I have asked them the same question: What do you need?

What they have all said, Republicans and Democrats alike, is that they need this rescue plan. Our small businesses are ready to put this lifeline to use. Our frontline workers, families, and farmers are ready. New Mexico is ready to start climbing out of this crisis.

Americans have told us what they need. We have listened, and now we are delivering.

Mr. NEAL. Mr. Speaker, maybe I inquire as to how much time is remaining on both sides.

The SPEAKER pro tempore. The gentleman from Massachusetts has 3 minutes remaining. The gentleman from South Carolina has 7 minutes remaining.

Mr. RICE of South Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, more than once today, there has been reference to the recovery bills at the end of the Bush administration and the beginning of the Obama administration coming out of a very bad financial crisis. Of course, this COVID pandemic has led to a financial crisis in this country. But the difference in the response here is stark between the two.

Coming out of the Bush administration and into the Obama administration, we expanded government, raised taxes, imposed regulations, and adopted recovery bills that weren't focused on economic growth. The result of that was, through 8 years of the Obama-Biden administration, we had stagnant growth. The middle class was shrinking; middle-class incomes were shrinking.

It took a Republican President, a Republican Congress, enacting bills that lowered taxes, lowered regulation, and lowered government reliance that led to more economic growth and opportunity for all demographics in our country. Hispanics, African Americans, women, and others have seen growth and opportunity not seen in decades, if ever.

I hope, with this plan, that we are not going to go back to the days of the Obama-Biden years of stagnant growth and dashed opportunity for our children and our grandchildren.

Mr. Speaker, we are holding up a check to the American public and saying: Vote for this, but don't pay attention because we are really borrowing $5,500 in your name, your wife's name, your husband's name, and each of your kids' names. For each of your kids, we are borrowing $5,500 in their names, that they are going to have to pay back. They are getting $1,400 of it, but the other $4,100 is going here.

Mr. Speaker, this is not the right plan to address our Nation's challenges in defeating the COVID-19 virus. It is not the right time either. There is still a trillion dollars in unused funds from previous packages that were bipartisan, that were targeted, that were not merely misnamed liberal grab bags.

The Congressional Budget Office's overview of the economic outlook projects that, by the middle of the year, the economy will have returned to a pre-pandemic level of real GDP. Why? That is because the policies put in place under the Trump administration for economic recovery bills that were still in place—lower taxes and lower regulation. That is why, as opposed to the Obama-Biden recovery, which in 8 years still had not recovered, the economy is quickly coming back to pre-pandemic levels right now.

Yet, my colleagues on the other side of the aisle have found every reason to rush through costly, unnecessary progressive priorities that my constituents didn't ask for.

The American Rescue Plan is costing each American more than their mortgage payment, a downpayment on their car, or a semester of their children's college, and their children will have to pay it back. I don't want to leave a huge bill for my kids, and I know most Americans don't either.

Mr. Speaker, I hope that this bill expanding government, expanding entitlements, paying people to stay home, making them more reliant on the government, will lead to another decade of stagnation, of lost opportunity. Vote "no" on this dangerous bill. Vote "no" against a selfish attempt to strap our next generation with debt. Vote "no" to progressive payoffs that we the people did not order. We must do better.

Mr. Speaker, I yield back the balance of my time.

Mr. Speaker, I thank our colleagues across the aisle in complaining about money helping the poorest of poor children in our country while they didn't hesitate to give large amounts of money to the richest people in America in their Republican tax scam. The chairman's charts were very eloquent.

Mr. Speaker, to hear our Members speak about the terms of this bill, the values that are in it, the plan that it has, why they were voting "yes" on the bill, and to hear Republicans talk about why they would vote "no," it is typical that they vote "no" and take the dough.

This bill has bipartisan support across the country, not only among the general public, but in mayors, selectmen, city councilpersons, and county executives—who are Republican—eagerly awaiting the passage of this bill because they know that the part of our colleagues across the aisle in complaining about money helping the poorest of poor children in our country while they didn't hesitate to give large amounts of money to the richest people in America in their Republican tax scam. The chairman's charts were very eloquent.

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Mr. Speaker, I thank our colleagues and, particularly, the Committee on Ways and Means' staff, who wore many hats through this, from crafting this package to negotiations with the Senate. They worked long hours while facing the same challenges presented by remote school, lack of childcare, and concern for family members that Americans face every moment through this crisis. There are too many names to include, but I know that their counsel has been unparalleled and their expertise always unmatched.

Mr. Speaker, over the Speaker's rostrum is a magnificent admonition from a son of Massachusetts, Mr. Webster: "Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests, and see whether we also in our day and generation may not perform something worthy to be remembered."

That is what we are going to do in the next few minutes.

Mr. Speaker, I yield 1 minute to the gentleman from California (Ms. PELOSI), the Speaker of the House, whose attention to legislative detail is extraordinary.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding. And I thank him for his extraordinary leadership in putting nearly a trillion dollars into the pockets of the American people. I thank him and Mr. YARMUTH, the chair of the Budget Committee, for their leadership on this legislation and, of course, on this debate this afternoon. It was dazzling to see them and the Democratic chairs and Members speak up about this important legislation.

I thank the chair for pointing out that they knew that the part of our colleagues across the aisle in complaining about money helping the poorest of poor children in our country while they didn't hesitate to give large amounts of money to the richest people in America in their Republican tax scam. The chair's charts were very eloquent.

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Mr. Speaker, this is a critical moment in our country. Tomorrow, the world will mark 1 year since COVID-19 was officially declared a global pandemic by the World Health Organization. At that time, just over 1,000 Americans had contracted the disease, and 38 had died.

Since that day 1 year ago from tomorrow, nearly 30 million Americans have become infected. Over half a million Americans have died, more lives than were lost in combat in all of America's wars against foreign enemies combined.

Each of those lives is precious to us. We feel each loss profoundly and pray for their families and for the families of those who have contracted the virus and are still affected by it. And through it all, a historic economic crisis has raged.
pushed out of the labor market, women and minority-owned businesses forced to shudder, communities of color facing rising disparities.

Mr. Speaker, today, we have a real opportunity for change. As we serve in Congress with each other, we learn about each other’s districts, each other’s priorities, and the rest. And we learn about each other’s why. Why did you come to Congress? Why are you here?

Each of us has come to Congress with a purpose. My purpose, my why, are the children. As a mother of five raising my kids, seeing all the attention and all that they needed, I was horrified by the fact that one in five children in America lives in poverty and goes to sleep hungry in America at night.

That is my why. That is why I went from homemaker to the House of Representatives.

That is why when people ask me, “What do you think the three most important issues are facing the Congress?” I always say the same thing: Our children, our children, our children—our education; the economic security of their families; a safe, healthy environment in which they can thrive; and a nation at peace in which they can reach their fulfillment.

Several of those priorities are addressed in this legislation.

Again, this legislation, which has bipartisan support throughout the country, the Biden—and let me sing praises on President Biden for the values, for the vision, for the strategic thinking, for the knowledge that he has brought to this bill. Sometimes I have young people come to my office—it is all about the children, it is all about the future—high school students, college students—and they talk about the security of their grandparents as important because, to the extent that their parents can focus on them rather than worry about the financial security and their grandparents, it is very important to the family across the board.

For the children, the American Rescue Plan also includes $12 billion in nutrition assistance to help the estimated 11 million children going hungry. When I talk about this with my family, I say to my kids: You know, the millions of children who are food insecure in our country, that is horrible.

They will say: Mom, just say it another way. They are hungry. Some of them get their food at school. They go to sleep hungry. If you call that food insecurity, okay, but understand this, these little children are hungry.

Again, $12 billion in nutrition assistance.

$45 billion in rental, homeowner, and other housing assistance so that children of families who are on the verge of eviction can have the comfort of knowing that their homes haven. They will have the comfort of home.

$45 billion of childcare to keep children learning and parents earning. That is always necessary, but even more so with the 2.3 million women losing their jobs, many of them moms. Now, everything that I mentioned here is related to the coronavirus. We have hunger issues in our country bigger than even this. We have housing issues. We have childcare issues, and the extent that their parents can focus on them rather than worry about the financial security and their grandparents, it is very important to the family across the board.

Childcare, and I will say it again. $45 billion. Most of it is for childcare and a little bit of it is for Head Start. Children learning, parents earning. This is important and central to how families get through this coronavirus crisis.

All of these provisions in the bill are enhanced by strengthening the support for our heroes at the State and local level. Heroic, their bill was called the Heroes Act. Much of that is contained in this legislation. Heroes, because our workers at the State, county, and local level, our healthcare workers, our first responders, police and fire, our sanitation, transportation, our food workers, our teachers—our teachers, our teachers—make our lives possible, and make the existence of our children better.

Whatever we spend on education in this bill is a small percentage of what State and local government spend on education. More than 90 percent of it comes from the State and local. So in this legislation we are ensuring that State and local government keep them in their jobs as heroes, take care about, and will help fight the fiscal pressure that they have because of the cost of addressing the coronavirus crisis, as well as revenue lost because of shutdowns and the rest.

I was raised in a mayor’s household as a daughter and sister of the mayor of Baltimore. The recognition of the role that local government plays is very important to me, local and State. It is as consequential as this is the Affordable Care Act, which expanded healthcare to more than 20 million people and made benefits much better for over 150 million families.

Today, we have a decision to make of tremendous consequence, a decision that will make a difference for millions of Americans, saving lives and livelihoods. And as with all decisions, it is a decision that we will have to answer for. We will give the American Rescue Plan a resounding and, hopefully, bipartisan vote to reflect the bipartisan support that it has in the country. And we will get to work immediately to deliver lifesaving resources springing from this bill as soon as it is passed and signed, as we went to the Senate, President Biden in his promise that help is on the way. For the people, for the children, I urge a “yes” vote.

Mr. NEAL. Mr. Speaker, I yield back the balance of my time.

Ms. WATERS. Mr. Speaker, since March 2020, when the COVID–19 pandemic plunged this country into a public health emergency and wreaked havoc on the U.S. economy, millions of American families and individuals have军工 and local government spend on education. More than 90 percent of it comes from the State and local. So in this legislation we are ensuring that State and local government keep them in their jobs as heroes, take care about, and will help fight the fiscal pressure that they have because of the cost of addressing the coronavirus crisis, as well as revenue lost because of shutdowns and the rest.

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Mr. NEAL. Mr. Speaker, I yield back the balance of my time.

Ms. WATERS. Mr. Speaker, since March 2020, when the COVID–19 pandemic plunged this country into a public health emergency and wreaked havoc on the U.S. economy, millions of American families and individuals have
That day has finally arrived. The American Rescue Plan Act is the culmination of a year-long effort by Democrats to tackle the pandemic crisis and provide assistance to struggling individuals, families, small businesses, and communities. Under the leadership of President Biden, House and Senate Democrats are taking action to deliver robust relief across the country.

With millions out of work, facing eviction, experiencing hunger, and struggling to make ends meet, this legislation is urgently needed. The Committee on Financial Services drafted key recommendations that are contained in the legislation under consideration today, and as Chairwoman I am providing an explanatory statement of these provisions to guide the Administration’s implementation of these provisions.

Section 3101. COVID–19 Emergency Medical Supplies Enhancement

Subsection (a) of section 3101 provides $10,000,000,000 to carry out titles I, III, and VII of the Defense Production Act of 1950 (50 U.S.C. 4501 et seq)(DPA) to boost the production of essential medical equipment and supplies related to combating the COVID–19 Pandemic. The Committee expects that in implementing this section, the President will seek to make investments in both urban and rural areas to the extent this is consistent with the country’s health needs.

Subsection (b) sets out the purposes for which the $10 billion provided by this section may be used. Paragraph (1) provides that the funds may be used for the purchase, production or distribution of medical equipment and supplies related to combating the COVID–19 Pandemic, including funding for all types of COVID–19 tests, personal protection equipment, including N95 masks, and vaccines and drugs for preventing or treating COVID–19 or its symptoms. Subsection (b) also provides for using such funds for acquisition of material, including raw materials, equipment and technology needed for such purposes. The Committee notes that testing is critical to ensure that we can stamp out the pandemic, and the provision includes in-vitro diagnostic testing, intended to be used for the testing of SARS-CoV-2 or the diagnosis of the virus that causes Covid-19. The Committee expects that such tests will include inexpensive rapid at-home antigen tests that will allow individuals to identify new infections quickly and safely. This subsection also provides for vaccines, which are described in this section as biological products, intended to be interpreted as that term is defined in section 201 of the Public Health Service Act (42 U.S.C. 262). The Committee also notes that “drugs” and “medical devices” as used in subsection (b)(1)(C) are intended to be interpreted as those terms are defined in the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

Subsection (b) also provides that after September 30, 2022, funds appropriated by subsection (a) may be used to combat future pathogens that the President determines have the potential for creating a public health emergency. This additional flexibility can be used to address the current or future pathogens. Given this flexibility, the Committee expects that if the President exercises this authority, the President will consult with the relevant committees, including providing information on the amounts the President anticipates the administration would spend to combat such a pathogen prior to exercising this authority. Because of the wide ranging interests in these matters, in addition to the Committee on Financial Services, funds provided by this section could also be provided to the Senate Committee on Banking, Housing and Urban Affairs, the House and Senate Appropriations Committees, the Committee on Energy and Commerce, and the Senate Committee on Health, Education, Labor and Pensions.

The Committee also expects that the President will provide timely information regarding the use of these funds, whether for the COVID–19 Pandemic or for future pathogens. In particular, the Committee expects that the President will provide information on any commitment of more than $50 million, whether in the forms of expenditures or loans under the Defense Production Act of 1950, prior to making such commitment. Because of the wide interest in these matters, the Committee expects that all such information, shall be provided not only to the Committee but also to the Committees described above.

The Committee also expects that the funds provided by this section will primarily be used by the Secretary of Health and Human Services to ensure an emergency declaration of need, for example by the HHS Secretary to delegate his authority under the DPA to various agencies, and he has delegated DPA authority under Title III of the Act to HHS. While the DPA has been administered by the Department of Defense, the funds made available by this section are not part of the Defense Industrial Base, but are for medical supplies and equipment related to the COVID–19 Pandemic. However, the Committee recognizes that the President may determine that it is important that other agencies, such as the Department of Homeland Security, have a role in either producing or distributing key supplies with respect to the Pandemic or a future pathogen that has the potential to cause a public health emergency. If the President delegates this authority to any agency other than HHS because it is important to do so, the Committee expects to consult with the relevant Committees prior to take such action, and notify the relevant Committees of which agency would exercise such authority, the amount and the purpose for which the funds would be used.

Finally, the Committee notes that the Senate Appropriations Committee removed references to section 304(e) of the Defense Production Act of 1950 (relating to limits on carryover funds remaining in the Defense Production Act Fund. In order to ease execution of these funds, the President may use existing delegations and should again extend this provision, including current mechanisms for execution of the DPA Fund.

The Committee notes that this section draws from H.R. 1720, introduced by Representative Juan Vargas of California. With millions of individuals and families struggling to pay their rent, action is urgently needed to prevent an eviction crisis. According to the latest U.S. Census data, nearly 1 in 5 renters are behind on paying rent, with renters of color disproportionately struggling, while Moody’s Analytics recently estimated that renters collectively owe over $57 billion in unpaid rent, utilities, and additional fees. Section 3201 provides $21.6 billion for states, localities, and territories to provide emergency assistance to renters. This funding supplements the $25 billion emergency rental funding provided by Congress in December (Section 501 of the Consolidated Appropriations Act, 2021 (Public Law 116–260) (Section 501)) but includes additional flexibilities to ensure grants can better stabilize renters. The Biden administration’s implementation of these provisions should again extend federal and local eviction moratoriums that expire on March 31, 2021 so that grantees have time to distribute assistance to renters in need.

Renters would be able to receive up to 18 months of financial assistance, including future rent and utility payments (including pad rents in manufactured housing communities), and unpaid rent or utility bills that have accumulated. Renters can also receive assistance for other housing-related expenses necessary to promote housing stability, such as, but not limited to, security deposits, past due rent, late fees for displaced households; late fees related to a former or current rental unit; and internet service provided to the rental unit.

Section 3201 does not preclude grantees from continuing payment processes provided in Section 501. These processes are the provisions that govern payments of rent and utility assistance either to property owners and utilities or directly to tenants, and the application for assistance by landlords and owners under subsection (f). Additionally, funds can be used to provide housing stability services, such as, affordable security deposits or rental fees for displaced households; late fees related to a former or current rental unit; and internet service provided to the rental unit.

Section 3201 also includes additional flexibilities to ensure grantees can pay for critical infrastructure under section 107 of the Act and for experts and other personnel under Title VII of the Act. By its terms, amounts in the DPA Fund are available only for purposes of Title I, so funds from section 101 should not be deposited into this Fund. However, Section 3201 does not preclude grantees from continuing payment processes provided in Section 501. These processes are the provisions that govern payments of rent and utility assistance either to property owners and utilities or directly to tenants, and the application for assistance by landlords and owners under subsection (f). Additionally, funds can be used to provide housing stability services, such as, affordable security deposits or rental fees for displaced households; late fees related to a former or current rental unit; and internet service provided to the rental unit.

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well as cities and counties that receive a direct allocation.

The Committee expects the Department of the Treasury (Treasury) (the agency implementing the program) and grantees to implement Section 3201 swiftly and not create any artificial barriers to assistance. In particular, we have seen with some benefits provided by the CARES Act, that documentation requirements to prove eligibility have erected artificial barriers that have cut people off from the benefits Congress intended them to receive. Indeed, these stakeholders, including tenant advocates, landlords, and state and local government agencies have raised concerns that such requirements that have been applied in existing emergency rental assistance programs have prevented renters from completing applications and are overly burdensome for program staff. It is critical that any renters who are struggling to pay their rent during the pandemic are not barred from accessing this assistance due to cumbersome documentation requirements or other barriers. An applicant’s simple attestation should be the only documentation required in a program meeting these requirements. Additionally, grantees may continue the income assessment procedures pursuant to Section 501 to determine eligibility. It is also the intent of the Committee that Treasury and grantees broadly read the requirement regarding the connection between a hardship and the coronavirus pandemic when determining the eligibility of the renter. As the language states, the hardship must have occurred “during or due, directly or indirectly, to the coronavirus pandemic.” The economic effects of the pandemic will be felt long after the virus is under control. Certain industries and communities have been particularly hard-hit from the pandemic and will likely take years to recover. Treasury should issue guidance that makes this point clear to ensure renters are not cut off from needed assistance as they try to recover from economic downturns caused by the pandemic.

Section 3201 also provides that after October 1, 2022, certain grantees may expend funds on “other affordable rental housing and eviction prevention activities” that benefit any very low-income household. Such activities can include affordable housing development, preservation, or acquisition, and other forms of rental assistance and eviction prevention activities targeted to very low-income renters.

To ensure continuity in monitoring funds provided by Section 3201 and Section 501 and ease of grantee implementation, Treasury should maintain the same reporting requirements that were included in Section 501.

The Committee encourages the Administration to maintain a central public repository of information on state and local rental assistance programs, which at a minimum identifies the program’s administering agency and contact information, so that renters and landlords can more easily identify available assistance.

Finally, to the extent there is any confusion with regard to the taxability of assistance, Treasury, in consultation with the Internal Revenue Service, should provide guidance to clarify this for grantees and program participants.

During the pandemic, certain industries and financial crisis, millions of homes are threatened by foreclosure, with over 8 million homeowners behind on their mortgage payments, and an estimated $90 billion in missed mortgage payments. Targeted, direct assistance to homeowners through the Homeowner Assistance Fund (HAF or Fund) is an essential tool that will help avoid a repeat of the 2008 foreclosure crisis, which upended the lives of millions of Americans, as well as the generational wealth for many communities, namely for families and communities of color. Although the CARES Act provided a foreclosure moratorium and forbearance for federally-backed mortgages, many homeowners will lose their homes after forbearance in the absence of additional assistance. Approximately 30 percent of the mortgage market is not federally-backed and, therefore, ineligible for CARES Act forbearance relief provided in March of 2020. Elderly borrowers with reverse mortgages (known as Home Equity Conversion Mortgages or HECMs) will need assistance paying their taxes, insurance, and utilities on time to avoid foreclosure. Low-to-moderate income homeowners may need more payment assistance after forbearance than is possible through loss mitigation programs. Single-family rental property owners and other homeowners without a mortgage will also need assistance to avoid losing their homes due to foreclosures. The HAF would be able to help with other housing costs beyond mortgage payments, and can be used for things like principal reductions, arrearages, utility assistance, loss mitigation for federal mortgage programs but can provide deeper payment reductions for homeowners who need it.

Administered through the Department of the Treasury, the HAF would provide nearly $10 billion for states, territories, and tribal governments to address the ongoing needs of homeowners struggling to afford their housing because they have experienced a financial hardship associated with the coronavirus pandemic. Designed to work alongside CARES Act mortgage forbearance relief and federal loss mitigation programs, the HAF will prevent foreclosures by providing homeowners direct assistance with their mortgage payments, property taxes, property insurance, utilities, and other housing related costs. In particular, the federal government has allocated the Hardest Hit Fund (HHF), which was a homeowner relief program created in the aftermath of the 2008 crisis that was administered primarily through State Housing Finance Agencies. While HHF funding was available to select states, the HAF has been calibrated to be available to all states, territories, and tribes, and to account for significantly higher rates of unemployment today as compared to 2008.

Of the nearly $10 billion dollars provided through the HAF, 60 percent of funds are reserved for states and territories, and 40 percent are reserved for targeted use at or below 100 percent of the area median income or the national median income, whichever is higher. The flexibility in income determination between AMI and national median income is intended to ensure resources reach localities where the area median income may be too low to adequately serve struggling tribal homeowners and other homeowners living in rural areas. The remaining 40 percent of funds are not income limited and must be targeted to socially disadvantaged individuals, which the Committee expects will capture homeowners facing distressed properties and communities of color. Asian, Black, Latinx, and Native American homeowners across the income spectrum who have been shown to be at disproportionate risk of being delinquent on their mortgages and at risk of foreclosure due to having lower savings and less wealth on average compared to White homeowners. According to the U.S. Census Bureau’s weekly Pulse Survey data, Black, Latinx, and Asian homeowners have consistently been more likely to face foreclosures in the absence of additional assistance, despite age, sex, income, and geography, to be behind on their mortgage payments. Similarly, a survey conducted by Fannie Mae found that 51 percent of Black homeowners and 65 percent of Latinx homeowners were not familiar with the relief options provided through the CARES Act, despite being the populations with the greatest need.

The Committee expects that Treasury’s implementation and administration of the Fund will include proper oversight and reporting requirements to monitor and ensure HAF funding properly reaches and serves the populations that have been documented to be experiencing disproportionate need during the current crisis. Adequate reporting should be made publicly available on a quarterly basis and include the types and amount of assistance provided, the types of assistance provided, the data disaggregated by locality, race, ethnicity, sex, and other factors that provide transparency and oversight in accordance with the law. Such reporting will also be essential in Treasury’s ability to implement the HAF Re-allocation provision.

While the Department of Housing and Urban Development, in coordination with the Department of Justice, is responsible for the enforcement of the Fair Housing Act (FHAct), the Committee expects Treasury, the Federal housing programs, and funds be administered in ways that affirmatively further fair housing and do not perpetuate historically inequitable distribution of housing funds. Therefore, both Treasury and eligible entities have a legal responsibility to affirmatively further fair housing through the HAF, and to ensure that the administration of housing relief funds do not have a disparate impact on protected classes under the FHAct. The federal government must avoid its mistakes of the past that have resulted in the lopsided, inequitable provision of housing relief that left communities behind. In particular, the Committee expects Treasury to consider the needs of hardest hit communities that are often the lowest income communities and communities of color. In support of these efforts, Section 3208 provides $20 million for HUD’s Fair Housing Initiatives Program to support housing discrimination complaint intake and on-the-ground fair housing investigations.

Additionally, Treasury must provide eligible entities with clear and standard guidance early on in its administration of HAF to facilitate proper and expeditious implementation. The Committee expects Treasury to issue guidance that as soon as possible. The Committee expects Treasury to make available through HAF should not be considered income for a homeowner receiving relief. Additionally, the Committee should make sure that it is made clear as early as possible that eligible entities can utilize a portion of their HAF funds to establish and administer their own programs, similar to what was allowed through HHF. The Committee also expects that the Treasury will allow eligible entities that overestimate funding needs for administrative purposes to transfer and use such funds in the provision of assistance to homeowners. Following the 2008 financial crisis and Great Recession, Congress established the Small Business Credit Initiative (SSBCI) that provided $1.5 billion to the Department of the
Treasury (Treasury) to fund various state, territory, and local small business loan and investment programs. This program was leveraged to support $10.7 billion in new financing to small businesses, helping to create or save more than 240,000 jobs. The median small business supported by SSBCI had a full-time employee, and the median loan or investment amount was $33,000. Approximately 41 percent of SSBCI supported transactions went to women or minority-owned businesses. This successful program expired in 2017.

Moreover, Treasury should also require states responding to and recovering from the economic effects of the COVID–19 pandemic. Specifically, Treasury is authorized to establish and through other federal agencies to find ways to provide additional financial and other support to the airport concessions ecosystem during this challenging time.

Mr. Speaker, individuals, families and small businesses are in urgent need of assistance. This legislation delivers robust relief to communities across the country during this pandemic crisis. Colleagues, please join me and vote for H.R. 1319.

Mr. GALLEGOS. Mr. Speaker, I rise today on behalf of tribes nations in Arizona and across the nation that are struggling to protect the health and welfare of their citizens.

As Chair of the Subcommittee for Indigenous Peoples of the U.S. last Congress, I heard from countless leaders about how this pandemic has impacted them. We heard their stories about the loss of elders, the challenges their children face trying to engage in distance learning without access to broadband internet, and the near total collapse of on-reservation economies that provide critical jobs for tribal members and funds for government services.

While the CARES Act funding passed last year for Tribes was a lifeline, it was not nearly enough to address the disparate impact of this pandemic on Indigenous people and communities across the country. That is why I fought so hard to ensure that Tribes would not be short-changed in further COVID–19 relief efforts and why I am so proud that House and Senate Democratic leadership has approved the largest one-time investment in Native communities in our history.

The American Rescue Plan includes more than $25 billion for tribes and Native governments. This is a real, meaningful investment that will allow Native communities to respond to the wide-ranging effects of the virus on their communities and that will begin to address the shameful federal history of ignoring the needs of Native communities.

The CARES Act specifically includes $20 billion in direct relief for Tribal governments. Importantly, these funds will be able to be used more flexibly by Tribes than CARES Act relief dollars, enabling Tribes to help struggling businesses cover the cost of employees, develop the 21st century infrastructure, and address the health and economic barriers that worsened the pandemic in Tribal nations. Additionally, many tribal communities have lost elders who are the keepers of their languages, history, and cultural teachings at an alarming rate—

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Last Congress, the Subcommittee for Indigenous Peoples heard from Tribes about inadequacies in the distribution of Coronavirus Relief Funds to Tribes under the CARES Act. The decision to solely rely on Indian Housing Block Grant formula for the calculation of tribal population left many Tribes with undercounts for many Tribes. I have been very encouraged by this administration's renewed commitment to Tribal consultation, and I urge the administration to continue to make good on that commitment by consulting with and deferring to Tribes. It remains fairer and more accountable and efficient to arrive at a rate way to determine Tribal enrollment population for the purposes of the American Rescue Plan.

Finally, in order to maximize the effectiveness of this historic investment in Native communities, the American Rescue Plan relief funding must be distributed on an equitable basis. That is why I am proud of the American Rescue Plan's establishment of a minimum payment to ensure every Tribe receives a strong baseline of support. We also heard from Tribes the need for equitable distribution include the utilization of both Tribal population and economic and employment data. Once again, it is my hope that the Biden Administration will rely on Tribal consultation in this area when deciding how best to distribute this desperately needed funding in an equitable, timely, and effective manner.

Mr. Speaker, thank you for the opportunity to highlight this important and historic investment in Tribal Nations, who have showed leadership and resilience even as COVID–19 devastated their communities. I look forward to working with my colleagues and with this Administration to ensure quick and effective implementation of this bill in the coming weeks.

Ms. MOORE of Wisconsin. Mr. Speaker, I rise in support of the American Rescue Plan. This bill provides needed relief for our communities.

Since Congress acted on the last COVID–19 package in December, over 100,000 Americans have died from this deadly disease. Economic growth remains stagnant, millions of Americans remain unemployed, and many worry that their jobs may have disappeared forever. And, even as vaccine distribution efforts ramp up, it is clear that our nation is not out of the woods yet. Metrics of housing insecurity, hunger, poverty, are all trending in the wrong direction.

While I have concerns about some of the changes made in the Senate, overall, the package still delivers key aid to hurting communities, individuals, and businesses that continues to be needed. This package helps support child care, a key employment enabler—without which so many women have dropped out of the workforce during this pandemic, according to a growing body of evidence. It provides rental and housing relief to prevent a wave of evictions and resulting hardships in our community. In the long run, it costs the government less to keep people housed than dealing with the consequences that follow eviction.

The American Rescue Plan gives critical support for our state and local governments, which have been on the front lines of this fight while their revenues have fallen. As a result, they have shed public employees at high rates in the past year—a disturbing consequence that must be reversed.

The bill helps put money in the pocket of hurting families, with another round of stimulus checks which if the past is any precedent, will be spent to meet immediate needs. It extends UI, funds SNAP, provides additional help to get health insurance which is even more critical during a public health emergency. It refills FEMA's disaster assistance fund, provides funding so that schools can reopen safely or continue to do so, providing assistance to public transit systems, and provides pension relief, among many other provisions.

Does this bill do all the things I would want? No. It is not perfect. It is a compromise. It is further to deliver greater relief. But it is a good enough start and helps address some key challenges and will help expedite recovery in our communities on the long and challenging road ahead.

I thank the President for his leadership, as well as the Speaker, and Chairman NEAL.

Ms. JOHNSON of Texas. Mr. Speaker, I rise today in strong support of the American Rescue Plan Act of 2021.

The legislation will provide much needed relief to both individuals and communities.

The need is real, and the administration will leave an indelible scar on our nation.

It will also be remembered as a time of remarkable achievement.

I rise today specifically to talk about the achievements of scientists and engineers across the nation who jumped into action from the earliest days of the pandemic.

Biologists, physicists, computer scientists, engineers, social scientists . . . there were few fields that did not contribute.

While they achieved so much, many scientific and technological questions remain that will be essential to our long-term recovery.

I am proud that this legislation includes $750 million in funding through the National Science Foundation and the National Institute of Standards and Technology for additional research related to COVID–19.

I also acknowledge that this is not enough, and I will continue to advocate for research recovery funding to ensure we do not suffer irreversible loss to our science and innovation capacity.

Mr. BRADY. Mr. Speaker, the American people deserve better.

They've been told that this bill is about Covid, but less than a dime of every dollar goes to Covid vaccines and defeating the virus.

They've been told that this is a stimulus, but it doesn't do anything to stimulate the economy—in fact, it could make it even worse, especially paired with President Biden's war on energy jobs, and Democrats' looming efforts to raise your taxes.

The White House refuses to tell the American people how many jobs it will create because they know it won't create jobs. It won't even secure the jobs most Americans have.

The February jobs report shows that, although we are far behind where we were prior to the pandemic, jobs are picking up.

We could say that 57% of Americans, Asian Americans, women, and those without college degrees get a stronger foothold in the workforce.

But Democrats are leaving them behind today. This won't lift people out of poverty, it will only create moral barriers out of it.

The only jobs this bill is intended to secure are those of political friends. It's a political payoff.

The list of things Democrats left out of the House bill was bad enough. They preferred to pay people more to stay at home than go to work.

They left behind poor kids in West Virginia in order to give preference to Democrat states.

They left behind kids who want to go to school by sending money to schools that will stay closed.

They left behind front-line health-care workers without protections from frivolous lawsuits.

They left behind the millions of Americans whose identities were stolen during acts of unemployment insurance fraud.

They left behind the #JoeJobless—the victims of President Biden's war on energy.

They left behind special-needs kids and their parents who need help saving for their therapies.

They left behind families who worry about losing the doubled child tax credit.

They left behind the unborn by allowing health care dollars to be used for abortions.

They left behind the families of the victims of the Major Curfew, by the mismanagement by refusing to require governors to report accurate data on their nursing home deaths.

They even rejected more fixes offered by colleagues in the Senate.

Republicans wanted to provide more support for resident workers and employment safety in nursing facilities. Democrats said no.

Republicans said let's target stimulus checks towards those who have lost jobs, people who don't need to pay rent, or buy groceries.

Democrats said no, let's send checks to prisoners.

Republicans said let's make sure stimulus checks go to Americans who need them.

Democrats said no, let's allow them to go to people in this country illegally because they've overstayed their visas. During a crisis on the border? Really?

Just one year ago, Democrats said it was not possible that we would have a vaccine in a year. Our own President and Vice President said they would not trust such a vaccine.

Today, we have several vaccines. And, unless I'm mistaken, every member in this Chamber has had an opportunity to receive one.

Every American that we serve, however, has not. And yet the Democrats' Covid bill is 1 percent about the vaccines they didn't believe would exist.

Democrats are today saying that there is nothing they could have done to make a $1.9 trillion bill more targeted, while admitting there's plenty of waste, and yet still defending funding for museums.

We did better when we worked together. Through December, over five Covid aid bills, Republicans and Democrats, we worked tirelessly to deliver over $3.5 trillion, the largest amount of relief in American history.

Instead, we have this political payoff, which leaves Americans behind, while Democrats demand they foot the bill for it.

I urge my colleagues to vote no.

Mr. SABAN. Mr. Speaker, One year ago, the bottom fell out for the people of the Northeastern Mariana Islands. Our tourism-dependent economy suddenly had no tourists. Businesses began closing. People were laid off. Schools closed. And government revenues plunged.

We were fortunate that, as islands with few access points, we could keep the coronavirus
at bay and remain healthy by screening every arrival.

And we were fortunate to receive the economic help we needed from the federal government and from our fellow Americans. We will be forever grateful.

Now vaccine rollouts have begun. We are rolling up our sleeves to take the shot and to get back to work. But when will tourists feel safe to travel to our islands? And when will we feel safe allowing tourists to return? Like so much of what has happened over this last year, we cannot predict.

That is why passage of the American Rescue Plan today is so important. The Rescue Plan will keep us healthy and economically sound as we make our way forward in this unpredictable future caused by the coronavirus.

Those who remain laid off will continue to receive Pandemic Unemployment Assistance and Federal Pandemic Unemployment Compensation, as they have since we passed the CARES Act last March.

Taxpayers will receive another economic impact payment and more dependent children will qualify for additional aid.

Our K–12 schools, which have managed to reopen on a limited basis, will remain open, because the Rescue Plan has $160 million to make sure teachers and staff can be paid. And the Northern Marianas College and its students will also get the help needed to continue studies.

Childcare providers, another critical small business, get an assist to stay open, benefiting working parents who depend on these services. Working families will, also, see their Child Tax Credit increase, and because we were able to amend the Rescue Plan to make Marianas’ taxpayers eligible for the advance monthly payment of CTC, just like Americans nationwide, island parents will be getting that money when it is most useful, to meet the immediate needs of growing children.

Working families in the Marianas will also now—for the first time in twenty-five years—receive the Earned Income Tax Credit that is key to keeping Americans who work out of poverty.

And for those who still cannot work or whose incomes are insufficient, we have included $30 million to provide food assistance in the Marianas and funds for housing, so no one need lose the roof over their head.

Last but not least, I want to recognize the importance of the Coronavirus State and Local Fiscal Recovery Fund included in the American Rescue Plan. I know this money was kept out of the relief measure we enacted in December, in part because criticism of this was a “blue state bailout.” Believe me, the Marianas pays tribute in time and money, and because we were able to amend the Rescue Plan to make Marianas’ taxpayers eligible for the advance monthly payment of CTC, just like Americans nationwide, island parents will be getting that money when it is most useful, to meet the immediate needs of growing children.

First, I respectfully suggest clarification of the ARP language of Section 9901, indicating how the $19 of the $20 billion direct relief for tribal governments is to be allocated by Treasury to ensure economic recovery funds can be used in accordance with the law, which was left unaddressed under the CARES Act. The availability of flexible spending is of grave importance since tribal governments faced significant impacts from COVID–19 and, as a result, lost critical government revenue. It is estimated that tribal nations sustained 35 percent revenue loss in 2020 since they lack traditional tax bases enjoyed by state and local governments. Thus, tribal enterprise revenues supply a majority of funding for basic government services to make up for these losses.

As it stands now, this bill allows the Department of the Treasury to implement this Fund such that tribes are able to meet their individual and unique needs, whether it be addressing employment costs, providing health care or education, or investing in much-needed infrastructure. That flexibility is owed as a measure of tribal sovereignty, and I will work with the Department of the Treasury to ensure that the bill is implemented as such.

Second, the Department of the Treasury must conduct robust tribal consultation with stakeholders to determine the most effective and fair ways of measuring tribal population figures. Again, this issue was left largely unaddressed under the language of the CARES Act, and the past administration’s decision to utilize the Indian Housing Block Grant formula for its tribal population calculation resulted in inaccurate funding distributions across the country. I urge the Department to ask tribal governments to submit comments on their preferred population metrics, and actually take those comments into account in an effort to strengthen our government-to-government relationship with tribal nations.

Finally, Congress’s intent for the tribal set-aside in the Fund is to provide an equitable allocation between economic and population-based factors. The Department of the Treasury must provide a strong baseline of support for all tribal governments, ensuring that no tribes are excluded from these funds, in addition to considerations for revenue losses and cost increases.

I thank the Speaker for the opportunity to speak to this historic investment in Indian Country, and for continued work to uphold the Federal trust responsibility to the 574 federally recognized tribal nations in the United States. I look forward to working with the Department of the Treasury on swift implementation of this landmark legislation.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 198, the previous question is ordered.

The question is on the motion by the gentleman from Kentucky (Mr. YARMUTH). The question was taken; and the yeas and nays are ordered.

Mr. RICE of South Carolina. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 220, nays 211, not voting 1, as follows: [Roll No. 72]
Mr. KATKO changed his vote from "yea" to "nay." So the motion to concur was agreed to. As the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Alfred (Davis) (KS)
Bahia (Norman) (LA)
Baird (Walorski) (IN)
Barrett (Berejiklian) (FL)
Bush (Ocasio-Cortez) (NY)
Cleaver (Davids) (MO)
Cochran (Wasserman Schultz) (FL)
Johnson (TX) (Jeffries)

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore (Mr. VEASEY) laid before the House the following resignation from the House of Representatives:

HOUSE OF REPRESENTATIVES,

Hon. NANCY PELOSI,
Speaker of the House,
Washington, DC.

DEAR SPEAKER PELOSI: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that 1, Elizabeth Beltran, has been served with subpoenas for testimony issued by the United States District Court for the Middle District of Florida. The testimony sought relates to events witnessed by me employed by the Speaker’s office as a Staff Assistant.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoenas is consistent with the privileges and rights of the House.

Sincerely,

ELIZABETH BELTRAN,
Legislative Correspondent.

BIPARTISAN BACKGROUND CHECKS ACT OF 2021

Mr. NADLER, Mr. Speaker, pursuant to House Resolution 188, I call up the bill (H.R. 8) to require a background check for every firearm sale, and ask for its immediate consideration.

The Clerk read the title of the bill.

Mr. NADLER. Mr. Speaker, pursuant to House Resolution 188, the bill is considered read.

The text of the bill is as follows:

H.R. 8

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Bipartisan Background Checks Act of 2021".

SEC. 2. PURPOSE.

The purpose of this Act is to utilize the current background checks process in the United States to ensure individuals prohibited from gun possession are not able to obtain firearms.

SEC. 3. FIREARMS TRANSFERS.

(1) In general.—Section 922 of title 18, United States Code, is amended by adding at the end the following:

“(aa)(1)(A) It shall be unlawful for any person who is not a licensed importer, licensed manufacturer, or licensed dealer to transfer a firearm to any other person who is not so licensed, unless a licensed importer, licensed manufacturer, or licensed dealer has first taken possession of the firearm for the purpose of complying with subsection (t).

(B) Upon taking possession of a firearm under subparagraph (A), a licensee shall comply with all requirements of this chapter as if the licensee were transferring the firearm from the inventory of the licensee to the transferee.
"(C) If a transfer of a firearm described in subparagraph (A) will not be completed for any reason after a licensee takes possession of the firearm (including because the transfer of a firearm or receipt of the firearm by the transferee would violate this chapter), the return of the firearm to the transferee shall not constitute the transfer of a firearm for purposes of this chapter.

(2) Paragraph 1 shall not apply—

(A) to a law enforcement agency or any law enforcement officer, armed private security professional, or member of the armed forces, to the extent the officer, professional, or member is acting within the course and scope of employment and official duties;

(B) a transfer that is a loan or bona fide gift between spouses, between domestic partners, between parents and their children, including step-parents and their step-children, between siblings, between aunts or uncles and their nieces or nephews, or between grandparents and their grandchildren, if the transferee has no reason to believe that the transferee will use or intends to use the firearm in a crime or is prohibited from possessing firearms under State or Federal law;

(C) a transfer to an executor, administrator, trustee, or personal representative of an estate, or a transfer by operation of law upon the death of another person;

(D) a temporary transfer that is necessary to prevent imminent death or great bodily harm, including harm to self, family, household members, or others, if the possession by the transferee lasts only as long as immediately necessary to prevent the imminent death or great bodily harm, including the harm of domestic violence, dating partner violence, sexual assault, stalking, and domestic abuse;

(E) a transfer that is approved by the Attorney General under section 5812 of the Internal Revenue Code of 1986;

(F) a temporary transfer if the transferee has no reason to believe that the transferee will use or intends to use the firearm in a crime or is prohibited from possessing firearms under State or Federal law, and the transferee takes place and the transferee's possession of the firearm is exclusively—

(i) at a shooting range or in a shooting gallery or other area designated for the purpose of target shooting;

(ii) while reasonably necessary for the purposes of hunting, trapping, or fishing, if the transferee—

(I) has no reason to believe that the transferee intends to use the firearm in a place where it is illegal; and

(II) has no reason to believe that the transferee will comply with all licensing and permit requirements for such hunting, trapping, or fishing;

or

(iii) while in the presence of the transferee;

(3) It shall be unlawful for a licensed importer, manufacturer, or dealer to transfer possession of, or title to, a firearm to another person who is not so licensed unless the importer, manufacturer, or dealer has provided such other person with a notice of the prohibition under paragraph (1), and such other person has certified that such other person has been provided with this notice on a form prescribed by the Attorney General.

(b) AMENDMENT TO SECTION 921(a).—Section 921(a) of title 18, United States Code, is amended by striking "(s) or (t)" and inserting "(s), (t), or (aa)"

(c) RULES OF INTERPRETATION.—Nothing in this Act, or any amendment made by this Act, shall be construed to—

(1) authorize the establishment, directly or indirectly, of a national firearms registry;

(2) interfere with the authority of a State, under section 927 of title 18, United States Code, to enact a law on the same subject matter as this Act.

(d) EFFECTIVE DATE.—The amendment made by subsections (a) and (b) shall take effect 180 days after the date of enactment of this Act.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary.

The gentleman from New York (Mr. NADLER) and the gentleman from Ohio (Mr. JORDAN) each will control 30 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 8.

The SPEAKER pro tempore. Is there objection to the admission of the gentleman from New York?

There was no objection.

Mr. NADLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, gun violence impacts all of our communities and no place is immune from its reach, including our homes, our streets, our schools, and even our places of worship. That is why we must take swift and decisive action to reduce the daily toll of gun violence that affects so many of our Nation. H.R. 8, the Bipartisan Background Checks Act of 2021 is sensible and effective legislation to do just that.

Under current law, gun sales conducted by licensed firearms dealers may only be completed if the buyers clear background checks. This bill would simply extend that requirement, with limited exceptions, to guns transferred by unlicensed individuals as well.

That simple change to close a dangerous loophole is the most effective step we can take to address the scourge of gun violence in this country.

According to one study, 22 percent of gun owners in the U.S. purchased their most recent firearm without a background check. We do not know if they were felons, fugitives, domestic abusers, or otherwise prohibited under the law from possessing firearms. A huge volume of guns was sold with no questions asked. It is time to close this dangerous loophole.

There is no reason to continue to make it easy for people who are legally prohibited from possessing firearms to acquire them. The evidence clearly shows that background checks work and significantly curb gun violence. One study found that a Connecticut law requiring background checks was associated with a 40 percent decline in gun homicides and a 15 percent drop in suicides. On the other hand, when Missouri repealed its background check law, the State’s gun homicides increased by 23 percent and suicides increased by 16 percent.

Gun violence of this magnitude is a distinctly American problem. A recent study in the American Journal of Medicine found that compared to 29 other high-income countries, the gun-related murder rate in the United States is 25 times higher. Even when you adjust for population differences and are disproportionately killed by gun violence. This is a disparity that we can remedy by passing this bill.

With the exception of certain limited transfers, such as gifts to family members and transfers for hunting, target shooting, and self-defense, H.R. 8 would extend the current Federal background check requirement—which applies now only to licensed gun dealers—and would require virtually all transactions to undergo a background check to help ensure that firearms do not end up in the wrong hands.

I thank Representative MIKE THOMPSON of California for drafting this important legislation and for being a leader of gun violence prevention in Congress.

Simply put, H.R. 8 will save lives. I urge my colleagues to support this legislation and to support safer streets, safer schools, and safer communities.

Mr. Speaker, I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from Kentucky (Mr. MASSIE), the co-chair of the Second Amendment Caucus.

Mr. MASSIE. Mr. Speaker, Democrats today want to introduce gun control legislation that they say is going to make you safer. They want to expand background checks.

But what do background checks accomplish?

Well, the DOJ said there were 112,000 denials in a year.

Who were those 112,000 people?

Well, my colleagues on the other side of the aisle would have you think those were felons, they saved you from those felons.

But how many of those 112,000 were prosecuted for that crime of trying to acquire that gun?

According to the DOJ, 12—1—12 in a year.

Who were the other 100,000?

Imagine, just imagine now that you are the victim of an abusive relationship and after 5 years you have summed up the courage and the resources to separate from that relationship, but things have escalated and now you have decided that it is time to acquire the means to protect you and your children. So you go to the gun store and you try to buy a gun. The clerk presses the computer button, and it says “denied.”

You ask the clerk, “Why was it denied?”

The clerk says, “I don’t know. This happens sometimes. Maybe you had a similar name to somebody else in the database.”

You can’t buy a gun today, tomorrow, next week. Not ever. You have
been denied. So you go to a friend you have known for a long time. Your friend says, “I would like to help you.”

You say, “Well, I don’t know if I am going to make it through the night.”

Your friend says, “I would like to help you, but don’t you know H.R. 8 passed and it was signed by the President. I can’t spend a year in a cage. Good luck tonight.”

Mr. Speaker, now, I am not going to ask you to imagine what happens next because the Democrats saw fit to put into this bill a requirement that you have an imminent threat of death. The threat has to be right there upon you or greatly bodily harm. What do they say?

Well, if you are just expecting a few bruises and maybe a punch, put some ice on it.

Mr. Speaker, I am going to ask my colleagues here today and I am going to challenge the sponsors of this bill and those of them who might think they would vote for this bill to consider whether it is fair.

Is it fair to surround yourself with armed bodyguards, and ask the people to pay for it when you make it harder for those same people to protect themselves?

I don’t think that is fair.

And for the fact checkers who are already hard at work on this speech, I include in the RECORD this GAO report on the DOJ statistics on background checks.

(From the United States Government Accountability Office, Sept. 2018)

Report to the Ranking Member, Subcommittee on Commerce, Justice, Science, and Related Agencies, Committee on Appropriations, House of Representatives

LAW ENFORCEMENT—FIREARMS PURCHASES ARE PROSECUTED AND ATF SHOULD ASSURE USE OF WARNING NOTICES IN LIEU OF PROSECUTIONS

WHY GAO DID THIS STUDY

In 2017, approximately 25.6 million firearm-related background checks were processed through NICS, and about 181,000 of the attempted purchases at the federal and state levels combined were denied because the individual was prohibited from possessing a firearm under federal or state law. Individuals who certify that they are not prohibited from purchasing or receiving a firearm and are subsequently determined to be prohibited could be subject to investigation, and if prosecuted, a fine, imprisonment, or both.

GAO was asked to examine firearms denials. This report (1) describes the extent to which federal and selected state law enforcement agencies (USAO) had prosecuted 12 of these cases as of further investigation. U.S. Attorney’s Offices (USAO) had prosecuted 12 of these cases as of June 2018.

WHAO FOUND

Investigations and prosecutions. Federal and selected state law enforcement agencies that process firearm-related background checks through the National Instant Criminal Background Check System (NICS) collectively investigate and prosecute a small percentage of individuals who falsify information on a firearms form (e.g., do not disclose a felony conviction) and are denied a purchase.

Federal NICS checks resulted in about 12,710 to 17,700 filed complaints for firearms denial cases; (2) describes the related challenges faced by these agencies; and (3) describes the circumstances that lead to investigations and prosecutions. GAO reviewed laws and regulations; analyzed federal and state data from 2011 through 2017; and interviewed officials from ATF headquarters, 6 of 20 ATF field divisions (the 6 that investigated the most cases), and the 13 states that process all NICS checks within their state. Results from state interviews are not generalizable but provide insights on state practices.

WHAT GAO RECOMMENDS

GAO recommends that ATF assess the extent to which ATF field divisions use warning notifications as an enforcement tool, which would inform whether changes to policy are needed. DOJ concurred with GAO’s recommendation.

TABLE.—FEDERAL NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM (NICS) FIREARMS DENIAL CASES INVESTIGATED AND PROSECUTED, FISCAL YEAR 2017

<table>
<thead>
<tr>
<th>Denials</th>
<th>ATF Field Division Investigations</th>
<th>United States Attorney’s Offices Prosecutions</th>
</tr>
</thead>
<tbody>
<tr>
<td>112,090</td>
<td>12,710</td>
<td>12</td>
</tr>
</tbody>
</table>

At the state level, officials from 10 of 13 selected states said they did not investigate or prosecute firearm denials, some citing competing resource demands and the lack of statutes with which states prosecute as reasons. The remaining 3 states investigated a high proportion of firearms denials. One of the 3 states reported about 1,900 referrals for prosecution in 2017 and about 470 convictions.

Challenges. ATF and selected states reported challenges in investigating and prosecuting firearms denials. Officials from six selected ATF field divisions said that investigating the increasing number of denial cases referred to field divisions—which increased from about 5,200 in fiscal year 2011 to about 12,700 in fiscal year 2017—has been time intensive and required use of their limited resources. ATF policy provides that field divisions may send warnings to persons in lieu of prosecution if ATF has not assessed field divisions’ use of these notices, which could provide greater awareness of their deterrence value and inform agencies of changes that are needed.

Officials from the Executive Office for United States Attorneys said that prosecuting denial cases can require significant effort and may offer little value to public safety compared to other cases involving gun violence. Selected state officials said that denial investigations can take law enforcement time away from their core duties. State prosecutors said gathering evidence to prove individuals knew they were prohibited was a challenge.

Types of cases. ATF field divisions investigate denial cases based on USAO criteria and generally only refer cases to USAOs for prosecution when aggravating circumstances exist, such as violent felonies or multiple serious offenses over a short period of time. Official
the Bipartisan Background Checks Act, would do.

Nine out of 10 Americans support the reforms in this bill. Now, I know I have seen some people, Mr. Speaker, shake their head, no, no, that is not the case. Showed this has less than 90 percent of Americans thinking that terrorists should not be able to buy guns, that felons should not be able to buy guns, that domestic abusers should not buy guns, particularly in an accelerated way. You get mad at a partner, you break up and you get a gun, bang.

It is one thing to have a thoughtful purchase: I want to have a hunting gun; I want to have a handgun for target practice; I want a handgun for safety in my home, in my business, in my car. But if you are a person who has shown that you are not somebody who is a responsible person—sort of like driving a car, if you are not responsible, you are a reckless driver and you have been guilty of manslaughter by automobile or something of that nature—people have a right to know that what you do is going to be not a danger to them.

This is one of the greatest examples of legislation that truly reflects the will of the American people. That is why I hope we can come together to pass it with bipartisan support. I don’t know that that is going to be the case. But if it is the case, it will reflect the will of the American people who would like to see this on a bipartisan basis. Republicans and Democrats polled support this legislation.

Now, if somebody wants to show me a poll that says, no, that is not the case, that is one thing, but I haven’t seen a poll that doesn’t reflect that. Just as I believe we ought to do this week with Representative CLYBURN’s bill as well, which could close the loophole that contains responsible and racially motivated mass shooting at the Mother Emanuel AME Church in Charleston, South Carolina, in 2015. Nine people in church slain by somebody who got a gun; who, if the report had come back in a timely fashion, wouldn’t have been able to get that gun.

I hope that Senate Republicans will not filibuster this bill. At some point in time the majority ought to rule. Now, the Amendment correctly protects gun ownership. I don’t have an argument with that. But the Supreme Court itself said that there could be responsible restraints and items for protection consistent with that amendment. That is what this bill does.

I hope our friends will listen to the voices of parents, children, siblings, spouses, neighbors, and friends of those who were killed by gun violence in recent years; and I hope we will remember the names that bring tears to many eyes and pain in so many hearts. Parkland. Some believe Parkland didn’t happen. They are wrong, of course. Sandy Hook; Charleston; Las Vegas; Orlando; Pittsburgh; Annapolis; San Bernardino; Washington Navy Yard, just a few blocks from here; Oak Creek; Tucson; Virginia Tech; and the list could go on and on and on and on.

I urge my colleagues to protect the people who are protected by this House. I urge my colleagues to protect the gentlemen and ladies of this House. I urge my colleagues to be vigilant and protect their own. Let’s not rely on a pandemic to do what we ought to have done so long ago. Let’s pass these bills and reduce gun violence the right way, with our votes.

What the bill does do is stop law-abiding citizens from exercising their Second Amendment liberties, just as the gentleman from Kentucky mentioned a few minutes ago.

Mr. Speaker, I yield 1 minute to the gentlewoman from Indiana (Mrs. SPARTZ).

Mrs. SPARTZ. Mr. Speaker, I rise in opposition to H.R. 8. A major reason our Founding Fathers drafted the Second Amendment is to have a check and balance for the people against the tyranny of government. It is the Second Amendment for a reason, not the Ninth or the Tenth. You have to have the Second Amendment to protect the First.

The first action by history’s dictators—and we know all of them—was to take guns from law-abiding citizens. We must remember that there is no law that stops criminals from getting guns and committing crimes. We would have empty prisons otherwise.

As someone who grew up under a tyrannical government, I value these rights tremendously, and I encourage my colleagues to be vigilant and protect these rights for all law-abiding citizens.

I urge my colleagues to oppose this bill.

Mr. NADLER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California (Mr. THOMPSON), the sponsor of this bill.

Mr. THOMPSON of California. Mr. Speaker, every day 30 people are killed by someone using a gun. That number jumps to 100 if you factor in accidents and suicides involving guns. The steady stream of gun violence devastates families, communities, and schools.

I say to you and all Americans that gun violence costs our country $280 billion every year. This status quo is not okay.

Our constituents know it, and they support H.R. 8 overwhelmingly.

The Special Order last night on H.R. 8 was another low point for decorum in the House. To be generous, it was an embarrassing display and a complete misrepresentation of the facts.

Viewers were told that the bill would create a Federal gun registry. Wrong. Read page 5, line 18. H.R. 8 prohibits any registry.

They were told you can’t give a gun to a family member. Wrong. Read page 3, line 7. You can.

They were told that you can’t transfer a gun if someone was suicidal or needed it for protection to address a self-defense situation. Wrong. Read page 3, line 21. You can.

They were told that you can’t lend a gun to a friend to go hunting. Wrong. Read page 4, line 16. You can.

What the bill does do is close the private gun sale loophole, which has made it easy for felons and other prohibited purchasers to buy a gun online, at gun shows, or in person-to-person sales.

We know universal background checks work. Every day they stop some 160 felons and some 50 domestic abusers from buying a gun. Every day, without universal background checks, these people can take their business elsewhere, to someone without a Federal firearms license and buy the same gun.

I have personally filled out the 4473 form required to buy a gun from a licensed dealer. I have done it many times. It is something that every responsible gun owner should be able to live with. Heck, they should welcome it because it helps to keep dangerous individuals from getting a gun.

In 90 percent of the cases, background checks are completed within minutes.

Mr. Speaker, I ask that these letters I have from dozens of gun violence prevention groups, healthcare workers, law enforcement, and others be included in the RECORD.
purchasers. Federally licensed dealers must run a check through NICS to determine whether a potential buyer is prohibited from purchasing firearms. If information in NICS shows that a person is prohibited, the dealer must deny the sale.

However, no background check is required for sales at gun shows, through online marketplaces, or between private individuals. Individuals who would otherwise be prohibited from purchasing or possessing a gun can easily buy guns through such unregulated sales. And the frequency of these unregulated sales is growing: recent studies indicate that approximately 22 percent of firearms are purchased through unlicensed sales.

We urge you to pass H.R. 8 / S. 529 the Bipartisan Background Checks Act / Background Check Expansion Act and H.R. 1446 / S. 591 the Enhanced Background Checks Act / Background Check Completion Act, as soon as possible.

Sincerely,

PAUL KEMP
President

STATES UNITED TO PREVENT GUN VIOLENCE

March 5, 2021

H.R. 8 / S. 529 the Bipartisan Background Checks Act / Background Check Expansion Act would require a background check on every sale, ensuring that people prohibited from purchasing firearms cannot exploit loopholes and purchase guns through an unregulated sale at a gun show, online, or from an unlicensed seller. In addition, individuals would no longer be able to cross state lines solely to purchase a firearm in a state with less stringent law. This deadly loophole is critical to reducing gun violence throughout the United States.

Additionally, H.R. 1446 / S. 591 the Enhanced Background Checks Act / Background Check Completion Act would provide the FBI more time to complete background checks and ensure that people prohibited from possessing firearms are not able to obtain them by default because of an incomplete background check. This deadly loophole in existing law was exploited by a white supremacist who killed nine people at the Mother Emanuel AME Church in Charleston, South Carolina.

Oregon adopted universal background checks in 2015 in which we strongly supported. However, our citizens are still vulnerable to the implications of firearms sales at state lines. We need federal legislation that will apply to all states.

We urge you to pass H.R. 8 / S. 529 the Bipartisan Background Checks Act / Background Check Expansion Act and H.R. 1446 / S. 591 the Enhanced Background Checks Act / Background Check Completion Act, as soon as possible.

Sincerely,

CLAI LASHER-SOMMERS
Executive Director
States United to Prevent Gun Violence

MARCH 5, 2021

H.R. 8 / S. 529 the Bipartisan Background Checks Act / Background Check Expansion Act would require a background check on every sale, ensuring that people prohibited from purchasing firearms cannot exploit loopholes and purchase guns through an unregulated sale at a gun show, online, or from an unlicensed seller. In addition, individuals would no longer be able to cross state lines solely to purchase a firearm in a state with less stringent background checks. Closing these background check loopholes is critical to reducing gun violence throughout the United States.

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We urge you to pass H.R. 8 / S. 529 the Bipartisan Background Checks Act / Background Check Expansion Act and H.R. 1446 / S. 591 the Enhanced Background Checks Act / Background Check Completion Act, as soon as possible.

Sincerely,

CONGRESSIONAL RECORD — HOUSE
March 10, 2021

H.R. 8 / S. 529 the Bipartisan Background Checks Act / Background Check Expansion Act would require a background check on every sale, ensuring that people prohibited from purchasing firearms cannot exploit loopholes and purchase guns through an unregulated sale at a gun show, online, or from an unlicensed seller. In addition, individuals would no longer be able to cross state lines solely to purchase a firearm in a state with less stringent background checks. Closing these background check loopholes is critical to reducing gun violence throughout the United States.

Additionally, H.R. 1446 / S. 591 the Enhanced Background Checks Act / Background Check Completion Act would provide the FBI more time to complete background checks and ensure that people prohibited from possessing firearms are not able to obtain them by default because of an incomplete background check. This deadly loophole in existing law was exploited by a white supremacist who killed nine people at the Mother Emanuel AME Church in Charleston, South Carolina.

We urge you to pass H.R. 8 / S. 529 the Bipartisan Background Checks Act / Background Check Expansion Act and H.R. 1446 / S. 591 the Enhanced Background Checks Act / Background Check Completion Act, as soon as possible.

Sincerely,

CHUCK SCHUMER
Majority Leader, U.S. Senate, Washington, DC.

H.R. 8 / S. 529 the Bipartisan Background Checks Act / Background Check Expansion Act would require a background check on every sale, ensuring that people prohibited from purchasing firearms cannot exploit loopholes and purchase guns through an unregulated sale at a gun show, online, or from an unlicensed seller. In addition, individuals would no longer be able to cross state lines solely to purchase a firearm in a state with less stringent background checks. Closing these background check loopholes is critical to reducing gun violence throughout the United States.

Additionally, H.R. 1446 / S. 591 the Enhanced Background Checks Act / Background Check Completion Act would provide the FBI more time to complete background checks and ensure that people prohibited from possessing firearms are not able to obtain them by default because of an incomplete background check. This deadly loophole in existing law was exploited by a white supremacist who killed nine people at the Mother Emanuel AME Church in Charleston, South Carolina.

We urge you to pass H.R. 8 / S. 529 the Bipartisan Background Checks Act / Background Check Expansion Act and H.R. 1446 / S. 591 the Enhanced Background Checks Act / Background Check Completion Act, as soon as possible.

Sincerely,

CHUCK SCHUMER
Majority Leader, U.S. Senate, Washington, DC.
prohibited from purchasing firearms cannot exploit loopholes and purchase guns through an unregulated sale at a state line solely to purchase a firearm in a state with a background check system in place. In addition, individuals who would otherwise be prohibited from purchasing firearms cannot exploit loopholes and purchase guns through online marketplaces, or through sales conducted by private sellers, in states that do not have a background check system, the NICS system.

Since 1993, the National Instant Criminal Background Check System (NICS) has conducted background checks on gun purchasers. Federally licensed dealers must run a check through NICS to determine whether a buyer is prohibited from purchasing firearms. If information in NICS shows that a person is indeed prohibited, the dealer must deny the sale. However, background checks are required for sales at gun shows, through online marketplaces, or conducted by private sellers in states that do not participate in the NICS system. This loophole is known as the "Charleston Loophole".

Since 1993, the NICS system has conducted over 49 million background checks, and approximately 22 percent of firearms are purchased without a background check, up to 80% of firearms used in crimes are obtained without a background check. H.R. 8/S. 529 the Bipartisan Background Checks Act/Background Check Expansion Act would require a background check on every sale, ensuring that every sale is conducted with a comprehensive solution; enacting universal background checks is an important first step. Our support for universal background checks comes from our desire to save lives and protect our patients.

We urge you to pass H.R. 8/S. 529 the Bipartisan Background Checks Act/Background Check Expansion Act, as soon as possible. Sincerely,

THRESE RHOHR-KIRCHGREEN, MD, FACP, FAMA
Chair, Advocacy Committee AMWA

MEMBERS OF THE 117TH CONGRESS: We, the undersigned organizations, strongly urge you to cosponsor and quickly pass H.R. 8, the Bipartisan Background Check Act, and S. 529, the Background Check Expansion Act, to ensure that all transactions involving the transfer of firearms are conducted with a comprehensive background check system.

H.R. 1446 will prevent the sale of firearms to prohibited individuals by providing the FBI with additional time to complete background checks—allowing the system to better focus its resources and efforts, and provide accurate dispositions to federally licensed firearm manufacturers.

We urge you to act quickly to pass these lifesaving pieces of legislation.

Sincerely,

American Federation of Teachers (AFT), American Medical Student Association (AMSA), American Public Health Association (APHA), Amnesty International, Bishops United Against Gun Violence, Brady, Children's Defense Fund (CDF), Docs Demand Action, Doctors for America (DFA), Bishops United Against Gun Violence, VoteVets.

advocated strongly for and continues to support common sense responses to America’s gun violence problem. Addressing and strengthening our system of background checks on firearms and it is my belief that H.R. 8/S.B. 29 can address these issues and is worthy of full consideration.

Since 1993, the National Instant Criminal Background Check System (NICS) has conducted firearm background checks on gun purchasers. Federally licensed dealers must run a check through NICS to determine whether a potential buyer is prohibited from purchasing firearms. If information in NICS shows that a person is indeed prohibited, the dealer must deny the sale. However, there is a loophole in federal law and no background check is required for sales at gun shows, through online marketplaces, or between private individuals. Individuals who would otherwise be prohibited from purchasing or possessing a gun can easily buy guns through such unregulated sales. And the frequency of these unregulated sales is concerning: recent studies indicate that approximately 22 percent of firearms are purchased without a background check, and up to 90% of crimes are committed with firearms obtained without a background check.

H.R. 8/S.B. 29 the Bipartisan Background Checks Act/Background Check Expansion Act would require a background check on every sale, ensuring that people prohibited from purchasing firearms cannot exploit loopholes and purchase guns through unregulated sales at a gun show, online, or from an unlicensed seller. In addition, individuals who would no longer be able to cross state lines solely to purchase a firearm in a state with less stringent background checks. Closing these background check loopholes is critical to reducing gun violence throughout the United States.

The women and men serving on America’s front lines deserve the support that these bills will provide. Beyond data and research, common sense tells us that the solutions of-...
Mr. NADLER. Mr. Speaker, the fact is that 160 families every day buy guns. All this bill does is that people who obtain guns from unlicensed dealers, as well as licensed dealers, must be subject to the background check, and that will save a heck of a lot of lives.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman for yielding.

You know, our friends on the other side of the aisle are deadly wrong. That is the tragedy of their argument, because the argument does not prohibit regulation. It never did. And our Founding Fathers regulated guns as early as the beginning of this Nation.

And so I rise in support of H.R. 8, and indicate while the COVID–19 pandemic dominated news headlines in 2020, the number of shootings surged in many communities across America.

Our public health and emergency resources have been strained to recover from the coronavirus, and budgets are crushed nationwide, and, as well, gun violence is rising. It is important to note because approximately 80 percent of firearms used for criminal purposes are obtained without a background check.

We must strengthen our firearms background checks and close dangerous gaps, such as the online sale and gun show loopholes.

In the data that we were able to secure, there was nearly one mass shooting per day in the United States: 355 mass shootings in 2018. We realize that since December 2012 there have been at least 1,518 mass shootings with at least 1,715 people killed.

Each day an average of 92 Americans are victims of gun violence, resulting in more than 33,000 deaths. And I wonder why our friends could not feel the pain of the loss of guns being transferred illegally or improperly?

I was here. I was at Columbine. That happened on April 20, 1999. High school students losing their lives. I was here when babies were killed in Newtown, Connecticut, on December 12, 2012. I was here in the United States Congress each moment we tried to pass sensible gun legislation like H.R. 8.

Mr. Speaker, I thank Chairman THOMPSON for his leadership and Chairman NADLER.

Mr. Speaker, I rise in strong support of H.R. 8, the “Bipartisan Background Checks Act of 2021” and H.R. 1446, the “Enhanced Background Check Act of 2021,” which would make it illegal for any person who is not a licensed firearm importer, manufacturer, or dealer to transfer a firearm to any other person who is not so licensed without a background check.

A 2013 study found that approximately 80 percent of all firearms acquired for criminal purposes were obtained from sources who were not required to run a background check, and statistically, 22 percent of inmates who were not prohibited from possessing a firearm at the time they committed their crime obtained their gun this way.

This loophole exists largely because unlicensed sellers need not conduct any background check under current law, even if a seller sells a large number of guns.

Under H.R. 8, the “Bipartisan Background Checks Act of 2021,” individuals seeking to transfer a firearm under this measure would be required to visit a licensed firearms dealer and complete the necessary background check before the transfer could be finalized.

H.R. 8 is intended to provide an accurate and speedy manner to ensure firearms do not end up in the wrong hands.

An internal assessment by the Federal Bureau of Investigation (FBI) demonstrated that NICS background checks are approximately 99.3 percent to 99.8 percent accurate, and in 90 percent of cases, are processed within 90 seconds.

I am particularly pleased that the rule requiring the Rules Committee makes in order Jackson Lee Amendment No. 12 to H.R. 8, which makes clear that a gun owner who realizes that he or she is at risk of suicide may transfer the gun to someone else, if the risk is imminent, without a background check to prevent self-harm.

The Jackson Lee Amendment will help ensure that no person who is experiencing a suicidal crisis will feel compelled to retain their gun when it would be better for them to temporarily transfer it to someone else.

Mr. Speaker, the American people are demanding effective action to reduce, if not prevent altogether, the countless mass shootings and gun violence in our country that continue to claim so many innocent lives.

Newly released data from the Centers for Disease Control (CDC) and Prevention found firearm-related deaths rose for the second-straight year in 2016, largely due to spikes in gun violence.

In 2016, the new CDC report on preliminary mortality data shows that there were more than 40,000 gun-related deaths in the U.S.—4,000 more than in 2015.

An Associated Press analysis of FBI data shows there were about 11,000 gun-related homicides in 2016, up from 9,600 in 2015.

Congress must act to keep our country safe through gun safety and violence deterrence.

That is why nearly one mass shooting per day in the United States—355 mass shootings in 2018.

In December 2012, a gunman walked into Sandy Hook Elementary School in Newtown, Connecticut, and killed 20 children, 6 adults, and himself.

Since December 2012, there have been at least 1,518 mass shootings, with at least 1,715 people killed and 6,089 wounded.
On the night of October 1, 2017, a gunman opened fire on a large crowd of concertgoers at the Route 91 Harvest music festival on the Las Vegas Strip, leaving 58 people dead and 527 injured.

And on November 5, 2017, a mass shooting occurred at First Baptist Church in Sutherland Springs, Texas, where the gunman, 26-year-old Devin Patrick Kelley, killed 26 and injured 20 others.

Every day, on average, 92 Americans are victims of gun violence, resulting in more than 33,000 deaths annually.

States with higher gun ownership rates have higher gun murder rates—as much as 114 percent higher than other States.

A recent study by the Centers for Disease Control and Prevention, looking at 30 years of homicide data, found that for every 1 percent increase in a State’s gun ownership rate, there is a nearly 1 percent increase in its firearm homicide rate.

Gun death rates are generally lower in States with restrictions such as safe storage requirements or assault weapons bans.

Mass shootings stopped by armed civilians in the past 33 years: 0.

Because more than 75 percent of the weapons used in mass shootings between 1982 and 2018 legally obtained, stronger legislation is needed to prevent guns from getting into the wrong hands.

Mr. Speaker, enhancing the gun transfer background check system has consistently garnered broad public support, as high as 92 percent, because the American people know that the status quo is simply intolerable and action must be taken to reduce gun violence by keeping dangerous persons from obtaining deadly weapons.

That’s why I am completely opposed to H.R. 8, the Bipartisan Background Checks Act of 2021, and H.R. 1446, the “Enhanced Background Check Act of 2021,” and urge all members to join me in voting for its passage.

Mr. Speaker, I rise in strong support of H.R. 8, the Bipartisan Background Checks Act of 2021, and urge its quick adoption.

While the COVID–19 pandemic dominated news headlines in 2020, the number of shootings surged in many communities across America.

Our public health and emergency resources have been strained to respond to the coronavirus crisis. Budgets are being crunched nationwide. Across the country, cities and states are struggling to find the resources to simultaneously address the pandemic and rising rates of gun violence.

We must take the steps that we know will make us safer.

Because approximately 80 percent of firearms used for criminal purposes are obtained without a background check, we must strengthen our firearms background check system and close dangerous gaps, such as the online sale and gun show loopholes.

Reducing gun violence starts with making sure that individuals who may not lawfully possess firearms get their hands on them.

Our citizens overwhelmingly support this measure, and it is critical we pass it today and enact it into law.

Mr. JORDAN. Mr. Speaker, I yield 1½ minutes to the gentleman from Utah (Mr. OWENS).

Mr. OWENS. Mr. Speaker, I rise today in opposition to H.R. 8 and H.R. 1446.

In this last week I received over 1,000 emails from constituents in strong opposition to these antigun bills. Here is a sample:

“H.R. 8 will make it impossible to sell or loan guns to my relatives and trusted friends.”

“These bills appear designed to impose restrictions on natural rights guaranteed by the U.S. Constitution.”

And finally, “Stand for our rights and oppose these measures with every tool in your grasp.”

I absolutely will fight these measures with every tool in my grasp. These rights protect my life, liberty, and property granted to me by God and cannot be taken away from me by D.C. bureaucrats.

I grew up in the Deep South at a time when Black Americans were unable to defend themselves. After the Civil War, Black Codes and Jim Crow laws prohibited people of color from owning firearms.

In the mid-1950s, Martin Luther King, Jr., kept firearms for self-protection, but his application for a concealed weapon permit was denied because of racist gun control laws in his State.

As a child, my dad witnessed an altercation between his father and a southern White man who thought my grandfather was being disrespectful and threatened to teach him a lesson. Later that night he drove up to my grandfather’s home with a bunch of his friends standing on the forerunner of a Model T Ford.

My grandfather was prepared. He and his brothers had hidden around his front porch. As these bullies and cowards approached the house, they heard the click of rifles and left just as fast as they came.

Without ever firing his gun on another human being, my grandfather’s right to own a firearm ensured his rights to protect his life, liberty, and property.

I urge my colleagues to vote against these anti-Self-Defense Amendment bills.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. SWALWELL).

Mr. SWALWELL. Mr. Speaker, I thank Mr. THOMPSON for this legislation because it takes the most dangerous weapons out of the hands of the most dangerous people.

I have heard from my colleagues on the other side of the aisle about rights. Let’s talk about some other rights in this country, like the right to pray in church, the right to dance at a party, the right to come home from a concert, the right to come back home safely and alive. Those are rights that matter, too.

And I am for this because I think about a mother who told me a couple years ago to keep fighting on this issue because every day when she puts her children in the car and sends them off to school, before they get out the car, she checks to be sure that they were wearing what they were wearing because she was afraid that one day she may have to identify them.

This bill says we don’t have to live that way anymore. The right to come home alive is greater than any right that is being put forward by the other side.

Mr. JORDAN. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, we have been told that 90 percent of Americans support this bill. Well, that is because 99.99 percent of Americans have not read this bill.

And we are told, yet again, that this will save lives. And, yet, there is not one single mass killing that has been taught up here tonight that would have been prevented by this bill.

And yet over and over we have people come in here, usually they mean well; look, this will protect people when the fact is that they can’t point to any of these mass killings they talk about that would have been prevented.

So let’s talk about lives that would be saved. Think about the people that are shot every day and would their situation be different if they were not finding it so difficult to legally get a gun?

I mean, we had thousands of felony cases that came through my court, and I asked a lot of these things and over and over you hear, the criminals are not obeying the law. They are not going to follow the law. They get their guns illegally. And this will not change at all any of those people we tried and convicted for getting guns and stealing them. They buy them from other people that stole them. They don’t obey the law. That is why they are criminals. So quit penalizing the American people.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Maryland (Mr. RASKIN).

Mr. RASKIN. Mr. Speaker, Americans are 25 more times more likely to die from gun violence than people who live in other developed countries, and on that point our perpetually outraged and indignant colleagues have absolutely nothing to say.

We lose 38,000 people a year, more than 100 people a day. From Newtown, Connecticut, to El Paso, Texas, gun violence is ripping the heart out of our social contract, making life for more Americans nasty, poor, solitary, brutish in short, a Hobbesian state of war.

H.R. 8 will close three gaping loopholes in the law: the gun shows loophole, the internet loophole, and the private sale loophole, cutting down precisely on the traffic in illegal guns, which our colleagues cite as the source of criminal gun violence.

In opposing the American Rescue Plan, they voted against science. In opposing H.R. 1, they voted against democracy. And now in opposing H.R. 8, they are voting against public safety and the social contract itself. What a moral collapse for a once-great party.

Mr. JORDAN. Mr. Speaker, I yield 1½ minutes to the gentleman from Arizona (Mr. BIGGS).
Mr. BIGGS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, the last 2 weeks, the majority has attacked the First Amendment, and now they are attacking the Second Amendment.

H.R. 8 will not save lives. As Justice Scalia noted in his decision in Heller, the Second Amendment does not give Americans a right; it protects a pre-existing right, and that right shall not be infringed.

H.R. 8 would not have prevented recent shootings. In Parkland, the shooter acquired the firearm legally from an FFL after undergoing a NICS check. The same thing in Sutherland Springs, Texas; the same in Las Vegas, Nevada; and the same in Orlando. I could go on because the list would produce the same result. They got their guns after a background check, including in El Paso.

Criminals who seek to do harm get guns regardless of the new restrictions imposed by H.R. 8. And with very limited exceptions, H.R. 8 makes it illegal for Americans to get a gun if a non-licensee, importer, manufacturer, or dealer is not involved. How will the government know if an illegal transfer occurs? Without a registry, this bill is unenforceable.

Mr. Speaker, I have heard supporters of this bill say that other countries have similar restrictions so we should, too. I counter with the fact that other countries do not have the Second Amendment. The Second Amendment was included to ensure that the United States would be different than other countries.

Mr. Speaker, I oppose this bill, and I urge my colleagues to do the same.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Washington (Ms. JAYAPAL).

Ms. JAYAPAL. Mr. Speaker, I rise in strong support of H.R. 8, the Bipartisan Background Checks Act. This bill is among the most commonsense gun violence prevention reforms, requiring background checks for unlicensed sellers.

Mr. Speaker, this is not complicated. This is simple. Under H.R. 8, people who wish to transfer a firearm would have to visit a licensed firearm dealer to run a background check before the transfer could be finalized.

Most of these checks take 90 seconds, 90 seconds to prevent firearms from ending up in the wrong hands, 90 seconds to prevent more of our loved ones from being killed by gun violence.

I am proud to be from Washington State, where voters have consistently tackled gun violence with commonsense reforms, passing one of the first, most comprehensive background check laws in 2014 and raising the legal age to purchase a semiautomatic rifle to 21 in 2018.

Mr. Speaker, let’s do this. To save lives, vote “aye.”

Mr. JORDAN. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Speaker, H.R. 8 is brought to us by the same organizations and politicians who have made no secret of their intention ultimately to strip law-abiding citizens of their right to defend themselves. Now, they know how they can do it outright, so they are doing it through cynicism like this, which weaves a web of laws so intricate that, sooner or later, everyone can be caught up in them.

This law affects not only sales but any transfer of a weapon for any period of time. A couple of years ago, a 10-year study by Johns Hopkins and UC Davis concluded that California’s background check law had no effect on gun homicides or suicides. None.

The purpose of this bill is not public safety. That is its deceptive facade. Its purpose is to make gun ownership so legally hazardous, so fraught with legal boobytraps and draconian penalties, that no honest and law-abiding citizen would ever want to take the risk. Most criminals already get their guns illegally. They are unconstrained by laws like this. This bill is aimed squarely at law-abiding citizens, moving us closer to a society where decent people are defenseless and armed criminals are king.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Georgia (Mrs. McBATH).

Mrs. McBATH. Mr. Speaker, 2 years ago, I came to Congress, and one of my first actions as a Member was cosponsoring this bipartisan legislation that will save lives.

Mr. Speaker, I know the pain of gun violence firsthand. Eight years ago, I lost my son, Jordan, a victim of a gun in the wrong hands.

With this legislation, we empower law enforcement to keep guns from those who might do harm by simply requiring a background check whenever a gun is sold. This is commonsense legislation that can prevent more families from knowing the pain of losing a loved one to gun violence.

Just like 2 years ago, our vote today is a beginning, and it is definitely not the end. In again passing this commonsense bipartisan legislation, we call on our colleagues in the Senate to do what is right to keep America’s families safe.

Mr. Speaker, I am proud once again to stand in support of this legislation as a survivor of gun violence myself.

Mr. Speaker, Congress refusing to pass this vital legislation would be America’s shame and burden for generations to come.

Mr. JORDAN. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Colorado (Mrs. BOEBERT), the co-chair of the Second Amendment Caucus.

Mrs. BOEBERT. Mr. Speaker, I thank the ranking member, Jim Jordan, for yielding.

Mr. Speaker, I was raised in a Democratic home, so I understand how these policies are deceiving. I understand that we are told guns are scary. That is what we were told, and that is what we believed, because we trusted the people who we voted for. But just as with most things in life, I grew up and learned that there is a better way to live. I was ignorant to firearms and the proper use of them.

Mr. Speaker, when I became a business owner, I needed to protect myself. There was an altercation outside of my restaurant, where a man was physically beaten to death. There were no weapons involved. He was beaten to death by another man’s hand.

I have a lot of young girls who work in my restaurant, and we needed an equalizer. I am 5 feet tall. I weigh barely 100 pounds. I need something against a stronger potential aggressor to defend myself with.

Talk about women’s rights. Don’t take my right away to protect myself. I mean, seriously, what are we doing here? I ask the supporters of this legislation, who do you think you are to disarm Americans and leave them vulnerable? What are we doing to the Second Amendment?

You want to defund our police and yet leave us without a way to protect ourselves.

Our Founding Fathers gave us a list of items. They said don’t touch these things. And I am telling you, keep your hands off of our Second Amendment.

The SPEAKER pro tempore (Mr. BUTTERFIELD). Members are reminded to address their remarks to the Chair.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Pennsylvania (Ms. DEAN).

Ms. DEAN. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, I am assuming our colleagues on the other side of the aisle can pass a background check, so she will have no inability to have a gun.

Mr. Speaker, I rise in support of H.R. 8, the Bipartisan Background Checks Act, because even as we manage a deadly pandemic, gun violence continues to plague our Nation.

Every year, more than 130,000 people in this Nation are victims of gun violence. Some 38,000 dead, another 100,000 caught in the crossfire. In my home region in Philadelphia, 2,244 people were victims of gun violence in the year 2020.

Mr. Speaker, death by guns doesn’t mean only murders. Sadly, it also means death by suicide using a firearm, which was the case in 62 percent of Pennsylvania’s gun deaths last year. This is a public health crisis.

The Bipartisan Background Checks Act requires a background check for all gun sales, no loopholes, no backdoors, a commonsense solution supported by a majority of Americans, including 89 percent of Republicans and 87 percent of gun owners.

Mr. Speaker, let’s find the courage to address the crisis. Let’s save lives. Let’s pass the bill.

Mr. JORDAN. Mr. Speaker, the previous speaker talked about the increase in violent crime in her neighborhood last year. Maybe if Democrats actively supported our police and not
supported defund the police, maybe that wouldn’t be the case.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from Arizona (Mrs. Lesko).

Mrs. LESKO. Mr. Speaker, I thank the gentlewoman, Mr. JORDAN, for yielding. Mr. Speaker, I rise in opposition to this bill. H.R. 8 is an assault on our Second Amendment right to keep and bear arms. The bill turns law-abiding citizens into criminals by subjecting them to criminal penalties for simply lending a friend or a neighbor a gun on a temporary basis.

Additionally, the bill would inevitably lead to a national gun registry because, without a registry, the government has no way to implement this legislation. This bill is certainly a slippery slope.

Most alarmingly, this bill does nothing, absolutely nothing, to stop criminals from obtaining firearms. According to the Department of Justice, less than 1 percent of criminals in prison who possessed a firearm during their offense obtained the firearm from a licensed dealer, meaning criminals would still have access to firearms under this law.

Mr. Speaker, this bill is just the first of many steps to take away our Second Amendment rights. I urge my colleagues to vote against this bill.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Colorado (Mr. NUGUSE).

Mr. NEGUSE. Mr. Speaker, I thank the chair for yielding.

Mr. Speaker, I rise today for the more than 100,000 Americans who every year are impacted by gun violence, and I rise today to give voice to the overwhelmingly majority of the American people who support universal background checks.

Communities in Colorado have experienced the tragedy and the grief of gun violence far too many times—Columbine, Aurora, Highlands Ranch.

Mr. Speaker, enough is enough. We have lost too many parents, friends, neighbors, students, and children to gun violence.

This Congress must act, which is why I support H.R. 8. We must act on gun violence. We must pass H.R. 8, and we must send it to President Biden's desk.

Mr. JORDAN. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. CLINE).

Mr. CLINE. Mr. Speaker, enough is enough, which is why I rise in strong opposition to H.R. 8 and to offer a motion to recommit the bill.

This bill is nothing more than a coordinated effort by the authoritarian left to strip away the constitutional rights guaranteed to Americans by the Second Amendment.

Instead of criminalizing the innocent actions of law-abiding gun owners, American citizens, we should be focused on stopping real crime in our local communities and enforcing the laws that are already on the books.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD immediately prior to the vote on the motion to recommit.

The SPEAKER pro tempore. Is there objection?

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentlewoman from Massachusetts (Ms. CLARK).

Ms. CLARK of Massachusetts. Mr. Speaker, in 2016, after the tragic Pulse nightclub shooting, I, with my colleagues, sat in protest on this very floor with our friend, the late Congressman John Lewis. On that day, Congressman Lewis told us: "We have turned deaf ears to the blood of the innocent and the cries of our nation. We are blind to a crisis."

Mr. Speaker, nearly 5 years later, we have endured thousands of mass shootings. We have mourned the loss of 100 people every single day to suicide and homicide with guns.

Today's vote will improve the safety of our schools, our communities, and our streets. It is a vote for kids, parents, veterans, and our neighbors. I stand here today thinking of the many survivors and families who have been waiting for this moment, and I think of my friend, John, who told us to always speak out for the voiceless and act boldly with guns.

Today, with this bill, we will do just that.

Mr. Speaker, I urge a "no" vote on H.R. 8.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentlewoman from Massachusetts (Mrs. TRAHAN).

Mrs. TRAHAN. Mr. Speaker, there is no question that the harms of this crisis haven't fallen fairly, and the disparate harm offers all the more reason for actual solutions, not mere talk. By now, my colleagues know that I am not talking about COVID. I am referring to gun violence.

Today, the most commonsense, broadly popular, and impactful thing that we can do is pass H.R. 8, and bolster our pitifully weak background check system in the United States. Keeping deadly weapons out of the hands of those fueled by hate is as commonsense as it gets.

Mr. Speaker, I urge my colleagues to vote for H.R. 8.

Mr. JORDAN. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. ROY).

Mr. ROY. Mr. Speaker, I thank the gentlewoman from Ohio for yielding.

Mr. Speaker, right now in south Texas there are American citizens whose lives are in danger because of Biden's border crisis and the policies of the Democratic leadership of this body and the Senate. American citizens are unsafe. I am not making that up.

For the last 2 years, I have heard my Democratic colleagues talking about a fake crisis at our border. There is nothing fake about 100,000 people coming across our border; or high-speed chases through Uvalde, Texas; or high-speed chases in Real County, which I represent. There is nothing fake about break-ins putting lives in danger.

People own ranches, and now my Democratic colleagues, after defunding the police and opening up our borders, to another without a Federal firearms license overseeing the transfer and conducting a background check on the prospective buyer. While there are limited exceptions to this bill, in this bill it does nothing to address how violent criminals actually obtain firearms, nor does the bill make it easier for them to obtain a firearm. That is because criminals don't follow the law. That is why they are called criminals.

So by making these types of changes to the law, the bill does nothing to protect the law-abiding citizens exercising their Second Amendment rights.

Mr. Speaker, I urge a "no" vote on H.R. 8.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentlewoman from Massachusetts (Mrs. TRAHAN).

Mrs. TRAHAN. Mr. Speaker, I thank the chair for recommitting the bill. Mr. Speaker, I urge a "no" vote on H.R. 8.
want to take away our God-given right—yes, God-given right—to defend ourselves under the Second Amendment. That is what this is about. This is about creating a gun registry to track guns of the American people. There is no way to implement what the Democrats are attempting to implement without doing that.

I can just tell you straight up, Texans, Americans, the Government is never going to know what weapons I own. Let me be clear about that. It is not going to happen. We have a God-given right to defend our families, defend our State, and defend ourselves against tyranny; and we will do that regardless of the erratic policies that this Democratic Congress is trying to jam through.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Illinois (Ms. KELLY).

Ms. KELLY of Illinois. Mr. Speaker, soon we will take a bipartisan vote on the background checks Act, a bill which could save lives in every district of our Nation. Expanding background checks will help prevent guns from getting into the hands of those who may be a danger to themselves or others. This is a simple commonsense solution to a worsening problem in our Nation.

Even in 2020, when many people were at home during the raging COVID–19 pandemic, we lost more than 41,000 people to gun violence. That number included children under the age of 11. My heart breaks for their parents. But heartbreak will do little to comfort those mourning families, and we know well enough by now it will do nothing to prevent any future tragedies.

It is time for us to step up to say enough is enough. It is time for our families to be able to play in the park, drive a car on the expressway, or on a bus, or other things we take for granted. This legislation has one simple goal: keep everyday law-abiding citizens safe. This legislation has one simple goal: keep everyday law-abiding citizens safe.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from North Carolina (Mr. MURPHY).

Mr. MURPHY of North Carolina. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. MURPHY) an additional 30 seconds.

Mr. MURPHY of North Carolina. Mr. Speaker, H.R. 8 and H.R. 1446 absurdly hamper people’s ability to exercise their constitutional right to defend themselves. This sort of broad government overreach does not save lives, but treats everyday law-abiding citizens like criminals.

Mr. Speaker, I urge my colleagues to vote “yes” on children’s bills. We should not support bills that place the rights of violent criminals above those law-abiding American citizens.

Mr. NADLER. Mr. Speaker, how much time remains?

The SPEAKER pro tempore. The gentleman from California (Mr. LEVIN).

Mr. LEVIN of California. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. LEVIN).

Mr. LEVIN of California. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. LEVIN).

Mr. LEVIN of California. Mr. Speaker, I rise today as a proud cosponsor of H.R. 8, the Bipartisan Background Checks Act.

This legislation has one simple goal: keep guns out of the hands of people who are dangerous.

More than 90 percent of the American people support universal background checks on every firearm sale or transfer, and that is what this bill does.

Our constituents expect us to find common ground to finally end the gun violence epidemic in this country. They expect us to pass this bipartisan bill. The only thing that we have is time and a willingness to do it this time.

Mr. Speaker, I urge my colleagues to stand with the American people and vote “yes.” Let’s get this done.

Mr. NADLER. Mr. Speaker, I yield 1½ minutes to the gentleman from North Carolina (Mr. MURPHY).

Mr. MURPHY of North Carolina. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from North Carolina (Mr. MURPHY).

Mr. NADLER. Mr. Speaker, I thank my friend from Ohio for yielding.

Mr. Speaker, I urge my colleagues to vote in favor of H.R. 8, expand background checks, and make our Nation safer.

Mr. JORDAN. Mr. Speaker, I yield 1½ minutes to the gentleman from North Carolina (Mr. MURPHY).

Mr. MURPHY of North Carolina. Mr. Speaker, I thank the gentleman from Ohio for yielding.

Mr. Speaker, I rise today in opposition to H.R. 8 as well as H.R. 1446.

There is not a single Member in this Chamber who does not mourn the innocent lives lost to gun violence, but I solemnly believe that my Democratic colleagues lack a fundamental understanding of this issue.

I have worked as a surgeon who has done pelvic trauma for close to 30 years. In fact, I will submit that I am the only Member of this Chamber who has ever operated on a gunshot victim. The infinite majority of gunshot vic-
working to keep firearms out of the hands of criminals and mentally unstable individuals.

H.R. 8, unfortunately, doesn’t accomplish either of those goals. It is over-burdensome, unreasonable, and, if passed, would likely keep firearms out of the hands of some hardworking and law-abiding citizens.

Yesterday, at the Rules Committee, I offered an amendment which would allow for the transfer of a firearm to museums or historical displays without going through the burdensome requirements of this measure, but that eminently reasonable amendment and others offered by my colleagues were flatly rejected by the majority.

During this afternoon’s debate, we have again expressed several concerns which will not be addressed or considered by the majority. Instead of focusing on improving the National Instant Criminal Background Checks System, or NICS, providing resources to assist those with mental illnesses or hardening soft targets like schools and places of worship, the majority will pass this legislation and attempt to further infringe on the Second Amendment rights of our constituents. That is unacceptable.

Mr. Speaker, for those reasons, I stand in opposition to this deeply flawed legislation.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise as both a mom and a Member of Congress in strong support of H.R. 8.

Last month, my community marked the 3-year anniversary of the Marjory Stoneman Douglas shooting that stole 17 innocent lives.

The anxiety and terror that came that day has never left us. Yet, too many communities witness horrific gun violence every day. Common sense reform can end this agony and keep us safer. Increasing background checks for gun sales. Yet, loopholes allow up to 80 percent of firearms to be sold without background checks.

We must mandate universal background checks for firearm sales by passing H.R. 8 and then pass Jaime’s Law, my legislation that expands that same mandate to ammunition purchases.

The pandemic made gun proliferation worse, and inaction is not an option. We must do all we can to ensure guns and bullets don’t end up in the wrong hands.

Mr. Speaker, the outliers on this issue are Republicans whose fealty to the NRA results in more people dying from gun violence. Enough is enough.

Mr. JORDAN. I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. Mr. Speaker, this morning I walked by an elementary school, and I saw parents dropping off their kids. I thought of parents around the country sending their kids back to school after months of virtual learning. They want their children to be safe.

But it has been 8 years after Sandy Hook and 3 years after the shooting at Marjory Stoneman Douglas High School in my district, we should be ashamed that we have waited so long and wasted so much time when we could be saving lives.

We cannot have safe communities until we fix the crumbling foundation of our gun laws. That is the background check system. Universal background checks will help keep guns out of dangerous hands. They will save lives in our schools, they will save lives in our homes, and they will save lives on our streets.

Mr. Speaker, I urge my colleagues to stand with survivors, with gun owners, with organized labor, with both Democratic and Republican Party members who support universal background checks by voting to pass H.R. 8.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, this bill simply requires that the background check for a purchase that occurs within a gun shop,essler occurs in a gun shop,essler occurs in a gun shop,essler occurs in a gun shop. That doesn’t take away anyone’s right, but it does protect us from convicted criminals, fugitives, and family abusers who are prevented from evading the law to buy a weapon of war online or at a gun show. Texas Gun Sense knows the gap in safety makes no sense.

Unfortunately, NRA has come to stand for “No Republican Action.” They offer us only moments of silence for mass murders. Our cons must stand up short with one very important type of ammunition—courtesy. Students in March for Our Lives have that courage. Moms Demand Action are steadfast in demanding meaningful action.

As these gun lobbies continue to oppose reasonable action, we must speak up for gun safety. We must listen to the victims of violence before their number is increased by another El Paso shooting, another school shooting, or another concert interrupted by gunfire.

We must act now to save lives.

Mr. JORDAN. Mr. Speaker, I yield 1 minute to the gentleman from Kentucky (Mr. MASSIE).

Mr. MASSIE. Mr. Speaker, I have a brief point to make. I wonder how my colleagues on the other side of the aisle hold two thoughts in contradiction simultaneously in their minds. They say that photo IDs and excessive registration paperwork and whatnot disenfranchise disproportionately minorities in their rush to end the right to vote. But today with H.R. 8 and the next bill that is coming up, they are doing exactly that. They are causing there to be increased fees, increased paperwork, and more photo IDs.

How does that not disenfranchise not just all Americans but disproportionately minorities and the poor? Mr. Speaker, I wish to speak to my colleagues to answer today.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New York (Mr. BOWMAN).

Mr. BOWMAN. Mr. Speaker, I have had the privilege of working in public education for 20 years. I started my career in 1999. That was the same year of the Columbine High School shooting.

Throughout my career, unfortunately, we have had to continually deal with school shootings.

In our schools we have to prepare children as young as 4 years old for the possibility of a school shooting. We have Columbine, we have Parkland, we have Virginia Tech, and we have Sandy Hook.

I thought 9 years ago when Sandy Hook occurred that the country would stop, pause, and reflect on what is happening in our Nation. It was a mass shooting of our 6-year-old children—our babies.

This law will begin the process of protecting our most vulnerable and protecting our babies.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, it is an honor for me to be here today with my colleagues, Mr. THOMPSON and Mrs. McINTOSH.

Mr. Speaker, Lucy’s courage is an inspiration to me.

This has been a priority for me in the quarter century I have been in Congress. I have supported every single reform that has advanced. But we have a change today because we have never had in 10 years the alignment with a House leadership and a Senate leadership that will not bury it and a President who will enthusiastically sign it into law.

This is a landmark legislation that many of us have been working on literally for decades, and this is one more example of what difference it makes to have Democrats in charge and being able to advance meaningful gun safety.

Mr. Speaker, I thank my colleagues for their hard work, and I am proud to stand with them.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield to the distinguished gentleman from New York (Mr. JEFFRIES).

Mr. JEFFRIES. Mr. Speaker, I thank my colleagues for their work, and I am proud to ask how much time remains.

The SPEAKER pro tempore. The gentleman from New York has 4½ minutes remaining. The gentleman from Ohio has 6½ minutes remaining.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New York (Mr. JEFFRIES).

Mr. JEFFRIES. Mr. Speaker, I thank the distinguished chair for yielding.

Mr. Speaker, the right to bear arms is an important part of the constitutional fabric of this country, but it is
Mr. Speaker, I rise today in strong support of H.R. 8 and H.R. 1446, two gun violence protection bills that would help keep our communities safe. Mr. Speaker, I am from Chicago, and we are no strangers to gun violence. In 2020 alone, the city recorded 3,261 shootings and 769 murders.

Some of my colleagues might point out that Illinois has some of the strictest gun laws in the country. That is true. But studies tracking the guns show that guns often come from neighboring States with weaker gun laws. People drive one or two States over, and they come back with deadly weapons.

The reality is that State laws aren’t enough. We need stronger Federal laws, too.

Mr. Speaker, I urge my colleagues to pass these critical laws that have bipartisan support among voters across the country that would help keep guns off the streets.

Mr. JORDAN. Mr. Speaker, the previous speaker talked about Chicago’s strictest gun laws in the country, but yet there was a record number of shootings and crime last year.

What could be the cause of that? Maybe it is the fact they defunded their police, something we have talked about now, well, since the Democrats started doing it.

Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. GROTHMAN).

Mr. GROTHMAN. Mr. Speaker, one more time we see people uncomfortable with our Constitution. Our forefathers gave us the right to bear arms because they wanted law-abiding people to have the right to defend themselves.

Until Ferguson and the rise of the antipolice movement about 5 years ago, the murder rate in this country fell by over one-half between the early 1990s and around 2014.

What happened at that time? We whipped up some antipolice hysteria, and since that time things have gone wildly up. Now the majority party introduces a cache of bills designed to make it more difficult for law-abiding people to access a weapon while not having any impact on people who wouldn’t obey the laws anyway.

They don’t like the idea of private transfers. They don’t like the idea of being able to get a gun in less than 10 days. They don’t like the idea that if the government doesn’t give the proper information over—well, apparently, they like the idea that they want to keep people from getting guns if the government, for whatever reason, is slow in turning things over.

In any event, let’s go back to the things that worked for 25 years before the rise of the antipolice movement if we really want to see improvement.

Mr. JORDAN. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. MEUSER).

Mr. MEUSER. Mr. Speaker, I thank my good friend from Ohio for yielding.

Mr. Speaker, once again, Democratic leadership is proposing legislation that would do nothing to prevent criminals from accessing firearms while greatly restricting the Second Amendment rights of law-abiding citizens.

These bills are being sold to the public as an effort to pass universal background checks. But House Democrats fail to recognize that every commercial gun sale in the United States already has a background check.

Mr. Speaker, ending gun violence in America is a goal we all share, but H.R. 8 will subject law-abiding gun owners to criminal penalties for simply handing a firearm to another person.

For instance, if you loaned a friend a rifle to go hunting, they could face a year in prison or a $100,000 fine. This is simply ridiculous.

The same would be true, Mr. Speaker, if you loaned an abuse victim a firearm for self-defense and it would create arbitrary delays for firearm purchases and could allow the FBI to delay a firearm transfer indefinitely.

These bills would do nothing to keep Americans safer and, in fact, threaten the public safety and our constitutional right to bear arms.

Mr. Speaker, I yield.

Mr. JORDAN. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GOODEN).

Mr. GOODEN of Texas. Mr. Speaker, in what alternative reality does it make sense for this Congress to take away people’s rights to defend themselves and, at the same time, defy the police? That makes no sense.

What have we seen in the last few days and the last week in this Congress is an effort to punish the law-abiders in this Nation. We have to stop doing this.

If we take away guns from law-abiding citizens, we are doing nothing to reduce crime. Look at Chicago. The law-abiding citizens there do not live in a safe environment. They are able to follow these procedures that you are passing, but it is not going to do anything to stop the violence.

We have to get away from this. We have to stop these laws that do not represent the will of the American people.

Let’s stop punishing the law-abiding citizens of the United States and get back to what they sent us here to do.

Mr. JORDAN. Mr. Speaker, can I inquire how much time we have remaining?

The SPEAKER pro tempore. The gentleman from Ohio has 1½ minutes remaining. The gentleman from New York has 2½ minutes remaining.

Mr. NADLER. Mr. Speaker, I am prepared to close. I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield the balance of my time to the gentleman from Florida (Mr. DONALDS).
Mr. DONALDS. Mr. Speaker, gun crime in the United States is a tragedy for us all. I heard the talk about Sandy Hooke, about Columbine, and, yes, about Parkland, which happened in my State. It is a tragedy that we all face.

But the one thing, Mr. Speaker, we all have to remember is that, in each one of these instances, the person who acquired the firearm that committed this tragedy acquired it lawfully, or they stole the weapons from somebody else. This bill would not change any of those tragedies.

If anything, what this bill does, it puts more burden on law-abiding Americans and does whittle away and strip their constitutional right to bear arms. You see, the issue is much more about mental health than it is about the ability to acquire firearms.

For this body to unilaterally make it significantly more difficult for a law-abiding citizen to acquire a firearm, which is their constitutional, God-given right to bear arms, is their body acting outside of its authority under the United States Constitution.

Mr. Speaker, in short, this bill will not fix the tragedies that we face. Unfortunately, laws don’t fix most of the tragedies we face. Mr. Speaker, what fixes them is dealing with the human condition that, unfortunately, inhabits people in our country. We should be working on that, not stripping the constitutional rights from our fellow citizens.

Mr. JORDAN. Mr. Speaker, I yield back the balance of my time.

Mr. NADLER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, since the House passed H.R. 8 more than 2 years ago, an estimated 80,000 people have lost their lives to gun violence. We have had too many moments of silence and too many expressions of sympathy. Too many families are grieving the loss of a loved one.

Expanding background checks is overwhelmingly supported by the American public because they know that it will make a meaningful difference in reducing gun violence and saving lives. It is time to enact this important legislation.

Mr. Speaker, I yield back the balance of my time.

Ms. WILLIAMS of Georgia. Mr. Speaker, I rise today in support of H.R. 8, the Bipartisan Background Checks Act of 2021. This common-sense legislation would save lives in every state, every congressional district, and every community, by preventing guns from being sold to people who are dangers to themselves or others.

If this truly is “The People’s House” then we MUST pass H.R. 8 for the safety and protection of all people. Enough is enough. Too many times innocent lives have been lost to guns in the hands of people wishing to do harm. That’s why 93 percent of Americans support requiring universal background checks on all guns. The people know: background checks work.

By preventing guns from falling into the hands of people with mental illness or criminal history. Last year was a particularly tragic year for the Fifth District, with 177 lives ended at the barrel of a gun. My heart breaks knowing there have already been 25 gun-related deaths in my District this year. As I speak today, I am remembering Kennedy Maxie. A sweet, seven-year-old Black girl shot and killed while shopping with her family last December. She was an innocent victim, killed by someone who had no business with a gun.

The tragedies are too many, and the gun violence too frequent. It’s past time we did something.

The SPEAKER pro tempore. All time for debate has expired.

Each further amendment printed in part C of House Report 117–10 not earlier considered as part of amendments en bloc pursuant to section 6 of House Resolution 188, shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before the question is put thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It shall be in order at any time after debate for the chair of the Committee on the Judiciary or his designee to offer amendments en bloc consisting of further amendments printed in part C of House Report 117–10, not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

The Chair understands that amendments Nos. 1 and 2 will not be offered; is that correct?

Mr. NADLER. Mr. Speaker, that is correct.

AMENDMENTS EN BLOC OFFERED BY MR. NADLER OF NEW YORK

Mr. NADLER. Mr. Speaker, pursuant to House Resolution 188, I offer amendments en bloc.

The SPEAKER pro tempore. The Clerk will designate the amendments en bloc.

Amendments en bloc consisting of amendment Nos. 3, 4, 5, 6 and 8, printed in part C of House Report 117–10, offered by Mr. NADLER of New York:

AMENDMENT NO. 3 OFFERED BY MR. CROW OF PENNSYLVANIA

Page 4, line 25, insert “pest control on a

AMENDMENT NO. 4 OFFERED BY MR. GARCIA OF TEXAS

Page 5, line 11, strike the close quotation marks and the following period.

AMENDMENT NO. 5 OFFERED BY MR. JORDAN OF NEW JERSEY

Page 4, line 1, after “including” insert “harm to self, and”.

AMENDMENT NO. 6 OFFERED BY MR. LAMB OF PENNSYLVANIA

Page 4, line 17, insert “pest control on a

AMENDMENT NO. 7 OFFERED BY MR. LEE OF TEXAS

Page 2, line 8, after “allow” insert “to transfer”.

AMENDMENT NO. 8 OFFERED BY MR. LEE OF PENNSYLVANIA

Page 4, line 9, insert “purchase or” before “possession”.

The SPEAKER pro tempore. Pursuant to House Resolution 188, the gentleman from New York (Mr. NADLER) and the gentleman from Ohio (Mr. JORDAN) each will control 10 minutes.

The Chair recognizes the gentleman from New York.

Mr. Speaker, I yield myself 45 seconds.

Mr. Speaker, this en bloc amendment includes several amendments that strengthen the bill and that thoughtfully modify it to account for practical considerations surrounding the use and misuse of firearms.

Among this group are a provision that clarifies the exchange of firearms between family members, a measure to protect more expansive State firearm laws, an amendment that would ensure ATP background check forms are available in Spanish, and a proposal that would allow for temporary transfers for pest control.

Representative JACOB LEE’s amendment concerning suicide is particularly important as it highlights the tragic consequences that access to firearms can have on those who intend to harm themselves.

Mr. Speaker, I urge my colleagues to vote in favor of the en bloc amendment, and I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. PFLUGER).

Mr. PFLUGER. Mr. Speaker, I rise today as a Texan, a constitutional conservative, and in strong opposition not only to the amendments but to H.R. 8, a bill that would impose so-called universal background checks and gut the Second Amendment rights of law-abiding gun owners throughout this country.

We all mourn the loss of innocent lives from gun violence that has happened in my district and in those around the country. No family should ever have to endure such tragic and terrible unnecessary loss.

But the truth is that this legislation does nothing to address the root causes of gun violence and may do little to actually prevent criminals from obtaining guns, as has previously been said during this debate.

What will be prevented, though? Your ability to lend your neighbor a
firearm if there are reports of break-ins; the ability of your suicidal friend or family member to ask you to remove their firearms from their home; or if a colleague comes to you and says that they are trapped in an abusive relationship and is holding a gun. You could face a $100,000 fine or prison time for lending out your gun for self-defense.

If we are going to effect real change, we don’t need to tack additional restrictions on law-abiding citizens. We need to look at the root causes and have a transparent and open debate here to talk about mental health and the proper enforcement of laws that we already have.

This is yet another example of Federal overreach, another example of the erosion of our rights, and a slippery slope that will strip all Americans of our Second Amendment rights as outlined in the Constitution.

Mr. Speaker, I urge my colleagues to vote “no” on the amendment and the bill.

Ms. JACKSON LEE. Mr. Speaker, I yield myself 1 minute.

As indicated, the Jackson Lee amendment is a simple, important, and straightforward amendment, and it is, frankly, to save lives.

Specifically, the amendment makes clear that a gun owner who realizes that he or she is at risk of suicide may transfer the gun to someone else if the risk is imminent, without a background check, to prevent self-harm.

This will help ensure that no person who is experiencing a suicidal crisis will feel compelled to retain their gun when it would be better for them to temporarily transfer it to someone else.

Contrary to what my friends on the other side have said, H.R. 8 does already exempt from the requirement of a background check “a temporary transfer that is necessary to prevent imminent death or great bodily harm, including harm to self, family, household members, or others, if the possession by the transferee lasts only as long as immediately necessary to prevent the imminent death or great bodily harm, including the harm of domestic violence, dating partner violence, sexual assault, stalking, and domestic abuse.”

This amendment, however, clarifies that this last option is available to someone who is at risk for suicide.

As Chair of the Judiciary Subcommittee on Crime, Terrorism, and Homeland Security, I urge all members to join me in supporting the Jackson Lee Amendment No. 9 by voting for the En Bloc Amendment to H.R. 8, the Bipartisan Background Checks Act of 2021.

Mr. Speaker, H.R. 8 is a strong bill to expand the federal firearms background check requirement as our citizens have demanded. To make the bill even stronger, I offer an amendment that will help save even more lives.

My amendment would make clear that a gun owner who realizes that he or she is at risk of suicide may transfer the gun to someone else without a background check—if the risk is imminent to prevent self-harm.

The largest number of gun deaths each year are suicides. Studies have shown that the prevalence of suicide in the United States is directly linked to the easy availability of guns.

Robbing the Chick-fil-A.

Mr. PERRY. Mr. Speaker, just yes-

Mr. JORDAN. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PERRY).

Mr. PERRY. Mr. Speaker, just yes-

Mr. JORDAN. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PERRY).

Mr. JORDAN. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PERRY).
Mr. JORDAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think part of the point of the gentleman from Pennsylvania was this system is a mess. Over 110,000 people were denied access to a firearm when they went through the background check, but only 12 were prosecuted. Mr. MASSIE led off our debate by talking about this one. That tells you one or two things.

I think the main takeaway is, how many people were falsely denied? Or if they weren’t, why weren’t more people prosecuted?

If the focus is to make sure the bad guy doesn’t get the gun, holy cow, over 110,000 were denied access to a firearm, not given a clearance. Yet only 12 prosecuted?

My amendment also makes sense. It simply codifies the practice of ensuring that transfers of firearms between family members do not simply allow access to guns. It does not take away access to guns. It does not take away the right of those who obey the law and the Second Amendment.

Mr. JORDAN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, as has been said over and over again on the floor of the House, H.R. 8 provides for the legal access to guns. It does not take away guns from any American.

In addition, the Second Amendment is truly preserved with H.R. 8, and it is in compliance with the law which allows the regulation of guns, even with the Second Amendment.

We ask our colleagues to support H.R. 8 and the en bloc amendments included therein.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for Members has expired.

Pursuant to House Resolution 188, the previous question is ordered on the amendments en bloc offered by the gentleman from New York (Mr. NADLER).

The question is on the amendments en bloc.

The en bloc amendments were agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The Chair understands that amendment No. 7 will not be offered.

The previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

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

MOTION TO RECOMMEND

Mr. JORDAN. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. JORDAN moves to recommit the bill H.R. 8 to the Committee on the Judiciary.

The material previously referred to by Mr. CLINE is as follows:

At the end of the bill, add the following:

(a) The Attorney General shall promulgate a regulation that shall, in the case of a background check conducted by the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act in response to a contact from an importer, a manufacturer, or a dealer, licensed under chapter 41 of title 18, United States Code, which background check indicates that the receipt of a firearm by a person would violate section 922(g)(5) of title 18, United States Code, a requirement that the system notify U.S. Immigration and Customs Enforcement.

When a Saudi terrorist started shooting, Mo sacrificed himself to protect others. That is who he was.

Service, selflessness, sacrifice, Mo represented the very best in all of us. The great State of Florida is proud of him and proud to call him one of our own.

The attack at Naval Air Station Pensacola killed three young sailors and wounded eight more.

The terrorist bought the gun legally, using a hunting license to get it. Al-Qaida and ISIS know about this loophole, and until we close it, the American people will remain vulnerable.

That is why my bipartisan bill to close the Pensacola loophole has the support of the Brady Campaign, the Giffords, Major County Sheriffs, and the Fraternal Order of Police.

I look forward to working with the chairman and my colleagues on both sides of the aisle to pass this bill.

Mr. JORDAN. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. PERRY).

Mr. PERRY. Mr. Speaker, we lament the death of our good friend, Mr. CRIST’s constituent, Mo. We lament it specially.

We especially lament it because when you are near and you are on base and you are in uniform, you are prohibited from carrying a firearm. Think about that. Those in our country most well trained to use a firearm lose their lives because they cannot defend themselves, as a regulation by the DOD that says they cannot carry a firearm on base. That is why Mo is not here.

Sure, there is a Saudi terrorist in town that is killing people, but Mo could have stopped that if Mo were allowed to use his skills provided by the taxpayers and desired by him. He wanted to serve his country, he wanted to serve his community, and he should have been allowed to.

This bill is more of the same thing, disallowing citizens to defend themselves. Unfortunately, Mo is a prime example.

Ms. JACKSON LEE. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. LAMB).

Mr. LAMB. Mr. Speaker, I rise in support of my amendment, to make perfectly clear that transfers of firearms between family members do not require a background check, are not subject to the strictures of this bill. We should make it easier for family members to confirm what we have all said here today, that this is a bill that targets those who break the law, not those who abide by it.

My amendment shows respect for the important tradition within many families in western Pennsylvania and elsewhere of passing down a shotgun or a hunting rifle from a father to a son.

A further and more important sign of respect will come when we vote for final passage tomorrow to strengthen the right of those who obey the law by keeping those who break it away from your right to own a firearm.
The SPEAKER pro tempore. Pursuant to clause 2(b) of rule XIX, the previous question is ordered on the motion to recommit.

The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. JORDAN. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 9 of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 8 is postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The Speaker pro tempore. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the resignation of the gentlevoman from Ohio (Ms. FUDGE), the whole number of the House is 431.

ENHANCED BACKGROUND CHECKS ACT OF 2021

Mr. NADLER. Mr. Speaker, pursuant to House Resolution 188, I call up the bill (H.R. 1446) to amend chapter 44 of title 18, United States Code, to strengthen the background check procedures to be followed before a Federal firearms licensee may transfer a firearm to a person who is not such a licensee, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 188, the bill is considered read.

The text of the bill is as follows:

H.R. 1446

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

SECTION 1. SHORT TITLE. This Act may be cited as the “Enhanced Background Checks Act of 2021”.

SEC. 2. STRENGTHENING OF BACKGROUND CHECK PROCEDURES TO BE FOLLOWED BEFORE A FEDERAL FIREARMS LICENSEE MAY TRANSFER A FIREARM TO A PERSON WHO IS NOT SUCH A LICENSEE.

Section 922(t) of title 18, United States Code is amended—

(1) in paragraph (1)(B), by striking clause (ii) and inserting the following:

“(ii) in the event the system has not notified the licensee that the receipt of a firearm by such other person would violate subsection (g) or (n) of this section—

“(I) before 10 business days have elapsed since the last time the system contacted the person who is not a licensee and notified the person that the receipt of a firearm by such other person would violate subsection (g) or (n) of this section, and the system has not notified the person that the receipt of a firearm by such other person would violate subsection (g) or (n) of this section, and the other person has submitted electronically through a website established by the Attorney General or by first-class mail any petition for review which—

“(aa) certifies that such other person has no reason to believe that such other person is prohibited by Federal, State, or local law from purchasing or possessing a firearm; and

“(bb) requests that the system respond to the contact referred to in subparagraph (A) within 10 business days after the date the petition was submitted (or, if the petition is submitted by first-class mail, the date the letter containing the petition is postmarked); and

“(II) 10 business days have elapsed since the other person so submitted the petition, and the system has not notified the licensee that the receipt of a firearm by such other person would violate subsection (g) or (n) of this section; and”;

and

(2) by adding at the end the following:

“(7) The Attorney General shall—

“(A) prescribe the form on which a petition shall be submitted pursuant to paragraph (1)(B)(ii);

“(B) make the form available electronically, and provide a copy of the form to all licensees referred to in paragraph (1);

“(C) provide the petitioner and the licensee involved written notice of receipt of the petition, either electronically or by first-class mail; and

“(D) respond on an expedited basis to any such petition received by the Attorney General.

“(8)(A) If, after 3 business days have elapsed since the initially contacted the system about a firearm transaction, the system notifies the licensee that the receipt of a firearm by such other person would not violate subsection (g) or (n), the licensee may continue to rely on that notification for the longer of—

“(i) an additional 25 calendar days after the licensee received the notification; or

“(ii) 30 calendar days after the date of the initial contact.

“(B) If such other person has met the requirements for an additional 25 calendar days after the date such other person first met the requirements.”.

SEC. 3. GAO REPORTS. Within 90 days after the end of each of the 1-year, 3-year, and 5-year periods that begin with the effective date of this Act, the Comptroller General of the United States shall prepare and submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a written report analyzing the extent to which (including for 1-year, 3-year, and 5-year periods) paragraphs (1)(B)(ii) and (7) of section 922(t) of title 18, United States Code, have prevented firearms from being transferred to prohibited persons, which report shall include but not be limited to the following—

(1) an assessment of the overall implementation of such provisions, including a description of the challenges faced in implementing such paragraphs; and

(2) an aggregate description of firearm purchase delays and denials, and an aggregate analysis of the petitions submitted pursuant to such paragraph (1)(B)(ii).

SEC. 4. REPORTS ON PETITIONS SUPPORTING FIREARM TRANSFERS NOT IMMEDIATELY APPROVED BY NICS SYSTEM THAT WERE NOT RESPONSIBLE TO IN A TIMELY MANNER. The Director of the Federal Bureau of Investigation shall make an annual report to the public on the number of petitions received by the National Instant Criminal Background check system established under section 103 of the Brady Handgun Violence Prevention Act that were submitted pursuant to subclauses (I) and (II) of section 922(t) of title 18, United States Code, with respect to which a determination was not made within the 10-day period referred to in subclause (II) of such section.

SEC. 5. REPORT TO THE CONGRESS. Within 150 days after the date of the enactment of this Act, the Attorney General, in consultation with the Director of the Bureau of Justice Statistics, shall submit to the Congress a report analyzing the effect, if any, of this Act on the number of victims of domestic violence, domestic abuse, dating partner violence, sexual assault, and stalking; and whether any further amendments to the background check procedures, including amendments to subsection (g) of section 922 of title 18, United States Code, would likely result in a reduction in the number of injuries, deaths, or deaths caused by firearms.

SEC. 6. EFFECTIVE DATE. This Act and the amendments made by this Act shall take effect 210 days after the date of the enactment of this Act.

The SPEAKER pro tempore. The bill is debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary.

The gentleman from New York (Mr. NADLER) and the gentleman from Ohio (Mr. JORDAN) each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. NADLER).

GENERAL LEAVE

Mr. NADLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 1446.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. NADLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. NADLER. Mr. Speaker, the Enhanced Background Checks Act of 2021, is a critical bill to provide law enforcement the necessary time to keep firearms out of the hands of those who are not legally eligible to own them.

The 2015 massacre at Emanuel AME Church in Charleston, which killed nine innocent people, stands as a tragic reminder of how current background check laws sometimes fail short.

Under current law, a licensed gun dealer conducting a background check on a prospective purchaser is permitted to sell the firearm to the purchaser if there has been no determination from the background check system, commonly called NICS, after 3 business days.

This is the case even if the system has not indicated that the person has actually passed the background check. Often, we refer to this as a default procedure.

While 96 percent of background checks are processed within 3 business days, an analysis of FBI data showed that over 35,000 guns were transferred to prohibited purchasers between 2008
and 2017 because of the default proceed rule.

On average, over the course of the last decade, 10 prohibited individuals have been able to purchase guns at licensed firearms dealers through the default system every single day.

The cases in which there is a delay are the very cases that ought to be carefully investigated.

If NICS is unable to return an instant determination—and especially if there is no report after 3 days—there is cause for concern. There may be a good reason that these individuals should not own firearms, but the current system allows the transfer nonetheless.

Under this legislation, as under current law, a sale may proceed immediately once a background check clears a purchaser, which is the case in the vast majority of instances.

This bill provides, however, that for checks taking longer to complete, the FBI will have 10 business days for the initial background check investigation period. If the check is not completed during this time, an individual may submit a petition for expedited review. If a petition is submitted, unless NICS provides an answer within the next 10 business days, either clearing the transaction or stopping it, a gun dealer has the discretion to complete the sale and transfer the firearm.

We must ensure that firearms transfers are lawful, and in some instances, that requires additional time. That is why H.R. 1446 is needed, to prevent the sale of firearms to prohibited individuals by providing the FBI with additional time to complete background checks.

H.R. 1446 is a sensible and necessary approach to closing a dangerous loophole, and I commend our colleague, Congressman JIM CLYBURN, the distinguished Democratic whip, for introducing this bill.

Mr. Speaker, I strongly support this legislation, and I reserve the balance of my time.

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Mr. JORDAN. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. STAUBER).

Mr. STAUBER. Mr. Speaker, I stand here today a retired law enforcement officer and the victim of two violent gun crimes.

While off duty, a repeat offender shot me through my car window while I was waiting at a stoplight. While on duty, another violent criminal pointed his gun at me and pulled the trigger. By the grace of God, his gun malfunctioned. Mr. Speaker, I was fighting for my life. I am lucky to be here today to speak to this House.

Criminals who are willing to take someone’s life don’t care about the gun legislation we debate in Congress. And the bills we are debating this week would not have prevented those two criminals from attempting to take my life.

So let’s talk about who is going to be impacted by these bills. The law-abiding citizens who are looking to protect themselves, their families, and their communities from death or great bodily harm. They will be the ones who are penalized for and prevented from exercising their Second Amendment rights.

Mr. Speaker, I urge a “no” vote.

Mr. CLYBURN. Mr. Speaker, I yield 5 minutes to the gentleman from South Carolina (Mr. CLYBURN), the sponsor of this legislation, and the distinguished majority whip.

Mr. CLYBURN. Mr. Speaker, I listened to my colleague on the other side. I still think about the night of June 17, 2015, when at about 9:00 in the evening, I received a phone call informing me that something had happened at Mother Emanuel AME Church in Charleston, South Carolina, a church that I know well and the members I know very well.

Much to my dismay, I learned later in the evening that a Bible study that was taking place at that church had welcomed in a stranger.

I grew up in a parsonage, and I grew up learning that which we find there in the book of Hebrew, the 11th chapter: Faith is the substance of things hoped for, the evidence of things unseen.

These people were practicing their faith, a faith that taught them to welcome in a stranger. A stranger came to their door, and they welcomed him into their Bible study. They sat down, and he sat with them for an hour. In the further practice of their faith, as they concluded their Bible study, they rose to pray, and with bowed heads, only to open their eyes to the sound of gunfire. The stranger that they had welcomed in opened fire and killed nine of them, one of whom was the pastor, a former intern of mine.

Now, we later found out that the gentleman who perpetrated this crime was a white supremacist that studied the most historic African-American church in South Carolina, he targeted that church and its worshippers. However, he should not have had the gun.

The reason he had the gun is because when he went to purchase it, and the 3 days expired, as current law allows, he had not been able to verify the information he had given them and, therefore, could not complete the background check. But under the law, they had to sell him the gun after the 3 days, only to find out several days later that the wrong information had been put into the record.

I sincerely believe that this gentleman’s sophistication, he knew he was not to have a gun. Now, I ask: Did he give the wrong information intentionally, or did he misunderstand?

I think so. When they found the error, it was too late. Nine souls had perished.

Now, the gentleman said that he is lucky that the gun didn’t go off, and these laws would not have prevented that. This law would have prevented that gentleman from getting a gun.

Now, I don’t know why the other side continued to misrepresent what we are trying to do here. All we are saying is if at the end of the 3 days, it ought to move to 10 days. And if the 10 days expire, you can ask for expedited search. And if that expires, you still have 10 days. The maximum is 30 days. Nobody is keeping a gun away. Everybody should be able to wait 30 days.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CLYBURN. I ask the other side: Is a wait of 30 days worth the death of nine unsuspecting souls?

That alone ought to instruct them on legislation like this.

Mr. JORDAN. Mr. Speaker, the previous speaker indicated that you have to ask the government to exercise your constitutional right. That is the problem. What happened in Charleston was terrible, it was wrong, and wrong as our laws now allow to happen.

But let us be clear. The left is not asking the government to take a firearm. The left is asking the government to exercise your constitutional right. That is not what the Second Amendment is supposed to be about. Unfortunately, it is where the Democrats want to take our country.

Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. CAWTHERN).

Mr. CAWTHERN. Mr. Speaker, if we lose the Second Amendment, then the Fourth Amendment will fall. I want to remind my colleagues of a simple fact that is far too often swept under the rug by the left. Americans have a right to obtain a firearm for lawful purposes.

I will say it again louder for those on the left, sleeping in the back. Americans have a right to obtain firearms. This is my right. And, Mr. Speaker, this is your right. But let me be clear to everyone in this Chamber: You will not take this right away from us.

This bill would unconstitutionally place the burden of proof for firearms purchases and transfers on American citizens instead of placing the burden firmly where it belongs, on the shoulders of the government.

But let us be clear. The left is not here today to debate this bill, nor are they here to legislate in the best interest of the American people. They are here to shove it down our throats. My colleagues and I on the right have been called here to defend one of our most
sacred rights because you, Mr. Speaker, think that the Constitution is just another piece of paper to tear down the middle of and toss aside.

I speak for millions of Americans. I specifically speak for 700,000-plus Americans in my district when I say that if you think this bastardization of the Constitution will be met with silence, then you know nothing of America I know. You want my guns; I know it. We all know it. Well, Mr. Speaker, you can come and take them.

Mr. Speaker, I thank the gentlewoman for yielding and for his great leadership of the Judiciary Committee. Thank you for bringing this important legislation to the floor, Mr. NADLER.

And, again, as an authority on the Constitution, you and I know that we do respect the right of the gentleman to have a gun. We just want to make sure that we are keeping people safe.

Mr. Speaker, the gun violence crisis in America is a challenge to the conscience of our country, one that demands what we act. We know what must be done. The solutions are clear. They have overwhelming bipartisan support across the country. These solutions will save lives.

That is why I am so pleased to rise on the floor to support Mr. CLYBURN’s legislation, H.R. 1446, the Enhanced Background Checks Act to ensure that universal background checks do save lives. He explained so clearly the purpose of his legislation. I associate myself with his remarks. I know how painful it is because he had friends in that church whom we have met families of since then.

I also rise to support H.R. 8, the Bipartisan Background Checks Act of Mr. Mike Thompson, Mr. Thompson, a gun owner. He is a veteran. He respects the Second Amendment, and he is the chair of the Gun Violence Prevention Task Force. I thank him for his decades of leadership on background checks and for the perspective he brings, again, as a gun owner and a veteran and a hunter.

We all salute the extraordinary work of Mr. CLYBURN, the leader of the Enhanced Background Checks Act, to close the Charleston loophole, and we respect him for the work he has done in his community to turn their agony into action, their pain into saving other people’s lives.

I thank all the Members who have helped raise a drumbeat on these priorities, including our colleague, Representative LUCY McBATH, who has been such an inspiration to all of us, bringing her great generosity of spirit in telling her story, sharing that story of Jordan.

Now we also have a debt of gratitude to our former colleague, Gabby Giffords, who when she was having a neighborhood meeting, there was an attempt on her life. Her courage is an inspiration to the country. Her leadership to end gun violence is something that is so remarkable. Under her leadership and that of the Bradys, we were able to meet with survivors over time to try to pass legislation to make gun laws clearer, laws better adjusted to the realities of technology.

Another colleague, BOBBY RUSH, lost his son to gun violence as well. So, again, we hear about the big events that take place, and they are horrible, but every day people lose their lives.

In fact, let me just see what the statistics are. Since 1994, when background checks were first created, I had the privilege of being here at that time and actually serving as a whip for the legislation. Our leader on the bill was Senator SCHUMER. Well, right then he was a Member of Congress, CHUCK SCHUMER, on this legislation. Since 1994, when background checks were first created, the system has stopped more than 3 million dangerous people from getting firearms.

Every day, background checks are used, they stop an estimated 170 felons, 50 domestic abusers, and nearly 20 fugitives from buying a gun. Every day, Mr. Speaker.

Yet, over the years, people have exploited and circumvented the system. Today, 20 million people bought a firearm with a violent criminal record or a history of abuse can go to a gun show or go online or even to a stranger in person to purchase a firearm. No background check, no questions asked, all perfectly legal. It might be legal, but it is not perfect.

Even when a background check has been initiated, it is not always completed. That is what this legislation before us, Mr. CLYBURN’s bill, is about; the horrific case that enabled a hate crime at Mother Emanuel Church in Charleston. At the time, 13 people were murdered while peacefully worshiping.

Eighty percent of firearms—because of gun shows, online sales and the rest—90 percent of firearms are sold or transferred without completed background checks.

So it is in that spirit that I come to the floor, but when I come to the floor, I bring with me the thoughts of the survivors who we meet with regularly. We have said to them. We are not stopping until the job is done.

We respect our Constitution, but we also say that the Constitution talks about well-regulated.

Again, these bills that we are talking about today have bipartisan support by a vast majority of the American people; over 90 percent of the public, including more than 90 percent of gun-owning households. Most of these folks who own guns have passed background checks, they have a violent record, and they are supported by dozens of leading law enforcement, veterans, local government, public health, and other groups.

For example, Mr. Speaker, the Major Cities Chiefs Association, representing the Nation’s largest metropolitan law enforcement agencies writes: "The lack of a background check for private sales and gun shows completely contradicts the purpose for which NICS was established—to keep guns out of the hands of those who do harm."

For the benefit of those who don’t know what NICS is, it is an important program. Mr. THOMPSON has been a champion in the funding of NICS. NICS is the National Instant Criminal Background Check System.

Next, the Association of Prosecuting Attorneys states: "H.R. 8 will help the background check system catch up with changes in technology and ensure that individuals who are prohibited from purchasing or possessing a gun cannot easily buy guns online."

And the U.S. Conference of Mayors writes that H.R. 8 will "make our cities safer and in no way compromise gun owners’ rights."

H.R. 8 is very important to us, and it is legislation that has broad support. It is called the Bipartisan Background Checks Act. That is Mr. THOMPSON’s bill.

And this bill, H.R. 1446, Mr. CLYBURN’s bill is the Enhanced Background Checks Act. So everything I say about one bill applies to the other in terms of its purpose, in terms of its urgency, and in terms of its honoring our promise to the survivors and the families who have lost their loved ones to gun violence, that we are not going away until this legislation passes and that we will meet the challenge of the conscience of the country when it comes to the gun violence crisis in our country.

And I say that with gratitude to Representative MIKE THOMPSON and our distinguished whip Mr. CLYBURN for their leadership, their determination, their persistence, and soon, hopefully, their success in turning their legislation into law, so that we can keep our promises to the survivors, and also, that we can make the world safer for all children and all people in our country and throughout the world, as we are an example to the world.

I urge an ‘aye’ vote on both of these bills.

Mr. JORDAN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Mrs. CAMMACK).

MRS. CAMMACK. Mr. Speaker, I rise today in opposition to H.R. 1446 and H.R. 8, a/k/a the gun-grabber bills.

Madam Speaker PELOSI, you were elected in 1987, and I was born in 1988. During that time, you say that background checks have saved millions of lives. But what about the more than 50 million babies that have been murdered through abortion? So I am just going to leave that there as we talk about the value of life.

These bills are not about gun safety, and they certainly aren’t about reducing crime. These bills are about control.
Two weeks ago, Democrats voted to strip religious freedom. Last week, they voted to defund our police. Today, they are now taking our guns.

In reality, these bills do nothing to improve background checks, as noted by an Obama official in 2013: "...effectiveness in background checks depends on requiring gun registration."

Instead, it would increase our wait times and allow for endless delays for law-abiding citizens to purchase firearms.

Our communities have seen too many tragedies perpetrated by sick people intent on committing violence, no matter the weapon.

H.R. 1446 puts the onus on individuals to contact the government if their background check hasn’t been completed in 10 days.

You know who cannot afford to wait? The single mom looking to protect herself and her children from a violent ex who has just been released from jail. You think this situation isn’t real? It happened last month in Orlando. And there are thousands more like them.

You know that the more garbage that we find in these bills, the more I believe the motto of these Chambers is changing from “We the People” to let’s screw the people.

H.R. 8 and H.R. 1446 does nothing but make it more difficult for law-abiding citizens to protect themselves and their families. Under this legislation, criminals will do what they do best: break the law and perpetrate crime.

So I ask my colleagues considering supporting these bills: Do you honestly think that punishing law-abiding citizens in your districts, stripping them of their constitutional rights will make them safer? Will you be able to look them in the eye as they are the next victim of crime?

As Members of Congress we swore an oath to defend the Constitution, and that includes the Second Amendment.

Shall not be infringed.

You and I both took that oath, Mr. Speaker.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Members are reminded to address their remarks to the Chair and not to other Members in the second person.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Georgia (Ms. McBATH).

Mrs. McBATH. Mr. Speaker, I thank Chairman NADLER for yielding, and I also thank Representative CLYBURN, the author of this legislation, H.R. 1446, for this bill.

Mr. Speaker, domestic violence claims the lives of far too many, and it is especially deadly when it occurs in a household with a gun. Women, as we know, bear most of this violence.

In the United States there are one million women alive today who have reported being shot or shot at by an intimate partner, and there are many more who have been threatened or killed with a gun. And we haven’t even yet discussed what the additional stressors of COVID-19 have done exponentially around the country in households when there is a gun in the household.

Closing the Charleston loophole is a critical step to prevent abusers from obtaining a weapon. This is not about infringing upon anyone’s Second Amendment rights. Law-abiding gun owners who are duly licensed and permitted, this is not about preventing them from being able to have a gun.

This is about preventing abusers from obtaining a weapon, a weapon that will likely be used to escalate their abuse and a weapon that may have deadly consequences. And as a survivor of gun violence, I know what I am talking about.

With this bill and with this amendment we can help prevent abuse, protect our families, and gather data to inform further steps to keep every American safe. That is our right. That is not a privilege.

In the next months, we will continue to remember those that we have lost to gun violence in Charleston and all across America.

Mr. JORDAN. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. HUDSON).

Mr. HUDSON. Mr. Speaker, Newtown, Parkland, Las Vegas, Sutherland Springs, Charleston, the attack on our former colleague, Gabrielle Giffords, these are all tragedies that would not have been prevented by H.R. 8 or H.R. 1446.

My colleagues across the aisle don’t want to admit it, but every commercial gun sale in America already requires a background check.

In Charleston, there was no loophole. The problem was information sharing. If the FBI had checked all available databases, then Dylan Roof wouldn’t have been allowed to purchase a firearm. Congressman Tom Rice of South Carolina has a bill to fix that.

Republicans are serious about ending gun violence and have brought forward policies that protect public safety without eroding our Second Amendment rights.

That is why in recent years we have passed measures like the STOP School Violence Act, the Fix NICS Act, and 21st Century Cures Act.

The bills before us this week would not build upon this progress but strip away from law-abiding citizens their rights.

H.R. 8 would turn law-abiding citizens into criminals if you store a gun for a friend or loan a firearm to a neighbor with an abusive ex who wanted to borrow it for self-protection.

Even worse, H.R. 1446 would extend the waiting period for a firearms sale from 3 to 10 business days and allow the government to delay a transfer indefinitely. Indefinitely, as in forever, if a government official says so.

Instead of these gun-grabbing bills, House Republicans are bringing forward targeted solutions. That is why I introduced the STOP II: Classrooms Over Conference Rooms Act to double funding for the STOP School Violence Act to harden schools, to get more mental health resources in schools, and increase active-shooter training for law enforcement. And we pay for it by taking money set aside for the Department of Education to rent conference rooms in Washington, D.C.

However, the left is determined to take away your rights, after voting to defund the police just last week.

It is no wonder gun sales and concealed carry permits are at all-time highs. These law-abiding Americans deserve to have their rights protected.

That’s why today I am calling on my colleagues across the aisle to stand up for law-abiding citizens and adopt H.R. 38, the Concealed Carry Reciprocity Act.

H.R. 38 is a bipartisan and commonsense bill that ensures people like Shaneen Allen, a single mother from South Philly, don’t become criminals for carrying a legally owned firearm across an invisible State line.

I need H.R. 38 recommit today. And if my colleagues are determined to pass gun legislation, then let’s help people protect themselves.

Mr. Speaker, if we adopt the motion to recommit today, we will instruct the Judiciary Committee to consider my amendment to H.R. 1446 to include my bill, H.R. 38, the Concealed Carry Reciprocity Act.

I ask unanimous consent to insert the text of the amendment in the Record immediately prior to the vote on the motion to recommit.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. NADLER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Speaker, in 2015, a white supremacist with a criminal record was allowed to purchase a gun which he used to kill nine parishioners at Mother Emanuel AME Church in South Carolina.

That shooter, who was prohibited under Federal law from owning a gun, was able to purchase one because of a loophole that allows the sale of a gun to proceed if Federal investigators do not complete a background check within 3 1/2 days.

Through November of last year there were more than 5,800 incidents where people who are legally prohibited—criminals—legally prohibited from purchasing a firearm still obtained one because of the dangerous loophole known as the Charleston loophole.

H.R. 1446, the Enhanced Background Checks Act, closes the Charleston loophole. It strengthens background check procedures to ensure that Federal investigators have enough time to complete background checks before a gun is transferred to the buyer. Common sense.
But closing the Charleston loophole is not enough. Current Federal law only requires a background check for the sale of guns from licensed gun dealers. Background checks work. Since the law was enacted, 3% million gun sales were denied, which means 3% million people who were prohibited under Federal law because of a criminal record or some other disqualifying information were denied the right to buy a gun. They now face a 1,200 greater problem is more than 20 percent of gun sales or gun transfers happen without a background check. And that is why H.R. 8, the Bipartisan Background Checks Act requires background checks on all gun sales, including guns sold by unlicensed dealers online or at trade shows. Every day in this country more than 100 people in the United States are killed with guns. Gun violence is an epidemic that threatens the public safety in communities all across America. We must not wait for another tragedy to strike.

Requiring background checks on all gun sales is a commonsense gun violence prevention measure that serves as a first line of defense to keep guns out of the hands of dangerous people. I think we can all agree that dangerous criminals should not be able to get guns. There has been a lot of discussion today about Second Amendment gun rights, and with all respect that gun ownership is a serious responsibility. That is all we are asking for, an additional week to complete background checks on gun sales from 3 to 10 days, or else the Charleston loophole has allowed more than 7,500 guns to fall into the hands of prohibited gun owners.

The Enhanced Background Checks Act is a necessary and straightforward fix to close this loophole and allow the FBI to investigate potentially dangerous individuals. This bill would simply increase the time Federal investigators have to complete background checks on gun sales from 3 to 10 days, 1 week’s time. That is all we are asking for, an additional week to ensure that there is no reason an individual who is buying a gun should not have one. This bill gives the FBI more time to complete background checks is common sense. Background checks simply make sense. Background checks on all gun sales, including guns sold by unlicensed dealers online or at trade shows. Every day in this country more than 100 people in the United States are killed with guns. Gun violence is an epidemic that threatens the public safety in communities all across America. We must not wait for another tragedy to strike.

Mr. Speaker, I urge my colleagues to vote “yes” on H.R. 1446 and H.R. 8. Join us and our legislation is more common sense. Vote “yes.” Help end the scourge of gun violence in this country.
Mr. Speaker, I yield 1 minute to the gentleman from Alaska (Mr. Young), the dean of the House.

Mr. YOUNG. Mr. Speaker, I watched this debate. I have to say, we have an old saying: ‘How do you eat an elephant? A bite at a time.’ We have had two bites today.

Mr. Speaker, this is not about what everybody is talking about. It is about the Second Amendment and—I won’t call you Democrats. A lot of you are. Some of you are socialists that believe in taking away the right to protect—a law-abiding citizen from criminals but those who would take away your rights as a government, the Second Amendment is what it is all about, to protect from the tyranny that could occur by the wrong leaders taking rights and freedoms away from the American people.

This is just a little step forward, the 10-day waiting period instead of the 3-day waiting period.

The FBI is controlled by the President. He, in fact, can say take 6 months or 6 years for a legal purchase of a weapon. That is what you are really saying.

Taking away the right to protect your home and your liberty, not just from criminals but those who would take away your rights as a government, the Second Amendment is about what America needs so that we don’t have a rate of gun violence and gun deaths 25 times higher than everybody else in the industrialized world.

Yet, some under the spell of the NRA, a deeply corrupt organization that is ripping off money from loyal gun owners around the country, that they are unwilling to stand with the common good.

Mr. RASKIN. Mr. Speaker, the previous speaker used the term ‘reasonable.’ This legislation shifts the burden, so you are now telling an American citizen the burden is on you to exercise your Second Amendment liberty. The deck is stacked against you, whether you have a past criminal record or if you buy a gun.

Mr. Speaker, I would think that a professor of law would understand that you don’t shift the burden when you are talking about a fundamental liberty that we enjoy under the Constitution. It doesn’t seem reasonable at all to me.

Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. Grothman).

Mr. GROTHMAN. Mr. Speaker, I would like to, on one more time, address what is going on here and the perceived problem.

Here in the United States, the number of murders from the beginning of the 1990s until Ferguson had fallen repeatedly, and the murder rate was flat of what it once was with a tough law enforcement stance.

At that time, in the Ferguson shooting, when Officer Wilson, who was eventually found entirely innocent by the Obama Justice Department, when that officer whipped people into an antipolice frenzy. Because of the antipolice frenzy, we had the murder rate in this country go up by 20 percent.

It then began to drop again until last year when we had the horrible events in Minneapolis. One more time, we whipped people up into a frenzy, and the number of murders in 1 year in Minneapolis went up 70 percent; in New York, 40 percent; in Chicago, 55 percent; in Milwaukee, 95 percent, with the same gun control laws in cities that are run by mayors who are as antigun as you will find.

The problem here is we whipped the people into an antipolice frenzy. The police became a cop out of a lot of people died. The people who were whipped into the antipolice frenzy ought to stop and consider the huge increase in murders.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Michigan (Mrs. Dingell).

Mrs. DINGELL. Mr. Speaker, I rise in support of H.R. 1446.

Mr. RASKIN. Mr. Speaker, I thank the chairman very much for yielding.

Mr. Speaker, this is reasonable, commonsense gun safety legislation contemplated by Justice Scalia, by the Supreme Court, under the Second Amendment of the Constitution.

It is what America needs so that we don’t have a rate of gun violence and gun deaths 25 times higher than everybody else in the industrialized world.

Here is a regulation that we need, a regulation that we have needed ever since a violent white supremacist killed nine African-American Christian worshippers at a Bible class in Charleston, South Carolina. He should have been denied a gun, but he got it because the background check search wasn’t completed in 3 days. He got it automatically, although he shouldn’t have had it, and nine people are dead because of it.

We say, let’s close that loophole. Just like with H.R. 8, let’s make sure that the universal background check is universal.

Mr. Speaker, 90 percent of the American people support it.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NADLER. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Maryland.

This is a commonsense bill that would extend the time allowed for the completion of background checks for firearm sales from 3 to 10 days, giving time for a complete background check.

I want to be clear. I lived with a man who slept with a gun under his pillow until the day he became a responsible gun owner. And I lived in a home with a man who shouldn’t have had a gun, and I remember the fear that I could die any day and that my siblings would die. A gun in a household with someone who is emotionally angry, is plain and simply dangerous.

Mass shootings and tragic acts of gun violence have become far too common in the United States. I think my baby sister is not alive today because of the trauma of living with someone who should not have had a gun.

Yet, I don’t want to take a gun away from a responsible gun owner. Every American deserves the right to live safely.
Prayer is the most sacred moment in many faiths, in all faiths.

Imagine that moment in Mother Emanuel African Methodist Episcopal Church, friends of ours across the Nation. That weekday prayer service for some is a lifeline for their survival. They have been living in prayer, taking care of what they call a broken heart, a bad day at the office, a need to take care of a wayward child, and in comes this young man that they saw only as a person in need of prayer.

This is what we sing. That we are in need of prayer. Just imagine this pristine, white, old church symbolizing the freedom of slaves, just imagine these precious souls who were doing nothing but praying.

I want to acknowledge the pain that Whip Clyburn experienced. I saw him in the aftermath of those days. These were not just his fellow Americans, they were his neighbors and his friends and interns.

I want to remember when the commander in healing, the commander of bringing people together, President Obama, sang the song Amazing Grace?

That is what life in the midst of a storm is about, and that is what we are in, in the generation of guns.

And my friends on the other side keep throwing darts and bombs about undermining the Second Amendment. I say it again. From the early stages of the Founding Fathers in the Bill of Rights, that right to keep and bear arms was regulat-

ated. The Heller case does not deny regulation. In fact, there are aspects that allow it.

So this is a legitimate regulation for safety, not control. Because Dylann, who went to a gun store and manipulated a gun owner to go and give him the gun after 3 days because there was something funny about his informa-
tion, this will save lives. Ten days is not too long to stop the loss of life and the devastation that was in Mother Emanuel.

Mr. Speaker, I ask my colleagues to support H.R. 1446 to save lives.

Mr. JORDAN. Mr. Speaker, I yield 1 1/2 minutes to gentleman from California (Mr. McCLINTOCK).

Mr. McCLINTOCK. Mr. Speaker, what is the so-called Charleston Loophole?

It is a provision that gives the FBI 3 days to provide a background check for a citizen's application for a gun. If a background check doesn't seem unreasonable since a credit card check takes about 3 seconds.

Now, if the FBI fails to give a clear "yes" or "no" in 3 days, the sale can proceed. This protects our Second Amendment right from arbitrary denial by inaction, and the clearance is good for 30 days from when you begin the transaction.

Now, this bill repeals the 3-day limit and replaces it with a multistate bu-

reaucratic review process that can span up to 20 business days.

It is really quite clever. Your clearance is good for 30 calendar days from the day you begin the transaction, but the clearance can be delayed for up to 20 business days. So if you applied on January 15 of this year, 20 business days takes you to February 16. By then, your purchase window will have expired 2 days earlier, on February 14. You have the start the process over, applying for a new background check based on a perpetual cycle. They never have to say "approved."

Would a government abuse its citizens like that?

I don't think. Maybe we should ask Lois Lerner or Andrew McCabe.

Mr. NADLER. Mr. Speaker, I reserve

the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield 1 1/2 minutes to the gentleman from Virgin-

ia (Mr. CLINE).

Mr. CLINE. Mr. Speaker, I rise in strong opposition to H.R. 1446 and the last bill we spoke about, H.R. 8.

These bills continue the systematic and coordinated attempt by the Demo-

cratic Party to undermine our Second Amendment rights.

I was sent to Washington by my con-

stituents to uphold and defend the Con-

stitution. I will not stand by and allow our rights to be stripped away. My col-

leagues will tell you that these bills close loopholes, but the loophole they be-

lieve exists is that law-abiding Ameri-

cans are even able to own guns in the first place.

The sole objective of this gun control pack-

age is to remove constitutional safeguards and put in place criminal penalties that could unjustly go after responsible gun owners.

The Second Amendment is crystal clear, the right to bear arms shall not be infringed. Our Founding Fathers wrote the Constitution to protect us from a tyrannical government, and

wrote the Second Amendment to en-

sure that the rights of Americans to protect themselves was secured.

These outrageous proposals put govern-

ment between the American people and their constitutional freedoms to protect themselves, protect their families, and protect their communities, and I vote "no."

Mr. NADLER. Mr. Speaker, I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield 1 minute to the gentleman from Michi-

gan (Mr. WALBERG).

Mr. WALBERG. Mr. Speaker, I thank the gentleman from Ohio for yielding.

Mr. Speaker, there is no gun violence problem from legal gun owners. And this bill, as well as the prior bill, will do nothing to stop gun violence because it unnecessarily regulates law-abiding citizens. And we don't have to define that term, I would think, because they are not criminals.

The problem is with criminals. And because criminals could care less about the bills we are talking about today, innocent people will die.

I think of neighbors of mine out in the country where I live, who have an ex who would want to cause violence to them. That lady could come to me and say: I can't get a gun because I have got to wait 10 days, but he could come this weekend. Would you loan me a gun?

Mr. Speaker, what we are doing today wouldn't allow that. This lady is put at severe risk.

Mr. Speaker, I urge my colleagues to consider what they are doing. This will not work. Vote against H.R. 1446 and support the Second Amendment made by people sometimes wiser than us.

Mr. NADLER. Mr. Speaker, I'm prepared to close and I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield myself such time as I may consume.

Earlier, we had a couple of the folks who spoke on our side. Earlier they said the Second Amendment is right next to the First because it is pretty darn important. I think some of our folks said that.

But it struck me that you know what, I don't know that the other side actually cares all that much about the First Amendment.

Think about what has happened this past year. Democrats have told America they can't go to church, can't go to work, can't go to school, can't go to a loved one's funeral.

Of course, the rules never apply to them. We had a Governor of one of our largest States—a Governor of our largest State—out at a 5-star restaurant, having dinner with friends and lobbyists at the same time he is telling folks in his State that they can't even have Thanksgiving dinner with their family.

We had a couple of the folks this weekend. Would you loan me a gun?

Mr. Speaker, what we are doing today wouldn't allow that. This lady is put at severe risk.

I think of neighbors of mine out in the country where I live, who have an ex who would want to cause violence to them. That lady could come to me and say: I can't get a gun because I have got to wait 10 days, but he could come this weekend. Would you loan me a gun?
It wasn’t enough to go after your right to practice your faith. It wasn’t enough to go after your right to assemble and be with the people you wanted. Think about some of the things we saw this year. We had Democrat leaders in States telling Americans you had to be in your home at a certain time with curfews. You had to be in your home by 10.

We had another State say, when you are in your home, you have to wear a mask and if you don’t, you had States say, well, when you are in your home, you don’t have to wear a mask because you are not allowed to have anybody over.

Government was limiting your First Amendment right to practice your religion, your First Amendment right to assemble. And now they are coming after your First Amendment right to speak and speak in a political nature. And here we are today, coming after your Second Amendment liberties.

The Republican Party is the party that says defend the police, open the border, attack people’s Second Amendment rights to defend themselves while they are defending the police and opening the border, and all the while they are undermining American’s First Amendment liberties as well.

This should frighten everyone.

This should frighten everyone. This should frighten everyone wherever they want to go. It is scary. I certainly hope we defeat both of these bills today when they are offered.

Mr. Speaker, I yield back the balance of my time.

Mr. NADLER. Mr. Speaker, I yield myself the balance of my time to close.

I have never heard such pernicious nonsense as we have heard today from our Republican friends.

They say that this legislation will violate gun rights. But all this legislation does is close a dangerous loophole that puts weapons in the hands of individuals who should not legally be permitted to purchase them merely because the FBI is not able to complete the background check in time.

The FBI under this legislation will have 10 days maybe instead of 3 days to complete the background check and decide whether someone is too dangerous to have access to guns. That is all this legislation does.

To say that it infringes on the Second Amendment, Mr. RASKIN pointed out that in 85% of the Heller decisions that we had, the decision upheld this kind of legislation.

So stop with the nonsense, pass this legislation, and make the American people safe.

Madam Speaker, I yield back the balance of my time.

Mr. PALMER. Madam Speaker, I rise in opposition to this Amendment and to the underlying legislation which is another attack on our 2nd amendment rights. This bill trampling on the 2nd Amendment rights of the American people is a consistent distraction from the other actual crises in the United States.

There were almost 11,000 people killed by drunk drivers in 2018. There were more than 81,000 drug overdose deaths in the United States in the 12 months ending last May . . . but we are here today debating a bill to further restrict the rights of law-abiding citizens.

This bill endangers women threatened by domestic violence from an ex-boyfriend or ex-husband. A woman who feels her life is threatened would not be able to acquire a firearm when she needed one, under this bill she would have to wait at least 10 days.

The vast majority of the most deadly illegal drugs like methamphetamine are smuggled across our southern border. Instead of addressing these issues President Biden has re-instituted catch and release and we now have an overwhelming surge of illegals crossing our southern border. According to a report from the Immigration and Customs Enforcement Agency, in 2018 there were 1,641 illegal aliens convicted of homicide. How many more will it be now that the Democrats have signaled that our borders are wide open?

Yet we are here debating a bill to take away the rights of law-abiding men and women to acquire firearms to protect themselves.

This bill reflects an obsession with gun restrictions by my Democrat colleagues. In terms of homicides, more than 1 in 6 do not involve a firearm. According to the FBI, in 2017 over 1,500 people were killed with knives or cutting instruments, more than 400 were killed with blunt instruments and more than 600 killed with hands, fists and feet. There were only 403 homicides committed with a rifle of any type, including a semi-automatic AR–15 that is the target of many Democrat anti-gun activists.

I urge my colleagues to oppose this amendment and the underlying bill.

The SPEAKER pro tempore (Mrs. HAYES). All time for debate has expired.

Each further amendment printed in part D of House Report 117–10 not earlier considered as part of amendments en bloc pursuant to section 9 of House Resolution 188, shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time therein specified in the report, shall be amendable by the proponent and an opponent, may be withdrawn by the proponent at any time before the question is put thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It shall be in order at any time after debate for the chair of the Committee on the Judiciary or his designee to offer amendments en bloc consisting of further amendments printed in part D of House Report 117–10, not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member and further amendments printed on the Judiciary or their respective designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENTS EN BLOC OFFERED BY MR. NADLER

Mr. NADLER. Madam Speaker, pursuant to House Resolution 188, I offer amendments en bloc.

The SPEAKER pro tempore. The Clerk will designate the amendments en bloc.

Amendments en bloc consisting of amendment Nos. 1, 2, 3, and 4, printed in part D of House Report 117–10, offered by Mr. NADLER of New York:

AMENDMENT NO. 1 OFFERED BY MR. NADLER OF TEXAS

Within 90 days after the date of the enactment of this Act, the Inspector General, Department of Justice, shall prepare and submit to Congress an independent report on the number of firearm transactions with respect to which the national instant criminal background check system established under the Brady Handgun Violence Prevention Act has determined that receipt of a firearm by the prospective firearm transferee would violate Federal or State law, and which have been referred to the Bureau of Alcohol, Tobacco, Firearms, and Explosives for investigation.

AMENDMENT NO. 2 OFFERED BY MR. LEVIN OF CALIFORNIA

Page 5, strike line 16. Page 5, beginning on line 18, strike “an aggregate” and all that follows through line 20 and insert “with a description of denials, disaggregated by State and by the basis for the denial”.

Page 5, after line 20, insert the following:

(3) an aggregate analysis of the petitions submitted pursuant to such paragraph (1)(B)(i)

AMENDMENT NO. 3 OFFERED BY MRS. MCBATH OF GEORGIA

Page 6, line 15, insert “disaggregated by State,” before “and whether”.

AMENDMENT NO. 4 OFFERED BY MR. NEUGROHE OF COLORADO

Page 5, strike line 21 and all that follows through page 6, line 7 and insert the following:

SEC. 4. REPORTS ON PETITIONS SUPPORTING FIREARMS TRANSFERS NOT IMMEDIATELY APPROVED BY NICS SYSTEM. THAT WERE NOT RESPONSIVE TO A TIMELY MANNER.

The Director of the Federal Bureau of Investigation shall make an annual report to the public on the number of petitions received by the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act that were submitted pursuant to subclause (I) of section 922(t)(1)(B)(i) of title 18, United States Code, with respect to which a determination was not made within the 10-day period referred to in subclause (II) of such section 922(t)(1)(B)(i). The report shall include the following, which shall be disaggregated by State:

(1) The number of petitions submitted under such section that were received by the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act that were submitted pursuant to subclause (I) of section 922(t)(1)(B)(i) of title 18, United States Code, with respect to which a determination was not made within the 10-day period referred to in subclause (II) of such section 922(t)(1)(B)(i).

(2) The number of petitioners who were discovered to be ineligible under Federal or State law during that 10-day period.

(3) The number of petitioners who were discovered to be ineligible under Federal or State law after that 10-day period.

(4) The basis of the ineligibility of the petitioners discovered to be ineligible under Federal or State law during that 10-day period, and the basis of the ineligibility of the petitioners discovered to be ineligible under Federal or State law after that 10-day period.

(5) The number of petitioners whose petitions were denied and who, within 12
months after the denial, were prosecuted under Federal, State, or local law for receiving or attempting to receive a firearm.

The SPEAKER pro tempore. Pursuant to House Resolution 188, the gentleman from New York (Mr. NADLER) and the gentleman from Ohio (Mr. JORDAN) each will control 10 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Madam Speaker, I yield myself 45 seconds.

The Speaker pro tempore. The amendments contained in this en bloc amendment include important changes to the bill that will provide Congress additional information to inform our future decisionmaking.

Representative Burgess’s amendment would require reporting to Congress on the number of NICS denials referred for investigation after a firearm was sold to a person who was later found to be ineligible.

Representative Levin’s amendment adds State-level data tracking which will facilitate our review of which State gun safety measures have been effective and which should be considered on the Federal level.

Representative McEachin’s amendment would require critical reporting on the impact of the bill on victims of domestic abuse.

Lastly, Representative Neguse’s amendment makes data available to the public regarding NICS denials.

These are valuable additions to H.R. 1446.

Madam Speaker, I urge all Members to support them, and I reserve the balance of my time.

Mr. JORDAN. Madam Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. HIGGINS).

Mr. HIGGINS of Louisiana. Madam Speaker, I am going to attempt to address the hearts and minds of some of my dear friends across the aisle, and I do have friends. I respect you, I love you, and I admire you.

I recognize that we have all lived different lives, but let me clarify that I have a very personal knowledge of the way the street works. Criminals are not going to follow these laws.

Madam Speaker, you are talking about 10 days—I can have a 10-minute override from right here and bring you back an illegal gun.

Do you want one?

A couple of hundredbucks, Madam Speaker, I can get you one.

Madam Speaker, it is not intellectually sound to actually believe in your heart that restricting the Second Amendment rights and freedoms to purchase, own, and bear firearms of Americans that will follow the laws you intend to pass is going to impact the decisions that are made by criminals on the streets. It is just not reality.

This realm is bizarre. Americans are watching this right now. They get it. They know the criminals are not going to follow the law. This is not going to impact the criminal realm.

We have deterioration of our society because of the failure to embrace core principles and American family values. This is what has happened over the course of a generation on my watch. I am 59. This has happened to America as I have matured. I am concerned about the future of our country. We certainly recognize the core freedoms and principled protections of the constitutional rights of my children and grandchildren.

We must not allow that to be deteriorated under the guise of protecting our citizens from crime. Criminals are not going to recognize these laws.

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. LEVIN). Mr. LEVIN of California. Madam Speaker, I rise in support of the Enhanced Background Checks Act.

In order to truly prevent bad actors from purchasing guns, we need more transparency. My amendment to this legislation provides clarity from the government at both the State and Federal level and ensures that we have complete information about prohibited individuals attempting to get their hands on guns.

Right now, the background check system relies heavy on States uploading accurate records. And with this amendment we can better understand which States are doing a good job of uploading records to the system and which are not. Without good and reliable information and without transparency, background checks are much more likely to be delayed resulting in a higher risk of more tragedies like the one at Mother Emanuel Church.

With this amendment we can ensure that prohibited individuals won’t be sold a gun before their background check is fully completed. If we truly want to keep guns out of the hands of violent individuals, my amendment will get it done.

Mr. JORDAN. Madam Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PERRY).

Mr. PERRY. Madam Speaker, what we are saying here is that the American people have to beg their government to avail themselves of their rights. Oh, Federal Government, can I speak now? Can I defend myself now, or should I defend myself when I want to? That is what we are saying now.

The Constitution says, “shall not be infringed.” In Pennsylvania where I come from, our constitution says, “shall not be questioned.”

Madam Speaker, we are questioning it today. We are putting our constituents and we are putting the American people who have the Constitution enshrining their rights on the defensive, begging their government to avail themselves of their rights.

Now, my colleagues and my good friends on the other side of the aisle keep on bringing up the horrific tragedy and the events that happened at the church. We can’t bring that up and say that this is the solution when this doesn’t fix that.

Madam Speaker, you can’t say that the FBI couldn’t check all the databases. It chose not to. It could have checked them in those 3 days, but it chose not to.

Now, those are tragic events for sure, but it is not the American people’s fault that the FBI didn’t do their job. Do not punish the American people. Do not abridge their rights because the FBI and because the government couldn’t get it right. Let’s fix the government and allow the people to be free and enjoy their constitutional rights and defend themselves when they want to defend themselves.

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentleman from New York (Ms. CLARKE).

Ms. CLARKE of New York. Madam Speaker, I thank the gentleman from New York for yielding.

Madam Speaker, I rise today in support of H.R. 1446, the Enhanced Background Checks Act of 2021.

Under current Federal law, unlicensed sellers can sell guns at gun shows, online, and person to person without conducting any background check on the purchaser. This loophole has dangerous consequences for our communities. In fact, up to 80 percent of firearms used for criminal purposes are obtained without a background check.

I am reminded of my time on the New York City Council where I witnessed the murder of my colleague and dear friend, Councilman James E. Davis.

Just earlier this week, a gunman opened fire on two police officers in my district, hitting one officer in the chest and another in the leg. Guns are not manufactured in Brooklyn, New York.

Time and time again we have been shaken to the core and heartbroken by the news of another shooting in our communities that we call home. We have dealt with them.

Mr. JORDAN. Madam Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Madam Speaker, I sit here and listen to my colleagues, and that is what I want to do; but I become more frustrated with the fact that I think, Madam Speaker, we are in parallel universes.

We are talking about gun crime. We all agree that gun crime is wrong. We all agree that the murders that go on with gun crime are horrendous and we don’t want them to continue. But they are not happening as a result of law-abiding gun owners.

We have background checks now that we want to get rid of through those myself. We have dealt with them.

I grew up on the south side of Chicago. I love Chicago. It pains me to see that become the murder center that it has become. And now I hear the report that the reason it is this is because people from Chicago can come to Michigan, buy illegal guns, and bring them back, that is the fault.
Mr. Nadler. Madam Speaker, I yield 1 minute to the gentleman from Texas (Ms. Jackson Lee).

Ms. Jackson Lee. Madam Speaker, I thank the chairman for his leadership, and I thank Whip Clyburn for letting us fix the problem of criminals getting guns.

Do my colleagues on the other side of the aisle not understand that Dylann Roof had a criminal background? What happened is that the storekeeper, in essence, violated the law. He viewed it as not violating the law because, after 3 days, there was no answer. Dylann Roof took a gun and became a mass shooter in America. Yes, if he had not gotten a gun illegally, these souls would be alive today.

In 2018, there were 11 mass shootings. We have evidence that people with guns have not stopped a mass shooting. So if there was a person armed with a gun inside Mother Emanuel praying with a gun, I don’t believe that lives could have been saved. What I believe is, if this bill, H.R. 1446, had been in place, that would have allowed a 10-day window to be able to determine whether Dylann Roof needed to have a gun. It is a simple context, simple facts, and it should be done to save lives.

I rise in enthusiastic support of H.R. 1446. I thank Whip Clyburn for his long years of persistence. And our sympathy goes to those who lost their lives at Mother Emanuel in 2015.

We have allowed the full review background check so that he could not have had a gun. What is wrong with that?

Are we interested in saving lives the right way?

Madam Speaker, I rise in strong support of H.R. 1446, the “Enhanced Background Check Act of 2021,” which strengthens the background check procedures federal firearms licensees or dealers follow before selling or transferring a firearm.

Under current law, firearms dealers are required to run a background check on prospective buyers using the NICS. Over 90 percent of checks are completed within 90 seconds so if the NICS system has not returned an answer to the licensed firearms dealer within ten days, the prospective firearms purchaser may file a petition with the Attorney General for review.

After another 10-day period has expired, the licensed firearms dealer may sell or transfer the firearm to the prospective purchaser if it has not received a response through the NICS system and the dealer has no reason to believe that the purchaser is prohibited from obtaining a firearm under Federal, state, or local law.

Thus, under this measure, licensed firearms dealers could not sell or transfer under the “default proceed” provision until at least 20 days have passed since the initial background check.

Madam Speaker, the American people are demanding effective action to reduce, if not prevent altogether, the countless mass shootings and gun violence in our country that continue to claim so many innocent lives.

Newly released data from the Centers for Disease Control (CDC) and Prevention found firearm-related deaths rose for the second-straight year in 2016, largely due to spikes in gun violence.

In 2016, the new CDC report on preliminary mortality data shows that there were more than 38,000 gun-related deaths in the U.S.—4,000 more than in 2015.

An Associated Press analysis of FBI data shows there were about 11,000 gun-related homicides in 2016, up from 9,600 in 2015.

Congress must act to keep our country safe through gun safety and violence deterrence. There was nearly one mass shooting per day in the United States—355 mass shootings in 2018.

In December 2012, a gunman walked into Sandy Hook Elementary School in Newtown, Connecticut, and killed 20 children, 6 adults, and himself.

Since December 2012, there have been at least 1,518 mass shootings, with at least 1,165 people killed and 6,089 wounded.

On the night of October 1, 2017, a gunman opened fire on a large crowd of concertgoers at the Route 91 Harvest music festival on the Las Vegas Strip, leaving 58 people dead and 527 injured.

And on November 5, 2017, a mass shooting occurred at the First Baptist Church in Sutherland Springs, Texas, where the gunman, 26-year-old Devin Patrick Kelley, killed 26 and injured 20 others.

Every day, on average, 92 Americans are victims of gun violence, resulting in more than 33,000 deaths annually.

States with higher gun ownership rates have higher gun murder rates—as much as 114 percent higher than other States.

A recent study by the Centers for Disease Control and Prevention looking at 30 years of homicide data found that for every 1 percent increase in a State’s gun ownership rate, there is a nearly 1 percent increase in its firearm homicide rate.

Gun death rates are generally lower in States with restrictions such as safe storage requirements or assault weapons bans.

Mass shootings stopped by armed civilians in the past 33 years: 0.

Use more than 75 percent of the weapons used in mass shootings between 1982 and 2012 were obtained legally, stronger legislation is needed to prevent guns from getting into the wrong hands.

Madam Speaker, enhancing the gun transfer background check system has consistently garnered broad public support, as high as 92 percent, because the American people know that the status quo is simply intolerable and action must be taken to reduce gun violence by keeping dangerous persons from obtaining deadly weapons.

That begins with passing H.R. 1446, the “Enhanced Background Check Act of 2021,” and I urge all members to join me in voting for its passage.

Mr. Jordan. Madam Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. Higgins).

Mr. Higgins of Louisiana. Madam Speaker, let’s save a life. I am going to share with my colleagues an actual story going on right now, because my wife have the same phone number. I have had the same phone number since 2004. They know they can reach out to me for help.

A young lady, right now, whose property, her yard, her garage, has been invaded at night after night after night by a strange man. He moves fast. She is a single mom, a 30-year-old woman, hard-working woman, American.

Many, many years ago, she pled guilty to a minor drug charge. It is standing in her record. She can’t buy a gun, but, by God, she is going to get one. She is going to get one illegally to defend herself and her young child.
Your bill would make this story commonplace from sea to shining sea. I beg for you to stand for the people who serve and recognize what you are attempting to do.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. NADLER. Madam Speaker, I am prepared to close. I reserve the balance of my time.

Mr. JORDAN. Madam Speaker. I yield myself the balance of my time.

I oppose both bills and the amendments for all the reasons we have stated today. I think my colleague from Pennsylvania said it best. We are now going to have to wait 10 days to exercise your Second Amendment rights.

One of the previous speakers, Madam Speaker, on the Democrat side said that felons don’t get guns. They are felons. They are not going to follow the law.

We all know what this is. This is going to make it more difficult for law-abiding Americans to exercise a fundamental liberty guaranteed in the United States Constitution, the second right they have, the Second Amendment to the Constitution. It is going to make it more difficult for them to exercise their fundamental liberty. That is what this is about.

The FBI had 2 months in the Charles L. Carrington那一案 to get the weapon because you are not going to get the weapon because you are a danger to the community. Those are all the people they are trying to keep from getting a weapon. They insist on exercising their fundamental liberty. That makes it more difficult for them to exercise it. That is what this is about.

The FBI had 2 months in the Charles L. Carrington那一案 to get the weapon because you are a danger to the community. Those are all the people they are trying to keep from getting a weapon. They insist on exercising their fundamental liberty. That makes it more difficult for them to exercise it. That is what this is about.

The question is on the amendments en bloc. The previous question is ordered on the amendments en bloc offered by the gentleman from New York (Mr. NADLER). The question is on the amendments en bloc.

The vote was taken by electronic device, and there were—yeas 225, nays 202, not voting 3, as follows:

[Roll No. 73]

YEA—225

Adams
Aguilar
Alden
Ashmeadless
Arrington
Barragan
Beatty
Beaty
Bing (NC)
Blumenthal
Blunt (R)
Boenning
Bourdeaux
Bowman
Boyle, Brendan F.
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Calvert (R)
Carter (GA)
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The SPEAKER pro tempore. The previous question is ordered on the motion to recommit. The question is on the motion to recommit. The motion was taken and the Speaker pro tempore announced that the noes appeared to have it.

Mr. HUDSON. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to clause 2(b) of rule XIX, further proceedings on this question are postponed.

Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 1446 is postponed.

CONGRESS MUST CARE FOR ALL

(Mr. BOWMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOWMAN. Mr. Speaker, I am proud to rise today to discuss the introduction of our Care for All Agenda. Just as our physical infrastructure is crumbling, we suffer from lack of care infrastructure. In America today, millions of people cannot get care for themselves or their loved ones. We are failing children, older adults, people with disabilities, and all Americans.

And we don’t care for the people who take care of us. Millions of care and domestic workers, disproportionately women of color, are exploited and paid poverty wages. With bold, holistic public investments in the care economy, we can heal these wounds. We can substantially raise wages and benefits for workers. We can create millions of new zero-carbon care jobs. And we can create universal programs to guarantee care to all people. These investments are a crucial part of the Green New Deal. We cannot have a truly just, sustainable America without a healthy foundation of care.

The Care for All Agenda, introduced with 30 of my colleagues, and with the support of over 90 movement partners, lays out how centering care can be the rebirth of our Nation. Join us in building a care community and society based on care for people, communities, and the planet we all share.
Mr. Speaker, I am so thankful to President Biden for delivering on his commitment to Build Back Better. The American Rescue Plan now goes to the President’s desk for signature. I can’t wait.

Mr. Speaker, I thank the Democrats.

HONORING U.S. ARMY VETERAN DENNIS DAVIS

(Mr. MOONEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MOONEY. Mr. Speaker, today, I rise to honor a great West Virginia icon and U.S. Army veteran, Mr. Dennis Davis, who passed away on January 19, 2021.

Dennis was the cabinet secretary for the West Virginia Department of Veterans Assistance. He understood the needs of our veteran community.

Dennis had also been a member of the West Virginia State University ROTC program. I enjoyed our time together as we met with veterans all across West Virginia’s Second District.

During his lifetime, Dennis was the much-admired director for West Virginia Workforce Development, an educator who helped guide citizens toward jobs, opportunities, and fulfillment in their lives.

We commemorate his leadership, his service as an Army veteran, and his dedication to our great State. May his legacy forever live on to inspire hard work, devotion, and service.

DELIVERING ON COMMITMENT TO BUILD BACK BETTER

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, I rise today in opposition to these firearms and background check bills that would not be effective in ending gun violence.

Instead, these bills would restrict the Second Amendment rights of law-abiding Americans. Simply increasing the number of laws and adding more hurdles to lawful gun ownership does not get to the core of reducing gun violence.

These changes to the background check system won’t stop criminals from obtaining firearms. Why don’t we focus our efforts on smart policies that would actually reduce the number of gun deaths?

Last year, more Americans bought more guns than ever. In fact, gun ownership has grown significantly over the last 20 years, but we have also seen our violent crime rate drop over that same period. Rather than going after law-abiding citizens, let’s figure out where we can work together to address the real problems here. Let us invest in solving the real policy questions we can answer instead of restricting Americans’ freedom.

Mr. Speaker, I urge my colleagues to oppose these bills.

COMMEMORATING TIBETAN UPRISING DAY

(Ms. OCASIO-CORTEZ asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. OCASIO-CORTEZ. Mr. Speaker, I rise today to commemorate the 62nd anniversary of Tibetan Uprising Day.

Mr. Speaker, I have the honor of representing an incredibly diverse community of individuals at home in New York 14, many of whom are Tibetan. In fact, one of the largest constituencies of Tibetans in the world makes its home in New York 14.

For decades, the Tibetan people have bravely fought for their freedom, including to seek and fight for the freedom to simply be Tibetan: to speak their language; to practice their Buddhist religion; to sustain their culture, their traditional medicine, and their land; and to live freely in their own country.

It is the responsibility of all those who value freedom of speech and expression to stand with them against gross human rights abuses.

Mr. Speaker, I am proud to stand with the Tibetan residents of New York 14 and all those across the country in their righteous fight against persecution.

DELIVERING RELIEF THROUGH AMERICAN RESCUE PLAN

(Mrs. LEE of Nevada asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. LEE of Nevada. Mr. Speaker, I rise today on behalf of Nevada’s Third District.

With the passage of the American Rescue Plan, we have delivered on our promise to provide the relief that is so desperately needed 1 year after the COVID–19 pandemic broke out.

The pandemic has been especially hard on my home State of Nevada. The primary pillar of our economy, travel and tourism, has been absolutely devastated. It is not just our casinos and our hotels that have been hit, but our restaurant and convention workers, our entertainment and stage workers, and our aviation workers.

With the passage of the American Rescue Plan, we will save lives and get our economy back on track. We will get vaccines into arms. We will get our kids safely back into schools with the $130 billion investment to get schools open and make up for lost time in the classroom. We will get people back in jobs with the expanded PPP loans, relief for restaurants and shuttered venues, and more. And, of course, we will get money into people’s pockets immediately through the direct stimulus checks.

Mr. Speaker, in short, America, help is on its way, and it couldn’t be more urgently needed.

GUN SAFETY MEANS MORE EQUITABLE FUTURE FOR ALL

(Ms. LÉGER FERNANDEZ asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LÉGER FERNANDEZ. Mr. Speaker, I rise to add my voice to the passionate voices born of grief that we heard from today, to join my heart with their hearts.

Gun violence robs our communities and our families of innocent lives, innocent worshippers, innocent shoppers mowed down just because they are Latinos.

I rise for the children in too many schools who have lost their classmates, for the families who mourn their young, for the students who organized and petitioned us to act against gun violence with sensible laws.

I am glad we passed the gun safety legislation to stem the epidemic of gun violence.

Mr. Speaker, New Mexico has the fourth-highest gun death rate in the country. Today, we took a commonsense, critical step to keep that New Mexican, our American, children, families, and communities safe, to drive us toward a more equitable, thriving future for all.
PEOPLE’S JUSTICE GUARANTEE

(Ms. PRESSLEY asked and was given permission to address the House for 1 minute.)

Ms. PRESSLEY. Mr. Speaker, I rise to reintroduce the People’s Justice Guarantee, a bold, progressive vision to transform our criminal legal system from what it currently is to what it ought to be.

For far too long, Congress has enacted policies that failed millions of men, women, and children by expanding our carceral system and diverting from the Latino communities.

Growing up with an incarcerated parent, these failures are personal to me. I worked with folks in communities that have been marginalized and ignored, like the incarcerated brothers of the AACC in the Massachusetts Seventeenth, to craft a resolution that confronts the systemic injustices that destabilized families and traumatized generations.

We should provide care for those in crisis, not confine them in solitary.

We should house our immigrant neighbors, not deport them from their communities.

We should counsel our kids, not lock them up in prison.

The People’s Justice Guarantee offers these solutions and many others in a robust framework for a humane, equitable, and just legal system.

Mr. Speaker, I am proud to reintroduce the People’s Justice Guarantee so America can finally fulfill its promise of justice for all.

BACKGROUND CHECKS WORK

(Ms. SCANLON asked and was given permission to address the House for 1 minute.)

Ms. SCANLON. Mr. Speaker, for too many communities in southeastern Pennsylvania, the steady toll of gun violence day in and day out is a horrifying reality.

Right now, my region is at the epicenter of a staggering uptick in gun violence taking place in the background of the COVID–19 pandemic. In the first 3 months of this year, over 300 people in the city of Philadelphia have been shot. Over 50 have been killed, and 5 of those were children.

Mr. Speaker, the gun violence measures we are voting on this week close major loopholes in our gun laws that have allowed people, who we all agree should not have guns, to purchase guns without completed background checks.

While our colleagues across the aisle claim these laws won’t prevent gun violence, that is not true. Even with the loopholes, Federal background checks have prevented over 3 million sales to people we all agree should not have guns.

When required and enforced, background checks work, and they have the power to keep guns out of dangerous hands and off our streets.

Congressional complacency in addressing this issue has made our country less safe and put children and our most marginalized communities at risk.

Mr. Speaker, I urge all of my colleagues to support these bills.

RIGHTS COME WITH RESPONSIBILITIES

(Mr. CROW asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CROW. Mr. Speaker, I grew up a gun owner. I have been hunting since I was 12 years old. I became an Army Ranger and went to war for this country, where I led over 100 combat missions, carrying weapons of war at war in defense of our Nation.

But I am also a father, and I also represent a district that has been hit by some of the worst mass shootings in our Nation’s history. I learned in the Army years ago that citizenship comes with duties and rights come with responsibility.

Mr. Speaker, we are failing each other in this country. It is time that we start fulfilling our duties and our responsibilities to each other. We have the opportunity to do that now and to save thousands of lives.

Mr. Speaker, I implore my colleagues to join with me and to pass the Bipartisan Background Checks Act.

PUBLICATION OF COMMITTEE RULES

RULES OF THE COMMITTEE ON AGRICULTURE FOR THE 117TH CONGRESS

HOUSE OF REPRESENTATIVES, COMMITTEE ON AGRICULTURE, WASHINGTON, DC, MARCH 16, 2021.

Hon. NANCY PELOSI, Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: I am pleased to submit for printing in the Congressional Record, pursuant to Rule XI, clause 2(a) of the Rules of the House, a copy of the Rules of the Committee on Agriculture, which were adopted at the organizational meeting of the Committee on Agriculture on February 10, 2021.

Appendix A of the Committee Rules will include excerpts from the Rules of the House relevant to the operation of the Committee. Appendix B will include relevant excerpts from the Congressional Budget Act of 1974. In the interest of minimizing printing costs, Appendices A and B are omitted from this submission.

Sincerely,

DAVID SCOTT, Chairman.

Enclosure.

AS ADOPTED FEBRUARY 10, 2021

RULE I.—GENERAL PROVISIONS

(a) Applicability of House Rules.—(1) The Rules of the House shall govern the procedure of the Committee and its subcommittees, and the Rules of the Committee on Agriculture shall be interpreted in accordance with the Rules of the House, except that a motion to recess from day to day, and a motion to dispense with the reading (in full) of a bill or resolution, if printed copies are available, are non-debatable privileged motions in the Committee and its subcommittees. (See Appendix A for the applicable Rules of the U.S. House of Representatives.)

(2) As provided in clause 1(a)(1) of House Rule XI, each Subcommittee is part of the Committee and is subject to the authority and direction of the Committee and its Rules as applicable. Also, the Committee Rules III, IV, V, VI, VII, VIII and XI, infra.

(b) Authority to Conduct Investigations.—The Committee and its subcommittees, after consultation with the Chairman of the Committee, may conduct such investigations and studies as they may consider necessary or appropriate in the exercise of their responsibilities under Rule X of the Rules of the House and in accordance with clause 2(m) of House Rule XI.

(c) Authority to Print.—The Committee is authorized by the Rules of the House to have printed and bound testimony and other data presented at hearings held by the Committee and its subcommittees. All costs of stenographic services and transcripts in connection with any meeting or hearing of the Committee and its subcommittees shall be paid from applicable accounts of the House described in clause 1(k)(1) of House Rule X in accordance with clause 1(c) of House Rule XI.

AS ADOPTED FEBRUARY 10, 2021

RULE II.—COMMITTEE BUSINESS MEETINGS—REGULAR, ADDITIONAL AND SPECIAL

(a) Regular Meetings.—Regular meetings of the Committee, in accordance with clause 2(b) of House Rule XI, shall be held on the first Wednesday of every month to conduct its business if notice is given pursuant to clause 2(g)(3) of House Rule XI. The Chairman shall provide each Member of the Committee as far in advance of the day of the regular meeting as practicable, a written agenda of such meeting. Items may be placed on the agenda by the Chairman or a majority of the Committee. (See paragraph (f) of Committee Rule XI for provisions that apply to meetings of subcommittees.)

(b) Additional Meetings.—(1) The Chairman may call and convene, as he or she considers necessary, which may not commence earlier than the third calendar day (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) on which Members have notice thereof after consultation with the Ranking Minority Member or after concurrence with the Ranking Minority Member, additional meetings of the Committee...
ty considerations, in which case pool coverage shall be authorized.
(c) Closed Meetings—Attendees.—No person other than Members of the Committee or Subcommittee or invited professional staff and departmental representatives as the Committee or Subcommittee may authorize shall be present at any business or markup session conducted by the Committee or Subcommittee unless by unanimous consent of the Members of the Committee or Subcommittee.”
(d) Addressing the Committee.—A Committee or Subcommittee member may address the Committee in person, in writing, or by proxy. If the Committee or Subcommittee is in the Committee or Subcommittee meeting room, they may do so at any time during the meeting. If the Committee or Subcommittee is in the Committee or Subcommittee hearing or meeting room, they may do so at any time during the meeting.

Rule XI

A. Majority Quorum

The majority of the Members of the Committee shall constitute a quorum for the transaction of business, except as noted in paragraphs (b) and (c).

(1) the reporting of a bill, resolution, or other measure (see clause 2(h)(1) of House Rule XI, and Committee Rule IX);
(2) the closing of a meeting or hearing to the public pursuant to clauses 2(g), 2(k)(5), and 2(k)(7) of House Rule XI;
(3) the authorizing of a subpoena as provided in clause 2(m)(3) of House Rule XI (see also Committee Rule VII); and
(4) as where required by a Rule of the House.

(b) Majority Quorum.—A majority of the Members of the Committee or Subcommittee shall constitute a quorum for the purpose of taking testimony and receiving evidence.

Rule IV

A. Maintenance of Records.—The Committee shall keep a complete record of all Committee and Subcommittee action which shall include:

(1) in the case of any meeting or hearing transcripts, a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections as authorized by the person making the remarks involved, and
(2) no fewer than five minutes, which shall include a record of all Committee and Subcommittee action, a record of all votes on any question, and a tally on all record votes.

The result of each subsequent vote shall be made publicly available in electronic form within 48 hours of such record vote. Not later than 24 hours after adoption of an amendment, or 48 hours after the disposition or withdrawal of any other amendment, to a measure or matter, the chair of the Committee shall cause a transcript copy of that public hearing or meeting to be made publicly available in electronic form. Information so available for public inspection shall include a description of the amendment, motion, order, or other proposition; the name of each Member voting for and each Member voting against such amendment, motion, order, or other proposition; and the names of those Members present but not voting.

(b) Access to and Correction of Records.—Any public witness, or person authorized by such witness, during Committee office hours or in Committee meeting rooms at any calendar day of the close of hearings, may obtain a transcript copy of that public witness’s testimony and make such technical, grammatical, and typographical corrections as authorized by the person making the remarks involved as will not alter the
nature of testimony given. There shall be prompt return of such corrected copy of the transcript to the Committee. Members of the Committee or Subcommittee shall receive copies of transcripts for their prompt review and correction and prompt return to the Committee. The Committee or Subcommittee may order the printing of a hearing or proceeding as a part of the Committee or Subcommittee record. The chairman or co-chairman of the Committee or by any Member designated by the chairman or co-chairman of the Committee, in light of the nature of the testimony and the length of time available.

(2) As noted in paragraph (b) of Committee Rules XI, the Chairman, or any Member designated by the Chairman, may administer an oath to any witness.

(3) In the case of a witness appearing in a non-functional capacity, a statement in light of its length or its tendency to defame, degrade, or incriminate any person or organization, or by an entity represented by the witness, and (iv) a disclosure of whether the witness is a fiduciary (including, but not limited to, a director, officer, advisor, or resident agency) of any organization or entity that has an interest in the subject matter of the hearing.

Such statements, with appropriate redactions to protect the privacy of witnesses, shall be made publicly available in electronic form 24 hours before the witness appears to the extent practicable, but not later than 1 day after the witness appears.

(e) Questioning of Witnesses.—Committee or Subcommittee Members may question witnesses only when they have been recognized by the Chairman or co-chairman of the Committee or the Subcommittee for that purpose. Each Member so recognized shall be limited to questioning a witness for 5 minutes until such time as each Member of the Committee or Subcommittee who so desires has had an opportunity to question the witness for 5 minutes; and thereafter the Chairman of the Committee or the Subcommittee may limit the time of a further round of questioning after giving due consideration to the importance of the subject matter and the length of time available for questioning.

(f) Electronic Availability of Committee Publications.—To the maximum extent feasible, the Committee shall make its publications available in electronic form.

RULE VI.—POWER TO SIT AND ACT

For the purpose of carrying out any of its function and duties under House Rules X and XI, the chairman or co-chairman of the Committee is authorized to sit and act at such times and places within the United States whether the House is in session, has recessed, or has adjourned and to hold such hearings.

RULE VII.—SUBPOENAS, DEPOSITIONS, AND OATHS

(a) Issuance of Subpoenas.—In accordance with clause 2(m) of House Rule XI, a subpoena may be authorized and issued by a majority of the Committee or by the chairman in consultation with the Ranking Majority Member. Such consultation shall occur at least 48 hours in advance of a subpoena being issued under such authority. Authorized subpoenas shall be signed by the chairman or co-chairman of the Committee or by any Member designated by the Committee.

(b) Oaths.—The Chairman of the Committee, or any member of the Committee designated by the chairman, may administer oaths to any witnesses.

(c) Deposition Authority.—

(1) The Chairman, upon consultation with the Ranking Majority Member, may order the taking of depositions, including pursuant to subpoena by a Member or counsel of the Committee.

(2) Depositions taken under the authority prescribed in this subsection shall be subject to rules of the Committee on Rules and printed in the Congressional Record.

RULE VIII.—HEARING PROCEDURES

(a) Power to Hear.—For the purpose of carrying out any of its function and duties under House Rules X and XI, the Committee and its subcommittees are authorized to sit and hold hearings at any time or place within the United States whether the House is in session, has recessed, or has adjourned. (See Committee Rule VI and paragraph (f) of Committee Rule XI for provisions relating to Subcommittee hearings and meetings.)

(b) Announcement.—The Chairman of the Committee shall, after consultation with the Ranking Majority Member of the Committee and the Chairman of the Committee and its subcommittees are authorized to sit and hold hearings at any time or place within the United States whether the House is in session, has recessed, or has adjourned. (See Committee Rule VI and paragraph (f) of Committee Rule XI for provisions relating to Subcommittee hearings and meetings.)

(c) Scheduling of Witnesses.—Except as otherwise provided in this rule, the Committee or Subcommittee shall serve a notice on each witness forthwith before the hearing to state the time and place of the hearing, the subject matter of the hearing, the purpose of the hearing, and the material to be received at the hearing. The witness shall be given 48 hours in advance to receive such notice. The Committee or Subcommittee shall serve a notice on each witness on the day before the hearing to state the time and place of the hearing, the subject matter of the hearing, the purpose of the hearing, and the material to be received at the hearing. The witness shall be given 48 hours in advance to receive such notice.

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shall, to the extent practicable, make available to the Members of the Committee any official reports from departments and agencies on such matter. (See paragraph (f) of Committee Rule XIV.)

Rule IX.—The Reporting of Bills and Resolutions

I. Filing of Reports.—The Chairman shall report or cause to be reported promptly to the House any bill, resolution, or other measure under consideration and shall take or cause to be taken all necessary steps to bring such bill, resolution, or other measure to a vote. No bill, resolution, or other measure approved by the Committee shall be reported by the Committee unless a majority of the Committee is actually present. A Committee report on any bill, resolution, or other measure approved by the Committee shall be filed with the Clerk of the House not later than ten calendar days (not counting days on which the House is not in session) after the day on which there has been filed with the Majority Staff Director of the Committee written request, signed by a majority of the Committee, for the reporting of that bill or resolution. The Majority Staff Director of the Committee shall notify the Chairman immediately when such a request is filed.

II. Content of Reports.—Each Committee report on any bill or resolution approved by the Committee shall include as separately identified sections:

(a) a statement of the intent or purpose of the bill or resolution;
(b) a statement describing the need for such bill or resolution;
(c) a statement of Committee and Subcommittee findings and recommendations with respect to the matter of the bill or resolution, as required pursuant to clause 3(c)(1) of House Rule XIII and clause 2(b)(1) of House Rule X;
(d) the detailed statement described in House Rule XIII clause 3(c)(2) and section 308(a) of the Congressional Budget Act of 1974 if the bill or resolution provides new budget authority (not including appropriations), new spending authority described in section 401(c)(2) of such Act, new credit authority, or an increase or decrease in revenues or net revenues; and the estimates with respect to new budget authority shall include, when practicable, a comparison of the total estimated funding level for the relevant program to the appropriate levels under current law;
(e) the estimate of costs and comparison of such estimates, if any, prepared by the Director of the Office of Management and Budget in connection with such bill or resolution pursuant to section 402 of the Congressional Budget Act of 1974 if submitted in timely fashion to the Committees, and in each of the five fiscal years following that fiscal year (or for the authorized duration of any program authorized by the bill or joint resolution if less than five years) (see clause 3(d)(1) of House Rule XI); together with—(i) a comparison of those estimates with those made and submitted to the Committee by any other House Committee or Subcommittee and (ii) a comparison of the total estimated funding level for the relevant program (or programs) with appropriate levels under current law (The provisions of this clause do not apply if a cost estimate and comparison prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and included in the report);
(f) a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the bill or in the report (and the name of the Member, including in electronic form), all Members of the House may be excluded from nonparticipatory attendance at any hearing unless the House by majority vote shall authorize such attendance at the purposes of a particular series of hearings on a particular bill or resolution or on a particular subject of investigation, to close its hearings to Members by means of the above procedure.

III. Hearings and Reports.—(1) The Chairman of the Committee or Subcommittee at a hearing shall announce in an opening statement the subject of the investigation. A copy of the Committee Rules (and the applicable provisions of clause 2 of House Rule XI, regarding transcript orders, and subsection (i) of which appears in Appendix A thereto) shall be made available to each witness upon request. Witnesses at hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights. The Chairman of the Committee or Subcommittee may strike false statements and fabrications or make breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; but only the full Committee may cite the offender to the House for contempt.

(2) Whenever it is asserted by a Member of the Committee that the evidence or testimony may tend to defame, degrade, or incriminate any person, or it is asserted by a witness that the evidence or testimony that the witness would give at a hearing may tend to defame, degrade, or incriminate the witness, such testimony or evidence shall be presented in executive session, notwithstanding the provisions of paragraph (l) of this rule, if by a majority of those present, there being in attendance the requisite number required under the Rules of the Committee to be present for the purpose of taking testimony, the Committee or Subcommittee shall afford a person an opportunity to voluntarily appear as a witness; but only the full Committee may cite the offender to the House for contempt.

(3) Hearings and Reports.—(i) Any program authorized by the measure under consideration that was established or reauthorized by the measure; (ii) a statement known to be duplicative of another Federal program. The statement shall at a minimum explain whether—

(A) any such program was included in any report from the Government Accountability Office to Congress pursuant to section 21 of P.L. 111-189; or

(B) the most recent catalog of Federal Domestic Assistance, published pursuant to the Federal Program Information Act (P.L. 95-220, as amended by P.L. 98-169), identified other programs related to the program established or reauthorized by the measure; and

(16) a statement estimating the number of directed rule makings required by the measure.

(c) Supplemental, Minority, Additional, or Dissenting Views.—If, at the time of approval of any measure or matter under consideration of the Committee, any Member of the Committee gives notice of intention to file supplemental, minority, additional, or dissenting views (in accordance with the provisions of this clause), the Members of the Committee shall be entitled to not less than 2 subsequent calendar days (excluding Saturdays, Sundays, and legal holidays except when the House is in session on such date) in which to file written and signed views with the Clerk of the Committee. When time guaranteed by this paragraph has expired (or, if sooner, when all separate views have been received), the Committee may arrange to file its report with the Clerk of the House not later than 1 hour after the expiration of such time. Such views (in accordance with clause 21) of House Rule XI and clause 3(a)(1) of House Rule XIII, as filed by one or more Members of the Committee, shall be included within and made a part of the report filed by the Committee with respect to that bill or resolution.

(d) Printing of Reports.—The report of the Committee on the measure or matter noted in paragraph (a) shall be printed in a single volume, which shall:

(1) include all supplemental, minority, additional, or dissenting views that have been submitted by the time of the filing of the report; and

(2) either on its cover a recital that any such supplemental, minority, additional, or dissenting views (and any material submitted...
under clause 3(a)(1) of House Rule XII) are included as part of the report.

(e) Immediate Printing; Supplemental Reports.—Nothing in this rule shall preclude—

(1) the immediate filing or printing of a Committee report unless timely request for the opportunity to file supplemental, minority, additional, or dissenting views has been made pursuant to paragraph (c);

(2) the filing by the Committee of any supplemental report on any bill or resolution that may be required for the correction of any typographical, printing, or other errors in that report; and

(f) Cooperation Among Committees.—When consistent with the objectives of the legislative process it becomes necessary for committees to act jointly, the Committee shall, after consultation with the Ranking Minority Member, determine the number of conferees the Chairman deems most suitable and that they shall recommend to the Speaker as conferees, in keeping with the number to be appointed by the Speaker as provided in clause 11 of House Rule I, the names of those Members of the Committee and any of its subcommittees that would be most suitable for the consideration of such bill or resolution by the House. Each printed hearing of the Committee or any of its subcommittees shall include a record of the attendance of the Members.

(g) Committee Prints.—All Committee or Subcommittee documents, other than reports or prints of bills, that are prepared for public distribution shall be approved by the Chairman of the Committee or the Committee prior to public distribution.

(h) Post Adjournment Filing of Committee Reports.—(1) After an adjournment of the last regular session of Congress sine die, the Chair of the Committee shall include a supplemental report on any bill or resolution by the House prior to the consideration of such bill or resolution by the House. Each printed hearing of the Committee or any of its subcommittees shall include a record of the attendance of the Members.

(i) Committee Prints.—All Committee or Subcommittee documents, other than reports or prints of bills, that are prepared for public distribution shall be approved by the Chairman of the Committee or the Committee prior to public distribution.

RULE X.—OTHER COMMITTEE ACTIVITIES

(a) Oversight Plan.—

(1) Not later than March 1 of the first session of the 117th Congress, the Chairman shall consult with the Ranking Minority Member, an oversight plan; provide a copy of that plan to each Member of the Committee for at least seven calendar days, and the report includes any supplemental, minority, additional, or dissenting views submitted by a Member of the Committee.

(2) In developing the plan, the Chairman shall—

(A) consult with other committees that have jurisdiction over the same or related laws, programs, or agencies with the objective of coordinating and improving cooperation among committees when conducting reviews of such laws, programs, or agencies and include in the plan an explanation of steps that have been or will be taken to ensure such coordination and cooperation;

(B) review specific problems with Federal rules, regulations, statutes, and court decisions that are ambiguous, arbitrary, or non-sensical, or that impose severe financial burdens on individuals and businesses;

(C) give priority consideration to including in the plan the review of those laws, programs, or agencies operating under permanent budget authority or permanent statutory authority;

(D) have a view toward ensuring that all significant laws, programs, or agencies within the committee’s jurisdiction are subject to review every 10 years;

(E) have a view toward insuring against duplication of Federal programs and;

(F) give priority consideration to including in the plan a discussion of how the committee’s work will address issues of inequities on the basis of race, color, ethnicity, religion, sex, sexual orientation, gender identity, disability, age, or national origin.

The Committee and its appropriate subcommittees shall review and study, on a continuing basis, the impact or probable impact of tax policies affecting subjects within its jurisdiction as a part of House Rule X. The Committee shall include a copy of that plan in its report filed pursuant to clause 1(d) of House Rule XI separate sections summarizing the oversight activities of the Committee under House Rule X and House Rule XI, a summary of the authorization and oversight plan submitted by the Committee under House Rule X, a summary of actions taken and recommendations made with respect to the oversight and authorization plan, and a summary of any oversight activities undertaken by the Committee and any recommendations made or actions taken thereon.

(b) Annual Appropriations.—The Committee shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, ensure that appropriations for continuing programs and activities of the Federal government and the District of Columbia government will be made annually to the maximum extent feasible, and that regular order, requirements, and objectives of the programs and activities involved. The Committee shall review, from time to time, each continuing program for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefor would be made annually.

(c) Budget Act Compliance: Views and Estimates (See Appendix B).—Not later than 6 weeks after the President submits his budget to the Select Committee on the Budget (1) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year; and (2) the joint view of the United States indicating that Federal programs and operations that the Committee may authorize to hear testimony on such disclaimers from representatives of any such agency.

(h) Post Adjournment Filing of Committee Reports.—(1) After an adjournment of the last regular session of Congress sine die, the Committee shall include a supplemental report on any bill or resolution by the House prior to the consideration of such bill or resolution by the House. Each printed hearing of the Committee or any of its subcommittees shall include a record of the attendance of the Members.

(i) Conference.—The Chairman is directed to ascertain whether such program could be modified so that appropriations therefor would be made annually.

(j) Annual Appropriations.—The Committee shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, ensure that appropriations for continuing programs and activities of the Federal government and the District of Columbia government will be made annually to the maximum extent feasible, and that regular order, requirements, and objectives of the programs and activities involved. The Committee shall review, from time to time, each continuing program for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefor would be made annually.

(k) Budget Act Compliance: Views and Estimates (See Appendix B).—Not later than 6 weeks after the President submits his budget to the Select Committee on the Budget (1) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year; and (2) the joint view of the United States indicating that Federal programs and operations that the Committee may authorize to hear testimony on such disclaimers from representatives of any such agency.

(l) Post Adjournment Filing of Committee Reports.—(1) After an adjournment of the last regular session of Congress sine die, the Committee shall include a supplemental report on any bill or resolution by the House prior to the consideration of such bill or resolution by the House. Each printed hearing of the Committee or any of its subcommittees shall include a record of the attendance of the Members.

(m) Conference.—The Chairman is directed to ascertain whether such program could be modified so that appropriations therefor would be made annually.

(n) Annual Appropriations.—The Committee shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, ensure that appropriations for continuing programs and activities of the Federal government and the District of Columbia government will be made annually to the maximum extent feasible, and that regular order, requirements, and objectives of the programs and activities involved. The Committee shall review, from time to time, each continuing program for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefor would be made annually.

(o) Budget Act Compliance: Views and Estimates (See Appendix B).—Not later than 6 weeks after the President submits his budget to the Select Committee on the Budget (1) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year; and (2) the joint view of the United States indicating that Federal programs and operations that the Committee may authorize to hear testimony on such disclaimers from representatives of any such agency.

(p) Post Adjournment Filing of Committee Reports.—(1) After an adjournment of the last regular session of Congress sine die, the Committee shall include a supplemental report on any bill or resolution by the House prior to the consideration of such bill or resolution by the House. Each printed hearing of the Committee or any of its subcommittees shall include a record of the attendance of the Members.

(q) Conference.—The Chairman is directed to ascertain whether such program could be modified so that appropriations therefor would be made annually.

(r) Annual Appropriations.—The Committee shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, ensure that appropriations for continuing programs and activities of the Federal government and the District of Columbia government will be made annually to the maximum extent feasible, and that regular order, requirements, and objectives of the programs and activities involved. The Committee shall review, from time to time, each continuing program for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefor would be made annually.

(s) Budget Act Compliance: Views and Estimates (See Appendix B).—Not later than 6 weeks after the President submits his budget to the Select Committee on the Budget (1) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year; and (2) the joint view of the United States indicating that Federal programs and operations that the Committee may authorize to hear testimony on such disclaimers from representatives of any such agency.

(t) Post Adjournment Filing of Committee Reports.—(1) After an adjournment of the last regular session of Congress sine die, the Committee shall include a supplemental report on any bill or resolution by the House prior to the consideration of such bill or resolution by the House. Each printed hearing of the Committee or any of its subcommittees shall include a record of the attendance of the Members.

(u) Conference.—The Chairman is directed to ascertain whether such program could be modified so that appropriations therefor would be made annually.

(v) Annual Appropriations.—The Committee shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, ensure that appropriations for continuing programs and activities of the Federal government and the District of Columbia government will be made annually to the maximum extent feasible, and that regular order, requirements, and objectives of the programs and activities involved. The Committee shall review, from time to time, each continuing program for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefor would be made annually.

(w) Budget Act Compliance: Views and Estimates (See Appendix B).—Not later than 6 weeks after the President submits his budget to the Select Committee on the Budget (1) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year; and (2) the joint view of the United States indicating that Federal programs and operations that the Committee may authorize to hear testimony on such disclaimers from representatives of any such agency.

(x) Post Adjournment Filing of Committee Reports.—(1) After an adjournment of the last regular session of Congress sine die, the Committee shall include a supplemental report on any bill or resolution by the House prior to the consideration of such bill or resolution by the House. Each printed hearing of the Committee or any of its subcommittees shall include a record of the attendance of the Members.

(y) Conference.—The Chairman is directed to ascertain whether such program could be modified so that appropriations therefor would be made annually.
Rule XI.—Subcommittees

(a) Number and Composition.—There shall be such subcommittees as specified in paragraphs (b) and (c) of this rule. Each subcommittee shall be composed of the number of Members set forth in paragraph (c) of this rule, including ex officio Members. The Chairman may create additional subcommittees of an ad hoc nature as the Chairman determines to be appropriate, subject to any limitations provided for in the House Rules.

(b) Ratio.—On each Subcommittee, there shall be a ratio of majority party Members to minority party Members which shall be consistent with the ratio on the full Committee, and the ratio on majority party Members to minority party Members, there shall be included the ex officio Members of the subcommittee and ratios below reflect that fact.

(c) Jurisdiction.—Each Subcommittee shall have the following general jurisdiction and number of Members:

General Farm Commodities and Risk Management (15 members, 8 majority and 7 minority)—Policies, statutes, and markets relating to commodities including barley, cotton, corn, cottonseed, grain sorghum, honey, mohair, oats, other oilseeds, peanuts, pulse crops, rice, soybeans, sugar, wheat, and wool; the Commodity Credit Corporation; risk management policies and statutes, including Federal Crop Insurance; producer data and privacy issues.

Commodity Exchanges, Energy, and Credit (21 members, 11 majority and 10 minority)—Policies, statutes, and markets relating to commodity exchanges; agricultural credit; rural development; energy; rural electrification.

Conservation and Forestry (17 members, 9 majority and 8 minority)—Policies and statutes relating to conservation, forestry, and all forests under the jurisdiction of the Committee on Agriculture.

Nutrition, Oversight, and Department Operations (12 majority and 10 minority)—Policies and statutes relating to food and nutrition assistance, and all programs, activities, and products; aquaculture; animal welfare; and agricultural research.

Nutrition, Oversight, and Department Operations—Livestock and Foreign Agriculture (25 members, 13 majority and 12 minority)—Policies, statutes, and markets relating to all livestock, poultry, dairy, and seafood, including all products thereof; the inspection, marketing, and promotion of such commodities; agriculture statistics, and all regulations relating thereto.

Trade Matters.—Unless action is otherwise taken under subparagraph (b), bills, resolutions, or other matters referred to the Subcommittee relating to foreign agriculture, foreign food or commodity assistance, and foreign trade and marketing issues will be considered by the Committee.

(2) The Chairman, by a majority vote of the Committee, may discharge a Subcommittee from further consideration of any bill, resolution, or other matter referred to the Subcommittee and have such bill, resolution, or other matter considered by the Committee. The Committee having referred a bill, resolution, or other matter to a Subcommittee in accordance with this rule may discharge such Subcommittee from further consideration of such bill, resolution, or other matter by a vote of the majority Members of the Committee for the Committee's direct consideration or for reference to another Subcommittee. The Committee, or the Subcommittee, or that is within the jurisdiction of more than one Subcommittee, jointly or exclusively as the Chairman deems appropriate, shall have the privilege of sitting and voting, or, if a Sub- committee, or that is within the jurisdiction of more than one Subcommittee, jointly or exclusively as the Chairman deems appropriate, shall combine such proposals into a consolidated resolution or other matter referred to the Subcommittee and have such bill, resolution, or other matter considered by the Committee. The Committee having referred a bill, resolution, or other matter to a Subcommittee in accordance with this rule may discharge such Subcommittee from further consideration of any bill, resolution, or other matter referred to the Subcommittee and have such bill, resolution, or other matter considered by the Committee. The Committee may determine to be appropriate, subject to any limitations provided for in the House Rules.

Rule XII.—Committee Budget, Staff, and Travel

(a) Committee Budget.—The Committee will make a preliminary budget for each session of the Congress. Such budget shall include amounts for the salaries of all personnel, travel and other expenses of the Committee and subcommittees. After consultation with the Committee Chairman and Committee Members for staff under their direction and supervision. The Committee will consider certain bills, resolutions, and other matters referred to the Committee and shall request the Majority Staff Director to make any announcement relating thereto. (See paragraph (b) of Committee Rule VIII.)

(b) Committee Staff.—The Committee Chairman and Subcommittee Chairmen shall consult with other Subcommittee Chairmen and relevant Committee and Subcommittee Ranking Minority Members of the Committee, pursuant to clause 2(d) of House Rule X, a summary of the proposed budget and recommendations made with respect to each such plan, and a summary of any additional oversight activities undertaken by the Committee, and any recommendations for rules or actions taken with respect thereto.

Rule XIII.—Subcommittee Meetings

(a) Committee Meetings.—The Committee shall provide for the full Committee meetings in accord with the provisions of House Rule VIII. (b) Subcommittee Meetings.—The Chairman determines to be appropriate, subject to any limitations provided for in the House Rules, and the provisions of House Rule VIII. (c) Subcommittees Without a Subcommittee Chairman meeting the Committee. The Committee shall determine to be appropriate, subject to any limitations provided for in the House Rules, and the provisions of House Rule VIII. (d) Referral of Legislation.—

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Chairman, who shall establish and assign the duties and responsibilities of such staff members and delegate such authority as he or she determines appropriate. (See clause 9 of House Rule X).

(2) The Ranking Minority Member of the Committee shall appoint and determine the remuneration of, and may remove, the professional and clerical staff assigned to the minority within the budget approved for such purposes. The professional and clerical staff assigned to the minority shall be under the general supervision and direction of the Ranking Minority Member of the Committee who may delegate such authority as he or she determines appropriate.

(3) From the funds made available for the appointment of Committee staff pursuant to any primary or additional expense resolution, the Chairman shall ensure that each Subcommittee is adequately funded and staffed to discharge its responsibilities and that the Chairman is fairly treated in the appointment of such staff (See clause 6(d) of House Rule X).

(c) Committee Travel.—(1) Consistent with the military expediency and, and such additional expense resolution as may have been approved, the provisions of this rule shall govern official travel of Committee Members and staff of the House during official business and foreign travel (See clause 8 of House Rule X). Official travel for any Member or any Committee staff member shall be paid only upon the presentation of reports by the Chairman which official travel may be authorized by the Chairman for any Committee Member and any Committee staff member in connection with the attendance of the House or such other business conducted by the Committee and its subcommittees and meetings, conferences, facility inspections, and investigations involving activities or subject matter relevant to the general jurisdiction of the Committee. Before such authorization is given there shall be submitted to the Chairman the following:

(i) The purpose of the official travel;
(ii) The dates during which the official travel is to be made and the dates of the event for which the official travel is being made;
(iii) The location of the event for which the official travel is being made;
(iv) The names of Members and Committee staff seeking authorization.

(2) The official travel of Members and staff of a Subcommittee to hearings, meetings, conferences, facility inspections, and investigations involving activities or subject matter related to the jurisdiction of the Subcommittee shall be paid for out of funds allocated to the Committee, prior authorization must be obtained from the Subcommittee Chairman and the full Committee Chairman. Such prior authorization shall be given by the Chairman only upon the representation by the applicable Subcommittee Chairman in writing setting forth those items enumerated in clause (i).

(3) Within 60 days of the conclusion of any official travel authorized under this rule, there shall be submitted to the Committee Chairman a written report covering the information gained as a result of the hearing, meeting, conference, facility inspection, or investigation, and paid pursuant to such official travel.

(4) Local currencies owned by the United States shall be available to the Committee and its employees engaged in carrying out their official duties outside the United States, its territories or possessions. No appropriated funds shall be expended for the purpose of defraying expenses of Members of the Committee or its employees in any country where local currencies are available to the United States and the Committee and its employees shall apply with respect to their use of such currencies;

(i) No Member or employee of the Committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the per diem rate set forth in applicable Federal law, and

(ii) Each Member or employee of the Committee shall make an itemized report to the Chairman within 60 days following the completion of business in a foreign country, the amount of per diem furnished, the cost of transportation furnished, and any funds expended for any other official purposes. They shall summarize in these categories the total foreign currencies and appropriated funds expended. All such individual reports shall be filed by the Chairman with the Committee and the appropriate administrative officers and shall be open to public inspection.

RULE XIII.—AMENDMENT OF RULES

These Rules may be amended by a majority vote of the Committee. A proposed change in these Rules shall not be considered by the Committee as provided in clause 2 of House Rule XI, unless written notice of the proposed change has been provided to each Committee Member 2 legislative days in advance of the date on which the matter is to be considered. Any such change in the Rules of the Committee shall be published in the Congressional Record within 30 calendar days after its approval.

ENROLLED BILL SIGNED

Cheryl L. Johnson, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker

H.R. 1319. An act to provide for reconciliation pursuant to title II of S. Con. Res. 5.

BILL PRESENTED TO THE PRESIDENT

Cheryl L. Johnson, Clerk of the House, reported that on March 10, 2021, she presented to the President of the United States for his approval, the following bill:

H.R. 1319. An act to provide for reconciliation pursuant to title II of S. Con. Res. 5.

ADJOURNMENT

The SPEAKER pro tempore (Mr. AUCHINCLOSS). Pursuant to section 5(a)(1)(B) of House Resolution 8, the House stands adjourned until 9 a.m. tomorrow.

Thereupon (at 6 o'clock and 28 minutes p.m.), under its previous order, the House adjourned until Thursday, March 11, 2021, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

EC-553. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the Board’s semiannual Monetary Policy Report to the Congress, pursuant to Public Law 106-589, to the Committee on Financial Services.

EC-554. A letter from the Regulatory Specialist, Chief Counsel’s Office, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department’s final rule — Role of Supervisory Guidance (Docket No.: OCC-2020-0005) (RIN: 1557-AE90) received February 25, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251 (110 Stat. 868); to the Committee on Financial Services.

EC-555. A letter from the Regulations Coordinating Committee, Department of Health and Human Services, transmitting the Department’s final rule — Implementation of Executive Order 13225, Protecting Life-Saving Medications (RIN: 0906-A253) received February 25, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251 (110 Stat. 868); to the Committee on Energy and Commerce.

EC-556. A letter from the Assistant Legal Advisor, Office of the General Counsel, Department of State, transmitting a report concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zaclibiski Act, pursuant to 1 U.S.C. 112(a); Public Law 92-403, Sec. 1(a) (as amended by Pub. Law 108-458, Sec. 721(b)(1); (118 Stat. 3807); to the Committee on Foreign Affairs.

EC-557. A letter from the Chairman, Board of Directors, United States Postal Service, transmitting the Service’s Office of Inspector General’s Semiannual Report to Congress, covering the period April 1, 2020, through September 30, 2020, to the Committee on Oversight and Reform.

EC-558. A letter from the General Counsel, Executive Office of the President, transmitting six (6) notifications of a federal vacancy, designation of an acting officer, nomination, action on nomination, or change in previously submitted nominations, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, Sec. 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Reform.

EC-559. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation’s 2020 Annual Report, pursuant to 12 U.S.C. 1827(a)(2); September 21, 1956, ch. 967, Sec. 2(17)(a) (as amended by Public Law 101-73, Sec. 229(a)); (103 Stat. 283) and 31 U.S.C. 111(b); Public Law 111-382, Sec. 1214, (as amended by Pub. Law 105-277, Sec. 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Reform.

EC-560. A letter from the Executive Secretary, United States Agency for International Development (USAID), transmitting nine (9) notifications of a designation of an acting officer, pursuant to 5 U.S.C. 3349(a); Public Law 112-78, Sec. 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Reform.

EC-561. A letter from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting the Department’s temporary final rule — Safety Zone: Power Plant, Demolition Grand River, Grand Haven, MI (Docket Number: USCG-2020-0035) (RIN: 1625-AA00) received February 25, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251 (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-562. A letter from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting the Department’s temporary final rule — Safety Zone; Lower Mississippi River, Natchez, MS (Docket Number USCG-2020-0713) (RIN: 1625-AA00) received February 25, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251 (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-563. A letter from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting the Department’s final rule — Drawbridge Operation Regulation; Middle River, near Discovery Bay, CA (Docket Number USCG-2020-0713) (RIN: 1625-AA00) received February 25, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec.
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BACON (for himself, Mr. TAYLOR, and Mr. MOULTON):

H.R. 1727. A bill to amend title I, United States Code, to specify lynching as a deprivation of civil rights, and for other purposes; to the Committee on the Judiciary.

H.R. 1728. A bill to provide rental assistance to low-income tenants in certain multi-family rural housing projects financed by the Rural Housing Service of the Department of Agriculture, and to develop and implement a plan for preserving the affordability of rural housing, and for other purposes; to the Committee on Ways and Means.

By Mr. BARR (for himself, Mr. WILLIAMS of Texas, Mr. LAMBORN, Mr. DEJSKAUSKAS, Mr. BACON, Mr. PERRY, Mr. KALLON of Mississippi, Mr. SMITH of Nebraska, Mr. ISSA, Mr. HUIZENGA, Mr. ARMSTRONG, Mrs. WALORSKI, Mr. CRAWFORD, Mr. GUEST, Mr. STEFANIK, Mr. TAYLOR of Florida, Mr. ROUSER, Mrs. MILLER of West Virginia, Mr. YOUNG, Mr. ROSE, Mr. ROGERS of Kentucky, Mr. RICE of Georgia, Mr. RESCHENTHALER, Mr. KOBY of Utah, Mr. POSEY, Mr. GORAK, Mr. HUDSON, and Mr. LATURNER):

H.R. 1729. A bill to amend the Federal Reserve Act to prohibit certain financial services providers who deny fair access to financial services from using taxpayer funded discount window lending programs, and for other purposes; to the Committee on Financial Services.

By Mr. BILIRAKIS (for himself and Mr. BUTTERFIELD):

H.R. 1730. A bill to amend the Federal Food, Drug, and Cosmetic Act to accelerate development of therapies across the spectrum of rare diseases and conditions and facilitate access to such therapies, and for other purposes; to the Committee on Energy and Commerce.

By Ms. BROWNLEY (for herself, Mr. ABERCROMBIE, Mr. VIAGNA, Mr. PANETTA, Mr. GRIJALVA, Mr. LANGKEVIN, Mr. CAHAYAL, Mr. LOWENTHAL, Mr. PRICE of North Carolina, Mr. NORTON, Mr. TAYLOR of Georgia, to the Committee on Natural Resources, and Mr. CARLSON, Mr. CASSIDY, Mr. DAMOSSÉ, Mr. MILLER of California, Mr. MURDOCK of Utah, Mr. POSEY, Mr. GORAK, Mr. HUDSON, and Mr. LATURNER):

H.R. 1731. A bill to award grants to States to establish or improve, and carry out, Seal of Biliteracy programs to recognize high-level student proficiency in speaking, reading, and writing in both English and a second language; to the Committee on Education and Labor.

By Mrs. BUSTOS:

H.R. 1732. A bill to amend the Internal Revenue Code of 1986 to address the teacher and school leader shortage in early childhood, elementary, and secondary education, and for other purposes; to the Committee on Education and Means, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself, Mr. ROGERS of Kentucky, Mr. BEYER, Mr. THOMPSON of Pennsylvania, Mr. FOSTER, Mr. BLUMENAUER, Mr. YARMUTH, Mr. TITUS, Mr. ROUSH, Mr. DIETZ, Mrs. BROWNLEY, Mr. LAMB, Mr. PORTMAN, Mr. MILLER of Pennsylvania, Mr. CONNOLLY, Mr. CARSON, Ms. JACKSON Lee, Mr. HEROLD, Mr. AXOY, Mr. BUSTOS, Mr. LOWENTHAL, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. SCHAKOWSKY, Mr. JOHNSON of Ohio, Mr. BUCSHON, Mr. WILSON of Kentucky, Mr. HOLUHAN, Ms. SEWELL, Mr. HUFFMAN, Mr. SIEGEL, Mr. MEUSER, Mr. COHEN, Mr. BOWMAN, and Mr. KELLY of Pennsylvania):

H.R. 1733. A bill to amend the Surface Mining and Reclamation Act of 1977 to provide funds to States and Indian tribes for the purpose of promoting economic revitalization, diversification, and development in economically distressed communities through the reclamation of mined land and water resources adversely affected by coal mining carried out before August 3, 1977, and for other purposes; to the Committee on Natural Resources.

By Mr. CARTWRIGHT (for himself, Mr. THOMPSON of Pennsylvania, Mr. MEUSER, Mr. LAMB, Mr. RESCHENTHALER, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. LOWENTHAL, Mr. MULLIN, Mr. HOLUHAN, Mr. GRIJALVA, Mr. HUFFMAN, and Mr. KELLY of Pennsylvania):

H.R. 1734. A bill to amend the Surface Mining and Reclamation Act of 1977 to provide for checking the Secretary to delegate certain emergency reclamation activities to the States and Tribes, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CICILLINE (for himself, Mr. BUCK, Mr. DESAULNIER, Mr. RASKIN, Mrs. SPARROW, Mr. SCOTT of Georgia, Mr. RASKIN, Mr. STEube, and Mr. GAetz):

H.R. 1735. A bill to provide a temporary safe harbor for online content to collectively negotiate with dominant online platforms regarding the terms on which content may be distributed; to the Committee on the Judiciary.

By Mr. DESAULNIER:

H.R. 1736. A bill to direct the Secretary of Transportation to establish the Strengthening Mobility and Revolutionizing Transportation (SMART) Challenge Grant Program to promote technological innovation in our Nation’s communities; to the Committee on Transportation and Infrastructure.

By Mr. DESJARLAIS (for himself, Mr. BUCK, Mr. DESAULNIER, Mr. RASKIN, Mrs. SPARROW, Mr. SCANTON, Mr. WILK, Mr. STEube, and Mr. GAetz):

H.R. 1737. A bill to designate the Mental Health Resilience and Inoculation: Treatment Facility Expansion of the Department of Veterans Affairs Alvin C. York Medical Center in Murfreesboro, Tennessee, as the "Sequoyah Residential and Rehabilitation Treatment Facility"; to the Committee on Veterans’ Affairs.

By Mrs. DINGELL (for herself and Mr. KAGAN):

H.R. 1738. A bill to amend titles XIX and XXI of the Social Security Act to provide for 12-month continuous enrollment of individuals under the Medicaid program and Children’s Health Insurance Program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GARAMENDI:

H.R. 1739. A bill to amend title I, United States Code, to provide for veterinary care forired and disabled military veterans and for other purposes; to the Committee on Armed Services.

By Miss GONZÁLEZ-COLÓN:

H.R. 1740. A bill to designate all of Puerto Rico as an opportunity zone; to the Committee on Ways and Means.

By Miss GONZÁLEZ-COLÓN:

H.R. 1741. A bill to amend the Internal Revenue Code of 1986 to allow accelerated depreciation of certain qualified film and television and live theatrical productions in Puerto Rico; to the Committee on Ways and Means.

By Miss GONZÁLEZ-COLÓN:

H.R. 1742. A bill to amend the Internal Revenue Code of 1986 to treat Puerto Rico as part of the United States for purposes of determining whether real property qualifies for treatment as a like-kind exchange; to the Committee on Ways and Means.

By Mr. GREEN of Tennessee (for himself and Mr. CUELLAR):

H.R. 1743. A bill to require annual reports on shipboard contributions to defense, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HASTINGS (for himself, Mr. BUCHANAN, Mrs. BRATY, Ms. ROYALL, and Ms. BROWNLEY):

H.R. 1744. A bill to amend the Public Health Service Act to provide for the establishment of a National Center for Alternatives to Animals in Research and Testing, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HOLLINGSWORTH (for himself, Mr. CUELLAR, Ms. SLOTKIN, Ms. LAHOOD, Mr. WESTERMAN, Mr. COOPER, Mr. BADERSON, Mr. GOLDEN, and Mrs. HINSON):

H.R. 1745. A bill to direct the Secretary of Transportation to issue regulations relating to commercial motor vehicle drivers under the age of 21, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HUSON:

H.R. 1746. A bill to facilitate the efficient licensing and deployment of advanced civilian nuclear technologies; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISSA (for himself and Mr. LAMALFA):

H.R. 1747. A bill to amend title 5, United States Code, to provide for priority appointment to Federal firefighting and firefighting support positions in the Forest Service or the Department of the Interior, and for other purposes; to the Committee on Oversight and Reform.

By Mr. JOHNSTON of Ohio (for himself and Mr. GONZÁLEZ of Ohio):

H.R. 1748. A bill to assess and improve the competitiveness of American civilian nuclear commerce, to expedite Department of Energy review of certain nuclear technology exports, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
H.R. 1750, a bill to ensure that organizations with religious or moral convictions are allowed to continue to provide services for children; to the Committee on Ways and Means.

By Mr. KILDEE:

H.R. 1751. A bill to provide for technical assistance under the health profession opportunity grant program under section 108 of the Social Security Act; to the Committee on Ways and Means.

By Mrs. CHENOWETH:

H.R. 1752. A bill to amend the Food, Agriculture, Conservation, and Trade Act of 2002 to authorize the Secretary of Agriculture to make available to States and local agencies funds to implement emergency relief measures to address school meal program needs during the COVID-19 emergency; to the Committee on Education and Labor.

H.R. 1753. A bill to amend the Secure Rural Schools and Community Self-Determination Act of 2000 to authorize such Act for 2021; to the Committee on Natural Resources.

H.R. 1754. A bill to amend the Communications Act of 1934 to require the Federal Com-
education to follow the student; to the Committee on Education and Labor. By Mr. ROY (for himself and Mr. BOST): H.R. 171. A bill to prohibit the Secretary of Veterans Affairs from transmitting certain information to the Department of Justice for use by the national instant criminal background check system; to the Committee on Veterans' Affairs.

By Mr. RYAN (for himself, Mr. Rischenthaler, Mr. Kelly of Mississippi, Ms. Stefanik, and Mrs. BUSTORF): H.R. 1772. A bill to amend the Passport Act of 1920 to exempt from the collection of certain fees an individual who was awarded the Purple Heart; to the Committee on Foreign Affairs.

By Mr. ABIGAIL (for himself, Mr. Popovitch, Mr. Welton, Mr. EATON of New York, Mr. STOICHEF, and Mr. HAYNES): H.R. 1773. A bill to make the Commonwealth of the Northern Mariana Islands eligible for the program of block grants to States for temporary assistance for needy families; and for other purposes; to the Committee on Ways and Means.

By Mr. SCHRADE: H.R. 1774. A bill to reduce the annual rate of pay of Members of Congress if a Government shutdown occurs during a year, and for other purposes; to the Committee on House Administration. By Mr. CONCIA (for the Committee on Oversight and Reform): H.R. 1775. A bill to provide justice for victims of State misrepresentation to the World Health Organization, and for other purposes; to the Committee on Education and the Workforce.
CONSTITUTIONAL AUTHORITY
STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution:

By Mr. BACON:
H.R. 1727.
Congress has the power to enact this legislation pursuant to the following:
Art. I, Sec. 8, Cl. 18 of the U.S. Constitution, which provides as follows:

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. DEJARLAIS:
H.R. 1728.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Art. I, Sec. 8, Cl. 18 of the Constitution of the United States.

By Mr. BROWNLEY:
H.R. 1731.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Art. I, Sec. 8, Cl. 18 of the Constitution of the United States.

By Mr. CARTWRIGHT:
H.R. 1733.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Art. I, Sec. 8, Cl. 18 of the United States Constitution.

By Mr. DeSAULNIER:
H.R. 1734.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Art. I, Sec. 8, Cl. 18 of the United States Constitution.

By Mr. CIKLIN:
H.R. 1735.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Art. I, Sec. 8, Cl. 18 of the Constitution of the United States.

By Mr. DoSaulnier:
H.R. 1736.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Art. I, Sec. 8, Cl. 18 of the United States Constitution.

By Mr. Desjarlais:
H.R. 1737.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Art. I, Sec. 8, Cl. 18 of the United States Constitution.

By Mrs. Dingell:
H.R. 1738.
Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Art. I, Sec. 8, Cl. 18 of the Constitution of the United States.

By Mr. Garamendi:
H.R. 1739.
Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Miss Gonzalez-Colon:
H.R. 1740.
Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. Green of Tennessee:
H.R. 1741.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Art. I, Sec. 8, Cl. 18 of the Constitution of the United States.

By Mr. Hastings:
H.R. 1742.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Art. I, Sec. 8, Cl. 18 of the Constitution of the United States.

By Mr. Hollingsworth:
H.R. 1743.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Art. I, Sec. 8, Cl. 18 of the Constitution of the United States.

By Mr. Hudson:
H.R. 1744.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Art. I, Sec. 8, Cl. 18 of the Constitution of the United States.

By Mr. Johnson of Ohio:
H.R. 1745.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Art. I, Sec. 8, Cl. 18 of the Constitution of the United States.

By Mr. Kelly of Pennsylvania:
H.R. 1746.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Art. I, Sec. 8, Cl. 18 of the Constitution of the United States.

By Mr. Klinker:
H.R. 1747.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Art. I, Sec. 8, Cl. 18 of the Constitution of the United States.

By Mr. Kildee:
H.R. 1748.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Art. I, Sec. 8, Cl. 18 of the Constitution of the United States.

By Mr. Krishnamoorthi:
H.R. 1749.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Art. I, Sec. 8, Cl. 18 of the Constitution of the United States.

By Mr. Long:
H.R. 1750.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Art. I, Sec. 8, Cl. 18 of the Constitution of the United States.

By Ms. Lee of California:
H.R. 1751.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Art. I, Sec. 8, Cl. 18 of the Constitution of the United States.
Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the Constitution, Congress has the power to collect taxes and expend funds to provide for the general welfare of the United States. Congress may also make laws that are necessary and proper for carrying into execution their powers enumerated under Article I.

By Mrs. CAROLYN B. MALONEY of New York:
H.R. 1755.
Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2 of the Constitution.

H.R. 1756.
Congress has the power to enact this legislation pursuant to the following:
Section 8—Powers of Congress. To make all needful rules and regulations relating to the following:

Clause 18, section 8 of article I of the Constitution.

By Mr. PANETTA:
H.R. 1767.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18.

By Ms. PLASKETT:
H.R. 1768.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. QUIGLEY:
H.R. 1769.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution.

By Mr. ROY:
H.R. 1770.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

H.R. 1771.
Congress has the power to enact this legislation pursuant to the following:

“This shall have the power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SABLAN:
H.R. 1773.
Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8 of the Constitution.

By Mr. SCHRADE:
H.R. 1774.
Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. 1 § 8.

By Mr. SMITH of New Jersey:
H.R. 1775.
Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the US Constitution.

By Mrs. CAMMACK:
H.R. 1776.
Congress has the power to enact this legislation pursuant to the following:

Article I of the United States Constitution, including the power granted under Article I, Section 8, Clause 18, and the power granted to each House of Congress under Article I, Section 5, Clause 2.

By Ms. STEFANIK:
H.R. 1777.
Congress has the power to enact this legislation pursuant to the following:

Article I Section 8.

By Mr. STEWART:
H.R. 1778.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. STEWART:
H.R. 1779.
Congress has the power to enact this legislation pursuant to the following:

By Ms. VELAZQUEZ:
H.R. 1780.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.
The Congress shall have Power to . . . provide for the . . . general Welfare of the United States.

By Mr. WALBERG:
H.R. 1781.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3—Congress shall have the power to regulate commerce with foreign Nations, and among several States, and with the Indian tribes.

By Ms. WEXTON:
H.R. 1782.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 18: Mr. TURNER.
H.R. 38: Mr. TURNER.
H.R. 51: Ms. SCHRIER.
H.R. 97: Mr. GARAMENDI.
H.R. 144: Mr. BONAMICI, Mr. LAMB, Mr. GARCIA of California, and Mrs. KIRKPATRICK.
H.R. 239: Mr. LAMB and Mr. STANTON.
H.R. 243: Mr. TURNER.
H.R. 303: Ms. CRAIG and Ms. BROWNLEY.
H.R. 333: Ms. BROWNLEY and Mr. TURNER.
H.R. 342: Mr. GARBARINO.
H.R. 366: Mr. VAN DREW, Mr. FITZPATRICK, and Ms. LEE of California.
H.R. 384: Mr. SIRIEUX.
H.R. 431: Ms. ADAMS, Mr. CRAWFORD, Mrs. ROSE of Virginia, Mr. BOST, Mr. THOMPSON of Pennsylvania, Ms. HERRERA BRUTLER, Mr. SCHWEIKERT, Mr. ROONEY of Illinois, Ms. BLUNT ROCHESTER, Mrs. MURPHY of Florida, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. TRONE, Mr. GUEST, and Mr. LUEFTKEMIYER.
H.R. 432: Ms. PINGREE, Mr. HARDER of California, Mr. LOWENTHAL, Mr. VAN DREW, Mr. GRIFFITH, Mr. RUTHERFORD, and Mr. BUCHANAN.
H.R. 469: Mr. MEeks.
H.R. 485: Mr. THOMPSON of Pennsylvania.
H.R. 543: Ms. FOXX.
H.R. 545: Ms. SPEIER.
H.R. 549: Mr. VAN DREW.
H.R. 550: Mr. BARTLETT, Ms. WILLIAMS of Georgia, Mrs. DEMINGS, Ms. LOIS FRANKEL of Florida, Mr. BRIAN of Ohio, Ms. UNDERWOOD, Mr. LEVIN of California, and Ms. SEWELL.
H.R. 671: Ms. SPANSBERGER.
H.R. 556: Mr. BROWN, Ms. JACOBS of California, and Ms. WATERS.
H.R. 571: Mrs. Kim of California.
H.R. 586: Mr. VARDA and Mr. GALLAVIA.
H.R. 603: Ms. KUSTIE.
H.R. 634: Mrs. MCCLAIN and Mr. UPTON.
H.R. 638: Mr. NORMAN.
H.R. 667: Mr. KELLY of Illinois, Mr. COHEN, and Ms. NORTON.
H.R. 682: Mr. LUEFTKEMIYER, Mr. STEWART, Mr. FITZGERALD, Mr. JACOBS of New York, and Mr. CAROTHERS of Georgia.
H.R. 684: Mr. TURNER.
H.R. 695: Mr. MIRVAN.
H.R. 706: Mr. VAN DREW.
H.R. 707: Mr. CLINTON.
H.R. 713: Mr. NORMAN.
H.R. 714: Mr. NORMAN.
H.R. 715: Mr. NORMAN.
H.R. 716: Mr. NORMAN.
H.R. 717: Mr. NORMAN.
H.R. 718: Mr. NORMAN.
The Senate met at 10 a.m. and was called to order by the Honorable BEN RAY LUJÁN, a Senator from the State of New Mexico.

**PRAYER**

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

Let us pray.

Eternal God, You are our fortress. Thank You for surrounding us with Your walls of goodness, mercy, and love. Even when overwhelmed, we remain confident. Great and marvelous are Your works.

Today, inspire our lawmakers to again seek Your wisdom. May they cry out to You for guidance and receive Your light to illuminate the path ahead.

Lord, be merciful to them and answer their prayers, for You are the God of their salvation. Remind them that You are alive and in control of all challenges that confront our Nation and world.

We pray in Your powerful Name. Amen.

**PLEDGE OF ALLEGIANCE**

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

**APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE**

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE.
President pro tempore,

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BEN RAY LUJÁN, a Senator from the State of New Mexico, to perform the duties of the Chair.

PATRICK LEAHY,
President pro tempore.

Mr. LUJÁN thereupon assumed the Chair as Acting President pro tempore.

**RESERVATION OF LEADER TIME**

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

**RECOGNITION OF THE MAJORITY LEADER**

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

**NOMINATIONS**

Mr. SCHUMER. Mr. President, today, the Senate has a packed schedule. By the end of the day, the Senate will have confirmed another three members of President Biden’s Cabinet.

First up is Representative MARCIA FUDGE to serve as the 18th Secretary of Housing and Urban Development. What an excellent choice for the job. She represented the people of Ohio in Congress since 2008 and, before that, served as the first African American and first female mayor of Warrensville Heights in Ohio.

She has a difficult job ahead of her. Millions of Americans are behind on the rent and 3 million homeowners are in forbearance. At the same time, we are on the verge of passing major assistance for renters and for homeowners. As the incoming Secretary, I know Representative FUDGE will implement that assistance with acclivity. And, of course, I will be focusing, among other issues in housing, on public housing, which I know she cares about a great deal as well.

Later this afternoon, we will move to the confirmation of Merrick Garland to become Attorney General. After Donald Trump spent 4 years, 4 long years, subverting the powers of the Justice Department for his own political benefit, treating the Attorney General like his own personal defense lawyer, America can breathe a sigh of relief that we are finally going to have someone like Merrick Garland leading the Justice Department, someone with integrity, independence, respect for the rule of law, and credibility on both sides of the aisle.

The job of Attorney General is one to protect the rule of law, unlike the previous Attorney General under President Trump who, too often, just bowed to his whim and his will when it was against rule of law.

It is confounding, in light of all of that, that Republicans have chosen—some of them anyway—to delay his nomination, particularly in the aftermath of the Capitol attacks, but he will be confirmed today, despite their attempts to stonewall the process.

Finally, Mr. President, the Senate will confirm Michael Regan to serve as EPA Administrator. Once again, the change between the previous administration and the incoming Administrator will be dramatic. Under Donald Trump, the EPA weakened environmental protections, fudged the science, and completely ignored climate change for potentially, unfortunately, disastrous effect.

It is high time the Senate confirmed someone like Michael Regan, who has made environmental protection the cause of his career, to lead the Agency and set it back on its proper footing.

Once we finish with the confirmations of these three nominees, the Senate will have confirmed 16 Cabinet-level officials. That is in addition to passing a massive COVID bill and conducting an impeachment trial of the former President—despite getting a late start to our work thanks to a delay in the organizing resolution. The Senate is going to keep up the pace.
President Biden deserves to have his team in place, working for the American people.

AMERICAN RESCUE PLAN ACT OF 2021

Mr. SCHUMER. Mr. President, now on the American Rescue Plan, later today, the House of Representatives is set to approve the American Rescue Plan and send it straight to President Biden’s desk for his signature, capping a monthlong effort by the Democrats to pass bold COVID relief to defeat the pandemic and boost our economy. Once President Biden signs the bill into law, it will immediately become the most sweeping Federal recovery package in recent history.

Even a cursory reading of the headlines gives you a sense of the historic nature of this bold and so helpful legislation.

Here is one from yesterday from the New York Times:

Growth in the U.S. could surge on the stimulus plan and a rapid vaccine rollout.

Wouldn’t that be great? We think there is a very good chance of its happening.

Forbes: U.S. Economy Will Recover Twice as Fast Thanks to $1.9 Trillion Stimulus.

That is from Forbes, a conservative publication.

The Associated Press: COVID bill to deliver big health insurance savings for many.

This is something so many Americans desperately need and want.

Here is another from the New York Times:

In the Stimulus Bill, a Policy Revolution in Aid for Children.

A policy revolution.

Simply put, the American Rescue Plan is one of the most significant Federal relief efforts that Congress has seen in a very, very long time. I am greatly looking forward to its becoming law.

Now, I have spent a lot of time talking about all of the different provisions of the bill today and in previous remarks on the floor of the Senate. That is because the American Rescue Plan is a truly comprehensive effort. COVID-19 has impacted nearly every aspect of American life. So we had to craft legislation that spanned the gamut: schools, businesses, families, jobs, healthcare. Because this bill is so wide-ranging, I haven’t spent enough time on the significance of the individual programs.

I want to rectify that over the next several weeks. This morning, I want to focus on two initiatives: first, the child tax credit and, second, agricultural assistance for disadvantaged farmers.

According to the most recent data, more than 30 million children live below the poverty line in America—10 million children. A child starting out in life, through no fault of his or her own, lives below the poverty line, and we know what that means in terms of food and healthcare and housing and education. Compared with other nations around the world, the United States dedicates a relative pittance—a pittance—to fixing that terrible injustice.

Listen to this. This is something that should make us both ashamed that the United States has been in this position for so long and proud that the American Rescue Plan rectifies that injustice. Here it is. The United States ranks next to last among the world’s 37 most developed economies in terms of family benefits—barely ahead of Turkey—nothing that can make Americans proud.

Of course, the pandemic has made the problem of child poverty even worse. It has forced parents to serve as childcare providers and surrogate teachers while trying to keep up with their own jobs. For those who lost their jobs through no fault of their own, the pressure only increased. The difficulty of child care during the pandemic is likely one of the main reasons there has been a disproportionate share of women who have fallen out of the workforce. The pandemic has left mothers and fathers with impossible choices, between keeping their jobs and incomes or leaving work to care for their children, stuck at home, whom they so dearly love.

Democrats decided to tackle this problem head on in the American Rescue Plan. We expanded the child tax credit to provide up to $3,000 per child, ages 6 to 17, and $3,600 per child under the age of 6 for an overwhelming majority of families in this country. Analysts predict that this policy will cut childhood poverty in half—half. That is an astounding statistic. It will cut child poverty in half. A goal of so many who have studied the frailties of our economy. That is just one reason reviewers have called the American Rescue Plan one of the “most far-reaching anti-poverty efforts in an [entire] generation.”

A salute to SHERROD BROWN, MICHAEL BENNET, and CORY BOOKER, who really highlighted how much good it will do.

The American Rescue Plan will help rectify that terrible injustice. That is from Forbes, a conservative publication.

The American Rescue Plan “the most significant legislation for Black farmers since the Civil Rights Act.”

It is amazing what we can do when we put our minds to it. The hangover from the horrible treatment that rural African-American farmers have gotten since the days of slavery can, in part—in decent part—be undone by this legislation.

I want to thank some of my fellow Senators who did such work on this bill. The provisions I have mentioned owe a great deal to the members of the Agriculture Committee and the Finance Committee. Senator STABENOW was relentless in pushing this issue. Senator WYDEN, chair of the Finance Committee, helped out a great deal, and Senators WARRICK and BOOKER pushed very hard as well.

The American Rescue Plan is going to have an immense impact on nearly every community in America. In the weeks and months to come, I will be highlighting how much good it will do.

I have a few housekeeping things to do.

SIGNING AUTHORITY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the senior Senator from New York be authorized to sign duly enrolled bills or joint resolutions on March 10.

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

JOHN LEWIS NIMHD RESEARCH ENDowment REVITALIZATION ACT OF 2021

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 320 and the Senate proceed to its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 320) to amend the Public Health Service Act to provide that the authority of the Director of the National Institute on Minority Health and Health Disparities to make certain research endowments applies with respect to both current and former centers of excellence, and for other purposes.

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

Mr. SCHUMER. I ask unanimous consent that the bill be considered read a third time.
The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. SCHUMER. I know of no further debate.

The ACTING PRESIDENT pro tempore. Is there further debate?

If not, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 320) was passed, as follows:

S. 320

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

SECTION 1. SHORT TITLE. This Act may be cited as the “John Lewis NIMHD Research Endowment Revitalization Act of 2021.”

SEC. 2. RESEARCH ENDOWMENTS AT BOTH CURRENT AND FORMER CENTERS OF EXCELLENCE.

Paragraph (1) (beginning with “(1) IN GENERAL—”) of section 464z-3(h) of the Public Health Service Act (42 U.S.C. 285(h)) is amended to read as follows:

“(1) IN GENERAL.—The Director of the Institute may carry out a program to facilitate minority health disparities research and other health disparities research by providing for research endowments—

“(A) at current or former centers of excellence under section 736; and

“(B) at current or former centers of excellence under section 464-4.”.

Mr. SCHUMER. I ask that the motion that for further consideration be considered made and laid upon the table.

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

AMENDING THE FEDERAL FOOD, DRUG, AND COSMETIC ACT WITH RESPECT TO THE SCOPE OF NEW CHEMICAL EXCLUSIVITY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 415 and the Senate proceed to its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 415) to amend the Federal Food, Drug, and Cosmetic Act with respect to the scope of new chemical exclusivity.

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

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

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

The bill (S. 415) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

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

SECTION 1. CLARIFYING THE MEANING OF NEW CHEMICAL ENTITY.

(a) IN GENERAL.—Chapter V of the Federal Food, Drug, and Cosmetic Act is amended—

(1) in section 505 (21 U.S.C. 355)—

(A) in subsection (c)(3)(E), by striking “active ingredient (including any ester or salt of the active ingredient)” and inserting “active moiety (as defined by the Secretary in section 314.3 of title 21, Code of Federal Regulations (or any successor regulations));”;

(B) in subsection (j)(5)(F), by striking “active ingredient (including any ester or salt of the active ingredient)” each place it appears and inserting “active moiety (as defined by the Secretary in section 314.3 of title 21, Code of Federal Regulations (or any successor regulations));”;

(C) in subsection (1)(2)(A)—

(i) by amending clause (i) to read as follows:

“(i) not later than 30 days after the date of approval of such applications—

“(1) for a drug, no active moiety (as defined by the Secretary in section 314.3 of title 21, Code of Federal Regulations (or any successor regulations)) of which has been approved in any other application under this section; or

“(2) if the Secretary does not refer a drug or biological product to an advisory committee prior to the approval of such drug or biological if it is—

“(A) a drug, no active moiety (as defined by the Secretary in section 314.3 of title 21, Code of Federal Regulations (or any successor regulations)) of which has been approved in any other application under this section; or

“(B) a biological product, no active ingredient of which has been approved in any other application under section 351 of the Public Health Service Act; or

“(C) in subsection (1)(2)(B) by inserting “(i) biological product” before the period;

(D) by amending subsection (s) to read as follows:

“(s) REFERRAL TO ADVISORY COMMITTEE.—The Secretary shall—

“(1) refer a drug or biological product to a Food and Drug Administration advisory committee for review at a meeting of such advisory committee prior to the approval of such drug or biological if it is—

“(A) a drug, no active moiety (as defined by the Secretary in section 314.3 of title 21, Code of Federal Regulations (or any successor regulations)) of which has been approved in any other application under this section; or

“(B) a biological product, no active ingredient of which has been approved in any other application under section 351 of the Public Health Service Act; or

“(2) if the Secretary does not refer a drug or biological product described in paragraph (1) to a Food and Drug Administration advisory committee prior to such approval, provide in the action letter on the application for the drug or biological product a summary of the reasons why the Secretary why the Secretary did not refer the drug or biological product to an advisory committee prior to approval.”; and

(E) in subsection (u)(1), in the matter preceding subparagraph (A)—

(i) by striking “active ingredient (including any ester or salt of the active ingredient)” and inserting “active moiety (as defined by the Secretary in section 314.3 of title 21, Code of Federal Regulations (or any successor regulations));”;

(ii) by striking “same active ingredient” and inserting “same active moiety”;

(2) in section 512(c)(2)(F) (21 U.S.C. 360(c)(2)(F)), by striking “active ingredient (including any ester or salt of the active ingredient)” each place it appears and inserting “active moiety (as defined by the Secretary in section 314.3 of title 21, Code of Federal Regulations (or any successor regulations));”;

(3) in section 524(a)(4) (21 U.S.C. 360a(a)(4)), by amending subparagraph (C) to read as follows:

“(C) is for—

“(i) a human drug, no active moiety (as defined by the Secretary in section 314.3 of title 21, Code of Federal Regulations (or any successor regulations)) of which has been approved in any other application under section 505(b)(1); or

“(ii) a biological product, no active ingredient of which has been approved in any other application under section 351 of the Public Health Service Act.”;

(b) TECHNICAL CORRECTIONS.—Chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.) is amended—

(1) in section 505 (21 U.S.C. 355)—

(A) in subsection (c)(3)(E), by repealing clause (i); and

(B) in subsection (j)(5)(F), by repealing clause (i); and


RECOGNIZING THE 100TH ANNIVERSARY OF THE HOOSIER GYM AND THE 35TH ANNIVERSARY OF THE RELEASE OF THE FILM ‘‘HOOSIERS’’

Mr. SCHUMER. Mr. President. I ask unanimous consent that the Senate proceed to the consideration of S. Res. 102, submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 102) recognizing the 100th anniversary of The Hoosier Gym and the 35th anniversary of the release of the film “Hoosiers.”

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. It was a very good film. I must add.

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

The resolution (S. Res. 102) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

Mr. SCHUMER. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

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

NOMINATIONS

Mr. MCCONNELL. Mr. President, yesterday, I voted to advance the nominations of Congresswoman MARCIA FUDGE to be Secretary of Housing and Urban Development and Judge Merrick Garland to be Attorney General.

These aren’t the nominees whom any Republican would have picked for these jobs, but the Nation needs Presidents to be able to stand up a team so long as their nominees are qualified and mainstream. I have voted to confirm people like Secretaries Austin, Blinken, Yellen, Vilsack, and Buttigieg. We certainly disagree on plenty of issues, but I spent 4 years watching many of our Democratic colleagues do everything possible to obstruct and delay President Trump’s nominees right from the start.

Now we hear of many of the same Democrats insisting that, as a matter of principle, a new President needs his team and any delay is an outrage. It is funny how some things change. My position has not.

I am voting to confirm Judge Garland because of his long reputation as a straight shooter and a legal expert. His left-of-center perspective has been within the legal mainstream.

For the country’s sake, let’s hope our incoming Attorney General applies that no-nonsense approach to the serious challenges facing the Department of Justice and our Nation. Let’s hope that he controls the bureaucrats and leftist subordinates that the President proposes to place under him, rather than the other way around.

When I spoke to Judge Garland, we discussed his commitment to the ongoing investigation of the events of January 6. Federal law enforcement needs to continue the work of identifying, arresting, and prosecuting those who broke the law in order to disrupt the constitutional business of Congress. He assured me that will remain a priority.

At the same time, it is essential that DOJ treat political violence with equal seriousness. For too long, political from the fringe it may come from. Last summer, riots, vandalism, and even a so-called “autonomous zone” consumed parts of American cities. In some instances, thugs directly attacked Federal property. But amazingly, some local leaders seem to tolerate the chaos than tolerate the angry tweets that leftwing activists might have sent if they had stepped in to actually do their jobs.

We were fortunate to have Attorney General Barr, who took seriously the Federal Government’s role to protect Federal property and enforce Federal law. Judge Garland must be prepared to do the same.

Of course, the riots haven’t been the only area where we have seen liberal governance give short shrift to the rule of law. The Obama administration was famous for its willingness to let ideology dictate the enforcement of Federal laws or the lack thereof. Take the DACA Program, for example. When the Obama administration realized their preferred immigration policies couldn’t get through Congress the right way, they stretched prosecutorial discretion and law enforcement discretion to create unconstitutionally extreme. When confirmed, Judge Garland must not back other constitutionally corrosive efforts to effectively repeal laws just by ignoring them.

That brings me to the issue of immigration more broadly. Just a few weeks into the job, the Biden administration and Secretary Mayorkas are fleeing and falling on our southern border. The number of unaccompanied migrant children in Border Patrol custody has tripled in just 2 weeks and now dwarfs anything seen during the last 4 years.

Like I mentioned last week, this is not an isolated question of border policy alone. The backdrop behind this entire crisis is the giant push toward amnest y and insecurities that the administration advertised throughout the campaign and every time they step to the podium now. That is what has enticed people to flood in.

Even now, administration staff keeps parroting strange lines like “Now is not the time to come.” “Now is not the time to come”? Well, when is the right time to break Federal law? Is there going to be a good time to break into the country illegally, and people need to just be patient and wait for their signal? What on Earth are they talking about?

A lot of blame for this mess rests on Secretary Mayorkas himself. He spent the first few months of his tenure downplaying and denying the crisis instead of solving it. But, again, the Biden administration’s left-wing approach to this issue is not limited to DHS or to the border. Interior enforcement is a key component.

On Secretary Mayorkas’ watch, we have seen what the Washington Post calls “a sharp drop” in arrests by Immigration and Customs Enforcement—a collapse of more than 60 percent from just the prior few weeks. This is a political choice, in effect, not to enforce the law.

Judge Garland must ensure the Department of Justice takes its duty to uphold the law more seriously.

Mr. President, on a related matter, after we confirm Congresswoman FUDGE and Judge Garland, the Senate will consider two nominees I will not be supporting. They both report straight to the frontlines of the new administration’s leftwing war on American energy. They would work to unbalance the balancing act between conservation and the economic come back we badly need.

To head the Environmental Protection Agency, the President has nominated Michael Regan, a longtime regulator and activist. Mr. Regan has plenty of experience. The problem is what he is poised to do with it. He and the administration are plainly prepared to move that experience behind the same far-left policies that crushed jobs and prosperity in States like Kentucky throughout the Obama administration.


Kentuckians know that when bad policies like those are on the table, it means their jobs, their livelihoods, and their communities are on the menu.

Congresswoman HAALAND, the President’s pick to lead the Department of the Interior, was literally an original cosponsor of the Green New Deal. She has vowed to “keep fossil fuels in the ground” and once pledged “to vote against all new fossil fuel infrastructure.”

Her record and her views ignore the fact that American energy independence fueled prosperity for the working class and middle class over the last 4 years. Yet in multiple of those years, our carbon emissions actually went down—went down. The supposed choice between a clean environment and domest ic energy independence is a false choice. It only exists as a zero-sum tradeoff in the minds of Democrats.

We have every reason to believe that voting for Mr. Regan and Representative HAALAND would be voting to raise gas prices for families who are already struggling, voting to raise fuel and heating bills for seniors on a fixed income, voting to take the tough times we have been through this year and making them even tougher.

I will be voting for American families and against both of their nominations.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.
EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tem. 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 MARCIA LOUISE FUDGEE to be Secretary of Housing and Urban Development.

The ACTING PRESIDENT pro tem. The majority whip.

IMMIGRATION

Mr. DURBIN. Mr. President, for 20 years now, I have come to this floor hundreds of times to speak on behalf of the DREAM Act, which I introduced long ago. During that period of time, I have had an occasional vote. I have not been successful in making it the law of the land.

The closest I came was about 8 years ago, when we had the comprehensive immigration reform bill. Four Democratic Senators and four Republican Senators—and I was among them—worked for months to try to address our broken immigration system. We came up with an agreement that was no mean feat. It is a complex area of law. It is a controversial area of law. It is an area of law that changes almost by the day, and we were trying to find a solution to changes that it presents.

To think that we are a nation of immigrants and, then, to reflect on our history on immigration is to leave one puzzled.

Most of the time we have been against immigration, despite the arrival of good people on our borders. Occasionally, when we were building a transcontinental railroad, we would invite people from China in to take the backbreaking jobs, only to categorically exclude them from immigration in the meantime. It is hard to explain, understand, or appreciate where we stand on immigration.

When I hear the Republican leader come to the floor and criticize President Obama for DACA, I have to say that it is personal to me. I was writing letters to President Biden, my former Senate colleague from Illinois, begging him to do just that, and he did.

In creating DACA, he gave the Dreamers a fighting chance, and more than 800,000 of them came forward. These were young people who were brought to the United States as toddlers and infants and children, not because of a personal decision but a family decision. They grew up here, went to school here, and believed they were a part of this country, only to learn in a quiet moment of honesty from their parents that they didn’t have the necessary paperwork and they had to be extra careful or face deportation.

I thought that was a heartbreaking conclusion for their time in America and introduced the Dream Act. And when we could not pass it, I asked

President Obama to do what he could to help, and he did. I thank him for it still to this day.

But DACA, if it was stretching Executive power, was certainly reflective of where the American people are on this issue. No apologies; the American people don’t hold these young children now grown responsible for their family’s decision. They want to give them a chance. They want to give them a chance to earn legal status, to earn a path to citizenship. No apologies here; these are wonderful young people who make America a better country, and we need them to be a part of our future.

So for those who come to the floor critical of DACA, I just tell you: Take a couple of minutes and meet these young people. I have come to the floor over a hundred times telling their personal stories. They are a great source of pride, not just for me but for this Nation.

Now we face problems on our border—and we have for some time—and they are challenges that are very real. Mr. Mark Warner, as the head of the Department of Homeland Security. He is a person I willingly and anxiously support for that job. He has a personal family story of immigration, but, more importantly, he has a depth of experience that is almost impossible to find in other places.

He has tried to come together with the leaders in Central America to fashion a plan for order on the border, and it is difficult. It is true that larger numbers are coming to the border at this time. The Senator from Kentucky said earlier that they believe they have a right to break Federal law. I couldn’t disagree with him more. They are presenting themselves at the border under the law of asylum in the United States so that they can be judged as to whether or not they are eligible to come into this country. That is the process, but it has broken down because the numbers presenting themselves at the border and the backlogs, more than a million cases pending.

We don’t have enough judges. We don’t have a procedure that is sensible and humane. We need all of that, and it is not going to happen the day after tomorrow. Part of it depends on us. It is one thing to come to the floor and lament the situation of immigration in our country. It is another to roll up your sleeves and say: Let’s do it; let’s solve it on a bipartisan basis. And it is certainly an imperative in a 50-50 Senate that any immigration legislation be done on a bipartisan basis.

I stand ready to do that as chairman of the Judiciary Committee, and I think the Republican side agree with me. As tough as it may be, we need to tackle these issues and not ignore them as they have been ignored during the last 4 years. That is going to call for some cooperation and compromise on both sides, but we owe it to our country to do the right thing to make our immigration system sensible, logical, and fair.

I don’t want to go back to those moments under the Trump administration of zero tolerance, where over 2,000 children were forcibly removed from their parents, sent into a bureaucratic “Never Never Land” and then were only reunited—and not all of them have been—we took that because of a Federal court order calling on the Trump administration to do it.

They cast those children adrift in the bureaucracy. It wasn’t until the Federal court demanded that they be reunited with their families that it happened—in most instances but not in all of them. So we have a lot of work to do, and I hope we can do it on a bipartisan basis. We need to do it as quickly as we can on a bipartisan basis.

56TH ANNIVERSARY OF BLOODY SUNDAY

Mr. President, I was a college student in town here at Georgetown University, and I can remember it well. You have a lot of time to talk with your roommates about things that you might just do with your life and things that you should do, even as a student. I remember that week before the march on Selma, there was a serious conversation among my roommates as to whether we ought to pack up and head to Selma, AL, to join in the march. We were serious about it. We thought about it, but, in the end, it fell through. Too many classes would be cut and jobs we wouldn’t be attending to, and we decided at the last minute it just wasn’t practical at all for us to do it. I regret that decision to this day. I wish I had been there, even if I were in the back of the line, to say I was part of that day in history.

It was 56 years ago last Sunday, some 600 civil rights activists, 56 years ago, were kneeling in prayer outside the Brown Chapel AME Church in Selma. Leading them was our dearly departed friend—and I know he was the President’s friend as well—and former colleague John Lewis. As they stood up outside the church, they formed two rows and began a silent, orderly march toward Montgomery, AL. We all remember that photo of John Lewis coming over that bridge in his tan raincoat and his backpack.

As the civil rights activists reached the Edmund Pettus Bridge, they were met by a phalanx of State troopers and armed vigilantes. They whirled cattle prods,illy clubs, shotguns, and other makeshift weapons. We all know what happened next. Today, that violence is remembered as “Bloody Sunday.”

What some may not know is what happened the night before that march. The county sheriff in Selma, Jim Clark, had issued a call to arms. He ordered White men in the area to join troopers in Selma, and he deputized those people to help stop the march. They showed up by the hundreds alongside the State troopers.

John Lewis and his fellow patriots were not going to be intimidated. They
stood tall. They bore the brunt of racist violence, and they did so with a solemn purpose: They wanted to build a more perfect union in this country, to make sure every voice is heard in our democracy.

Day after day, with the brutal scenes from Selma fresh in the minds of America, President Lyndon Johnson urged Congress to pass the Voting Rights Act. That August, he signed the bill into law. It is hard to imagine, isn’t it? In the same year he proposed it, with the electorate of the South law. That is what happened in the good old days. His law fundamentally changed our Republic for the better, but our work remains far from over.

Last weekend also marked the anniversary of another tragic moment in our Nation’s history, far more recent than Bloody Sunday. It was 2 months ago—2 months ago on January 6 that a violent mob stormed through the halls of this Capitol Building. Like the vigilantes in Selma, they, too, were answering a call to arms—except this one wasn’t issued by a county sheriff; it was issued by the former President of the United States, Donald Trump. The failed insurrection of January 6 not only killed more than one, like Bloody Sunday, it left a permanent stain on our Nation’s history.

Make no mistake, no more than half a century stands between these two dark days for democracy. They are part of the same thread that sadly has run through American history: racism—racism weaponized to deny full citizenship to Black and Brown Americans.

The mob violence that we personally witnessed on January 6 in this building was not an aberration; it was the continuation of a sad chapter in our history. For months, former President Trump had sowed doubt about the legitimacy of the election. He claimed that it was stolen from him. “Stop the steal,” he said. We knew that President Trump’s claims have no basis in reality. Just 2 days ago, the Supreme Court finally dismissed the last remaining case brought by Trump supporters to push the big lie. The Supreme Court didn’t buy it. In fact, no court bought it.

The former President has never let facts stand in his way, has he? In fact, he claims to know exactly where this supposed fraud transpired, cities like Philadelphia, Atlanta, Milwaukee, and Detroit—coincidentally, cities with large populations of Black and Brown voters. This is no coincidence. President Trump and his enablers believe they were entitled to victory because they don’t think that every American should have an equal vote in our democracy.

President Trump’s efforts to overturn the election are just the most recent example of a decades-long movement to suppress voters of color. I have spoken on this floor before about investigations I conducted as chairman of the Subcommittee on Civil Rights and Human rights of the Senate Judiciary. I took the show on the road. I traveled to Ohio and Florida, where lawmakers at that time were considering making it more difficult to vote, requiring IDs, and this was before the Supreme Court’s disastrous decision in Shelby County.

That ruling opened the floodgates. It allowed a number of State legislatures to enact discriminatory restrictions on voting that would no longer require approval from the Department of Justice. That decision was a repudiation of the sacrifice of this fellow patriots made on Bloody Sunday. We must learn from our history, whether it was 56 years ago or just 2 months ago, and we must recognize that the fundamental right to vote is still under attack. Just last week, the Supreme Court heard arguments in a case that could further fracture the Voting Rights Act by limiting the effectiveness of a provision that allows voters to challenge discriminatory restrictions in their State. The Court has already introduced more than 250 bills this year to restrict voting access. This book, “One Person, No Vote,” was written by Carol Anderson, a professor at Emory University in Atlanta. I read her first book, “White Rage,” contacted her, and we are friends. I think her analysis of Reconstruction, Jim Crow, the Great Migration, and all that followed is the most lucid presentation I have read about that chapter in history. In this book, she goes directly into the issue of voter suppression. One of her observations is worth repeating on the floor of the Senate. She refers to what is known in history as the Mississippi Plan. I will read a few sentences from this book, as follows:

That became most apparent in 1890 when the Magnolia State passed the Mississippi Plan, a dizzying array of poll taxes, literacy tests, understanding clauses, newfangled voter qualifications, and character clauses—all intentionally racially discriminatory but dressed up in the genteel garb of bringing “integrity” to the voting booth. This flawed legal innocence was legislative evil genius. Virginia representative Carter Glass, like so many others, swooned at the thought of bringing the Mississippi Plan to his own state, especially after he saw how well it had worked. He rushed to champion a bill in the legislature that would “eliminate the darker as a political factor . . . in less than five years.” Glass, whom President Franklin Roosevelt would one day describe as an “unconstructed rebel,” planned “not to deprive a single white man of the ballot, but [to] inevitably cut from the existing electorate four-fifths of the Negro voters” in Virginia. One delegate questioned him: “Will it not be done by fraud and discrimination?” Glass responded: “By fraud, no. By discrimination, yes.” Glass retorted, “Discrimination! Why, that is precisely what we are proposing. . . . to discriminate to the very extremity . . . permissible . . . under . . . the Federal Constitution, with a view to the elimination of every negro voter who can legally, without materially impairing the numerical strength of the white electorate.”

In those days, they were very direct and honest about their ambitions in voter suppression. What is the explanation for this?

If we don’t believe that there was massive fraud—and there was not, by any objective measure—in the 2020 election, why are so many legislators in the business now of reducing the opportunity for Americans to vote in their States? Why? If they can’t sell an idea, they just want to change the electorate, and perhaps that would lead to victory, but at what cost?

The most enduring legacy of Bloody Sunday is the legislation that it helped to inspire, the Voting Rights Act. We trust now draw from this moment in our history, a lesson to be realized, the promise of that legislation: a full and vibrant democracy, made up of all Americans of every color and creed.

We have an obligation not just to restate the lessons of all the American heroes who bled on the streets of Selma in 1965 and long after. We must carry on the fight to realize the promise of that legislation: a full and vibrant democracy, made up of all Americans of every color and creed.

President Joe Biden’s administration has indicated it is ready to do just that. Last Sunday, in honor of the 56th anniversary of Bloody Sunday, President Biden signed an Executive order calling on the Federal Government to make it easier for Americans to register to vote and access the ballot box. While this Executive order was a welcome announcement, we need to act as well in Congress. As chair of the Senate Judiciary Committee and a cosponsor of the John Lewis Voting Rights Act in the last Congress, I look forward to working to restore and strengthen the Voting Rights Act in the months ahead.

Though our friend and colleague is no longer with us today, his legacy towers over us. We stand on his shoulders and carry on his work. In this democracy, the right to vote is no way and no means a birthright. It is a privilege, and it must be fought for. We have an obligation not just to restate the lessons of all the American heroes who bled on the streets of Selma in 1965 and long after. We must carry on the fight for equality, and we can begin by enacting a bill the House of Representatives passed last week, the For the People Act.

This bill would prohibit voter roll purges, as we have seen in States like Ohio and Georgia, and modernize and strengthen voter registration systems and ballot access.

I would say to the other party: Don’t be afraid of the voters. In this democracy, they have the last word. Denying them the right to vote is no way and no means a strategy for a great political party. It would only help end the dominance of dark money in our political system, including through establishing a small-donor public financing system for congressional elections, based on my Fair Elections Now Act.

The For the People Act is a vital step toward repairing and improving our democratic process. Passing it and the John Lewis Voting Rights Advance- ment Act will provide critical tools in the fight to ensure that all Americans could exercise their right to vote. These bills represent the bold actions that Americans have been calling for. We must not ignore that call.
In 2020, the American people turned out in historic numbers in the election, but they also turned out in historic numbers in protests in support of racial justice across America. John Lewis’s march to Montgomery never ended. It has taken on a new life, a new generation of American actors, and more Americans than ever before are putting their feet to the pavement.

It is time to finish the work of John Lewis and the heroes of the civil rights movement. As we commemorate the 56th anniversary of Bloody Sunday, we can do no less. With his eyes wide open, John Lewis marched across the Edmund Pettus Bridge in Selma knowing he was facing a deadly, hateful crowd. They broke down his body, but they could not defeat his spirit. The question we face today is whether John Lewis’s spirit still lives in us.

I yield the floor.

THE ACTING PRESIDENT pro tempore. The Acting pro tempore.

TRIBUTE TO ROY BLUNT

Mr. THUNE. Mr. President, before I begin, I want to take a moment to express my sadness about Senator BLUNT’s announcement that he will not seek reelection in 2022.

He led in service within our conference ever since he came over to the Senate, and he will be sorely missed. I will especially miss having him as a Member of the whip team here in the Senate.

I came to the House of Representatives with Senator BLUNT back in the election of 1996. We began our service in January of 1997, and he quickly rose up through the ranks in the House and became the Republican whip in the House of Representatives. He has always been involved in leadership wherever he has been, and his list of achievements is long.

All Americans have benefited over the past year from his tremendous efforts to accelerate coronavirus testing and vaccine development. And less than 2 months ago, in his role as chairman of Rules Committee, he oversaw a very successful inauguration at a particularly challenging time.

The one good thing is that ROY is not leaving us immediately. He will be here for 2 more years, and I look forward to continuing to work with him and to seeing everything that he will accomplish.

AMERICAN RESCUE PLAN ACT OF 2021

Mr. President, it has been quoted that “[t]he Senate works best when we work together. . . . The challenges we face are great. The divisions in the country are real. We have no choice but to try to work together every day to reward the faith the American people have placed in us.”

Those are not my words. Those are the words of the Democratic leader on Inauguration Day. But I agree with him. The Senate has indeed worked best when we work together. And, for proof, look no further than last week’s debacle—a good example of what happens when, instead of working together, one party tries to strong-arm its legislation through the Senate.

Last Friday was perhaps most notable for its 11-plus-hour vote on an amendment. Democrats held a 15-minute vote open for almost 12 hours—making it the longest vote in modern Senate history. It was clear that they were in danger of losing the support of one of their Members.

It turns out that when you force a massive, liberal piece of legislation through the committee review and without any attempt at soliciting input from the Senate as a whole, you start to lose support even from Members of your own party. It was an embarrassing moment for the Democratic leadership and a sad moment for the rest of the Senate.

In that same speech on Inauguration Day, the Democratic leader pledged: [The] Senate will legislate. . . . And to my Republican colleagues, and where and where we can, the Democratic majority will strive to make this important work bipartisan.

There was no evidence of that here. Democrats didn’t try to make this bill bipartisan. In fact, they actively tried to make sure Republicans didn’t have a voice in this legislation.

Remember that almost 12-hour amendment vote? Democrats held that vote open for nearly 12 hours solely because they were afraid that a Republican amendment might pass. Republicans were more than willing to work with Democrats in COVID relief, as we did last year on five separate COVID bills, but Democrats didn’t want Republicans interfering with their legislation.

I want to talk about those previous COVID bills for just a minute. Prior to Democrats taking control of the Senate, COVID relief was a bipartisan process. Under Republican control, the Senate passed five COVID relief bills with overwhelming bipartisan majorities. Democrats and Republicans had a voice in the legislation, there was no need to keep any of those votes open to engage partisan arm-twisting. “The Senate works best when it works together.”

The bipartisan process on those other COVID bills didn’t just guarantee a bipartisan vote in the Senate; it also guaranteed that those other COVID bills were actually about COVID. Because both parties had to work together to get a result, neither party was able to hijack the bill for partisan purposes.

Contrast that with the bill the Senate passed on Saturday. While Democrats have tried to sell their legislation as a COVID relief bill, the truth is it isn’t one. Just a 1 percent—1 percent—of this bill actually goes to our top COVID priority—vaccinations—and less than 10 percent of this bill is directly related to combating the virus.

There has been a lot of talk about how this liberal wish list, which it is, but that is almost being too generous. A liberal wish list at line, which will cost thousands—thousands of American jobs.

I could go on for a while on amendments that would have protected Americans from having their tax dollars used to pay for abortions, even though multiple Democrats broke ranks with their party to support this amendment.

Democrats rejected an amendment to tie funding for schools to schools that actually are reopening. They rejected an amendment requiring labor unions designed to rescue Main Street small businesses. It bails out union pensions—a bailout even the New York Times describes as having “nothing to do with the pandemic” and as an “alarming disregard of taxpayer du-

For the extreme abortion wing of the Democratic Party, this bill omits longstanding Federal restriction on using taxpayer dollars to pay for abortion. It allows labor unions eligible for loans designed to rescue Main Street small businesses. It bails out union pensions—a bailout even the New York Times describes as having “nothing to do with the pandemic” and as an “alarming disregard of taxpayer dollars. That is from the New York Times. It provides nearly $129 billion for K-12 schools—despite the fact that these schools have spent just $5 billion of the $88 billion already given to them—while keeping teachers unions happy by making sure funding isn’t tied to any requirement to actually get back to in-person instruction.

Then, of course, there is the money for the States. The bill appropriates a whopping $350 billion for States, despite the fact that a majority of States already have the resources they need to weather the rest of the pandemic.

On top of that, the distribution formula for that $350 billion is heavily weighted in favor of blue States like California, which stands to see $27 billion under this legislation, despite the fact that California’s revenues are up by $15 billion. Now, imagine the outcry if Republicans were directing funding to States that voted Republican in the last election.

And lest anyone thinks any of this was unintentional, Democrats doubled down on the partisanship when it came to amendments. They rejected an amendment that would have protected Americans from having their tax dollars used to pay for abortions, even though multiple Democrats broke ranks with their party to support this amendment.

Democrats rejected an amendment to tie funding for schools to schools that actually are reopening. They rejected an amendment to ensure seamless support to nonpublic schools serving low-income students. They rejected an amendment to stop labor unions from taking loan money intended for small businesses. They rejected an amendment to provide greater transparency on nursing home COVID deaths, presumably in an attempt to protect the Democratic Governor of New York, who is under fire for seemingly deliberate attempts to obscure reporting of these deaths.

In a nod to the far-left environmental wing of the party, they rejected an amendment to reverse the President’s cancellation of the Keystone XL Pipeline, which will cost thousands—thousands of American jobs.

I could go on for a while on amendments because there are a lot more.

Democrats passed an amendment that provides an incentive for some Americans to stay on unemployment by making more than $10,000 of their unemployment benefits nontaxable.
Think about that. More than $10,000 of their unemployment benefits is untaxable without regard to income. Working Americans still have to pay their taxes, even if they are making less money than they would on unemployment. If you can imagine the working taxpayer in this country and you are not getting a tax break when the people who are on unemployment are getting a $10,000 tax break, nontaxable income that is costing the Federal Government somewhere on the order of $30 billion a year, you can imagine the average taxpayer in this country might find that to be highly objectionable when they find out about it. A substantial amount of unemployment benefits will be tax-free. That doesn’t seem too fair, not to mention that the last thing we should be doing right now is discouraging people from going back to work.

In that speech I referenced earlier that the Democratic leader gave on Inauguration Day, he said: “As I mentioned, pandemic relief ought to be bipartisan, and it was last year, five times. Five times here in the U.S. Senate, we passed pandemic relief, coronavirus relief legislation, with overwhelming bipartisan majorities under regular order, where 60 votes were required, instead of under the procedure that was used by the Democrats last week to shut Republicans out of that process. We could have passed a bill last week again with overwhelming bipartisan support. It would have required Democrats to be willing to genuinely collaborate with Republicans. And, unfortunately, it is becoming clear that collaboration is not part of the new way of doing business in the Democratic-led Senate.”

I hope my Democratic colleagues will change course in the days ahead and work with Republicans to unite our country. As the Democratic leader suggested on Inauguration Day, they owe the American people nothing less. It is deeply disappointing that Democrats have turned a bipartisan process into a totally partisan exercise.

As I mentioned, pandemic relief ought to be bipartisan, and it was last year, five times. Five times here in the U.S. Senate, we passed pandemic relief, coronavirus relief legislation, with overwhelming bipartisan majorities under regular order, where 60 votes were required, instead of under the procedure that was used by the Democrats last week to shut Republicans out of that process.

We could have passed a bill last week again with overwhelming bipartisan support. It would have required Democrats to be willing to genuinely collaborate with Republicans. And, unfortunately, it is becoming clear that collaboration is not part of the new way of doing business in the Democratic-led Senate. I hope my Democratic colleagues will change course in the days ahead and work with Republicans to unite our country. As the Democratic leader suggested on Inauguration Day, they owe the American people nothing less. It is deeply disappointing that Democrats have turned a bipartisan process into a totally partisan exercise.

The Senate will do business differently.” Well, now we have a glimpse of what that looks like. And, apparently, it looks like ruthless partisanship in an attempt to completely silence the minority and the Americans they represent. It is deeply disappointing that Democrats have turned a bipartisan process into a totally partisan exercise.

The American people nothing less. Without objection, it is so ordered. The clerk will call the roll.

Mr. BARRASSO. Mr. President, it is so ordered.

IMMIGRATION

Mr. BARRASSO. Mr. President, I come to the floor today to oppose President Biden’s Executive orders on immigration.

Now, there are more than 11 million illegal immigrants in the country today. This is a group equivalent to the population of the entire State of Georgia, and this number has nearly tripled in the last 30 years. In fact, some experts say the number is a lot higher than that. Folks at Yale and MIT and the researchers there said it could actually be twice as high: it could be 22 million people in the country illegally.

Well, that is more than the population of the entire State of New York.

So it appears to me that illegal immigration is making a mockery of our borders. Yet President Biden and this administration refuse to admit, even as of this morning, that there is a crisis at the southern border.

Now, if you talk to law enforcement all across the country, they will tell you that many of the problems that they face every day are problems related to illegal immigration. The Drug Enforcement Administration has said for nearly a decade now that the vast majority of illegal drugs in America come here across the southern border.

Now, I am a doctor. I will tell you, these drugs have killed thousands of Americans. They kill thousands of Americans every year. They tear families apart. They lead to heartbreaking stories. They rob people of their God-given potential.

Our law enforcement, our Coast Guard, our border agents, they do heroic work every day to intercept drugs, to stop human trafficking. They can’t do it alone. They need the support of the U.S. Senate.

Well, during the debate last week over the spending bill, we had a chance to give them support. Senator CRUZ introduced an amendment to prevent checks from going to illegal immigrants. It failed. Senator COTTON introduced an amendment to cut the bailout funding to sanctuary cities. Well, these are cities that actively try to prevent Federal agents—actively try to prevent Federal agents from enforcing our immigration laws.

Democrats blocked the amendment.

So no wonder we have a crisis at the border. Democrats seem to be advertising to the entire world: Come here now. If you come here illegally, you can get a chance. President Biden has already issued at least seven Executive orders on immigration. In just over a month in office, President Biden has already proven to be the most open-border President in U.S. history.

Now we face an entirely predictable crisis at the border. That crisis rests squarely at President Biden’s feet. On his first day in office, President Biden shut down construction of the southern border wall. By the time the day was over, President Biden stopped all deportations for a hundred days. It didn’t matter to President Biden what you were going to be deported for. No. Now, maybe you are a serious criminal. President Biden says: You can stay longer. A court has already stepped in and said this is illegal, this Executive order.

President Biden has, astonishingly, brought back the idea of catch-and-release—catch-and-release. He has ordered our immigration agents to release illegal immigrants into the United States, and he is doing it in the middle of a pandemic. Senator COTTON and I sent a letter to the President raising this concern. It is now harder to go to church in some parts of America than it is to cross the border into America.

Under President Trump, if you wanted to apply for asylum in this country, you had to remain in Mexico. That was the policy. The policy of “Remain in Mexico” was based on the standards of international law. To get asylum, you have to show that you can’t live safely in your home country because of persecution—understandable. Yet the fact is that most illegal immigrants don’t come here because of persecution. They come here for economic reasons. They want a better job. They want better schools for their kids. They are understandable motives; nonetheless, they are not standards for asylum.

Now, another requirement for asylum is that you have to prove you are the nearest safe country and seek asylum. You don’t get to pick anywhere you want to go in the world. You have to go to the nearest safe country. Yet people around the world know that our asylum system here in the United States has become a sham. It is no secret that it is easy to game the system, and it is being gamed regularly in the Biden administration.

So they often stop in at least one of our southern cities. They apply for asylum here. President Biden now says: You don’t have to wait in Mexico. Cross the border. We will give you a court date years from now, years from now, and after they give you the court date, they release you into the United States. Even those who know they don’t qualify and will not qualify for asylum, they come anyway because they know they get released into the United States. It happens all the time. Before the Biden administration took over, the Department of Homeland Security published a report about this. According to the Department, our border agents apprehended 3.5 million illegal immigrants along the southern border between 2014 and 2019. Only 8 percent of them—just 8 percent. Out of 12—ended up receiving legal protection from being deported, but the Department says half of them are still here in the United States. How does that happen? They didn’t show up. President Biden has already started an unprecedented expansion of the refugee program. The most refugees that this country has ever resettled in a single
year was 85,000 in President Obama’s final year in office. President Biden wants to break the record. He wants to increase it to 250,000. It will be the most, by far.

President Biden has told his administration to bring back the Deferred Action for Childhood Arrivals, also known as DACA. Now, this is a program for people who were brought here illegally while they were children. It is not the children’s fault. Yet DACA is illegal, plain and simple.

President Obama has admitted it. Liberal activists asked him to do it. At least 10 different times President Obama said: No, I can’t do it. It is illegal. Then an election year came. He decided to do it anyway.

As you and I know, we are a nation of compassionate people. We are giving. We are generous. We have the most generous immigration system in the world. The issue before us is whether or not that should be handled by Congress, not by Executive order—not through an illegal Executive order, and DACA is still illegal. I expect a court will ultimately strike it down.

So this is some of what President Biden has done by Executive order. At the same time, he is trying to cram an even more radical agenda through Congress. Last month, President Biden’s immigration bill was introduced in the Senate. It already has the support of 26 cosponsors on the Democratic side of the aisle. It includes the majority leader, Senator SCHUMER.

Well, this bill will give illegal immigrants an automatic path to citizenship. Democrats in Washington tried that in 2007, the year I arrived in the Senate. The American people picked up the phone. They actually shut down the phone lines, shut down the switchboards here in the U.S. Senate. There were all calling in to say no. Democrats in Washington tried it again in 2013. The American people picked up the phone again. The American people said no. And we said no in the 113th. We said no in 2017. We said no in 2021. The American people are going to say no again in 2021.

Now, President Biden has issued, signed a lot of Executive orders; many of them, the ones I talked about with people at home this weekend in Wyoming, very unpopular. Polls show his immigration order is the most unpopular of them all.

President Biden should keep in mind that it was a very close election in November. We have a 50-50 Senate, very narrow margins in the House. The American people, for the first time, are finding out just how liberal Joe Biden is. Many of them are already having buyer’s remorse. They didn’t believe he is. Many of them are already having finding out just how liberal Joe Biden is. Many of them are already having

Our immigration system is broken. Instead of breaking it further, we should work together to fix it. Let’s protect our communities, protect our American workers, and secure our southern border.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NOMINATION OF MERRICK GARLAND

Mr. COTTON. Mr. President, today the Senate will vote on Judge Merrick Garland’s nomination to be Attorney General of the United States. I will oppose this nomination. I was open-minded at first about Judge Garland’s nomination, but his evasive, haughty refusal to answer some of the most basic questions we would expect from an Attorney General, the kind he would never allow in his own courtroom, so why should we allow it in the U.S. Senate? And, second, when he did answer questions, he sounded more like a liberal ideologue who had embraced the radical agenda of the Democratic Party’s far-left base.

If confirmed, I am afraid that he will enable extremists in the Department of Justice to undermine our police, our Constitution, and our rule of law. This weak-on-crime nominee will fan the flames of our Nation’s drug crisis, border crisis, and violent crime crisis. And he has made clear that on the greatest challenges facing the Department, he will cede the reins to the radical, far-left crusaders that President Biden has nominated to be some of his top deputies. Our Nation simply cannot afford Judge Garland as our Attorney General.

In the last 12 months on record, over 83,000 Americans died from drug overdoses, more than any year in history. Drug overdoses killed more Americans in a single year than the Vietnam war and the War on Terror combined. Yet Judge Garland plans to reduce prison terms for drug dealers, traffickers, and gang members.

Judge Garland appears to believe that these merchants of misery engage in a victimless trade, but virtually every family and community in our Nation bears the scars that prove otherwise. Whether it is the disabled child, addicted parent, suffering sibling, recovering neighbor, or deceased friend, the victims of drug crime are everywhere we look. Drug traffickers are hardly engaged in a nonviolent offense. The traffickers know their product is poison; and their customer service is the barrel of a gun. With Judge Garland as Attorney General, these criminals will go free. Their business will boom, and the violence and death in our streets will continue.

It is not just fentanyl and heroin driving this crisis anymore. In the wake of weakening our drug trafficking laws under ill-advised laws like the First Step Act, drug overdose deaths are linked to other drugs as well, like cocaine, which is sharply increasing. Cocaine is now outpacing heroin as a leading cause of death and meth is outpacing both. Judge Garland will release these criminals back onto the streets in the middle of the worst drug epidemic in our Nation’s history. These pain profiteers don’t deserve leniency and should be kept far away from the communities they have victimized. Many should, frankly, count themselves lucky that they are not charged with murder.

And while Judge Garland endorses President Biden’s call for racial equity—not equality, but equity—Judge Garland’s agenda will hurt vulnerable minority communities most of all. Drug overdose deaths disproportionally affect minorities, as does violent crime. Judge Garland’s confirmation, like the confirmation of some of his top deputies, would be a gift to the cartels, street gangs, and drug trafficking networks that perpetrate violence and the destruction we see in our streets. And even those who want the government to go easier on drug dealers and drug traffickers should be concerned about Judge Garland’s stated plan to dismantle mandatory minimum sentencing laws where drug traffickers were sentenced.

But Judge Garland doesn’t stop there. He also supports President Biden’s extreme open borders amnesty agenda. At Judge Garland’s confirmation hearing, he was asked if entering our country illegally should be a crime? And he said, conveniently, even then, he said, “no.” He said, “I don’t think whether it is a crime to cross our border illegally. But, to give him the benefit of the doubt, I asked, in a written question after the hearing—had nearly a week to think about it; it seems like it is a pretty simple question. But Judge Garland responded that he didn’t “thought about” it—hadn’t “thought about” it. It stretches the bounds of belief that a Federal judge who has been on the bench for almost a quarter century hadn’t thought about that question—or that any American with common sense who believes in our borders and believes in our sovereignty hadn’t thought whether it is a crime to cross our border illegally. But, to give him the benefit of the doubt, I asked, in a written question after the hearing—had nearly a week to think about it; it seems like it is a pretty simple question. But Judge Garland responded that he didn’t “thought about” it. He said, conveniently, even then, that he hadn’t thought about it. Judge Garland also refused to say whether illegal alien gang members or illegal aliens who have assaulted U.S. citizens should be deported if a judge orders it.

Judge Garland’s silence shows that he will, at best, meekly abide by the
administration’s irrational immigration agenda. He will help transform zero tolerance into total tolerance of crime, and his inaction will only further advance the administration’s re- cruit-and-release policies at our bor- der, which will allow illegal aliens into our country after catching them at the border; we go back and find them in Mexico and invite them to return to the border and then release them into the country. This will attract an ever-growing surge of illegal migration and will re- sult in more drugs and criminal aliens entering our country, as we see with the Biden border crisis growing worse every day.

Of course, the vast majority of meth, heroin, and cocaine—and a large quant- ity of fentanyl—is smuggled across the southern border each year. As our border facilities and personnel are overwhelmed by the Biden border surge, our security will falter and even more illegal aliens into our Nation. Hardened criminals will accompany the flood of drugs from the Rio Grande. Thousands of confirmed and suspected gang members cross the southern bor- der into our country, and even more will be even border patrol officers that Judge Garland will have a hand in creating. This will fuel skyrocketing violence in our Nation.

Last year, we experienced the largest single increase in murder in American history—the largest single increase in murders in our country’s history. Preliminary data from the FBI indicates that there was a 20-percent increase—20-percent increase—in murder nationwide. In big cities, it was even worse. Murders rose in Atlanta by 60 percent; in Chicago, by 50 percent; in New York City, by 45 percent; and in Washington, DC, by 40 percent. There were also, I would add, over 500 violent riots last year that injured over 2,000 law enforcement officers.

Our police need our support more than ever before, but they wouldn’t get it from a Garland Department of Jus- tice. Personnel is policy, and Judge Garland has allowed two leftwing rad- icals to be selected as his chief lieuten- ants in the Department of Justice. Vanita Gupta and Kristen Clarke both support defunding, disarming, and de- faming our police. They stand with the perpetrators of crime, not with the vic- tims. I have little doubt that Judge Garland would empower these leftist radicals embedded inside the Department.

In response to written questions from the Judiciary Committee, Judge Gar- land also responded with some vari- ation of “I don’t know”: “I haven’t studied the issue”; “I am not famil- iar”; “I haven’t thought about it”; “I am not aware of,” or refused to com- ment altogether over 250 times. Again, this is a sitting Federal judge of almost a quarter-century with a vast resume of the country’s best lawyers at his dis- posal for a week to answer written questions, and over 250 times he couldn’t answer the question. That was more than one-third of the colleagues— or more than one-third of the questions that I and my colleagues asked him.

Judge Garland may not have thought about these questions or thought about how he would respond to the Justice Department, but I bet Ms. Gupta and Ms. Clarke have, and they will gladly fill this void of purpose with their radical ideology. The Garland Justice Department will make America less safe.

At the same time, Judge Garland would work to weaken our Second Amendment. At his hearing, he repeat- edly refused to explain how he would deal with the Second Amendment. While he acknowledged accurately that it would be tough to overturn the Su- preme Court’s ruling in Washington, DC, v. Heller, which affirmed Ameri- cans’ constitutional right to keep and bear arms, he said that he “can’t prom- ise”—he “can’t promise”—that he won’t try to overturn it. He also said he just doesn’t know whether President Biden has the authority to ban certain semiautomatic rifles, some of the most popular sporting firearms today. He doesn’t know. President Biden has the authority to ban them by Execu- tive order. He has also said he is just not familiar with whether the Bureau of Alcohol, Tobacco, Firearms and Explo- sives—which would report to him if he is confirmed—would remind every- one—would have the authority to in- definitely delay approving gun sales to Americans who have not had any flags show up in their background checks. Once again, Judge Garland dem- onstrated through his evasion that he would bow to the radical left to the detriment of normal law-abiding Ameri- can citizens.

I urge every Senator who believes in the Second Amendment and the rule of law and who cares about stopping crime in our streets to reject Judge Merrick Garland’s nomination for At- torney General.

Now is not the time for weakness, evasion, or a lack of resolve from our Na- tion’s foremost law enforcement officer. We need strength, resolve, and cer- tainty. Our Nation needs and deserves a better nominee for Attorney General. I will oppose his nomination.

I yield the floor.

THE PRESIDING OFFICER. The Sen- ator from Pennsylvania.

NOMINATION OF MARCIA LOUISE FUDGE

Mr. TOOMEY. Mr. President, I rise this morning to oppose the nomination of Representative Fudge to serve as the Secretary of the Department of Housing and Urban Development.

The confirmation of Cabinet Secre- taries is one of the most important constituencies we have here in the Senate. I think most of my col- leagues would agree that one of the im- portant considerations is that Cabinet officials can be relied on to coordinate and work productively with Congress as they implement the policies of the legislation that we pass.

I am concerned that Representative FUDGE’s past rhetoric makes clear that she lacks the temperament to collabor- ate with Congress, particularly across the aisle with Republican Members, and her comments cast doubt on whether she even wants to.

Congresswoman FUDGE has made multiple statements throughout the years attacking and disparaging the integ- rity and motives of Republicans with whom she has policy disagree- ments. Policy disagreements are en- tirely understandable. They happen every day. They are expected, especially in a legislative body. But consistently attacking the integ- rity and motives of people with whom you have these disagreements is an- other thing altogether.

In September 2020, during a speech on the House floor, Congressman FUDGE attacked efforts to fill Justice Ruth Bader Ginsburg’s seat on the Supreme Court. In her speech, she said, among other insults, that Senate Republicans had “no decency,” “no honor,” “no in- tegrity.” She went on to say, referring to Republican Senators, that we “are a disgrace to the Nation.”

In June 2020, during a virtual town- hall, Congressman FUDGE admitted believing that Republicans did not care about minorities. She said that if Re- publicans “want to save face and let this country know that they care even a little bit about people of color—which I don’t believe they do, but if they want to try, I want to listen.”

Back in a January of 2013 PBS forum with Tavis Smiley, Congressman FUDGE harshly questioned the motives and character of the Republicans again this time Republicans who supported cuts to the food stamps program.

Congresswoman FUDGE said:

If we continue to send people to Congress who don’t even understand what their job is—who don’t understand that government’s job is to take care of its people—then we are never going anywhere as a country because we play politics with nuts and bolts. These people are evil and mean. They care nothing about anybody but themselves. And so if you think you are going to have something bi- partisan, you need to think again. It’s not happening.

Overtly partisan attacks on integrity and motive simply have a toxic and detrimental impact on the working rela- tionship that ought to be a construc- tive relationship between Members of Congress and members of the admin- istration. The Senate should really only confirm officers who are willing to co- operate with legislators, especially now when we have rescinded so many government programs—we just passed a $2 trillion bill that is probably going to pass the House and be signed by the President—and it is especially true for the administrator of HUD.

I oppose Speaker Pelosi’s statements impugning the integrity and motives of Republicans, Congressman FUDGE has very little or no housing experi- ence. Except for her service as a smalltown mayor, Congresswoman FUDGE has no relevant experience where she would be familiar with any of HUD’s many programs. Even tradi- tionally liberal media outlets criticized
Congresswoman FUDGE’s nomination for HUD Secretary on the grounds that she lacked knowledge and experience in housing policy.

She did not show an interest in developing housing policy expertise as a Member of Congress through sponsoring very few housing-related bills and choosing instead to serve on unrelated committees. I acknowledge that not all Cabinet nominees are experts in the policy areas that their Agency will govern. But when they don’t have that expertise, it is especially important that their temperament and their policy views—and their willingness to listen to Members of Congress on both sides of the aisle, especially the other side of the aisle, is all the more important.

Congresswoman FUDGE’s views as reflected in her response to questions for the record are also a matter of concern. When she was asked whether HUD should better target its programs so that they are actually helping the low-income Americans they are supposed to help, she responded by saying, “The challenge for HUD programs isn’t that they aren’t targeted, it is that funding levels are inadequate to meet the need.”

The fact is, funding for HUD spending has grown dramatically in recent years. That is not even including the $15 billion in new, assisted housing authorized by the Senate appropriated and worked on, and it is not including the $56 billion for housing assistance passed in the December omnibus and the reconciliation bill.

The Congresswoman’s answer ignores the fact that HUD programs certainly can be better targeted to help those in need. For example, families with disqualifying high incomes nevertheless participate in a number of HUD-assisted programs, and that makes housing unavailable for lower income families for whom it is meant. FHA insures mortgages for home buyers who could access mortgage credit through private capital, also thereby making it less available for people who really need it.

So I worry that Congressman FUDGE’s approach will simply be to ask Congress for ever more money without being willing to do the hard work of making the reforms that are necessary and working with Republican Senators to achieve those reforms. Those reforms are going to be necessary if we are going to ensure that HUD programs are improved so they actually better serve the low-income Americans they are meant for.

For these reasons, I cannot support Congressman FUDGE’s nomination.

Mr. BROWN. Mr. President, I appreciate the candor of my colleague from Pennsylvania and the work that we do jointly on the Committee on Housing and Urban Affairs.

I ask unanimous consent to finish if I go a bit over and if my remarks continue into the next section or, potentially, the vote.

Have I said that right, Mr. President? The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BROWN. I urge my colleagues to join me in supporting a dedicated and talented public servant and great Ohioan, my Congresswoman for the last 12 years, MARCIA FUDGE, to be our next Secretary of Housing and Urban Development. The Presiding Officer served with her in the House of Representatives and appreciates her.

I can think no one better to lead us out of this pandemic and create strong communities for the future than MARCIA FUDGE. When she came before the Banking and Housing Committee, Congresswoman FUDGE’s knowledge and passion for service and her commitment to the people who make this country work were obvious to all of us, Republicans and Democrats alike.

After a year when Black Americans endured so many painful reminders of the yawning gap between the promise of our founding ideals and our failure to make that promise real for everyone, it is meaningful that our committee’s final featured hearing will be with two African-American women who will take leading roles in our economic recovery, MARCIA FUDGE and Dr. Cecilia Rouse, who has been confirmed already to be Chair of the National Economic Council at the White House. The Senate confirmed Dr. Rouse with broad bipartisan support this month.

It matters on so many levels. It is important for our future that little girls, including Black and Brown girls, see themselves in our leaders, from the Vice President to MARCIA FUDGE, to Cecilia Rouse, to so many people in this Cabinet, including the new Secretary of the Interior from the Presiding Officer’s area of the country. It matters because our stakeholders and those experiencing life experience these two Black women bring to these jobs.

Congresswoman FUDGE will lead an Agency that supports families and communities, provides housing and safety to people experiencing homelessness and helps communities rebuild.

Today, HUD is grappling with a housing market where millions of families find it harder and harder to afford a decent home. New data out this week confirms that people are leaving around the country even while millions are out of work. Imagine that. The cost of housing is up, but wages are flat. So many workers have trouble making rent every month, with the kind of stress that brings and too often having to turn to predatory loans.

The dream of home ownership is increasingly out of reach for too many families in New Mexico and too many families in Ohio.

None of this started with COVID–19. The affordable housing crisis is the product of decades of conscious policy decisions by Wall Street, corporations, and too often by government. This pandemic has exposed what millions of families in this country already knew: that for far too many people, a hard day’s work doesn’t pay the bills.

Before the United States ever had its first case of COVID–19, one-quarter—listen to this—one-quarter of all rent-paying Americans were spending more than half their income on housing, on rent. If one thing happened in their life—their car broke down, their child got sick, they had a workplace injury that caused them to miss work for a week—any of those things and their life turns upside down. HUD should play an essential role in fixing that.

We know that the Black home ownership rate was nearly as low as it was in 1968 when Senator ROMNEY’s father became Secretary of HUD and the work he tried to do in opening housing in 1969. We have made little or almost no progress in the Black home ownership rate. I am confident that soon-to-be Secretary FUDGE will change that. She understands the importance of expanding opportunity to all, allowing more families to have the peace of mind that brings.

Here is what I know about ZIP Codes. I am in Congresswoman FUDGE’s district. My wife and I live in ZIP Code 44105 in Cleveland. That ZIP Code, in 2007, the first half of that year, had more foreclosures than any city in the United States of America. I still see the residue, the remains of what has happened because of all those foreclosures.

Congresswoman FUDGE will work to protect our kids from the lead poisoning that is still all too common in ZIP Code 44105, to restore the promise of fair housing, and to give communities the help and the resources they need to thrive.

She brings to the job critical experience, as Senator TOOMEY said, serving as a mayor in the industrial heartland for the kind of community that is either overlooked or outright preyed upon by Wall Street and big investors.

Even though Senator TOOMEY said that Congresswoman FUDGE doesn’t have the experience in housing, I know up close—I was the Senator during her entire time in the House. I represented her in the Senate. We live in the same community. We worked on many of the same projects. She was helpful on a number of housing issues that I worked on in the Banking, Housing, and Urban Affairs Committee. She understands our communities.

She will lift up the voices of all the people left out of our housing policy, people who work hard to try to keep a roof over their family’s head, whose hard work never pays off like it should; people who are just trying to make rent or pay the mortgage every month who just don’t feel like they can keep up. Their wages are flat. Costs go up. Pressure builds on them.

Congresswoman FUDGE has the expertise and tenacity to fight back. That is why I ask my colleagues to confirm her for Secretary of Housing and Urban Development.

Mr. BROWN. I yield the floor.
Mr. President, in so many ways, we know here that government is really about whose side you are on, whom you fight for, what you fight against. We know we passed—Senator CARDIN is here. He came to the Senate the same day I did, and we served in the House together. We both recognized what a big deal it was to pass that bill last Saturday. That is the biggest thing I have ever done in my career, and I heard other Senators say the same thing. It puts in people’s arms the money in people’s pockets, kids back in school and workers in jobs.

But I think it is also important, just for a moment—I will be brief. This is a chart of the difference—the biggest issue that Senate Republicans and President Trump worked on in this Congress was the GOP tax bill, the tax bill in 2017. Senator CARDIN and I are on the same committee that fought against some of the overreach from Wall Street that that bill.

The purple, the blue is what our bill does. Just glance at this for a moment. The 20 percent lowest earners, we are increasing—we are increasing their after-tax revenue by 20 percent, essentially raising the floor for people making $20,000 or $30,000 a year. There was no help in the Trump tax bill for that.

Then you work up to the second lowest 20 percent, to the people who are moderate-working-class families not quite middle class. They get a big bump in their incomes from our bill. Under the Trump plan, they got pennies.

Then you work your way up here to, essentially, the top 1 percent. All of the money went to them, essentially, overwhelmingly.

When you think about what we do with taxes and when you think about what this Congress did on Saturday when we took people’s arms and money in people’s pockets and kids back in school, one of the most important things we did was to give working-class kids in Denver and in Santa Fe and in Albuquerque and in Baltimore and Salisbury, MD, and in Mansfield and Cleveland, OH—working-class people and poor kids—a chance, a shot, at the American dream.

This is the biggest thing. Senator TESTER and I came to the Senate the same day in 2009. The biggest thing we have done in years. It will matter in people’s lives. It is something to celebrate. More importantly, it is something we need to carry out and make sure it matters in our constituents’ lives.

I yield the floor.

Mr. VAN HOLLEN. Mr. President, I rise today to voice my support for the confirmation of my friend and colleague Congresswoman MARCIA FUDGE to be the next Secretary of Housing and Urban Development. I know that she will bring strong leadership to HUD at a time when our Nation needs it most.

Across my State of Maryland and throughout the country, our fellow Americans are struggling to keep a roof over their heads. Families are living in fear of eviction or of missing their next mortgage payment. In this time of crisis, we need a leader at HUD who will prioritize tackling the ongoing housing crisis spurred by COVID–19. Congresswoman Fudge has expressed her determination to do just that. She is a dedicated and experienced public servant who has earned a reputation for swift action and firm leadership. Her accumulated experience spanning a lifetime of service will be invaluable in helping the Federal government mount a robust and coordinated campaign to bring those hardest hit back from the brink and ensure an equitable recovery.

While addressing the urgent needs of renters and homeowners during this pandemic, we can’t lose sight of the bigger picture. The pandemic has exacerbated our country’s affordable housing crisis and shone a spotlight on how it disproportionately harms communities of color. We are witnessing the result of decades of discriminatory practices like redlining that have targeted minority families and left an enduring stain on our communities that won’t be easily wiped away. President Biden has put forth a bold plan to combat our Nation’s housing crisis, and as HUD Secretary, Congresswoman FUDGE will be charged with implementing it, reversing the damage caused by the Trump administration, restoring and improving our fair housing protections, rebuilding our Nation’s supply of affordable housing, and investing in our housing infrastructure. She has her work cut out for her.

There is no doubt in my mind that Congresswoman FUDGE will work overtime to tackle these challenges head-on. She has spent her career fighting on behalf of those most in need and those who have been historically barred from stable living and homeownership. She has seen these issues up close: first as the mayor of Warrensville Heights, OH, and then as a member of the House of Representatives and as chair of the Congressional Black Caucus, where she has helped forge compromises that brought real results. She is guided by the principle that each of us has a responsibility to respect and uplift those most in need. In her words, there is dignity and there is grace in every woman and every man and every child in this nation—including those who live on the outskirts of hope.” For MARCIA FUDGE, service isn’t just a job, it is a calling. I know that, should she be confirmed, Congresswoman FUDGE will lead the Department of Housing and Urban Development with unwavering commitment. I look forward to partnering with her and the Biden administration to provide more Americans with the dignified future we all work urgently to strengthen and grow our affordable housing programs across Maryland and throughout the country.

The nomination was confirmed.

The PRESIDING OFFICER. The PRESIDING OFFICER. (Mr. HICKENLOOPER). The Senator from Delaware.

Mr. CARPER. Mr. President, I ask unanimous consent that I be permitted to complete my remarks prior to the recess.

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

Mr. CARPER. Mr. President, I ask unanimous consent that with respect to the Fudge nomination, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate’s action.

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

Mr. CARDIN. Mr. President, I rise today to support the nomination of Merrick B. Garland to be the 86th Attorney General of the United States and urge the Senate to confirm this nomination without further delay.

Mr. CARDIN. Mr. President, I rise today to support the nomination of Merrick B. Garland to be the 86th Attorney General of the United States and urge the Senate to confirm this nomination without further delay.
pleased that last week the committee favorably recommended his nomination to the full Senate by a bipartisan vote of 15 to 7.

Judge Garland is uniquely qualified at this moment in history to serve as the principle of law and restoration of moral, integrity, and independence to DOJ.

Judge Garland graduated summa cum laude from Harvard College in 1974 and magna cum laude from Harvard Law School in 1977. Following graduation, he served as a law clerk to Judge Henry J. Friendly of the U.S. Court of Appeals for the Second Circuit and to U.S. Supreme Court Justice William J. Brennan, Jr. From 1979 to 1981, he was Special Assistant to the Attorney General of the United States. He then joined the law firm of Arnold & Porter, where he was a partner from 1985 to 1989 and from 1992 to 1993. He served as an Assistant U.S. Attorney for the District of Columbia from 1989 to 1992 and as Deputy Assistant Attorney General in the Clinton Administration, including supervision of equal opportunity and civil rights cases. From 1994 until his appointment as U.S. Circuit judge, he served as Principal Associate Deputy Attorney General, where his responsibilities included supervising the Oklahoma City bombing and UNABOM prosecutions. In 1997, he was appointed as judge of the U.S. Court of Appeals for the District of Columbia Circuit, often seen as the nation’s second-highest court. In 1999, he was named to the U.S. District Court for the District of Columbia, where his responsibilities included supervising the Oklahoma City bombing and UNABOM prosecutions. In 1997, he was appointed as judge of the U.S. Court of Appeals for the District of Columbia Circuit, often seen as the nation’s second-highest court. In 1999, he was named to the U.S. District Court for the District of Columbia, where his responsibilities included supervising the Oklahoma City bombing and UNABOM prosecutions. In 1997, he was appointed as judge of the U.S. Court of Appeals for the District of Columbia Circuit, often seen as the nation’s second-highest court. In 1999, he was named to the U.S. District Court for the District of Columbia, where his responsibilities included supervising the Oklahoma City bombing and UNABOM prosecutions. In 1997, he was appointed as judge of the U.S. Court of Appeals for the District of Columbia Circuit, often seen as the nation’s second-highest court. In 1999, he was named to the U.S. District Court for the District of Columbia, where his responsibilities included supervising the Oklahoma City bombing and UNABOM prosecutions. In 1997, he was appointed as judge of the U.S. Court of Appeals for the District of Columbia Circuit, often seen as the nation’s second-highest court. In 1999, he was named to the U.S. District Court for the District of Columbia, where his responsibilities included supervising the Oklahoma City bombing and UNABOM prosecutions. In 1997, he was appointed as judge of the U.S. Court of Appeals for the District of Columbia Circuit, often seen as the nation’s second-highest court. In 1999, he was named to the U.S. District Court for the District of Columbia, where his responsibilities included supervising the Oklahoma City bombing and UNABOM prosecutions. In 1997, he was appointed as judge of the U.S. Court of Appeals for the District of Columbia Circuit, often seen as the nation’s second-highest court. In 1999, he was named to the U.S. District Court for the District of Columbia, where his responsibilities included supervising the Oklahoma City bombing and UNABOM prosecutions. In 1997, he was appointed as judge of the U.S. Court of Appeals for the District of Columbia Circuit, often seen as the nation’s second-highest court. In 1999, he was named to the U.S. District Court for the District of Columbia, where his responsibilities included supervising the Oklahoma City bombing and UNABOM prosecutions. In 1997, he was appointed as judge of the U.S. Court of Appeals for the District of Columbia Circuit, often seen as the nation’s second-highest court. In 1999, he was named to the U.S. District Court for the District of Columbia, where his responsibilities included supervising the Oklahoma City bombing and UNABOM prosecutions. In 1997, he was appointed as judge of the U.S. Court of Appeals for the District of Columbia Circuit, often seen as the nation’s second-highest court.

Judge Garland has served both Democratic and Republican administrations in the Justice Department, including service under President Carter, the first President Bush, and President Clinton. He earned a reputation as a tough and fair prosecutor who took on complex terrorism, violent crime, and corruption cases. He established a sterling reputation of handling cases with the utmost professionalism and is seen by his peers as a modest man who is fundamentally a decent human being.

In 1997, the Senate reviewed his record in detail and confirmed him by an overwhelming, bipartisan vote of 76 to 23 to serve as judge on the U.S. Court of Appeals for the D.C. Circuit. I would note that many of the no votes for Judge Garland’s previous confirmation had to do with a dispute over the proper size of the D.C. Circuit, as opposed to concerns over Judge Garland’s qualifications or fitness to serve as a judge.

As President Biden noted in his introduction of Judge Garland’s nomination, despite his busy schedule and prestigious positions, he still makes time to volunteer regularly, tutoring students in Northeast DC, as he has done for 20 years. And I agree this really shows us the true character of Judge Garland, in terms of his commitment to public service, helping others, and not necessarily seeking out the limelight.

I am hopeful that Judge Garland’s appointment will shore up and improve the morale at the Justice Department, which has been under the commitment to uphold civil rights and voting rights laws; protect the civil liberties and equal access to justice of all Americans; safeguard our national security and combat violent crime; and rout out systemic racism in our criminal justice system and government. As the only Cabinet department named after an ideal, I am convinced that Judge Garland will follow the facts, evidence, and law wherever it leads him, regardless of political influence.

Let me close by highlighting what President Biden and Judge Garland stated upon announcing his nomination. President Biden said forcefully: “You won’t work for me. You are not the president’s or the vice president’s lawyer. Your loyalty is not to me. It’s to the law, the Constitution.”

Judge Garland said: “The rule of law is not just some lawyer’s turn of phrase. It is the very foundation of our constitutional order. The rule of law is that like cases are treated alike, that there is not one rule for Democrats and another for Republicans, one rule for friends and another for foes.”

Judge Garland noted President Biden’s promise that he would have the “independent capacity” to decide who is subject to prosecution, based on the facts and the law. Judge Garland concluded that: “I would not have agreed to be considered for attorney general under any other conditions.”

I again urge the Senate to swiftly confirm this nomination, so we can bring Senate-confirmed leadership to the Department of Justice as soon as possible.

Mr. CARPER, Mr. President, I rise today in strong support of the nomination of Judge Merrick Garland to be United States Attorney General and to describe some of the greatest challenges confronting the U.S. Department of Justice.

The DOJ, as it is often called, is unlike any other Federal Agency. It is charged with protecting the constitutional rights and civil rights of all Americans. The past 4 years, to put it mildly, broke the longstanding precedent that has enabled the Department of Justice to operate above the political fray.

The Trump Justice Department joined a misguided lawsuit to take away healthcare coverage for tens of millions of Americans. The Trump Justice Department oversaw a cruel set of immigration policies that separated young children from their parents at our southern border and locked these children in cages. And the Trump Justice Department remained painfully silent as our Nation cried out for racial justice in the wake of the murder of George Floyd, an unarmed Black man.

After the firing of Attorney General Sessions, the Attorney General of the United States became the Attorney General for Donald Trump. When our Nation’s top law enforcement official becomes little more than a political fixture for the President, it erodes the prestige of equal justice under the law and calls into question the mission of the Department.

In the waning days of the Trump administration, with nearly half a million Americans dead from the coronavirus, a swarm of White supremacists and other extremists stormed our Capitol, including this very Chamber, and disrupted our peaceful transfer of power. Tragically, five people died during the January 6 insurrection, "the most violent attack on our United States Capitol police officer.

Our Nation must now bring the perpetrators to justice and address the root causes in our society that enable White supremacists and other extremists to fuel hate and violence.

The next Attorney General cannot shy away from these historic challenges. The next Attorney General must meet these challenges head on to restore integrity to the Justice Department and to work every day—every day—to restore the trust of the American people.

President Biden has nominated Judge Garland—not just one of the finest public servants I have ever met but one of the finest people I have ever met—to be Attorney General of the United States. His name should be familiar to many of our colleagues because President Obama nominated him to serve on the Supreme Court in 2016. At the time, I could not have agreed more.

I again urge the Senate to swiftly confirm this nomination, so we can bring Senate-confirmed leadership to the Department of Justice as soon as possible.

Judge Garland graduated at the top of his class at both Harvard undergrad and Harvard Law School. He clerked for Justice Brennan on the Supreme Court, and after a time in private practice, he worked at the Department of Justice, where he prosecuted the perpetrators of the Oklahoma City bombing. Judge Garland called this, and I quote him, “the most important thing I have ever done in my life.”

In 1997, Republicans and Democrats joined together to confirm Judge Garland to the DC Circuit Court of Appeals, which is often called the "second highest court in this land." Judge Garland has served honorably and dutifully for the past 24 years on the DC Circuit, including several years as its chief judge.

Judge Garland has gained the respect of all of his colleagues—left, right, and center—as someone who knows the law and never allows politics into the courtroom. Judge Garland works to...
build consensus and find principled compromises. Judge Garland will bring a wealth of legal, law enforcement, and judicial experience to the Department of Justice to make him uniquely qualified—uniquely qualified—to lead the Department at this critical moment.

Judge Garland will be an Attorney General for all Americans—all Americans. He will not shy away from the challenges facing the Justice Department. He will meet them head on.

At the top of Judge Garland’s to-do list is bringing the perpetrators of the January 6 insurrection to justice. Judge Garland will make sure that the Department stays out of the political fray and remains independent from the White House. And Judge Garland will answer the calls for racial justice and refocus the Department on one of its core missions, to protect the civil rights and voting rights of all Americans.

While I will never truly forget the shameful treatment of Judge Garland during his previous nomination to serve on the Supreme Court and in my heart I will always believe he should be serving on the Supreme Court today, I am grateful that Judge Garland has answered the call to serve.

I am also grateful to his wife of many years. I am grateful to his family for supporting him and allowing him to serve as he has. He is more than just a judge or attorney or a servant. He is a mentor. He is somebody who, every week, for years—20 years—has made time, found time in his life to mentor a kid who needs somebody in his life or her life. As someone who has been mentored for many years myself, I just want to say: God bless you. God bless you, Judge Garland. My hope today is he will get a resounding—resounding—vote out of this body. He has earned it. He deserves it.

I yield the floor.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The result was announced—yeas 70, nays 30, as follows:

[Rollcall Vote No. 114 Ex.]

YEAS—70

Baldwin
Bennet
Blumenthal
Blunt
Booker
Brown
Burr
Cannwell
Capito
Cardin
Carper
Casey
Cassidy
Collins
Coons
Corryn
Cortez Masto
Duckworth
Perdue
Ernst
Feinstein
Gillibrand
Graham
Grassley
Hassan
Hickenlooper
Hirono
Johnson
Kaine
Kelly
King
Klobuchar
Lankford
Leahy
Lujan
Manchin
Markley
McConnell
Menendez
Murphy
Ossoff
Padilla
Peters
Portman
Reed
Romney
Rosen
 Rounds
Sanders
Schatz
Shaheen
Simon
Smith
Stabenow
Tester
Thune
Tillis
Van Hollen
Warner
Warren
Whitehouse
Wyden

NAYS—30

Barrasso
Blackburn
Boozman
Braun
Capito
Cassidy
Coons
Cortez Masto
Cramer
Cruceto
Daines
Fischer
Risch
Hagerty
Hawley
Hoeven
Hyde-Smith
Kennedy
Cromer
Crapper
Crush
Marshall
Paul
Rich
Rubio
Sasse
Scott (FL)
Scott (SC)
Sheby
Sullivan
Toomey
Tuberville
Wicker
Young

The nomination was confirmed.

The PRESIDING OFFICER. The PRESIDING OFFICER. The Senator from Minnesota, Ms. KLOBUCHAR. Madam President, I ask unanimous consent that with respect to the Garland nomination, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate’s action.

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

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 Michael S. Regan, of North Carolina, to be Administrator of the Environmental Protection Agency. The vote was 65 to 35. To every Democrat and every Republican and maybe an Independent or two, I want to thank you for your vote.

I rise today to talk about this nomination and more particularly, about the person, the man who has been selected to serve as our EPA Administrator. As Members of this deliberative body, each one of us has taken an oath to protect and defend our U.S. Constitution. That oath includes offering our

The question is, Is it the sense of the Senate that debate on the nomination of Michael Stanley Regan, of North Carolina, to be Administrator of the Environmental Protection Agency, shall be brought to a close? The yeas are mandatory under the rule.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

The result was announced—yeas 65, nays 35, as follows:

[Rollcall Vote No. 115 Ex.]

YEAS—65

Baldwin
Bennet
Blumenthal
Boozman
Braun
Brown
Burr
Cassidy
Capito
Carper
Casey
Collins
Coons
Cortez Masto
Duckworth
Perdue
Ernst
Feinstein
Gillibrand
Graham
Grassley
Hassan
Hickenlooper
Hirono
Johnson
Kaine
Kelly
King
Klobuchar
Lankford
Leahy
Lujan
Manchin
Markley
McConnell
Menendez
Murphy
Ossoff
Padilla
Peters
Portman
Reed
Romney
Rosen
 Rounds
Sanders
Schatz
Shaheen
Simon
Smith
Stabenow
Tester
Thune
Tillis
Van Hollen
Warner
Warren
Whitehouse
Wicker
Wyden

NAYS—35

Barrasso
Blackburn
Boozman
Braun
Capito
Cassidy
Coons
Cortez Masto
Cramer
Cruceto
Daines
Fischer
Risch
Hagerty
Hawley
Hoeven
Hyde-Smith
Kennedy
Cromer
Crapper
Crush
Marshall
Paul
Rich
Rubio
Sasse
Scott (FL)
Scott (SC)
Sheby
Sullivan
Toomey
Tuberville
Wicker
Young

The PRESIDING OFFICER (Ms. BALDWIN). On this vote, the yes are 65, the nays are 35.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant bill clerk read the nomination of Michael Stanley Regan, of North Carolina, to be Administrator of the Environmental Protection Agency.

The PRESIDING OFFICER. The senior Senator from Delaware.

Mr. CARPER. Madam President, we have just invoked cloture on the nomination of Michael S. Regan, of North Carolina, to be Administrator of the Environmental Protection Agency.
advise and our consent when it comes to nominations of the President to fill posts in his or her administration.

It is hard to think of a time in modern history when the Senate’s role on nominations could be considered more urgent, to live in a time of great challenges. Our Nation faces multiple crises all at once. This includes the ongoing COVID-19 pandemic—the first in 100 years of this nature—the worst economy since the Great Depression, as well as the reckoning of racial injustice. These crises are connected with a fourth that is even greater and graver than any emergency the United States may have ever faced before, and that is the climate crisis— the climate crisis.

President Biden recognizes the importance and urgency of tackling this challenge. That is why he ran with a promise to make climate action a core of his administration’s work and of our work. It is also part of the reason why a record-setting majority of the American people voted him into office last November.

There are few leadership roles in the Federal Government that have greater responsibility for setting environmental and climate policy than that of the Administrator of the Environmental Protection Agency. This role has a profound responsibility—a profound responsibility—to ensure that the Agency effectively carries out its mission to protect our health and our environment.

That mission is particularly challenging right now. We know that the next EPA Administrator has his work cut out for him. He knows it as well.

In addition to addressing the serious environmental issues that are affecting Americans, the next EPA Administrator will also need to rebuild an Agency suffering from organizational drift and low morale after being repeatedly engaged in recent years by flawed leadership.

Scientific integrity has also been under attack. We need a strong, principled leader to get the EPA back on track.

Michael Regan is the right person for the job at this critical moment. He is a man of deep faith who believes, as I believe we all do, that we have a moral obligation to be stewards of this planet on which we live together. Michael Regan is of a person who can help unite us in common purpose as we respond to the climate crisis we face, as well as to clean our air, clean our water, and strive to make sure that we don’t leave some of our communities and some of our neighbors behind in our efforts to do so.

He knows how to put together inspired teams of men and women who are mission-focused and can together tackle complex problems and challenges.

As Secretary of North Carolina’s Department of Environmental Quality, he has proved himself to be an effective policy executive and bipartisan problem solver, someone who forgives practical solutions to clean our air and clean our water, while making and building a more nurturing environment for job creation and job preservation.

Anyone who has watched the EPA over the past two years is likely to say that Mr. Regan will have his hands full as Administrator. From scandals to climate denial, to the unremitting disregard for the opinions of career scientists throughout EPA, the past two Administrators left in their wake a frustrated and demoralized workforce, both from organizational drift and low morale at what may be an all-time low.

One of the keys to restoring that morale is returning scientific integrity to the Agency. Let me say again: One of the keys to restoring the morale in the EPA is returning to scientific integrity. That also means curbing the influence of special interests on EPA’s scientific advisory boards, which play a large role in crafting the Agency’s policies.

Mr. Regan will be tasked with combating climate change, the greatest environmental crisis we are facing as a world today. On this issue, we have no time to waste. I know my State, Delaware, have the luxury to wait a minute longer. We have the lowest lying State in the country. The State is sinking, and the seas around us are rising.

We are not the only State in which this has happened. This is felt by other States across the country too. One unlikely State you might find it in is Louisiana, Louisiana, according to JOHN NEELY KENNEDY, one of the Republican Senators here, told me last month, he said his State, Louisiana, is losing—get this—a football field of wetlands to rising sea levels every 100 minutes. Think about that, a football field of wetlands to rising sea levels every 100 minutes.

I see the signs of this crisis too clearly as I travel throughout my State. Madam President, eroding shorelines, waterlogged roads, and extreme weather threaten our economy and our way of life. Erratic weather patterns make farming some of our biggest crops—and we raise a lot of soybeans, and I know in your State you raise a couple of soybeans as well, but we raise a lot of soybeans. It makes farming, whether raising soybeans or corn or chickens, a lot more difficult.

Mr. Regan saw similar problems around another Wilmington—not Wilmington, DE, but Wilmington, NC—a problem similar to what we see every day in Wilmington, DE. He understands that we do not have to choose between economic growth and clean air and clean water. It is in fact a false choice. He knows, like many of our world’s leaders, that combating this crisis presents, instead, a chance for real economic growth, and economic growth that can create millions of good-paying American jobs and breathe life into communities large and small throughout this country.

And we know that the economic cost of spending a little today more than outweighs the cost of inaction. I believe it was Ben Franklin who once said that “an ounce of prevention is worth a pound of cure.” I think that is a quote that comes from our grandparents. It actually came originally from Ben Franklin.

As EPA Administrator, Mr. Regan will also need to work with States, with Tribes, and with municipalities to combat contamination in our Nation’s water supply from something called PFAS, one of thousands of permanent chemicals. Some are benign. Some of them are very, very dangerous to our health. They are called forever chemicals. Unfortunately, this is a critical public health issue that the last administration did not approach with the urgency it deserved. They talked a good game but didn’t come through. What do they say in Montana? ‘All that, no shows.’ That is why we are fighting this battle here, with respect to these permanent chemicals in the last administration.

This has hit home for me, and my guess is it hits home for the Presiding Officer, too, in Wisconsin. But coming from the State—I have got military installations, one of the biggest airbases in the world, Dover Air Force Base. I am hugely proud of Dover Air Force Base. It may be the best airlift base in the world. And, for years, we have, unfortunately, occasionally had incidents, accidents, and we need to have firefighters come out, and they use firefighting foam to try to save lives. And in doing that, it endangered the lives of other people because of the PFAS contamination that is in the firefighting foam, and it gets into our groundwater.

And it is not just Delaware. It is not just Delaware. It is not just Wisconsin. It is like, last I heard, hundreds, maybe thousands of bases around this country where there is a problem with PFAS contamination in the groundwater close to our military bases.

If his work in North Carolina on this issue is any indication, Mr. Regan will leave no stone unturned. We will also be looking to the EPA Administrator to ensure cleaner air by reestablishing the legal basis for the Mercury and Air Toxics Standards, which were upended by an administration more interested in protecting special interests than in keeping our air clean and our water supply.

These standards have been shown over time to be cost-effective, and they are supported by major coal-fired utilities across this country. Let me say that again. These standards have been shown over time not only to be cost-effective, but they are supported by major coal-fired utilities across this country.

As EPA Administrator, Michael Regan will also oversee the phasedown of something called HFCs, powerful greenhouse gases used as a refrigerant—think refrigerators, freezers,
air-conditioners in our house and our cars. They do a good job of keeping it cool and our food cool. Unfortunately, they are about 1,000 times more dangerous than carbon dioxide is to greenhouse gas—1,000 times worse. That is why we need to lead a bipartisan effort with a couple of our Republican colleagues, JOE KENNEDY and JOHN BARRASSO, to phase down the production of these harmful chemicals while giving American manufacturers a leg up in making the coolants of the future.

How many jobs will flow from this? Tens of thousands of American jobs. How much economic opportunity for American companies? Billions and billions of dollars. And, oh, by the way. I should hasten to add, you know, we hear from scientists that tell us that we are sort of at the turning point for us in terms of climate change by which we can't turn back. It is about 2 degrees Celsius for the balance of this century. Our phase out of hydrofluorocarbons is worth a half-degrees Celsius just by itself, just this one thing. So this is a huge thing, and we did it in a bipartisan way here in the Senate and the House. I am very grateful to their support. Let me add a couple of more points. If I can. Mr. Regan will need to help craft emission standards for cars, trucks, and vans that will fight climate change and help keep America in the lead on climate. We heard not long ago from our friends at GM. GM announced that beginning in 2035, they are not going to be building and selling vehicles powered by gasoline or diesel. Think about that. That is like 14 years from now. I think Ford may have announced in Europe that they are not going to be building vehicles that drive or are powered by gasoline or diesel. In Europe, by 2030, like I said, 9 years, this is coming.

So the question is, will we be ready for it? Will we take advantage of it? Will we be able to find, in this adversity of climate change, an economic opportunity? Yes, we can and especially with respect to the kinds of vehicles that we are going to build and drive into the future.

Michael Regan's tenure in North Carolina is, I think, a testament to his ability to bring people together and work across the political divide. He speaks from considerable experience. He is the largest coal ash cleanup settlement in U.S. history. He successfully led the negotiations that resulted in the cleanup of the Cape Fear River, right where my wife used to work for the DuPont company, the Cape Fear DuPont plant. And he has been through with Carolina's first ever Environmental Justice and Equity Advisory Board.

Mr. Regan has been able to do these things and much more by bringing people together to find bipartisan, lasting solutions, and we could use a few more of those around here.

That ability to unite people in common purpose, to approach his role as a public servant with humility, with empathy, and with grace, that central characteristic has been embodied in Mr. Regan across his career. He has demonstrated throughout his public service and his nomination process.

Interestingly, 23 of our country’s national agricultural organizations wrote to my committee—our committee, the Environment and Public Works Committee—to recommend him for the job. Most people might say: Well, big deal. Well, it was a big deal. How often do we have like dozens of major national agricultural organizations stepping up and saying, “We want to embrace this candidate to be the head of the Environmental Protection Agency”? Not very often, but they did in this case.

They highlighted his “established record” with respect to stakeholders, including farmers and ranchers.” And they applauded his pragmatic approach, writing that “during his tenure, he has worked to find practical, sound solutions to myriad environmental issues in the state.” We heard this same sentiment in his nomination hearing before the Environment and Public Works Committee. Throughout his testimony and questioning, Mr. Regan made it clear that he will be an EPA Administrator for red States just like he will be an EPA Administrator for blue States. He listened to concerns from both sides of the aisle and made commitments to work with anyone to solve a problem facing their constituents.

That is what helped earn him a 14-to-6 bipartisan vote of approval coming out of the EPW Committee. I remember us measuring the amount of time from someone’s name being actually submitted by a President to, actually, someone from Public Works committee that has say the same thing. The best leaders stay in step when everyone else is marching to the wrong tune. They understand their job is to unite, not divide. They build bridges, not walls.
they want to be treated. And, finally, when leaders know they are right, they are sure they are right, they don’t give up. They just don’t give up.

Michael Regan is that kind of leader. We need that kind of leader, and I am convinced that he is the leader we need for his critical role at this critical time in our Nation’s history.

So, Madam Chair and colleagues, as chairman of the Senate Committee on Environmental and Public Works, I urge all of my colleagues to support his nomination.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. CAPITO. Madam President, I ask unanimous consent that the order for the resolution

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

The Junior Senator from West Virginia.

Mrs. CAPITO. Madam President, I rise today to discuss my opposition to the nomination of Michael Regan for Administrator of the Environmental Protection Agency.

Now, before I begin, let me be very clear. I really liked meeting and getting to know Michael Regan. He is a dedicated public servant and an honest man. He had a beautiful family with him, and he answered the questions as straightforwardly as I think he thought he should. I have enjoyed getting to know him through my role as the ranking member on the Environment and Public Works Committee, and I appreciated the willingness he expressed to visit my home State of West Virginia. But this vote is not based on what Mr. Regan might do if he had his say; this vote is about confirming someone to execute President Biden’s agenda, which Mr. Regan said he would faithfully do, and I cannot support that agenda.

Throughout his confirmation process, Secretary Regan did not commit to a different policy agenda than that of the Obama administration—an agenda that absolutely devastated my State and other energy-producing States.

In his nomination hearing, Secretary Regan, because he is secretary of North Carolina’s Department of Environmental Quality, would not commit as to whether the so-called Clean Power Plan or something worse would be re-instituted. He did not rule out a return to the WOTUS rule. He could not say whether the EPA would again claim overarching authority to force States to shift their electricity generation sources. He could not commit to real changes, and that is because the agenda is already set. Climate czar Gina McCarthy and others have already set the table.

InsideEPA recently reported:

Administration observers are questioning whether Michael Regan . . . could face a diminished role if he wins Senate confirmation due to the large number of Obama-era officials who have returned to the agency and the White House to work on implementing Biden’s environmental policies.

The article went on to say:

[T]hese sources also say that because there are so many officials now working on climate change policies across the Biden administration, there is a concern about “turf wars” between EPA and the White House on this issue.

Well, I share those concerns.

For almost 2 months now, unaccountable. President Obama’s EPA wrote an op-ed fully backing the overreaching and I cannot support Secretary Regan when he

I appreciate that greatly, and I welcome that, but the fact remains that I can’t support Secretaries of the EPA, but we know that Secretary McCarthy is poised to have influence within the White House.

In addition to the Obama EPA alums already in place, the nomination of Janet McCabe to serve as EPA Deputy Administrator has only increased my concern and made it worse.

In 2019, McCabe, McCarthy, and another alum of the Obama EPA wrote an op-ed fully backing the overreaching Clean Power Plan. They admitted that their Clean Power Plan was a War on Coal. They stated:

The best way to cut emissions is to shift electricity generation from the dirtiest plants, which happen to use coal.

So they were willing to say it outright once they were out of public office. They are willing to admit to their errors because they want to be treated. And, finally, they wouldn’t say it to the people of my State when they were in the office.

They didn’t have the courage to look at the expletive to the eye and admit they wanted to wipe coal off the map. Had they come, they would have had to hear in person, eye to eye, the harm, the devastation that workers in our coal industry and many other associated industries in West Virginia were facing.

WVU economist John Deskins put that harm into perspective in testimony before the Senate Energy and Natural Resources Committee at a hearing in 2015. He observed:

In Central Appalachia, coal production has fallen by 51 percent since 2010, compared to a decline of 10 percent from the nation’s other coal-producing regions. . . . Nearly all of the coal job losses that have occurred in West Virginia have come from our state’s southern coalfields. The concentration of these job losses has created a Great Depression—

Great Depression—

in six southern counties—Boone, Clay, Logan, McDowell, Mingo, and Wyoming [Counties]. Job losses over the past four years range between—

Remember, this is in 2015—25 and 33 percent in each of these counties.

That is how many jobs were lost.

John Kerry stood alongside Gina McCarthy in the Oval Office in January and talked about the fossil fuel industry can just become wind turbine technicians or solar panel technicians. John Kerry doesn’t really know what it actually means to be any type of these workers.

In President Biden’s White House, we have unaccountable—and either misguided at best or uninformed at worst—cares trying to do what they think is best for this country.

So let’s go back to Secretary Regan. In his hearing, he talked in depth about his work when he was in North Carolina and his commitment to transparency, and both of the Republican Senators from his home State came and introduced him to our committee and spoke very well of his ability to work across the aisle.

I appreciate that greatly, and I welcome that, but the fact remains that I can’t support Secretary Regan when Gina McCarthy is the self-described orchestra leader for the Biden administration and John Kerry is basing so-called “transition” policies on a fantasy world that does not exist.

I am very skeptical that the next 4 years will be any better than the 8 years of economic devastation brought on by Obama’s EPA. So, without commitments to different policies than what were pursued in the Obama EPA, I cannot support Secretary Regan today. But, you know what? I hope he proves me wrong. I hope he makes good on his promise to work with Republicans to help address climate issues.

As ranking member of the EPA Committee, I stand ready to just do that. We have so much common ground on climate issues. I hope Secretary Regan can cut Gina McCarthy out of the loop and let her know who is calling the shots for environmental policy in the Biden administration.

I hope Secretary Regan embraces President Biden’s mandate of unity and works with both red and blue States to take care of our planet. Until then, I will continue to look out for my State and practice ag-ressive oversight on what I think may be coming.

I yield the floor.

The PRESIDING OFFICER (Ms. HASSAN). The Senator from Virginia.
the American Rescue Plan and its effect on my economy.

It has been a tough year. It was a year ago tomorrow that I sent my Senate staff home for a trial-run, 2-day telework in case we ever were to need it, and we were never coming back. Until now, when people are starting to get vaccinated, they are coming back personally to the office after having worked, in a pretty amazing way, virtually for the year.

It was just about a year ago that I got coronavirus. It was just about a year ago that I gave my wife coronavirus. It has been a long, long year: more than 500,000 Americans dead, more than 10 million still out of work. After sizable work by Congress in five bills in 2020 to inject resources into the economy, we are still down 10 million jobs.

But today is a bright day. Just within the last few hours, the House of Representatives passed the Senate bill that we sent over to them here, the American Rescue Plan, building on the original House proposal, and that bill is filled with things that will make a tangible difference nearly immediately in the lives of so many Americans. Everyday families, individuals, children; acceleration of the vaccine deployment; resources so that we can open our schools and our colleges and our childcare centers, which are all preconditions to seeing the economy reopen.

In Virginia—just making this about my home Commonwealth—State and local governments in Virginia will receive about $6.8 billion to cover costs of COVID, revenues lost due to COVID, but also projects that can help the economy accelerate so that we can climb out of the economic catastrophe that has been COVID.

Eighty-four percent of Virginians—that is more than 7 million people, 2 million with young children—will receive stimulus checks because of the bill the Democrats got passed in the House and Senate.

Just think of that. Seven million Virginians will receive stimulus checks. The average per filer—and many file jointly, so this will be sort of a household average—would be nearly $3,000.

The child tax credit portion of the American Rescue Plan will provide additional resources on top of those stimulus checks to 1.6 million Virginia children, lifting 85,000 currently below the poverty level to above the poverty level.

Just in my State, 85,000 children below the poverty level will no longer be there.

The expanded earned income tax credit in Virginia will affect nearly 420,000 adults, enabling them to work with more dignity, with less financial stress, as they try to manage the challenges of their life in this tough time.

Also, 250,000 adults whose unemployment benefits were in danger of expiring are now protected through early September because of the bill.

Small businesses, which have suffered so much, will get a significant up-lift—just restaurants, with the $28 billion restaurant fund in the American Rescue Plan. There are 15,000 restaurants in Virginia, all of which have suffered because of COVID, because of social distancing challenges, supply chain challenges, workers who have been out sick. That $28 billion fund offers great hope for our restaurateurs.

For Virginia education, our local school systems—134 cities and counties operate K-12 schools, will receive more than $2 billion to deal with the costs of COVID, including expanded broadband so that their students can have better access to online course curriculum, including money that could be used for summer instruction, for example, so that we can tackle learning gaps that occurred during the last year; and $845 million for Virginia higher education institutions.

And something that I am particularly excited about—I have a child who is an early childhood worker. That is what he does. Forty percent of Virginia childcare centers were closed for much of the year because of the pandemic. Virginia will receive nearly $800 million to support so our childcare centers can be open, which will not only be good for children but will enable their parents to return to work more easily.

In the healthcare space, acceleration of vaccines, lower healthcare premiums because of expanded subsidies for those who are purchasing insurance, mental health expansion to deal with the significant psychological and emotional traumas of the last year, housing, food, transit, broadband, pension reform.

There is so much in this bill for Virginians. There is so much in this bill for the residents of red States, blue States, in-between States. Every ZIP code—this already a family in the United States will see some impact that they can see, touch, and feel. It is not often that you pass a bill where you can say this about it—that the tangible results for virtually every American will be seen so quickly.

I want to focus a little bit, having talked about the tangible benefits in Virginia, just on the analysis of the bill nationally, and I have a couple of charts I want to show.

Coincidentally, or maybe not coincidentally, the size of the American Rescue Plan was pretty close to the size of the Trump tax cuts that were done in December of 2017. The Trump tax cuts were about $1.9 trillion, and the American Rescue Plan ended up being at about $1.9 trillion. So they are pretty close.

And what these two plans demonstrate, if you look at the Trump tax plan and you look at the American Rescue Plan, is that you will see how very, very different the priorities of the two parties are. The recovery plan passed in this body with every Democratic vote and no Republican votes. The Trump tax plan passed in 2017 with every Republican vote and no Democratic vote.

I believe these two plans are almost a perfect representation of the priorities of the two parties right now in this body—not just in this body but around the country. If you analyze the content of these two bills, which were nearly identical in size, you can definitely understand a lot about the priorities of the two parties. On the Tax Cuts and Jobs Act, the Trump tax cuts, $1.9 trillion benefit went to people making more than $75,000 a year, 16 percent went to people making less than $75,000 a year, 31 percent were tax cuts for businesses.

If you look at the American Rescue Plan, you see something very, very different: 44 percent of the aid was aid to individuals, 21 percent was pandemic and other policies that focus on getting us out of the healthcare crisis, 9 percent to our schools, 18 percent for our State and local governments to try to forestall massive layoffs of governmental employees, and then 8 percent are tax cuts to individuals.

These are very different priority sets between the GOP’s key accomplishment with the 2017 tax cuts and now this accomplishment that the Democrats have worked so hard to achieve in the American Rescue Plan.

This tells you about priorities, but the next chart is probably my favorite because I think it makes it even clearer. This is a chart that shows the benefits of both the American Rescue Plan in blue and the Tax Cuts and Jobs Act in red, and I don’t think those colors were coincidentally done by my staff.

It shows how the benefits of these two bills—they are identical in size—were arrayed across the income groupings, income quintiles of the American public. The top 20 percent of the American public in income got 65 percent of the benefit from the Trump tax cuts. They get 11 percent of the benefit from the American Rescue Plan.

In the 60-to-80-percent quintile, you will see that the two plans were pretty close to equal. Not exactly—the Democratic plan was a little bit better in terms of the benefits at that level. But as you move into the 40-to-60-percent quintile, that midrange of Americans, the Democratic proposal gave much more of the benefit to people in that income frame, the middle quintile, than the Republican proposal.

In the 20-to-40-percent range, it is quadruple the Democratic allocation of benefits to that lower-middle-class portion of the American public, quadruple what the Republican tax plan allocated.

But what you really see is, in the lowest quintile income of the American public, the people who struggled the most and during the pandemic were hurt the most, 23 percent of the benefits of the American Rescue Plan went to that lowest 20 percent of the American public while only 1 percent of the
benefit of the Trump tax cuts was allocated to that hard-hit, struggling group of people.

Again, if you want to look at the priorities of the two parties by analyzing these two sizable bills that each side claims as an accomplishment then you are proud of, you just need to look at that particular chart and understand who each side, each party, is batting for and who is each side, each party, trying to help.

Finally, one last chart and then a concluding comment. The last chart shows the poverty rate in this country beginning in 2007. Now, we know we had an economic challenge in 2008, 2009, 2010 that was significant, and then the poverty rate started to come down late in the Obama first term and continued to come down into the Trump first term. But you will see what has happened since 2017 with the passage of the Tax Cuts and Jobs Act. If that had not happened, the poverty rate would have started back up again after having come down for a number of years.

The Tax Cuts and Jobs Act did have an effect on the poverty rate. It knocked it down a little bit. So there was a positive effect on the poverty rate but it was not very significant.

But the projection about the American poverty rate following the passage of the American Rescue Plan is a dramatic reduction—a dramatic reduction of poverty from more than 12 percent down to poverty just above 8 percent—and we would expect to see that by the end of the year.

We are not talking about by the end of the decade or by the end of 5 years or by the end of this Congress. We are talking about by the end of the year.

I think these charts—and, again, particularly this chart that arrays the benefits of both the tax cuts bill of 2017 and the American Rescue Plan and shows how beneficial it would be—speak volumes about two very different philosophies about the economy, two very different philosophies about equity, two very different philosophies about how to truly include everyone in legislation that is big, tough, challenging legislation.

Finally, I will say this as I conclude: The passage and the signing of the American Rescue Plan will also start a realtime economic experiment because the budget bill, the tax plan was done in 2017, and we can measure what that has done and what it hasn’t done from 2017 to the beginning of the pandemic. You would not want to include the pandemic necessarily; that wouldn’t be a fair way to measure. But if you look at the passage of the tax cut plan in December of 2017, say, to March of 2020, you can get a pretty good view of what that tax bill did or didn’t do to the American economy.

Now, if the passage of the American Rescue Plan and the allocation of the benefits of the plan, as demonstrated here, we are going to start the clock on a realtime experiment of a different economic philosophy. If you take government action and you try to direct the focus of it on middle and lower income people, my surmise is, those dollars will likely be spent; they will be spent in community institutions and stores and purchasing properties or maybe they will be spent, and they will have a multiplier effect throughout the economy. They are not going to be used to buy back stock. They are not going to be used or socked away because there is nowhere to spend it.

I think you will see that the spending effect of allocating benefits in this way is going to have a significant, positive effect on the American economy at a time when it needs it and at a time when people who are most helped are most in need.

We need to build an economy coming out of this crisis that is not only robust but that is also sustainable, meaning environmentally sustainable but sustainable in ways that prevent busts in areas that leave people high and dry. We also need to build an economy that is more equitable, not measured just by GDP increase or stock market increases that can affect some but not measure more in statistics like wages, reduction of poverty, startup of new businesses that demonstrate an economic vitality that is spread broadly among the population.

We are starting the realtime clock on that experiment. We will be able to compare the value of the $1.9 trillion tax cut to the $1.75 trillion American Recovery Plan in years to come. And I am very, very excited to understand that because I think it may point the way forward to additional economic advances that will make us stronger.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

NOMINATION OF MICHAEL STANLEY REGAN

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

Mr. MORAN. Madam President, I am here this afternoon to speak in opposition to H.R. 1, the so-called For the People Act. Every American—no American should be fooled by the wholesome title of H.R. 1. H.R. 1 is an affront to the U. S. Constitution, and the drastic impact this legislation would have on federalizing elections, restricting free speech, and accelerating the divide in this country—that divide between left and right, rural and urban, red States and blue States—would be terribly damaging to our Nation.

We often hear that elections have consequences. In November, Americans voted for a Congress that is nearly a 50-50 split between the parties in the House, and a 50-50 split in the Senate. If elections have consequences, then the consequence American voters may have had in mind was to encourage Congress to put aside partisan differences and to work together to do its job on their behalf.

Americans did not vote to give one party free rein to implement an unprecedented power grab, to nationalize elections, and to strip power from States and localities from now into perpetuity, forever.

I am a conservative, and I believe in the primacy of individual liberties and in a Federal Government that exercises restraint. I believe that State and local units of government are inherently responsive to the wishes of our citizens. Article I, section 4 of the Constitution states that “Time, Places and Manner” of congressional elections “shall be prescribed [by the States].” My adherence to the Constitution thus instructs deference to the State government that oversees their own elections, as they always have and always should.

There are so many problematic and, frankly, unconstitutional aspects of
This legislation, particularly as it pertains to the micromanagement of local elections by the Federal Government.

With regard to the bill’s intent to Federalize State elections, I draw your attention to page 44, section 1004. Democrats, in sponsoring and pursuing passage of this legislation, are trying to eliminate voter identification laws. Voter identification laws have a lot of merit. It is required that you be a U.S. citizen to cast a vote in the United States. Some people generally have common sense and the General Services Administration poll indicates that 80 percent of Americans support voter ID laws. When you explain to Americans what voter ID really is, they do support it. Yet, under this legislation, voters showing up to the polls without an ID could simply sign a statement claiming they are who they say they are. If you want to dispel the notion that voter fraud occurs in our elections, this is not the place; this is not the way to accomplish that. It’s a disincentive to discouraging people from voting, but I want people to be legal who do vote.

On page 166, this bill requires that ballots be counted outside a voter’s precinct, removing a local government’s ability to verify voter rolls. That authority would instead go to a bureaucracy in Washington.

The requirement to allow third parties, including those politically affiliated, to pick up and deliver absentee ballots and counting further erodes confidence in the integrity of our elections.

One thing I do want to talk about in terms of this election reform is something we further do not need. It would corrode our entire system of elections, and for what purpose? Because, simply put, I think Democrats believe passing H.R. 1 would render rural voters, red State voters, impotent and therefore help them win elections.

At a time when our country is so divided, when we should be working together, for example, to end the consequences of the COVID-19 pandemic, to get American unvaccinated, and get our economy back on track, this is a very damaging policy to our Republic, and it is contained within the 800 pages of H.R. 1.

I hope my colleagues on both sides of the aisle take time to read and understand this bill and see and determine for themselves what it truly is. I am interested in making sure that all people have the opportunity to vote. All people who are legally eligible to vote, I want them to vote. But we ought to look only to policies to see that those we want to vote are the only ones who are eligible to do so and that those who are not eligible to vote are able to do so.

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

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

NOMINATIONS OF VANITA GUPTA AND LISA MONACO

Mr. CORNYN. Madam President, yesterday, the Senate Judiciary Committee heard from the nominees for the No. 2 and No. 3 jobs at the Department of Justice.

As you know, earlier today, we confirmed the next Attorney General of the United States, Judge Merrick Garland. I supported Judge Garland’s nomination because I think he is a qualified, mainstream nominee with the right experience and the right temperament to lead the Department of Justice. I believe being Attorney General is probably the hardest job in the Cabinet because you have two masters. One is the rule of law, as the chief law enforcement officer of the United States. The other is, you are a member of the President’s Cabinet and serve at his or her pleasure, obviously, a political appointment.

Judge Garland told me, and I take his word, that he would work hard to keep politics out of the work of the Justice Department—a goal that folks on both sides of the aisle should support, especially after the struggles of previous administrations.

As I said, I was proud to support Judge Garland’s nomination, and now we begin the process of considering other senior positions at the Department of Justice.

One of the nominees who came before the Judiciary Committee yesterday was Lisa Monaco, who has been nominated to serve as the Deputy Attorney General.

Ms. Monaco is a lifelong public servant who previously spent 15 years at the Department of Homeland Security. She is a highly respected Federal prosecutor and national security expert. She advised President Obama and a number of other top government officials on matters like homeland security, cyber security, counterintelligence, and her expertise extends beyond the ins and outs of matters of policy. Her knowledge of the Department of Justice as an organization will be invaluable to the Department, whose more than 100,000 employees are responsible for carrying out a diverse set of missions. It is a huge organization with a lot of moving parts.

Like Judge Garland, Ms. Monaco affirmed to me that she does not intend to use her position as Deputy Attorney General to pursue a political agenda. And she also assured me that if she were confirmed, the only issues she would consider are the rule of law, as the chief law enforcement officer of the country; the Constitution; and protecting the American people.

I asked her, for example, if she would allow Mr. Durham, who has been appointed as special counsel, to investigate the Crossfire Hurricane issue from the last administration and the tail end of the Obama administration. She said she saw no reason not to give Mr. Durham a chance to complete his work. But what is truly important is that we give Mr. Durham a chance to complete his work.

Ms. Monaco discussed her experience at the Department over the course of the Clinton, Bush, and Obama administrations. She really does have a lot of important, relevant experience. She talked about the unique role of the Justice Department, which, as I suggested a moment ago, functions both as an executive agency that is charged
with implementing the President’s policies as well as being an independent investigator and, in some cases, a prosecutor. She described the importance of acting free from political or partisan influence as her “North Star.”

While Ms. Monaco and I will surely have policy disagreements at some point, I trust her ability to fairly and impartially administer justice while operating free of personal bias or political agenda. I believe she is well qualified to serve as the Deputy Attorney General, and I plan to support her nomination.

Unfortunately, I cannot say the same for the second nominee who appeared before the Judiciary Committee yesterday. Vanita Gupta has been nominated to serve as the Associate Attorney General, which is sometimes considered to be the No. 3 position at the Department of Justice. Throughout her career, Ms. Gupta has been a clear and outspoken advocate for some pretty radical policies.

In 2012, for example, she wrote that states should decriminalize the possession of all drugs—not just marijuana but all drugs—which, I presume, would include things like fentanyl, heroin, methamphetamine, and other highly addictive and destructive drugs. In yesterday’s hearing, when I asked Ms. Gupta about this statement, she took the opposite position. She didn’t tell me “I used to advocate for that position and have now changed my position.” She said, unequivocally, that she did not advocate for the decriminalization of all drugs. It became apparent she wanted Senators to forget what she previously wrote:

States should decriminalize simple possession of all drugs, particularly marijuana, and for other drugs, too.

That is a quote from an article she wrote in 2012. Unfortunately, the list of inconsistencies does not end there.

In June of 2020, less than a year ago, Ms. Gupta declared that it ought to be easier to sue police officers for court money damages. Now, this is sometimes called “qualified immunity,” which recognizes the fact that law enforcement officers have to make split-second decisions—life-or-death decisions, actually—and that it would be unfair to them, in retrospect, go back and flyspeck all of their decisions. In other words, it gives them some room in which to operate, recognizing the nature of their job, as it applies to other government employees, too. Yet, in June 2020, less than a year ago, she argued that it was time to revisit this doctrine of qualified immunity—in other words, to make it easier for officers to sue police officers.

This was one of the many steps that she outlined in an opinion piece in a national publication following the death of George Floyd. Nine months later, she says she does not support that position—she supported it 9 months ago. Now she says she does not support the position of making it easier to sue police officers.

And there is more.

Last summer, Ms. Gupta put her support behind the “defund the police” movement. As our country engaged in an important and long overdue debate about the police’s use of force and responsibility policies, the Senate Judiciary Committee held a hearing on that very topic.

Ms. Gupta testified before the committee and said:

While front-end systems changes are important, it is also critical for state and local leaders to heed calls from Black Lives Matter and Movement for Black Lives activists to decrease police budgets and the scope, role, and responsibility of police in our lives.

Yesterday, Ms. Gupta did not mince words. She said she does not support defunding the police, and she said decreasing police budgets was not defunding the police. Well, at the time we were discussing this movement for defunding police, she attempted to parse her words. It is tough to reconcile the stark difference between what Ms. Gupta has said in the past and what she now says as she attempts to win support in the Senate. I am wary and, frankly, skeptical of confirmation proceedings when people take the opposite positions when they are nominated for important, Senate-confirmed positions from the positions they have taken in the past.

I understand her interest in distancing herself from her previous positions. Decriminalizing drugs, eliminating qualified immunity—making it easier to second-guess and sue police officers for money damages—and defunding the police are radical policy positions that should disqualify someone from becoming the third-highest ranking official at the Justice Department. In order to be confirmed, Ms. Gupta knows she needs to convince us that she actually holds mainstream positions that should disqualify someone from becoming the third-highest ranking official at the Justice Department.

In order to be confirmed, Ms. Gupta knows she needs to convince us that she actually holds mainstream views on law enforcement strategies and issues. I believe that these views, which are not from decades-old law school writings but are recent public statements—indeed, sworn testimony before the U.S. Senate Judiciary Committee—are views she no longer holds, which she said she held so recently.

I want to be clear on one point. The opinions of Ms. Gupta’s as a private citizen are not an issue. She has every right to hold opinions that differ from mine, but whether you are the nominee for a high level—indeed, one of the highest levels—of critical law enforcement positions, these are highly problematic and, to my mind, disqualifying.

Perhaps more so than any other Federal Department or Agency, the Department of Justice must operate free from bias and political agendas. The men and women leading the Department must be able to separate their personal beliefs from the jobs they do. They feel about the wisdom of the policies enacted by Congress, their jobs are to enforce the law not as they want it to be but as it is. People across the country should have confidence that the senior leaders at the Justice Department will follow the law as written—without fail. We can’t have leaders who turn a blind eye to whatever is politically convenient when it conflicts with their personally held positions.

Based on Ms. Gupta’s clear history of radical policy positions, which stands in stark contrast to the laws she would be expected to enforce with exacting precision, I do not believe she can separate her convictions from the job at hand. Leaders within the Department must be able to view all matters as matters of fact and as matters of duty, not just as matters of opinion or as platforms to argue for changes in the law.

As the Senate has considered the President’s nominees over the past several weeks, I have been very clear that I will not oppose nominees based simply on the President’s political party. I think the President is entitled to some deference as to the people he chooses. That was the strategy of our Democratic colleagues previously, and it is increasingly damaging to both our country and its institutions. Just because a President you don’t like has nominated somebody does not justify opposing that President’s nominee. I will continue to evaluate all nominees of this President based on their merits and their abilities to do the jobs for which they were nominated.

I firmly believe that the American people deserve to have qualified, fair-minded individuals leading these important Departments and Agencies. For the Department of Justice, which is responsible for enforcing the law of the land and imparting fair and equal justice, that is doubly true. There is simply no room for political or partisan influence on the Department’s important agenda. For the Department of Justice, which is responsible for enforcing the law of the land and imparting fair and equal justice, that is doubly true.

As the Senate has considered the President’s nominees over the past several weeks, I have been very clear that I will not oppose nominees based simply on the President’s political party. I think the President is entitled to some deference as to the people he chooses. That was the strategy of our Democratic colleagues previously, and it is increasingly damaging to both our country and its institutions. Just because a President you don’t like has nominated somebody does not justify opposing that President’s nominee. I will continue to evaluate all nominees of this President based on their merits and their abilities to do the jobs for which they were nominated.

I yield the floor.

The PRESIDING OFFICER (Ms. SMITH). The Senator from Iowa, Mr. GRASSLEY, Madam President, recently, the Biden administration withdrew a proposed Trump administration rule that would have required federal contractors to identify their connections with Confucius Institutes, which are very much connected to the country of China and, I would even say, to the Communist Party of China, which may be one and the same. How can one achieve these ideological outcomes? Therefore, I cannot support her nomination.

I yield the floor.
Congress and the American public. First, I have focused on the equal, fair, and aggressive enforcement of transparency laws. An example of one transparency law that I will focus on is the Foreign Agents Registration Act. I first raised concerns about the Foreign Agents Registration Act in April 2015, when it became very apparent that it wasn’t being used hardly at all. Historically, it hasn’t been used very much, and people have been getting away without registering under that act. It may be OK to represent a foreign country or a foreign interest, but at least we in Congress ought to know about it, and, in turn, the American people ought to know who you are and whom you are speaking for.

In 1938, Congress passed that law for the purpose then of exposing Nazi propaganda and identifying foreign attempts to influence policymakers as well as the American public. Last updated in 1986, the Foreign Agents Registration Act is designed to make those who lobby on behalf of foreign governments and foreign interests to register their affiliations and activities with our Justice Department.

The Foreign Agents Registration Act reflects the fundamental principle that transparency brings accountability. Until recently, however, the law has been seldom used. The Foreign Agents Registration Act ought to be better enforced and also be equally enforced. That will go by the title of “Foreign Agent’s Registration Act.”

As a result of those efforts, last session, I introduced a bipartisan bill that goes by the title of “Foreign Agents Disclosure and Registration Enhancement Act.” Since it wasn’t passed in the last Congress, I will be reintroducing it this session. The bill requires the Justice Department for the first time to craft a comprehensive enforcement strategy and to release advisory opinions to promote that transparency. It gives investigators new tools, including civil investigative demand authority, to help identify violations.

Last Congress, the bill had support from Chairman Graham and Ranking Member Feinstein of the Judiciary Committee and Chairman Rubio and Vice Chairman Warner of the Intelligence Committee. It also had bipartisan support on the Foreign Relations Committee, including from Senators Shaheen, Rubio, Murphy, and Young, who have all worked to shine a light on foreign influence. We also had the signoff from the chairman of that committee, also with support from the Trump administration.

Unfortunately, when Senator Cornyn and I joined on the floor just before Christmas to ask for unanimous consent for the passage of this bill that had such broad bipartisan support, the Democrats objected even though it had this bipartisan, multicommittee support.

So I strongly urge the Biden administration to join my efforts in making commonsense, bipartisan reforms to the Foreign Agents Registration Act and to make it a priority. My bill gets the job done.

The second point I want to raise is that I have focused my oversight on increasing nontraditional espionage activities and foreign threats targeting taxpayer-funded research.

When I was chairman of the Judiciary Committee in 2018, I convened a hearing regarding Chinese nontraditional espionage against the United States. In that hearing, both DOJ and FBI officials made very clear that the threat to our universities and taxpayer-funded research from foreign governments, especially China, is real and it is ongoing. For example, the Department of Justice witness stated: “We need to adapt our enforcement strategy to reach non-traditional collectors, including researchers in labs, universities, and the defense industrial base, some of whom may have undisclosed ties to Chinese institutions and conflicting loyalties.”

The FBI witness stated that China’s talent recruitment programs are effectively “brain gain programs” that “encourage theft of intellectual property from U.S. institutions.”

In June of 2019, when I was chairman of the Senate Finance Committee, I held a hearing on foreign threats to taxpayer-funded research which is used heavily on China’s theft and China’s espionage within our research community here in the United States.

After the hearing, I organized a classified committee briefing on the topic from the Department of Health and Human Services, the National Institutes of Health, the Department of Health and Human Services inspector general, and the Department of Homeland Security.

The Trump administration ramped up government efforts to investigate and prosecute researchers for stealing intellectual property and research. The Biden administration must continue those aggressive efforts if they want to be taken seriously. Those efforts are more important now than ever. For example, during the COVID pandemic, China has used cyber attacks to try to steal COVID-related research.

Third, another focus of mine has been on China’s giganteous propaganda machine within our schools and universities. Specifically, that concerns China’s Confucius Institutes. As an extension of the Chinese Government, the Confucius Institutes are a foreign principal for purposes of the Foreign Agents Registration Act. According to reporting, the strategic goal of the Chinese Government is to place its institutes within existing colleges and universities in order to influence perceptions of the Communist government in China under the guise of teaching Chinese culture, language, and history. In other words, we have to see this problem with open eyes.

In light of these factors, in October of 2018, I wrote to the Justice Department and asked why it had yet to require individuals working for Confucius Institutes to register as foreign agents under the Foreign Agents Registration Act.

Then, in March of 2020, I wrote to dozens of schools asking that they get a briefing from the FBI on the threats Confucius Institutes bring to the academic environment. I have also strongly backed Senator Kennedy’s Confucius Act—that is the title of the bill—which passed the Senate just last week. In part, that bill mandates that if a school wants an institute on campus, that school must have full managerial and academic control, not control from the Chinese Government.

China’s threats to our security are very real. They are known and show no sign of stopping. It is a very good sign that in the past couple of years, many universities and colleges have cut ties with Confucius Institutes. Probably some of those were on those respective campuses for a long period of time.

The Biden administration must use every tool at its disposal to protect and defend our national security from this Communist threat, which is why I wrote to the Biden Department of Homeland Security on February 10 this year regarding its withdrawal of the Confucius rule, which I thought was a very good step forward from the previous administration.

Among the questions I asked of the Department, two relate to whether the Biden administration considers the Confucius Institute to be an extension of the Communist Chinese Government as well as being purveyors of Communist Chinese propaganda. That is not an easy task. But I imagine our President does recognize it, but I want to have him tell me so. So far, that Department has thus far failed to respond.

The Biden administration would be wise to answer both in the affirmative to clearly state to the country and the world where it stands regarding China’s gigantic propaganda machine, of which the Confucius Institutes are only a small part. In other words, besides going after the Confucius Institutes, we have to have our eyes open to every way that the Communist Chinese and their government is trying to influence things in this country, as well as stealing things from our country.

Lastly, I want to highlight a very important issue that has recently been brought to my attention. Upon entering office, President Biden fired all U.S. Executive Directors at multilateral development banks who were currently serving out their terms. Some of these multilateral development banks are the International Monetary Fund, the World Bank, the Asian Development Bank, and the European Bank for Reconstruction and Development.

It has been U.S. tradition for incoming Presidents to allow these nonpartisan U.S. Executive Directors to

March 10, 2021
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CONGRESSIONAL RECORD — SENATE

S1455

Mr. CARDIN. Mr. President, today I rise to support the nomination of Michael S. Regan to be Administrator of the U.S. Environmental Protection Agency as we celebrate the Agency’s 50th anniversary and the return of the United States to the Paris Agreement, which the agency will play a key role in meeting.

Reduced carbon pollution and other forms of air and water pollution has generated enormous environmental, health, and economic benefits over the last 50 years.

While the Trump administration claimed that rolling back clean air protections frees up economic activity, in fact, reducing climate emissions is critical to a thriving, sustainable economy. Fortunately, many States maintained a strong commitment to protecting our communities from climate change. Maryland, under Republican and Democratic Governors, has benefitted from participating in the Regional Greenhouse Gas Initiative with 10 other States. However, the EPA is in the process of crossing State borders and requires strong and fair Federal regulation.

I am energized by Mr. Regan’s commitment to furthering progress on environmental justice. Research shows that air pollution and climate change disproportionately harm low-income communities and communities of color. Maryland suffers disproportionately from upwind pollution from fossil-fuel fired power plants out of State.

Removing these U.S. leaders from their positions prior to their terms expiring and with no replacements even nominated isn’t an example of the United States leading: this is an example of ceding its duties and responsibilities on the world stage.

In addition to my unanswered letters, the Biden administration should inform Congress as to why it removed all Executive Directors from their positions prior to their terms expiring. I hope President Biden knows China is aggressively growing its influence in these multilateral organizations, so now isn’t the time to abandon the field. There is no time to be weak with China. We must work tirelessly to protect our way of life and our national security from the ever-present threat of the Communist Chinese Government. At the same time, we must build on the foundation that the Trump administration worked to protect American taxpayers from foreign theft and espionage and propaganda.

I yield the floor.

I suggest the absence of a quorum.

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

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however, if the EPA does not act as arbiter to hold States accountable for pollution upstream. Therefore, I was particularly pleased to see that the agricultural community widely supports Mr. Regan’s nomination.

With the global effort to combat climate change and the regional Chesapeake Bay restoration effort are enormously challenging. Yet the prospect of confirming Michael Regan to be the Administrator of an EPA that produces policy based on Scientific evidence and robust community input has hopeful that we can sustain a healthy, vibrant watershed and Nation for generations to come.

VOTE ON REGAN NOMINATION

Mr. SCHUMER. Madam President, I ask unanimous consent that the vote that was set for 5:20 begins right now. I ask for the yeas and nays.

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

Will the Senate advise and consent to the Regan nomination?

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll. The legislative clerk called the roll.

The result was announced—yeas 66, nays 34, as follows:

[Rollcall Vote No. 116 Ex.]

YEAS—66

Baldwin  Hassan  Portman
Bernet  Heitkamp  Reed
Blumenthal  Hirono  Romney
Booker  Hirono  Rosen
Braun  Hyde-Smith  Rounds
Brown  Kaine  Rubio
Burr  Kelly  Sanders
Cantwell  King  Schatz
Cardin  Klobuchar  Schumer
Caper  Leahy  Shaheen
Casey  Lankford  Smith
Collins  Luján  Sullivan
Coons  Manchin  Stabenow
Cortez Masto  Markey  Tester
Crandall  Menendez  Tillis
Duckworth  Merkley  Van Hollen
Durbin  Menendez  Warner
Feinstein  Murphy  Warnock
Fischler  Murray  Warren
Gillibrand  Ossoff  Whitehouse
Graham  Padilla  Wicker
Grassley  Peters  Wyden

NAYS—34

Barbara  Hagerty  Risch
Blackburn  Hawley  Sasse
Brent  Hoeven  Scott (FL)
Boozman  Inhofe  Scott (SC)
Capito  Johnson  Shelby
Cassidy  Kennedy  Sullivan
Curnyn  Lankford  Thune
Cotton  Lankford  Toomey
Crapo  Marshall  Tester
Cruz  McConnell  Young
Daines  Merkley  Young
Ernst  Paul

The nomination was confirmed.

The PRESIDING OFFICER (Mr. Ossoff). The majority leader.

Mr. SCHUMER. Mr. President, I ask unanimous consent that with respect to the Regan nomination, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate’s action.

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

Mr. SCHUMER. Mr. President, first, let me explain to the public and the Senators what we are doing here. In the bipartisan agreement we faced under a 50-50 Senate, the rules say that if there were a tie vote, the majority leader has the ability to discharge the nomination from committee and then there be a straight up or down vote.

In this case, the nomination of Xavier Becerra to be Secretary of Health and Human Services, there was a tie vote in the Finance Committee. And what I will be doing in a moment is invoking that rule so that there can be 4 hours of debate equally divided, and we will debate whether Becerra should be approved. Obviously, he only needs approval with 50 or 51 votes if the Vice President comes to break the tie.

I will say a brief word here. It is confounding to me that Mr. Becerra, Xavier Becerra, did not get some votes from the other side of the aisle. He is an eminently qualified member. He was an outstanding Member of Congress. He was a very good Attorney General, and he has led the charge to keep people’s healthcare. When he was Attorney General, he was involved in the lawsuits of those who wanted to repeal the ACA. And if that is the reason our Republican colleagues are objecting—because he wants to keep and preserve the Affordable Care Act, which is very popular with the American people and very needed—I am surprised. It is yesterday’s news.

I know in 2010 a lot of people came here, “Repeal ACA,” but as the public got to know the ACA, they saw how good it was. And there is not much groundswell out there, except among some, the hard right, to repeal it. So I am surprised. And then we heard: Well, he is not a doctor. I would remind my colleagues that the last nominee for HHS they supported was a drug company executive. Are our Republican friends saying they would rather have a drug company executive who was not a doctor than anybody who has been a very careful, smart attorney who has been fighting for people to get better healthcare? I am surprised.

So I hope that we may get a few of our colleagues to join us tomorrow and vote for Mr. Becerra. I don’t think it will serve the country well or the Republicans well to be so adamantly opposed to him. But let me now proceed.

MOTION TO DISCHARGE

Mr. SCHUMER. Mr. President, pursuant to S. Res. 27, the Committee on Finance, being tied on the question of reporting, I move to discharge the Senate Finance Committee from further consideration of the nomination of Xavier Becerra, of California, to be Secretary of Health and Human Services.

The PRESIDING OFFICER. Under the provisions of S. Res. 27, there will now be up to 4 hours of debate on the motion equally divided between the two leaders or their designees, with no motions, points of order, or amendments in order.

Mr. SCHUMER. Mr. President, for the information of all Senators, we expect a vote on the motion to discharge to occur at approximately 12 noon on Thursday, March 11, 2021.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in 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.

TRIBUTE TO BRAD RICHARDSON

Mr. MCCONNELL. Mr. President, it was one decade ago that my friend Brad Richardson saw an opportunity in Hardin County. The community was struggling to maintain its health and human services, and it needed a leader who could work with local leaders to sustain their operation. Today, I would like to pay tribute to Brad, a visionary leader who helped realize the area’s potential. At the end of this month, he will begin a well-deserved retirement with our sincere thanks.

The first step was bringing everyone together. Brad is a natural team builder. He oversaw the consolidation of four local business advocacy groups into the Hardin County Chamber of Commerce. The new organization would help attract investment to one of Kentucky’s most populous counties. As the chamber’s inaugural president, Brad spent the next decade doing just that.

One of Brad’s first moves at the new Hardin County Chamber was to restart the annual Small Business Expo. The event gives local entrepreneurs the opportunities to connect with customers and local leaders as they expand their operations. Brad also launched a Buy Local campaign to keep Hardin County’s dollars in the community. In 2014, he was named the Chamber Executive of the Year by the Kentucky Chamber of Commerce Executives.

Hardin County is more than a great place to live and work. It is also the proud home to Fort Knox, one of Kentucky’s premier military installations and the location of a billion-dollar installation. The installation supports over 20,000 local jobs and makes a multibillion-dollar annual economic impact. In 2016, Brad was a driving force in the establishment of the Knox Regional Development Alliance. The group is tasked with promoting the relationship between the community and our Armed Forces. For his work to encourage the partnership, Brad was given the Fort Knox Gold Neighbor Award.

I’ve worked closely with Brad and KRDA to invest in Fort Knox’s infrastructure and capabilities. Last year,
that hard work paid off. The Pentagon selected Fort Knox to host the reactivated V Corps headquarters. Kentucky is one of the most military-friendly States in the country, and Hardin County was eager to welcome more than 6,000 additional soldiers. I am grateful to KRDA, Brad and his team, and our many other partners who made the stationing of the V Corps at Fort Knox a reality.

Over the years, Brad increased chamber membership and made substantial innovations in the community and our Commonwealth. That record of accomplishment would be enough for anyone. But Brad was determined to bring his good humor and enthusiasm to every project. He made it a real pleasure to be part of his team. When Brad took this job, he set an ambitious goal to enhance the quality of life in Hardin County. By any objective standard, I think he succeeded.

So we are all going to miss working with Brad at the Hardin County Chamber of Commerce, along with his colleagues and friends, I extend my best wishes for a fulfilling retirement. On behalf of the Senate, I would like to congratulate Brad on all of his success and to thank him for many years of leadership in Kentucky.

NOTICE OF A TIE VOTE UNDER S. RES. 27

Mr. BROWN. Mr. President, I ask unanimous consent to print the following letter in the Congressional Record:

To the Secretary of the Senate:

This being no objection, the material was ordered to be printed in the Record, as follows:

The following communications were entered upon the records of the Senate on March 3, 2021, pursuant to the Resolution of the Senate to the bill (H.R. 1319) to provide for reconciliation pursuant to title II of S. Con. Res. 5.

AMERICAN RESCUE PLAN ACT OF 2021

Mr. BARRASSO. Mr. President, I rise today to submit for the Record a letter sent to the U.S. Senate from Cathy and Bill Schreiber of Wilson, WY.

I recently had the opportunity to visit with Bill. He shared with me his optimism for the future of our Nation and I believe that the “worst of the pandemic is behind us.”

In their letter, Cathy and Bill expressed support for helping those most impacted by the COVID-19 pandemic. Like many people, they felt assistance should be targeted to only those individuals truly impacted by the pandemic. They offered sincere, honest opinions to make sure the relief got to people who need it, while limiting the funds and preventing additional debt spending will create for our Nation.

Cathy and Bill asked that I share their letter with the Senate. It expresses their confidence in the future and their commitment to continue to be adversely impacted by the current pandemic. I ask unanimous consent that their letter be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows: MARCH 3, 2021.

U.S. SENATE, Washington, DC.

DEAR SENATORS: I want to start by thanking you all for the hard work you have all performed over the last year dealing with the COVID 19 pandemic. The economic relief and stimulus bills that you have passed starting last March have made all the difference in the world! Without this support from the federal government I believe the country would have descended into the greatest depression the country has ever experienced. And that would negatively effect the world economy.

As indicated by the amazing rebound in the stock market, it is clear that the current economic slow down is a health problem, not a systemic one. I live and work in a small resort in northwest Wyoming and our community was hit very hard early last year. But now the economy is strong again and the unemployment rate is less than 4%. That means over 90% of the workforce is working. With the number of vaccines being administered now close to two million doses a day and vaccine availability ramping up very quickly, I believe the worst of the pandemic is behind us.

So now it is time to focus on the people who got left behind. And there are millions. I see that the Senate is reducing the income eligibility for stimulus checks and I believe that is a good thing. I hope it can focus the checks to an even higher degree to the people that need them. This will help the bill be more bipartisan which will set the tone for future legislation!

This is 80 important right now.

It appears to me that my wife and I will qualify for the full $2,800 stimulus check based on our income from 2019. But we would not qualify based on our 2020 income. We do not need the stimulus check. The check we received last spring we gave to people we knew who had lost their jobs. We will do the same thing again if we receive a check, but we would much rather see less money borrowed by the U.S. government than giving money to the millions of workers that have not been financially effected by the pandemic. I would like you all to compromise a little and consider the following:

Treat the stimulus checks received in 2021 as ordinary income. This way folks that have made great financial gains over the last year will give some back to the U.S. treasury.

Restrict the stimulus checks to workers who have not been financially effected by the pandemic. I live in a county I do not need any financial help in my opinion. A 5% reduction in revenue is not the end of the world. It is even healthy in my opinion.

Keep some extra “gunpowder” for some more future support for the unemployed for later this year and 2022.

Start to discuss how the government is going to pay this money back. These trillion-dollar sums become meaningless after a while. If the taxpayers of this county were to pay 10 million dollars a day towards this new debt, it would take 330 years to pay it off! And that amount does not even account for any interest.

And last, please remove funding for special projects and put them in a separate piece of legislation.

I know that fundamentally all Senators basically want the same near-term result. The pandemic to be behind us and that all Americans who have been hit hard by it be helped through the next year or two. I believe the economy is going to come roaring back very soon. It will be different but strong.

I thank you for your time.

Sincerely,

CATHY AND BILL SCHRIBER,
Wilson, Wyoming.

P.S. Please reduce the proposed stimulus bill by $2,800 on our behalf.

MESSAGES FROM THE HOUSE

At 2:17 p.m., a message from the House of Representatives, delivered by Mrs. Cole, 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. 1276. An act to authorize the Secretary of Veterans Affairs to furnish COVID–19 vaccines to certain individuals, and for other purposes.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 1319) to provide for reconciliation pursuant to title II of S. Con. Res. 5.

ENROLLED BILL SIGNED

At 4:35 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 1319. An act to provide for reconciliation pursuant to title II of S. Con. Res. 5.

The enrolled bill was subsequently signed by the Acting President pro tempore (Mr. SCHUMER).

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–603. A communication from the Director of the Regulations Management Division, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Rural eConnectivity Program” (RIN0576–ACS1) received in the Office of the President of the Senate on March 5, 2021; to the Committee on Agriculture, Nutrition, and Forestry.

EC–604. A communication from the President of the United States, pursuant to law, a report relative to the continuation of the national emergency that
was declared in Executive Order 12957 of March 15, 1995, with respect to Iran; to the Committee on Banking, Housing, and Urban Affairs.

EC-607. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled “Final Rule - Role of Supervisory Guidance” (RIN1625-AA32) received in the Office of the President of the Senate on March 4, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC-608. A communication from the Deputy Division Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Emergency Broadband Benefit Program” (RIN3004-AL16) (WC Docket No. 20-445) received in the Office of the President of the Senate on March 4, 2021; to the Committee on Commerce, Science, and Transportation.

EC-610. A communication from the Regulations Coordinator, Office of the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Fraud and Abuse: Removal of Safe Harbor Protection for Certain Point-of-Sale Reductions in Price on Prescription Pharmaceuticals and Creation of New Safe Harbor Protection for Certain Point-of-Sale Reductions in Price on Prescription Pharmaceuticals and Certain Pharmacy Benefit Manager Service Fees: Delivered Effective Date” (RIN0936-AA08) received in the Office of the President of the Senate on March 4, 2021; to the Committee on Health, Education, Labor, and Pensions.

EC-611. A communication from the General Counsel, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, six (6) reports relative to vacancies in the Office of Management and Budget, received in the Office of the President of the Senate on March 3, 2021: to the Committee on Homeland Security and Governmental Affairs.

EC-612. A communication from the Yemen Chief Petty Officer, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Security Zone; Lower Mississippi River, Andalusia, Mississippi” (RIN1625-AA06) received in the Office of the President of the Senate on March 3, 2021: to the Committee on Commerce, Science, and Transportation.

EC-613. A communication from the Yemen Chief Petty Officer, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Security Zone; Lower Mississippi River, Andalusia, Mississippi” (RIN1625-AA06) (Docket No. USCG–2021--0036) received in the Office of the President of the Senate on March 3, 2021: to the Committee on Commerce, Science, and Transportation.

EC-614. A communication from the Yemen Chief Petty Officer, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Security Zone; Duluth-Superior Harbor, Duluth, Minnesota and Superior, Wisconsin” (RIN1625-AA06) (Docket No. USCG–2021--0034) received in the Office of the President of the Senate on March 3, 2021: to the Committee on Commerce, Science, and Transportation.

EC-615. A communication from the Yemen Chief Petty Officer, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Emergency Safety Zone; Richmond Entrance Channel, Richmond, California” (RIN1223-AA06) (Docket No. USCG–2021--0057) received in the Office of the President of the Senate on March 3, 2021: to the Committee on Commerce, Science, and Transportation.

EC-616. A communication from the Yemen Chief Petty Officer, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Power Plant Demolition; Grand River, Grand Haven, Michigan” (RIN1625-AA06) (Docket No. USCG–2021–0030) received in the Office of the President of the Senate on March 3, 2021: to the Committee on Commerce, Science, and Transportation.

EC-617. A communication from the Yemen Chief Petty Officer, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Drawbridge Operation Regulation; Old Ford Bayou, Mississippi” (RIN1625-AA06) (Docket No. USCG–2018–0988) received in the Office of the President of the Senate on March 3, 2021: to the Committee on Commerce, Science, and Transportation.

EC-618. A communication from the Regulations Coordinator, Office of the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Fraud and Abuse: Removal of Safe Harbor Protection for Reates Involving Prescription Pharmaceuticals and Creation of New Safe Harbor Protection for Certain Point-of-Sale Reductions in Price on Prescription Pharmaceuticals and Certain Pharmacy Benefit Manager Service Fees: Delivered Effective Date” (RIN0936-AA08) received in the Office of the President of the Senate on March 4, 2021; to the Committee on Health, Education, Labor, and Pensions.

EC-619. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled “Final Rule - Rule of Supervisory Guidance” (RIN3004-AL16) received in the Office of the President of the Senate on March 4, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC-620. A communication from the Deputy Division Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Emergency Broadband Benefit Program” (RIN3004-AL16) (WC Docket No. 20-445) received in the Office of the President of the Senate on March 4, 2021; to the Committee on Commerce, Science, and Transportation.

EC-621. A communication from the General Counsel, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, six (6) reports relative to vacancies in the Office of Management and Budget, received in the Office of the President of the Senate on March 3, 2021: to the Committee on Homeland Security and Governmental Affairs.

EC-622. A communication from the Yemen Chief Petty Officer, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Security Zone; San Diego Bay, San Diego, California” (RIN1625-AA06) (Docket No. USCG–2021--0070) received in the Office of the President of the Senate on March 4, 2021; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-5. A petition from a citizen of the State of Texas relative to the impeachment process; to the Committee on the Judiciary.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. BROWN for the Committee on Banking, Housing, and Urban Affairs.

Gary Gensler, of Maryland, to be Member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 2025.

By Mr. PETTEGREW for the Committee on Homeland Security and Governmental Affairs.

Shalanda D. Young, of Louisiana, to be Deputy Director of the Office of Management and Budget.

By Mr. SANDERS for the Committee on the Budget.

Shalanda D. Young, of Louisiana, to be Deputy Director of the Office of Management and Budget.

*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.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. PORTMAN (for himself and Mr. CARDIN):

S. 653. A bill to amend title XVIII of the Social Security Act to provide for the application of Medicare secondary payer rules to certain workers’ compensation settlement agreements and qualified Medicare set-aside provisions; to the Committee on Finance.

By Mr. RUHR (for himself and Mr. TILLIS):

S. 654. A bill to reauthorize the Blue Ridge National Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MERKLEY (for himself and Mr. WYDEN):

S. 655. A bill to amend the Natural Gas Act to provide that the United States district courts shall not have jurisdiction to condemn property in which a State holds an interest for other purposes; to the Committee on Energy, Commerce, Science, and Transportation.

By Mr. SCOTT of South Carolina (for himself, Mr. TILLIS, Mr. COTTON, Mrs. HYDE-SMITH, Mr. HAWLEY, Mr. CRAMER, Mr. RISCH, Mr. BRAUN, Mr. Sasse, Mr. BLUNT, Mr. LANKFORD, Mr. LEE, Mr. CRUZ, Mr. ERNST, Mr. DAINES, Mr. WICKER, Mr. HAGERTY, Mr. CORNYN, Mr. INHOFE, Mr. SCOTT of Florida, Ms. BLACKEDEN, Mr. CASHDY, and Mr. KENNEDY):

S. 656. A bill to ensure that organizations with religious or moral convictions are allowed to continue to provide services for children; to the Committee on Finance.

By Mr. BOOZMAN (for himself, Mr. TESTER, Mr. WYDEN, Mrs. GILLI-Brand, Ms. Warren, Mr. PORTMAN, Ms. HASSAN, and Mr. BRAUN):

S. 657. A bill to modify the prescription service connection for veterans who were exposed to herbicide agents while serving in the Armed Forces in Thailand during the Vietnam era, and for other purposes; to the Committee on Veterans’ Affairs.

By Mr. CORNYN (for himself and Mr. LEAHY):

S. 658. A bill to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. YOUNG (for himself, Mr. TESTER, Mr. WYDEN, Mr. MANCHIN, Mr. INHOFE, Mr. KING, Mr. COTTON, and Ms. SINEMA):

S. 659. A bill to require the Secretary of Transportation to promulgate regulations relating to commercial motor vehicle drivers under the age of 21, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. SMITH (for herself and Ms. MURkowski):

S. 660. A bill to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. YOUNG (for himself, Mr. TESTER, Mr. WYDEN, Mr. MANCHIN, Mr. INHOFE, Mr. KING, Mr. COTTON, and Ms. SINEMA):

S. 661. A bill to require the Secretary of Transportation to promulgate regulations relating to commercial motor vehicle drivers under the age of 21, and for other purposes; to the Committee on Commerce, Science, and Transportation.
### S. 660. A bill to require parities in the coverage of mental health and substance use disorder services provided to enrollees in private insurance plans, whether such services are provided through employer sponsored health plans, to the Committee on Health, Education, Labor, and Pensions.

By Mr. HOEVEN (for himself, Ms. SULLIVAN, Mr. RYAN, Mr. DAINES, Mrs. CAPITO, Mr. BARBASO, and Mr. TESTER):

S. 660. A bill to amend the Internal Revenue Code of 1986 to modify the qualifying advanced coal project credit, and for other purposes; to the Committee on Finance.

By Mrs. FISCHER (for herself and Ms. SMITH):

S. 662. A bill to establish an interactive online dashboard to allow the public to review information for Federal grant funding related to mental health programs, to the Committee on Health, Education, Labor, and Pensions.

By Mr. VAN HOLLEN (for himself, Mr. CARDIN, and Ms. KLOBuchar):

S. 663. A bill to direct the Joint Committee on the Library, in accordance with section 3531 of Title 31, United States Code, to accept a statue depicting Harriet Tubman from the Harriet Tubman Statue Commission of Maryland and display the statue in a prominent location in the Capitol; to the Committee on Rules and Administration.

By Mr. PAUL (for himself, Ms. HASSAN, Mr. LANKFORD, and Ms. EINSTEIN):

S. 664. A bill to require the Comptroller General of the United States to review certain legislation in order to identify potential risks of duplication of and overlap with existing Federal programs, offices, and initiatives; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PAUL:

S. 665. A bill to allow Federal funds appropriated for kindergarten through grade 12 education to follow the student; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL:

S. 666. A bill to modify the criteria used by the Corps of Engineers to dredge small ports; to the Committee on Environment and Public Works.

By Mr. PAUL:

S. 667. A bill to provide regulatory relief to alternative fuel producers and consumers, and for other purposes; to the Committee on Environment and Public Works.

By Mr. PAUL:

S. 668. A bill to amend the Endangered Species Act of 1973 to permit Governors of States to regulate intrastate endangered species and intrastate threatened species, to amend the Migratory Bird Treaty Act to permit the taking of certain black vultures and ravens, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MURPHY:

S. 669. A bill to provide for the appropriate balance of empowering diplomats to pursue vital U.S. foreign policy goals and mitigating security risks at United States diplomatic posts, and for other purposes; to the Committee on Foreign Relations.

By Ms. KLOBuchar (for herself and Mr. WICHER):

S. 670. A bill to amend the Food, Drug, and Cosmetic Act to accelerate development of therapies across the spectrum of rare diseases and conditions and facilitate patient access to such therapies, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HASSAN (for herself and Mr. LANKFORD):

S. 671. A bill to require the collection of voluntary feedback on services provided by agencies, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. HASSAN (for herself, Ms. EINSTEIN, Mr. CARPER, Ms. MURkowski, and Mr. LANKFORD):

S. 672. A bill to amend title 31, United States Code, to save Federal funds by authorizing changes in the composition of circulating coins, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. KLOBuchar (for herself, Mr. KENNEDY, Mr. BOOKER, Mr. PAUL, and Mr. WHITEHOUSE):

S. 673. A bill to provide a temporary safe harbor for public content to collectively negotiate with dominant online platforms regarding the terms on which content may be distributed; to the Committee on the Judiciary.

By Mrs. MURRAY (for herself, Mr. BENNET, Mr. BROWN, Ms. WARREN, Mr. REED, Mr. MERKLEY, Mr. BLUMENTHAL, Mr. MARKEY, Mr. SCHATZ, Ms. BALDWIN, Mr. MENENDEZ, Ms. SMITH, Ms. DUCKWORTH, Mr. CASSIS, Mr. VAN HOLLEN, Ms. KLOBuchar, Mr. ROSEN, Ms. HIRONO, Mr. DURBIN, and Mrs. GILLIBRAND):

S. 674. A bill to support public health infrastructure; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COONS (for himself, Mr. CORY, Ms. DUCKWORTH, Mr. RUBIO, Mr. CARPER, Ms. HARRIS, Mr. KLOBuchar, Ms. COLLINS, Mr. MANCHIN, Mr. TOOMEY, Mr. GRAHAM, and Mrs. SHAHEN):

S. 675. A bill to provide for the reporting to State and local law enforcement authorities of cases in which the national instant criminal background check system indicates that a firearm has been sought to be acquired by a prohibited person, so that authorities may pursue criminal charges under State law, and to ensure that the Department of Justice reports to Congress on prosecutions secured against prohibited persons who attempt to acquire a firearm; to the Committee on the Judiciary.

By Mr. CRUZ (for himself and Mrs. BLACKBURN):

S. 676. A bill to address foreign threats to higher education in the United States; to the Committee on the Judiciary.

By Mr. LEE (for himself, Mr. PAUL, Ms. EINSTEIN, Mr. LANKFORD, Mr. HAWLEY, and Mr. HAGERTY):

S. 677. A bill to require annual reports on allied contributions to the common defense, and for other purposes; to the Committee on Foreign Relations.

By Mr. INHOFE (for himself, Mr. CRAMER, Mr. Rounds, Mrs. HYDE-SMITH, Mr. MARSHALL, and Mrs. BLACKBURN):

S. 678. A bill to declare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the laws of the United States; to the Committee on Homeland Security and Governmental Affairs.

By Ms. WARREN (for herself, Mr. SANDERS, Mr. DURBIN, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Ms. MURRAY, Mr. BOOKER, and Ms. SMITH):

S. 679. A bill to authorize additional monies to the Public Housing Capital Fund of the Department of Housing and Urban Development, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHATZ (for himself and Mrs. SHAHEEN):

S. 680. A bill to award grants to States to establish or improve, and carry out, Seal of Biliteracy programs that increase high-level student proficiency in speaking, reading, and writing in both English and a second language; to the Committee on Health, Education, Labor, and Pensions.

By Ms. WARREN (for herself, Mr. BOOKER, Mr. MERKLEY, Mr. BLUMENTHAL, Mr. MARKEY, Mr. BROWN, Mr. WYDEN, Mr. SANDERS, Ms. KLOBuchar, Mr. VAN HOLLEN, Ms. CORTEZ MASTO, Mr. PADDILLA, Ms. ROSEN, Ms. HIRONO, Mr. BROWN, Mrs. FEINSTEIN, and Mr. MENENDEZ):

S. 681. A bill to report data on COVID-19 immigration detention facilities and local correctional facilities that contract with United States Immigration and Customs Enforcement, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. TESTER (for himself, Mr. BOOZMAN, Mr. MORA, Mr. BLUMENTHAL, Mr. SANDERS, Mr. TILLIS, Mr. BROWN, Mrs. BLACKBURN, Ms. SINEMA, Ms. HASSAN, Mr. TOOMEY, Mr. COONS, Mr. CRAMER, and Mr. ROUNDS):

S. 682. A bill to authorize the Secretary of Veterans Affairs to furnish a vaccine for COVID-19 to certain individuals not enrolled in the patient enrollment system of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. MARKKEY (for himself, Mr. MERKLEY, Ms. WARREN, Mr. WHITEHOUSE, and Mr. SANDERS):

S. 683. A bill to amend the Internal Revenue Code of 1986 to clarify that products derived from tar sands are crude oil for purposes of the Federal excise tax on petroleum, and for other purposes; to the Committee on Finance.

By Mr. MARKKEY (for himself, Mr. SULLIVAN, and Mr. VAN HOLLEN):

S. 684. A bill to direct the Secretary of Transportation to carry out an active transportation investment program to make grants to eligible applicants to build safe and connected options for bicyclists and walkers within and between communities, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DURBIN:

S. 685. A bill to amend the Internal Revenue Code of 1986 to establish a carbon fee to reduce greenhouse gas emissions, and for other purposes; to the Committee on Finance.

By Mr. DURBIN (for himself, Mr. BROWN, and Ms. SMITH):

S. 686. A bill to amend the Internal Revenue Code of 1986 to address the teacher and school leader shortage in early childhood, elementary, and secondary education, and for other purposes; to the Committee on Finance.

By Mr. RISCH (for himself, Mr. ROMNEY, Mr. YOUNG, Mr. SULLIVAN, Mr. ROUNDS, Mr. WICKER, Mr. RUBIO, Mr. HAGERTY, and Mr. PORTMAN):

S. 687. A bill to advance a policy for managed strategic competition with the People's Republic of China; to the Committee on Foreign Relations.

By Mr. SCOTT of Florida (for himself, Mr. RUBIO, Mr. TILLIS, and Ms. ROSEN):

S. 688. A bill to prohibit contracting with persons that have business operations with the Maduro regime, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. RUBIO (for himself, Mr. CRUZ, and Mr. SCOTT of Florida):
S. 699. A bill to prohibit the removal of Cuba from the list of state sponsors of terrorism until Cuba satisfies certain conditions, and for other purposes; to the Committee on Foreign Relations.

By Mr. MARKEY (for himself and Mr. CARDIN):

S. 699. A bill to expedite the provision of humanitarianship assistance, including life-saving medical care, to the people of North Korea, and for other purposes; to the Committee on Foreign Relations.

By Mr. LEE (for himself, Mr. MORGAN, and Mr. PAUL):

S. 691. A bill to provide for congressional review of the imposition of duties and other trade measures by the executive branch, and for other purposes; to the Committee on Finance.

By Mr. HYDE (for himself, Mr. MORAN, Ms. HASSAN, and Mrs. BLACKBURN):

S. 692. A bill to award a Congressional Gold Medal to the female telephone operators of the Army Signal Corps, known as the “Hello Girls”; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. ROSEN (for herself and Mr. SCOTT of Florida):

S. 693. A bill to amend title 5, United States Code, to provide for the halt in pension payments for Members of Congress sentenced for certain offenses, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. CORTEZ MASTO (for herself, Ms. COLLINS, Mr. HIERONICUS, Ms. MUKOWSKI, Mr. MERKLEY, Ms. HIRONO, and Ms. STABENOW):

S. 694. A bill to require the Secretary of Energy to provide grants for energy efficiency improvements and renewable energy improvements at public school facilities, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. CORTEZ MASTO (for herself and Mr. CRAMER):

S. 695. A bill to improve the Safe Routes to School Program, and for other purposes; to the Committee on Environment and Public Works.

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

S. 696. A bill to amend the Secure Rural Schools and Self-Determination Act of 2000 to allow counties to use certain funds to provide for or expand access to broadband telecommunications services and other technologies; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BRAUN (for himself and Mr. YOUNG):

S. Res. 102. A resolution recognizing the 100th anniversary of the Hoosier Gym and the 35th anniversary of the release of the film “Hoosiers”; considered and agreed to.

By Mr. SCOTT of Florida (for himself, Mr. SULLIVAN, Mr. WICKER, Mr. TILLIS, and Mr. HAWLEY):

S. Res. 103. A resolution condemning military aggression and use of force by the Chinese Government against peaceful foreign vessels that purportedly violate the unlawful maritime sovereignty of China; to the Committee on Foreign Relations.

By Ms. WRENN (for herself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Mr. CASEY, Mr. COONS, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. HIRONO, Mr. KAINES, Ms. KLOBUCHEH, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mrs. MURRAY, Mr. PADILLA, Mr. SANDERS, Ms. SMITH, Mr. VAN HOLLLEN, Mr. WARNER, Mr. WARNOCK, and Mr. WYDEN):

S. Res. 104. A resolution recognizing the centennial of the 1921 Tulsa Race Massacre; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 15

At the request of Ms. KLOBUCHEH, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 15, a bill to require the Federal Trade Commission to submit a report to Congress on scams targeting seniors, and for other purposes.

At the request of Mr. MENENDEZ, the name of the Senator from Minnesota (Ms. KLOBUCHEH) was added as a cosponsor of S. 50, a bill to temporarily designate Venezuela under section 244(b) of the Immigration and Nationality Act to permit eligible nationals of Venezuela to be granted temporary protected status.

At the request of Ms. SINEMA, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 89, a bill to require the Secretary of Veterans Affairs to secure medical opinions for veterans with service-connected disabilities who die from COVID-19 to determine whether their service-connected disabilities were the principal or contributory causes of death, and for other purposes.

At the request of Ms. KLOBUCHEH, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 23, United States Code, to require the Secretary of Transportation to provide States applying for distracted driving grants an explanation of the eligibility decision with respect to the State, and for other purposes.

At the request of Mr. BOOKER, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 300, a bill to address the history of discrimination against Black farmers and ranchers, to require reforms within the Department of Agriculture to prevent future discrimination, and for other purposes.

S. 307

At the request of Ms. CORTEZ MASTO, the name of the Senator from Alaska (Ms. MUKOWSKI) was added as a cosponsor of S. 307, a bill to amend the Public Works and Economic Development Act of 1965 to authorize the Secretary of Commerce to make grants for travel promotion, and for other purposes.

S. 368

At the request of Mr. SCOTT of South Carolina, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 368, a bill to amend title XVIII of the Social Security Act to make permanent certain telehealth flexibilities under the Medicare program related to the COVID–19 public health emergency.

At the request of Mr. INHOFE, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 419, a bill to amend title 5, United States Code, to provide for a full annuity supplement for certain air traffic controllers.

At the request of Mr. MARKEY, the name of the Senator from New Mexico (Mr. HIERONICUS) was added as a cosponsor of S. 425, a bill to require States to establish complete streets programs, and for other purposes.

At the request of Mr. SULLIVAN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 437, a bill to amend title 38, United States Code, to concede exposure to airborne hazards and toxins from burn pits under certain circumstances, and for other purposes.

At the request of Mr. MARKEY, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 475, a bill to amend title 5, United States Code, to designate Juneteenth National Independence Day as a legal public holiday.

At the request of Ms. HASSAN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 584, a bill to amend title XVIII of the Social Security Act to provide coverage of medical nutrition therapy services for individuals with eating disorders under the Medicare program.

At the request of Mr. VAN HOLLLEN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 595, a bill to prohibit the use of funds for the research and development, production, or deployment of the nuclear-armed sea-launched cruise missile and its associated nuclear warhead.

At the request of Mr. RUBIO, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 623, a bill to make daylight saving time permanent, and for other purposes.

At the request of Mr. JOHNSON, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 628, a bill to increase access to agency guidance documents.

At the request of Ms. KLOBUCHEH, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 631, a bill to direct the Secretary
of Health and Human Services, acting through the Director of the National Institute of Mental Health, to conduct or support research on the mental health consequences of SARS-CoV-2 or COVID-19, and for other purposes.

At the request of Mr. MURPHY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 635, a bill to reauthorize The Last Green Valley National Heritage Corridor and the Upper Housatonic Valley National Heritage Area, and for other purposes.

At the request of Mr. DURBIN, the names of the Senator from Minnesota (Ms. SMITH), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Michigan (Ms. STabenow), the Senator from Mississippi (Mrs. HYDE-Smith) and the Senator from Arizona (Mr. KELLY) were added as cosponsors of S. 644, a bill to amend title XVIII of the Social Security Act to restore State authority to waive for certain facilities the 35-mile rule for designating critical access hospitals under the Medicare program, and for other purposes.

At the request of Mr. DURBIN, the name of the Senator from South Dakota (Ms. FISCHER), the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 644, a bill to amend title XVIII of the Social Security Act to restore State authority to waive for certain facilities the 35-mile rule for designating critical access hospitals under the Medicare program, and for other purposes.

At the request of Mr. BOOKER, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. Res. 95, a resolution recognizing the disproportionate impact of COVID-19 on women and girls globally.

At the request of Ms. ROSEN, the names of the Senator from Nebraska (Mrs. FISCHER), the Senator from South Dakota (Mr. ROUNDS) and the Senator from North Dakota (Mr. Cramer) were added as cosponsors of S. Res. 96, a resolution designating March 8 through March 14, 2021, as “Women of the Aviation Workforce Week”.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTION

By Mr. DURBIN:
S. 685. A bill to amend the Internal Revenue Code of 1986 to establish a carbon fee to reduce greenhouse gas emissions, and for other purposes; to the Committee on Finance.

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

The majority leader, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 685

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

SECTION 1. SHORT TITLE.
This Act may be cited as the “America’s Clean Future Fund Act”.

SEC. 2. CLIMATE CHANGE FINANCE CORPORATION.

(a) Establishment.—
(1) IN GENERAL.—There is established in the executive branch an independent agency, to be known as the “Climate Change Finance Corporation” (referred to in this section as the “CCFC”), which shall finance clean energy and climate change resiliency activities in accordance with this section.

(b) Mission.—
(1) IN GENERAL.—The mission of the CCFC is to combat climate change by building resilience among communities facing harmful impacts of climate change and supporting a dramatic reduction in greenhouse gas emissions—
(i) through the deployment of clean and renewable technology, resilient infrastructure, research and development, the commercialization of new technology, clean energy manufacturing, and industrial decarbonization; and
(ii) to meet the following goals—
(I) by 2030, a net reduction of greenhouse gas emissions by 45 percent, based on 2018 levels; and
(II) by 2050, a net reduction of greenhouse gas emissions by 100 percent, based on 2018 levels.

(c) Activities.—The CCFC shall carry out the mission described in subparagraph (A) by—
(i) financing investments in clean energy and transportation, resiliency, and infrastructure;
(ii) using Federal investment to encourage the infusion of private capital and investment into the clean energy and resilient infrastructure sectors, while creating new workforce opportunities; and
(iii) providing financing in cases where private capital cannot be leveraged, while minimizing competition with private investing.

(d) Exercise of Powers.—Except as otherwise provided expressly by law, all Federal laws dealing with public or Federal contracts, property, works, officers, employees, budgets, or funds, including the provisions of chapters 5 and 7 of title 5, United States Code, shall apply to the exercise of the powers of the CCFC.

(e) Board of Directors.—
(1) IN GENERAL.—The management of the CCFC shall be vested in a Board of Directors (referred to in this section as the “Board”) consisting of 7 members, who shall be appointed by the President, by and with the advice and consent of the Senate.

(2) CHAIRPERSON AND VICE CHAIRPERSON.—
(A) IN GENERAL.—A Chairperson and Vice Chairperson of the Board shall be appointed by the President, by and with the advice and consent of the Senate, from among the individuals appointed to the Board under paragraph (1).

(B) TERM.—An individual—
(i) shall serve as Chairperson or Vice Chairperson of the Board for a 3-year term; and
(ii) may be renominated for the position until the term of that individual on the Board under paragraph (3)(C) expires.

(3) BOARD MEMBERS.—
(A) CITIZENSHIP REQUIRED.—Each member of the Board shall be an individual who is a citizen of the United States.

(B) REPRESENTATION.—The members of the Board shall fairly represent agricultural, educational, research, industrial, nongovernmental, labor, and commercial interests throughout the United States.

(C) TERM.—
(1) IN GENERAL.—Except as otherwise provided in this section, each member of the Board—
(I) shall be appointed for a term of 6 years; and
(II) may be reappointed for 1 additional term.

(2) INITIAL staggered terms.—Of the members first appointed to the Board—
(I) 2 shall each be appointed for a term of 2 years;
(II) 3 shall each be appointed for a term of 4 years; and
(III) 2 shall each be appointed for a term of 6 years.

(4) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Board are appointed, the Board shall hold an initial meeting.

(f) Working Group Members.—
(1) IN GENERAL.—The Board shall create, over time, and in consultation with the following working groups (each referred to in this section as a “working group”):—
(A) an environmental justice working group;
(B) a worker and community transition assistance working group;
(C) a research and innovation working group;
(D) working group members.—
(A) IN GENERAL.—Each working group shall—
(i) be chaired by a Board member; and
(ii) comprise not less than 10 and not more than 20 individuals, who shall be experts, members of directly impacted communities relating to the subject matter of the working group, and other relevant stakeholders.

(g) Diversity.—Individuals on a working group shall, to the maximum extent practicable, represent—
(i) a diverse array of interests related to the subject matter of the working group; and
(ii) diverse geographical, racial, religious, gender, educational, disability, and socioeconomic backgrounds.

(h) Meetings.—Each working group shall meet not less than 2 times per year.

(i) Community and Stakeholder Engagement.—
(1) IN GENERAL.—Each working group shall create and engage in meaningful community stakeholder involvement, including through regular community engagement activities, for purposes of—
(i) maintaining up-to-date situation awareness about the needs of relevant communities and stakeholders;
(ii) using the feedback obtained through these opportunities to inform the advice of the working group to the Board; and
(iii) providing a mechanism for direct and substantial community feedback relating to the investment plan and the funding decisions of the CCFC.

(j) Public Awareness.—Each working group shall inform the public about CCFC investment by engaging in public awareness campaigns, which shall target relevant communities through electronic media, newspapers, radio, direct mailings, canvassing, or other outreach methods suited for the relevant community.

(k) Broad Participation.—In carrying out subparagraph (A), each working group shall, to the maximum extent practicable, maximize participation from a broad group of stakeholders, including by holding multiple meetings with significant advance notice and holding meetings at different times and in multiple languages.

(l) Tasks.—Each working group shall, as it relates to the subject matter of the working group—
(A) advise and provide general input to the Board regarding loans and grants provided by the CCFC; and
(B) consult with and, based on the activities described in paragraph (4), provide recommendations to, the Board in the development of and updates to the investment plan of the CCFC.

(l) Investment Plan.—
(1) IN GENERAL.—The Board, in consultation with each working group described in subsection (c)(1), shall develop an investment plan (referred to in this subsection as the “investment plan”) for the CCFC in accordance with this subsection.

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(2) PURPOSES.—The purposes of the investment plan are—

(A) to ensure that investments made by the C2FC—

(i) are equitable and reach the prioritized communities described in subsection (e)(2);

(ii) are effective at progressing towards the goals described in subsection (a)(2);

(iii) include research in clean technologies and resilience; and

(iv) are transparent to the public; and

(B) to provide methods and standards by which the Board and the working groups described in subsection (c)(1) shall choose projects in which to invest.

(3) INVESTMENT TOOLS.—The initial investment plan shall require that, of the total amount of grant funds provided under subsection (e)(3)(A) each year, not less than 40 percent be used to benefit communities described in subsection (e)(2)(A).

(4) INVESTMENT PLAN UPDATES.—

(A) IN GENERAL.—The Board, in consultation with each working group described in subsection (c)(1), shall update the investment plan not later than December 31, 2023, and every 4 years thereafter, including by taking into account—

(i) the current needs of the prioritized communities described in subsection (e)(2);

(ii) the effectiveness of the previous investment plan in addressing the needs of those communities;

(iii) the current state of relevant research and technology;

(iv) the resiliency needs of local communities;

(v) the goals described in subsection (a)(2)(A)(i); and

(vi) the 2 most recent program reviews conducted under subsection (f).

(B) EFFECTIVENESS.—An investment plan shall remain in effect until the date on which the Board approves an updated investment plan.

(C) PUBLIC INPUT.—In updating the investment plan, the Board and the working groups described in subsection (c)(1) shall—

(i) engage stakeholders and the public in a public comment and feedback process; and

(ii) ensure that the prioritized communities described in subsection (e)(2) have access to participate in that process.

(D) PUBLIC UPDATES.—The Board shall make public available on a quarterly basis information relating to the expenditure of funds under the investment plan.

(V) DEFINITIONS.—In this subsection:

(A) COMMUNITY OF COLOR.—The term ‘‘community of color’’ means a geographically distinct traditional population of any of the following categories of individuals that is higher than the average population of that category for the State in which the community is located:

(i) Black.

(ii) African American.

(iii) Asian.

(iv) Pacific Islander.

(v) Other non-White race.

(vi) Hispanic.

(vii) Latino.

(viii) Linguistically isolated.

(B) ELIGIBLE BORROWER.—The term ‘‘eligible borrower’’ means any person, including a business owner or project developer, that seeks a loan to carry out approved projects or programs described in subparagraph (A)(i) of paragraph (3) from an eligible lender that may receive a loan guarantee under that paragraph, including a loan, according to criteria determined by the C2FC.

(C) ELIGIBLE ENTITY.—The term ‘‘eligible entity’’ means—

(i) a State;

(ii) an Indian Tribe;

(iii) a unit of local government; and

(iv) a research and development institution (including a National Laboratory).

(D) ELIGIBLE LENDER.—The term ‘‘eligible lender’’ means—

(i) a Federal- or State-chartered bank; or

(ii) an agricultural credit corporation;

(iii) a United States Green Bank Institution;

(iv) a community development financial institution (as defined in section 103 of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4702));

(v) a minority depository institution (as defined in section 306(b) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1463 note; Public Law 101–73)); and

(vii) any other lender that the Board determines has demonstrated the ability to underwrite and service loans for the intended approved practice for which the loan will be used.

(E) ENVIRONMENTAL JUSTICE COMMUNITY.—The term ‘‘environmental justice community’’ means a community with significant representation of communities of color, low-income communities that are historically and physically burdened by pollution or other environmental phenomena and that experience disproportionate burdens of the negative health and environmental impacts of pollution or other environmental hazards, such as natural disasters; or

(ii) may not have access to public information and opportunities for meaningful public participation relating to human health and environmental planning, regulations, and enforcement;

(B) deindustrialized communities or communities with significant local economic reliance on carbon-intensive industries;

(C) low-income communities at risk of impacts of natural disasters or sea level rise exacerbated by climate change or other environmental challenges.

(B) LOAN GUARANTEES.—In providing a loan guarantee under subparagraph (A), the C2FC shall guarantee the greater of—

(i) an amount equal to 80 percent of the median income of the area in which the household is located, as reported by the Department of Housing and Urban Development;

(ii) 200 percent of the Federal poverty line.

(H) STATE.—The term ‘‘State’’ means—

(i) a State;

(ii) the District of Columbia;

(iii) the Commonwealth of Puerto Rico; and

(iv) any other territory or possession of the United States.

(3) GRANTS, LOAN GUARANTEES, AND OTHER INVESTMENT TOOLS.—

(A) IN GENERAL.—The C2FC—

(i) shall provide grants to eligible entities and loan guarantees to eligible lenders; and

(ii) shall provide loan guarantees to eligible borrowers for approved projects and projects relating to climate change mitigation and resilience measures including—

(I) energy efficiency upgrades to infrastructure;

(II) electric, hydrogen, and clean transportation programs and deployment, including programs—

(aa) to purchase personal vehicles, commercial vehicles, domestic transportation fleets and school bus fleets;

(bb) to deploy electric vehicle charging and hydrogen infrastructure; and

(cc) to develop and deploy low carbon sustainable aviation fuels;

(III) clean energy and vehicle manufacturing research, demonstrations, and deployment;

(IV) battery storage research, demonstrations, and deployment;

(V) development or purchase of equipment for practices described in section 6;

(VI) development and deployment of clean energy and clean technologies, with a focus on—

(aa) carbon capture, utilization, and sequestration, bioenergy with carbon sequestration, direct air capture, and infrastructure assessments with those processes, including construction of carrier pipelines for the transportation of anthropogenic carbon dioxide;

(bb) energy storage and grid modernization;

(cc) geothermal energy;

(dd) commercial and residential solar;

(ee) wind energy; and

(ff) any other clean technology use or development, as determined by the Board;

(VII) measures that anticipate and prepare for climate change impacts, and reduce risks and enhance resilience to sea level rise, extreme weather events, heat island impacts, and other climate change impacts, including by—

(aa) building resilient energy, water, and transportation infrastructure;

(bb) providing weatherization assistance for low-income households;

(cc) increasing the resilience of the agriculture sector; and

(dd) natural infrastructure research, demonstrations, and deployment; and

(ii) may implement other investment tools and products approved by the Board, pursuant to subparagraph (C), to achieve the mission of the C2FC described in subsection (a)(2).

(B) LOAN GUARANTEES.—In providing loan guarantees under subparagraph (A), the C2FC shall cooperate with eligible lenders through agreements to participate on a deferred (guaranteed) basis.

(C) LEVEL OF PARTICIPATION IN GUARANTEED LOANS.—In providing a loan guarantee under subparagraph (A), the C2FC shall guarantee 75 percent of the balance of the financing outstanding at the time of disbursement of the loan.

(D) INTEREST RATES.—Notwithstanding the provisions of the constitution of any State the laws of any State limiting the rate or amount of interest that may be charged, taken, received, or reserved, the maximum rate of interest on any financing made on a deferred basis under this subsection shall not exceed a rate prescribed by the C2FC.

(E) GUARANTEER FEES.—

(I) IN GENERAL.—With respect to each loan guaranteed under this subsection (other than
a loan that is repayable in 1 year or less), the 
C2FC shall collect a guarantee fee, which 
shall be payable by the eligible lender, and 
may be charged to the eligible borrower in 
accordance with subsection (D).

(B) BORROWER CHARGES.—A guarantee fee 
described in subclause (I) charged to an eligi-
bles lender shall not 

(ii) exceed 3.5 percent of the deferred 
participation share of a total loan amount that 
is equal to or greater than $700,000.

(C) OTHER INVESTMENT TOOLS AND PROD-
UCTS.—

(i) In General.—The Board may, based on 
market needs, develop and implement any 
other investment tool or product necessary 
to achieve the mission of the C2FC described 
in subsection (a)(2) and the deployment of 
projects described in subparagraph (A)(i), in-
cluding offering—

(I) warehousing and aggregation credit fa-
cilities;

(II) zero interest loans;

(III) credit enhancements; and

(IV) construction assistance.

(ii) STATE AND LOCAL GREEN BANKS.—The 
Board shall provide—

(I) funds to United States Green Bank In-
stitutions as necessary to finance projects that 
are best served by those entities; and

(II) technical assistance as necessary to 
States and localities seeking to establish 

green banks.

(D) WAGE RATE REQUIREMENTS.—

(A) In General.—All laborers and mechan-
ics employed by eligible entities and eligible 

borrowers on projects funded directly or 
assisted in whole or in part by the activities 
of the C2FC under this section shall be paid 
at wages at rates not less than those pre-

vailing on projects of a similar character in 
the locality as determined by the Secretary 
of Labor in accordance with subchapter IV of 
chapter 31 of title 19, United States Code 
(commonly known as the “Davis-Bacon 
Act”).

(B) AUTHORITY.—With respect to the labor 
standard described in subparagraph (A), the 
Secretary of Labor shall have the authority 
and functions set forth in Reorganization 
Plan Numbered 14 of 1960 (84 Stat. 1267; 5 
U.S.C. 501, as amended) and section 3145 of 
title 19, United States Code.

(E) BUY AMERICA REQUIREMENTS.—

(A) In General.—All iron, steel, and manu-
factured goods used for projects under this 
section shall be produced in the United States.

(B) WAIVER.—The Board may waive the 
requirement described in subparagraph (A) if 
the Board finds that—

(i) enforcing the requirement would be 

inconsistent with the public interest,

(ii) the iron, steel, and manufactured 
goods produced in the United States are not pro-
duced in a sufficient and reasonably avail-
able amount or are not of a satisfactory quality; 
or

(iii) enforcing the requirement will in-
crease the overall cost of the project by more 
than 25 percent.

(F) PROGRAM REVIEW AND REPORT.—Not 
later than 2 years after the date of enact-
ment of this Act, and every 2 years there-
after, the Board shall—

(I) conduct a review of the activities of 
the C2FC and identify projects and funding op-
opportunities that were a part of the current 
investment plan;

(ii) submit to Congress and make publicly 
available a report that—

(A) describes the projects and funding op-
opportunities that have been most successful 
in progressing towards the mission described 
in subsection (a)(2) during the time period 
covered by the report;

(B) includes recommendations on the clean 
energy and resiliency projects that should be 
emphasized; and

(ii) identifies barriers for disadvantaged 
groups to receive C2FC funding and provides 
recommendations to address those barriers.

(G) INITIAL CAPITALIZATION.—There is ap-
propriation to the Treasury of 

$5,000,000,000 for fiscal years 
2022 and 2023, to remain available until 
expended.

SEC. 3. CARBON FEE.

(A) In General.—Chapter 38 of title D of 
the Internal Revenue Code of 1986 is 
amended by adding at the end the following 
new subchapter:

Subchapter E—Carbon Fee

Sec. 4691. Definitions.

Sec. 4692. Carbon fee.

Sec. 4693. Fee adjustment.

Sec. 4694. Refunds for carbon capture, se-
disposal, and sequester utilization.

Sec. 4695. Border adjustments.

SEC. 4691. DEFINITIONS.

For purposes of this subchapter—

(1) ADMINISTRATOR.—The term 'Adminis-
trator' means the Administrator of the Envi-
ronmental Protection Agency.

(2) CARBON DIOXIDE EQUIVALENT OR CO-
2e.—The term 'carbon dioxide equivalent' or 'CO-
2e' means the number of metric tons of car-
bon dioxide emissions with the same global 

warming potential over a 100-year period as 

one metric ton of another greenhouse gas.

(3) CARBON-INTENSIVE PRODUCT.—The term 
'carbon-intensive product' means—

(A) iron, steel, steel mill products (in-
cluding pipe and tube), cement, 

glass (including flat, container, and spe-
cialty glass and fiberglass), pulp, paper, 

chemicals, or industrial ceramics, and

(B) any manufactured product which 
the Secretary, in consultation with the Admin-
istrator, the Secretary of Commerce, and the 
Secretary of Energy, determines is energy-

intensive and trade-exposed (with the excep-
tion of any covered fuel).

(4) COVERED ENTITY.—The term 'covered 
entity' means—

(A) in the case of crude oil—

(i) any operator of a United States refin-
ery as described in subsection (d)(1) of 
section 4611, and

(ii) any person entering such product into 
the United States for consumption, use, or 
warehousing (as described in subsection 
(d)(2) of such section),

(B) in the case of natural gas—

(i) any producer subject to the tax under 
section 4212, and

(ii) any importer of coal into the United 
States;

(C) in the case of natural gas—

(i) any entity which produces natural gas 
(as defined in section 613A(e)(2)) from a well 
located in the United States, and

(ii) any importer of natural gas into the 
United States;

(D) in the case of any noncovered fuel em-
issions target—

(i) any entity which is the source of such 
emissions, provided that the total 
amount of carbon dioxide or methane emit-
ted by such entity for the preceding year 
(determined in accordance with sub-
section (e)(4)) was not less than 
25,000 metric tons, and

(E) any entity or class of entities which, 

as determined by the Secretary, is trans-
porting, selling, or otherwise using a covered 
fuel in a manner which emits a greenhouse 
gas to the atmosphere and which has not 
been covered by the carbon fee, the fee on 
noncovered fuel emissions, or the carbon 
border adjustment.

(5) NONCOVERED FUEL.—The term 'covered 
fuel' means crude oil, natural gas, coal, or 
any other product derived from crude oil, 
natural gas, or coal which shall be used so as to 
emit greenhouse gases to the atmosphere.

(6) GREENHOUSE GAS.—The term 'green-
house gas'—

(A) has the meaning given such term in 
section 901 of the Energy Policy and 
Security Act of 2007 (42 U.S.C. 17321), and

(B) includes any other gases identified by 
rule of the Administrator.

(7) GREENHOUSE GAS CONTENT.—The term 
'greenhouse gas content' means the amount 
of greenhouse gases, expressed in metric tons of 
CO2-e, which would be emitted to the at-
mosphere by the use, consumption, or other use 
of any product or material within the energy or 
industrial sectors—

(A) including any fugitive or process 
emissions associated with the production, 
processing, or transport of a covered fuel, 
and

(B) excluding any emissions from the 
combustion or use of a covered fuel.

(8) QUALIFIED CARBON OXIDE.—The term 
'qualified carbon oxide' has the meaning 
given the term in section 45Q(c).

(9) UNITED STATES.—The term 'United 
States' shall be treated as including each 
possession of the United States (including the 
Commonwealth of Puerto Rico and the 
Commonwealth of the Northern Mariana Is-
lands).

SEC. 4692. CARBON FEE.

(a) DEFINITIONS.—In this section:

(1) APPLICABLE PERIOD.—The term 'appli-
cable period' means, with respect to any de-
termination made by the Secretary under 
subsection (e)(3) for any calendar year, the 

period—

(A) beginning on January 1, 2023, and

(B) ending on December 31 of the pre-
ceding calendar year.

(2) CUMULATIVE EMISSIONS.—The term 'cu-
mulative emissions' means an amount equal to 
the sum of all greenhouse gas emissions 
resulting from the use of covered fuels and 
any noncovered fuel emissions for all years 
during the applicable period.

(3) CUMULATIVE EMISSIONS TARGET.—The 
term 'cumulative emissions target' means an 
amount equal to the sum of the emissions 
targets for all years during the applicable 
period.

(4) EMISSIONS TARGET.—The term 'emis-
sions target' means the target for green-
house gas emissions during a calendar year as 
determined under subsection (e)(1).

(b) CARBON FEE.—During any calendar 
year that begins after December 31, 2022, 
there is imposed a carbon fee on any covered 

greenhouse gas emissions to be charged 

with the carbon fee imposed by this section 

for any calendar year.

(c) AMOUNT OF THE CARBON FEE.—The car-
bon fee imposed by this section is an amount 
equal to the product of

(1) the greenhouse gas content of the 
covered fuel, multiplied by

(2) the carbon fee rate, as determined 
derelated subsection (d).

(d) CARBON FEE RATE.—The carbon fee rate 
shall be determined in accordance with the 
following:
("(1) IN GENERAL.—The carbon fee rate, with respect to any use, sale, or transfer during a calendar year, shall be—

(A) in the case of calendar year 2023, $25, and

(B) except as provided in paragraphs (2) and (3), in the case of any calendar year after 2023, the amount equal to the sum of—

(i) the amount under subparagraph (A), plus

(ii) in the case of calendar year 2024, $10, and

(iii) in the case of any calendar year after 2024, the amount in effect under this clause and plus

(2) APPLICABLE PERCENTAGE.—

(A) 2023 THROUGH 2035.—In the case of calendar years 2023 through 2035, the applicable percentage shall be determined as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Applicable percentage</th>
</tr>
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<tbody>
<tr>
<td>2023</td>
<td>81 percent</td>
</tr>
<tr>
<td>2024</td>
<td>75 percent</td>
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<tr>
<td>2025</td>
<td>71 percent</td>
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<td>67 percent</td>
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<td>2032</td>
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<td>2033</td>
<td>46 percent</td>
</tr>
<tr>
<td>2034</td>
<td>43 percent</td>
</tr>
<tr>
<td>2035</td>
<td>40 percent</td>
</tr>
</tbody>
</table>

(B) 2036 THROUGH 2050.—In the case of calendar years 2036 through 2050, the applicable percentage shall be equal to—

(i) the applicable percentage for the preceding calendar year, minus

(ii) 2 percentage points.

(C) AFTER 2050.—In the case of any calendar year beginning after 2050, the applicable percentage shall be equal to 10 percent.

(3) EMISSIONS REPORTING AND DETERMINATIONS.—

(A) REPORTING.—Not later than September 30, 2024, and annually thereafter, the Administrator, in consultation with the Secretary, shall make available to the public a report on—

(i) the cumulative emissions with respect to the preceding calendar year, and

(ii) any other relevant information, as determined appropriate by the Administrator.

(B) DETERMINATIONS.—Not later than September 30, 2025, and annually thereafter, the Administrator, in consultation with the Secretary and as part of the report described in subparagraph (A), shall determine whether cumulative emissions with respect to the preceding calendar year exceeded the cumulative emissions targets with respect to such year.

(4) EMISSIONS ACCOUNTING METHODOLOGY.—

(A) DETERMINATIONS.—Not later than January 1, 2023, the Administrator shall prescribe rules for greenhouse gas accounting for covered entities for purposes of this subchapter, which shall—

(i) to the greatest extent practicable, employ existing data collection methodologies and greenhouse gas accounting practices,

(ii) ensure that the method of accounting—

(I) applies to—

(aa) all greenhouse gas emissions from covered fuels and all noncovered fuel emissions, and

(bb) all covered entities,

(II) excludes—

(aa) any greenhouse gas emissions which are not described item (aa) of subclause (I), and

(bb) any entities which are not described in item (bb) of such subclause, and

(III) appropriately accounts for—

(aa) qualified carbon oxide which is captured and disposed or used in a manner described in subsection (f),

(bb) nonemitting uses of covered fuels, as described in subsection (f),

(iii) subject to such penalties as are determined appropriate by the Administrator, require any covered entity to report, not later than April 1 of each calendar year—

(I) the total greenhouse gas content of any covered fuels used, sold, or transferred by such covered entity during the preceding calendar year, and

(II) the total noncovered fuel emissions of the covered entity during the preceding calendar year, and

(IV) require any information reported pursuant to clause (ii) to be verified by a third-party entity that, subject to such process as is determined appropriate by the Administrator, has been certified by the Administrator with respect to qualifications, independence, and reliability of such entity.

(B) GREENHOUSE GAS REPORTING PROGRAM.—For purposes of establishing the rules described in subparagraph (A), the Administrator may elect to modify the activities of the Greenhouse Gas Reporting Program to satisfy the requirements described in clauses (i) through (iv) of such subparagraph.

(5) REVISIONS.—With respect to any determination made by the Administrator as to—

(A) in the case of greenhouse gas emissions for any calendar year (including calendar year 2018), any subsequent revision by the Administrator with respect to such amount shall apply for purposes of the fee imposed under subsection (b) for any calendar years beginning after such revision.

(I) EXEMPTION AND REFUND.—The Secretary shall prescribe such rules as are necessary to ensure the fee rate imposed by this section is not imposed with respect to any sale or transfer for a nonemitting use, including rules providing for the refund of any carbon fee paid under this section with respect to any such sale or transfer.

(II) ADMINISTRATIVE AUTHORITY.—The Secretary, in consultation with the Administrator, shall prescribe such regulations, and other guidance, to assess and collect the carbon fee imposed by this section, including—

(i) the identification of covered entities that are liable for payment of a fee under this section or any transfer.

(ii) as may be necessary or convenient, rules for distinguishing between different types of covered entities.

(III) appropriated accounts for—

(a) any greenhouse gas emissions of a covered entity and the greenhouse gas emissions that are attributed to the covered entity but not directly emitted by the covered entity,

(b) rules to ensure that the carbon fee under this section, the fee on noncovered fuel emissions under section 4693, or the carbon fee adjustment is not imposed on an emission from covered fuel or noncovered fuel emission more than once.

SEC. 4693. FEE ON NONCOVERED FUEL EMISSIONS.

(a) IN GENERAL.—During any calendar year that begins after December 31, 2024, there is imposed a fee on a covered entity for any noncovered fuel emissions which occur during the calendar year.

(b) AMOUNT.—The fee to be paid under subsection (a) by the covered entity which is the source of the emissions described in that subsection shall be an amount equal to—

(I) the total amount, in metric tons of CO2e, of emitted greenhouse gases, multiplied by

(II) an amount equal to the carbon fee rate in effect under section 4692(d) for the calendar year of such emission.

(c) ADMINISTRATIVE AUTHORITY.—The Secretary, in consultation with the Administrator, shall prescribe such regulations, and other guidance, as necessary to ensure the carbon fee imposed by this section, including regulations describing the requirements for the quarterly payment of such fees.
"(1) CAPTURE, SEQUESTRATION, AND USE.—The Secretary, in consultation with the Administrator and the Secretary of Energy, shall prescribe regulations for providing payment to any person which captures qualified carbon oxide which is—

"(A) disposed of by such person in secure geological storage, as described in section 45Q(d)(1), and (2) used in a manner which has been approved by the Secretary pursuant to subsection (2).

"(2) ELIGIBILITY.—If the person described in paragraph (1) makes an election under this paragraph in such time and manner as the Secretary may prescribe by regulations, the credit under this section—

"(A) shall be allowable to the person that owns the facility described in subsection (b)(1), and (B) shall not be allowable to the person described in paragraph (1).

"(b) PAYMENTS FOR CARBON CAPTURE.—

"(1) IN GENERAL.—In the case of any facility for which carbon capture equipment has been placed in service, the Secretary shall make payments in the same manner as if such amount rather than the amount determined under subparagraph (A) of section 4692 or 4693.

"(2) AMOUNT OF PAYMENT.—The payment determined under this subsection shall be an amount equal to—

"(A) the metric tons of qualified carbon oxide captured and disposed of, used, or utilized consistent with subsection (a), multiplied by—

"(B)(i) the carbon fee rate during the year in which the carbon fee was imposed by section 4692 on the covered fuel to which such carbon oxide relates, or (ii) in the case of a direct air capture facility (as defined in section 45Q(e)(1)), the carbon fee rate in the year in which the qualified carbon oxide was captured and disposed of, used, or utilized.

"(c) APPROVED USES OF QUALIFIED CARBON OXIDE.—

"(1) ELIGIBILITY.—In the case of any facility which captures qualified carbon oxide that is eligible for any purposes under this section, which may include—

"(i) utilization in a manner described in clause (i) or (ii) of section 45Q(i)(A), or (ii) any other use which ensures minimal leakage or escape of such carbon oxide.

"(d) EXCEPTION.—In the case of any facility which captures qualified carbon oxide that is determined to be—

"(i) in violation of any applicable air or water quality regulations, or (ii) with respect to any environmental justice community (as defined in section 2(d)(1)(D) of the America’s Clean Future Fund Act), creating health or environmental harm to such facility shall not be eligible for any payment under this section during the period of such ineligibility.

"SEC. 4805. BORDER ADJUSTMENTS.

"(a) IN GENERAL.—The fees imposed by, and refunds allowed under, this section shall be referred to as ‘the carbon border fee adjustment’.

"(b) EXPORTS.—

"(1) CARBON-INTENSIVE PRODUCTS.—In the case of any carbon-intensive product which is exported from the United States, the Secretary shall pay to the person exporting such a product a refund equal to the amount of such carbon fee equal to the amount of the import duty otherwise attributable to any fees imposed under this subparagraph related to the manufacturing of such product (as determined under regulations established by the Secretary).

"(2) COVERED FUELS.—In the case of any covered fuel which is exported from the United States, the Secretary shall pay to the person exporting such fuel a refund equal to the amount of the cost of such fuel attributable to any fees imposed under this subsection related to the use, sale, or transfer of such fuel.

"(c) IMPORTS.—

"(1) CARBON-INTENSIVE PRODUCTS.—

"(A) IMPOSITION OF EQUIVALENCY FEE.—In the case of any carbon-intensive product imported into the United States, there is imposed an equivalency fee on the person importing such product in an amount equal to the cost of such product that would be attributable to any fees imposed under this subchapter related to the manufacturing of such product and on which fees were paid in manufacturing such product were subject to such fees (as determined under regulations established by the Secretary).

"(B) REDUCTION IN FEE.—The amount of the equivalency fee under subparagraph (A) shall be reduced by the amount of any fees imposed on the carbon-intensive product by the foreign nation or governmental units from which such product was imported.

"(2) COVERED FUELS.—

"(A) IN GENERAL.—In the case of any covered fuel imported into the United States, there is imposed a fee on the person importing such fuel in an amount equal to the amount of any fees that would be imposed under this subchapter related to the use, sale, or transfer of such fuel.

"(B) REDUCTION IN FEE.—The amount of the fee under subparagraph (A) shall be reduced by the amount of any fees imposed on the covered fuel by the foreign nation or governmental units from which the fuel was imported.

"(d) TREATMENT OF ALTERNATIVE POLICIES AS FEES.—Under regulations established by the Secretary, foreign policies that have substantially the same effect as reducing emissions of greenhouse gases as fees shall be treated as fees for purposes of subsections (b) and (c).

"(e) REGULATORY AUTHORITY.—

"(1) IN GENERAL.—The Secretary shall consult with the Administrator, the Secretary of Commerce, and the Secretary of Energy in establishing rules and regulations implementing the purposes of this section.

"(2) TREATIES.—The Secretary, in consultation with the Secretary of State, may adjust the applicable amounts of the refunds and equivalency fees under this section in a manner that is consistent with any obligations of the United States under an international agreement.

"(f) EFFECTIVE DATE.—The amendment made by this section shall apply to periods beginning after December 31, 2022.

"SEC. 4. AMERICA’S CLEAN FUTURE FUND.

"(a) IN GENERAL.—Subchapter A of chapter 98 of the Internal Revenue Code of 1986 is amended by adding at the end the following:

"SEC. 9512. AMERICA’S CLEAN FUTURE FUND.

"(a) ESTABLISHING.—There is established in the Treasury of the United States a trust fund to be known as the ‘America’s Clean Future Fund’ (referred to in this section as the ‘Trust Fund’), consisting of such amounts as are appropriated to the Trust Fund under subsection (b).

"(b) TRANSFERS TO AMERICA’S CLEAN FUTURE FUND.—

"(1) TRANSFERS TO TRUST FUND.—Amounts transferred to the Trust Fund, out of any funds in the Treasury not otherwise appropriated, amounts equal to the fees received into the Treasury under sections 4692, 4693, and 4695, less—

"(i) any amounts refunded or paid under sections 4692(d), 4694, and 4695(b), and (ii) for each of the first 18 fiscal years beginning after September 30, 2023, an amount equal to the quotient of—

"(A) $100,000,000,000, and (B) 18.

"(c) EXPENDITURES.—For each fiscal year, amounts in the Trust Fund shall be appropriated as follows:

“(A) CARBON FEES RETAT AND AGRICULTURAL DECARBONIZATION TRANSITION PAYMENTS.—

"(1) for each of the first 10 fiscal years beginning after September 30, 2023, an amount equal to—

"(i) 75 percent of those amounts, minus (ii) the amount determined under subparagraph (B) for such fiscal year, and (ii) for each fiscal year beginning after the period described in clause (i), the applicable percentage of such amounts.

"(B) AGRICULTURAL DECARBONIZATION TRANSITION PAYMENTS.—For the purposes described in section 6 of the America’s Clean Future Fund Act, for each of the first 10 fiscal years beginning after September 30, 2023, an amount equal to 7 percent of the amount determined annually under subparagraph (A)(i).

"(C) APPLICABLE PERCENTAGE.—For purposes of subparagraph (A)(ii), the applicable percentage shall be equal to—

"(i) for the first fiscal year beginning after the period described in subparagraph (A)(i), 76 percent, (ii) for each of the first 3 fiscal years subsequent to the period described in clause (i), the applicable percentage for the preceding fiscal year increased by 1 percent point, and (iii) for any fiscal year subsequent to the period described in clause (ii), 80 percent.

"(2) CLIMATE CHANGE FINANCE CORPORATION.—

"(A) IN GENERAL.—For the purposes described in section 2 of the America’s Clean Future Fund Act, the applicable percentage of such amounts.

"(B) APPLICABLE PERCENTAGE.—For purposes of this paragraph, the applicable percentage shall be equal to—

"(i) for each of the first 10 fiscal years beginning after the period described in subsection (e) of such section, 15 percent, (ii) for each of the first 4 fiscal years subsequent to the period described in clause (i), the applicable percentage for the preceding fiscal year increased by 1 percent point, and (iii) for any fiscal year subsequent to the period described in clause (ii), 30 percent.

"(3) TRANSITION ASSISTANCE FOR IMPACTED COMMUNITIES.—

"(A) IN GENERAL.—For the purposes described in section 7 of the America’s Clean Future Fund Act, the applicable percentage of such amounts.

"(B) APPLICABLE PERCENTAGE.—For purposes of this paragraph, the applicable percentage shall be equal to—

"(i) for each of the first fiscal years beginning after September 30, 2023, 10 percent, (ii) for each of the first 4 fiscal years subsequent to the period described in clause (i), the applicable percentage for the preceding fiscal year reduced by 2 percentage points, and (iii) for any fiscal year subsequent to the period described in clause (ii), 0 percent.

"(B) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 98 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

"SEC. 9512. America’s Clean, and 4695 (t) report.

"SEC. 5. AMERICA’S CLEAN FUTURE FUND STIMULUS.

"(a) ELIGIBLE INDIVIDUAL.—

"(1) IN GENERAL.—In this section, the term ‘eligible individual’ means, with respect to any quarter, any natural living person—
(A) who has a valid Social Security number or taxpayer identification number;
(B) who has attained 18 years of age, and
(C) whose principal place of abode is in the United States for more than one-half of the most recent taxable year for which a return has been filed.

(2) VERIFICATION.—The Secretary of the Treasury’s determination (as referred to in this section as the “Secretary”) may verify the eligibility of an individual to receive a carbon fee rebate payment under subsection (d).

(b) REBATES.—Subject to subsections (c)(2) and (k), from amounts in the America’s Clean Future Fund established by section 9512(c)(1)(A) of the Internal Revenue Code of 1986 that are available in any year, the Secretary shall, for each calendar quarter beginning after September 30, 2023, make carbon fee rebate payments to each eligible individual, to be known as “America’s Clean Future Fund Stimulus payments” (referred to in this section as “carbon fee rebate payments”).

(c) PRO-RATA SHARE.—
(1) IN GENERAL.—With respect to each quarter during any fiscal year beginning after September 30, 2023, the carbon fee rebate payment is 1 pro-rata share for each eligible individual of the amount appropriated under subsection (j), the Secretary shall, for each calendar quarter beginning after September 30, 2023, make carbon fee rebate payments to each eligible individual, to be known as “America’s Clean Future Fund Stimulus payments” (referred to in this section as “carbon fee rebate payments”).

(2) INITIAL ANNUAL REBATE PAYMENTS.—
(A) IN GENERAL.—From amounts appropriated under subsection (j), the Secretary shall, for each fiscal years 2022 and 2023, make carbon fee rebate payments to each eligible individual during the third quarter of each such fiscal year.

(3) ESTIMATE.—For each fiscal year described in paragraph (1), the Secretary shall, not later than the first day of such fiscal year, publicly announce an estimate of the amount of the carbon fee rebate payment for each quarter during such fiscal year.

(d) PHASEOUT.—

(1) DEFINITIONS.—In this subsection:
(A) GROSS INCOME.—The term “gross income” means adjusted gross income increased by any amount excluded from gross income under section 251(b)(6) or 931 of the Internal Revenue Code of 1986.

(B) HOUSEHOLD MEMBER.—The term “household member of the taxpayer” means the taxpayer, the taxpayer’s spouse, and any dependent of the taxpayer.

(C) THRESHOLD AMOUNT.—The term “threshold amount” means—
(i) $75,000 in the case of a taxpayer filing a joint return, and
(ii) $75,000 in the case of a taxpayer not filing a joint return.

(2) PHASEOUT OF PAYMENTS.—In the case of any taxpayer whose modified adjusted gross income for the most recent taxable year for which a return has been filed exceeds the threshold amount, the amount of the carbon fee rebate payment otherwise payable to any household member of the taxpayer under this section shall be reduced (but not below zero) equal to 5 percent of such payment (as determined before application of this paragraph) for each $1,000 (or fraction thereof) by which the modified adjusted gross income of the taxpayer exceeds the threshold amount.

(e) FEE TREATMENT OF PAYMENTS.—Amounts received under this section shall be includible in gross income for purposes of Federal Income taxes.

(f) FEDERAL PROGRAMS AND FEDERAL ASSISTED PROGRAMS.—The carbon fee rebate payment received by any eligible individual shall not be taken into account as income and shall not be taken into account for purposes of determining the eligibility of such individual or any other individual for benefits or assistance, or the amount of such benefits or assistance under any Federal program or under any State or local program financed in whole or in part with Federal funds.

(g) DISCLOSURE OF RETURN INFORMATION.—
Section 6103(l) of the Internal Revenue Code of 1986 is amended by adding at the end the following paragraph:

“(23) DISCLOSURE OF RETURN INFORMATION RELATING TO CARBON FEE REBATE PAYMENTS.—
(A) DEPARTMENT OF TREASURY.—Return information relating to carbon fee rebate payments to each eligible individual shall, without written request, be open to inspection by or disclosure to officers and employees of the Department of the Treasury whose official duties require such inspection or disclosure for purposes of administering section 5 of the America’s Clean Future Fund Act.

(B) RESTRICTION ON DISCLOSURE.—Information disclosed under this paragraph shall be disclosed only for purposes of, and to the extent necessary in, carrying out such section.

(h) REGULATIONS.—The Secretary shall prescribe such regulations, and other guidance, as may be necessary to carry out the purposes of this section.

(1) establishment of rules for eligible individuals who have not filed a recent tax return, and
(2) in coordination with the Commissioner of Social Security, the Secretary shall conduct a public awareness campaign, in coordination with the Commissioner of Social Security, the heads of other relevant Federal agencies, and Indian Tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)), to provide information to the public regarding the availability of carbon fee rebate payments under this section.

(i) INITIAL APPROPRIATION.—For purposes of subsections (j)(2) and (k), the amount appropriated out of any funds in the Treasury not otherwise appropriated, to remain available until expended—
(1) for the fiscal year ending September 30, 2022, $37,500,000,000, and
(2) for the fiscal year ending September 30, 2023, $37,500,000,000;

(j) INITIAL APPROPRIATION.—

(1) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish a program to provide payments to eligible individuals who have not filed a recent tax return for the fiscal year beginning after September 30, 2023, $37,500,000,000.

(2) AGRICULTURAL DECARBONIZATION TRANSITION PAYMENTS.

(a) PURPOSES.—The purposes of this section are—
(1) to provide transition assistance to eligible producers in the agricultural, livestock, and forestry sectors to prepare for and facilitate entry into private sector greenhouse gas credit markets;
(2) to provide for the collection and reporting of data under subsection (d).

(b) DEFINITIONS.—In this section:
(1) ELIGIBLE LAND.—
(A) IN GENERAL.—The term “eligible land” means land in the United States—
(i) that is—
(I) cropland, grassland, pastureland, rangeland, hayland, or other land on which food, fiber, crop, livestock, or other agricultural products are produced or capable of being produced; and
(ii) the Secretary determines is usable for farming, ranching, or forestry; or
(B) is an owner, operator, or tenant of eligible land;
(C) is actively engaged in farming, ranching, or forestry on the eligible land, as determined by the Secretary;
(D) bears the risk of loss of the farming, ranching, or forestry on the eligible land; and
(E) has the ability to enter into an agreement with the Secretary to carry out qualifying practices described in subsection (c)(2) under the program.

(2) GREENHOUSE GAS EMISSIONS REDUCTION.—The term “greenhouse gas emissions reduction” means the reduction in greenhouse gas emissions as a result of the adoption of qualifying practices described in subsection (c)(2), as compared to a historical baseline.

(3) HISTORICALLY UNDERSERVED.—The term “historically underserved” has respect to an eligible producer, means that the eligible producer—
(A) is American Indian or Alaskan Native;
(B) is Asian or Asian American;
(C) is Black or African American;
(D) is Native Hawaiian or Pacific Islander;
(E) is Hispanic;
(F) is disabled;
(G) is female;
(H) is new to farming, ranching, or forestry, as determined by the Secretary;
(I) has served in the United States Armed Forces; and
(J) has not operated a farm, ranch, or forestry operation.

(2) QUALIFYING PRACTICES.—
(A) ELIGIBLE FOR PAYMENTS.—The Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall establish a program to provide payments to eligible producers that will assist with the transition to reducing greenhouse gas emissions through the adoption of qualifying practices described in paragraph (2).

(3) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—The program established under subsection (c) shall—
(II) be—
(A) conducted in coordination with the Environmental Protection Agency, and the Secretary shall conduct a public awareness campaign, in coordination with the Commissioner of Social Security, the heads of other relevant Federal agencies, and Indian Tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)), to provide information to the public regarding the availability of carbon fee rebate payments under this section.

(2) FOR ELIGIBLE PRODUCERS.—

(II) AGRICULTURAL DECARBONIZATION TRANSITION PAYMENTS.

(a) PURPOSES.—The purposes of this section are—
(1) to provide transition assistance to eligible producers in the agricultural, livestock, and forestry sectors to prepare for and facilitate entry into private sector greenhouse gas credit markets;
(2) to provide for the collection and reporting of data under subsection (d).

(b) DEFINITIONS.—In this section:
(1) ELIGIBLE LAND.—
(A) IN GENERAL.—The term “eligible land” means land in the United States—
(i) that is—
(I) cropland, grassland, pastureland, rangeland, hayland, or other land on which food, fiber, crop, livestock, or other agricultural products are produced or capable of being produced; and
(ii) the Secretary determines is usable for farming, ranching, or forestry; or
(B) is an owner, operator, or tenant of eligible land;
(C) is actively engaged in farming, ranching, or forestry on the eligible land, as determined by the Secretary;
(D) bears the risk of loss of the farming, ranching, or forestry on the eligible land; and
(E) has the ability to enter into an agreement with the Secretary to carry out qualifying practices described in subsection (c)(2) under the program.

(2) GREENHOUSE GAS EMISSIONS REDUCTION.—The term “greenhouse gas emissions reduction” means the reduction in greenhouse gas emissions as a result of the adoption of qualifying practices described in subsection (c)(2), as compared to a historical baseline.

(3) HISTORICALLY UNDERSERVED.—The term “historically underserved” has respect to an eligible producer, means that the eligible producer—
(A) is American Indian or Alaskan Native;
(B) is Asian or Asian American;
(C) is Black or African American;
(D) is Native Hawaiian or Pacific Islander;
(E) is Hispanic;
(F) is disabled;
(G) is female;
(H) is new to farming, ranching, or forestry, as determined by the Secretary;
(I) has served in the United States Armed Forces; and
(J) has not operated a farm, ranch, or forestry operation.

(2) QUALIFYING PRACTICES.—
(A) ELIGIBLE FOR PAYMENTS.—The Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall establish a program to provide payments to eligible producers that will assist with the transition to reducing greenhouse gas emissions through the adoption of qualifying practices described in paragraph (2).

(3) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—The program established under subsection (c) shall—
(II) be—
(A) conducted in coordination with the Environmental Protection Agency, and the Secretary shall conduct a public awareness campaign, in coordination with the Commissioner of Social Security, the heads of other relevant Federal agencies, and Indian Tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)), to provide information to the public regarding the availability of carbon fee rebate payments under this section.

(2) FOR ELIGIBLE PRODUCERS.—

(II) AGRICULTURAL DECARBONIZATION TRANSITION PAYMENTS.
(i) approved by the Secretary; and
(ii) measurable, reportable, and verifiable for reducing greenhouse gas emissions, as determined by the Secretary.

(2) DETERMINATION OF PRACTICES.—Practices that the Secretary may determine to be qualifying practices under the program include—

(i) improved crop, soil health, water, and land management systems, including—

(A) diversified soil health-enhancing cropping systems that may include resource-conserving crop rotations, cover crops, and sod crops;

(B) conservation plantings, such as prairie strips, contour grass strips, filter strips and riparian buffers, field borders, hedgerows, windbreaks, alley cropping, and silvopasture or other agroforestry plantings;

(C) conservation tillage;

(D) fertilizer practice improvements, including biologically appropriate nutrient management;

(E) ecologically appropriate reforestation and other sustainable forestry and related stewardship practices;

(F) application of soil carbon amendments, such as compost or biochar;

(G) restoration or avoidance of the conversion of grassland, wetland, and forest land; and

(H) the integration with and enhancement of the greenhouse gas emissions influence the greenhouse gas emissions reduction; the degree to which current soil conditions influence the greenhouse gas emissions reduction; the degree of transitionality or permanence of the greenhouse gas emissions reduction; and the degree to which current soil conditions influence the greenhouse gas emissions reduction.

(iii) livestock management, including—

(A) enteric fermentation reduction, including—

(aa) improved feed, forage, and grazing; and

(bb) feed additives approved by the Commissioner of Food and Drugs;

(B) improved manure management, including anaerobic digestion systems; and

(C) the integration of livestock and crop production;

(3) CONSIDERATIONS.—In determining the rate and duration of a payment under paragraph (1), the Secretary shall consider—

(A) the degree of additionality of the greenhouse gas emissions reduction;

(B) whether the recipient of the payment was an early adopter of 1 or more practices that reduce greenhouse gas emissions;

(C) the likelihood that the applicable qualifying practice described in paragraph (2) would have been carried out absent the provision of the payment;

(D) the degree of transitionality or permanence of the greenhouse gas emissions reduction;

(E) whether the applicable qualifying practice described in paragraph (2) provides multiple environmental and health co-benefits in addition to reduced greenhouse gas emissions;

(F) the degree to which current soil conditions influence the greenhouse gas emissions reductions;

(G) the degree to which the recipient of the payment is a historically underserved eligible producer;

(H) the integration with and enhancement of payments and policies of similar Federal, State, or local programs; and

(I) any payments received, or to be received, by the applicable eligible producer from a private carbon offset market due to the applicable qualifying practice described in paragraph (2).

(4) INELIGIBILITY.—A person that is determined to be in violation of any applicable water or air quality regulation, including any regulation described in subparagraph (A) of section 104 of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), shall not be eligible for any payment under paragraph (1) during the period of the violation.

(5) EFFECTIVENESS.—The authority to provide payments under this subsection shall be effective for each of the first 10 fiscal years beginning after September 30, 2022.

(6) COLLECTION OF DATA AND REPORTING.—

(A) MEASUREMENT SYSTEM.—

(i) IN GENERAL.—The Secretary shall establish an outcomes-based measurement system (referred to in this paragraph as the "measurement system") that uses the best available science and technology for cost-effective recordkeeping, modeling, and measurement of farm-level greenhouse gas emissions on eligible land enrolled in the program.

(ii) STANDARDS.—Not later than 18 months after the date of enactment of this Act, the Secretary shall promulgate standards on the measurement system, based on information obtained from—

(A) agro-ecosystem models;

(B) remote sensing data and analysis;

(C) soil health demonstration trials; and

(D) field-level measurements.

(iii) PROTOCOLS.—In developing the measurement system, the Secretary shall—

(A) compile and publish a list of generally accepted public and private protocols for soil health and greenhouse gas emissions reduction and greenhouse gas emissions reduction under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), including regulations, on a regular basis.

(B) DATABASE.—The Secretary shall—

(i) establish an inventory of land that is eligible for enrollment in the program under this section, including—

(aa) the area of eligible land and whether the land is eligible for enrollment in the program under this section;

(bb) the area of eligible land that is enrolled in the program under this section, including whether the area is eligible for enrollment in the program under this section;

(cc) the area of eligible land that is enrolled in the program under this section and the period for which the area is enrolled in the program under this section;

(dd) the area of eligible land that is enrolled in the program under this section and the extent to which such area is eligible for enrollment in the program under this section;

(ee) the area of eligible land that is enrolled in the program under this section and the extent to which such area is eligible for enrollment in the program under this section; and

(ii) establish and maintain a national database for the inventory established under paragraph (1), including—

(A) acreage of eligible land by state and by the Secretary; and

(B) STANDARDS.—Not later than 18 months after the date of enactment of this Act, the Secretary shall promulgate standards on the measurement system, based on information obtained from—

(A) agro-ecosystem models;

(B) remote sensing data and analysis;

(C) soil health demonstration trials; and

(D) field-level measurements.

(ii) INVENTORY.—

(A) IN GENERAL.—The Secretary shall—

(i) annually review the inventory established under subparagraph (A) using the measurement system, and the requirements under subparagraph (A) may be disclosed to the public under subparagraph (A), if the information is transformed into a statistical or aggregate form that does not include identifiable or personal information of individual producers; or

(ii) in a form that may include identifiable or personal information of a producer only if that producer consents to the disclosure of the information.

(7) CRITERIA.—

(A) IN GENERAL.—The criteria established under subparagraph (A) shall—

(I) provide for the enrollment of only those areas that may lead to a documented likelihood to lead to net greenhouse gas emissions reductions, according to the best available science; and

(ii) be based in part on environmental impact modeling of the changes of shifting from baseline practices to new or improved practices; and

(iii) be based in part on environmental impact modeling of the changes of shifting from baseline practices to new or improved practices.

(B) PUBLIC DISCLOSURE.—Information collected for purposes of providing public provision under subparagraph (A) may be disclosed to the public under subparagraph (A), if the information is transformed into a statistical or aggregate form that does not include identifiable or personal information of individual producers; or

(i) in a form that may include identifiable or personal information of a producer only if that producer consents to the disclosure of the information.

(8) MEASUREMENT, REPORTING, MONITORING, AND VERIFICATION SERVICES.—

(A) IN GENERAL.—The Secretary shall—

(i) provide services described in subparagraph (B) to eligible producers participating in the program; and

(ii) and provide or oversee the use of third-party agents to provide services described in subparagraph (B) to eligible producers participating in the program.

(B) SERVICES DESCRIBED.—Services referred to in subparagraph (A) are determining the greenhouse gas emissions reduction by—

(i) measurement; and

(ii) reporting; and

(C) USE OF DATA.—Services referred to in subparagraph (A) shall be provided under—

(i) the measurement system described in paragraph (1); and

(ii) the criteria described in paragraph (3).

(9) USE OF DEPARTMENT OF AGRICULTURE RESOURCES.—The Secretary shall require a third-party agent approved under subparagraph (A) to use the resources, boards, committees, geospatial data, or other maps, employee, offices, and capacities of the Department of Agriculture to the maximum extent practicable, in providing services under this subsection.

(10) PRIVACY AND DATA SECURITY.—

(A) IN GENERAL.—The Secretary shall establish—

(i) safeguards to protect the privacy of information that is submitted through or retained by a third-party agent approved under subparagraph (A), including employees and contractors of the third-party agent; and

(ii) such other rules and standards of data security as the Secretary determines to be appropriate to carry out this subsection.

(B) PENALTIES.—The Secretary shall establish penalties for any violations of privacy or confidentiality under clause (i).

(11) DISCLOSURE OF INFORMATION.—

(A) IN GENERAL.—Information collected for purposes of providing public provision under subparagraph (A) may be disclosed to the public in a form that may include identifiable or personal information of a producer only if that producer consents to the disclosure of the information.

(B) REQUIREMENT.—The participation of a producer in, and the receipt of any benefit by the producer under, a program under this section or any other program administered by the Secretary may not be conditioned on the producer providing consent under clause (i).

(C) AUDIT, AND PROGRAM IMPROVEMENT.—Information collected for purposes of providing public provision under subparagraph (A) may be disclosed to the public under this subsection, either in aggregate or in a form that includes identifiable or personal information of a producer if, and only if, the Secretary obtains adequate assurances that—

(I) the recipient shall establish privacy safeguards of identifiable or personal information of a producer; and

(II) the release of any data to the public will only occur only if the data has been transformed into a statistical or aggregate form.

(12) REGULATIONS.—Not later than July 1, 2022, the Secretary shall promulgate regulations to carry out this section, including—
(1) the amount of a payment under subsection (c), which shall be based on—
(A) the quantity of carbon dioxide equivalent emissions reduced; and
(B) the considerations described in subsection (c)(3);
(2) a methodology that any third-party agents approved under subsection (d)(1)(B) shall use to provide the services under that subsection, including—
(A) an accreditation process; and
(B) a conflict of interest policy; and
(3) procedures for the ownership and transportability of data, including historical data, generated by an eligible producer for the purpose of determining eligibility for payments under the program.

SEC. 7. TRANSITION ASSISTANCE FOR IMPACTED COMMUNITIES.

(a) Definitions.—In this section:
(1) 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. 3504).
(2) INDIVIDUAL WITH A BARRIER TO EMPLOYMENT.—The term "individual with a barrier to employment" has the meaning given the term in the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).
(3) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).
(4) LOCAL BOARD.—The term "local board" has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).
(5) RECOGNIZED POSTSECONDARY CREDENTIAL.—The term "recognized postsecondary credential" has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).
(6) SEC.—The term "Secretary" means the Secretary of Commerce, acting through the Assistant Secretary of Commerce for Economic Development.
(7) STATE.—The term "State" means—
(A) a State;
(B) the District of Columbia;
(C) the Commonwealth of Puerto Rico; and
(D) any other territory or possession of the United States.
(8) STATE BOARD.—The term "State board" has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).
(9) SUPPORTIVE SERVICES.—The term "supportive services" has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).
(b) GRANTS.—The Secretary, in coordination with the Secretary of Labor, shall provide grants to eligible entities for transition assistance to a low-carbon economy.

(c) ELIGIBLE ENTITIES.—An eligible entity to receive a grant under this section is a labor organization, an institution of higher education, a unit of State or local government, an economic development organization, a nonprofit organization, community-based organization, or intermediary, or a State board or local board that serves and is located in a community that—
(1) as determined by the Secretary, in coordination with the Secretary of Labor, has been or will be impacted by economic changes in carbon-intensive industries, including—
(A) jobs lost;
(2) as determined by the Secretary, in consultation with the Administrator of the Federal Energy Management Agency, has been or is at risk of being impacted by extreme weather events, sea level rise, and natural disasters related to climate change; or
(3) has entered into an agreement with the Secretary, in consultation with the Administrator of the Environmental Protection Agency, has been impacted by harmful residuals from a fossil fuel or carbon-intensive industry.
(d) USE OF FUNDS.—An eligible entity that receives a grant under this section shall use the grant funds for—
(1) economic and workforce development activities, such as—
(A) job creation;
(B) providing reemployment and workers transition assistance, including registered apprenticeships, subsidized employment, job training, training, and supportive services, with priority given to—
(i) workers impacted by changes in carbon-intensive industries;
(ii) individuals with a barrier to employment; and
(iii) programs that lead to a recognized postsecondary credential;
(C) local and regional investments, including commercial and industrial economic diversification;
(D) export promotion, and
(E) establishment of a monthly subsidy payment for workers who retire early due to economic changes in carbon-intensive industries;
(2) climate change resiliency, such as—
(A) building electrical, communications, utility, transportation, and other infrastructure in flood-prone areas above flood zone levels;
(B) building flood and stormproofing measures in flood-prone areas and erosion-prone areas;
(C) increasing the resiliency of a surface transportation infrastructure asset to withstand extreme weather events and climate change impacts;
(D) improving stormwater infrastructure;
(E) increasing the resiliency of agriculture to extreme weather;
(F) ecological restoration;
(G) increasing the resiliency of forests to wildfires;
(H) increasing coastal resiliency; and
(I) implementing heat island cooling strategies;
(3) environmental cleanup from fossil fuel industry facilities that are abandoned or retired, or closed due to bankruptcy, and residuals from carbon-intensive industries, such as—
(A) coal ash and petroleum coke cleanup;
(B) mine reclamation;
(C) reclamation and plugging of abandoned oil and natural gas wells on private and public land; and
(D) remediation of impaired waterways and drinking water resources; or
(4) other activities as the Secretary, in coordination with the Secretary of Labor, the Administrator of the Federal Emergency Management Agency, and the Administrator of the Environmental Protection Agency, determines to be appropriate.
(e) REQUIREMENTS—
(1) LABOR STANDARDS; NONDISCRIMINATION.—An eligible entity that receives a grant under this provision shall comply in a manner consistent with sections 181 and 188 of the Workforce Innovation and Opportunity Act (29 U.S.C. 321, 324),
(2) WAGE RATE REQUIREMENTS.—
(A) IN GENERAL.—All laborers and mechanics employed by eligible entities to carry out projects and activities funded directly by or assisted in whole or in part by a grant under this section shall be paid at wages at rates not less than those prevailing on projects of a similar character in the locality as determined by the Secretary of Labor and in accordance with subchapter IV of chapter 31 of title 40, United States Code (commonly known as the ‘‘Davis-Bacon Act’’),
(B) AUTHORITY.—Notwithstanding any provision of the Davis-Bacon Act with respect to the labor standards specified in subparagraph (A), the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code.
(3) RURAL AND REMOTE AREAS.—
(A) IN GENERAL.—An eligible entity that receives a grant under this section shall not discriminate on the basis of race, color, national origin, sex, age, or disability and shall work in concert with rural and remote communities, including—
(i) urban and rural communities, low-income communities, communities of color, and Indian Tribes;
(B) COPING.—The Secretary shall carry out this section using amounts made available from the America’s Clean Future Fund under section 9512 of the Internal Revenue Code of 1986 (as added by section 4).
SEC. 8. STUDY ON CARBON PRICING.

(a) In General.—Not later than January 1, 2025, the Administrator of the Environmental Protection Agency (referred to in this subsection as the "Administrator") shall seek to enter into an agreement with the National Academy of Sciences under which the National Academy of Sciences shall carry out a study to determine the ability of public and private land and water to function as natural carbon sinks; (b) develop strategies for meeting that target; and (c) develop strategies to expand protections for coastal ecosystems that sequester carbon and provide resiliency benefits, such as—

(1) the target and strategies described in paragraphs (1) through (3) of subsection (a); and

(2) any additional statutory authorities or authorized funding levels needed to successfully implement those strategies.

By Mr. DURBIN (for himself, Ms. BALDWIN, and Ms. SMITH):

S. 686

To amend the Internal Revenue Code of 1986 to address the teacher and school leader shortage in early childhood, elementary, and secondary education, and for other purposes; to the Committee on Finance.

There being no objection, the text of S. 686. A bill to amend the Internal Revenue Code of 1986—

SEC. 4. REFUNDABLE TAX CREDIT FOR TEACHER AND SCHOOL LEADER RETENTION. (a) In General.—Subpart C of part IV of subchapter A of chapter 1 of subtitle A of the Internal Revenue Code of 1986 is amended by inserting after section 36B the following new section:

SEC. 36C. TEACHER AND SCHOOL LEADER RETENTION CREDIT.

(a) ALLOWANCE.—

(1) IN GENERAL.—In the case of an individual who is employed in a position described in paragraph (2) during a school year ending during or within the taxable year there shall be allowed as a credit against the tax imposed by this subtitle for the taxable year an amount equal to the applicable amount (as determined under subsection (b)).

(b) ELIGIBLE POSITIONS.—The positions described in this paragraph shall consist of the following:

(1) An eligible early childhood educator.

(2) An eligible early childhood education program director.

(3) An eligible early childhood education program director.

(4) An eligible paraprofessional.

(5) An eligible school-based mental health services provider.

(6) An eligible school leader.

(7) APPLICABLE AMOUNT.—

(1) IN GENERAL.—For purposes of this section, the applicable amount shall be an amount determined based on the number of school years for which the individual has been continuously employed in any position described in subsection (a)(1), as follows:

(A) Subject to paragraph (2), for the first year of employment, $5,800.

(B) For the second continuous year of employment, $5,900.

(C) For the third and fourth continuous year of employment, $7,000.
‘(D) For the fifth, sixth, seventh, eighth, and ninth continuous year of employment, $8,700.

‘(E) For the tenth continuous year of employment, $9,800.

‘(F) For the eleventh, twelfth, thirteenth, fourteenth, and fifteenth continuous year of employment, $10,700.

‘(G) For the sixteenth, seventeenth, eighteenth, nineteenth, and twentieth continuous year of employment, $11,800.

‘(2) First year.—For purposes of the first year of employment ending with or within a taxable year, an individual must have been so employed for not less than four months before the first day of such taxable year.

‘(3) Limitation based on total number of school years.—In the case of any individual who has been employed in any position described in subsection (a)(2) for a total of more than 20 school years, the applicable amount shall be reduced to zero.

‘(c) Inflation adjustment.—

‘(1) In general.—In the case of any taxable year beginning after 2022, each of the dollar amounts prescribed in subsection (b)(1) shall be increased by an amount equal to—

‘(A) such dollar amount, multiplied by

‘(B) the cost-of-living adjustment determined under section 1(f)(3) for such calendar year by substituting ‘calendar year 2021’ for ‘calendar year 2016’ in subparagraph (A)(ii) thereof.

‘(2) Rounding.—If any increase determined under paragraph (1) is not a multiple of $100, such increase shall be rounded to the nearest multiple of $100.

‘(d) Supplementation, not supplanting, State and local education funds.—

‘(1) In general.—A State educational agency or local educational agency shall not reduce funds for compensation and loan forgiveness assistance provided through a loan forgiveness program, to an employee of the State educational agency or local educational agency who serves in any position described in subsection (a)(2) due to the individual’s eligibility for the credit under this section.

‘(2) Methodology.—Upon request by the Secretary of Education, a State educational agency or local educational agency shall reasonably demonstrate that the methodology used to allocate amounts for compensation and loan forgiveness assistance to employees described in paragraph (1) at qualifying schools or qualifying early childhood education programs ensures that employees at each qualifying school or qualifying early childhood education program in the State or served by the local educational agency, respectively, receive the same amount of State or local funds for compensation and loan forgiveness assistance for the qualifying school or qualifying early childhood education program would receive if the credit under this section had not been enacted.

‘(e) Information sharing.—The Secretary of Education and the Secretary of Health and Human Services shall provide the Secretary with such information as is necessary for purposes of determining whether an early childhood education program or an elementary school or secondary school satisfies the requirements for a qualifying early childhood education program or a qualifying school, respectively.

‘(f) Definitions.—For purposes of this section—

‘(1) ESEA definitions.—The terms ‘elementary school’, ‘local educational agency’, ‘secondary school’, and ‘State educational agency’ have the meanings given the terms in section 6101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

‘(2) Eligible early childhood education program director.—The term ‘eligible early childhood education program director’ means an employee or officer of a qualifying early childhood education program who is responsible for the daily instructional leadership and managerial operations of such program.

‘(3) Eligible early childhood education provider.—The term ‘eligible early childhood education provider’ means an individual—

‘(A) who—

‘(i) has an associate’s degree or higher degree in early childhood education or a related field, or

‘(ii) is enrolled during the taxable year in a program leading to such an associate’s or higher degree and is making satisfactory progress toward graduation;

‘(B) who is responsible for the daily instructional leadership and managerial operations of a qualifying early childhood education program in a home-based setting;

‘(C) whose primary responsibility is for the learning and development of children in a qualifying early childhood education program during the taxable year;

‘(D) Eligible paraprofessional.—The term ‘eligible paraprofessional’ means an individual—

‘(A) who is a paraprofessional, as defined in section 3201 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701),

‘(B) who meets the applicable State professional standards and qualifications pursuant to section 1111(g)(2)(M) of such Act (20 U.S.C. 6311(g)(2)(M)),

‘(C) whose primary responsibilities involve working or assisting in a classroom setting, and

‘(D) who is employed in a qualifying school or a qualifying early childhood education program.

‘(4) Eligible school-based mental health services provider.—The term ‘eligible school-based mental health services provider’ means an individual who—

‘(A) described in section 402(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7122(c)), and

‘(B) whose primary responsibility is for providing mental health services to students in a qualifying school or a qualifying early childhood education program.

‘(5) Eligible school leader.—The term ‘eligible school leader’ means a principal or assistant principal, or other individual who is—

‘(A) an employee or officer of a qualifying school, and

‘(B) responsible for the daily instructional leadership and managerial operations in the qualifying school.

‘(6) Eligible teacher.—The term ‘eligible teacher’ means an individual who—

‘(A) is an elementary school or secondary school teacher who, as determined by the State or local educational agency, is a teacher or record of record who provides direct classroom teaching (or classroom-type teaching in a nonclassroom setting) to students in a qualifying school, and

‘(B) meets applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, in the State in which such school is located and in the subject area in which the individual is certified.

‘(9) Qualifying early childhood education program.—

‘(A) In general.—The term ‘qualifying early childhood education program’ means an early childhood education program, as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1003), that, regardless of setting—

‘(i) serves children who receive services for which financial assistance is provided in accordance with the Child Development Block Grant Act of 1990 (42 U.S.C. 9657 et seq.), the Head Start Act (42 U.S.C. 9831 et seq.), or the child and adult care food program established under section 17 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766), and

‘(ii) participates in a State tiered and transparent system for measuring program quality.

‘(B) Special rule.—Notwithstanding subparagraph (A), an early childhood program that does not satisfy the requirements of subparagraph (A)(ii) shall be deemed to be a qualifying early childhood education program until September 30, 2021, if the program—

‘(i) satisfies all requirements of subparagraph (A) except for clause (ii) of such subparagraph, and

‘(ii) meets the Head Start program performance standards described in section 610(a) of the Head Start Act (42 U.S.C. 9002(a)), if applicable, or

‘(III) is accredited by a national accreditor of early learning programs as of the date of enactment of the Retaining Educators Takes Accountability and Investment Bill Act of 2021 (42 U.S.C. 9831 et seq.), or

‘(ii) is served or operated by an educational service agency that is eligible for assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.), or

‘(ii) an elementary school or secondary school that is funded by the Bureau of Indian Education and that is in the school district of a local educational agency that is eligible for such assistance.

‘(B) W-2 reporting of continuous employment certain positions at qualifying early childhood education programs or qualifying schools.—Section 605(a) of the Internal Revenue Code of 1986 is amended by striking ‘‘and’’ at the end of paragraph (16), by striking the period at the end of paragraph (17) and inserting ‘‘and’’, and by inserting after paragraph (17) the following new paragraph:

‘‘(18) in the case of an employee who is employed in a position described in subsection (a) of section 36C, the number of school years for which such employee has been continuously employed in any such position.’’.

‘(c) Conforming amendments.—

‘(1) The table of sections for subsection C of part IV of subchapter A of chapter 1 of subtitle A of the Internal Revenue Code of 1986 is amended by inserting ‘‘and’’ after ‘‘36C’’ in the matter preceding paragraph (7) of section 30B.

‘(2) Section 621(b)(4)(A) of such Code is amended by inserting ‘‘36C’’ after ‘‘36B’’.

‘(3) Paragraph (2) of title 31, United States Code, is amended by inserting ‘‘36C’’ after ‘‘36B’’.
Whereas the Panthers of Knightstown played their last official regular-season basketball game at the gym in February 1966; Whereas, after 45 years of serving the community and providing a place for its young people to grow and develop, the gym was closed, and for the next 19 years, the gym saw little use; Whereas, in 1985, interest in the gym increased when a film crew descended upon Knightstown, Indiana, looking for a place to film “Hoosiers”; Whereas “Hoosiers” is an American sports film written by Angelo Pizzo and directed by David Anspaugh in his feature directorial debut, and both individuals were raised in Indiana; Whereas the film tells the story of the unique phenomenon known as “Hoosier Hysteria”—Indiana’s obsession with basketball; Whereas the film is inspired by the 1954 Milan High School team, which made an unlikely run to win the Indiana High School Boys Basketball State Championship, which consisted of a single class of high school basketball for all schools throughout the State; Whereas about 1⁄3 of the film was filmed in the gym, and the film included many Hooisers, including players on the team and most of the stand-ins; Whereas Dennis Hopper’s role earned him an Oscar nomination, and Jerry Goldsmith was also nominated for an Academy Award for his score; Whereas the film “Hoosiers” is often considered the greatest sports movie of all time and was added to the National Film Registry in 2001 by the Library of Congress as being “culturally, historically, or aesthetically significant”; Whereas, as a result of the success of this film, the old gymnasium came to be known as The Hoosier Gym; Whereas The Hoosier Gym has kept the same look as it did when “Hoosiers” was filmed in 1986; Whereas, by 1988, the gym faced possible demolition when the 112-year-old school door, then serving as an elementary school, was replaced by a new school north of town, but Historic Knightstown and Historic Landmarks of Indiana stepped forward to help preserve the gym; Whereas now, The Hoosier Gym usually hosts 80 high school basketball games with teams from throughout the country and over 100 games in total each year; Whereas, each year, the gym holds the Hooisers Reunion All-Star Classic, where Indiana’s best high school athletes play against each other with the teams named “Hickory” and “Terhune”, as in the film; Whereas many of these athletes have gone on to play in the National Basketball Association and the Women’s National Basketball Association; Whereas “Hooisers” and The Hoosier Gym have highlighted the cultural impact and importance of basketball in the State of Indiana to the world; Whereas, in 2021, The Hoosier Gym is celebrating its 100th anniversary, and the film “Hoosiers” is celebrating its 35th anniversary; and Whereas the film “Hoosiers”, “The Hoosier Gym, Hinkle Fieldhouse, and all the other locations throughout Indiana used for filming highlight Hooisers’ love for basketball and “Hoosier Hysteria” at its finest: Now, therefore, be it
Resolved, That it is the sense of the Senate that—
(1) The Hoosier Gym, which is celebrating its 100th anniversary in 2021, continues to remain an important historical and cultural location for the State of Indiana, Henry County, the Town of Knightstown, and the nearly 80,000 basketball enthusiasts and tourists throughout Indiana, the United States, and the world that visit the location every year; (2) the film “Hoosiers”, which is celebrating its 35th anniversary in 2021, continues to remain one of the top ranked and most influential sports movies of all time, promoting the love of the State of Indiana, and provides a better understanding of “Hoosier Hysteria” to the world; (3) both the film and this historical location deserve recognition for the continued legacies that greatly enrich the State of Indiana, its local communities, and its citizens by providing the world with a better understanding of the love of basketball in Indiana and what it means to be a Hooiser; (4) continued admiration for this film and historical location reinforces the quote by Dr. James Naismith, basketball’s inventor, after visiting an Indiana High School State Basketball Championship game that “Basketball really had its beginning in Indiana” and “in Indiana, basketball is a religion”; and (5) the anniversaries of the film “Hoosiers” and The Hoosier Gym should be recognized due to the historical and cultural significance both had and continue to have in introducing the State of Indiana and its love of basketball to the rest of the country and the world.

Mr. SCOTT of Florida (for himself, Mr. SULLIVAN, Mr. WICKER, Mr. TILLS, and Mr. HAWLEY) submitted the following resolution; which was referred to the Committee on Foreign Relations: S. RES. 103
Whereas the National People’s Congress of China decided the Chinese government of the People’s Republic of China on January 22, 2021, for the alleged purposes of defending the national sovereignty, security, and maritime rights and interests of China; Whereas the Coast Guard Law of the People’s Republic of China applies to activities in the “jurisdictional waters” of China, a term that is neither defined nor drafted in accordance with international law; Whereas 6 countries lay overlapping claims to the South China Sea, an area known to be rich in fish, gas, and natural resources by which $3,400,000,000,000 in commerce transits through; Whereas the Government of the People’s Republic of China has made claims to the South China Sea by means of a “nine-dash line” that is not based on legitimate evidence and nor legal or historical precedent; Whereas the People’s Republic of China applies to activities in the “jurisdictional waters” of China, a term that is neither defined nor drafted in accordance with international law; Whereas the United States will not tolerate a threat from the People’s Republic of China for its extension of power in waters far beyond its legitimate territorial sea boundaries; Now, therefore, be it
Resolved, That the Senate—

Whereas the Panthers of Knightstown played their last official regular-season basketball game at the gym in February 1966; Whereas, after 45 years of serving the community and providing a place for its young people to grow and develop, the gym was closed, and for the next 19 years, the gym saw little use; Whereas, in 1985, interest in the gym increased when a film crew descended upon Knightstown, Indiana, looking for a place to film “Hoosiers”; Whereas “Hoosiers” is an American sports film written by Angelo Pizzo and directed by David Anspaugh in his feature directorial debut, and both individuals were raised in Indiana; Whereas the film tells the story of the unique phenomenon known as “Hoosier Hysteria”—Indiana’s obsession with basketball; Whereas the film is inspired by the 1954 Milan High School team, which made an unlikely run to win the Indiana High School Boys Basketball State Championship, which consisted of a single class of high school basketball for all schools throughout the State; Whereas about 1⁄3 of the film was filmed in the gym, and the film included many Hooisers, including players on the team and most of the stand-ins; Whereas Dennis Hopper’s role earned him an Oscar nomination, and Jerry Goldsmith was also nominated for an Academy Award for his score; Whereas the film “Hoosiers” is often considered the greatest sports movie of all time and was added to the National Film Registry in 2001 by the Library of Congress as being “culturally, historically, or aesthetically significant”; Whereas, as a result of the success of this film, the old gymnasium came to be known as The Hoosier Gym; Whereas The Hoosier Gym has kept the same look as it did when “Hoosiers” was filmed in 1986; Whereas, by 1988, the gym faced possible demolition when the 112-year-old school door, then serving as an elementary school, was replaced by a new school north of town, but Historic Knightstown and Historic Landmarks of Indiana stepped forward to help preserve the gym; Whereas now, The Hoosier Gym usually hosts 80 high school basketball games with teams from throughout the country and over 100 games in total each year; Whereas, each year, the gym holds the Hooisers Reunion All-Star Classic, where Indiana’s best high school athletes play against each other with the teams named “Hickory” and “Terhune”, as in the film; Whereas many of these athletes have gone on to play in the National Basketball Association and the Women’s National Basketball Association; Whereas “Hooisers” and The Hoosier Gym have highlighted the cultural impact and importance of basketball in the State of Indiana to the world; Whereas, in 2021, The Hoosier Gym is celebrating its 100th anniversary, and the film “Hoosiers” is celebrating its 35th anniversary; and Whereas the film “Hoosiers”, “The Hoosier Gym, Hinkle Fieldhouse, and all the other locations throughout Indiana used for filming highlight Hooisers’ love for basketball and “Hoosier Hysteria” at its finest: Now, therefore, be it
Resolved, That it is the sense of the Senate that—
(1) The Hoosier Gym, which is celebrating its 100th anniversary in 2021, continues to remain an important historical and cultural location for the State of Indiana, Henry County, the Town of Knightstown, and the nearly 80,000 basketball enthusiasts and tourists throughout Indiana, the United States, and the world that visit the location every year; (2) the film “Hoosiers”, which is celebrating its 35th anniversary in 2021, continues to remain one of the top ranked and most influential sports movies of all time, promoting the love of the State of Indiana, and provides a better understanding of “Hoosier Hysteria” to the world; (3) both the film and this historical location deserve recognition for the continued legacies that greatly enrich the State of Indiana, its local communities, and its citizens by providing the world with a better understanding of the love of basketball in Indiana and what it means to be a Hooiser; (4) continued admiration for this film and historical location reinforces the quote by Dr. James Naismith, basketball’s inventor, after visiting an Indiana High School State Basketball Championship game that “Basketball really had its beginning in Indiana” and “in Indiana, basketball is a religion”; and (5) the anniversaries of the film “Hoosiers” and The Hoosier Gym should be recognized due to the historical and cultural significance both had and continue to have in introducing the State of Indiana and its love of basketball to the rest of the country and the world.

Whereas the National People’s Congress of China decided the Chinese government of the People’s Republic of China on January 22, 2021, for the alleged purposes of defending the national sovereignty, security, and maritime rights and interests of China; Whereas the Coast Guard Law of the People’s Republic of China applies to activities in the “jurisdictional waters” of China, a term that is neither defined nor drafted in accordance with international law; Whereas 6 countries lay overlapping claims to the South China Sea, an area known to be rich in fish, gas, and natural resources by which $3,400,000,000,000 in commerce transits through; Whereas the Government of the People’s Republic of China has made claims to the South China Sea by means of a “nine-dash line” that is not based on legitimate evidence and nor legal or historical precedent; Whereas the People’s Republic of China applies to activities in the “jurisdictional waters” of China, a term that is neither defined nor drafted in accordance with international law; Whereas the United States will not tolerate a threat from the People’s Republic of China for its extension of power in waters far beyond its legitimate territorial sea boundaries; Now, therefore, be it
Resolved, That the Senate—
(1) condemns exertion of illegitimate author- 
ization for Chinese Coast Guard military ag- 
against foreign vessels; 
(2) nullifies unlawful claims by the Gov- 
against Black people continues; and 
(3) holds all nations to condemn the ex- 
power of People’s Republic of China, and the US 
thriving community with a na- 
defenders of civil rights and liberty, and 
segregation confined Tulsa’s Black residents 
acial hostility and white resentment over 
organization in order to assert interna- 
that promotes security and prosperity; 
(4) calls on all nations to condemn the ex- 
archy, which they 
build into a thriving community with a na-
whereas this year marks the 100th anniver-
Whereas the pattern of violence against 
in the United States; 
(2) recognizes the centennial of the Tulsa 
(1) recognizes the centennial of the Tulsa 
(7) encourages education about the Tulsa 
(3) honors the lives and legacies of the esti-
Whereas, in the early 20th century, de jure 
Whereas, in the wake of the violence, but actively blocked 
(1) condemns exertion of illegitimate author-
(2) nullifies unlawful claims by the Gov-
(3) holds all nations to condemn the ex-
(4) calls on all nations to condemn the ex-
(5) calls on all nations to join and condemn 
(6) encourages all nations to condemn and 
(2) nullifies unlawful claims by the Gov-
Whereas, in the early 20th century, de jure segregation confined Tulsa’s Black residents 
into the “Greenwood District”, which they 
used to acknowledge and learn from the history of 
racial and ethnic violence in the United States, 
the Tulsa Race Massacre, to reverse the legacy of white supremacy and fight for racial justice.

AUTHORITY FOR COMMITTEES TO MEET

Mr. BROWN. Mr. President, I have 9 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS
The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Wednesday, March 10, 2021, at 2 p.m., to conduct a hearing on nominations.
COMMITTEE ON FOREIGN RELATIONS
The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, March 10, 2021, at 10 a.m., to conduct a hearing on a nomination.
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, March 10, 2021, at 9:45 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, March 10, 2021, at 10:45 a.m., to conduct a hearing.
COMMITTEE ON INDIAN AFFAIRS
The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, March 10, 2021, at 3 p.m., to conduct a hearing.
COMMITTEE ON VETERANS’ AFFAIRS
The Committee on Veterans’ Affairs is authorized to meet during the session of the Senate on Wednesday, March 10, 2021, at 9 a.m., to conduct a hearing.
SELECT COMMITTEE ON INTELLIGENCE
The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, March 10, 2021, at 3:30 p.m., to conduct a closed briefing.
SUBCOMMITTEE ON OVERTSIGHT, AGENCY ACTION, FEDERAL RIGHTS AND FEDERAL COURTS
The Subcommittee on Oversight, Agency Action, Federal Rights and
Federal Courts of the Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, March 10, 2021, at 3 p.m., to conduct a hearing.

ORDERS FOR THURSDAY, MARCH 11, 2021

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10:30 a.m., Thursday, March 11; that following the prayer and the pledge of allegiance the hour of 2 p.m. shall be deemed to have expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session and resume consideration of the motion to discharge the nomination of Xavier Becerra from the Committee on Finance, with the time expiring at 12 noon; further, that upon disposition of the motion to discharge, the Senate resume consideration of the nomination of DEBRA HAALAND to be Secretary of the Interior; finally, that the cloture motion on the Haaland nomination ripen at 1:30 p.m.

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

Mr. SCHUMER. For the information of Senators, there will be two rollcall votes during Thursday’s session of the Senate at 12:00 noon on the motion to discharge the Becerra nomination and at 1:30 p.m. on the motion to invoke cloture on the Haaland nomination.

ORDER FOR ADJOURNMENT

Mr. SCHUMER. 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 Senator SULLIVAN.

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

The PRESIDING OFFICER. The Senator from Alaska.

CONFIRMATION OF MICHAEL STANLEY REGAN

Mr. SULLIVAN. Mr. President, we just voted on Secretary Michael Regan to be EPA Administrator. I want to congratulate him on his vote. He is now the new EPA Administrator. I sit on the Committee on Environment and Public Works. So we had hearings for Mr. Regan—Administrator Regan. I guess we want to call him now—and I have had a number of conversations with him. I actually voted for him to move out of committee to come to the floor for this vote that we took today.

I like to come down to the floor to explain my votes because sometimes I support the Biden administration’s Cabinet officials. I introduced Secretary of Defense Austin at his confirmation hearing. I served with him many years ago when I was a marine and he was a four-star general in the Army. I have a lot of respect for the Secretary of Defense.

Then there are other times when I am a “no.” One type I like to do is come and explain the noes but not always. On this one, for Secretary Regan, for Administrator Regan and his team, I want to explain it because I will say that I was impressed with him. I think he is qualified. He was essentially the EPA Administrator for North Carolina. Both of his Republican Senators introduced him at his hearing and voted for him. I believe, today, and I have had good conversations with him as well.

Here is the thing: I was trying to get commitments from him. Now, this is very normal in the confirmation process. You work with the nominees and try to get commitments. Sometimes they give them, and sometimes they don’t. I think we do—give advice and consent. We have been doing this since the Founding Fathers wrote the Constitution on what the Senate should be doing in these confirmation processes that we are going through right now with the administration. So I wasn’t asking for a lot in terms of commitments from this administration for the great State of Alaska, but it was important to me.

Why was it important to me? Unfortunately, the administration has launched a war on working families in Alaska. Now, that sounds like a pretty dramatic statement, “a war on working families in Alaska.” What I am looking for is a ceasefire. My State, like a lot of States, is hurting economically. We are doing very well and I am very proud of Alaska on the health side. We are No. 1 in terms of vaccinations per capita in the country, which is remarkable, if you have been to any State, as it is so huge and the populations are so spread out, but we are working together, all of us, and we are achieving really remarkable results. We have been No. 1 in testing per capita throughout the whole pandemic, and we have had some of the lowest per capita death rates throughout the whole pandemic. But we are being really hit hard economically in the energy sector, the tourism sector, and the commercial fishing sector.

So why am I looking for a ceasefire? In the first 2 months of the Biden administration, there have been eight Executive orders, if you include the recent statement by the President and the Prime Minister of Canada, which had a focus on Alaska, which have been focused on my State. Usually, it will be on economic development projects and usually on access to Federal lands. Eight. There is no State in the country that is getting that kind of attention from this administration, and we are really hurtting. Show me any other State represented in the U.S. Senate Chamber that has eight Executive orders directed at your State. It won’t exist. Trust me—my constituents don’t like all the attention.

So I want to ask the President—not the Presiding Officer but the President: Mr. President, Mr. President Biden, sir, you were a U.S. Senator for three decades. Let me just ask you this question: A Republican administration came into office and focused its attention on shutting down Delaware with eight Executive orders inside of 2 months, you would be on the floor every day like me, talking about it, asking for some relief. I think that is all we are asking for—a ceasefire on the hard-working families of Alaska.

This is what I asked Secretary Regan. A commitment on these is not a big issue. I told him, if I could get a commitment on these things, I would come down to the floor and give a speech in favor of his confirmation.

One was of a very big energy project in my State that has been permitted for almost 25 years. It started with the Clinton administration, in a place called the National Petroleum Reserve of Alaska, and was set aside by Congress for oil and gas development. That is what the NPR-A is. We do it responsibly, better than any place in the world, but this is a project that was started by the Clinton administration and moved forward by the Bush administration. There was a big NEPA environmental impact statement by the Obama administration, called the Integrated Activity Plan for NPR-A, which was approved. It was completely non-controversial because that is what this part of Alaska is set aside for. Then the Trump administration finalized a very large but responsibly developed energy project. We started it this winter with no controversy. It has estimates of 2,000 direct jobs, with thousands more indirect jobs. All we are asking for is a commitment to keep it going. That is simple, status quo. Couldn’t get it. Couldn’t get it.

There is litigation with regard to this project right now. About 200 people—almost 200 workers—have been sent home with pink slips during a recession. Those were great jobs by the way. We tried to get a commitment on this. We couldn’t get it. By the way, 75 percent of those 2,000 jobs were union jobs and high-paying—building trades, laborers, operating engineers, teamsters. They are great Americans, by the way. Seventy-five percent. Non-controversial. Twenty-five years of permits. No one has been against this. So I just wanted a commitment on it. No. Like I said, it is a war on working families.

Here is another one. Here is something that a lot of people don’t know about Alaska: 60 percent of the country’s wetlands, of America’s wetlands, are in my State—six zero. Now, we have the most beautiful State. We love our wilderness. We love the wilderness. We care about the Alaskan environment more than anyone else and—trust me—more than anyone else in the
EPA. That is for sure. We have 175 million acres of wetlands. So this creates challenges.

Unlike most of the lower 48, we have not dredged and filled these areas in the past. If you look at the east coast, at all the Corps projects where you haven’t had dredge and fill before, because we have so many wetlands. So, in 2018, the Corps of Engineers and the EPA had an MOU to address some of these mitigation challenges. It wasn’t complete—just a start. I think he believed that Secretary Regan thought it was creative when I talked to him about it. So we just asked for a continuation of this. These are really simple commitments, good ideas—couldn’t get it from the Secretary.

Now here’s my own view. I think Mr. Regan wanted to—I explained these to him. I think he was reasonable, someone who has done this in his State and knows each State is unique. He cares about jobs. He cares about environmental justice. That is a big issue in my State when a lot of these communities that are getting targeted are actually Alaska Native communities. They are killing jobs in those communities. That is environmental justice; that is for sure. So my instinct was he wanted to make these commitments, but I think he was told no. I don’t know that, but I’m pretty—well, but I think he was told no by the White House. This raises a much bigger concern about this nominee.

My good friend, the esteemed Senator from West Virginia, Senator Capito, was on the floor earlier. She also sits on the EPW Committee. She is the ranking member on the committee. She gave a really important speech on what she also voted for no for Mr. Regan. And I think she had the same feeling I did. These issues, is qualitied, cares about different States’ challenges. But she raised a concern that I want to reiterate because I think it is going to be a really big concern, and I think it is going to come to a head here soon, and that is this: There is concern, not just among Republican Senators—it is all over the press, and she cited it—that Mr. Regan, who is now the EPA Administrator might not be the person in charge of the EPA. Now he’s Senator confirmed. He is the one who has to come before the Congress for hearings, for oversight, but what are we talking about here?

Well, the former EPA Administrator, Gina McCarthy, was in the White House. She is out talking to the press all the time. She’s an unaccountable czar on these issues, working behind the scenes—and, actually, not even behind the scenes. She was recently quoting herself, saying she’s the orchestra leader of all of these issues.

Wait, what about the EPA Administrator? I thought he was the Senate-confirmed person nominated by the President. The big, big concern is that he is not going to have the authority or the decision-making capacity and is going to be told what to do by a shadow EPA working out of the White House run by Gina McCarthy. That is not just my concern. That is not just Senator Capito. That is all over the press. Read it. Inside EPA—she was quoting from that, Senator Capito was. No transparency there? All these previous Obama administration EPA alumnus in the White House?

By the way, if I am the new EPA Administrator, Mr. Regan, I wouldn’t want that notion out there. But with all due respect, sir—and, again, congratulations—it is out there, and you need to tamp this down because it is going to come to a head.

Look, my State did not fare well under the Gina McCarthy EPA. There is a long list: the waters of the United States—I won’t get into the details of the disputes between the EPA and its constituents. Armed EPA officials with body armor, rifles, were going after gold miners and placer miners in Alaska because they thought they were violating the Clean Water Act. No kidding. Read about it. Chicken AK—go Google that. We were not big fans.

So I believe Mr. Regan wants to work with Alaskans. I believe he understands the concept of cooperative federalism on these environmental issues. He wouldn’t be here if he didn’t authorize armed guards to terrorize small placer miners in the interior of Alaska the way the previous Administrator McCarthy did and talk to the press in a blatantly disrespectful way to my fellow Alaskans. It was shameful, in my view. But this issue is going to come to a head.

Who is in charge? Regardless of whether you are a Democrat or Republican, if you voted for the EPA Administrator, you want him in charge because he is the Senate-confirmed official nominated by the President, not an unelected official in the White House who I guarantee wouldn’t have been able to get confirmed. So it is going to be a challenge.

And it is not just Gina McCarthy. We had an EPW hearing today, and I raised the issue of the other czar—John Kerry, the former Senator. But he is not confirmed. He hasn’t been appointed. He is out of the game. And he and the President are at loggerheads on a really big issue. President Biden, the President of the United States, recently in a meeting reported by the press with labor leaders, said: I am all in on natural gas. That is important. That is a huge issue for our environment and our workers. The President of the United States said “I am all in on natural gas” to the men and women who build pipelines. He told them that recently in a White House meeting. He is the President of the United States.

Now John Kerry—I think some people think he is President of the world. He is flying around on his airplane right now, and he is telling people he is not for natural gas. Well, I wonder who is going to win that debate.

But this goes to this issue: These are going to come to a head. Who is in charge here—the President of the United States or the President of the world—on natural gas? I hope it is the President of the United States because natural gas is going to be key for our workers, for our environment, for our national security. And at the EPA level, who is in charge? Mr. Regan? I hope so. Or Gina McCarthy? It is looking more and more like she is in charge.

So that is why a number of us, despite being impressed, wanting to work with the new EPA Administrator voted no, and I certainly hope that the unaccountable team of McCarthy and Kerry in the White House are not going to be running the policy, but it is going to be the people who were actually confirmed by the U.S. Senate because that is the way our system of government is supposed to work.

So, Mr. President, for those reasons, although I again want to congratulate Mr. Regan, I respectfully declined to support his nomination, and we will see who is going to be ultimately in charge.

I want to work with him and his team. These issues are so important to my State. I want him to help convince others in the Biden White House for the ceasefire that my constituents need.

We need to get to work, and I am hoping he is going to be a constructive partner in that regard.

NATIONAL GUARD
Mr. SULLIVAN. Mr. President, most mornings I get up kind of early, and I go for a run on the Mall, run by the Capitol, this beautiful building, the Senate, the House, the people’s house, which recently was open for all of us to enjoy. And now, as most Americans know, it is ringed with gates and razor wire and troops. It looks a little bit like the Green Zone in Baghdad, not the U.S. Capitol.

Here’s the thing. When I go running—I do this most mornings; I did it this morning—you see these wonderful National Guard men and women who are serving their country still here behind these gates. And they are literally about every 50 yards, sometimes closer, standing post all night—all night—hundreds of them, American soldiers.

They are doing their duty, and we all appreciate it. I talk to them. I just say: Hey, how you guys doing? How is morale? You want to be here? You think it is time to go home? I think it is time for you to go home, and I am going to try and help you with that.

Now, look, most are patriotic. They are tough. They are soldiers doing their job. But make no mistake, they want to go home. They are standing their post all night, 1, 2, 3 in the morning,
every 50 yards, for what? For what? I don’t think they know what for, and neither do I.

Now the assault that took place on our democracy on January 6 was a dark day for our country, no doubt. I will remember that for the rest of my life. But the Members of Congress did something really important that same day. We reconvened right here in the U.S. Senate, even amid some of the broken glass and smashed doors in the House. We finished our constitutional duty to count the electoral college votes. The rioters that day—who should be prosecuted—did not win. That was important.

But that was 3 months ago, and our Nation’s Capitol is still decked in layer upon layer of barbed wire and metal fencing. More than 5,000 troops still roam the Capitol instead of being where they know they should be: home with their families, back to their jobs—these are National Guard members, so their work is obviously being disrupted—and back to their States and their communities.

The cost of keeping them here since January at this juncture is over a half billion dollars. But here’s the thing: I pay close attention to these issues. I keep asking: OK, I understand this; they were here after the 6th, and they were here for the inauguration, but what is the threat now? Give me an intel threat—a credible intel threat—that requires 5,000 troops and razor wire all across the U.S. Capitol, the people’s house. What is the credible intel? I have not gotten any credible intel that I am aware of.

We learned yesterday that the Secretary of Defense approved the request for these soldiers to be here for another 60 days. Here is what you didn’t hear about in those reports. I have a lot of respect for the Secretary of Defense. As a matter of fact, as I mentioned in my remarks earlier, I introduced him at his confirmation hearing. But this decision on whether there should be troops here or not is actually not his decision. It is our decision. It is the Members of Congress’s decision. That is the threshold issue: Should we still have the troops here? It is the majority leader’s decision. It is the Speaker of the House’s decision. So why do we still have troops here? Why is the Capitol still in high security lockdown?

I think it would be really important for the majority leader to come to the floor and not only tell us but tell the troops, tell the American people what is going on.

Remember, this is not our House. This is not our building. This belongs to the people of America. We are privileged to be here, certainly, but we need answers.

And I will tell you who else needs answers. The troops need answers.

My own view is we need to get these troops home. We need to tear down the wall. We need to open the gate. And this is not just my view; this is a widely held view. Democrats and Republicans all agree.

Just look around the Capitol Hill neighborhoods. These signs are everywhere. So are other signs. “Free the People’s House.” “Don’t Fence the Capitol.”

What is happening right now—we all love our military. Our military normally is a symbol of strength for America. But right now, the military here is not a symbol of strength. We are telling the world, through razor wire, that American democracy is fragile and that it is afraid. American democracy is not fragile, and it is not afraid. So these troops are a symbol not just to Americans but to the rest of the world that the Capitol lives in fear or weakness.

There was evidently some kind of vague—it wasn’t credible—threat on March 4 from some nutjob group, QAnon—however the heck you pronounce it—and we had the entire House on the other side of this great building call it quits, went home, and said: We are not going to do any work. That is exactly the wrong answer. That is not what we did on January 6.

So what we need is we need our leaders in the House and in the Senate to come down here and tell us why we are still in an armed camp. One can’t help but wonder if there is something else going on here. Why do the leaders of the House and Senate still want thousands of troops and razor wire around the Capitol? I hope they don’t fear the people they represent. I don’t fear my constituents. Is there intel that they have that we don’t know about? How long can we expect this green zone in our Nation’s Capital to continue? The American people need answers.

But here is the key issue. At the end of the day, this is a law enforcement problem. It is not a military problem. To make it a military problem is dangerous. If the Capitol Police need more officers, then let’s have that discussion, but we are a citizen-controlled government, and our military, whom I respect so much, should not be used for an extended period of time here on the Capitol grounds to handle a law enforcement issue, especially at the most important symbol of democracy in America, probably the most important symbol of democracy in the world.

So here is what we need to do. It is time to tear these walls down, open these gates, and send our brave National Guard troops home. I yield the floor.

ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10:30 a.m.

Thereupon, the Senate, at 7:03 p.m., adjourned until Thursday, March 11, 2021, at 10:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 10, 2021:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MARCSA JOISEY FUDGER, OF OHIO, TO BE SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

ENVIRONMENTAL PROTECTION AGENCY

MICHAEL STANLEY REGAN, OF NORTH CAROLINA, TO BE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

DEPARTMENT OF JUSTICE

MERRICK BRIAN GARLAND, OF MARYLAND, TO BE ATTORNEY GENERAL.
EXTENSIONS OF REMARKS

KINCIADE GREEN EARNED EAGLE SCOUT RANK

HON. C. SCOTT FRANKLIN OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2021

Mr. C. SCOTT FRANKLIN of Florida. Madam Speaker, I rise today to congratulate Kinciade Green of Dover, FL, for earning the rank of Eagle Scout. Eagle Scout is the highest honor a Boy Scout can earn. Only a small percentage of Boy Scouts reach the rank of Eagle Scout. This honor requires years of effort to develop the necessary leadership, service, and outdoor skills. To earn it, Kinciade's project included a flag retirement and a fire pit for use by the veterans of AMVETS post No. 26. He built five Adirondack chairs, four benches and cleared an area around the fire pit. The leadership skills he has learned through the Boy Scouts already benefit our community and will continue to help in countless ways.

Kinciade began his Scouting career as a Tiger Cub in Second Grade. He has been active in Scouting as well as his High School Future Business Leaders of America (FBLA) Club and Junior Air Force ROTC organizations. He will represent his District for the second time this year at State FBLA competition.

On behalf of the Fifteenth Congressional District of Florida, congratulations again to Kinciade Green for becoming an Eagle Scout. We are proud of his continued success and thank him for his dedication to making our community a better place.

REMEMBERING DONALD F. “DON” STEVENS

HON. BARRY LOUDERMILK OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2021

Mr. LOUDERMILK. Madam Speaker, I rise today in memory of Donald F. “Don” Stevens, a friend, a Patriot, and a pillar of his community, who went to be with the Lord on January 27, 2021.

In the history of every community, there are leaders whose work shapes that community for generations to come. Don was one such leader. He has been called "the right man for the time" as Cherokee County transitioned from a rural community in the foothills of North Georgia to a metropolitan center. Don believed in the simple values of hard work, enthusiasm, and positivity—attributes he would continue to exemplify in the Cherokee County community.

A retired Delta Airlines pilot, Don carried his love for aviation into a second career as the Chairman of the Cherokee County Airport Authority, where he fought to lengthen the municipal runway so it could accommodate more air traffic and larger jets. He believed the airport would be the gateway to bringing business into Cherokee County, and he was right. He loved planes, and he and his son maintained and flew a beautiful vintage Cessna 195, and often soared through the blue North Georgia skies.

Don also loved classic cars. He could often be found at a weekend car show or in a parade. He was well known for his jokes, as he did his best to bring a laugh or a smile wherever he went.

Don was a generous man who loved people and believed in second chances. He was an outspoken advocate for criminal justice reform; and, he worked to establish Cherokee County’s DUI Court, which today helps many win their battles with substance abuse and regain control of their lives. Years ago, Don and his wife, Lila, began Cherokee Thanksgiving, serving holiday meals to those in need throughout the community. He also served on the board of the Cherokee Bank, was a volunteer firefighter, and has been recognized by the Chamber of Commerce as a "First Citizen" of Cherokee County.

Don is survived by his wife, Lila, son Keith, two daughters, Janet and Kelly, and six grandchildren, who will long remember his passion for people and the community, and will carry on his wonderful legacy. On behalf of Georgia’s 11th Congressional District and the United States House of Representatives, I commend and thank Donald F. Stevens for his life lived in humble service to the community.

INTRODUCTION OF THE WASHINGTON CHANNEL PUBLIC ACCESS ACT

HON. ELEANOR HOLMES NORTON OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2021

Ms. NORTON. Madam Speaker, today, I rise to introduce the Washington Channel Public Access Act. This bill would prohibit the Secretary of the Army from finalizing, implementing or enforcing a proposed rule, or any other rule, that would restrict access to the Washington Channel (Channel) in the District of Columbia. The proposed rule is arbitrary, capricious and unnecessarily restricts recreational and commercial access to the Channel without providing any security benefits.

The proposed rule would establish a permanent restricted area in the Channel adjacent to Fort McNair, which would restrict access to the navigable portion of the Channel by narrowing the waterway where recreational and commercial vessels can traverse and prohibiting anchoring and mooring altogether. The U.S. Army Military District of Washington cites security needs at Fort McNair to justify the proposed rule.

Neighborhoods like the Navy Yard and the Wharf have reinvigorated community engagement on the waterfront, and the Channel is increasingly used for regional transportation and recreation. The stretch of the Channel past Fort McNair is the only connection to the Potomac River. The proposed rule would likely force kayaks, paddleboards and recreational boats into the same space as water taxis and river cruise ships, creating a potentially dangerous situation.

I hosted a public meeting in which community members expressed overwhelming opposition to the proposed rule, but military officials did not address the question of whether less restrictive measures could provide the same security. I then wrote asking Secretary of Defense Lloyd Austin to direct the U.S. Army Military District of Washington and the U.S. Army Corps of Engineers to withdraw the proposed rule and to prohibit these agencies from proposing a similar rule. In response, the U.S. Army indicated that the proposed rule will not be finalized until an appointee of President Biden can review it. Despite this positive response, this bill is necessary to ensure the proposed rule, or any other rule that would restrict public access, does not go into effect.

I strongly urge my colleagues to support this bill.

INTRODUCTION OF THE HUMANE RESEARCH AND TESTING ACT OF 2021

HON. ALCEE L. HASTINGS OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2021

Mr. HASTINGS. Madam Speaker, I rise today to introduce the Humane Research and Testing Act of 2021. The exact number of animals used in federally funded medical research is unknown, but estimates range widely from 17 to 100 million animals utilized each year. Despite this widespread use, animal testing often fails to produce valid results predictive of human trials. In particular, more than 30 percent of candidate drugs fail human clinical trials because they are found to be toxic, despite promising pre-clinical studies on animals. On top of this, 65 percent of medications that advance to human trials fail due to lack of efficacy even after completing clinical trials on animals.

Fortunately, there have been important advancements in medical research methods over the past several years. Animal testing is therefore no longer necessary in the many circumstances where non-animal alternatives are available. Some of these human-relevant methods include synthetic skin, synthetic organs, and various methods of chemical toxicity testing that can decrease the number of animals used. Recognizing the need to promote alternatives, Congress passed the NIH Reauthorization Act of 1993, which in part directed the National Institutes of Health to outline a plan for reducing the number of animals used in research. Unfortunately, little progress has been made since the passage of this law, and animals continue to be used extensively despite new and improved methods and mounting evidence that animal testing can often be
Kiersten is an outstanding young woman who already has demonstrated great dedication to the people of Adams County. It is my pleasure to recognize Kiersten for this selfless work to serve our veterans in need, and I wish her continued success in this mission.

HONORING THE LEADERSHIP AND LEGACY OF MARIA CUNHA
HON. LOUISE TRAHAN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2021

Mrs. TRAHAN. Madam Speaker, I rise today to honor the leadership and legacy of a mentor and a friend, Maria Cunha, who will retire as Associate Dean and Director of the Out of School Youth Development Program at Middlesex Community College. Her most recent years at MCC have had an immense impact on students and faculty alike, advising and supporting them in their educational and vocational pursuits.

Maria was born in the Azores and moved with her family to the United States in 1967, eventually settling in Lowell among a vibrant, proud Portuguese community. After graduating from Lowell High School in 1974, she went to Regis College and became the first in her family to graduate from college four years later.

Public service has always guided Maria’s career. She worked as a teacher, interpreter, and mentor serving on countless non-profit boards and dedicated her life to advocating fiercely for families, children, and immigrants in our community.

For twelve years at the International Institute, Maria helped families navigate government agencies on their path to becoming citizens and creating a new life in the Greater Lowell region. She carried that passion for advocacy to her next role as Constituent Services Director in former Representative Marty Meehan’s district office. There, she continued her mission to provide the highest quality services to our community and exemplified the nobility of service—picking up the phone and listening to someone in crisis and delivering assistance; not giving up on someone in need of a hand; and advocating for resources and laws that fix our broken, inequitable systems.

Over the years, Maria has served as a role model and mentor to so many, myself included. She is what we all should aspire to be as public servants—a shining and tangible example of how government, education, and community are supposed to work.

Even in retirement, Maria will continue to champion those who don’t have a voice, her rich Portuguese heritage, and immigrants in search of a better life here in our community. Through her many years of service, Maria has made the City of Lowell a better place to call home. Thanks to her efforts, the City’s future is bright, and I join Lowell residents and so many throughout our region in thanking her for her dedication to this incredible community.

HONORING ROBIN MACH
HON. BLAINE LUETKEMEYER
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2021

Mr. LUETKEMEYER. Madam Speaker, most of us had that special teacher growing up who went the extra mile and left a lasting impression on us. All these years later a few still come to mind right away. Recently a Missouri teacher, Robin Mach who teaches preschool in the Meramec Valley R–III School District, gave a whole new meaning to “going the extra mile” and became a real-life hero when she donated a kidney.

Kayleigh Kulage was born premature at 26 weeks weighing only 15 ounces. From her very first day on earth Kayleigh had to fight for her survival and persevere in the face of the longest of odds, including living the first five years of her life with failing kidneys. In the summer of 2019, a Doris Hoffman Early Learning Center teacher met Kayleigh Kulage at a dentist office in Pacific, Missouri and encouraged the Kulage family to apply for educational services. In the fall of 2019, Ms. Robin, as Kayleigh calls her, began providing in-home educational services to Kayleigh. One year later, Kayleigh met the criteria to be placed on the transplant list. Ms. Robin talked to the Kulages about the donation process and ultimately decided to get tested to see if she would be a match for Kayleigh. As fate would have it, the two were a match, and on February 3, 2021, Robin and Kayleigh had successful surgeries to complete the transplant.

Robin Mach began working with pre-kindergarten students in 1999 and has long been known for going above the norm for her students. Dr. Stephanie Bechard stated, “Ms. Robin has always had a very strong sense of community and supporting our students outside of school. She always thinks of others in need and sees how all things affect our students and families. Her heart for our students, families, and community is monumental.”

Monumental is an excellent way to describe the selflessness Robin Mach has displayed. She risked her life for her student and in doing so changed lives of that little girl and her family forever. She is a true hero among us, and we are lucky to have her educating our students and our community.

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Monumental is an excellent way to describe the selflessness Robin Mach has displayed. She risked her life for her student and in doing so changed lives of that little girl and her family forever. She is a true hero among us, and we are lucky to have her educating our students and our community.
I am so proud to be an original sponsor of the legislation.

Our communities are demanding action, calling for strong and effective action that will help not only prevent future tragedies between police and the communities they patrol, but also help increase trust and build safer communities.

This is a commonsense bill that deserves bipartisan support. This is the first step to making our union more perfect, and I urge all my colleagues to support it.

IN RECOGNITION OF THRIVENT COMMUNITY-ADVENT PARTNERS

HON. JOHN JOYCE
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2021

Mr. JOYCE of Pennsylvania. Madam Speaker, I rise today to honor Thrivent Community-Advent Partners for their service to the Adams County community.

As an act of kindness for their neighbors, this group assembles and delivers care packages to patients who are undergoing cancer treatments in the Gettyburg Cancer Center and the Wellspring Adams Cancer Center. This tradition was established five years ago and has continued to be a service project shared by many community members. During the COVID–19 pandemic, the Thriven Community-Advent Partners team has taken extra care to safely assemble packages that include items such as masks, blankets, lotion, hand sanitizer, tissues, lip balm and other items. Despite challenges, they have persevered to continue this mission.

Thrivent Community-Advent Partners’ commitment to community service is invaluable to our family and friends throughout the county. The Helping Hand of Warren County as a volunteer organization whose mission is to distribute food, clothing, and household items to residents in their community for no cost.

The Helping Hand is expanding its network to multiple resources and services that its community members can utilize. Not only is it a support system for people who need food and clothing, it is also a resource for those who look to better their mental health as well, not just their physical. Sue serves on Governor Reynolds’ Advisory Council for Brain Injuries and has started to administer a voluntary brain injury screening tool to the community members that utilize The Helping Hand.

Sue and The Helping Hand are the pinnacles of what it means to be an Iowan, and I wish them all the best.

IN RECOGNITION OF WARREN PIERNER’S 100TH BIRTHDAY

HON. MIKE GALLAGHER
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2021

Mr. GALLAGHER. Madam Speaker, I rise today to honor World War II veteran Warren Pierner as he celebrates his 100th birthday on March 13, 2021.

Warren grew up in Green Bay and attended Green Bay East High School. In 1942, he joined the United States Coast Guard, where he served in the Atlantic on a patrol frigate called the Grand Rapids, and in the Pacific on an attack transport called the Aquarius. Mr. Pierner ran the boilers on these ships for nearly four years and attained the rank of Water Tender 1st Class. Warren continued his service to his country and community as a letter carrier for the U.S. Postal Service, where he worked for 36 years before his retirement in 1984.

After his military service, Warren began to build a family. He married Myra Larsen in 1948 and together they had 7 children during their 60 years of marriage until her passing in 2008. His family enjoyed the summers together fishing, swimming, and playing cards while camping or staying in a rented cabin in Northern Wisconsin. An avid sportsman and sports fan, Warren love to golf, bowl, fish, and swim. Mr. Pierner has been a longtime Chicago Cubs fan but makes up for it by being an ardent Green Bay Packers fan, UW Green Bay Phoenix fan, and Wisconsin Badger fan. Beloved husband, father, and soldier, Warren is a tribute to the "Greatest Generation" and a grateful nation and state thank him for his service.

Madam Speaker, I urge all members of this body to join me in applauding Warren Pierner for his service in WWII and wishing him a happy and healthy 100th birthday.

HON. JOHN GARAMENDI
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2021

Mr. GARAMENDI. Madam Speaker, today I reintroduce the “Support Our Military Working Dogs Act” in commemoration of National K9 Veterans Day later this week. The United States K9 Corps was established on March 13, 1942.

Military working dogs serve with our troops on the front lines and provide recuperating military working dogs to their former handlers. Caring for these dogs in the field and once they return home is our responsibility.

The “Support Our Military Working Dogs Act” would ensure that our nation’s military working dogs receive the best possible care and direct the U.S. Department of Defense (DOD) to work with veterans’ service organizations and other nonprofits to support their long-term veterinary care, once adopted by their former handler’s into loving homes.

Specifically, the “Support Our Military Working Dogs Act” would authorize DOD to provide charitable support for retired or injured military working dogs after their adoption, by coordinating third-party donations to cover the cost of long-term veterinary care. The bill would also ensure that the U.S. government covers all transportation costs associated with transferring retired military animals, including horses, to their new adopted homes, building upon the success of the Military Working Dog Retirement Act of 2015.

Lastly, the bill for this Congress includes a new provision clarifying that DOD’s Joint Trauma Education and Training Directorate may also conduct research on the treatment and avoidance of injuries for military working dogs. Former Congressman Ralph Abraham (R–LA) sponsored this provision as an amendment to the House-passed “National Defense Authorization Act for Fiscal Year 2021,” but it was ultimately removed during conference negotiations with the Senate. I am pleased to include this much-needed clarification in my bill.

As chair of the House Armed Services Subcommittee on Readiness, which has jurisdiction over military working dogs, I urge all members of the House to join me in cosponsoring this important legislation. Congress must support our K9 veterans during and after their service.

HON. CYNTHIA AXNE
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2021

Mrs. AXNE. Madam Speaker, I rise today to honor Sue Wilson and The Helping Hand of Warren County in Indiana, Iowa for their aid to the underserved people of their community. Sue and The Helping Hand are the pinnacles of what it means to be an Iowan, and I wish to recognize them as my Iowan of the Week for their remarkable dedication to the betterment of their state.

The Helping Hand is a volunteer organization whose mission is to distribute food, clothing, and household items to residents in their community for no cost. While they have been serving the people of Warren County for years via their walk-in food pantry, they have begun outreach to expand their services to address underlying issues resulting in food insecurity such as substance misuse and mental health services.

The Helping Hand is expanding its network to multiple resources and services that its community members can utilize. Not only is it a support system for people who need food and clothing, it is also a resource for those who look to better their mental health as well, not just their physical.

Sue serves on Governor Reynolds’ Advisory Council for Brain Injuries and has started to administer a voluntary brain injury screening tool to the community members that utilize The Helping Hand. While people are waiting in the food pantry line, they are invited to participate in the screening and are then asked a series of questions. This new programming is in the early stages, but Sue and The Helping Hand are hoping that they will soon be able to provide data of the percentage of people who have suffered from a brain injury and have limited resources to assist them in their betterment. So far, The Helping Hand has screened approximately 100 people in their food pantry line.

Sue and The Helping Hand’s desire to better the lives of those in Warren County is incredible, whether it be directly or distributing over one thousand boxes of food supplies, they are setting the standards high on what it means to serve and be served within a community. Sue and The Helping Hand are constantly and consistently striving to better themselves and the people they serve, and they do this through complete devotion, an unwavering work ethic, and huge hearts. I am proud to recognize Sue Wilson and The Helping Hand of Warren County as my Iowan of the week.

CELEBRATING THE 110TH BIRTHDAY OF EL DORADO NATIVE, MRS. WILLIE BELL COOGINS

HON. BRUCE WESTERMAN
OF ARKANSAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2021

Mr. WESTERMAN. Madam Speaker, I rise today to celebrate the 110th birthday of El Dorado, Arkansas, native, Mrs. Willie Bell Coogins.
Mr. JOYCE of Pennsylvania. Madam Speaker, I rise today to congratulate the Waynesboro Salvation Army upon the completion of a successful Red Kettle Campaign.

This year, the Waynesboro Service Unit of the Salvation Army continued its long history of supporting the “Do the Most Good” program that benefits the Waynesboro, Greencastle and Mercersburg communities. This year, the group overcame obstacles to not only achieve but exceed their goal. The Salvation Army attributes this success to the continuous generosity of the community members and the help of volunteers who dedicated countless hours over a five-week period.

The Waynesboro Salvation Army is a valued part of our community and faithfully serves individuals and families in need. It is a pleasure to congratulate these Pennsylvanians on a successful Red Kettle Campaign and wish them every continued success.

PERSONAL EXPLANATION

HON. JOHN CATKO
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2021

Mr. CATKO. Madam Speaker, I missed the vote on Roll Call No. 66 on March 9, 2021. Had I been present, I would have voted NAY on Roll Call No. 66.

Additionally, on Roll Call No. 68, I mistakenly voted YEA and would like to correct my vote to a NAY.

HON. BOYD MCDANELLS III
OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2021

Mr. MFMUE. Madam Speaker, I rise this morning to call attention to the passing of First Sergeant Boyd McDaniels III, a Fellow Brother Mason and friend to all that would come to know him. His funeral services are taking place as I speak.

First Sergeant McDaniels was a dedicated and highly accomplished soldier who served in several high-profile conflicts, including Desert Storm I and II, Operation Iraqi Freedom and several other classified missions. A skilled soldier, Boyd rose through the ranks of the Army and served in both the famed 82nd Airborne Division and 101st Airborne Division and was also a trained marksman. He received his training in lithography at Fort Belvoir, Virginia, where he also served years later as a drill sergeant.

Boyd was a highly decorated veteran who served with great honor and distinction. During his service, he was the recipient of two Bronze Star Awards. Among his other military honors was a U.S. flag, Service Star, Office Star Professional Badge, Basic Marks, Quail Badge, Global War on Terrorism Expeditionary Badge, Parachutist Terrorism Service Medal, Meritorious Service Medal, Army Commendation Medal, Joint Meritorious Unit Award and the Army Good Conduct Medal.

The Army is also where Boyd met his future wife and the love of his life, Deborah, when they were both serving in Germany. He retired from the U.S. Military on June 1, 2003.

Boyd was also called to another type of service while serving in the military: becoming active in two fraternal organizations. While in Germany he joined the Prince Hall Free and Accepted Masons of North America becoming the lodge’s youngest ever “Most Worshipful Grand Master.” He would later rise to the rank of 33rd degree. He was also a member of Shriner’s International.

Boyd was a huge Dallas Cowboys and avid South Carolina Gamecocks football fan. He also loved his Lamar High School Silver Foxes, his alma mater (Class of 1984). Gregarious, outgoing and the life of the party, Boyd loved to have a good time and wanted others to enjoy themselves as well.

Family was the most important thing to him. He talked to his mom every day and adored his wife and two sons. They were the center of his universe.

First Sergeant McDaniels leaves to call attention to the passing of First Sergeant Boyd McDaniels III, a Fellow Brother Mason and friend to all that would come to know him. His funeral services are taking place as I speak.

HON. WILLIE BLAIR'S LIFE AND LEGACY OF SERVICE

HON. VICTORIA SPARTZ
OF INDIANA

IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2021

Mrs. SPARTZ. Madam Speaker, I rise today to honor heroic actions taken by two police officers in my district, Officer Tiffany Bledsoe and Officer David Lindenschmidt of the Noblesville Police Department. Both Officers Bledsoe and Lindenschmidt were able to save lives in the early morning hours of February 27, 2021.

Officer Bledsoe was dispatched to a hotel with reports of an overdose. As the first officer on scene, Officer Bledsoe began chest compressions and rescue breaths before administering Narcan to the patient who then regained consciousness and began breathing again. About 20 hours later, a similar call came in, prompting Officer Lindenschmidt to respond to a report of an overdose. Officer Lindenschmidt also administered Narcan to the patient playing a vital role in avoiding an opioid overdose death.

The heroic actions of Officers Bledsoe and Lindenschmidt saved lives that day. These two officers are examples of how our policemen and women serve and protect us every day. I am honored to commend their actions.

HONORING DR. WILLIE BLAIR'S LIFE AND LEGACY OF SERVICE

HON. JUAN VARGAS
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2021

Mr. VARGAS. Madam Speaker, I rise today, along with Congresswoman SARA JACOBS, to honor Dr. Willie Blair. A Vietnam Combat veteran, former congressional staffer, and leader of the Black American Political Association of California-San Diego Chapter (BAPAC).

Dr. Blair was born in 1951 in Knoxville, Tennessee and was one of eight children. He received a Bachelor of Arts in political science from Maryville College in 1973, attended Officer Candidate School in Newport, Rhode Island and was commissioned as a U.S. Naval Officer.

Dr. Blair served as a Naval Officer for eight years, including a tour of duty in Vietnam as a small boat leader, and participated in the evacuation of Saigon and Cambodia in May of 1975. After being honorably discharged in 1981, Dr. Blair moved to San Diego and earned a Master of Business Administration degree and a subsequent Doctorate in Humanities and Arts from Point Loma Nazarene University.

Dr. Blair was a special assistant to former Congressman Bob Filner, focusing on veterans' issues, including veteran homelessness, retiring in 2013.

As a San Diego community leader, Dr. Blair left a legacy of social justice and equity. From 2008 to 2017, he served as board chairman for BAPAC, an organization that strives to ensure the Black community in San
Diego County remains a relevant economic, social, and political force in Southern California.

Dr. Blair strongly believed in the mission of BAPAC: to work for the maximum effective representations of Black people in the political, economic, and educational systems of San Diego County and find solutions to issues related to jobs, education, and healthcare.

In 2017, he was elected as BAPAC’s President where he continued his work in civil and human rights and used his stature to promote quality leadership in the community.

Dr. Blair devoted his life to bridging the achievement gap for ethnic and minority groups and elevate the positive educational outcomes of disenfranchised communities.

Dr. Blair devoted his life to mentoring leaders in the black community ensuring status within the Democratic party and in other institutions and he was passionate about reaching common ground among Latinos, Asians, and other ethnic and minority groups.

Dr. Blair is survived by his daughter, U.S. Airforce Officer Deborah Smith, siblings Janet, Trece and Roger, and several nieces and nephews.

HONORING FRANCESCO GENUARDI FOR HIS TENURE AS CONSUL GENERAL OF ITALY IN NEW YORK

HON. BILL PASCRELL, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2021

Mr. PASCRELL. Madam Speaker, I rise today to recognize and honor Francesco Genuardi, who after five years of admirable service as the Consul General of Italy in New York, has been designated Ambassador of Italy to the Kingdom of Belgium.

Mr. Genuardi, who is married with two daughters, is an Italian diplomat with over 27 years of professional experience. Born in Brussels on July 7, 1967, he graduated with a degree in Law from the University of Milan in 1991.

He joined Italy’s diplomatic service in 1993, and for the next five years worked at the European Union’s Directorate-General for Economic Affairs, where he dealt with international issues of importance associated with environmental protection and safety.

From 1998 to 2002, he served as Deputy Consul at the Consulate General in Buenos Aires, Argentina. From 2002 through 2005, he returned to his native Brussels to serve as First Secretary at the Permanent Mission of Italy to the North Atlantic Treaty Organization (NATO).

Mr. Genuardi returned to Rome in 2005 and began an eleven-year tenure at the Ministry of Foreign Affairs, working with seven succeeding Ministers as a liaison officer for parliament. In 2014, Mr. Genuardi was appointed by the Minister Paolo Gentiloni to serve as head of the Office for Parliamentary Relations of the Italian Foreign Ministry.

In March of 2016, Mr. Genuardi was appointed Consul General of Italy in New York, covering the states of New York, New Jersey, and Connecticut as well as the territory of Bermuda, which collectively have a population of nearly 100,000 Italian residents and over 3 million Italian Americans.

During his tenure at the Consulate General of Italy in New York, Mr. Genuardi demonstrated a special attention towards all of the Italian and Italian American people of New York and the Tri-State area by actively engaging with the many existing Italian and Italian American associations, and contributing to the creation of new interest groups related to culture, education, athletics, and more.

Mr. Genuardi also contributed greatly to the budding careers of young Italians and Italian Americans through the Consulate’s “Meet the Italians” program, a series of workshops and professional development seminars aimed at Italian professionals.

Mr. Genuardi’s commendable tenure in New York and lifetime of diplomatic service leaves no doubt that he will take on his new role in Brussels with professionalism, grace, and resolve. His presence will be deeply missed among the Tri-State Italian American community. I am proud to raise today in recognition of the career and service of Francesco Genuardi, incoming Ambassador of Italy to the Kingdom of Belgium.

IN RECOGNITION OF EDWIN GOTTWALT

HON. JOHN JOYCE
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2021

Mr. JOYCE of Pennsylvania. Madam Speaker, I rise today to honor the life and legacy of Edwin Gottwalt, a beloved member of the central Pennsylvania community.

Mr. Gottwalt was born May 20, 1936 in York County. His strong work ethic began early, as he took his first job at the age of six to help support his family. After a career as a manager at Giant Food Stores, he founded Mister Ed’s Elephant Museum and Candy Emporium.

Mr. Ed owned and operated this iconic candy shop from 1975 until he retired in 2004. After his retirement, Mr. Ed sought out opportunities to encourage and mentor the next generation of the business community. He also was a dedicated member of the community. Mr. Ed served on many community boards, including his beloved Totem Pole Playhouse.

After a remarkable life, Mr. Ed passed away on February 26, 2021—the same day that marked his 54th wedding anniversary to his wife Patricia and the 46th anniversary of their engagement. Guided by its mission to “Save the Bay,” the CBF strives to ensure that future generations may have the privilege of enjoying this national treasure.

Mr. Baker began his career at the CBF as an intern in 1976, shortly after graduating from Trinity College in Hartford, Connecticut. Just five years later, in 1981, he was appointed as the organization's next president. Under his leadership, the foundation has grown from a small organization with three staffers to the nation’s largest independent conservation organization dedicated solely to saving the Chesapeake Bay. The CBF now boasts 300,000 members and 200 employees in offices located in Maryland, Virginia, Pennsylvania, and the District of Columbia. CBF oversees 16 separate environmental education centers throughout the region that host an award-winning program that has provided meaningful watershed experiences to more than 1 million students.

With Mr. Baker at the helm, the Chesapeake Bay Foundation has received well-deserved recognition for its outstanding work. Most notably, the CBF received the 1992 Presidential Medal for Environmental Excellence, the nation’s most prestigious environmental accolade.

Mr. Baker has been recognized by organizations too numerous to mention in their entirety. He has received honorary degrees from the University of Baltimore, Washington College and St. Mary’s College. He was presented the Circle of Excellence Award by The Daily Record, named to Baltimore Magazine’s Power 50, and received the Speaker’s Medal from the Maryland House of Delegates.

Outside of his work for the Chesapeake Bay Foundation, Mr. Baker has contributed his time and talents as a member of the Johns Hopkins Medicine Executive Committee, as a trustee to the Central Maryland Transportation Alliance and as a member of the Board of Visitors to the University of Maryland Baltimore County.

On a personal note, I have deeply enjoyed getting to know and working with Mr. Baker over the years. He is not just a passionate and effective steward of one of our nation’s most precious resources, he is a kind and decent person. Madam Speaker, I ask that you join me today to honor the career of Mr. Will Baker. His commitment to the betterment of his community and to the Chesapeake Bay should serve as an example to us all.

IN RECOGNITION OF MR. WILL BAKER

HON. C.A. DUTCH RUPPERSBERGER
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2021

Mr. RUPPERSBERGER. Madam Speaker, I rise before you today to honor Mr. Will Baker as he retires after more than 40 years as director of the Chesapeake Bay Foundation (CBF), the nation’s premier nonprofit Bay watchdog. Guided by its mission to “Save the Bay,” the CBF strives to ensure that future generations may have the privilege of enjoying this national treasure.

Mr. Wilson of South Carolina.

Madam Speaker, on Friday I visited dedicated men and women of the South Carolina National Guard serving at McEntire Joint National Guard Base. McEntire serves critical state and national security missions, most recently spearheading the effort to quickly distribute Wuhan Virus vaccines. It is an excellent site to spearhead the effort to quickly distribute Wuhan Virus vaccines.

Mr. WILSON of South Carolina. Madam Speaker, I rise today to honor the life and legacy of Edwin Gottwalt, a beloved member of the central Pennsylvania community. Mr. Ed served on many community boards, including his beloved Totem Pole Playhouse.

After a remarkable life, Mr. Ed passed away on February 26, 2021—the same day that marked his 54th wedding anniversary to his wife Patricia and the 46th anniversary of their engagement. Guided by its mission to “Save the Bay,” the CBF strives to ensure that future generations may have the privilege of enjoying this national treasure.

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On a personal note, I have deeply enjoyed getting to know and working with Mr. Baker over the years. He is not just a passionate and effective steward of one of our nation’s most precious resources, he is a kind and decent person. Madam Speaker, I ask that you join me today to honor the career of Mr. Will Baker. His commitment to the betterment of his community and to the Chesapeake Bay should serve as an example to us all.

HON. JOE WILSON
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2021

Mr. WILSON. Madam Speaker, on Friday I visited dedicated men and women of the South Carolina National Guard serving at McEntire Joint National Guard Base. McEntire serves critical state and national security missions, most recently spearheading the effort to quickly distribute Wuhan Virus vaccines. It is an excellent site for placement too numerous to mention in their entirety.

McEntire is home to the 169th Fighter Wing “Squad Foxes,” some of the most capable pi...
in the Air Force and a valuable strategic resource, led by COL Akshai Ghandi. I appreciated being hosted by Major General Van McCarty whose leadership has been critical during this pandemic along with Phil Hamby, Director of Governmental Affairs.

I know there are South Dakota service-members. As a grateful 31-year Army Guard veteran myself, with three Guard sons who have served in Iraq, Egypt, and Afghanistan.

In conclusion, God Bless our Troops, and we will never forget September 11th in the Global War on Terrorism. Our sympathy to the family of Sally Johnson, widow of the victorious political strategist, Lee Atwater.

RECOGNIZING THE FRONTLINE HEALTHCARE WORKERS OF SOUTH DAKOTA

HON. DUSTY JOHNSON
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2021

Mr. JOHNSON of South Dakota. Madam Speaker, I rise today to recognize, celebrate and honor the frontline healthcare workers of the great state of South Dakota.

Some of these South Dakota heroes are: Corey Rothrock, MD, John Shaker Labebe Roufail, MD, Henri Roukoz, MD, Christal Nickle Starr Rousseau, MD, Ronald D. Rovang, MD, Alexander Vladimirovich Rovner, MD, Ryan Robert Rowberry, MD, Aviral Roy, MD, Rachel Rosen, MD, Abram Ernest Sabet, MD, Nathan Paul Rud, MD, Bongi Ayaana Natalie Rudder, MD, George Barrett Rudy, MD, Briana Marie Rueda, DO, John H. Rummel, MD, Anthony Jerome Rupp, MD, Richard J. Russell, MD, Paul R. Ruet, MD, Sara Jeanne Ruter, MD, Veronica Yumo Ruvo, DO, Joshua Leighton Ryan, MD, Keith Aaron Ryan, MD, Jon G. Ryckman, MD, Mitchell L. Rydberg, MD, Kelly Wacker Ryder, MD, Muhammad Hamza Saad Shaukat, MD, Huisiang Sabey, MD, Ahmed Emran Sabery, MD, John D. Sabow, MD, Iony Cuervo Del Norte Sade, MD.

Mali Abraham Sadler, MD, Urooj Saeed, MD, Farid Saei Hamedani, MD, Ruslan Safarov, MD, Gregory Dale Saffell, MD, Parshant Sagar, MD, Robert James Sager, MD, William Scott Sageman, MD, Ajay Kumar Sahajpal, MD, Tehmina Sahajwani, MD, David M. Sahli, MD, Adarsh Sahni, MD, Quinn Marie Sajig, MD, Monaleze Saine, MD, Sijit Vijay Sakpal, MD, Amal V. Salama, DO, Prislano Salas Jr., MD, Giovani Maria Saletro, MD, Alamer Saloum, MD, Jaime Kristin Salvatore, DO, Saughar Samal, DO, Fadi Farhat Sarni, MD, Roxana Samimi, MD, Scott H. Samson, MD, William O. Samuelson, MD, Rodney Mark Samuelson, MD, William Oliver Samuelson IV, MD, Alicia Kim Sanchez, MD, Jorge D. Sanchez, MD, Gonzalo H. Sanchez, Jr., MD.

Ashley Renee Sameren, DO, Cristina Marie Sanders, DO, John Townsend Sanders, MD, Malcolm Sanders, MD, Divyajit Singh Sandhu, MD, David Eugene Sandvik, MD, Amy Nicole Sanford, MD, Travis M. Sanger, MD, Larissa Lee Sanger, MD, Farhad William Sani, MD, Robert William Santa Cruz, MD, Robert N. Santella, MD, Ryan Thomas Santin, MD, Angelo Noel Santos, MD, Arvin Lopez Santos, MD, Sirumugai Saravanan, MD, Sarah Kathleen Sarbacker, MD, Adonis Siavash Sarbaz, MD, Karen Lynne Sarraf, MD, Mohammad Sarraf, MD, Sally Hae-Ryun Sartin, MD, Adam Richard Sasso, MD, Douglas Satcher, MD, Stanley Gene Sateren, MD, Alice Isome Sato, MD, Nancy Marlene Sature, MD, Hector Ivan Saucedo Crespo, MD, Rizahay Dawn Saunders, DO, Catherine Jennings Saxbe, MD, David Henry Saxony, MD, Elizabeth Sayler, MD, Alan James Samaza, MD, Michael Dominic Scalfi, MD, Norman Avery Scarborough, MD, Alexander Schabauer, MD, James S. Schaeffer, MD, Jacob Steven Schaeffer, MD, Matthew Caleb Schafner, MD, Nicole Marie Schaffer, MD, Matthew Jacob Schaffer, DO, Andrew Douglas Schatzki, MD, Greg Alan Schaublin, MD, Bobbie A. Schauer, MD, Gwen Michele Schaumanan, MD, Marc Schecter, MD, Jade Levine Schell, MD, Bryan Eric Scheer, MD, Jonathan Isaac Scheimann, MD, Courtney Nicole Schellpepper, MD, Donald Schellpfeffer, MD, Ryan S. Schellpfeffer, MD, Nancy P. Schenk, MD, Lynette Ann Scherer, MD, Jordan Thomas Schild, MD, Peter Michael Schi’ller, MD, Michelle Dion Schimeelpienfjng, DO, Samuel Sean Schimeelpienfjng, MD, Erica Lynn Schipper, MD, David Andrew Schlager, MD, Karen M. Schleehauf, MD, Michael Stanley Schlegel, MD, Jack Robert Schellifarth, MD, Jeffrey L. Schlesener, MD, Pamela A. Schmagel, MD, Robert J. Schmall, MD, Richard A. Schmatz, MD, Jay M. Schmidt, MD, Shawna Marie Schmidt, MD, James Edward Schmidt, MD, Jared Lee Schmidt, MD, David Martin Schmidt, MD, Kyle Martin Schmidt, MD, Mary Gene, Schmitz, MD, Kathleen Lynne Schneekloth, MD, Mary T. Schneider, MD, Scott A. Schneider, MD, Janev Sue Schneier, MD, Deborah Reiss Schneider, MD, Bobbi Marie Schneller, DO, Sabrina Schrader, DO, Melanie A. Schramm, DO, Jennifer A. Schray, MD, Ginger Elizabeth Schroeder, MD, Stephen D. Schroeder, MD, Mark Thomas Schroeder, MD, Michael R. Schroeder, MD, Renee Carol Schroeder, DO, Thomas Edward Schryver, MD, Eric Brian Schubert, MD, James Schuh, MD, Greg A. Schultz, MD, Bruce H. Schultz, MD, Clark William Schumacher, MD, Michael E. Schurrer, MD, Stephanie Diane Schutte, MD, Robert J. Schutz, MD, Jim Schwaiger, MD, Carmen Marie Schwartz, MD, Jamila Irene Goeller Schwartz, MD, Edward William Schwartz, MD, John Nicholas Schvedock, MD, Joshua David Schwind, MD, Daniel Scodary, MD, Jodi L. Scott, MD, Kenneth M. Scott, MD, Jeremy W. Scott, MD, Victor Leslie James Scott, MD, Anastasia Lynn Searcy, DO, Nicole C. Sears, MD, Andrew Mitchell Dennis Seelen, MD, Cranston Morris Seby, DO, Romai Waner Sembah, MD, Amanda Kay Sessler, DO, Michael Albert Sledacek, MD, Joseph Segeleon, MD, Robert R. Seidel, MD, Frank Seidellon, DO, Joseph P. Sejvar, MD, Todd Dale Sekundiak, MD, William Francis Seide, MD, Larry W. Sellers, MD, Richard Lawrence Sellman, MD, Michele Denise Sedlacek, MD, Evvion Anthony Senne, DO, Mary Ann Sens, MD, Luke C. Serck, MD, Tatiana Sergeev, MD, Rena Fran Serieux, MD, Linda Sherri Serna, MD, Marjocanetha Serota, MD, Oluwagbenga Serrano, MD, Peter A. Setness, MD, Arveity Raghavendra Setty, MD, Andrea Christine Seuer, MD, Joseph J. Seurer, MD, Frederick Joseph Severs Jr, MD, Merli Alton Severson III, MD, Daisha L. Seyfer, MD, Jade Jiha Shih, MD, Robert R. Shaff, MD, Warren Michael Shafter, MD, Brian Michael Shafter, MD, Brett Michael Shaffer, MD, Julie Shaffrey, MD, Khurram Shafique, MD, Syed Imran Shafqat, MD, Jeanine Caroline Shah, MD, Syed Asif Shah, MD, Qaisar Arjumand Shah, MD, Asha Patnaik Shah, DO, Richard B. Shafzi, MD, Prakash B Shah, MD, Ahmed Farouk Ahmed Shahata, MD, Fowad Shazhad, MD, Adil Khalid Shalik, MD, Rajat Shailly, MD, George Harry Shalniklian, MD, Nancy Jean Shannon, MD, Hary Fawzi Shanoory, MD, Mahmood Adeel Sharaf, MD, Purva Sharma, MD, Puneet Sharma, MD, Damon Douglas Sherarer, DO, Jennifer Lynn Sheffield, MD, Maryam Rahim Sheikh, MD, Emily Reahauddin Sheikh, MD, Hayley Irene Sheldon, MD, Brian Dwight Shelmadine, DO, John H. Shelso, MD, Teuta Shemshedi, MD, Jason Yue Shen, MD, Mark Wayne Shen, MD, Lisa M. Sheppard, MD, Jamie L. Sheridan, MD, Raymond Sherman, MD, David Arrington, DO, Ganesan, MD, Daniel S Shih, MD, Michael J. Shinnies Jr., MD, Romina Sirhka, DO, Michael Wayne Shirley, MD, Carroll Paul Shivers Jr., MD, Benjamin Joseph Shives, MD, Lisa Jo Shives, MD, Aaron B. Shives, MD, Sergey Shikovtch, MD, Varun Blassel Fawzi Shimoory, MD, Pamela Shoja, MD, Kirstin Renee Sholes, MD, Melody Anderson Shrack, MD, Yogesh Shrestha, MD, Anup Shrestha, MD, Kinsey Ann Shultz Platz, MD, Grant Shumaker, MD, Mary Ann Sibert, MD, Harry Eugene Sibold, MD, Larry Sibley, MD, Christopher Ricardo Sidden, MD, Safi Haq Siddiqi, Zia Ahmed Siddiqui, MD, Avery Lynes Sides, MD, Scott Douglas Sidney, MD, Jonus Vytas Sidrys, MD, Renee Marie Siegmund, MD, Sheryl Siegmund, MD, Anthony Alfred Sierri, MD, Annette Lee Siewert, MD, Santosh Sigdel, MD, Kathryn Elizabeth Sigford, MD, Eric Roy Sigmund, MD, Julius A. Silvidi, MD, Richard Joseph Simmons, MD, Lynn Maxine Simmons, MD, Matthew E. Simmons, MD, Sarah VanArsdol Simmons, MD, Simon, MD, David Charles Simon, MD, Kari Anne Simonsen, MD, John Austin Simonson, MD, Janell Lynn Simpkins, MD, Brian Francis Simpson, MD, Ashwani Kumar Singal, MD, Chandar Singaram, MD, Reddy Sreenuvas Singasani, MD, Aditya Singh, MD, Braj Nandan Singh, MD, Rajesh Singh, MD, Preman Singh, MD, Leighton James Simmonds, MD, Haraamandeep Singh, MD, Neelima Singh, MD, Anuradha V. Singhal, MD, Angela Marie Sinner Begnoud, DO, Lidia S. Siores, MD, Robert William Silverman, MD, Eric Sizemore, DO, Gwenn L Skar, MD, Nathan William Skelly, MD, Ernest C. Skidmore, Jr., MD, Demetre Peter Skliris, MD, Rayburn Russell Skoglund, MD, Richard Joseph Skorey, MD, Brian Steven Skow, MD, Michael T. Slattery, MD, J. Geoffrey Sngsby, MD, David Jerome Sly, DO, Donna M. Small, MD, John W. Smiley, MD, R. Maclean Smith, MD, Barry A. Smith, MD, Terrance H. Smith, MD, Michael D. Smith, MD, Kelly D. Smith, MD, James F. Smith, MD, Janet R. Shaffer, MD, Michael D. Smart, MD, Jeffrey Ralph Smith, MD, Mark Winston Smith, MD, James Edward Smith, MD, Stanley Rhett Smith, MD, Anthony Edward Smith, MD, Deborah Smith, MD, Megan
FOR THE PEOPLE ACT OF 2021

SPRECH OF
HON. ZOE LOFGREN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2021

Ms. LOFGREN. Madam Speaker, I rise to include in the RECORD the following letters of support from religious organizations for H.R. 1, as amended.

HON. NANCY PELOSI,
Speaker of the House of Representatives,
Washington, DC.

HON. KEVIN MCCARTHY,
Majority Leader, U.S. Senate,
Washington, DC.

HON. CHARLES E. “CHUCK” SCHUMER,
Majority Leader, U.S. Senate,
Washington, DC.

FOR THE PEOPLE ACT OF 2021

DEAR MEMBER OF CONGRESS:

On behalf of the Franciscan Action Network, I urge you to support the For the People Act. Again, on behalf of the Franciscan Action Network, we ask you to ensure that the For the People Act is the first priority when the new Congress is convened.

Sincerely,

JASON MILLER
Franciscan Action Network
Director of Campaigns and Development.

FAITH IN PUBLIC LIFE, Washington, DC, February 18, 2021.

DEAR MEMBER OF CONGRESS: The Franciscan Action Network writes in strong support of the For the People Act (H.R. 1/S. 996), the transformational democracy reform package that President Joe Biden has been using to secure a million for some and deprive it from others. As Quakers, we believe that there is that of God in everyone. No one has less value. Unfortunately, voter suppression undermines and disproportionately affects Black and Brown communities.

State legislative bills across the country have the effect of about like voter caging in Ohio or poll closures in Georgia. For instance, the Georgia legislature has been proposing a number of measures to make it harder to vote like restricting new voters from voting in the runoff. We have seen similar restrictive measures across the country to avoid an electoral outcome and rig the process for one party. This is immoral.

Our democracy can live up to its potential only if the government ensures open access to public office and electoral processes; curbs the influence of money and corporate power; safeguards the integrity of the voting process without raising unnecessary barriers; protects disenfranchised people, including those currently and formerly incarcerated; and promotes electoral and voting procedures from foreign and domestic interference.

We need to expand voting rights to all Americans and take more measures to ensure the integrity of our elections. We must reduce voter suppression tactics like poll closures, exact match, signature match, voter-caging, and a number of other elements deceptively presented as measures to protect the voting process. The influence of big money in politics is a chilling effect on the electorate who believe that only if the government ensures open access to the electorate who cannot pay-to-play. That is why we, Friends Committee on National Legislation, urge you to support the For the People Act of 2021.

It is no secret there is an ever-growing trend of mistrust and frustration with government nationwide. The For the People Act offers a key opportunity to restore faith in American democracy.

Elements of S.1 that would go a long way to restore the integrity of our elections:

- Establishes Election Day as a national holiday, now enjoyed by every other nation.
- Institutes same-day and automatic voter registration
- Simplifies and improves voter registration processes
- Prohibits voter intimidation and voter-caging
- Eliminates gerrymandering through redistricting commissions

Requires 15 consecutive days of early voting

Declares Congress’ intent to protect access to native voters

Restores voting rights to the formerly incarcerated

Requires disclosure of donations above $10,000 to organizations engaged in electioneering

- Establishes small-donor financing, funded from fines on corporate malfeasance and tax crimes, to stop the deepest pockets from controlling the debate
- Protects federal money in elections via shell companies, social welfare organizations, or super PACs.

For far too long, flaws, or even active voter suppression, in our election system have been neglected. The Friends Committee on National Legislation supports the For the People Act because it reflects our belief that all of them should have equal voices heard through secure elections. Laws should include measures to assure voting rights and
The common-sense reforms in HR 1/8949, which are deeply popular and have passed in many states and localities, aim to accomplish three overarching goals: (1) protecting the sacred right to vote, (2) ending the dominance of big money in politics, and (3) implementing anti-corruption, pro-ethics measures to clean up government. Without structural democracy reform, our nation will remain unable to fully address important substantive priorities critically and amidst the ongoing threat of climate change and expanding affordable health care, stopping the spread of COVID–19, and ensuring jobs and wages that allow people to support themselves.

The 2020 election underscored the urgent need for democracy reform. Across the nation, an unprecedented voter suppression, historic levels of dark money spent, and rampant ethical abuses—all with the goal of drowning out the voices of everyday Americans, to overturning voter suppression that disproportionately disenfranchises Black, Latino and young Americans and to limiting the undue influence of monied interests. The Sisters of Mercy believe “racism is an evil affecting us all.” We work to mobilize sisters and associates in recognizing and dismantling institutional racism and believe that upholding the voting rights of marginalized Americans is a critical step towards dismantling the systemic racism that underlies so much of our nation’s infrastructure.

The reforms in this legislation are popular with the American people and are already in place in many states and localities. This comprehensive package aims to accomplish the sacred right to vote, ending the dominance of big money in politics; and implementing anti-corruption, pro-ethics measures to clean up government. Without structural democracy reform to begin restoring the faith of the electorate in government accountability, our nation will remain divided and unable to overcome the multiple crises currently at hand.

The momentum gained in 2019 and the unanimous support by Democrats in both chambers must now be driven forward with fresh energy. President-elect Joe Biden has stated that a “first priority” of his administration will be to lead on a comprehensive set of democracy solutions like those reflected in the For the People Act. House and Senate Democratic leaders have similarly stated they will prioritize this once-in-a-generation legislation. NETWORK Lobby for Catholic Social Justice—on behalf of our members across the country, asking you to ensure that the For the People Act is a first priority when the new Congress convenes. Our democracy must work for everyone.

Sincerely,

SH. SIMONE CAMPBELL,
President, NETWORK Lobby for Catholic Social Justice.

SISTERS OF MERCY,
Silver Spring, MD, February 19, 2021.

Speaker NANCY PELOSI,
Nancy Pelosi, Speaker of the House, Washington DC.

DEAR SPEAKER PELOSI: The Sisters of Mercy of the Americas is a congregation of Catholic women religious committed to work in communion with others who seek a more just and inclusive world, and as such, we write in strong support of the For the People Act (H.R. 1/8). It.

This democracy reform package is critical to overturning voter suppression that disproportionately affects Black, Latino and young Americans and to limiting the undue influence of monied interests.

The Sisters of Mercy believe “racism is an evil affecting us all.” We work to mobilize sisters and associates in recognizing and dismantling institutional racism and believe that upholding the voting rights of marginalized Americans is a critical step towards dismantling the systemic racism that underlies so much of our nation’s infrastructure.

It became all too clear over the past three months how fragile our democracy is. We call for an overwhelming election as President Trump and his loyalists, including many elected officials, demanded that ballots be discarded from cities with large Black populations. This played out to its logical end with the violent siege on the U.S. Capitol on Jan. 6th.

The common-sense reforms in the For the People Act aim to (1) protect and strengthen the sacred right to vote, (2) end the dominance of big money in politics, and (3) implement anti-corruption, pro-ethics measures to clean up government. Without structural democracy reform, our nation will remain unable to fully address important substantive priorities for the American people. These include expanding affordable healthcare and stopping the spread of COVID–19, dismantling systemic racism, protecting the environment, and minimizing the threat of climate
change, and creating pathways to legal status for immigrants who are contributing members of our communities.

On behalf of the over 2000 Sisters of Mercy and 3,500 members of the General Board of Church and Society across the United States, we urge you to contribute your leadership and ensure that the For the People Act is a priority in the 117th Congress.

Sincerely,
MARGARET CONLEY,
Director, Sisters of Mercy of the Americas Justice Team.

UNITARIAN UNIVERSALISTS FOR SOCIAL JUSTICE,
Washington, DC, February 8, 2021.

DEAR MEMBER OF CONGRESS: We write in support of the For the People Act (HR1/S1), the transformative democracy reform bill that would help return power to everyday Americans. We consider fair representation and accountability for elected leaders to be a moral issue of utmost importance. After the January 6th attack on the US Capitol, the urgency of democracy reforms to address our broken systems could not be more apparent. We urge Congress to prioritize passage of this pro-voter, anti-corruption legislation.

On a practical level, only a healthy, well-functioning democracy has the capacity to attend to any of the pressing needs our fair calls us to address: the COVID pandemic, systemic racism, climate change, hunger, violence, poverty, healthcare and more. On a moral level, leaders must take swift action to protect the right to vote and to strengthen our democratic foundations from abuse and manipulation by the powerful and the wealthy at the expense of the historically marginalized and most vulnerable people in our nation.

The 2020 election cycle and the insurrection on January 6th have underscored the urgent need for transformational democracy reform. Across the nation, Americans experienced unprecedented voter suppression, historic levels of dark money spent to drown out the voices of everyday Americans, and rampant ethical abuses by special interests. The number of Americans misled into questioning the results of a safe and secure election demonstrates the fragility of our democracy and the urgency of taking concrete actions to shore-up public trust. One sweeping bill, the For the People Act (HR1/S1), addresses many of these problems.

Our organization Unitarian Universalists for Social Justice focuses on four interwoven issues, all of which would be helped significantly by fixing our democracy: economic justice, immigration justice, environmental justice, and democracy. This historic legislation has significant momentum in Congress with priority designation in both chambers. On behalf of UUSJ, we urge Congress to pass the For the People Act (HR1/S1) quickly in the 117th Session.

Sincerely,
PAULO DE JESUS,
Executive Director.

THE UNITED METHODIST CHURCH,

DEAR MEMBER OF CONGRESS: As General Secretary of The United Methodist Church’s General Board of Church and Society and a member of the committee tasked with the repurposing of the Garland County Historical Society, which graces the Downtown Hot Springs skyline, I today take this time today to honor the life of Hot Springs native, Mr. Clay Farrar.

Mr. Farrar was known to be an impression of a leader, a servant, a mentor, and a friend. For nearly 50 years, Mr. Farrar worked on a variety of projects around the Hot Springs community. As a partner at Farrar and Williams PLLC, he specialized in trust and estate planning. Serving as Chairman of the Hot Springs Rotary Club and Director of Commerce in 1988, Mr. Farrar became instrumental in the development and success of Hot Springs. He was considered an expert in local history, producing a series on the National Park Rotary Club, writing monthly columns of local history for the Hot Springs Sentinel-Record, and contributing to the Garland County Historical Society. In 1985, Mr. Farrar had a profound impact on the preservation of Hot Springs National Park’s designation when efforts were made to return it to its original designation as the Hot Springs Reservation, even after his retirement, Mr. Farrar continued to serve as chairperson of the committee tasked with the repurposing of the ACTI Complex, or the Army/Navy Hospital, which graces the Downtown Hot Springs skyline.

In addition to his life of service for his beloved city, Mr. Farrar was known to be an inspiration and a mentor to many in the community, teaching the power of devotion and hard work through each project he tackled. It is from men like Mr. Clay Farrar that we can discover the importance of learning from our own history to define our future. From him, we derive the definition of true servant leadership.

I take this time today to honor the life of service exemplified by Clay Farrar. I thank him.
and his family for their dedication to our fellow citizens and our beloved Fourth District.

HONORING THE LIFE AND LEGACY OF MITCH RUSSELL

HON. VICTORIA SPARTZ
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2021

Mrs. SPARTZ. Madam Speaker, I rise today to honor Mitchell Lee Russell who passed away at the age of 67 on February 23, 2021. Mitch was the embodiment of a model public servant, striving to serve the citizens of Hamilton County. He protected his fellow citizens for over 30 years before retiring in 2006.

Mitch started his career following in the footsteps of his older brother, Richard, who was also a police officer. Mitch began his service in Arcadia, Indiana as a Deputy Marshal. He then went on to serve in the Hamilton County Sheriff’s Department where he spent 29 years, rising to the rank of Lieutenant before retiring. His service to his community did not end with retirement as he was appointed Marshal of the Arcadia Police Department. In 2012, his service continued when he took a job as director of Security for Riverview Health in Noblesville, where he served until his passing.

His public service also extended beyond law enforcement. Mitch served as President of the Arcadia Town Council, a member of the Kiwanis Club, a board member of the Arcadia baseball and softball board, and as a coach for his children and grandchildren. The town of Arcadia has always been very close to his heart.

On behalf of the 5th District, I offer my deepest sympathies to Mitch’s wife of 37 years, Melanie Anne, the Russell family, and the community of Arcadia.

NORTHERN MARIANAS FAMILY ASSISTANCE ACT

HON. GREGORIO KILILI CAMACHO SABLÁN
OF THE NORTHERN MARIANA ISLANDS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2021

Mr. SABLÁN. Madam Speaker, today I introduce the Northern Marianas Family Assistance Act. This legislation will make long overdue amendments to the Temporary Assistance for Needy Families ("TANF") program to include the Northern Mariana Islands.

The TANF program provides a lifeline to low-income families with children to meet ongoing needs. Benefits such as childcare, workforce education and training, and food assistance gives families a chance when times get tough. But the benefits of this block grant program are not available in the Marianas.

My bill addresses this inequity. As we continue to address the economic challenges caused by the coronavirus pandemic, the inclusion of the TANF program would ensure that working families with children in the Marianas can continue to put food on the table and have a roof over their head.

RECOGNIZING JUSTIN GRAY

HON. YVETTE HERRELL
OF NEW MEXICO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2021

Ms. HERRELL. Madam Speaker, today I rise to acknowledge this year’s winner of the New Mexico Cattle Growers Association’s Livestock Inspector of the Year award. District Supervisor Justin Gray has served his community and his team diligently and is well deserving of this award.

After graduating from Clarendon College in Texas with a major in Ranch and Feedlot management, Justin began his career with the New Mexico Livestock Board in 2014. In 2020, he was promoted to District Supervisor. Justin demonstrated his diligence when he responded to an overturned livestock vehicle on U.S. 70. According to a New Mexico State Police Officer on the scene, “Justin Gray responded to the incident and presented himself in an excellent manner. He assisted in the removal of deceased and live cattle from the overturned trailer for approximately six hours without any complaint. Inspector Gray worked tediously from start to finish of the incident.” Stories like this one exemplify Justin’s hard work and dedication and I congratulate him on this award.

HONORING JOSEPH VAUGHN FOR HIS YEARS OF SERVICE AS DIRECTOR AT THE W.G. (BILL) HEFNER VETERANS AFFAIRS MEDICAL CENTER

HON. RICHARD HUDSON
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2021

Mr. HUDSON. Madam Speaker, I rise today to honor Joseph Vaughn for his 16 years of service, including three years as Director at the W.G. (Bill) Hefner Veterans Affairs Medical Center in Salisbury, North Carolina. I have seen his extraordinary leadership firsthand and know how much he means to this community and to our veterans.

Mr. Vaughn began his career in 1983 with the United States Navy, where he served for ten years and completed four Mediterranean cruises before being awarded the Navy Achievement Medal. He retires today after over a decade of combined service at the U.S. Department of Veterans Affairs.

After being appointed Director on March 19, 2018, he immediately began the important work that would one day transform both the Salisbury VA and the surrounding community. Mr. Vaughn led implementation of the VA MISSION Act, saw facility complexity increase from 1c to 1b, opened ambulatory surgery at VA Health Care Centers in Charlotte and Kernersville, saw the Community Living Center obtain a 5-star quality rating for multiple rating periods, and stimulated major improvements in Hospital Rating (HCAPS). In response to the coronavirus (COVID-19) pandemic, Mr. Vaughn’s quick actions saved many lives and protected countless others through mass vaccination events.

Renee and I would like to extend our heartfelt appreciation to Mr. Vaughn for his years of exemplary service at the Salisbury VA. I know I speak for our entire community in wishing him continued success and happiness as he moves on to his next great adventure.

Madam Speaker, please join me today in honoring Joseph Vaughn upon his retirement as Director at the W.G. (Bill) Hefner Veterans Affairs Medical Center.

HONORING THE BRAVE AND LIFE SAVING ACTIONS OF ANDERSON POLICE OFFICER JOE TODD

HON. VICTORIA SPARTZ
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2021

Mrs. SPARTZ. Madam Speaker, I rise today to honor the heroic actions of Anderson Police Officer Joe Todd, who is being credited with saving a life on January 31, 2021. Officer Todd, like so many of our great police officers, put himself in harm’s way to serve and protect a citizen.

Officer Todd observed a house fire in progress around 9:00 p.m. that evening. He approached the scene and noticed a woman standing on the front porch with the door open as the flames engulfed the house. Officer Todd ran to the distraught homeowner and asked if there was anyone else inside. The woman then ran back inside the house, visibly shaken by what was occurring. Officer Todd ran after the woman into the burning house and carried her to the front yard to safety.

Our police officers put their lives on the line everyday to serve and protect their fellow citizens. Officer Joe Todd is an example of the selfless work these men and women do every day. On behalf of Indiana’s 5th District, it is my honor to commend these brave actions.

IN RECOGNITION OF OPEN HANDS MINISTRIES

HON. JOHN JOYCE
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 10, 2021

Mr. JOYCE of Pennsylvania. Madam Speaker, I rise today to honor Open Hands Ministries of Stalstown, Pennsylvania for its service to the Westmoreland County community.

To help families struggling to buy clothes for young infants, Open Hands Ministries began a program in 1994 to donate necessary items to families in need. Each donation includes a crib blanket, a receiving blanket, diapers, onesies, sleepers, bibs, hats, and socks. These contributions have helped thousands of families as they welcome a new addition into their home.

Over the years, the volunteers at Open Hands Ministries have donated almost 11,000 layettes to area families. I thank the volunteers at Open Hands Ministries for their decades of service to southwestern Pennsylvania, and wish them continued success in this vital mission.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4,
1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, March 11, 2021 may be found in the Daily Digest of today’s RECORD.

MEETINGS SCHEDULED

MARCH 15

6 p.m.
Committee on Foreign Relations
To receive a closed briefing on the policy and legal rationale of U.S. airstrikes in Syria.

MARCH 16

9:30 a.m.
Committee on Armed Services
To hold hearings to examine United States Southern Command and United States Northern Command in review of the Defense Authorization Request for fiscal year 2022 and Future Years Defense program.

Committee on Energy and Natural Resources
To hold hearings to examine ways to strengthen research and development in innovative transportation technologies with a focus on solutions that decrease emissions, reduce our reliance on foreign supply chains, and increase manufacturing in the United States.

10 a.m.
Committee on Finance
To hold hearings to examine the effect of the U.S. tax code on domestic manufacturing.

Committee on Health, Education, Labor, and Pensions
To hold hearings to examine the nominations of Julie A. Su, of California, to be Deputy Secretary of Labor.

MARCH 17

2 p.m.
Committee on Banking, Housing, and Urban Affairs
To hold hearings to examine the state of housing in America.

WEBEX

MARCH 18

10 a.m.
Committee on Veterans’ Affairs
To resume joint hearings with the House Committee on Veterans’ Affairs to examine the legislative presentation of veterans services organizations.

WEBEX

10:15 a.m.
Committee on Homeland Security and Governmental Affairs
To hold hearings to examine the SolarWinds supply chain attack, focusing on the Federal perspective.
HIGHLIGHTS

Senate confirmed the nomination of Marcia Louise Fudge, of Ohio, to be Secretary of Housing and Urban Development.

Senate confirmed the nomination of Merrick Brian Garland, of Maryland, to be Attorney General.

Senate confirmed the nomination of Michael Stanley Regan, of North Carolina, to be Administrator of the Environmental Protection Agency.

Senate

Chamber Action

Routine Proceedings, pages S1433–S1475

Measures Introduced: Forty-four bills and three resolutions were introduced, as follows: S. 653–696, and S. Res. 102–104. Pages S1458–60

Measures Passed:

John Lewis NIMHD Research Endowment Revitalization Act: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. 320, to amend the Public Health Service Act to provide that the authority of the Director of the National Institute on Minority Health and Health Disparities to make certain research endowments applies with respect to both current and former centers of excellence, and the bill was then passed. Pages S1434–35

New Chemical Exclusivity: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. 415, to amend the Federal Food, Drug, and Cosmetic Act with respect to the scope of new chemical exclusivity, and the bill was then passed. Page S1435

The Hoosier Gym Anniversary: Senate agreed to S. Res. 102, recognizing the 100th anniversary of The Hoosier Gym and the 35th anniversary of the release of the film “Hoosiers”. Pages S1435–36

Motion to Discharge Becerra Nomination: Pursuant to S. Res. 27, Committee on Finance being tied on the question of reporting, the Majority Leader made the motion to discharge the Committee on Finance from further consideration of the nomination of Xavier Becerra, of California, to be Secretary of Health and Human Services; under the provisions of S. Res. 27, there will be up to 4 hours of debate on the motion, equally divided between the two Leaders, or their designees; with no motions, points of order, or amendments in order. Page S1456

A unanimous-consent agreement was reached providing for further consideration of the motion to discharge the nomination at approximately 10:30 a.m., on Thursday, March 11, 2021, with the time expiring at 12 noon. Page S1473

Haaland Nomination—Agreement: A unanimous-consent agreement was reached providing that following the vote on the motion to discharge the Committee on Finance from further consideration of the nomination of Xavier Becerra, of California, to be Secretary of Health and Human Services, Senate will resume consideration of the nomination of Debra Anne Haaland, of New Mexico, to be Secretary of the Interior; and that the cloture motion on the nomination ripen at 1:30 p.m., on Thursday, March 11, 2021. Page S1473

Nominations Confirmed: Senate confirmed the following nominations:

By 66 yeas to 34 nays (Vote No. EX. 113), Marcia Louise Fudge, of Ohio, to be Secretary of Housing and Urban Development. Pages S1437–44

By 70 yeas to 30 nays (Vote No. EX. 114), Merrick Brian Garland, of Maryland, to be Attorney General. Page S1446

By 66 yeas to 34 nays (Vote No. EX. 116), Michael Stanley Regan, of North Carolina, to be Administrator of the Environmental Protection Agency. Pages S1446–56

During consideration of this nomination today, Senate also took the following action:
March 10, 2021

CONGRESSIONAL RECORD — DAILY DIGEST

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By 65 yeas to 35 nays (Vote No. EX. 115), Senate agreed to the motion to close further debate on the nomination.

Messages from the House:

Executive Communications:

Petitions and Memorials:

Executive Reports of Committees:

Notice of a Tie Vote Under S. Res. 27:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Authorities for Committees to Meet:

Record Votes: Four record votes were taken today. (Total—116)

Adjournment: Senate convened at 10 a.m. and adjourned at 7:03 p.m., until 10:30 a.m. on Thursday, March 11, 2021. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S1473.)

Committee Meetings

(Committees not listed did not meet)

CHALLENGES FACING THE FBI

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies concluded a closed hearing to examine domestic and foreign threats and other challenges facing the Federal Bureau of Investigation, after receiving testimony from Christopher A. Wray, Director, Federal Bureau of Investigation, Department of Justice.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the nomination of Gary Gensler, of Maryland, to be a Member of the Securities and Exchange Commission.

Also, Committee announced the following subcommittee assignments for the 117th Congress:

Subcommittee on Securities, Insurance, and Investment: Senators Menendez (Chair), Reed, Warner, Warren, Cortez Masto, Smith, Sinema, Warnock, Scott (SC), Shelby, Crapo, Rounds, Tillis, Kennedy, Lummis, and Moran.

Subcommittee on National Security and International Trade and Finance: Senators Warner (Chair), Tester, Sinema, Ossoff, Hagerty, Crapo, Kennedy, and Daines.

Subcommittee on Economic Policy: Senators Warren (Chair), Reed, Van Hollen, Smith, Ossoff, Kennedy, Scott (SC), Tillis, Cramer, and Daines.

Subcommittee on Housing, Transportation, and Community Development: Senators Smith (Chair), Reed, Menendez, Tester, Cortez Masto, Van Hollen, Ossoff, Warnock, Rounds, Shelby, Crapo, Hagerty, Lummis, Moran, Cramer, and Daines.


Senators Brown and Toomey are ex officio members of each subcommittee.

BUSINESS MEETING

Committee on the Budget: Committee ordered favorably reported the nomination of Shalanda D. Young, of Louisiana, to be Deputy Director of the Office of Management and Budget.

NOMINATION

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nomination of Donet Dominic Graves, Jr., of Ohio, to be Deputy Secretary of Commerce, after the nominee testified and answered questions in his own behalf.

CLIMATE CHANGE AND ECONOMIC GROWTH

Committee on Environment and Public Works: Committee concluded a hearing to examine climate change in the electricity sector and fostering economic growth, including electricity grid resilience and actions that should be undertaken by the Department of Energy and Federal Energy Regulatory Commission, after receiving testimony from Frank Rusco, Director of Natural Resources and Environment, Government Accountability Office; Mayor Eric Garcetti, Los Angeles, California; Ben Fowke, Xcel Energy, Minneapolis, Minnesota; Sandra Snyder, Interstate Natural Gas Association of America, Washington, D.C.; and Jim Wood, West Virginia University Energy Institute, Morgantown.

DEMOCRACY AROUND THE WORLD

Committee on Foreign Relations: Committee concluded a hearing to examine the state of democracy around the world, after receiving testimony from Madeleine K. Albright, former Secretary of State, Paula J. Dobriansky, former Under Secretary of State for Global Affairs, and Peter Biar Ajak, National Endowment for Democracy, all of Washington, D.C.; Wai Hnin Pwint Thon, Burma Campaign UK, Geneva, Switzerland; and Nathan Law, former Hong
Kong Legislative Council Member, London, United Kingdom.

BUSINESS MEETING
Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the nomination of Shalanda D. Young, of Louisiana, to be Deputy Director of the Office of Management and Budget.

BUSINESS MEETING
Committee on Indian Affairs: Committee ordered favorably reported the following business items:
- S.325, to amend the Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act to extend the deadline for a report by the Alyce Spotted Bear and Walter Soboleff Commission on Native Children;
- S.314, to repeal the Klamath Tribe Judgment Fund Act;
- S.144, to authorize the Secretary of Health and Human Services, acting through the Director of the Indian Health Service, to acquire private land to facilitate access to the Desert Sage Youth Wellness Center in Hemet, California;
- S.371, to direct the Secretary of the Interior to take certain land located in Pinal County, Arizona, into trust for the benefit of the Gila River Indian Community;
- S.108, to authorize the Seminole Tribe of Florida to lease or transfer certain land;
- S.548, to convey land in Anchorage, Alaska, to the Alaska Native Tribal Health Consortium;
- S.549, to provide for the conveyance of certain property to the Tanana Tribal Council located in Tanana, Alaska;
- S.550, to provide for the conveyance of certain property to the Southeast Alaska Regional Health Consortium located in Sitka, Alaska; and
- S.559, to amend the Grand Ronde Reservation Act.

NATIVE COMMUNITIES AND THE CLIMATE CRISIS
Committee on Indian Affairs: Committee concluded a roundtable discussion to examine Native communities and the climate crisis from Charlene Nelson, Shoalwater Bay Tribe, Tokeland, Washington; Timothy Davis, Blackfeet Nation, Browning, Montana; Amber Torres, Walker River Paiute Tribe, Schurz, Nevada; Shelley Buck, Prairie Island Indian Community, St. Paul, Minnesota; Craig Quanchello, Picuris Pueblo, Penasco, New Mexico; Livingston Wong, Kamehameha Schools, Honolulu, Hawaii; and Nikoosh Carlo, CNC North Consulting, Seattle, Washington.

SUPREME COURT AND THE JUDICIARY
Committee on the Judiciary: Subcommittee on Federal Courts, Oversight, Agency Action, and Federal Rights concluded a hearing to examine the Supreme Court and the Judiciary, after receiving testimony from Michael Klarman, Harvard Law School, Cambridge, Massachusetts; Lisa Graves, Center for Media and Democracy, Madison, Wisconsin; Benjamin Todd Jealous, People for the American Way, and Scott Walter, Capital Research Center, both of Washington, D.C.; and Jonathan H. Adler, Case Western Reserve University School of Law Coleman P. Burke Center for Environmental Law, Cleveland, Ohio.

MILITARY TOXIC EXPOSURES
Committee on Veterans’ Affairs: Committee concluded a hearing to examine military toxic exposures, focusing on the human consequences of war, after receiving testimony from Anthony Szema, Donald and Barbara Zucker School of Medicine at Hofstra/Northwell, South Setaucket, New York; Karl Kelsey, Brown University School of Public Health, Providence, Rhode Island; Shane Liermann, Disabled American Veterans, and Aleks Morosky, Wounded Warrior Project, both of Washington, D.C.; William Thompson, Princeton, West Virginia; and Jeffrey O’Malley, Houston, Texas.

INTELLIGENCE
Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.
House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 56 public bills, H.R. 1727–1782; and 5 resolutions, H. Res. 213–217 were introduced. Pages H1323–25

Additional Cosponsors: Pages H1327–28

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative Cuellar to act as Speaker pro tempore for today. Page H1193

Motion to Adjourn: Rejected the Greene (GA) motion to adjourn by a yea-and-nay vote of 149 yeas to 235 nays, Roll No. 71. Pages H1195–96

American Rescue Plan Act of 2021: The House concurred in the Senate amendment to H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, by a yea-and-nay vote of 220 yeas to 211 nays, Roll No. 72. Pages H1196–1197

H. Res. 198, the rule providing for consideration of the Senate amendment to the bill (H.R. 1319) was agreed to yesterday, March 9th.

Member Resignation: Read a letter from Representative Fudge, wherein she resigned as Representative for the Eleventh Congressional District of Ohio, effective today, March 10, 2021. Page H1286

Bipartisan Background Checks Act of 2021: The House considered H.R. 8, to require a background check for every firearm sale. Consideration is expected to resume tomorrow, March 11th. Pages H1286–1288

Agreed to: Nadler en bloc amendment No. 1 consisting of the following amendments printed in part D of H. Rept. 117–10: Burgess (No. 1) that requires the Department of Justice Inspector General to submit a report to Congress on the number of NICS denials referred for investigation after a firearm was sold to a person who was later found to be ineligible; Levin (CA) (No. 2) that adds to the GAO reports in the bill, which are to be completed one year, three years, and five years after enactment, data disaggregated by state and the basis for denial in state law; McBath (No. 3) that amends the domestic violence reporting provision to require that the effects of the Act on domestic violence, domestic abuse, dating partner violence, sexual assault, and stalking will be disaggregated by state and the basis for denial in state law; and Neguse (No. 4) that makes the domestic violence reporting provision to require that the Director of the Federal Bureau of Investigation to make an annual report, which shall be available to the public, that provides disaggregated information on background check denials not made within the 10-day period (by a yea-and-nay vote of 225 yeas to 202 nays, Roll No. 73). Pages H1301–14

H. Res. 188, the rule providing for consideration of the bills (H.R. 842), (H.R. 8), and (H.R. 1446) was agreed to Monday, March 8th.


Adjournment: The House met at 9 a.m. and adjourned at 6:28 p.m.
**Committee Meetings**

**APPROPRIATIONS—GOVERNMENT ACCOUNTABILITY OFFICE; HOUSE OF REPRESENTATIVES OFFICERS**

*Committee on Appropriations:* Subcommittee on Legislative Branch held a budget hearing on the Government Accountability Office and House of Representatives Officers. Testimony was heard from Gene L. Dodaro, Comptroller General of the United States, Government Accountability Office; and the following U.S. House of Representatives officers: E. Wade Ballou, Legislative Counsel; Tim Blodgett, Acting Sergeant at Arms; Kembra Hendrix, Director, Office of Diversity and Inclusion; Cheryl L. Johnson, Clerk; Douglas N. Letter, General Counsel; Michael T. Ptasinski, Inspector General; Ralph V. Seep, Law Revision Counsel; and Catherine Szpindor, Chief Administrative Officer.

**MODERNIZING THE FEDERAL CIVILIAN APPROACH TO CYBERSECURITY**

*Committee on Appropriations:* Subcommittee on Homeland Security held a hearing entitled “Modernizing the Federal Civilian Approach to Cybersecurity”. Testimony was heard from Eric Goldstein, Executive Assistant Director for Cybersecurity, Cybersecurity and Infrastructure Security Agency; and Brandon Wales, Acting Director, Cybersecurity and Infrastructure Security Agency.

**INNOVATION AND INVESTMENT IN WATER RESOURCES INFRASTRUCTURE**

*Committee on Appropriations:* Subcommittee on Energy and Water Development, and Related Agencies held a hearing entitled “Innovation and Investment in Water Resources Infrastructure”. Testimony was heard from Jason Uhley, General Manager-Chief Engineer, Riverside County Flood Control and Water Conservation District, California; Thomas J. Winston, President and Chief Executive Officer, Toledo-Lucas County Port Authority, Ohio; and public witnesses.

**NATIONAL SECURITY CHALLENGES AND U.S. MILITARY ACTIVITIES IN THE INDO-PACIFIC**


**PRIVATIZED MILITARY FAMILY HOUSING: UPDATE ON IMPLEMENTATION OF HOUSING REFORMS**

*Committee on Armed Services:* Subcommittee on Readiness; and Subcommittee on Military Personnel held a joint hearing entitled “Privatized Military Family Housing: Update on Implementation of Housing Reforms”. Testimony was heard from public witnesses.

**THE PATH FORWARD: RESTORING THE VITAL MISSION OF EPA**

*Committee on Energy and Commerce:* Subcommittee on Oversight and Investigations held a hearing entitled “The Path Forward: Restoring the Vital Mission of EPA”. Testimony was heard from public witnesses.

**JUSTICE FOR ALL: ACHIEVING RACIAL EQUITY THROUGH FAIR ACCESS TO HOUSING AND FINANCIAL SERVICES**

*Committee on Financial Services:* Full Committee held a hearing entitled “Justice for All: Achieving Racial Equity Through Fair Access to Housing and Financial Services”. Testimony was heard from public witnesses.

**A YEAR INTO THE PANDEMIC: THE STATE OF INTERNATIONAL DEVELOPMENT**

*Committee on Foreign Affairs:* Subcommittee on International Development, International Organizations, and Global Corporate Social Impact held a hearing entitled “A Year into the Pandemic: The State of International Development”. Testimony was heard from public witnesses.

**SECRETARY BLINKEN: THE BIDEN ADMINISTRATION’S PRIORITIES FOR U.S. FOREIGN POLICY**

*Committee on Foreign Affairs:* Full Committee held a hearing entitled “Secretary Blinken: The Biden Administration’s Priorities for U.S. Foreign Policy”. Testimony was heard from Antony Blinken, Secretary, Department of State.

**BUSINESS MEETING**

*Committee on House Administration:* Full Committee held a business meeting on Committee Resolution 117–12, Contestee Mariannette Miller-Meeks’s Motion to Dismiss Notice of Contest Regarding the Election for Representative in the 117th Congress from the Second Congressional District of Iowa, and for other purposes. Committee Resolution 117–12 was agreed to, without amendment.

**THE NEXT STEPS FOR THE PAYCHECK PROTECTION PROGRAM**

*Committee on Small Business:* Full Committee held a hearing entitled “The Next Steps for the Paycheck
Protection Program”. Testimony was heard from public witnesses.

**FULL STEAM AHEAD FOR RAIL: WHY RAIL IS MORE RELEVANT THAN EVER FOR ECONOMIC AND ENVIRONMENTAL PROGRESS**

Committee on Transportation and Infrastructure: Subcommittee on Railroads, Pipelines, and Hazardous Materials held a hearing entitled “Full Steam Ahead for Rail: Why Rail is More Relevant Than Ever for Economic and Environmental Progress”. Testimony was heard from Shannon Valentine, Secretary of Transportation, Virginia; and public witnesses.

**HEALTH PROFESSION OPPORTUNITY GRANTS: PAST SUCCESSES AND FUTURE USES**

Committee on Ways and Means: Subcommittee on Worker and Family Support held a hearing entitled “Health Profession Opportunity Grants: Past Successes and Future Uses”. Testimony was heard from public witnesses.

**Joint Meetings**

No joint committee meetings were held.

**COMMITTEE MEETINGS FOR THURSDAY, MARCH 11, 2021**

(Committee meetings are open unless otherwise indicated)

**Senate**

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to examine farmers and foresters, focusing on opportunities to lead in tackling climate change, 10:15 a.m., SR–301.

Committee on Armed Services: to hold hearings to examine the final recommendations and report of the National Commission on Military, National, and Public Service, 9:30 a.m., SD–G50.

Committee on Energy and Natural Resources: business meeting to consider the nomination of David Turk, of Maryland, to be Deputy Secretary of Energy; to be immediately followed by a hearing to examine the reliability, resiliency, and affordability of electric service in the United States amid the changing energy mix and extreme weather events, 10 a.m., SD–106.

Committee on Foreign Relations: business meeting to consider the nominations of Wendy Ruth Sherman, of Maryland, to be Deputy Secretary, and Brian P. McKeon, of the District of Columbia, to be Deputy Secretary for Management and Resources, both of the Department of State, 9:30 a.m., SH–216.

Full Committee, to receive a closed briefing on opportunities and challenges for the United States around the world, 10 a.m., SVC–217.

Committee on Judiciary: Subcommittee on Competition Policy, Antitrust, and Consumer Rights, to hold hearings to examine competition policy for the twenty-first century, focusing on the case for antitrust reform, 10 a.m., SD–226.

**House**

Committee on Agriculture, Full Committee, hearing entitled “A Look at Food Insecurity in America”, 1300 Longworth and Webex.

Committee on Appropriations, Subcommittee on Legislative Branch, budget hearing on the Architect of the Capitol and the Government Publishing Office, 10 a.m., Webex.

Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, hearing entitled “COVID–19 and the Mental Health and Substance Use Crises”, 10 a.m., Webex.

Subcommittee on Financial Services and General Government, oversight hearing on the U.S. Postal Service, 2 p.m., Webex.

Committee on Education and Labor, Full Committee, business meeting on new subcommittee assignments, 10:15 a.m., Zoom.

Subcommittee on Workforce Protections, hearing entitled “Clearing the Air: Science-Based Strategies to Protect Workers from COVID–19 Infections”, 10:45 a.m., Zoom.


Committee on Financial Services, Subcommittee on Consumer Protection and Financial Institutions, hearing entitled “Slipping Through the Cracks: Policy Options to Help America’s Consumers During the Pandemic”, 10 a.m., Webex.

Committee on Foreign Affairs, Subcommittee on the Middle East, North Africa and Global Counterterrorism, hearing entitled “The Crisis in Yemen: Part 1”, 10 a.m., Webex.


Subcommittee on the Constitution, Civil Rights, and Civil Liberties, hearing entitled “The Constitutional Framework for Congress’s Ability to Uphold Standards of Member Conduct”, 2 p.m., Webex.


Committee on Ways and Means, Subcommittee on Select Revenue Measures, hearing entitled “Tax Tools to Help Local Governments”, 2 p.m., Webex.
Next Meeting of the SENATE
10:30 a.m., Thursday, March 11

Senate Chamber

Program for Thursday: Senate will continue consideration of the motion to discharge the nomination of Xavier Becerra, of California, to be Secretary of Health and Human Services, from the Committee on Finance, and vote on agreeing to the motion at 12 noon.

At 1:30 p.m., Senate will vote on the motion to invoke closure on the nomination of Deb Haaland, of New Mexico, to be Secretary of the Interior.

Next Meeting of the HOUSE OF REPRESENTATIVES
9 a.m., Thursday, March 11

House Chamber


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