The Senate met at 10 a.m. and was called to order by the Honorable JACKY ROSEN, a Senator from the State of Nevada.

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

Let us pray.

Eternal God, who sends the rain that satisfies the parched Earth, we honor Your Name.

Today, give our lawmakers the wisdom to understand that You are their sure foundation. Inspire them to seek Your guidance as they strive to do Your will. Lead them by Your truth and teach them, for You are the God who saves them.

May their quest to fulfill Your purposes motivate them to bring You their requests and to wait patiently for Your response.

Lord, show them clearly what to do and which way to turn. Surround them with the shield of Your love.

We pray in Your marvelous 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:


To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JACKY ROSEN, a Senator from the State of Nevada, to perform the duties of the Chair.

PATRICK J. LEAHY, President pro tempore.

Ms. ROSEN 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.

MEASURES PLACED ON THE CALENDAR—S. 963 and H.R. 1868
Mr. SCHUMER. Madam President, first, I understand that there are two bills at the desk due for a second reading en bloc.

The ACTING PRESIDENT pro tempore. The leader is correct.

The clerk will read the bills by title for a second time.

The senior assistant legislative clerk read as follows:

A bill (S. 963) to authorize dedicated domestic terrorism offices within the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation to analyze and monitor domestic terrorist activity and require the Federal Government to take steps to prevent domestic terrorism, and for other purposes.

A bill (H.R. 1868) to prevent across-the-board direct spending cuts, and for other purposes.

Mr. SCHUMER. In order to place the bills on the calendar under the provisions of rule XIV, I would object to further proceeding en bloc.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bills will be placed on the calendar.

BUSINESS BEFORE THE SENATE
Mr. SCHUMER. Madam President, despite unprecedented obstacles, the Senate has had an extremely productive first period of business.

It has been a little over 60 days since Democrats assumed the majority in the Senate and Joe Biden was sworn in as President. In that relatively short amount of time, the Senate has confirmed every available Cabinet Secretary—a group filled with a bevy of historic firsts—faster than under the prior two administrations.

Every single Cabinet nominee has received a bipartisan vote of approval here on the floor, a tribute to their character, their qualifications, and their caliber.

The Senate also conducted a fair and honest impeachment trial of the former President, resulting in the largest and most bipartisan conviction
vote in the history, in the history of Presidential impeachments.

And, of course, the Democratic majority in the Senate passed the most sweeping Federal recovery effort in decades, the American Rescue Plan.

Again, over a general unprecendented obstacle, not only did we get a late start on our work, a result of the run-off elections in Georgia, we have had to contend with the aftermath of an armed insurrection at the Capitol, an impeachment trial, and the difficulty of navigating an evenly divided Senate.

Let’s take a quick look at the scoreboard.

Economists project that the American Rescue Plan could double economic growth while cutting child poverty in half—the biggest anti-poverty effort in a generation.

We have made the single largest investment in American education and Native Tribes ever.

Experts have hailed the American Rescue Plan the most significant legislation for Black farmers since the Civil Rights Act.

The American Rescue Plan provides a lifeline to Main Street businesses from one end of the country to the other. Companies are already scaling back layoffs.

In less than 100 days, the Biden administration and Democratic majorities have helped deliver more than 100 million shots in people’s arms and 100 million checks in people’s pockets. As a result, the American people are more optimistic than at any time over the past year, and for the first time since the COVID–19 pandemic began, a clear majority of Americans believe our country is back on track.

Just this morning, the jobs report showed that applications for unemployment benefits fell by nearly 100,000 people—a sign that businesses are reopening and Americans are optimistic about getting back to work. After one of the most difficult years in American history, the country is finally turning the corner, and the Senate is off to a fantastic start.

Now looking forward, of course the job certainly isn’t done yet. Now that we have passed the American Rescue Plan, the Senate must continue to make progress on other issues facing the American people. When the Senate returns to session, our agenda will be no less ambitious than it was over the past few months.

We will focus on three areas: one, voting rights, civil rights; two, economic recovery and jobs, with an emphasis on climate change and building back better; and three, health and gun safety.

This Senate will once again be the forum where civil rights are debated and historic action is taken to secure them for all Americans.

Last week, the Judiciary Committee held the first-ever hearing on the Equality Act, landmark legislation that would enshrine as a matter of law that no American shall be denied justice based on their gender or sexual orientation.

In the coming work period, the Democratic majority will also seek to repeal a Trump administration rule that gives employers an unfair advantage over workers when settling discriminatory claims.

At the same time, the Judiciary and Rules Committees have started their work responding to the concerted, nationwide, desplicable attack on voting rights. In one State after another, new restrictions on the franchise are taking aim at communities of color in ways we haven’t seen since the days of Jim Crow.

Yesterday, I attended the Rules Committee hearing on S. 1, the For the People Act, and I listened to my Republican colleagues try to defend these outrageous voter suppression laws. One member on the committee told us not to worry about them because many are just proposals and won’t become law. Later that day, the same day, the Montana State Senate advanced a bill to end same-day voter registration.

Another member on the committee defended limits to early voting on Sundays—a day when many African Americans go to church—by quoting the Bible and the Commandment to keep the Sabbath holy. I don’t know where to begin with that one, but I will start by reminding my colleagues of the separation between church and state. It is clear that she talked about comes from the Old Testament, when the Sabbath was on Saturday.

This is getting beyond ridiculous. Across the country, the Republican Party seems to believe that the best strategy for winning elections is not to win more voters but to try to prevent the other side from voting. That is not America. That is not democracy. And this Senate will take action to protect the voting rights of tens of millions of Americans. The Senate will vote on the For the People Act.

We will also keep a laser focus on our economic recovery. In the coming months, the Senate will consider legislation to rebuild our infrastructure and fight climate change, boost research and development and domestic manufacturing, reform our broken immigration system, and grow the power of American workers. Finally, the Senate will address health and gun safety.

When the Senate gavels back into session, we will vote on Senator HIRONO’s COVID hate crimes bill, which my colleague GRACE MENG has sponsored in the House. It will give the Department of Justice and our local police departments crucial tools to fight the wave of racist violence we have seen against Asian Americans.

I have also committed to put a bill on expanded background checks on the floor of the Senate. On the health front, we will take aim against the former administration’s decision to roll back limits on methane emissions from oil and gas production—gases that pack a much greater punch than carbon dioxide when it comes to our climate. Senators HENRICH, KING, and MARKEY have been working very hard on this issue. I applaud them. The Senate will take up a Congressional Review Act measure to terminate the senseless regulation of methane emissions to fight climate change.

The bottom line is this: The Senate of the 117th Congress has accomplished a lot in its first few months, but we have a lot of work left to do. The challenges our country still faces are immense, and there is no reason both sides cannot work together on issues that will affect our country and our children’s future. We won’t agree on everything, but we must agree that inaction is unacceptable. The Senate must help the country finish the job against COVID while continuing to build a more equal economy and a more just society.

I yield the floor.
podium like “now is not the time to come,” as if there will be a good time to break the law and come illegally, and the White House will let us all know when that time is. I assume.

The Washington Post put it gently: “Advisers to the new administration were plagued by muddled messaging.” Boy, that is an understatement. But actually, when you look at Democrats’ actions, the message isn’t mixed at all. That is the problem. For months on the campaign trail, President Biden spoke directly to potential migrants. At one point, he said, “You want to flee . . . you should come.” That was President Biden.

President Lopez Obrador of Mexico himself stated this week that President Biden’s campaign created expectations that “caused Central American migrants, and also from our country, wanting to cross the border, thinking that it is easier to do so.” That was the President of Mexico.

On Inauguration Day, the President followed through—five Executive orders to roll back immigration enforcement and open up the border. The administration had no time rolling back the policies from the prior administration that had guarded against this exact outcome. South of the border, message received. Some migrants are arriving with Biden campaign flags and T-shirts. One arriving person said, “Biden promised us that everything was going to change.”

So what about the Democrats here in Congress? Are the House Democrats rising to the occasion with solutions? Well, not exactly. They prioritized passing another amnesty bill. They doubled down on the wrong direction and the wrong incentives.

The situation is raising eyebrows among Democrats’ own rank and file. As one Texas Democrat put it, “When you create a system that incentivizes people to come across . . . that immediately sends a message.”

Here in the Senate, our Democratic colleagues decided to go the route of obstruction. Yesterday, Republicans tried to pass serious proposals to help address parts of the immigration system. Democrats rejected every single one of them.

Senator Ernst had a proposal to require detention for migrants charged with violent crimes. It is not exactly a radical idea. Democrats blocked it.

Senator Cruz had legislation to raise the specter of illegal entry. It is not exactly rocket science. Democrats blocked that one too.

Senator Blackburn and Senator Lee tried to combat child trafficking within the asylum process, and Democrats even blocked that one.

The furthest left ideology on these issues is keeping Washington Democrats from upholding the basic responsibility of government: ensuring the integrity of our elections and protecting our national security.

ELECTION SECURITY

Madam President, now, on another matter. Yesterday, the Rules Committee held a hearing on the Democrats’ proposal to tilt our entire political system on a partisan basis. It would forcibly rewrite every State’s election laws in ways that defy common sense and are deeply unpopular with American voters.

If it would mandate nearly unrestricted same-day registration. It would mandate big loopholes that would render voter ID almost meaningless. It would make every State legalize ballot harvesting, where paid operatives can turn up carrying big piles with other people’s names on them, zero chain of custody.

Democrats want to hide behind the mantle of voting rights. What they are really proposing is less security, less integrity, and a grab bag of changes that are deeply, deeply unpopular. Just look at the other changes with zero relationship to voting rights that Democrats want to smuggle in behind that smokescreen.

This by itself would create the Federal Election Commission from an evenly split, bipartisan panel to a partisan body so that Democrats could rule unilaterally over politics as well as citizens’ speech, turn the neutral judge and jury into a partisan tool, and grant it would send taxpayers’ money to fund political campaigns.

It contains a massive attack on the privacy of citizens who engage in free speech, a massive and intentional gift to cancel culture. That led even the leftwing ACLU to oppose this bill 2 years ago and lead senior ACLU lawyers to torch it again in the Washington Post just recently.

Democrats are desperate to avoid talking about any of these things. They are desperate to convince the media that a partisan takeover at the FEC, socialism for political ad makers, and an assault on free speech and Americans’ privacy are just “voting rights,” a shameless, shameless bait and switch.

I noticed something funny yesterday. Remember, this is the same bill Democrats were shopping around 2 years ago in response to the 2016 election, which they said was a disaster. Now, 2 years ago, Democrats were marketing this bill as a massive shakeup that our broken elections badly needed.

Our democracy was in shambles after they lost in 2016. It was broken, they said. It was insecure, they said. And only this sweeping transformation could possibly repair it. Of course, it didn’t pass, and the 2020 election came and went without the liberal takeover, and yet Democrats say it was a huge success.

Democrats said the 2020 election was beyond reproach. They said the integrity and security were beyond question. They have said only conspiracy theorists would complain about the last election.

Oh, but curiously enough, they are now still pushing this very same bill. Now, instead of a sweeping transformation, they are trying to say it would just preserve our smoothly functioning system so State legislatures can’t mess it up.

So let’s get this straight. Two years ago, in 2019, Democrats suggested this bill was a bold, radical overhaul for a broken system. In the meantime, what happened was, they got an election they liked, and now they claim the same exact legislation just does a few modest things to protect our system just the way it is. Of utter nonsense—utter nonsense.

This legislation has but one goal, just one. It has only ever had one goal, just one. That goal was the same in 2019 as it is today. And that goal is to let Washington Democrats rig the rules of democracy from top down to hide that partisan project behind the smokescreen, the smokescreen of voting rights.

BUSINESS BEFORE THE SENATE

Madam President, now one final matter. Senators will soon head home for the two-week post-inauguration recess. I see an Easter recess of optimism and hope as the tide of the pandemic continues to turn. Thanks to science and fueled by five bipartisan bills we passed last year, vaccines were developed, approved, and released in record time. America was delivering more than a million doses per day before the current administration even took office.

And because of last year’s bipartisan work, our economy was already poised for a historic comeback. I am also going to be talking with Kentuckians about their concern and confusion surrounding the multitrillion-dollar partisan spending plan that Democrats just rushed through Congress recently, like why teachers unions got huge sums for schools, much of which won’t be spent until years, years into the future, without any meaningful requirement to reopen, even though science says it is safe. There are concerns like why Kentucky and other States whose budgets have come through the crisis intact will actually be subsidizing massive bailouts to other States for mismanagement that predates the pandemic, and confusion and concern about the radical, last-minute provision that tries to prevent States from implementing any policy, any policy that might be interpreted as a tax cut.

That one could wreak havoc on the plans of local officials in my State and entire industries as they try to get the Greeks growing again. This provision has the potential to shoot down a State law designed to help the Commonwealth’s small businesses deduct PPP expenses from their State taxes and unwind planned waivers of hikes on their unemployment taxes.

Secretary Yellen was asked about this huge uncertainty in a hearing yesterday, about how this will be defined or enforced. She essentially had no answers.

So I will be joining Kentuckians to celebrate what has gone well, thanks to our bipartisan work just last year; to hear their concerns about all the
The Acting President pro tempore. The Senator from Oklahoma.

Unanimous Consent Request—Amendment No. 1402

Mr. LANKFORD. Madam President, there is a problem with the Paycheck Protection Program. It passed with overwhelming bipartisan support last December, but the implementation has been botched.

Let me explain what I mean. If you are a small business owner, if you are an individual that is a sole proprietor of what is called a schedule C, if you had major issues in trying to be able to cover your employment last year, you would turn in—a request for the Paycheck Protection Program. It was extended in December of last year for only businesses that had that a 25-percent loss or more. Those businesses could not survive into the next year.

So we extended it out and allowed them to get additional time and an additional couple of months of payroll to be able to make sure they make it. Now, for these extremely small businesses, these sole proprietors, and these individuals who are out there, this means just them or sometimes their spouse and one other person whom they are actually covering the expenses for. These are not our megabusinesses. These are our backbone small businesses. This is the truckdriver in Oklahoma. This is the piano teacher in Oklahoma. These are folks who are actually trying to be able to make a living the best way they know how.

When it was passed in December, the Small Business Administration interpreted the formula to say you use your net expenses for that—your net expenses. Then, in March, the Small Business Administration reinterpreted that and said: No, you could use your gross expenses on that.

Now, for a lot of folks, they would say: What is the difference on that?

Well, the difference is usually about $5,000 or $10,000. That is an enormous difference. And for some folks in this room, $5,000 or $10,000 may not be very much, but it is a lot more for that truckdriver or that piano teacher.

So the logical thing for the Small Business Administration to do would be to say: OK. We changed the rule in March from what it was earlier so let’s make it retroactive. Then folks who apply early, the most desperate folks, could actually still get the difference.

But that is not what happened. The Small Business Administration said: No, if you received the loan earlier, you received the smaller amount. If you waited and applied later, you get the larger amount.

It is the exact same type of business, exact same situation, but basically the administration did in its recalculation, but it made it prospectively only. It needs to be retroactive.

So I agree with the gentleman, but I cannot agree to consent to it today. And it is not going to delay the Senate’s consideration of it. The House is not in session for the next 2 weeks.

So the first time we can really get this done is the second week in April, and you have my commitment that we will work together to get this provision made retroactive and to cover the legal structures that are used by some of our small businesses that are not currently covered under the current interpretation—I think legal, this is a legal issue that we have to resolve.

For all those reasons, I do object.

The Acting President pro tempore. The objection is heard.

The Senator from Oklahoma.

Mr. LANKFORD. Madam President, I do want to thank my friend from Maryland. This is an important issue. It does need to be resolved. It has not had enough attention on this. As he and I talked about it 2 days ago, and several others joined in, this deals with partnerships, whether it be ag.

This deals with individuals.

So my friend from Kansas, he and I worked together on this to be able to combine a piece of legislation to make sure we are dealing with all types of businesses that will be affected, and I do hope to be able to get this through by unanimous consent in the days ahead to get this resolved as quickly as possible as well as continue to reach out to the Small Business Administration and to see what they can do to be able to communicate with those folks.

The Acting President pro tempore. The Senator from Kansas.

Amendment No. 1403

Mr. MARSHALL. Madam President, I ask unanimous consent that I be allowed to complete my remarks.

The Acting President pro tempore. Without objection, it is so ordered.

Mr. MARSHALL. Madam President, I thank the gentleman, my neighbor from Oklahoma, for yielding. And I thank the gentleman from Maryland, our chairman of the Small Business Committee, for his cooperation.

So my amendment would allow farmers and ranchers categorized as a partnership, including LLCs, S corps, to utilize gross income when calculating their PPP maximum loan amount.

It is no secret that our Nation’s farmers and ranchers have faced incredible difficulties through the COVID–19 pandemic when we literally couldn’t pay people to come get our cattle and hogs. In December, we made changes to allow farmers to use gross income in calculating their PPP loan. Before it passed, the payments were based on farmers’ net income. This net income number is often low or negative because of the amount of depreciation farmers claim on equipment. These changes were helpful and provided assistance for much of the agriculture industry.
Unfortunately, certain farm and ranch partnerships, many of which are small family partnerships, were left out of changes made in the program in December. I believe Congress intended to include partnerships; however, the SBA, interpreting the statute, we passed, did not. They made it crystal clear, short of legislation, they would not include partnerships under this new interpretation.

My amendment, in a nutshell, would let farmers categorized as a partnership rather than not income for the PPP loan. I encourage all my colleagues to support this amendment and help our farmers during this difficult time.

I yield back to the gentleman from Oklahoma. Thank you.

Mr. CARDIN. Madam President.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Mr. CARDIN. I ask unanimous consent for the two minutes of debate, equally divided, before each vote in today's series.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The Senator from Louisiana.

AMENDMENT NO. 1401

Mr. KENNEDY. Madam President, without order, there can be no justice. We all know that. Without order, there can be no justice.

This past year, we have seen felony rioting throughout the United States. It doesn't matter whether that felony rioting happened here at the Capitol. It doesn't matter whether it happened in Portland or Chicago or Atlanta or at any of our other wonderful communities throughout the United States. It is wrong, and we have all condemned it. It should be punished, and it certainly shouldn't be rewarded.

My amendment is very simple. It says that if you were one of those rioters and received due process, you have been convicted by a court of law of competent jurisdiction, and you have been adjudged to have committed a felony with respect to a riot or civil disorder in the past 2 years, then you cannot participate in the PPP program. We already have that law at the SBA for disaster loans. This would extend it to the PPP program.

What you allow is what will continue. What you allow is what will continue, and that is why I would respectfully ask consideration for my amendment.

Mr. CARDIN. Madam President.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Mr. CARDIN. I rise in opposition to the Kennedy amendment.

Let me be clear. Any amendment that is put on this clean extension will mean that the program will terminate in less than 1 week, and hundreds of thousands of small businesses will not be able to get their PPP loans. There are newly eligible. We changed the calculations on how much you can apply for. Those who have difficulty finding a financial institution to write the forgivable loan, those in hard-to-serve communities, all are going to be denied. The SBA has indicated there are hundreds of thousands of eligible applicants that have not been able to get in by the due date.

Now, in regard to the Kennedy amendment, the SBA COVID-19 relief is for existing businesses and current business owners with proven reentry track records. Anyone who has rebuilt their life after being incarcerated should be celebrated and supported. There is no reason why a business owned by someone with an unrelated criminal record should be treated any differently.

I would urge my colleagues, for the sake of getting this bill to the President and signed so we can help our small businesses, to reject the Kennedy amendment.

Mr. KENNEDY. Madam President.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. KENNEDY. How much time do I have left?

The ACTING PRESIDENT pro tempore. No time remaining.

Mr. KENNEDY. Could I ask unanimous consent for 30 seconds?

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KENNEDY. Madam President, this is the third time I have brought this amendment to the floor.

Now, you either approve of the rioting that happened this summer and at the Capitol or you don’t. The riots this summer killed 47 people. There was well over $1 billion worth of damage.

No. 2, I can’t help it if Speaker PELOSI has decided to go home, which prevents us from offering amendments to make this bill better. We will support extension of the PPP program, but this is not right, and it would be a lot more intellectually honest if my colleague, who opposed my amendment, said: Look, we just don’t think that if you rioted you should be punished with respect to the PPP program, because that is what a “no” vote is saying.

The ACTING PRESIDENT pro tempore. Time has expired.

Mr. CARDIN. Madam President, I ask unanimous consent for 30 seconds to respond.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CARDIN. The gentleman’s amendment goes well beyond that. The gentleman’s amendment goes back 2 years. It could have been a civil disturbance on a college campus if someone now has an 8th-grade business totally unrelated to any economic crime. It is just something that should not be in this law, and I urge my colleagues to reject it.

Mr. KENNEDY. Madam President.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. KENNEDY. I would like to ask my colleague for 30 more seconds.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit paycheck protection program loans and second draw loans for applicants convicted of a felony in relation to a riot or civil disorder during the 2-year period preceding the date of the application.

At the appropriate place, insert the following:

SEC. 3. PROHIBITION ON PAYCHECK PROTECTION PROGRAM LOANS AND SECOND DRAW LOANS FOR APPLICANTS CONVICTED OF A Felony IN RELATION TO A RIOT OR CIVIL DISORDER.

(a) In General.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended—

(1) in paragraph (36), by adding at the end the following:

“(W) Prohibition.—An applicant is not eligible to receive a covered loan if an owner of 20 percent or more of the equity of the applicant has, as of the date of the application, been convicted of a felony in relation to a riot or civil disorder during the 2-year period preceding the date of the application.”;

and

(2) in paragraph (37), by adding at the end the following:

“(P) Prohibition.—An applicant is not eligible to receive a covered loan if an owner of 20 percent or more of the equity of the applicant has, as of the date of the application, been convicted of a felony in relation to a riot or civil disorder during the 2-year period preceding the date of the application.”;

and

(b) applicability.—The amendments made by subsection (a) shall apply with respect to an application for a loan under paragraph (36) or (37) of section 7(a) of the small Business Act (15 U.S.C. 636(a)(36)) that is submitted on or after the date of enactment of this Act.

VOTE ON AMENDMENT NO. 1401

The ACTING PRESIDENT pro tempore. The question occurs on agreeing to the amendment.

Mr. CARDIN. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

(Mr. SCHATZ assumed the Chair.)

The result was announced—yeas 48, nays 52, as follows:
The amendment (No. 1401) was rejected.

The PRESIDING OFFICER. The Senator from Florida.

AMENDMENT NO. 1405

Mr. RUBIO. Mr. President, I call up my amendment No. 1405 and ask that it be reported by the Declarator.

The PRESIDING OFFICER. Without objection, the clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Florida [Mr. RUBIO], for himself and others, proposes an amendment numbered 1405.

The amendment is as follows:

(Purpose: To establish appropriate limitations on the Administrator of the Small Business Administration establishing new priorities for processing lender applications)

On page 2, between lines 15 and 16, insert the following:

(d) LIMITATION ON PRIORITIZATION.—During the period beginning on the date of enactment of this Act and ending on the last day of the covered period, as defined in section 7(a)(36)(A)(ii) of the Small Business Act (15 U.S.C. 636(a)(36)(A)(ii)), as amended by this Act, the Administrator of the Small Business Administration may not establish or enforce any priority for processing lender applications under paragraph (36) or (37) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)), except for any priority reasonably necessary to carry out the set-asides established under section 323(d) of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116–20).

Mr. RUBIO. Mr. President, the very reason we even have to do an extension is that the new administration has unfairly and unnecessarily restricted eligible businesses and nonprofits from applying. It has created confusion.

People haven’t been able to get in by the deadlines, and unless we put in more guardrails, there is little assurance that this is not going to continue. In particular, the one thing that would undermine this popular, bipartisan program is if people came to the conclusion that it was being used arbitrarily to give priority to politically favored groups.

So all this amendment does is prohibit the Small Business Administration from setting up any new set-asides beyond those that this Congress, on a bipartisan basis, already created last year when we passed this at the end of 2020.

What were those priorities? Smaller businesses, businesses in low-income areas, community financial institutions. All it says is, if you want to change those priorities, Congress has to do it, not the Small Business Administration.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I rise in opposition to the Rubio amendment.

The policy that Senator Rubio is objecting to is implemented by the Small Business Administration to help the underserved communities.

During that 14-day period, 400,000 small businesses with 20 employees or less were able, at long last, to get PPP help. And almost half were first-time borrowers under the PPP program, those that had been shut out in the past.

But, specifically, the Rubio amendment, if it were adopted—and it is wrong policy—would require the House to concur. The House is not in session for the past 2 weeks. That could take us beyond the 31st of March, and the program would end, costing hundreds of thousands of small businesses the opportunity that—some are now eligible for PPP help and were able, at long last, to get PPP money. And if you don’t cut something, the cuts would be automatic. Except we have now waived pay-go 60 times since we passed pay-go.

Mr. PAUL. Mr. President, in 2010, Congress passed what is known as pay-go. Pay-go was signed into law and requires that if you want to spend new money, you have to spend for it, hence the name “pay as you go.”

The idea was that, if you wanted to spend money on something, you would either need to cut spending or raise taxes, but you couldn’t just simply borrow more money. And if you don’t cut something, the cuts would be automatic. Except we have now waived pay-go 60 times since we passed pay-go.

Mr. RUBIO. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The amendment (No. 1405) was rejected.

The PRESIDING OFFICER. The Senator from Kentucky.

POINT OF ORDER

Mr. PAUL. Mr. President, in 2010, Congress passed what is known as pay-go. Pay-go was signed into law and requires that if you want to spend new money, you have to spend for it, hence the name “pay as you go.”

The idea was that, if you wanted to spend money on something, you would either need to cut spending or raise taxes, but you couldn’t just simply borrow more money. And if you don’t cut something, the cuts would be automatic. Except we have now waived pay-go 60 times since we passed pay-go. Debt has gone from $13.5 trillion to $20 trillion because Congress continues to evade the rules they put in place.

It brings us back to the $1.9 trillion spending bill the other side just passed. They want to now waive the pay-go rule. This will be the 61st time to waive pay-go.

Some will say that Republicans didn’t seem to care about the debt when they voted to cut taxes. However, honest observers will note that I also forced a vote on pay-go when we cut taxes. Interestingly, every Democrat in this body at that time voted to evade the pay-go rules and add taxes to the deficit, as I am sure they will today.

Does this deface matters? The answer is a resounding yes. There is no free money. When we borrow or print new money, that money must be repaid. We have racked up nearly $20 trillion in debt. That is almost 150 percent of our entire economy. We borrow $6.6 million every minute. Get that. We borrow $6.6—

The PRESIDING OFFICER. The Senator’s time has expired.

Mr. PAUL. I ask unanimous consent to have 1 minute to conclude my remarks.

The PRESIDING OFFICER. Is there objection?
Mr. PAUL. The deficit has gone from $3 trillion last year; it will be $3.5 trillion this year.

In Washington, every day is a good day to spend money. Big spenders like to say the Federal Government is no different than a family budget. We have the Federal Reserve that can print money to buy our debt, but all that does is cause inflation. Even with inflation not spiking, we have lost 17 percent of the dollar over the last several years.

Who is responsible for the $30 trillion (of our debt)? Republicans? Democrats? The answer is yes and yes. Both parties are to blame. The vote I have called for is a litmus test for fiscal responsibility. Anyone who cares about the debt should vote to enforce the pay-go rule.

According to the CBO, the bill before us will increase the deficit by $15 billion in fiscal year 2021; therefore, I raise a point of order against the measure pursuant to section 404(a) of S. Con. Res. 13 of the 111th Congress.

Mr. PAUL. Since the implementation of PPP last April, 38 Planned Parenthood affiliates applied for and received $80 million in taxpayer funds meant for small business relief. Pursuant to the longstanding affiliation rules, which stipulate that affiliated organizations are considered one organization, the Small Business Administration found that Planned Parenthood was ineligible for PPP funds and sent letters to each of the 38 organizations that wrongfully received funds.

After months of delay, though, SBA finally revealed that they have given secondary loans to more Planned Parenthood organizations. These approvals come long after the SBA had determined that the initial ones were illegal.

Further extending the PPP program could allow all 49 Planned Parenthood affiliates time to access both the first or second draw of PPP loans, given the Biden administration’s apparent recent actions.

I urge everyone who believes that taxpayers should not be forced to pay for abortion to vote no.

Mr. CARDIN. Mr. President, first, I want to thank Senator Collins for her leadership on this issue. I want to thank Senator Shaheen for her help in getting this done.

This bill is widely supported. It passed the House by 415 to 3, supported by the U.S. Chamber of Commerce, the NFIB, and numerous other stakeholders in small business.

It will be 1 year since the passage of the CARES Act, and the PPP program has saved millions of small businesses from being shuttered. It has helped save our unemployment insurance system by keeping small-employer employees on the payroll. It has kept workforce together for small businesses, which is critically important to get through this pandemic.

Small businesses need additional time because we have changed the eligibility, we have changed the calculation, and you have to find private banks that are willing to take on this loan. And we are now into a second round. There is over $50 billion available at the end of this month to continue the program.

I would urge my colleagues to support this legislation.

I would yield the remainder of our time to Senator Collins.

Mr. PAUL. Since the implementation of PPP last April, 38 Planned Parenthood affiliates applied for and received $80 million in taxpayer funds meant for small business relief.

Pursuant to the longstanding affiliation rules, which stipulate that affiliated organizations are considered one organization, the Small Business Administration found that Planned Parenthood was ineligible for PPP funds and sent letters to each of the 38 organizations that wrongfully received funds.

After months of delay, though, SBA finally revealed that they have given secondary loans to more Planned Parenthood organizations. These approvals come long after the SBA had determined that the initial ones were illegal.

Further extending the PPP program could allow all 49 Planned Parenthood affiliates time to access both the first or second draw of PPP loans, given the Biden administration’s apparent recent actions.

I urge everyone who believes that taxpayers should not be forced to pay for abortion to vote no.

Mr. CARDIN. Mr. President, first, I want to thank Senator Collins for her leadership on this issue. I want to thank Senator Shaheen for her help in getting this done.

This bill is widely supported. It passed the House by 415 to 3, supported by the U.S. Chamber of Commerce, the NFIB, and numerous other stakeholders in small business.

It will be 1 year since the passage of the CARES Act, and the PPP program has saved millions of small businesses from being shuttered. It has helped save our unemployment insurance system by keeping small-employer employees on the payroll. It has kept workforce together for small businesses, which is critically important to get through this pandemic.

Small businesses need additional time because we have changed the eligibility, we have changed the calculation, and you have to find private banks that are willing to take on this loan. And we are now into a second round. There is over $50 billion available at the end of this month to continue the program.

I would urge my colleagues to support this legislation.

I would yield the remainder of our time to Senator Collins.

Mr. CARDIN. Mr. President, first, I want to thank Senator Collins for her leadership on this issue. I want to thank Senator Shaheen for her help in getting this done.

This bill is widely supported. It passed the House by 415 to 3, supported by the U.S. Chamber of Commerce, the NFIB, and numerous other stakeholders in small business.

It will be 1 year since the passage of the CARES Act, and the PPP program has saved millions of small businesses from being shuttered. It has helped save our unemployment insurance system by keeping small-employer employees on the payroll. It has kept workforce together for small businesses, which is critically important to get through this pandemic.

Small businesses need additional time because we have changed the eligibility, we have changed the calculation, and you have to find private banks that are willing to take on this loan. And we are now into a second round. There is over $50 billion available at the end of this month to continue the program.

I would urge my colleagues to support this legislation.

I would yield the remainder of our time to Senator Collins.
I urge my colleagues to support passage of this bill.

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

Hon. SUSAN COLLINS, U.S. Senate, Washington, DC.
Hon. BEN CARDIN, Chair, Senate Small Business Committee, Washington, DC.
Hon. JEANNE SHAHEEN, U.S. Senate, Washington, DC.
Hon. CAROLYN BOURNHEAUX, House of Representatives, Washington, DC.
Hon. NYDIA VELAZQUEZ, Chair, House Small Business Committee, Washington, DC.
Hon. BLAINE LUETKEMEYER, Ranking Member, House Small Business Committee, Washington, DC.
Hon. YOUNG KIM, House of Representatives, Washington, DC.

DEAR SENATORS COLLINS, CARDIN AND SHAHEEN: On behalf of the Consumer Bankers Association (CBA), I write to express our support of S. 723, The PPP Extension Act of 2021. I thank you for your continued leadership as our nation rises to meet the challenges posed by the COVID-19 crisis.

CBA commends the work of Congress, the Small Business Administration (SBA), and all the lenders across the country who together worked dutifully to make the Paycheck Protection Program (PPP) a reality and provide much needed relief to millions of small businesses.

Lenders remain committed to serve their small business customers and have engaged considerable resources to process PPP loan applications so they can ensure our nation’s small businesses have the support they need to endure these challenging economic times. Unfortunately, operational changes made by SBA during this current round of PPP lending has slowed the funding of PPP loan applications.

Within just weeks before the program sunsets, our members are working tirelessly to resolve complications with the processing and approval of PPP applications. Issues flagged during SBA’s processing of applications, such as loan hold and error codes, continue to be major hurdles for successful PPP funding. Despite lenders’ efforts to work with their customers and the SBA to quickly resolve them, these issues continue to significantly delay the funding of requests to businesses that have very pressing financial concerns. This, coupled with the recent changes by the SBA allowing Schedule C borrowers to qualify for morePPP relief, makes it imperative that more time is provided.

Extending the PPP and providing a window for lenders and the SBA to process received applications will ensure any small business that wants access to the program is able to do so. The PPP Extension Act of 2021 will provide the SBA, lenders, and small businesses the critical time that is needed to properly implement recent alterations to the program and resolve any outstanding processing issues, ultimately allowing small businesses to fully realize the benefits of the PPP.

Again, thank you for your time and consideration on these important matters. CBA and our members remain eager to work with Congress and the SBA to help small businesses in these uncertain economic times.

Sincerely,
RICHARD HUNT, President and CEO, Consumer Bankers Association.
Congressional Record — Senate

Association; Energy Marketers of America; Foodservice Consultants Society International—The Americas; Foodservice Equipment Distributors Association; Franchise Business Executives Business Association; Global Cold Chain Alliance; Golf Course Superintendents Association of America; Independent Electrical Contractors; National Association of Creditors of Shopping Centers; International Franchise Association; ISSA—The Worldwide Cleaning Industry Association; La Habra Chamber of Commerce; National Association of Community Pharmacists; National Community Pharmacists Association; National Cottont Council; National Electrical Contractors Association; National Electrical Manufacturers Association (NEMA); National Federation of Independent Business (NFIB); National Fishery Institute; National Franchise Association; National Independent Venue Association; National Restaurant Association; National Retail Federation; National Roofing Contractors Association; National RV Dealers Association (RVDA); National Small Business Association; National Tooling and Machine Association; North American Association of Career and Technical Education; North American Die Casting Association; Orange County Business Council; Pet Industry Distributors Association; Precision Machined Products Association; Precision Metalforming Association; Promotional Products Association International (PPAI); San Gabriel Valley Economic Partnership; Specialty Tools & Fastener Distributors and Contractors (STFDC); SPRI; The Roofing Industry Alliance; Tire Industry Association (TIA); The Real Estate Roundtable; United States Hispanic Chamber of Commerce; United Veterans Business Association; U.S. Chamber of Commerce; U.S. Travel Association; Yorba Linda Chamber of Commerce.

INDEPENDENT COMMUNITY BANKERS OF AMERICA


Hon. Ben Cardin,
Chairman, Committee on Small Business & Entrepreneurship, U.S. Senate, Washington, DC.

Hon. Susan Collins,
U.S. Senate, Washington, DC.

Hon. Jeanne Shaheen,
U.S. Senate, Washington, DC.

Dear Chairman Cardin and Senators Collins and Shaheen: On behalf of community banks across the country, with more than 50,000 locations, I write to thank you for introducing the PPP Extension Act of 2021 (S. 722). This legislation is needed to ensure that thousands of Paycheck Protection Program applicants for loans after March 31 and other non-profit employers—are not stranded by an abrupt shutdown of the Program and would do so using funds that have already been appropriated.

Community banks are doing everything in their power to complete and submit PPP applications by March 31. Unfortunately, they have no assurance that qualified applications submitted timely will be approved. The CARES Act extended the deadline for completing applications after March 31, regardless of when they were submitted and the quality of the applications. Unless a statutory change is made, thousands of first draw loan applications will be rejected simply because the clock has run out.

This outcome would be especially unfair because of the thousands of applications that have already been approved simply because they were flagged and put on hold by an automated program for possible waste, fraud, or abuse. These applications require SBA review in order to be cleared of holds and approved for funding. If they cannot be cleared by March 31, cash starved applicants and the people they employ will be denied first draw loan funding based on the new rules and formulas to ensure equitable distribution of funds to those who apply and are approved for first draw loans in 2021. In many cases, those still managing state and local regulations to prove the Program rules and formulas to ensure equitable distribution of funds to those who apply and are approved for first draw loans in 2021. In many cases, those still managing state and local regulations to prove the Program rules and formulas to ensure equitable distribution of funds to those who apply and are approved for first draw loans in 2021.

First Draw Increase Eligibility. Certain borrowers who have not yet filed for and received forgiveness of their first draw 2020 PPP loan may apply for an increase in that loan. However, borrowers whose first draw 2020 loans have no opportunity to apply for an increase based on the new rules. They may qualify for significantly larger loans but are effectively being punished for submitting their applications early. Congress should direct the SBA to make fixes to resolve the problems identified below.

First Draw Increase Eligibility. Certain borrowers who have not yet filed for and received forgiveness of their first draw 2020 PPP loan may apply for an increase in that loan. However, borrowers whose first draw 2020 loans have already been forgiven cannot apply for a first draw loan increase, even if they otherwise meet the criteria for an increase. This is unfair because it punishes borrowers earlier in the application process. The statute should be amended to allow borrowers who have received first draw loan forgiveness to be eligible to receive a first draw loan increase.

Second Draw Eligibility. Those applying for a first draw in 2021 should be allowed access to a second draw loan. Community banks have solicited and received numerous applications for first draw loans in 2021. In many cases, these applicants would have applied for first draw loans in 2020 if they had the benefit of better information and advice, and would now be eligible for second draw loans. They have effectively left money on the table that could be used for critical expenditures.

Second Draw Use of Proceeds Requirement. Borrowers with a modest shortfall in using first draw dollars for eligible uses shouldn’t be shut out from second draw loans, especially if they’ve already repaid the remaining balance on the first draw loan. Congress should consider creating a percentage-based de minimus test to define a level of spending on ineligible expenses that would not disqualify a borrower for a second draw loan.

Farm Partnerships. Current law allows self-employed farmers and ranchers that report farm income on Schedule F to use the application of the cash method of accounting in lieu of the accrual method to calculate their maximum loan amount and owner’s compensation. However, SBA has limited this treatment to 1040 Schedule F filers. It is not available to thousands of self-employed farmers and ranchers whose businesses are organized as partnerships. Congress should direct the SBA to make the gross income methodology available to these farmers and ranchers.

Schedule C Borrowers. Schedule C filers should be able to apply for an increase under new SBA rules that allow Schedule C borrowers with no employees to use gross income rather than net profit to determine the loan amount. This is a welcome change, but those borrowers who have already obtained loans have no opportunity to apply for an increase. Congress should consider creating a percentage-based de minimus test to allow these borrowers to apply for an increase in their loan amount. This outcome would be unfair, but those borrowers who have already obtained loans have no opportunity to apply for an increase. Congress should consider creating a percentage-based de minimus test to allow these borrowers to apply for an increase.

In conclusion, I write to thank you for introducing the PPP Extension Act. We look forward to working with you and your colleagues to advance legislation that will help our nation’s small businesses recover. We urge you to use this opportunity to address the problems with the Program discussed above.

Sincerely,

Rebecca Romero Ranev,
President & CEO.

NFIB,
March 25, 2021.

Dear Senator: On behalf of NFIB, the nation’s leading small business organization, I write in support of H.R. 1799, the PPP Extension Act of 2021, which will extend authorization for the Paycheck Protection Program (PPP) beyond March 31, 2021. H.R. 1799 will be considered an NFIB Key Vote for the 117th Congress.

NFIB research indicates economic conditions remain challenging for our nation’s small businesses. According to NFIB’s latest monthly survey, small business optimism remains below its historic 47-year average. Unfortunately, the timeframe for making decisions regarding a first or second draw PPP loan after passage of the Consolidated Appropriations Act of 2021 has been short, particularly as Congress and the Administration have recently made additional changes to the program.

For these reasons and given the high level of uncertainty over future economic conditions, it makes sense to extend the authorization of the PPP program through May 31, 2021 to give small businesses additional time to consider their needs and apply. NFIB is also pleased that this legislation will provide an additional 30 days for SBA to process pending applications, which will help to ensure small businesses are not unfairly harmed by PPP processing delays, which continue to pose a challenge to the program.
NFIB supports H.R. 1799, the PPP Extension Act of 2021 and will consider final passage of the legislation as an NFIB Key Vote for the 117th Congress.

Sincerely,
Kevin Kuhlman,
Vice President,
Federal Government Relations, NFIB.

Mr. COLLINS. Mr. President, I urge all of our colleagues to vote yeas on this bill, which will provide a crucial 2-month extension for the Paycheck Protection Program.

This program has been a lifeline to countless small businesses and has saved more than 50 million jobs in this country. I salute my colleagues Senator CARDIN and Senator SHAHEEN for their work on this extension, which was overwhelmingly passed by the House.

Let’s talk about briefly what would happen if we do not act. If we do not act, there are approximately 190,000 loans still under review, which prevents any of these businesses from receiving a second PPP loan. These small businesses need this assistance now in order to pay their employees and stay afloat during this pandemic.

We cannot wait. The House has gone home. We cannot allow an interruption of this vital program that has made such a difference to our small businesses and their employees.

I urge all of my colleagues to support this 2-month extension, with an additional month for SBA to review the applications.

VOTE ON H.R. 1799

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

Mr. CARDIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Nebraska (Mr. Sasse).

Further, if present and voting, the Senator from Nebraska (Mr. Sasse) would have voted "yea."

The result was announced—yeas 92, nays 7, as follows:

[Rollcall Vote No. 140 Leg.]

YEARS—92

Baldwin
Barzynski
Bennett
Blackburn
Blumenthal
Blunt
Booker
Boozman
Braun
Brown
Burr
Cantwell
Capito
Cardin
Carper
Casey
Cassidy
Collins
Coons
Cornyn
Cortez Masto
Cotton
Craver
Daines
Duckworth
Durbin
Ernst
Feinstein
Fetterman
Gillibrand
Gillibrand
Graham
Graham
Gillibrand
Hagerty
Hassan
Hawley
Hickenlooper
Hirono
Hoeven
Hyde-Smith
Inhofe
Johnson
Kaine
Kelly
Kennedy
King
Loeb
Lobashar
Lankford
Leahy
Lojan
Lumens
Manchin
Markay
Marshall
McConnell
Menendez
Merckley
Morgan
Murphy
Murray
Ossoff
Padilla
Peters
Portman
Reed
Rosen
Rounds
Rubio
Sanders
Schatz
Schumer
Scott (FL)
Crapo
Cruz
Hawley
Hawley
NAYS—7
Sasse
SHEPHERD

The bill (H.R. 1799) passed.

PREVENTING ACROSS-THE-BOARD DIRECT SPENDING CUTS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1868; that the Shaheen-Collins substitute amendment No. 1410 and the Scott of Florida amendment No. 1411 be made pending and reported by number; further, that the Senate vote in relation to the Scott amendment and the substitute, that upon disposition of the amendments, the bill be considered read a third time, the Senate vote on passage of the bill as amended, if amended, with 60 affirmative votes required for passage; further, that there be 2 minutes for debate, equally divided, prior to each vote; and finally, that the motions to reconsider be considered made and laid upon the table, all with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Indiana. Mr. BRAUN. Mr. President, reserving the right to object, I rise today to ask support of this bill to fix a problem in the American Rescue Plan, a bill that was passed in a rushed manner with no input from Republicans.

I do not rise today to debate the underlying bill, although there could be plenty to debate about it, but to make the point we can multitask and address more than one time-sensitive issue at a time.

We need to protect senior citizens and ensure we aren’t making cuts to a vital program like Medicare, and today we will do that.

But we have another issue that we can address today as well.

In the American Rescue Plan, Democrats punished red States, like Indiana, for keeping unemployment low, by taking a small approach to COVID, by balancing public safety with the economy.

Now they want to tell States that they can’t cut taxes through 2024, despite being good stewards day in and day out of taxpayer money over the past year.

This provision is so troubling that 21 State AGs sent a letter to the Treasury raising the following concerns about the tax cut prohibition:

It imposes an ambiguous condition on Federal funding; it results in Federal conditions that don’t relate to the Federal interest for which the program was established; it violates separation of powers and fundamental democratic principles and effectively commandeers half of the States’ fiscal levers; and, ultimately, it is unconstitutionally coercive.

Treasury said last week that States can still cut their taxes; they just can’t use American Rescue Plan money to do it. But Governors and State legislatures are still confused.

One midwestern attorney general has asked a Federal judge to block the tax cut prohibition. Multiple tax professionals and outside groups say there are many questions still left unanswered.

We can stop this entire mess by adopting my amendment, the Let States Cut Taxes Act, an amendment to stop the Federal Government’s unconstitutional overreach on States’ rights.

Therefore, I ask that the Senator modify his request to include my amendment, which is at the desk, and that following disposition of the Scott amendment, the Senate vote on my amendment with a 60-affirmative-vote threshold for adoption.

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

The Senator from West Virginia.

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

I have a statement to make.

Last week, my friend from Indiana and I were last down here discussing this issue.

There seemed to be a lot of confusion about the Treasury—or how the Treasury would interpret the net tax revenue provision. There seemed to be a fear that this language would prevent States from cutting any taxes whatsoever.

And the good news is that we received some guidance earlier this week from Secretary Yellen that should put those concerns to bed once and for all.

Mr. President, I ask unanimous consent to have printed in the Record the letter from Secretary Yellen.

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

DEPARTMENT OF THE TREASURY,

Hon. Mark Brnovich,
Attorney General, State of Arizona, Phoenix, AZ.

DEAR ATTORNEY GENERAL BRNOVICH: I write in reply to your March 16, 2021 letter regarding Treasury’s implementation of section 9901 of the American Rescue Plan Act (the “Act”), which provides funds to States, territories, Tribal governments, and localities to help them manage the economic consequences of COVID-19.

In the Act, Congress has provided funding to help States manage the public health and economic consequences of COVID-19 and it has given States considerable flexibility to use that money to address those needs of their communities. At the same time, Congress placed limitations to ensure that
That you choose, unless it is COVID related. It makes all the sense in the world. It has to be COVID related.

If States lower certain taxes but do not use funds under the Act to offset those cuts—for example, by replacing the lost revenue through other means—the limitation in the Act is not implicated. They can do whatever they want to. And if they can show other revenue to offset it, that is great. They just cannot use the Treasury’s money that the people have invested in their States for that purpose.

It also says this:

It is . . . important to note that the States choosing to use the Federal funds to offset a reduction in net tax revenue do not thereby forfeit their entire allocation of funds appropriated under this statute.

They have alluded to that, which is not accurate.

The limitation affects States’ ability to retain only those federal funds used to offset a reduction in net tax revenue resulting from certain changes in state law.

Treasury is drafting further guidance—including guidance to address more specifically the issues raised by your letter and the procedures Treasury will use for any future recoupment—that will provide additional information about how this provision will be administered. We will provide this guidance before a State must submit a certification under §602(d)(1). We also expect to engage in an ongoing dialogue throughout the program.

These funds will provide transformative relief to States, territories, and Tribal governments, and our communities should be able to use the funds to recover from the economic fallout due to the pandemic, which is what Congress intended. I hope to work with your State, as well as others across the country, to ensure these funds can be used in ways that align with the goals of the statute without undue restrictions.

Sincerely,

Janet L. Yellen

Mr. MANCHIN. Mr. President, I will enter this letter into the RECORD, but I would like to read the key sentences. And to the Senator from Indiana, if I could read this letter to you and to make sure that—I don’t know how—I have spoken to my attorney general, who was one of the original cosigners, and I said: Mr. Attorney General, I have spoken to my attorney general, make sure that—I don’t know how—I have spoken to my attorney general. Mr. Attorney General, I have spoken to my attorney general, make sure that—I don’t know how—I have spoken to my attorney general.

It is well established that Congress may place such reasonable conditions on how States may use federal funding. Congress includes those sorts of reasonable funding conditions in legislation routinely, including with respect to funding for Medicaid, education, and other purposes. Here, the Act prevents States from spending those funds on certain conditions.

Nothing in the Act prevents States from enacting a broad variety of tax cuts. That is, the Act does not “deny States the ability to cut taxes in any manner whatsoever.” It simply provides that funding received under the Act may not be used to offset a reduction in net tax revenue resulting from certain changes in state law. It is, among other things, unrelated to the taxing and spending powers of the States.

It is also important to note that States choosing to use the federal funds to offset a reduction in net tax revenue do not thereby forfeit their entire allocation of funds appropriated under this statute. The limitation affects States’ ability to retain only those federal funds used to offset a reduction in net tax revenue resulting from certain changes in the state law.

That is it. That is not—and these are all supposed to be educated attorneys that are writing letters wanting explanations. This is as common sense as it gets. It is a bipartisan guardrail to simply make sure the emergency funds make it to the people who need it most, and the States can do whatever they think they should do and could do. As a former Governor, I would have been offended if I thought it was hampered. I am not. I have got to make good decisions here. I have other revenue coming in. I want to cut this tax. That is fine. I just can’t cut a tax to be popular and then say: OK. Mr. Senators here, please send us money so we can be popular back home but use your money to make us look good. That is about it in a nutshell.

So it is for those reasons, and many, many more.

The PRESIDING OFFICER. Objection is heard to the modification.

Is there objection to the original request?

Mr. BRAUN. Reserving the right to object, coming from the world of business, I have been damaged by Washington’s inability to fix problems in a timely, rational manner, and that has been over a stretch of many years before I got here.

I do, respectfully, disagree with my friend from West Virginia. We should fix this tax cut prohibition right now that was forced into the American Rescue Plan in the wee hours of the morning.

If we want to fix a commonsense problem, we are being told that our only choice is to hold Hoosier seniors hostage. This is the most deliberative body in the world; this cannot be the best the Senate has to offer.

We must get the Federal Government out of the way and stop complicating and confusing States. They should be allowed to do their jobs.

And, by the way, they do their jobs—balancing their budgets every year, living within their means. Most of the rest of the country accepts that as well.

Given the looming April 1 deadline for cuts to return to Medicare, I am not willing to let Hoosier seniors suffer. As a result, I will withdraw my amendment if the interest of seniors across Indiana.

I look forward to working with the two leaders after the recess to fix this issue. I will not object.

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

Under the previous order, the Senate will proceed to the consideration of H.R. 1888, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1888) to prevent across-the-board direct spending cuts, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the clerk will now report the amendments numbered 1410 and 1411 by number.

Amendment No. 1410

The senior assistant legislative clerk read as follows:

The Senator from New Hampshire [Mrs. Shaheen] for herself and Ms. Collins proposes an amendment numbered 1410.

The amendment is as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. EXTENSION OF TEMPORARY SUSPENSION OF MEDICARE SEQUESTRATION.

(a) Extension.—

(1) In general.—Section 509(a) of division A of the CARES Act (2 U.S.C. 90a note) is amended by striking “March 31, 2021” and inserting “December 31, 2021”.

(2) Effective date.—The amendment made by paragraph (1) shall take effect as if enacted as part of the CARES Act (Public Law 116–19).

(b) Offset.—Section 251A(6)(C) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 90a(C)) is amended—

(1) in clause (i)—

(A) by striking “first 6 months” and inserting “first 5 ½ months”;

(B) by striking “4.0 percent” and inserting “2.0 percent”; and

(C) by striking “and” at the end;

(2) in clause (ii)—

(A) by striking “second 6 months” and inserting “6-month period beginning on the day after the last day of the period described in clause (i)”;

(B) by striking “0.0 percent.” and inserting “4.0 percent; and”;

and

(3) by adding at the end the following:

“(iii) with respect to the remaining ½ month in which such order is so effective for such fiscal year, the payment reduction shall be 0.0 percent.”.

SEC. 2. TECHNICAL CORRECTIONS.

(a) RURAL HEALTH CLINIC PAYMENTS.—

(1) In general.—Section 1837(a)(3) of the Social Security Act (42 U.S.C. 1395l(a)(3)) is amended—

(A) in subparagraph (A)—

(i) in clause (1), by striking subclauses (I) and (II) and inserting the following:

“(I) with respect to a rural health clinic that had a per visit payment amount established for services furnished in 2020—

“(aa) the per visit payment amount applicable to such rural health clinic for rural
poses an amendment numbered 1411 to SHARE.—Effective as if included in the enactment of the Consolidated Appropriations Act, 2021 (Public Law 116–260).

(b) ADDITIONAL AMOUNT FOR CERTAIN HOSPITALS WITH HIGH DISPROPORTIONATE SHARE.—Effective as if included in the enactment of section 320(a) of title II of division CC of Public Law 116–260, subsection (g) of section 1923 of the Social Security Act (42 U.S.C. 1396r–4), as amended by such section, is amended by adding at the end the following:

"(3) CONTINUED APPLICATION OF GRANDFATHERED TRANSITION RULE.—Notwithstanding paragraph (2) of this subsection (as in effect on October 1, 2021), paragraph (2) of this subsection (as in effect on September 30, 2021, and as applied under section 4721(e) of the Balanced Budget Act of 1997, and amended by section 607 of the Medicare, Medicaid, and SCHIP Balanced Budget Refinement Act of 1999 (Public Law 106–113)) shall apply in determining whether a payment adjustment for a hospital in a State referenced in section 4721(e) of the Balanced Budget Act of 1997 during a State fiscal year shall be considered consistent with subsection (c)."

AMENDMENT NO. 1411 TO AMENDMENT NO. 1409

The senior assistant legislative clerk read as follows:

The Senator from Florida (Mr. SCOTT) proposes an amendment numbered 1411 to amendment No. 1409.

The amendment is as follows:

(Purpose: To improve the bill)

Strike section 2(b)

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 1411.

The Senator from Florida (Mr. SCOTT) proposes an amendment numbered 1411 to amendment No. 1409.

The amendment is as follows:

(Purpose: To improve the bill)

Strike section 2(b)

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 1411.

The Senator from Florida (Mr. SCOTT) proposes an amendment numbered 1411 to amendment No. 1409.

The amendment is as follows:

(Purpose: To improve the bill)

Strike section 2(b)

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 1411.

The Senator from Florida (Mr. SCOTT) proposes an amendment numbered 1411 to amendment No. 1409.

The amendment is as follows:

(Purpose: To improve the bill)

Strike section 2(b)

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 1411.

The Senator from Florida (Mr. SCOTT) proposes an amendment numbered 1411 to amendment No. 1409.

The amendment is as follows:

(Purpose: To improve the bill)

Strike section 2(b)

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 1411.

The Senator from Florida (Mr. SCOTT) proposes an amendment numbered 1411 to amendment No. 1409.

The amendment is as follows:

(Purpose: To improve the bill)

Strike section 2(b)

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 1411.

The Senator from Florida (Mr. SCOTT) proposes an amendment numbered 1411 to amendment No. 1409.

The amendment is as follows:

(Purpose: To improve the bill)

Strike section 2(b)

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 1411.

The Senator from Florida (Mr. SCOTT) proposes an amendment numbered 1411 to amendment No. 1409.

The amendment is as follows:

(Purpose: To improve the bill)

Strike section 2(b)

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 1411.

The Senator from Florida (Mr. SCOTT) proposes an amendment numbered 1411 to amendment No. 1409.

The amendment is as follows:

(Purpose: To improve the bill)

Strike section 2(b)

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 1411.

The Senator from Florida (Mr. SCOTT) proposes an amendment numbered 1411 to amendment No. 1409.

The amendment is as follows:

(Purpose: To improve the bill)

Strike section 2(b)

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 1411.

The Senator from Florida (Mr. SCOTT) proposes an amendment numbered 1411 to amendment No. 1409.

The amendment is as follows:

(Purpose: To improve the bill)

Strike section 2(b)

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 1411.

The Senator from Florida (Mr. SCOTT) proposes an amendment numbered 1411 to amendment No. 1409.

The amendment is as follows:

(Purpose: To improve the bill)

Strike section 2(b)

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 1411.

The Senator from Florida (Mr. SCOTT) proposes an amendment numbered 1411 to amendment No. 1409.

The amendment is as follows:

(Purpose: To improve the bill)

Strike section 2(b)

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to a vote in relation to amendment No. 1411.

The Senator from Florida (Mr. SCOTT) proposes an amendment numbered 1411 to amendment No. 1409.

The amendment is as follows:

(Purpose: To improve the bill)

Strike section 2(b)
I urge my colleagues on both sides of the aisle to come together and help ensure that our Nation’s hospitals, nursing homes, physicians, and other healthcare providers have the support they need to get through the COVID–19 pandemic.

This substitute amendment that Senator COLLINS and I are offering is a compromise that delays the Medicare payment cuts through December 31 and ensures that the cost of this delay is paid for.

I hope you will support it.

Senator COLLINS.

Ms. COLLINS, Mr. President.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS, Mr. President, I rise today to support the Shaheen-Collins substitute to prevent a cut in Medicare reimbursements for hospitals, nursing homes, home health agencies and other healthcare providers who continue to care for their patients in this era of COVID. Congress twice last year suspended the 2-percent Medicare sequester in bipartisan COVID relief packages, and I hope we can do so once again.

At a time when our country is relying so heavily on our healthcare providers to help get us back to normal, we cannot ignore the financial realities they face. Almost half—17 out of 36—of Maine hospitals finished last year with a negative operating margin. According to the state’s Health and Human Services Board, Maine, relief from the Medicare sequester amounts to $1 million per month.

The Shaheen-Collins amendment will extend the current sequester moratorium until the end of the year. This financial certainty is needed in these uncertain times.

I urge my colleagues to support the Shaheen-Collins substitute.

Thank you.

VOTE ON AMENDMENT NO. 1410

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1410) in the nature of a substitute was agreed to.

The PRESIDING OFFICER. Under the previous order, the bill is considered read a third time.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. There are 2 minutes of debate.

Mrs. SHAHEEN. Mr. President, I rise today to urge my colleagues on both sides of the aisle to come together and help ensure that our Nation’s hospitals, nursing homes, physicians, and other healthcare providers have the financial support they need to get through the COVID–19 pandemic.

On March 25, 2020, this body came together and passed the CARES Act, by a 96–0 vote—exactly 1 year ago today.

The CARES Act helped to provide the resources needed to ramp up testing and vaccine development, and so many small businesses would have support to continue to pay their workers, and provide much-needed financial relief for healthcare providers on the frontlines of this pandemic.

A year later, we can start to see the light at the end of the very long tunnel that is this public health crisis. More than 100 million doses of COVID–19 vaccines have been administered across the country. And we are starting to see job growth as more companies start hiring again.

However, with hundreds of millions of Americans still needing to be vaccinated and the threat of COVID–19 variants still looming, we need to continue to support our frontline healthcare providers and help keep them financially strong for the months ahead.

That is why Senator COLLINS and I came together to introduce the Medicare Sequester Relief Act, a bill that would suspend the 2 percent Medicare payment cuts that are scheduled to hit healthcare providers starting on April 1.

As a result of the CARES Act and through subsequent relief measures, these payment cuts have been suspended through March 31, and they need to be lifted again.

With American hospitals and nursing homes projecting tens of billions of dollars in additional financial losses this year due to the COVID–19 crisis, we need to continue to avert these Medicare payment cuts until we are further past the worst of the pandemic.

The substitute amendment that Senator COLLINS and I are offering today is a reasonable compromise. It delays the Medicare payment cuts through December 31. And it ensures that the cost of this delay is paid for, so that we do not increase the Federal budget deficit.

This week, I heard from Wentworth-Douglass Hospital in Dover, NH.

They highlighted that this legislation would result in $2.1 million in desperately needed additional revenue for the hospital.

The hospital’s chief financial officer, Peter Walcek told me: “These are real dollars supporting our organization’s recovery from tens of millions in lost revenue and added costs during the pandemic. … By passing a continued moratorium through 2021, Wentworth-Douglass will be in a better place to care for those in need and respond to any future crises affecting the health of our community.”

I also heard about the importance of Medicare sequester relief for New Hampshire nursing homes. Patricia Ramsey, from the Edgewood Centre nursing facility in Portsmouth, NH, said “the Medicare sequestration suspension, although not a cure, will help us mitigate the added operating expenses and losses we continue to experience, especially with the exacerbated workforce shortages.”

I have heard stories like these from so many healthcare providers across New Hampshire, and I believe there are healthcare providers in each of our communities that would share similar stories.

We need to provide them with more financial support so that they can be there to care for patients, as we continue to make progress in combating this pandemic.

We cannot allow our hospitals and healthcare providers to go under as we fight through the worst public health crisis of our lifetimes.

I urge my colleagues to come together again, like we did in the CARES Act, and support this legislation when it comes up for a vote today.

Thank you.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, 30 seconds.

First of all, we are protecting the lifeline for senior citizens by delaying the sequester cut to Medicare. We would have extraordinary problems if this cut were to be allowed to take effect.

Second, we have defeated the Scott amendment which, if adopted, would have set a horrible precedent by refusing to fix Congress’s mistake and force hospitals in one Senator’s State to take on draconian Medicaid cuts.

I urge an “aye” vote.

VOTE ON H.R. 1868

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

Mr. MANCHIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Texas (Mr. CORNN), the Senator from Texas (Mr. CRUZ), the Senator from Mississippi (Mrs. HYDE-SMITH), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Kansas (Mr. MORAN), the Senator from Nebraska (Mr. Sasse), and the Senator from Alabama (Mr. TUBerville).

Further, if present and voting, the Senator from Nevada (Mr. Mora) would have voted “yea.”

The result was announced—yeas 90, nays 2, as follows:

Baldwin, Cassidy, Grassley
Bennet, Benn, Hagerty
Blackburn, Coons, Hassan
Barrasso, Cortez Masto, Hawley
Baumgartner, Cotton, Heinrich
Booher, Cramer, Hickenlooper
Boozman, Crapo, Hirono
Brown, Daines, Hoeven
Brown, Duckworth, Inhofe
Burr, Durbin, Kaine
Capito, Ernst, Kelly
Cassidy, Feinstein, Kennedy
Carper, Fischer, Kim
Carper, Gillibrand, Klobuchar
Casey, Graham, Lankford
The bill (H.R. 1868), as amended, was passed.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:
The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

MOTION TO PROCEED

Mr. SCHUMER. Madam President, I move to proceed to Calendar No. 13, S. 937, a bill to facilitate the expedited review of COVID–19 hate crimes, and for other purposes.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 13, S. 937, a bill to facilitate the expedited review of COVID–19 hate crimes, and for other purposes.

CLOSURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The closure motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOSURE 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 motion to proceed to Calendar No. 13, S. 937, a bill to facilitate the expedited review of COVID–19 hate crimes, and for other purposes.


Mr. SCHUMER. Finally, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, March 25, be waived.

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

MORNING BUSINESS

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senator from Tennessee be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

EQUAL PAY DAY

Mr. DURBIN. Mr. President, today is Equal Pay Day. It is a day when we come together to celebrate and honor the courage of women who have worked and continue to work on equal pay for equal work.

Women make up 55 percent of the workforce and are the primary or only economic breadwinner for millions of American families. But the gender pay gap is a tragedy, and we need to work harder to address it.

In 2019, the Equal Pay Act was passed, but the gender wage gap persists. Women earn, on average, just 81 cents for every dollar earned by men. Black women make just 63 cents for every dollar paid to White men. Hispanic women make only 55 cents on the dollar. In nearly every industry in our country, women’s median earnings remain less than their male counterparts.

There has been one profound change since the passage of the Equal Pay Act 58 years ago. Forty-one percent of women are now the primary-or only-breadwinners for their families.

In my own State of Illinois, women earn, on average, just 81 cents for every dollar earned by men. African-American women in Illinois make just 63 cents for every dollar paid to White males. Hispanic women are paid even less-just 49 cents on the dollar.

This pay discrimination hurts working families. More than one-third of households led by women in Illinois live in poverty. Over their lifetimes, this persistent pay equity gap across the country will cost the average woman in my State nearly $500,000 in lost wages.

This is not right, and it is not fair. And it means women have to work longer and harder to support their families and retire in dignity. And too many can’t achieve those goals no matter how long or hard they work.

The coronavirus pandemic has underscored just how deep and damaging pay inequality is in the United States. Nearly 2 in 3 frontline workers are women. Yet they-nearly universally-are paid less than men in the same roles.

For example, 88 percent of registered nurses are women. Yet they make 93 cents for every dollar a male nurse makes.

Women who work as home health aides, personal care aides, or nursing assistants typically lose $250 per month, or $3,000 per year, because of the gender wage gap.

While our economy is slowing starting to recover as people become vaccinated and the virus is brought under control, economists warn that it may take many women to recover from the economic and career setbacks they have suffered during this pandemic.

Four times as many women as men left the workforce in September of 2020 alone. More than 800,000 women compared to 216,000 men.

From wage discrimination to the unavailability of childcare, women are not getting a fair deal. That means working families are not getting a fair deal. That must change.

This Senate should pass the Paycheck Fairness Act reintroduced by Senator MURRAY.

The Paycheck Fairness Act would build on the successes of the Lilly Ledbetter Fair Pay Act, which was the first bill signed into law by President Obama back in 2009.

The Lilly Ledbetter Act prohibits gender-based pay discrimination, but it is hard to enforce because many employers still maintain policies that punish employees who voluntarily share salary information with their coworkers.

Hispanic women make only 55 cents on the dollar. Workers can’t demand equal pay if they don’t know that they are being underpaid.

The Paycheck Fairness Act would close loopholes that still permit retaliation against workers who disclose their wages.

It would prohibit employers from asking prospective employees about their salary history.

It would require that employers prove that pay disparities exist for legitimate, job-related reasons, not simply because they think that “women’s work” is worth less.

I am disappointed that Republican opposition has prevented the Senate from passing this bill, which is vital to the economic security of millions of American women and their families. But we are not giving up.

Women have carried America’s families and our economy through this pandemic. As the pandemic begins to end, so should the persistent pay discrimination against women.

I urge my colleagues across the aisle to commit to passing the Paycheck Fairness Act and working with us to close this gender wage gap once and for all.

DOMESTIC TERRORISM PREVENTION ACT

Mr. DURBIN. Mr. President, I’m reintroducing a piece of legislation that I first introduced in 2017: the Domestic Terrorism Prevention Act.

Back then, we knew there was an urgent need to address the crisis of hate and violent extremism in America.

In the years since, that crisis has only gotten worse, and Congress has failed to take meaningful steps to address it.

We can change that, and we can change it now.

Earlier this week, the Judiciary Committee held a hearing on gun violence in America.

It happened just one day after a mass shooting in Boulder, CO claimed 10 lives and just 1 week after a shooting spree in 3 Atlanta-area spas claimed 8 lives.

During the hearing, I mentioned how these tragedies—mass shootings, acts of terror, hate crimes—they occur with such frequency, that we can’t keep track.

Each life lost is added to our national tally of failure. A failure to save American lives.

And behind each number is a person.

We lost eight of them last week in the Atlanta area in a hateful act of violence.

Each of them had a name and a story.

Xiaojie Tan was a hard-working mother, wife, and business-owner.

Soon Chung Park was a mother and grandmother who loved to stay active.

Hyun Jung Kim was a former elementary school teacher who had immigrated to the United States from South
Korea. She dedicated her life to raising her two sons.

Delaina Ashley Yaun was a newlywed and a mother of two, one of whom was an 8-month-old baby. She and her husband were getting a couple’s massage at the time of the shooting.

Young Jie Tsang was a wife and mother of two sons who looked forward to sitting down for a traditional Korean dinner every Sunday night.

Paul Andre Michels was a loving husband and a U.S. Army veteran.

Daniel Daou had recently started working at one of the massage parlors that was attacked. She was described by a friend as “kind and quiet.”

Sooncha Kim was a wife, mother, grandmother, and avid line dancer. She and her husband had been married for 50 years.

All of their lives were cut short by a lone gunman with hate in his heart.

How many more lives must we lose before we act?

How many more vigils, funerals must we hold?

How many more families must be devastated forever?

While the motives behind these horrific attacks are still being investigated, it is impossible to ignore that six of the victims in the Atlanta attack were Asian-American women.

It happened at a moment when violence against members of the Asian-American and Pacific Islander community has been on the rise.

Two of my colleagues in the Senate have shown tremendous courage in the wake of last week’s attack in Atlanta.

I am proud to have Senator Hirono and Senator Duckworth as my colleague on the Senate Judiciary Committee, and I am proud to serve alongside Senator Duckworth and represent our home State of Illinois.

The two of them have, rightly, criticized the Federal Government for failing to protect members of the AAPI community from acts of hate and violent extremism.

And they have every reason to be angry.

A year ago, they warned us.

They—a long with Vice President Harris, who was serving in the Senate at the time—introduced a resolution expressing alarm that people are, quote, “living in fear and terror following the dramatic increase of threats and attacks against people of Asian descent.”

They called on us, the Members of this body, to have a “singular focus” on protecting the safety of AAPI people, along with every American.

We failed to do that.

Since the pandemic began last March, nearly 3,800 hate incidents targeting members of the AAPI community have been reported.

Now these Americans are afraid to walk the streets of their own neighborhood.

It is one of many examples that highlight the dire need to transform the way we deal with domestic terrorism in this country.

Even before the pandemic began, a tide of hatred had begun sweeping over America.

In 2019, the FBI reported that hate crimes had increased to the highest level in more than a decade.

Another report, from the Center for the Study of Hate and Extremism, found that the number of hate-motivated aggravated assaults in America had increased by nearly 50 percent between 2013 and 2019.

Since hate crimes are historically underreported, we know that the increase is probably much greater.

Recently, the Department of Homeland Security warned that violent, white supremacy is now “the most persistent and lethal threat in the homeland.”

Violent extremism is a threat to all of us, whether it is a lone gunman in Atlanta or hordes of blood-thirsty extremists battering down the doors of this very chamber.

The Domestic Terrorism Prevention Act will enhance the Federal Government’s ability to prevent these acts of extremist violence.

It will establish offices to combat domestic terrorism at the Department of Justice, the FBI, and the Department of Homeland Security.

Those offices would regularly assess the threat of violent extremism so law enforcement can focus their limited resources on the most significant ones.

The Domestic Terrorism Prevention Act would also provide training and resources to assist State, local, and tribal law enforcement in addressing those threats.

I want to thank Majority Leader Schumer for working expeditiously to bring this bill to the floor.

I want to thank Senators Hirono and Duckworth for their leadership and for joining me in cosponsoring a version of this legislation that combines the Domestic Terrorism Prevention Act with their COVID Hate Crimes Act.

This combined bill, which we have named the “Domestic Terrorism and Hate Crimes Prevention Act of 2021”, would both combat the broader threat of domestic terrorism and ensure that the Department of Justice is promptly addressing the particular threats facing the AAPI community.

Over the past week, in response to the attacks in Atlanta and Boulder, CO, I have heard Senators on both sides of the aisle make speeches about taking action to prevent acts of domestic terrorism.

Well, I can think of no better first step than voting in support of this legislation. To be clear, it is just one step. There is more we can and must do to combat domestic terrorism.

But we have been waiting 4 years too long to sign this bill into law.

Too many Americans have died.

Let’s work to save ourselves from another 4 years of unthinkable tragedies. I yield the floor.
(except that, at the request of the Committee on Banking, Housing, and Urban Affairs, any proposed legislation relating to subjects reported by the Committee on Foreign Relations shall be referred to the Committee on Banking, Housing, and Urban Affairs).

11. Intervention abroad and declarations of war.

12. Measures to foster commercial intercourse with foreign nations and to safeguard American interests abroad.


14. Ocean and international environmental and scientific affairs as they relate to foreign policy.

15. Protection of United States citizens abroad and expatriation.

16. Relations of the United States with foreign nations generally.

17. Treaties and executive agreements, except reciprocal trade agreements.


19. World Bank group, the regional development banks, and other international organizations established primarily for development assistance purposes.

The committee is also mandated by Senate Rule XXV.1(j)(2) to study and review, on a comprehensive basis, matters relating to the national security policy, foreign policy, and international policy as it relates to foreign policy of the United States, and matters relating to food, hunger, and nutrition in foreign countries, and report thereon from time to time.

(b) Oversight.—The committee also has a responsibility under Senate Rule XXV.1(a)(2), which provides that ‘‘. . . each committee shall have such powers of review and study, on a continuing basis, the application, administration, and execution of those laws or parts of laws, the subject matter of which is within the jurisdiction of the committee.’’

(c) ‘‘Advice and Consent’’ Clauses.—The committee has a special responsibility to assist the Senate in its constitutional function of providing ‘‘advice and consent’’ to all treaties entered into by the United States and to confirm the appointment of ambassadors and other public ministers and consuls.

The committee is also mandated by Senate Rule XXV.1(j)(2) to study and review, on a comprehensive basis, matters relating to the national security policy, foreign policy, and international policy as it relates to foreign policy of the United States, and matters relating to food, hunger, and nutrition in foreign countries, and report thereon from time to time.

(d) Public Announcement.—The committee, or any subcommittee thereof, shall make public announcement of the date, place, time, and subject matter of any meeting or hearing. Notice of any meeting or hearing shall be given to each member of the committee or subcommittee upon any request, the chairman does not call the meeting or hearing, and the request is referred to the ranking member of the committee or a subcommittee upon any request, the chairman does not call the meeting or hearing, and the request is referred to the ranking member of the committee or any subcommittee thereof, shall be governed by the rules of the full committee, subject to such authorizations or limitations as the committee may from time to time prescribe.

RULE 2—MEETINGS AND HEARINGS

(a) Regular Meeting Day.—The regular meeting day of the Committee on Foreign Relations for the transaction of committee business shall be on Wednesday of each week, unless otherwise directed by the chairman.

(b) Additional Meetings and Hearings.—Additional meetings and hearings of the committee shall be held as the chairman may deem necessary. If at least three members of the committee desire that a special meeting be called by the chairman, those members may file in the office of the committee their written request to the chairman for that special meeting. Immediately upon receipt of the request, the chief clerk of the committee shall notify the chairman of the filing of the request. If, within three calendar days after the filing of the request, the chairman does not call the requested special meeting, to be held within seven calendar days after the filing of the request, a majority of the members of the committee and the chairman of the committee may select and call an equal number of non-governmental witnesses to testify at that meeting.

(c) Hearings.—Except when funds have been specifically made available by the Senate for a subcommittee purpose, no subcommittee of the Committee on Foreign Relations shall be authorized to expend for a period of more than two years any funds without prior approval of the chairman of the full committee or by decision of the full committee. Hearings of subcommittees shall be governed by the rules of the full committee with the advice and consent of the full committee.

The provisions of this paragraph shall be governed by the rules of the full committee, subject to such authorizations or limitations as the committee may from time to time prescribe.

(d) Hearings.—Except when funds have been specifically made available by the Senate for a subcommittee purpose, no subcommittee of the Committee on Foreign Relations shall be authorized to expend for a period of more than two years any funds without prior approval of the chairman of the full committee or by decision of the full committee. Hearings of subcommittees shall be governed by the rules of the full committee with the advice and consent of the full committee.

The provisions of this paragraph shall be governed by the rules of the full committee, subject to such authorizations or limitations as the committee may from time to time prescribe.

SECTION III

(c) Hearings.—Except when funds have been specifically made available by the Senate for a subcommittee purpose, no subcommittee of the Committee on Foreign Relations shall be authorized to expend for a period of more than two years any funds without prior approval of the chairman of the full committee or by decision of the full committee. Hearings of subcommittees shall be governed by the rules of the full committee with the advice and consent of the full committee.

The provisions of this paragraph shall be governed by the rules of the full committee, subject to such authorizations or limitations as the committee may from time to time prescribe.

RULE 3—SUBCOMMITTEES

(a) Creation.—Unless otherwise authorized by law or Senate resolution, subcommittees shall be created by the committee and shall deal with matters within the jurisdiction of the committee as determined by the chairman and shall have legislative powers and duties as prescribed by the rules of the full committee.

(b) Assignments.—Assignments of members to subcommittees shall be made in an equitable fashion. No member of the committee may receive assignment to a second subcommittee until, in order of seniority, all members of the committee have been assigned to subcommittees and no member shall receive assignments to a third subcommittee until, in order of seniority, all members have been assigned to two subcommittees.

No member of the committee shall serve on more than four subcommittees at any one time.

The chairman and ranking member of the committee shall be ex officio members, without vote, of each subcommittee.
Attendance of committee staff at meetings and hearings shall be limited to those designated by the staff director or the minority staff director. The committee, by majority vote, or the chairman, with the concurrence of the ranking member, may limit staff attendance at specified meetings or hearings.

RULE 7—TESTIMONY

(a) Testimony.—For the purpose of taking sworn or unsworn testimony at any duly scheduled meeting a quorum of the committee and each subcommittee thereof shall consist of one member of such committee or subcommittee.

(b) Business.—A quorum for the transaction of committee or subcommittee business, including a request for an adjournment or recommendation to the Senate or the taking of testimony, shall consist of one-third of the members of the committee or subcommittee, including at least one member from each party.

(c) Reporting.—A majority of the membership of the committee, including at least one member from each party, shall constitute a quorum for reporting any measure or recommendation to the Senate. No measure or recommendation shall be ordered reported from a committee if less than a majority of the committee members is physically present, including at least one member from each party, and a majority of those present concur.

RULE 8—REPORTS

(a) Filing.—When the committee has ordered a report to the Senate or the taking of testimony, the report thereon shall be filed in the Senate at the earliest practicable time.

(b) Supplemental, Minority and Additional Views.—A member of the committee who gives notice of his intentions to file supplemental, minority, or additional views at the time of final committee approval of a measure or matter reported, shall have an opportunity to add views not less than 3 calendar days in which to file such views, in writing (including by electronic mail), with the chief clerk of the committee. The views shall be filed on the same day that the committee has ordered a measure or matter reported. Such views shall then be included in the committee report and printed in the same volume, as a part thereof, and their inclusion shall be noted on the cover of the report. In the absence of timely notice, the committee report may be filed and printed immediately without such views.

(c) Roll Call Votes.—The results of all roll call votes taken in any meeting of the committee may be ordered to be printed immediately without such views.

RULE 11—TRAVEL

(a) Foreign Travel.—No member of the Committee on Foreign Relations or its staff shall travel abroad on official business unless specifically authorized by the chairperson, who is required by law to approve vouchers and report expenditures of foreign personal travel pursuant to law. Re- quests for authorization of such travel shall state the purpose and, when completed, a full substantive and financial report shall be filed with the committee within 30 days. This report shall be furnished to all members of the committee and shall not be otherwise disseminated without authorization of the chairperson and the ranking member. Except in extraordinary circumstances, staff travel shall not be approved unless the reporting requirements have been fulfilled for all prior travel. Except for travel per- sonal, funded by non-U.S. Government sources is subject to the same approval and substantive reporting requirements as U.S. Government-funded travel. In addition, members and staff are reminded to consult the Senate Code of Conduct, and, as appropriate, the Senate Select Committee on Ethics.

RULE 12—NOMINATIONS

(a) Foreign Travel.—No member of the Committee on Foreign Relations or its staff shall travel abroad on official business unless specifically authorized by the chairperson, who is required by law to approve vouchers and report expenditures of foreign personal travel pursuant to law. Re- quests for authorization of such travel shall state the purpose and, when completed, a full substantive and financial report shall be filed with the committee within 30 days. This report shall be furnished to all members of the committee and shall not be otherwise disseminated without authorization of the chairperson and the ranking member. Except in extraordinary circumstances, staff travel shall not be approved unless the reporting requirements have been fulfilled for all prior travel. Except for travel per- sonal, funded by non-U.S. Government sources is subject to the same approval and substantive reporting requirements as U.S. Government-funded travel. In addition, members and staff are reminded to consult the Senate Code of Conduct, and, as appropriate, the Senate Select Committee on Ethics.

RULE 13—RULES OF THE COMMITTEE

(a) The committee shall conduct a public hearing on a treaty as soon after the submission by the President. Except in extraordinary circumstances, treaties reported to the Senate shall be accompanied by a written report.

RULE 14—COMMITTEE PROCEEDINGS

(a) Members of the Senate shall be limited to those designated by the committee.

(b) The committee shall conduct all meetings and public or closed hearing in accordance with the requirements of the Senate.

(c) The committee shall conduct all meetings and public or closed hearing in accordance with the requirements of the Senate.
shall be approved in advance by the staff director, or in the case of minority staff, by the minority staff director.

(c) Personal Staff Travel.—As a general rule, no more than one member of the official staff of a member of the committee may travel with that member with the approval of the chairman and the ranking minority member of the committee. During travel, the personal staff member shall be considered to be an employee of the committee.

(d) PRM Travel.—For the purposes of this rule members of the officially-designated personal representative of the member pursuant to rule 14(b), shall be deemed to have the same rights, duties, and responsibilities as members of the official staff of the Committee on Foreign Relations.

Rule 12—Transcripts and Materials Provided to the Committee

(a) General.—The Committee on Foreign Relations shall keep verbatim transcripts of all committee and subcommittee meetings and hearings and such transcripts shall remain in the custody of the committee, unless a majority of the committee decides otherwise.

(b) Classified orRestricted Transcripts or Materials.—

(1) The chief clerk of the committee shall have responsibility for the maintenance and security of classified or restricted transcripts or materials, and shall ensure that such transcripts or materials are handled in a manner consistent with the requirements of the United States Senate Security Manual.

(2) A record shall be maintained of each use of classified or restricted transcripts or materials as required by the Senate Security Manual.

(c) Declassification.—

(1) Any nonconcurrent records of the committee are governed by Rule XI of the Standing Rules of the Senate and by S. Res. 474 (96th Congress). Any classified transcripts or materials transferred to the National Archives and Records Administration under Rule XI may not be made available for public use unless they have been subject to declassification in accordance with applicable laws or Executive orders.

(2) Any transcript or classified committee report, or any portion thereof, may be declassified, in accordance with applicable laws or Executive orders, sooner than the time period provided for under S. Res. 474 if:

(A) the chairman originates such action, with the concurrence of the ranking member; or

(B) the other current members of the committee who participated in such meeting or report have been notified of the proposed declassification, and have not objected thereto, except that the committee by majority vote may overrule any objections thereby raised to early declassification; and

(C) the executive departments that participated in the meeting or originated the classified information have been consulted regarding the declassification.

Rule 13—Classified Information

(a) General.—The handling of classified information in the Senate is governed by S. Res. 243 (100th Congress), which established the Office of Security as the Office responsible for the administration of foreign programs of the United States. Significant trends or developments which might otherwise escape notice shall be called to the attention of the committee, or of individual Senators with particular interests.

(b) Security Manager.—The chief clerk is the security manager for the committee. The chief clerk shall be responsible for implementing the provisions of the Senate Security Manual and for serving as the committee liaison to the Office of Senate Security. Any member of the staff designated by the minority staff director, may appoint an alternate security manager as circumstances warrant.

(c) Transportation of Classified Material.—

Classified material may only be transported between Senate offices by appropriately cleared staff members who have been specifically authorized to do so by the security manager.

(d) Access to Classified Material.—In general, Senators and staff undertake to confine their access to classified information to the basis of a "need to know" such information related to their committee responsibilities.

(e) Staff Clearances.—The chairman, or, in the case of minority staff, the ranking member, shall designate the members of the committee whose assignments require access to classified and compartmented information and shall seek to obtain the requisite security clearances pursuant to Office of Senate Security procedures.

Clearances. The purposes of this rule regarding security clearances and access to compartmented information, the officially-designated personal representative of the member (PRM) pursuant to rule 14(b), shall be deemed to have the same rights, duties, and responsibilities as members of the committee.

(g) Regulations.—The staff director is authorized to make such administrative regulations as may be necessary to carry out the provisions of this rule.

Rule 14—Staff

(a) Responsibilities.—

(1) The staff works for the committee as a whole, under the general supervision of the chairman of the committee, and the immediate direction of the staff director, except that such part of the staff as is designated the PRM shall be under dual supervision of the ranking member and under the immediate direction of the minority staff director.

(2) Any member of the committee should feel free to call upon the staff at any time for assistance in connection with committee business. Members of the Senate not members of the committee may overrule any objections thereby raised to early declassification.

(3) The staff for assistance from time to time should be called to the attention of the committee, or of individual Senators with particular interests.

(4) It is part of the staff’s duty to keep itself as well informed as possible in regard to developments affecting foreign relations and national security and in regard to the administration of foreign programs of the United States. Significant trends or developments which might otherwise escape notice shall be called to the attention of the committee, or of individual Senators with particular interests.

(5) The staff shall pay due regard to the constitutional separation of powers between the Senate and the executive branch. It therefore has a responsibility to help the committee bring to bear an independent, objective judgment of proposals by the executive branch and when appropriate to originate sound proposals of its own. At the same time, the staff shall avoid impinging upon the day-to-day conduct of foreign affairs.

(6) In those instances when committee action requires the expression of minority views, the staff should do so fully as the majority to the end that all points of view may be fully considered by members of the committee and of the Senate. The staff shall be in mind that under our constitutional system it is the responsibility of the elected members of the Senate to determine legislative issues in the light of the information and the views of the facts as the staff may be able to obtain.

(b) Personal Representatives of the Member (PRM).—Each Senator on the committee may designate and authorize one personal staff member as the member’s personal representative of the member and designee to
the committee (PRM) that shall be deemed to have the same rights, duties, and responsibilities as members of the staff of the Committee on Foreign Relations where specifically provided for under these rules.

(c) Restrictions.—

(1) The staff shall regard its relationship to the committee as a privileged one, in the nature of a lawyer to a client. In order to protect this relationship and the mutual confidence which must prevail if the committee-staff relationship is to be a satisfactory one, the following criteria shall apply, unless staff has consulted with and obtained, as appropriate, the approval of the Senate Ethics Committee and any information from the staff director (or the minority staff director in the case of minority staff).

(A) members of the staff shall not be identified with any special interest group in the field of foreign relations or allow their names to be used by any such group; and

(B) staff shall not accept public speaking engagements or write for publication in the field of foreign relations.

(2) The staff shall not discuss their private conversations with any member of the committee without specific advance permission from the Senator or Senators concerned.

(3) The staff shall not discuss with anyone the pending business of the committee in closed session or reveal information conveyed or discussed in such a session unless that person would have been permitted to attend the session or to be a member or staff of a relevant committee or executive branch agency and possesses an appropriate security clearance, or unless such communication is specifically authorized by the staff director or minority staff director. Unauthorized disclosure of information from a closed session or of classified information shall be cause for immediate suspension and may, in certain cases, be grounds for criminal prosecution.

RULE 15—STATUS AND AMENDMENT OF RULES

(a) Status.—In addition to the foregoing, the Committee on Foreign Relations is governed by the Standing Rules of the Senate, which shall take precedence in the event of a clear inconsistency. In addition, the jurisdiction and responsibilities of the committee with respect to matters, such as the timing and procedure for their consideration in committee, may be governed by statute.

(b) Amendment.—These rules may be modified, amended, or repealed by a majority of the committee, provided that a notice in writing (including by electronic mail) of the proposed change has been given to each member at least 72 hours prior to the meeting at which action thereon is to be taken. However, rules of the committee which are based upon Senate rules may not be superseded by committee vote alone.

TRIBUTE TO JOE HACK

Mrs. FISCHER. Mr. President, every Senator depends on their staff to provide them with information and advice on the issues. Every Senator knows the importance of having good staff who can respond to their questions and concerns. Joe Hack is such a staff member. He has been fortunate in dealing with the Federal bureaucracy. And every Senator believes that their staff members are the most prepared, the most conscientious, and the most caring people in the U.S. Senate.

I know that my staff is. I have been fortunate with the people who have joined my team to work for the great State of Nebraska. I have been extremely fortunate that Joe Hack has been a member of Team Fischer since my very first day as a U.S. Senator. Joe officially joined my team as my communications director on that first day. He was not new to the Senate; he had first arrived here as an 18-year-old intern. On our first day in 2013, he immediately got to work with his new boss in getting out press releases, reaching out to State and national media, and helping me continue my practice of writing a weekly column for media back home.

Joe never missed a beat. He helped guide me through the traditions and inner workings of the Senate and through the tunnels of the Russell Building. After 2 years, Joe Hack became my chief of staff, the youngest chief in the Senate at that time. Joe set the tone I wanted for my office. Be professional, take your job seriously, be honest, get along with your colleagues, always respond to constituents, gather all the information we need on an issue and then get more, and work hard. Joe’s closing to every email and every staff meeting was always, ‘‘Work harder.’’

And he set the example for all of these. Joe was involved in every major piece of legislation we have accomplished, from passing the first-ever paid family leave law to the FAST Act, our Internet of Things, broadband, infrastructure, and agriculture issues. He guided the Omaha VA clinic from inception to completion, and he will see the Lincoln VA clinic open and the Offutt Air Force Base runway completely rebuilt. He knew the importance of securing funding for Nebraska highway and water projects and for the continued growth of our university system. He was part of every success.

Joe knows Nebraska, and Nebraskans know Joe. He knew instinctively that the people of our State are why we do this work. We represent them. Joe has attended statehood dinners in our Capitol Rotunda, gone to Husker tailgates and games, he loves browsing at Golfs and a good meal at Rosita’s. He knows which Nebraska hotels have the best gym, where every Runza drive-thru is located in the State, and where to find the best steaks. He has shared BBQ at our ranch with family, neighbors and the U.S. Secretary of Ag. He is also addicted to Colby Ridge popcorn balls. He buys them in bulk, and he doesn’t share.

He has attended countless Nebraska breakfasts and constituent meetings in Washington. He has worked hard for the people of Nebraska. Joe has traveled the vastness of our State, understanding its diversity and standing in awe while viewing our skies, sunrises and sunsets, our clouds, and the majesty of our night stars. He felt in love with ‘‘The Good Life’’. A New Jersey guy became a Nebraskan.

Joe has been by my side since my very first day in the Senate, and now, he is moving on to new opportunities. He has been a mentor to many, my trusted policy and political adviser, and a leader whose admonition to ‘‘work harder’’ became our office mantra. Joe has smoothed the waters and ruffled feathers.

Joe Hack is a friend. He is family. I wish him only the best as he meets new challenges and faces new adventures in his life.

Thank you, Joe.

ADDITIONAL STATEMENTS

TRIBUTE TO CELEA POITRA AND GAHGE WHITEMANRUNSHIM

Mr. DAINES. Mr. President, this week, I have the honor of recognizing Celea Poitra and Ga ghe Whitemanrunshim of Big Horn County for courageously stepping up to help others in the face of danger. They exhibit strong Montana values, and their dedication to helping others is admirable.

Celea and Ga ghe were in their grandmother’s pickup truck heading to a dentist appointment on Saturday, February 27, 2021, when they witnessed a devastating 30-vehicle pileup on the Yellowstone River Bridge outside Billings, MT. Dozens of vehicles crashed into each other on the icy interstate highway bridge. After their truck came to a stop, Celea and Ga ghe piled out of the vehicle with a mother and two kids hanging partially off the guardrail of the bridge. Celea and Ga ghe did not hesitate to step in and help. However, the impact from other vehicles hitting the pile-up knocked both of them off of the bridge, and they fell to the ground about 60 feet below.

They sustained serious injuries when they fell and are recovering in Billings’ hospital. Celea was treated for a broken back, lacerated kidney, and other injuries. She was in an intensive care unit and is expected to need multiple surgeries. Ga ghe suffered a fractured neck, punctured lung, and other injuries. Their grandmother and guardian, Joan, stated that it is very much in her children’s nature to go out of their way to help someone.

It is my distinct honor to recognize Celea and Ga ghe for demonstrating such bravery to help others in need and I rise for their swift recovery. Their selflessness serves as an inspiration to all Montanans.

REMEMBERING MARLENE BANE

Mr. PADDILLA. Mr. President, today I rise to recognize the life of Ms. Marlene Bane.

Marlene answered the highest calling of dedication to her country, her State, and her local community. Along with her husband, Assemblyman Tom Bane, she served our State government through a blend of intelligence, soft-spoken charm, organization, and, most of all, dear friends and
relatives. She spent a lifetime engaged in political consulting and nonprofit projects such as lupus research and the Jewish Home for the Aging.

Marlene worked tirelessly to improve California and serve those most in need. She was well known and loved throughout L.A.’s Jewish community for her civic activism and support for Israel.

Marlene was renowned for mentoring an amazing number of our political leaders on how to serve constituents with excellence and commitment. Up until the last week of her life, she threw herself into the cause of supporting candidates. She believed in the commandment of Tikkun Olam, that she must leave the world better than she found it. It is undeniable that she left those who knew her better off for having known her.

**REMEMBERING ANTONIO GONZALEZ**

- Mr. PADILLA. Mr. President, I would like to include in the RECORD the following obituary for Mr. Antonio Gonzalez, written by his children.

The material follows:

Beloved Antonio Gonzalez made his transition to the next world on December 30, 2020. Born in Calera in the state of Zacatecas, Mexico on March 30, 1941, he was the eldest of four children born to Antonio Gonzalez and Antonia Del Villar. The Gonzalez family spent their early years living with Antonio’s maternal grandparents in a small town in Calera. Antonio shared fond memories of times spent on his grandparent’s abundant ranch. He described what seemed to him an endless landscape of rolling hills, trees, livestock and horses (his favorite).

Hard times fell on the young family around their time Antonio turned eight. A sudden regime change resulted in his dad losing his job, forcing them to set their sights “north” in search for work and a better life. Their trek north ended in what was (at the time) a small dusty town just south of the California border. It was there, in Tecate, BC where he and his siblings spent their formative years. Antonio’s Margarita and Maria de la Luz were raised and attended school. But, with a lack of good paying jobs, times remained tough in Tecate. Antonio would work odd jobs throughout his childhood and adolescence; a shoe shiner, sweeper—anything to help ensure that there was food on the table.

As soon as Antonio set his sights on completing the journey north—to the U.S. In 1971, shortly after marrying Florentina “Nina” Herrera, he made his way to Los Angeles, the San Fernando Valley—a sleepy suburb of LA at the height of rock and roll, disco, and bell bottoms.

Antonio worked just about anywhere where hard work was needed—maintenance work at a convalescent hospital, landscape, you name it. But his fate would change when he landed a job at a large construction company. I’m not sure what it was about ‘construction’ that he loved. Perhaps it was the job stability or the early start to the day where he could greet the sunrise on his way to work. Or maybe it was the art of building—the satisfaction of erecting a structure where only a plot of land existed—a tangible outcome only accomplished by hard work and sweat. Over the years, he had become somewhat of an infrastructure historian, recalling with such clarity the buildings he helped build and rehabilitate in the San Fernando Valley, Downtown LA, Santa Monica, and Malibu.

He dedicated most of his life to erecting buildings and working hard for the building homes for his family both in the San Fernando Valley and in Tecate, BC. Antonio built his family home, simple and unpretentious yet on a solid foundation with strong bones. In fact, as time would prove, there’s nowhere else his family would prefer to be in an earthquake but under the protection of those homes, they weathered together with pride and affection. Even in his retirement years, Antonio never stopped building.

Antonio was a great provider for his family. Through his hard work and dedication, he showed his children that the true American dream could be achieved—of buying a home, raising a family and ensuring a better future for the next generation.

He is survived by his wife, “Nina”, son David, daughter Maria Ines and son-in-law Joe, daughter Sandra and son-in-law James, son Christian and grandchildren Javier, Sol, Enna and Julian. Siblings Antonio, Margarita and Maria de la Luz and many loving nieces and nephews. He was preceded in death by his father Antonio Gonzalez and mother, Antonia Del Villar.

**REMEMBERING JOE “PINOY” LOZANO**

- Mr. PADILLA. Mr. President, I rise to recognize the life of Mr. Joe Lozano. Joe “Pino” Lozano was born on December 26, 1934, in Pacoloma, CA, as one of 10 children. Joe had every job you can imagine. He shined shoes and worked in the fields as a young boy. He joined the U.S. Marine Corp in 1954 and served during the Korean war as an infantryman.

After the service, he married the love of his life, Virginia. They were married for 60 years and had 6 children, 21 grandchildren, 26 great-grandchildren, and 1 great-great-grandchild.

Joe was an accomplished and experienced person. After his family, his community came first. He painted over graffiti, he helped beautify the streets, and he even mowed the grass on the center divider of his street when the city was too busy to do it.

Joe worked as a prop maker for the studios for many years. He had tons of stories, and he loved his job. He retired, went back to work, and only stopped again to care for his wife when she became ill.

Since 2004, Joe worked with the annual San Fernando Valley Veterans Day Parade organizing committee so that Veterans could be honored on Veterans Day.

He will be missed by many.

**RECOGNIZING VERMONT MEALS ON WHEELS**

- Mr. SANDERS. Mr. President, I would like to take a moment to recognize the invaluable work of Vermont’s Meals on Wheels Programs. Each March, we celebrate March for Meals to draw attention to the incredible work of Meals on Wheel throughout the country, including in my home State of Vermont. All across our State, hundreds of volunteers regularly deliver freshly cooked, nutritious meals to thousands of older people in their homes, many of whom otherwise might not have enough food. These volunteers play a critically important role in helping ensure that older Vermonters have access to adequate nutrition. In and of itself, that is no small matter.

In a typical year, Meals on Wheels volunteers do so much more than delivering meals. These volunteers provide critical social interaction for the people they visit, which goes a long way to combat the effects of isolation that many Vermonters face, especially in rural areas. Without this social interaction, seniors are more likely to have feelings of loneliness and depression, which puts them at higher risk for depression and suicide.

During the COVID–19 pandemic, Vermonters have literally saved Vermonters’ lives by following up when no one answers the door, taking the time to discover that someone had fallen and been injured.

In addition to the many Meals on Wheels volunteers throughout Vermont, I also want to recognize and thank the caring and dedicated professionals who run Meals on Wheel Programs. From the chefs who prepare the nutritious meals with skill and care, to the program staff who ensure that everything runs smoothly, these Vermonters are the backbone of what makes Meals on Wheels the success that it is. In March, when so much of our State shut down due to the pandemic, these dedicated people immediately pivoted to expand Meals on Wheels and ensure that any older Vermonters who wanted meals could get one. This was particularly important for all those who had previously relied on congregate meal programs, which were unsafe during the pandemic.

Together, every single Meals on Wheels volunteer and staff person forms an indispensable link in our social safety net and has my sincere appreciation for their remarkable work. As more and more Vermonters are now vaccinated and the State begins a careful reopening, following the science and ensuring the safety of all our people, I look forward to a day when I and...
my Vermont staff can once again visit the Meals on Wheels Program and meet with my Vermont staff can once again visit the Meals on Wheels Program and me meet with my Vermont staff can once again visit the Meals on Wheels Program and meet with my Vermont staff can once again visit the Meals on Wheels Program and meet with

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Roberts, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MEASURES DISCHARGED PETITION

We, the undersigned Senators, in accordance with chapter 8 of title 5, United States Code, hereby direct that the Senate Committee on Rules and Administration discharge the following measures and that the Senate receive the petition which accompanied them:

S. J. Res. 13, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Rulemaking Division, Federal Register, Office of the Federal Register, National Archives and Records Administration, pursuant to 5 U.S.C. 802(c), and placed on the calendar:

The following joint resolution was discharged from the Committee on Rules and Administration, Labor, and Pension, by petition, pursuant to 5 U.S.C. 802(c), and placed on the calendar:

S. J. Res. 13. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Equal Employment Opportunity Commission relating to “Update of Commission’s Conciliation Procedures”, and further, that the resolution be immediately printed at the end of the Senate Calendar under General Orders.


MEASURES DISCHARGED

The following joint resolution was discharged from the Committee on Environment, Energy, Labor, and Pension, by petition, pursuant to 5 U.S.C. 802(c), and placed on the calendar:

S. J. Res. 13. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Equal Employment Opportunity Commission relating to “Update of Commission’s Conciliation Procedures”. Further, that the resolution be immediately printed at the end of the Senate Calendar under General Orders.


MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 963. A bill to authorize dedicated domestic terrorism offices within the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation to analyze and monitor domestic terrorism, to require the Federal Government to take steps to prevent domestic terrorism, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and are为此 siculated:

EC–651. A communication from the Associate General Counsel for Legislation and Regulations, Office of General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled “Adjustment of Civil Monetary Penalty Amounts for 2021” (RIN2505–AD34) received in the Office of the President of the Senate on March 23, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC–653. A communication from the Congressional Assistant, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled “Netting Eligibility for Financial Institutions” (RIN7100–AF48) received in the Office of the President of the Senate on March 23, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC–654. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Arkansas; Regional Haze and Visibility Transport State Implementation Plan Revisions” (FRL No. 10019–63–Region 6) received in the Office of the President of the Senate on March 23, 2021; to the Committee on Environment and Public Works.

EC–655. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Wisconsin; Partial Approval and Partial Disapproval of the Rhineland SO2 Nonattainment Area Plan” (FRL No. 10021–23–Region 5) received in the Office of the President of the Senate on March 23, 2021; to the Committee on Environment and Public Works.

EC–656. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Pennsylvania; 1997 8-hour Ozone NAAQS Second Maintenance Plan for the Centre County (State College) Area” (FRL No. 10021–23–Region 3) received in the Office of the President of the Senate on March 23, 2021; to the Committee on Environment and Public Works.

EC–657. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Wisconsin; Partial Approval and Partial Disapproval of the Rhineland SO2 Nonattainment Area Plan” (FRL No. 10021–23–Region 5) received in the Office of the President of the Senate on March 23, 2021; to the Committee on Environment and Public Works.

EC–658. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Implementing Plans; Designation of Area for Air Quality Planning Purposes; California; South Coast Moderate Area Plan and Reclasification as Serious Nonattainment for the 2012 PM2.5 NAAQS; Correcting Amendment” (FRL No. 10019–7–OAR) received in the Office of the President of the Senate on March 23, 2021; to the Committee on Environment and Public Works.

EC–659. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Regulations Governing the Take of Migratory Birds; Delay of the Effective Date” (RIN1315–BD76) received in the Office of the President of the Senate on March 23, 2021; to the Committee on Environment and Public Works.

EC–660. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Arkansas; Regional Haze and Visibility Transport State Implementation Plan Revisions” (FRL No. 10019–63–Region 6) received in the Office of the President of the Senate on March 23, 2021; to the Committee on Environment and Public Works.

EC–661. A communication from the Secretary of the Army, transmitting, pursuant to law, the report of a rule entitled “Annual Report to Congress on the Activities of the Western Hemisphere Institute for Security Cooperation (WHINSEC) for fiscal year 2019”; to the Committee on Foreign Relations.

EC–662. A communication from the Senior Director of Government Affairs and Corporate Communications, National Railroad Passenger Corporation, Amtrak, transmitting, pursuant to law, other materials required to accompany Amtrak’s Grant and Legislative Report for fiscal year 2021; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment and with a preamble:

* A resolution commending the United States African Development Foundation on the occasion of its 40th anniversary for creating pathways to prosperity for underserved communities on the African continent through community-led development.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Ms. CANTWELL for the Committee on Commerce, Science, and Transportation.

* Polly Ellen Trottenberg, of New York, to be Deputy Secretary of Transportation.

* Coast Guard nomination of Jerry L. Smith, to be Commander.

* Coast Guard nomination of Lisa O. Monaco, of the District of Columbia, to be Deputy Attorney General.

* 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.
CONGRESSIONAL RECORD — SENATE
S1813

March 25, 2021

Mr. MARKEY: S. 965. A bill to establish a voluntary program to identify and promote internet-connected products that meet industry-leading cybersecurity and data security standards, and connected products that meet industry-leading guidelines, best practices, methodologies, procedures, and processes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MARKEY (for himself, Mr. BLUMENTHAL, Mr. BOOKER, Mr. CARDIN, Mr. DURBIN, Mrs. FEINSTEIN, Ms. GILLIBRAND, Mr. HIRONO, Mr. KING, Ms. KLOBUCAR, Mr. LEAHY, Mr. MERKLEY, Mr. MURPHY, Ms. ROSEN, Mr. SANDERS, Ms. SANCHEZ, S. STARKES, Mr. VAN HOLLEN, Ms. WARREN, and Mr. WYDEN):

S. 966. A bill to require the Administrator of the National Oceanic and Atmospheric Administration to establish a Climate Change Education Program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BLUNT (for himself, Ms. HIRONO, Ms. COLLINS, Ms. KLOBUCAR, Ms. MURKOWSKI, and Ms. DUCKWORTH):

S. 967. A bill to provide for the automatic acquisition of United States citizenship for certain internationally adopted individuals, and for other purposes; to the Committee on the Judiciary.

By Mr. COTTON:

S. 968. A bill to prohibit the United States Armed Forces from promoting anti-American and racist theories; to the Committee on Armed Services.

By Mr. PAUL:

S. 969. A bill to establish Federal Regulatory Review Commissions, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PAUL:

S. 970. A bill to reduce the backlog of foreign nationals seeking employment-based visas, and for other purposes; to the Committee on the Judiciary.

By Mr. MARKEY (for himself, Mr. SASSE, Mr. BLUNT, Mr. SCHATZ, Ms. COLLINS, and Mr. BENNET):

S. 971. A bill to amend the Public Health Service Act to authorize a program on children and the media within the National Institutes of Health and develop the health and developmental effects of technology on infants, children, and adolescents; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself and Ms. WARREN):

S. 972. A bill to reauthorize the Essex National Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. LUMMIS (for herself, Mr. BARR, Mr. CRAPO, Mr. DAINES, and Mr. RISCH):

S. 973. A bill to direct the Secretary of the Interior to reissue a final rule relating to moving the Gila River Yellowstone Ecosystem population of grizzly bears from the Federal list of endangered and threatened wildlife, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MENENDEZ (for himself, Mr. MARKEY, Mr. DURBIN, Mr. BLUMENTHAL, Mr. MURPHY, Mr. BOOKER, Mr. REED, and Mrs. GILLIBRAND):

S. 974. A bill to repeal certain impediments to the administration of firearms laws; to the Committee on the Judiciary.

By Mr. CARPER (for himself, Mr. BURR, Ms. CORTÉZ MASTO, and Ms. STARKES):

S. 975. A bill to amend the Internal Revenue Code of 1986 to extend and modify the credit for alternative fuel vehicle refueling property; to the Committee on Finance.

By Mr. TESTER (for himself and Mr. BOOZMAN):

S. 976. A bill to amend title 38, United States Code, to improve eligibility for dependency and indemnity compensation paid to certain survivors of certain veterans, and for other purposes; to the Committee on Veterans’ Affairs.

By Mr. GRASSLEY (for himself, Ms. KLOBUCAR, Mr. LEE, and Mr. LEAHY):

S. 977. A bill to amend the Sherman Act to make oil-producing and exporting cartels illegal; to the Committee on the Judiciary.

By Ms. SMITH (for herself, Mr. HOEVEN, Mr. BOOKER, Mrs. CAPITO, Mr. SCHUMACHER, Ms. CORNWELL, Mr. KELLY, Mr. CRAWFORD, Mr. HIRONO, Mr. DAINES, Ms. KLOBUCAR, Ms. EMNIEV, Mr. PETERS, Mr. MORAN, Mr. ROUNDS, Mr. SCOTT of South Carolina, Mr. TILLIS, Mr. MARSHALL, and Ms. BALDWIN):

S. 978. A bill to provide for the adjustment or modification by the Secretary of Agriculture of loans for critical rural utility service providers, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. WYDEN (for himself, Ms. KLOBUCAR, Mr. MARKEY, Mr. DURBIN, Mr. WARNock, Mr. BOOKER, Mrs. GILLIBRAND, Mr. MENENDEZ, Ms. BALDWIN, Mr. VAN HOLLEN, Ms. DUCKWORTH, Mrs. FEINSTEIN, Mr. MERKLEY, Mr. SANDERS, Mr. BLUMENTHAL, and Mrs. MURRAY):

S. 979. A bill to amend the Consolidated Appropriations Act, 2021 to authorize additional funds for the Emergency Broadband Connectivity Fund, to provide grants to States and Tribes to Strengthen the National Lifeline Eligibility Verifier, to provide for Federal coordination between the National Lifeline Eligibility Verifier and the National Phone Number Commission, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. HAGERTY:

S. 980. A bill to restrict funds to local educational agencies that have obligated previously appropriated funds and reopen schools for in-person learning; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MURPHY (for himself, Ms. CANTWELL, Mr. WYDEN, Mr. MERKLEY, and Mr. HIRONO):

S. 981. A bill to amend the Federal Assets Recovery Improvement Act of 1996 to reduce the production and use of certain single-use plastic products and packaging, to impose the responsibility of producers in the design, collection, reuse, recycling, and disposal of their consumer products and packaging, to prevent pollution from consumer products and packaging from entering into animal and human food chains and waterways, and for other purposes; to the Committee on Finance.

By Mr. CARPER (for himself, Mr. WHITEHOUSE, and Mr. HINCHICH):

S. 982. A bill to amend the Internal Revenue Code of 1986 to provide direct payments for the renewable energy production tax credit, the energy credit, and the carbon oxide sequestration credit; to the Committee on Finance.

By Ms. SMITH (for herself, Ms. CAPTRO, Mr. WHITEHOUSE, Mr. CRAMER, Mr. SCHATZ, Mr. HOEVEN, Mr. MANCHIN, Mr. BARRASSO, Mr. COONS, Mr. GRASSLEY, Mr. LUGAR, Ms. ERNST, Mr. DURBIN, and Ms. KLOBUCAR):

S. 983. A bill to amend the Internal Revenue Code of 1986 to provide for a 5-year extension of the carbon oxide sequestration credit, and for other purposes; to the Committee on Finance.

By Mr. PORTMAN (for himself, Mr. WHITEHOUSE, Ms. KLOBUCAR, Mrs. SHAHSEN, Ms. CANTWELL, and Mrs. CAPITO):

S. 984. A bill to provide support with respect to the prevention of, treatment for, and recovery from, substance use disorder; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHATZ (for himself, Ms. CANTWELL, Mr. WYDEN, Mr. MERKLEY, and Ms. HIRONO):

S. 985. A bill to provide competitive grants for the promotion of Japanese American confinement education as a means to understand the importance of democratic principles, use and abuse of power, and to raise awareness about the importance of cultural tolerance toward Japanese Americans, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCHATZ (for himself and Ms. SMITH):

S. 986. A bill to establish a Native American language resource center in furtherance of the policy set forth in the Native American Languages Act; to the Committee on Indian Affairs.

By Mr. HINCHICH:

S. 990. A bill to reauthorize the Northern Rio Grande National Heritage Area; to the Committee on Energy and Natural Resources.

By Mr. SANDERS:

S. 991. A bill to amend the Internal Revenue Code of 1986 to modify the treatment of foreign corporations, and for other purposes; to the Committee on Finance.

By Mr. BOOKER (for himself, Mr. DURBIN, Ms. KLOBUCAR, Mrs. FEINSTEIN, Mr. BLUMENTHAL, Mr. BROWN, and Ms. HIRONO):

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)
S. 992. A bill to amend title IV of the Higher Education Act of 1965 to require institutions of higher education that participate in programs under such title to distribute voter registration materials to students enrolled at the institution, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MURBIO (for himself, Ms. ENSNIT, and Mr. KENNEDY):

S. 993. A bill to prohibit certain business concerns from receiving assistance from the Small Business Administration, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Ms. SANDERS (for herself, Mrs. WHITEHOUSE, Mr. VAN HOLLEN, and Mr. REED):

S. 994. A bill to amend the Internal Revenue Code of 1986 to provide assistance to educate and train students to participate in the telecommunications workforce; to the Committee on Commerce, Science, and Transportation.

By Ms. BALDWIN:

S. 995. A bill to amend the Stop Student Debt Relief Scams Act of 2019 to make technical corrections; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COONS (for himself, Ms. SINEMA, and Mr. SCOTT of South Carolina):

S. 996. A bill to award grants to certain institutions of higher education to educate and train students to participate in the telecommunications workforce; to the Committee on Commerce, Science, and Transportation.

By Ms. KLOBUCHEB (for herself, Mr. WICKER, Mr. COONS, and Mr. PORTMAN):

S. 997. A bill to establish the Office of Manufacturing and Industrial Innovation Policy and strategic national manufacturing policy for the nation; to provide for manufacturing and industrial perspective and advice to the President, to provide for a comprehensive survey and cross administration management of efforts to ensure global leadership in manufacturing critical to the long-term economic health and national security of the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. COONS (for himself, Mr. WICKER, Mr. DURBIN, Mr. GRASSLEY, Mr. VAN HOLLEN, Mr. BOOZMAN, Mr. BLUMENTHAL, Ms. ENSNIT, Ms. WYDEN, and Mr. LANKFORD):

S. 998. A bill to provide grants to States that issue and maintain electronic license plates of vehicles; to provide for the revocation or renewal of a driver’s license of a person or refuse to renew a registration of a motor vehicle for failure to pay a civil or criminal fine or fee, and for other purposes; to the Committee on the Judiciary.

By Mr. WARNER (for himself, Mrs. BLACKBURN, Mr. CORNYN, Mr. WARKINSON, and Mr. KAIN):

S. 999. A bill to amend the title XVIII of the Social Security Act to preserve access to rural health care by ensuring fairness in Medicare home health payments; to the Committee on Finance.

By Mr. KAIN (for himself and Mr. WARNER):

S. 1000. A bill to designate additions to the Rough Mountain Wilderness and the Ritch Hole Wilderness of the George Washington National Forest, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LANKFORD (for himself, Mr. JOHNSON, Mr. SOUTH, Mr. WARRIN, Mr. BARRASSO, and Mr. HAGERTY):

S. 1001. A bill to establish a commission to review certain regulatory obstacles to preparedness for, and recovery from, the COVID-19 pandemic and other pandemics, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CASEY (for himself, Mr. BALLENGIN, and Mr. STARNES): S. 1002. A bill to prohibit, false or misleading advertising for health insurance coverage, require warnings and reporting with respect to noncomprehensive health plans, encourage enrollment in such plans, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MURPHY (for himself, Mr. BLUMENTHAL, Mr. MARKCY, and Mr. WARRIN):

S. 1003. A bill to establish a grant program to provide assistance to admire and repair damage to structures due to pyrrhotite; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GRASSLEY (for himself, Mr. ROMNEY, and Ms. ROSEN):

S. 1004. A bill to extend the authorization of the Mormon Pioneer National Heritage Area, to designate the Great Basin National Heritage Route in the State of Nevada as the ‘‘Great Basin National Heritage Area’’, to designate the Great Basin Heritage Route Partnership as the ‘‘Great Basin Heritage Area Partnership’’, to extend the authorization of the Great Basin National Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PAUL:

S. 1005. A bill to amend the Agricultural Marketing Act of 1946 to modify the definition of hemp; to report to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. JOHNSON (for himself, Mrs. BLACKBURN, Mr. BRAUN, Mr. CASSIDY, Mr. COTTON, Ms. ENSNIT, Mr. LANKFORD, and Mr. MCCONNELL):

S. 1006. A bill to amend the Controlled Substances Act to list fentanyl-related substances as schedule I controlled substances; to the Committee on the Judiciary.

By Mr. TUBEROVILLE (for himself, Mr. CRUZ, Mr. BARRASSO, Mr. CRAMER, Mr. LEE, and Mr. BRAUN):

S. 1007. A bill to require that certain aliens receive written notice of removal proceedings before being granted parole or released from detention and to enumerate the possible consequences for failing to attend such proceedings; to the Committee on the Judiciary.

By Mr. LEE (for himself, Mr. RISCH, and Mr. CRAPO):

S. 1008. A bill to require the Secretary of the Interior to develop a modeling tool, conduct a study, and issue reports relating to the tax equivalent amount of payments under the payment in lieu of taxes program; to the Committee on Energy and Natural Resources.

By Mrs. SHAHEEN (for herself, Mr. MURAN, Ms. HASSAN, and Mr. ROUNDS):

S. 1009. A bill to amend the Homeland Security Act of 2002 regarding the procurement of national security interests for Department of Homeland Security frontline operational components, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. SHAHEEN (for herself and Ms. HASSAN):

S. 1010. A bill to provide funding for programs and activities under the SUPPORT for Patients and Communities Act; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRUZ (for himself, Mr. INHOPE, Mrs. CAPITO, Mr. KENNEDY, and Mr. CRAY):

S. 1011. A bill to amend the Natural Gas Act to provide for expanded natural gas exports; to the Committee on Energy and Natural Resources.

By Mr. CRUZ (for himself, Mr. KENNEDY, and Mr. CRAY):

S. 1012. A bill to prohibit the Secretary of Transportation from prohibiting the transportation of liquefied natural gas by rail, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DURBIN (for himself, Mr. LEAHY, Mr. WHITEHOUSE, Mr. WYDEN, Mr. BLUMENTHAL, Mr. BALDWIN, Mr. ROGERS, Mr. WARREN, Mr. SANDERS, Mr. KING, Mr. KAIN, and Mr. WICKER):

S. 1013. A bill to rescind federal resources on the most serious offenders; to the Committee on the Judiciary.

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

S. 1014. A bill to reform sentencing laws and correctional institutions, and for other purposes; to the Committee on the Judiciary.

By Mr. HINCHY:

S. 1015. A bill to require the Federal Energy Regulatory Commission to initiate a rulemaking to reform the interregional transmission planning process, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HINCHY:

S. 1016. A bill to amend the Internal Revenue Code of 1986 to establish a tax credit for installation of regionally significant electric power transmission lines; to the Committee on Finance.

By Mr. HINCHY:

S. 1017. A bill to amend the Internal Revenue Code of 1986 to establish a tax credit for the production of hydrogen using electricity produced from renewable energy resources; to the Committee on Finance.

By Ms. KLOBUCHEB (for herself and Mr. DUCKWORTH):

S. 1018. A bill to amend the Public Health Service Act to authorize grants for acquiring equipment and supplies capable of performing same-day clinical laboratory testing in a point-of-care setting, and to assist laboratories in meeting the cost of acquiring high-throughput equipment, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHEB (for herself and Ms. DUCKWORTH):

S. 1019. A bill to amend the Food, Drug, and Cosmetic Act to provide that the presence of toxic elements in, and otherwise regulate, infant and toddler food, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. DUCKWORTH (for herself, Mr. SCHATZ, Mr. MARKEY, Mr. BLUMENTHAL, Mr. MEREKLY, Mrs. FEINSTEIN, Ms. CORTES MASTO, Mr. WHITEHOUSE, Mr. COONS, Ms. CANTWELL, Mr. BROWN, Mr. REED, Mr. BOOKER, Mr. MENENDEZ, Mr. WYDEN, Mr. DURBIN, Ms. SMITH, Ms. BAYNE, Mrs. GILLIBRAND, Mr. BROWN, Mr. MURRAY, Mr. VAN HOLLON, Ms. KLOBUCHEB, Ms. ROSEN, Ms. PADILLA, Mr. WARNock, and Mr. LEAHY):

S. 1020. A bill to ensure due process protections of individuals in the United States against unlawful detention based solely on a protected characteristic; to the Committee on the Judiciary.

By Ms. DUCKWORTH (for herself, Mrs. MURRAY, Ms. HIRONO, Ms. CORTES MASTO, Mrs. SHAHEEN, Ms. KLOBUCHEB, Mr. BLUMENTHAL, Mr. BROWN, Mr. WARREN, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Mrs. FEINSTEIN, Mr. MEREKLY, Mr. HASSAN, Mr. BENNET, Mr. MARKEY,
S. 1021. A bill to ensure affordable abortion coverage for every American, to establish a program for the Secretary of Veterans Affairs to include veterans of World War II; to the Committee on Veterans’ Affairs.

By Mr. WARNOCK (for himself, Mr. HARRIS, Mr. BOOKER, Mr. MARKEY, Mrs. WARREN, Ms. HIRONO, Mr. SANDERS, Mr. BLUMENTHAL, Mr. DURBIN, Mr. SMITH, Mr. CROWLEY, Mrs. MURRAY, Mr. Kaine, Ms. STABENOW, Mrs. FEINSTEIN, Mr. CASEY, Mr. PADILLA, Mr. WYDEN, Mr. BENNET, Mr. Brown, and Mr. Ossoff):

S. 1022. A bill to direct the Joint Committee of Congress on the Library to obtain a statue of Shirley Chisholm for placement in the United States Capitol; to the Committee on Rules and Administration.

By Mr. PETERS (for himself and Mr. ROBINSON):

S. 1033. A bill to amend title IV of the Social Security Act to allow the Secretary of Health and Human Services to award competitive grants to enhance collaboration between State child welfare and juvenile justice systems; to the Committee on Finance.

By Mr. COONS (for himself, Mr. MURphy, Mr. CARPER, Mr. ERNST, Ms. COLLINS, Mr. WARNER, Mr. BRAUN, Ms. STABENOW, Mr. CRAPo, and Mr. BENNET):

S. 1034. A bill to amend the Internal Revenue Code of 1986 to extend the publicly traded partnership ownership structure to energy power generation projects and transportation fuels, and for other purposes; to the Committee on Finance.

By Mr. PETERS (for himself and Mr. YOUNG):

S. 1035. A bill to require the Secretary of Labor to take initiatives to measure the impact of automation on the workforce in order to inform workforce development strategies; to the Committee on Health, Education, Labor, and Pensions.

By Ms. ASSAN (for herself and Mrs. CAPITO):

S. 1036. A bill to direct the Federal Communications Commission to promulgate regulations that establish a national standard for determining whether mobile and broadband services available in rural areas are reasonably comparable to those services provided in urban areas; to the Committee on Commerce, Science, and Transportation.

By Ms. HASSAN (for herself, Ms. COLLINS, Mr. BLUMENTHAL, Mr. CASEY, Mr. KING, Mr. LEE, Mr. CARPER, Mr. Kaine, Mr. Murphy, Mr. Coons, Mr. Warner, and Mrs. SHAHEEN):

S. 1037. A bill to provide for the establishment of the Office of Regional Greenhouse Gas Programs within the Environmental Protection Agency, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MENENDEZ:

S. 1039. A bill to amend title 38, United States Code, to improve compensation for disabilities occurring in Persian Gulf War veterans, and for other purposes; to the Committee on Veterans’ Affairs.

By Mr. MENENDEZ (for himself, Mr. CARDIN, Mr. MARKEY, Mrs. SANCHEZ, Ms. SINDACI):

S. 1040. A bill to amend title 38, United States Code, to authorize the residential substance use disorder treatment program to provide for hospital care, medical services, and nursing home care from the Department of Veterans Affairs to include veterans of World War II; to the Committee on Veterans’ Affairs.

By Mr. MENENDEZ (for himself, Mr. RUBIO, Mr. Kaine, Mr. DURBIN, Mr. SANDERS, and Mr. MURphy):

S. 1041. A bill to advance the strategic alignment of United States diplomatic tools towards the realization of transparent elections in Nicaragua and to reaffirm the commitment of the United States to protect the fundamental freedoms and human rights of the people of Nicaragua, and for other purposes; to the Committee on Foreign Relations.

By Mr. WARNOCK (for himself, Mr. PADILLA, Mr. BOOKER, Mr. VAN HOLLen, and Mr. MENENDEZ):

S. 1042. A bill to prevent maternal mortality and serve maternal morbidity among Black pregnant and postpartum individuals and other underserved populations, to provide training in respectful maternity care, to reduce and prevent bias, racism, and discrimination in maternity care, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. SMITH (for herself and Mr. CAPITO):

S. 1043. A bill to require the Secretary of Agriculture to establish a forest incentive program to keep forest carbon on private forest land of the United States, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. PETERS (for himself and Mr. RUBIO):

S. 1044. A bill to establish the National Manufacturing Advisory Council within the Department of Commerce, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. KENNEDY:

S. 1045. A bill to amend the Immigration and Nationality Act to facilitate the reestablishment of a national terrorist screening database, and for other purposes; to the Committee on the Judiciary.

By Mr. CORNYN (for himself, Mr. WHITEnouRE, Mr. TILLIS, Mrs. KLOBChuAR, Mr. CasHy, Ms. HASSAN, Mr. LANKFORD, and Mr. SCOTT of South Carolina):

S. 1046. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to reauthorize the residential substance use disorder treatment program for other purposes; to the Committee on the Judiciary.

By Mr. MARSHALL (for himself, Mr. HICKEnLOOPER, and Ms. ERNST):

S. 1047. A bill to amend the Veterans Business Act to allow certain ranchers and farmers categorized as partnerships to use an alternative calculation for a maximum loan amount under the paycheck protection program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. RUBIO:

S. 1048. A bill to require disclosure by Federal contractors of contracts with Chinese entities and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. ERNST:

S. 1049. A bill to amend the Public Works and Economic Development Act of 1965 to make projects that directly or indirectly increase the accessibility of child care eligible for certain grants, and for other purposes; to the Committee on Environment and Public Works.

By Mr. COTTON (for himself, Mr. BOOzMAN, Mrs. HYDE-SMITH, and Mr. TUBERVILLE):

S. 1050. A bill to enact as law certain regulations relating to the handling of double-crested cormorants; to the Committee on Environment and Public Works.
S1816  
CONGRESSIONAL RECORD — SENATE  
March 25, 2021

By Mr. KENNEDY:  
S. 1051. A bill to amend the Immigration and Nationality Act to clarify the contempt authority of immigration judges, and for other purposes; to the Committee on the Judiciary.

By Mr. LEE:  
S. 1052. A bill to improve the poverty measurement methodology used by the Bureau of the Census to more accurately measure poverty in the United States; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HOEVEN (for himself, Mr. BENNET, Mr. DAINES, Ms. SMITH, Mr. RISCH, Mr. CHAFETZ, Ms. EINSTEIN, Mr. BRAUN, Mr. MARSHALL, and Mr. RISCH):  
S. 1053. A bill to require the Secretary of Transportation to establish a working group to study regulatory and legislative improvements for the livestock, insect, and agricultural commodities transport industries, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. RUBIO (for himself and Mr. MERCKLEY):  
S. 1054. A bill to support United States policy toward Taiwan; to the Committee on Foreign Relations.

By Mr. KENNEDY:  
S. 1055. A bill to amend the Immigration and Nationality Act to provide that any alien who has been convicted of a felony or two misdemeanors, is deportable, and for other purposes; to the Committee on the Judiciary.

By Mr. COONS (for himself, Mr. HEINRICH, and Mr. LUCAN):  
S. 1057. A bill to direct the Secretary of the Interior and the Secretary of Agriculture to establish a Civilian Climate Corps, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THUNE (for himself, Mrs. SHAUBEEN, and Mrs. FISCHER):  
S. 1058. A bill to amend the Small Business Investment Act of 1958 to provide opportunities to minority- and women-owned venture capital companies, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. RUBIO (for himself and Mr. RISCH):  
S. 1059. A bill to establish a small business and domestic production recovery investment facility, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. RUBIO (for himself and Mr. HOEVEN):  
S. 1060. A bill to safeguard certain technology and intellectual property in the United States from export to or influence by the People’s Republic of China and to protect United States industry from unfair competition by the People’s Republic of China, and for other purposes; to the Committee on Finance.

By Mr. PORTMAN (for himself, Mr. BOOKER, Mr. CARDIN, Mr. YOUNG, Ms. ROSEN, Mr. RISCH, Mr. COONS, Ms. CAPITTO, Mr. DURBIN, Mr. GRAESELLI, Mrs. FEINSTEIN, Mr. SASSE, Mr. WARNOCK, Mr. BOOZMAN, Ms. KLOBUCHAR, Mr. TILLIS, Mr. KAINE, and Mr. HAWLEY):  
S. 1061. A bill to encourage the normalization of relations with Israel, and for other purposes; to the Committee on Foreign Relations.

By Mr. SCOTT of Florida (for himself, Mr. RUBIO, Mrs. BLACKBURN, Mr. KENNEDY, Mr. COTTON, Mrs. CAPITO, Mr. HAWLEY, and Mr. BARRASSO):  
S. 1062. A bill to prohibit the procurement of solar panels manufactured or assembled inhk the Committee on Homeland Security and Governmental Affairs.

By Mrs. MURRAY (for herself, Mr. VAN HOLLEN, Mr. BALDWIN, Mr. WYDEN, Mr. MERKLEY, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Mrs. SHAHSEN, Mr. BOOKER, Ms. ROSEN, and Mr. PERDUE):  
S. 1063. A bill to provide women with increased access to preventive and life-saving cancer screenings; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself, Mr. RUSSO, Mr. KAIN, Mr. DURBIN, Mr. CANTWELL, and Mr. MURPHY):  
S. 1064. A bill to advance the strategic alignment of United States diplomatic tools toward the realization of free, fair, and transparent elections in Nicaragua and for other purposes; to the Committee on Foreign Relations.

By Mrs. MURRAY (for herself and Mr. MURPHY):  
S. 1065. A bill to increase collaboration between offices within the Department of Energy to develop and deploy technology to assist the mission of the Office of Environmental Management; to the Committee on Energy and Natural Resources.

By Mr. HEINRICH (for himself, Mr. KING, Mr. MARKET, Mr. VAN HOLLEN, Mr. WHITEHOUSE, Mr. DURBIN, Mr. LUCAN, Mr. LRAHY, Ms. SMITH, Ms. KLOBUCHAR, Mr. SCHUMER, Mr. MURPHY, Mr. SCHATZ, Ms. FEINSTEIN, Ms. BALDWIN, Mr. SANDERS, Mr. PADILLA, Mr. MENENDEZ, Ms. STABENOW, Mr. REED, and Mr. WYDEN):  

By Mr. VAN HOLLEN (for himself, Mr. BROWN, Mr. REED, Ms. WARREN, Ms. CAPITTO, Ms. SMITH, and Mrs. FEINSTEIN):  
S.J. Res. 15. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of the Comptroller of Currency relating to “National Banks and Federal Savings Associations as Lenders”; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN:  
S.J. Res. 16. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Securities and Exchange Commission relating to “Procedural Re- quirements and Resubmission Thresholds Under Exchange Act Rule 14a-8”; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:  
By Mr. BRAUN (for himself, Mr. EINSTEIN, and Mr. TILLIS):  
S. Res. 136. A resolution recognizing the duty of the Senate to abandon Modern Monetary Theory and recognizing that the acceptance of Modern Monetary Theory would lead to higher inflation and reduced economic growth; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN (for himself and Mr. SULLIVAN):  
S. Res. 137. A resolution supporting the goals of World Tuberculosis Day to raise awareness about tuberculosis; to the Committee on Foreign Relations.

By Mr. COTTON (for himself, Mr. BOOZMAN, and Ms. MURKOWSKI):  
S. Res. 138. A resolution urging the European Parliament to exempt certain technologies used to detect child sexual explo- ition from European Parliament direc- tive; to the Committee on Foreign Relations.

By Ms. STABENOW (for herself, Mr. WARNOCK, Mr. BOOKER, Mr. MENENDEZ, Ms. COLLINS, Ms. CANTWELL, Mr. KENNIE, Mr. MERKLEY, Mrs. MURRAY, and Mr. WYDEN):  
S. Res. 139. A resolution recognizing the importance of the blueberry industry to the United States and designating July 2021 as “National Blueberry Month”; to the Committee on the Judiciary.

By Mr. WARNICK (for himself, Ms. DUCKWORTH, Mr. MARKEY, Mr. BLUMENTHAL, Mr. CASEY, Mr. WYDEN, Mr. CARPER, Mr. VAN HOLLEN, Ms. HIRONO, Mr. WHITEHOUSE, Mr. SCHATZ, Mr. DURBIN, Mr. REED, Mr. SANDERS, Mr. KAIN, Ms. FEINSTEIN, Ms. CANTWELL, Mr. MURPHY, Mr. BROWN, Mr. PORTMAN, Ms. MURPHY, Ms. HASHAN, Ms. COONS, Mr. MENEN- DEZ, Mr. BOOKER, Ms. CORTES MASTO, Ms. BALDWIN, Ms. KLOBUNCHAR, Ms. WARREN, Ms. ROSEN, Mr. MERKLEY, and Mr. OSROY):  
S. Res. 140. A resolution condemning the horrific shootings in Atlanta, Georgia, on March 16, 2021, and reaffirming the commitment of the Senate to combating hate, big- otry, and violence against the Asian-American and Pacific Islander community; to the Committee on the Judiciary.

By Mr. BENNET (for himself, Mr. WYDEN, Ms. WARREN, Mrs. MURRAY, Mr. MERKLEY, Mr. HIRONO, Mr. HEINRICH, Mr. KELLY, Mr. BOOKER, Mr. TRUSCH, and Mr. SCHATZ):  
S. Res. 141. A resolution recognizing the critical importance of access to reliable, clean drinking water for Native Americans and Alaska Natives and confirming the re- sponsibility of the Federal Government to ensure such water access; to the Committee on Indian Affairs.

By Mr. MENENDEZ (for himself, Mr. HAGERTY, Mr. MARKEY, Mr. ROMNEY, and Mr. COONS):  
S. Res. 142. A resolution recognizing the importance of the United States-Japan rela- tionship to safeguarding global security, prosperity, and human rights and welcoming the visit of Prime Minister Yoshihide Suga to the United States, to the Committee on Foreign Relations.

By Ms. HASSAN (for herself, Mr. TILLIS, Ms. SINEMA, Mr. CRAMER, Mr. BLUMENTHAL, Mr. CASEY, Mr. SANDERS, Mr. BOOZMAN, Mrs. BLACKBURN, Ms. HIRONO, Mr. BROWN, and Mr. TUBERVILLE):  
S. Res. 143. A resolution to honor and rec- ognize the patriotism and service to the United States provided by Veterans Service Organizations during the COVID-19 pandemic; to the Committee on Veterans’ Affairs.

By Mr. BROWN (for himself and Mr. SCOTT of South Carolina):  
S. Res. 144. A resolution recognizing the week of March 21 through March 27, 2021, as
“National Poison Prevention Week” and encouraging communities across the United States to raise awareness of the dangers of poisoning and promote poison prevention; considered and agreed to.

By Mr. TESTER (for himself, Mr. MERKLEY, Mr. WHITEHOUSE, Mr. DAINES, Mr. CARPER, and Mr. DURBIN) — S. Res. 145. A resolution designating the first week of April 2021 as “National Asbestos Awareness Week”; considered and agreed to.

By Mr. PORTMAN (for himself and Ms. KLOBuchar) — S. Res. 146. A resolution designating April 2021 as “Second Chance Month”; to the Committee on the Judiciary.

By Ms. BRAUN (for himself, Mrs. BLACKBURN, Mr. SCOTT of Florida, and Ms. ERNST) — S. Res. 147. A resolution recognizing the national debt as a threat to national security; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 101
At the request of Ms. KLOBuchar, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 56, a bill to amend the Public Health Service Act to authorize grants for training and support services for families and caregivers of people living with Alzheimer’s disease or a related dementia.

S. 45
At the request of Mr. RUBIO, the names of the Senator from North Carolina (Mr. TILLIS) and the Senator from Iowa (Ms. ERNST) were added as cosponsors of S. 65, a bill to ensure that goods made with forced labor in the Xinjiang Uyghur Autonomous Region of the People’s Republic of China do not enter the United States market, and for other purposes.

S. 80
At the request of Ms. ERNST, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 80, a bill to require U.S. Immigration and Customs Enforcement to take into custody certain aliens who have been charged in the United States with a crime that resulted in the death or serious bodily injury of another person, and for other purposes.

S. 101
At the request of Mr. MARKEY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 101, a bill to establish the Environmental Justice Mapping Committee, and for other purposes.

S. 115
At the request of Ms. KLOBuchar, the name of the Senator from North Dakota (Mr. Cramer) was added as a cosponsor of S. 115, a bill to direct the Secretary of Commerce to conduct a study and submit to Congress a report on the effects of the COVID–19 pandemic on the travel and tourism industry in the United States, and for other purposes.

S. 198
At the request of Ms. ROSEN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 198, a bill to require the Federal Communications Commission to incorporate data on maternal health outcomes into its broadband health maps.

S. 212
At the request of Mr. CARDIN, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 212, a bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit against income tax for the purchase of qualified access technology for the blind.

S. 282
At the request of Mr. MARKEY, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 282, a bill to designate a portion of the Arctic National Wildlife Refuge as wilderness.

S. 309
At the request of Mr. DURBIN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 309, a bill to give Federal courts additional discretion to determine whether pretrial detention is appropriate for defendants charged with nonviolent drug offenses in Federal criminal cases.

S. 360
At the request of Mrs. CAPITTO, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 360, a bill to amend title 51, United States Code, to modify the national space grant college and fellowship program, and for other purposes.

S. 388
At the request of Mr. MERKLEY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 388, a bill to suspend certain United States assistance for the Government of Honduras until corruption, impunity, and human rights violations are no longer systemic, and the perpetrators of these crimes are being brought to justice.

S. 395
At the request of Mr. MERKLEY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 395, a bill to amend the Internal Revenue Code of 1986 to extend certain tax credits related to electric cars, and for other purposes.

S. 403
At the request of Mr. YOUNG, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 403, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects, and for other purposes.

S. 453
At the request of Mr. MARKEY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 425, a bill to require States to establish complete streets programs, and for other purposes.

S. 477
At the request of Mr. SULLIVAN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from West Virginia, the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Indiana (Mr. YOUNG) were added as cosponsors 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.

S. 444
At the request of Ms. COLLINS, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 444, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide or assist in providing an additional vehicle adapted for operation by disabled individuals to certain eligible persons.

S. 611
At the request of Mr. DURBIN, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Illinois (Mr. DUCAYNE) were added as cosponsors of S. 611, a bill to deposit certain funds into the Crime Victims Fund, to waive matching requirements, and for other purposes.

S. 612
At the request of Mr. PORTMAN, the names of the Senator from New Hampshire (Ms. HASSAN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 612, a bill to require the Under Secretary for Health of the Department of Veterans Affairs to provide certain information to medical center staff and homelessness service providers of the Department regarding the coordinated entry processes for housing and services operates under the Continuum of Care Program of the Department of Housing and Urban Development, and for other purposes.

S. 617
At the request of Mr. THUNE, the name of the Senator from Missouri (Mr. HAWLEY) was added as a cosponsor of S. 617, a bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 638
At the request of Mr. LANDFORD, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 618, a bill to amend the Internal Revenue Code of 1986 to modify and extend the deduction for charitable contributions for individuals not itemizing deductions.

S. 623
At the request of Mr. RUBIO, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 623, a bill to make daylight saving time permanent, and for other purposes.

S. 658
At the request of Mr. CORNYN, the name of the Senator from Arkansas
(Mr. BOOZMAN) was added as a cosponsor of S. 658, a bill to authorize the Secretary of Homeland Security to contract with cybersecurity consortia to train and, for other purposes.

S. 659

At the request of Mr. YOUNG, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of 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.

S. 660

At the request of Mr. SCHATZ, the names of the Senator from Nevada (Ms. ROSEN) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 660, 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.

S. 691

At the request of Mr. LEE, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of 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.

S. 692

At the request of Mr. TESTER, the names of the Senator from Hawaii (Ms. HIRONO), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Arizona (Ms. SINEMA) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of 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”.

S. 713

At the request of Mr. BOOKER, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 713, a bill to direct the Secretary of Agriculture to temporarily suspend increased line speeds at meat and poultry establishments, and for other purposes.

S. 730

At the request of Mr. BRAUN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 730, a bill to amend the Social Security Act to remove the prohibition on States and territories against lowering their taxes.

S. 735

At the request of Ms. ROSEN, her name was added as a cosponsor of S. 735, a bill to amend the Scientific and Advanced-Technology Act of 1992 to provide for the advancement of defense technology research.

S. 748

At the request of Mr. CASEY, his name was added as a cosponsor of S. 748, a bill to provide for an extension of the temporary suspension of Medicare sequestration during the COVID–19 public health emergency.

S. 773

At the request of Mr. THUNE, the names of the Senator from Tennessee (Mrs. BLACKBURN) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 773, a bill to amend the Employee Retirement Income Security Act of 1974 to establish additional criteria for determining when employers may join together in a group or association of employers that will be treated as an employer under section 3(5) of such Act for purposes of sponsoring a group health plan, and for other purposes.

S. 901

At the request of Mrs. GILLIBRAND, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 901, a bill to provide access to counsel for children and other vulnerable populations.

S. 903

At the request of Mrs. BLACKBURN, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 903, a bill to amend the Immigration and Nationality Act to require a DNA test to determine the familial relationship between an alien and an accompanying minor, and for other purposes.

S. 912

At the request of Mr. MERKLEY, the name of the Senator from Colorado (Mr. HICKENLOOPER) was added as a cosponsor of S. 912, a bill to amend the Social Security Act to remove the prohibition on States and territories from using Federal funds to provide financial services to cannabis-related businesses and service providers for such businesses, and for other purposes.

S. 914

At the request of Mr. CARPER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 914, a bill to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes.

S. 915

At the request of Mr. SANDERS, the names of the Senator from New Mexico (Mr. HEINRICH), the Senator from Massachusetts (Ms. WARREN), the Senator from Oregon (Mr. MERKLEY), the Senator from Oregon (Mr. WYDEN) and the Senator from California (Mr. PADILLA) were added as cosponsors of S. 915, a bill to repeal section 3003 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015, and for other purposes.

S. 916

At the request of Mr. SANDERS, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Oregon (Mr. MERKLEY) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 916, a bill to provide adequate funding for water and sewer infrastructure, and for other purposes.

S. 938

At the request of Mr. SANDERS, the names of the Senator from Oregon (Mr. Sasse) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 938, a bill to require the President to declare a national emergency relating to climate change under the National Emergencies Act, and for other purposes.

S. 942

At the request of Ms. BALDWIN, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 942, a bill to provide that the rule...
entitled “Short-Term, Limited Duration Insurance” shall have no force or effect.

S. 960

At the request of Mr. ROUNDS, the name of the Senator from South Dakota (Mr. PADILLA) was added as a cosponsor of S. 960, a resolution recognizing the duty of the Federal Government to implement an agenda to Transform, Heal, and Renew by Investing in a Vibrant Economy (“THRIVE”).

At the request of Mr. HINCH, his name was added as a cosponsor of S. Res. 43, supra.

S. Res. 46

At the request of Mr. SCHUMER, the name of the Senator from Georgia (Mr. PADILLA) was added as a cosponsor of S. Res. 46, a resolution calling on the President of the United States to take executive action to broadly cancel Federal student loan debt.

S. Res. 99

At the request of Mr. MENENDEZ, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Res. 99, a resolution observing the 10th anniversary of the uprising in Syria.

S. Res. 122

At the request of Mr. INHOFE, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. Res. 122, a resolution expressing the sense of the Senate that the current influx of migrants is causing a crisis at the Southern border.

S. Res. 132

At the request of Ms. HIRONO, the names of the Senator from Arizona (Ms. SINEMA), the Senator from New Hampshire (Ms. HASSAN) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. Res. 132, a resolution condemning all forms of anti-Asian sentiment as related to COVID-19.

S. Res. 134

At the request of Mr. LEE, the names of the Senator from Texas (Mr. CRUZ), the Senator from Nebraska (Mrs. FISCHER), the Senator from South Dakota (Mr. ROYCE) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. Res. 134, a resolution expressing the sense of the Senate that the President should work with the Government of the United Kingdom to conclude negotiations for a comprehensive free trade agreement between the United States and the United Kingdom.

S. Res. 135

At the request of Ms. CORTEZ MASTO, the name of the Senator from Connecticut (Mr. Murphy) was added as a cosponsor of S. 135, a resolution recognizing the heritage, culture, and contributions of Latinas in the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. Kaine (for himself and Mr. Warner):

S. 1000. A bill to designate additions to the Rough Mountain Wilderness and the Rich Hole Wilderness of the George Washington National Forest, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. Kaine. President, this bill authorizes additions to two existing wilderness areas within the George Washington National Forest, Bath County, VA. This text represents years of negotiation and compromise among Virginia stakeholders who rely in different ways on the GW Forest.

In many parts of America, Federal land management is controversial. Some may view these lands as repositories for timber, energy, or minerals. Others may enjoy using recreational trails through them. Others may believe that they belong to nature and not disturbed. The truth, of course, is that all of these uses are important; the conflict lies in agreeing on which lands are best suited to which purposes.

In the lead-up to the latest multiyear GW Forest Management Plan, various forest users came together to see if they could find reasonable compromises that would avoid years of unproductive disagreement and litigation. This group, known as the George Washington National Forest Stakeholder Collaborative, succeeded.

Through hard work and consensus, the collaborative made joint recommendations to the U.S. Forest Service for forest management and protection. Preservation advocates consented to timber harvest and other active forest restoration and management in certain areas, while forest products interests consented to wilderness and light management in other areas. Following this fruitful collaboration, the Forest Service convened the Lower Cowpasture Restoration and Management Project, bringing together the collaborative and other stakeholders to help develop management activities on this particular part of the forest in Bath County. Again, this collaborative succeeded, with everyone getting some of what they want and giving some ground.

The collaborative has now come together to support the wilderness additions in this bill, which designates 4,500 acres to be added to the Rich Hole Wilderness Area, and 1,000 acres to be added to the Rough Mountain Wilderness Area. I am proud to partner on this with my colleague Senator Mark Warner, and we are following in the path blazed by Senator John Warner and Representative Rick Boucher, who led the original Virginia Wilderness Act in 1981. I am further proud that this bill passed unanimously in the Senate last Congress and as part of a package passed the House this Congress. I hope it will cross the finish line soon.

Taking care of our Nation’s public lands is good for the economy and good for the environment. Land disputes may often be contentious, but this example proves they don’t have to be. When everyone comes to the table and invests the necessary time, we can find common ground. I hope this will be a lesson for us in other tough policy challenges, and I encourage the Senate to support this bill.

By Mr. Durbin (for himself, Mr. Lee, Mr. Leahy, Mr. Whitehouse, Mr. Wyden, Mr. Blumenthal, Ms. Baldwin, Mr. Booker, Ms. Warren, Mr. Sanders, Mr. King, Mr. Kaine, Padilla, and Mr. Wicker):

S. 1013. A bill to focus limited Federal resources on the most serious offenders; to the Committee on the Judiciary.

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

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

SEC. 1. SHORT TITLE. This Act may be cited as the “Smarter Sentencing Act of 2021.”

SEC. 2. SENTENCING MODIFICATIONS FOR CERTAIN DRUG OFFENDERS.

(a) CONTROLLED SUBSTANCES ACT.—The Controlled Substances Act (21 U.S.C. 801 et seq.) is amended—

(1) in section 102 (21 U.S.C. 802)—

(A) by redesigning paragraph (58) as paragraph (59); and

(B) by redesigning the second paragraph (57) (relating to “serious drug felony”) as paragraph (58); and

(C) by adding at the end the following:

"(60) The term ‘courier’ means a defendant whose role in the offense was limited to transporting or storing drugs or money;"; and

(2) in section 401(b)(1) (21 U.S.C. 841(b)(1))—

(A) in subparagraph (A), in the flush text following clause (viii)—

(i) by striking “10 years or more” and inserting “5 years or more”; and

(ii) by striking “15 years” and inserting “10 years”; and

(B) in subparagraph (B), in the flush text following clause (viii)—

(i) by striking “5 years” and inserting “2 years”;

(ii) by striking “not be less than 10 years” and inserting “not be less than 5 years”;

(iii) by striking the second paragraph (2(b) (relating to “drug felony”) as paragraph (3); and

(3) in section 101(b) (21 U.S.C. 801(b)) is amended—

(A) by inserting “not be less than 10 years” and inserting “not be less than 5 years”;

(B) by redesigning the Controlled Substances Import and Export Act.—Section 101(b) of the Controlled Substances Import and Export Act (21 U.S.C. 951(b)) is amended—

(1) in paragraph (1), in the flush text following subparagraph (H)—

(A) by inserting “, other than a person who is a courier,” after “such violation”; and

(B) by striking “person commits” and inserting “person, other than a courier, commits”; and

(2) by inserting “if a person who is a courier commits such a violation, the person shall be sentenced to a term of imprisonment of not less than 10 years and not more than life,” before “Notwithstanding section 3583;” and
not later than 120 days after the date of enactment of this Act, in accordance with the procedure set forth in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note), as amended by section 3 of this Act; and

(2) pursuant to the emergency authority provided under paragraph (1), make such conforming amendments to the guidelines as the Commission determines necessary to achieve consistency with other guideline provisions and applicable law.

SEC. 4. REPORT BY ATTORNEY GENERAL.

Not later than 6 months after the date of enactment of this Act, the Attorney General shall submit to the Committees on the Judiciary of the House of Representatives and the Senate a report outlining how the reduced expenditures on Federal corrections and the cost savings resulting from this Act will be used to help reduce overcrowding in the Federal Bureau of Prisons, help increase proper investment in law enforcement and crime prevention, and help reduce criminal recidivism, thereby increasing the effectiveness of Federal criminal justice spending.

SEC. 5. REPORT ON FEDERAL CRIMINAL OFFENSES.

(a) DEFINITIONS.—In this section—

(1) the term ‘‘criminal regulatory offense’’ means a Federal criminal statute, the statutory penalties for which were modified by this Act; and

(2) for each criminal statutory offense listed under paragraph (1)—

(A) a list of all criminal regulatory offenses, including a brief description of each criminal regulatory offense; and

(B) a list of all Federal regulatory offenses enforceable by the agency enumerated in paragraph (1), including a brief description of each Federal regulatory offense.

(b) REPORT ON CRIMINAL STATUTORY OFFENSES.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to the Committee on the Judiciary of the House of Representatives a report, which shall include—

(1) a list of all criminal statutory offenses, including a brief description of each criminal statutory offense; and

(2) for each criminal statutory offense listed under paragraph (1)—

(A) a list of all criminal regulatory offenses enforceable by the agency; and

(B) for each criminal regulatory offense listed under subparagraph (A)—

(i) the potential criminal penalty for the criminal statutory offense;

(ii) the number of prosecutions for the criminal statutory offense brought by the Department of Justice during the 1-year period preceding the date of enactment of this Act; and

(iii) the mens rea requirement for the criminal statutory offense.

(c) REPORT ON CRIMINAL REGULATORY OFFENSES.—

(1) REPORTS.—Not later than 1 year after the date of enactment of this Act, the head of each Federal agency described in paragraph (2) shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report, which shall include—

(A) a list of all criminal regulatory offenses enforceable by the agency; and

(B) for each criminal regulatory offense listed under subparagraph (A)—

(i) the potential criminal penalty for a violation of the criminal regulatory offense;

(ii) the number of violations of the criminal regulatory offense referred to the Department of Justice for prosecution in each of the years during the 15-year period preceding the date of enactment of this Act; and

(iii) the mens rea requirement for the criminal regulatory offense.

(2) AGENCIES DESCRIBED.—The Federal agencies described in this paragraph are the Department of Agriculture, the Department of Commerce, the Department of Education, the Department of Energy, the Department of Health and Human Services, the Department of Homeland Security, the Department of Housing and Urban Development, the Department of Labor, the Department of Transportation, the Department of the Treasury, the Commodity Futures Trading Commission, the Consumer Product Safety Commission, the Equal Employment Opportunity Commission, the Export-Import Bank of the United States, the Farm Credit Administration, the Federal Communications Commission, the Federal Deposit Insurance Corporation, the Federal Election Commission, the Federal Labor Relations Authority, the Federal Maritime Commission, the Federal Mine Safety and Health Review Commission, the Federal Trade Commission, the National Labor Relations Board, the National Transportation Safety Board, the Nuclear Regulatory Commission, the Occupational Safety and Health Review Commission, the Office of Compliance, the Postal Regulatory Commission, the Securities and Exchange Commission, the Securities Investor Protection Corporation, the Small Business Administration, the Federal Housing Finance Agency, and the Office of Government Ethics.

(d) INDEX.—Not later than 2 years after the date of enactment of this Act, the Attorney General shall establish a publically accessible index of each criminal statutory offense listed in the report required under subsection (b) and make the index available and freely accessible on the website of the Department of Justice; and

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require or authorize appropriations.

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

S. 1014. A bill to reform sentencing laws and correctional institutions, and for other purposes; to the Committee on the Judiciary.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD, where being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1014

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "First Step Implementation Act of 2021".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—SENTENCING REFORM


Sec. 102. Modifying safety valve for drug offenses.

TITLE II—CORRECTIONS REFORM

Sec. 201. Parole for juveniles.


Sec. 203. Ensuring accuracy of Federal criminal records.

TITLE III—RESEARCH

Sec. 301. Application of First Step Act.
S2520, that was committed on or before December 21, 2018; or
(B) a violation of a Federal criminal statute, the statutory penalties for which are modified by subsection (b) of this section, and
(2) the term “serious violent felony” has the meaning given that term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(a) AMENDMENTS.—Section 401(b)(3) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)(3)) is amended by striking “felony drug offense” and inserting “serious drug felony or serious violent felony”; and
(2) in subparagraph (C), by striking “felony drug offense” and inserting “serious drug felony or serious violent felony”;
(iii) in subparagraph (D), by striking “felony drug offense” and inserting “serious drug felony or serious violent felony”; and
(2) PENDING CASES.—This subsection, and the amendments made by this subsection, shall apply to any sentence imposed on or after the date of enactment of this Act, regardless of when the offense was committed.

(a) A MENDMENTS.—Section 3553 of title 18, United States Code, is amended by inserting after section 3553 the following:

(b) DEFENDANTS PREVIOUSLY SENTENCED.—A court that imposed a sentence for a covered offense may, regardless of when the offense was committed.

(c) FACTORS AND INFORMATION TO BE CONSIDERED.—In determining whether to modify a term of imprisonment pursuant to subsection (a), the court shall consider—

(d) LIMITATION ON APPLICATIONS PURSUANT TO THIS SECTION.—Not earlier than 5 years after the date on which an order entered by a court on an initial application under this section becomes final, a court shall entertain a second application by the same defendant under this section.

*(g) INADEQUACY OF CRIMINAL HISTORY.—*(1) IN GENERAL.—If subsection (f) does not apply to a defendant because the defendant does not meet the requirements described in subsection (f)(1) (relating to criminal history), upon notice to the Government, waive subsection (f)(1) if the court specifies in writing the specific reasons why reliable information indicates that the defendant possesses characteristics that the reduction to subsection (f)(1) substantially overrepresents the seriousness of the defendant’s criminal history or the likelihood that the defendant will commit other crimes.

*(2) PROHIBITION.—This subsection shall not apply to any defendant who has been convicted of a serious drug felony or a serious violent felony;

*(b) SUPERVISED RELEASE.—Any defendant whose sentence is reduced pursuant to subsection (a) shall be ordered to serve a period of supervised release of not less than 5 years following release from imprisonment. The conditions of supervised release and any modification or revocation of the term of supervised release shall be in accordance with section 3583.

*(c) FACTORS AND INFORMATION TO BE CONSIDERED.—In determining whether to modify a term of imprisonment, the court shall consider—

*(d) LIMITATION ON APPLICATIONS PURSUANT TO THIS SECTION.—Not earlier than 5 years after the date on which an order entered by a court on an initial application under this section becomes final, a court shall entertain a second application by the same defendant under this section.

*8502A. Modification of an imposed term of imprisonment for violations of law committed prior to age 18

*(a) IN GENERAL.—Notwithstanding any other provision of law, a court may reduce a term of imprisonment imposed upon a defendant convicted as an adult for an offense committed and completed before the defendant attained 18 years of age if—

*(b) SUPERVISED RELEASE.—Any defendant whose sentence is reduced pursuant to subsection (a) shall be ordered to serve a period of supervised release of not less than 5 years following release from imprisonment. The conditions of supervised release and any modification or revocation of the term of supervised release shall be in accordance with section 3583.

*(c) FACTORS AND INFORMATION TO BE CONSIDERED.—In determining whether to modify a term of imprisonment pursuant to subsection (a), the court shall consider—

*(d) LIMITATION ON APPLICATIONS PURSUANT TO THIS SECTION.—Not earlier than 5 years after the date on which an order entered by a court on an initial application under this section becomes final, a court shall entertain a second application by the same defendant under this section.

*9 In the air

*(a) IN GENERAL.—Notwithstanding any other provision of law, a court may reduce a sentence of imprisonment imposed upon a defendant convicted as an adult for an offense committed and completed before the defendant attained 18 years of age if—

*(b) SUPERVISED RELEASE.—Any defendant whose sentence is reduced pursuant to subsection (a) shall be ordered to serve a period of supervised release of not less than 5 years following release from imprisonment. The conditions of supervised release and any modification or revocation of the term of supervised release shall be in accordance with section 3583.

*(c) FACTORS AND INFORMATION TO BE CONSIDERED.—In determining whether to modify a term of imprisonment pursuant to subsection (a), the court shall consider—

*(d) LIMITATION ON APPLICATIONS PURSUANT TO THIS SECTION.—Not earlier than 5 years after the date on which an order entered by a court on an initial application under this section becomes final, a court shall entertain a second application by the same defendant under this section.

*(e) DEPARTMENT OF JUSTICE.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall report to Congress on the implementation of this section.

SEC. 102. MODIFYING SAFETY VALVE FOR DRUG OFFENSES.

(a) AMENDMENT.—Section 3553 of title 18, United States Code, is amended—

(2) in subparagraph (C), by striking “felony drug offense” and inserting “serious drug felony or serious violent felony”; and

(3) in subparagraph (D), by striking “felony drug offense” and inserting “serious drug felony or serious violent felony”;

(2) the court finds, after considering the factors set forth in subsection (c), that the defendant is not a danger to the safety of any person or the community and that the interests of justice warrant a sentence modification.

(b) SUPERVISED RELEASE.—Any defendant whose sentence is reduced pursuant to subsection (a) shall be ordered to serve a period of supervised release of not less than 5 years following release from imprisonment. The conditions of supervised release and any modification or revocation of the term of supervised release shall be in accordance with section 3583.

(c) FACTORS AND INFORMATION TO BE CONSIDERED.—In determining whether to modify a term of imprisonment pursuant to subsection (a), the court shall consider—

(1) the factors described in section 3553(a), including the nature of the offense and the history and characteristics of the defendant; and

(2) the age of the defendant at the time of the offense;

(3) any report and recommendation of the Bureau of Prisons, including information on whether the defendant has substantially complied with the rules of each institution in which the defendant has been confined and whether the defendant has completed any educational, vocational, or other prison program, where available;

(4) a report and recommendation of the United States attorney for any district in which an offense for which the defendant is imprisoned was prosecuted;

(5) whether the defendant has demonstrated maturity, rehabilitation, and a fitness to reenter society sufficient to justify a sentence reduction;

(6) any statement, which may be present orally or otherwise, by any victim of an offense for which the defendant is imprisoned or by a family member of the victim if the victim is deceased;

(7) any report from a physical, mental, or psychiatric examination of the defendant conducted by a licensed health care professional;

(8) the family and community circumstances of the defendant at the time of the offense, including any history of abuse, trauma, or involvement in the child welfare system.

*(b) The family and community circumstances of the defendant at the time of the offense, including any history of abuse, trauma, or involvement in the child welfare system.

*(c) PROHIBITION.—A court may not entertain an application filed after an application filed under paragraph (2) by the same defendant.

*(d) PROCEDURES.—

*(1) NOTICE.—The Bureau of Prisons shall provide written notice of this section to—

*(2) FINAL APPLICATION.—Not earlier than 5 years after the date on which an order entered by a court on an initial application under paragraph (1) becomes final, a court shall entertain a final application by the same defendant under this section.

*(3) SUPERVISORY APPOINTMENT.—In a final application under paragraph (2), the court may appoint counsel, including information on the offense;

*(4) EXPANDING THE RECORD; HEARING.—

*(A) IN GENERAL.—An application for a sentence reduction under this section shall be filed as a motion to reduce the sentence of the defendant and may include affidavits or other written material.

*(B) REQUIREMENT.—A motion to reduce a sentence under this section shall be filed with the sentencing court and a copy shall be served on the United States attorney for the judicial district in which the sentence was imposed.

*(C) EXPANDING THE RECORD; HEARING.—

*(A) IN GENERAL.—The court shall conduct a hearing on the motion, at which the defendant and counsel for the defendant shall be given the opportunity to be heard.

*(B) EVIDENCE.—In a hearing under this section, the court may allow parties to present evidence.

*(C) DEFENDANT’S PRESENCE.—At a hearing under this section, the defendant shall be present unless the defendant waives the right to be present under this clause may be satisfied by the defendant appearing by video teleconference.
“(iv) COUNSEL.—A defendant who is unable to obtain counsel is entitled to have counsel appointed to represent the defendant for proceedings under this section, including any appeal, unless the defendant waives the right to counsel.

“(v) FINDINGS.—The court shall state in open court, and file in the record, the reasons for granting or denying a motion under this section.

“(C) APPEAL.—The Government or the defendant may file a notice of appeal in the district court for review of a final order under this section. The time limit for filing such appeal shall be governed by rule 4(a) of the Federal Rules of Appellate Procedure.

“(f) EXHIBIT B—After the term ‘criminal rehabilitation programs’—A defendant who is convicted and sentenced as an adult for an offense committed and completed before the defendant attained 18 years of age may not be deprived of any educational, training, or rehabilitative program that is otherwise available to the general prison population.

“(b) TABLE OF SECTIONS.—The table of sections for chapter 403 of title 18, United States Code, is amended by inserting after the item relating to section 3002 the following:

“302A. Modification of an imposed term of imprisonment for violations of law committed prior to age 18.

“(c) APPLICABILITY.—The amendments made by this section shall apply to any conviction entered before, on, or after the date of enactment of this Act.

“SEC. 202. JUVENILE SEALING AND EXPUNGEMENT.

“(a) PURPOSE.—The purpose of this section is to—

(1) protect children and adults against damage stemming from their juvenile acts and subsequent juvenile delinquency records, including enforcement, arrest, and court records; and

(2) prevent the unauthorized use or disclosure of confidential juvenile delinquency records and any potential employment, financial, psychological, or other harm that would result from such unauthorized use or disclosure.

“(b) DEFINITIONS.—Section 5031 of title 18, United States Code, is amended to read as follows:

“5031. Definitions.

“In this chapter—

“(1) the term ‘adjudication’ means a determination by a court that the person whose juvenile nonviolent offense relates to the offense is not a juvenile delinquent;

“(2) the term ‘conviction’ means a judgment of guilt entered before, on, or after the date of enactment of this Act;

“(3) the term ‘destroy’ means to render unreadable, whether paper, electronic, or otherwise stored, by shredding, pulverizing, pulping, incinerating, overwriting, reformattting, or other means;

“(4) the term ‘expunge’ means to destroy a record and obliterate the name of the person to whom the record pertains from each official index of the record; and

“(5) the term ‘expungement hearing’ means a hearing held under section 5046(b)(2)(B);

“(6) the term ‘expungement petition’ means a petition for expungement filed under section 5046(b);

“(7) the term ‘high-risk, public trust position’ means a position designated as a public trust position under section 731.106(b) of title 5, Code of Federal Regulations, or any successor regulation;

“(8) the term ‘juvenile’ means—

“(A) the person described in subparagraph (B), a person who has not attained the age of 18 years; and

“(B) for the purpose of proceedings and disposition under this chapter for an alleged act of juvenile delinquency, a person who has not attained the age of 21 years;

“(9) the term ‘juvenile delinquency’ means the violation of a law of the United States committed by a person before attaining the age of 18 years which would have been a crime if committed by an adult, or a violation by such a person of section 922(x);

“(10) the term ‘juvenile nonviolent offense’ means—

“(A) in the case of an arrest or an adjudication that is dismissed or finds the juvenile to be not delinquent, an act of juvenile delinquency that is not—

(i) described in clause (i) or (ii) of subparagraph (A); or

(ii) a misdemeanor crime of domestic violence (as defined in section 921(a)(33));

“(B) in the case of an adjudication that finds the juvenile to be delinquent, an act of juvenile delinquency that is not—

(i) described in clause (i) or (ii) of subparagraph (A); or

(ii) a Federal crime of terrorism (as defined in section 2332b(g)); and

“(C) APPEAL.—The Government or the defendant may file a notice of appeal in the district court for review of a final order under this section. The time limit for filing such appeal shall be governed by rule 4(a) of the Federal Rules of Appellate Procedure.

“(D) APPEAL.—The Government or the defendant may file a notice of appeal in the district court for review of a final order under this section. The time limit for filing such appeal shall be governed by rule 4(a) of the Federal Rules of Appellate Procedure.

“(E) APPEAL.—The Government or the defendant may file a notice of appeal in the district court for review of a final order under this section. The time limit for filing such appeal shall be governed by rule 4(a) of the Federal Rules of Appellate Procedure.

“(ii) the term ‘sealing hearing’ means a hearing held under section 5044(b)(2)(B); and

“(B) to physically seal the record shut and prevent the unauthorized access to and use of the record; and

“(C) APPEAL.—The Government or the defendant may file a notice of appeal in the district court for review of a final order under this section. The time limit for filing such appeal shall be governed by rule 4(a) of the Federal Rules of Appellate Procedure.

“(a) AUTOMATIC SEALING OF NONVIOLENT OFFENSES.—

“(1) IN GENERAL.—Three years after the date on which a person who is adjudicated delinquent under this chapter for a juvenile nonviolent offense completes every term of probation, official detention, or juvenile delinquency supervision ordered by the court with respect to the offense, the court shall order the sealing of each juvenile record or portion thereof that relates to the offense if—

“(A) the person has not been convicted of a crime or adjudicated delinquent for an act of juvenile delinquency since the date of the disposition; and

“(B) is not engaged in active criminal court proceedings or juvenile delinquency proceedings.

“(2) AUTOMATIC NATURE OF SEALING.—The order sealing under paragraph (1) shall require no action by the person whose juvenile records are to be sealed.

“(B) NOTICE OF AUTOMATIC SEALING.—A court that orders the sealing of a juvenile record of a person under paragraph (1) shall, in writing, inform the person of the sealing and the benefits of sealing the record.

“(B) PETITIONING FOR EARLY SEALING OF NONVIOLENT OFFENSES.—

“(1) RIGHT TO FILE SEALING PETITION.—

“(A) IN GENERAL.—During the 5-year period beginning on the date on which a person who is adjudicated delinquent under this chapter for a juvenile nonviolent offense completes every term of probation, official detention, or juvenile delinquency supervision ordered by the court with respect to the offense, the person may petition the court to seal the juvenile records that relate to the offense, unless the person—

(i) has been convicted of a crime or adjudicated delinquent for an act of juvenile delinquency since the date of the disposition; or

(ii) is engaged in active criminal court proceedings or juvenile delinquency proceedings.

“(B) NOTICE OF OPPORTUNITY TO FILE PETITION.—If a person is adjudicated delinquent for a juvenile nonviolent offense, the court in which the person is adjudicated delinquent shall, in writing, inform the person of the potential eligibility of the person to file a sealing petition with respect to the offense unless the sealing petition involves probation, official detention, or juvenile delinquency supervision ordered by the court with respect to the offense; and the necessary procedures for obtaining the sealing petition—

(i) on the date on which the individual is adjudicated delinquent; and

(ii) on the date on which the individual has completed every term of probation, official detention, or juvenile delinquency supervision ordered by the court with respect to the offense.

“(C) PROCEDURES.—

“(A) NOTIFICATION TO PROSECUTOR.—If a person files a sealing petition with respect to a juvenile nonviolent offense, the court in which the petition was filed shall provide notice of the petition to—

(i) the Attorney General; and

“1822

CONGRESSIONAL RECORD — SENATE
March 25, 2021

“bonding,” the following: “participation in an educational system;” and

“(2) in subsection (b), by striking ‘District courts exercising jurisdiction over any juvenile nonviolent offenses under this chapter shall order the sealing of each juvenile record or portion thereof that relates to the offense if— Not later than 7 days after the date on which a district court exercises jurisdiction over a juvenile, the district court’.

“(D) SEALING; EXPUNGEMENT.—

“(1) IN GENERAL.—Chapter 403 of title 18, United States Code, is amended by adding at the end the following:

“5044. Sealing

“(a) AUTOMATIC SEALING OF NONVIOLENT OFFENSES.—

“(1) IN GENERAL.—Three years after the date on which a person who is adjudicated delinquent under this chapter for a juvenile nonviolent offense completes every term of probation, official detention, or juvenile delinquency supervision ordered by the court with respect to the offense, the court shall order the sealing of each juvenile record or portion thereof that relates to the offense if—

“A) has not been convicted of a crime or adjudicated delinquent for an act of juvenile delinquency since the date of the disposition; and

“(B) is not engaged in active criminal court proceedings or juvenile delinquency proceedings.

“(2) AUTOMATIC NATURE OF SEALING.—The order sealing under paragraph (1) shall require no action by the person whose juvenile records are to be sealed.

“(B) NOTICE OF AUTOMATIC SEALING.—A court that orders the sealing of a juvenile record of a person under paragraph (1) shall, in writing, inform the person of the sealing and the benefits of sealing the record.

“(B) PETITIONING FOR EARLY SEALING OF NONVIOLENT OFFENSES.—

“(1) RIGHT TO FILE SEALING PETITION.—

“(A) IN GENERAL.—During the 5-year period beginning on the date on which a person who is adjudicated delinquent under this chapter for a juvenile nonviolent offense completes every term of probation, official detention, or juvenile delinquency supervision ordered by the court with respect to the offense, the person may petition the court to seal the juvenile records that relate to the offense, unless the person—

(i) has been convicted of a crime or adjudicated delinquent for an act of juvenile delinquency since the date of the disposition; or

(ii) is engaged in active criminal court proceedings or juvenile delinquency proceedings.

“(B) NOTICE OF OPPORTUNITY TO FILE PETITION.—If a person is adjudicated delinquent for a juvenile nonviolent offense, the court in which the person is adjudicated delinquent shall, in writing, inform the person of the potential eligibility of the person to file a sealing petition with respect to the offense unless the sealing petition involves probation, official detention, or juvenile delinquency supervision ordered by the court with respect to the offense; and the necessary procedures for obtaining the sealing petition—

(i) on the date on which the individual is adjudicated delinquent; and

(ii) on the date on which the individual has completed every term of probation, official detention, or juvenile delinquency supervision ordered by the court with respect to the offense.

“(C) PROCEDURES.—

“(A) NOTIFICATION TO PROSECUTOR.—If a person files a sealing petition with respect to a juvenile nonviolent offense, the court in which the petition was filed shall provide notice of the petition to—

(i) the Attorney General; and

“25MRPT1dlhill on DSK120RN23PROD with SENATE
(ii) upon the request of the petitioner, to any other individual that the petitioner determines may testify as to—
(I) the conduct of the petitioner since the date of the offense;
(II) the reasons that the sealing order should be entered.
(B) HEARING.—(i) If a person files a sealing petition, the court shall—
(I) except as provided in clause (ii), conduct a hearing in accordance with clause (i); and
(II) determine whether to enter a sealing order for the person in accordance with subparagraph (C).
(C) OPPORTUNITY TO TESTIFY AND OFFER EVIDENCE.—
(I) PETITIONER.—The petitioner may testify or offer evidence at the sealing hearing in support of or against sealing.
(II) OTHER INDIVIDUALS.—An individual who receives notice under subparagraph (A)(ii) may testify or offer evidence at the sealing hearing as to the issues described in subparagraph (B)(II) of that subparagraph.
(III) WAIVER OF HEARING.—If the petitioner and the Attorney General so agree, the court shall make a determination under subparagraph (C)(iii) without a hearing.
(B) TRANSITION PERIOD.—During the 1-year period beginning on the date on which a court orders the sealing of a juvenile record under this section, the court shall—
(A) send a copy of the sealing order to the petitioner, including a law enforcement agency
(B) in the sealing order, require each entity or person described in subparagraph (A) to—
(i) seal the record; and
(ii) submit a written certification to the court, under penalty of perjury, that the entity or person has sealed each paper and electronic copy of the record;
(C) verify the sealing of a juvenile record under this section—
(I) for investigatory or prosecutorial purposes; and
(ii) for investigatory or prosecutorial purposes;
and
(D) before the date on which a court orders the sealing of a juvenile record under this section—
(A) the court shall—
(i) vacate the order; and
(ii) any position that a Federal agency designates as—
(aa) national security position; or
(bb) high-risk, public trust position.
(C) TRANSITION PERIOD.—During the 1-year period beginning on the date on which a court orders the sealing of a juvenile record under this section, the district court in operation under section 3006A to represent a petitioner for purposes of this subsection if the petitioner is less than 18 years of age.
(II) PETITIONERS AGE 18 AND OLDER.—
(D) EXCEPTIONS.—
(A) IN GENERAL.—Except as provided in paragraphs (3) and (4), if a court orders the sealing of a juvenile record of a person under subsection (a) or (b) with respect to a juvenile nonviolent offense, the proceedings in the case shall be deemed never to have occurred, and the petitioner may properly reply accordingly to any inquiry about the events of the records of the petitioner; and
(B) IN GENERAL.—If a person is convicted of a crime, adjudicated delinquent for an act of juvenile delinquency, or engaged in active criminal court proceedings, the court shall deny the petition.
(C) IN GENERAL.—Except as provided in subparagraph (B), a law enforcement agency may acquire a sealed juvenile record in the possession of the agency or another law enforcement agency solely—
(I) to determine whether the person who is the subject of the record is a violent offender eligible for a first-time-offender diversion program;
(ii) for investigatory or prosecutorial purposes;
and
(II) the number of instances in which the Attorney General supported or opposed a sealing petition;
(III) the conduct of the petitioner since the date of the offense;
(IV) the number of times to which the petitioner has been without contact with any court or law enforcement agency;
(V) the nature of the juvenile nonviolent offense;
(VI) the manner in which the petitioner participated in any court-ordered rehabilitative programming or supervised services;
(VII) the length of the time period during which the petitioner has been without contact with any court or law enforcement agency;
(VIII) whether the petitioner has had any criminal or juvenile delinquency involvement since the disposition of the juvenile delinquency proceeding; and
(X) the best interests of the petitioner.
(B) TRANSITION PERIOD.—During the 1-year period beginning on the date on which a court orders the sealing of a juvenile record under this section—
(A) the court shall—
(i) seal the record;
(ii) submit a written certification to the court, under penalty of perjury, that the entity or person has sealed each paper and electronic copy of the record;
and
(C) effect of sealing order.—
(I) PROTECTION FROM DISCLOSURE.—Except as provided in paragraphs (3) and (4), if a court orders the sealing of a juvenile record of a person under subsection (a) or (b) with respect to a juvenile nonviolent offense, the proceedings in the case shall be deemed never to have occurred, and the petitioner may properly reply accordingly to any inquiry about the events of the records of the petitioner; and
(ii) the sealing petition and any documents in the possession of the court; and
(ii) the number of instances in which the Attorney General supported or opposed a sealing petition;
(ii) the conduct of the petitioner since the date of the offense; or
(iii) disaggregates all relevant data by race, ethnicity, gender, and the nature of the offense.
(II) PUBLIC DEFENDER ELIGIBILITY.—
(I) PETITIONER.—The petitioner may testify or offer evidence at the sealing hearing in support of or against sealing.
(ii) PETITIONERS AGE 18 AND OLDER.—
(iii) the best interests of the petitioner;
(iii) the nature of the juvenile delinquency proceeding; and
(iv) the age of the petitioner during his or her contact with the court or any law enforcement agency;
(v) the manner in which the petitioner participated in any court-ordered rehabilitative programming or supervised services;
(vi) the length of the time period during which the petitioner has been without contact with any court or law enforcement agency;
(vii) whether the petitioner has had any criminal or juvenile delinquency involvement since the disposition of the juvenile delinquency proceeding; and
(x) the best interests of the petitioner.
(ii) for investigatory or prosecutorial purposes;
and
(iii) for a background check that relates to—
(III) the conduct of the petitioner since the date of the offense; or
(IV) the number of times to which the petitioner has been without contact with any court or law enforcement agency;
(V) the nature of the juvenile nonviolent offense;
(VI) the manner in which the petitioner participated in any court-ordered rehabilitative programming or supervised services;
(VII) the length of the time period during which the petitioner has been without contact with any court or law enforcement agency;
(VIII) whether the petitioner has had any criminal or juvenile delinquency involvement since the disposition of the juvenile delinquency proceeding; and
(X) the best interests of the petitioner.
(B) TRANSITION PERIOD.—During the 1-year period beginning on the date on which a court orders the sealing of a juvenile record under this section—
(A) the court shall—
(i) seal the record;
(ii) submit a written certification to the court, under penalty of perjury, that the entity or person has sealed each paper and electronic copy of the record;
and
(C) law enforcement access to sealed records.—
(A) IN GENERAL.—Except as provided in subparagraph (B), a law enforcement agency may acquire a sealed juvenile record in the possession of the agency or another law enforcement agency solely—
(I) to determine whether the person who is the subject of the record is a violent offender eligible for a first-time-offender diversion program;
(ii) for investigatory or prosecutorial purposes;
and
(B) TRANSITION PERIOD.—During the 1-year period beginning on the date on which a court orders the sealing of a juvenile record under this section, the court shall deny the petition.
(C) EXCEPTIONS.—
(1) BACKGROUND CHECKS.—In the case of a background check for law enforcement employment or for any employment that requires a government security clearance—
(A) a person who is the subject of a juvenile record sealed under this section shall disclose the contents of the record to the Secretaries of the military departments or the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy) for the purpose of vetting an enlistment or commission, or with regard to any member of the Armed Forces.
(2) CRIMINAL AND JUVENILE PROCEEDINGS.—If a prosecutor or other law enforcement officer may disclose information from a juvenile record sealed under this section, and a person who is the subject of a juvenile record sealed under this section may be required to testify or otherwise disclose information about the record, in a criminal or other proceeding if such disclosure is required by the Constitution of the United States, the constitution of a State, or a Federal or State statute or rule.
(D) AUTHORIZATION FOR PERSON TO DISCLOSE OWN RECORD.—A person who is the subject of a juvenile record sealed under this section may choose to disclose the record.
(E) LIMITATION RELATING TO SUBSEQUENT DISCLOSURE.—
(A) AFTER FILING AND BEFORE PETITION GRANTED.—If, after the date on which a person files a sealing petition with respect to a juvenile offense and before the court determines whether to grant the petition, the person is convicted of a crime, adjudicated delinquent for an act of juvenile delinquency, or engaged in active criminal court proceedings or juvenile delinquency proceedings, the court shall deny the petition.
(B) AFTER PETITION GRANTED.—If, on or after the date on which a court orders the sealing of a juvenile record of a person under subsection (b), the person is convicted of a crime or adjudicated delinquent for an act of juvenile delinquency—
(A) the court shall—
(i) vacate the order; and
(ii) any position that a Federal agency designates as—
(aa) national security position;
(bb) high-risk, public trust position.

(1) notify the person who is the subject of the juvenile record, and each entity or person described in subsection (c)(2)(A), that the order has been vacated; and

(2) require each entity or person described in subsection (c)(2)(B) to notify the person described in paragraph (1) that the order has been vacated.

SEC. 5045. Expungement

(a) AUTOMATIC EXPUNGEMENT OF CERTAIN RECORDS.—

(1) NONVIOLENT OFFENSES COMMITTED BEFORE A PERSON TURNED 15.—If a person is adjudicated delinquent under this chapter for a juvenile nonviolent offense committed before the person attained 15 years of age and completes every term of probation, official detention, or juvenile delinquency supervision ordered by a court with respect to the offense before attaining 18 years of age, then each juvenile record relating to the offense be expunged.

(2) IN GENERAL.—If a person files an expungement petition, the court shall—

(A) if the petition is granted, do any of the following:

(i) order that each juvenile record relating to the offense be expunged.

(B) if the petition is denied, order that each juvenile record relating to the offense shall no longer be sealed.

(B) ARRESTS.—If a juvenile is arrested by a Federal law enforcement agency for a juvenile nonviolent offense for which a juvenile delinquency proceeding is not instituted under this chapter, and for which the United States does not proceed against the juvenile as an adult, the court in which the person was adjudicated delinquent requesting that each juvenile record of the person that relates to the offense be expunged.

(C) EXPUNGEMENT ORDER.—Upon the filing of a motion in a district court of the United States with respect to a juvenile nonviolent offense under subparagraph (A) or an arrest for a juvenile nonviolent offense under subparagraph (B), the court shall grant the motion and enter an order expunging each juvenile record relating to the offense or arrest, as applicable.

(D) AUTOMATIC NATURE OF EXPUNGERMENT.—An order of expungement under paragraph (1)(C) or (2) shall not require any action by the person whose records are to be expunged.

(2) DISMISSED CASES.—If a district court of the United States dismisses an information or finds a juvenile not to be delinquent in a juvenile delinquency proceeding under this chapter, and for which the United States does not proceed against the juvenile as an adult, the court in which the proceeding took place to order the record under subsection (a) or (b) with respect to a juvenile nonviolent offense, the record of a person under subsection (a) or (b) with respect to a juvenile nonviolent offense, the record under paragraph (1)(C) without a hearing.

(E) INCLUSION OF STATE JUVENILE DELINQUENCY ADJUDICATIONS AND PROCEEDINGS.—For paragraphs (A) and (B) of section 1203.16(b)(1), paragraphs (1) and (2) of subsection (d), the term ‘juvenile delinquency proceeding’ includes the violation of a law of a State committed by a person before attaining the age of 18 years which would have been a crime if committed by an adult.

(F) NO FEE FOR INDIGENT PETITIONERS.—If the court determines that the petitioner is indigent, there shall be no cost for filing an expungement petition.

(G) REPORTING.—Not later than 2 years after the date of enactment of this section, and each year thereafter, the Director of the Administrative Office of the United States Courts shall issue a public report that—

(i) describes—

(A) the number of expungement petitions granted and denied under this subsection; and

(B) the potential for adverse testimony by a victim or a representative of the Attorney General.

(c) EFFECT OF EXPUNGED JUVENILE RECORD.—

(1) PROTECTION FROM DISCLOSURE.—Except as provided in paragraphs (4) through (8), if a court orders the expungement of a juvenile record of a person under subsection (a) or (b) with respect to a juvenile nonviolent offense, the expungements in the case shall be deemed never to have occurred, and the person may properly reply accordingly to any inquiry about the events the records of which are ordered expunged.

(2) VERIFICATION OF EXPUNGEMENT.—If a court orders the expungement of a juvenile record under subsection (a) or (b) with respect to a juvenile nonviolent offense, the court shall—

(A) provide a copy of the expungement order to each entity or person described in subsection (a) or (b) without charge; and

(B) enter the order in the criminal history records system of the State in which the proceeding occurred.

(3) SEALING OF RECORDS.—If a court orders the expungement of a juvenile record of a person under subsection (a) or (b) with respect to a juvenile nonviolent offense, the court shall—

(A) seal the record for 1 year and, during that year, destroy the record unless the record is used in the course of the criminal justice system.

(B) CENSUS OF EXPUNGEMENTS.—Each year, the Director of the Administrative Office of the United States Courts shall create a universal form, available over the internet and in paper form, that an individual may use to file an expungement petition.

(4) DISCLOSURE.—If the court determines that the petitioner is not indigent, there shall be no cost for filing an expungement petition.

(5) REPORTING.—Not later than 2 years after the date of enactment of this section, and each year thereafter, the Director of the Administrative Office of the United States Courts shall issue a public report that—

(i) describes—

(A) the number of expungement petitions granted and denied under this subsection; and

(B) the potential for adverse testimony by a victim or a representative of the Attorney General.

(6) IMMUNITY.—If the court determines that the petitioner is not indigent, the court shall provide a copy of the expungement order to each entity or person described in subsection (a) or (b) with respect to a juvenile nonviolent offense, the court shall—

(A) require each entity or person described in subparagraph (A) to—

(i) provide the record to each entity or person described in subparagraph (A) without charge; and

(ii) public or private correctional or detention facility;
(III) submit a written certification to the court, under penalty of perjury, that the entity or person has destroyed each paper and electronic copy of the record; and

(ii) (A) if a subsequent incident described in subsection (d)(2) occurs, the order shall be vacated and the record shall no longer be sealed;

(C) notify the plaintiff that has a juvenile record and may rebut the presumption of a complete defense presented in the action, there shall be a rebuttable presumption that the defendant has a complete defense to the action.

(D) PROOF OF EXISTENCE OF JUVENILE RECORD.—If the plaintiff in an action describes in subparagraph (A), the plaintiff may rebut the presumption of a complete defense by showing that the contents of the expunged record would not prevent the defendant from being held liable.

(C) RECORD AS TO EXISTENCE OF RECORD.—The court in which an action described in subparagraph (A) is filed may require the plaintiff to state on oath whether the juvenile record or whether the record was expunged.

(D) PROOF OF EXISTENCE OF JUVENILE RECORD.—If the plaintiff in an action described in subparagraph (A) denies the existence of a juvenile record, the defendant may prove the existence of the record in any manner consistent with the applicable laws of evidence.

(5) CRIMINAL AND JUVENILE PROCEEDINGS.—On and after the date that is 1 year after the date on which a court orders the expungement of a juvenile record of a person under this section, in the case of an inquiry relating to the juvenile record, the court, each law enforcement officer, any agency that provided treatment or rehabilitation services to the person, and the person (except as provided in paragraphs (4) through (8) of subsection (b)) that is committed or alleged to be a juvenile criminal proceedings or juvenile delinquency, or engaged in active criminal court proceedings or juvenile delinquency proceedings, the court shall deny the petition.

(6) INCLUSION OF STATE JUVENILE DELINQUENCY ADJUDICATIONS AND PROCEEDINGS.—For purposes of this section; and

(e) RULE OF CONSTRUCTION.—Nothing in the amendments made by this section shall be construed to authorize the sealing or expungement of a record of a criminal conviction of a juvenile who was proceeded against as an adult in a district court of the United States, the constitution of a State, or a Federal or State statute or rule.

(6) BACKGROUND CHECKS.—On and after the date that is 1 year after the date on which a court orders the expungement of a juvenile record under this section, in the case of a background check for law enforcement employment, the courts may require a government security clearance, the person who is the subject of the juvenile record may be required to disclose underlying information from the record.

(7) DISCLOSURE TO ARMED FORCES.—On and after the date that is 1 year after the date on which a court orders the expungement of a juvenile record under this section, a person, including a law enforcement agency that possessed such a juvenile record, may be required to disclose underlying information from the record to the Secretary of the military departments (or the Secretary of Homeland Security with respect to the Coast Guard) for the purpose of vetting an enlistment or commission, or with regard to any member of the Armed Forces.

(8) AUTHORIZATION FOR PERSON TO DISCLOSE OWN RECORD.—A person who is the subject of a juvenile record expunged under this section may choose to disclose the record.

(9) TREATMENT AS SEALED RECORD DURING TRANSITION PERIOD.—During the 1-year period beginning on the date on which a court orders the expungement of a juvenile record under this section, paragraphs (3) and (4) of section 504(c) shall apply with respect to the record as if the record had been sealed under that section.

(d) LIMITATION RELATING TO SUBSEQUENT INCIDENTS.—

(1) AFTER FILING AND BEFORE PETITION GRANTED.—If, on or after the date on which a person files an expungement petition with respect to a juvenile offense and before the court determines whether to grant the petition, the person is convicted of a crime, adjudicated delinquent for an act of juvenile delinquency, or engaged in active criminal court proceedings or juvenile delinquency proceedings, the court shall deny the petition.

(2) AFTER PETITION GRANTED.—If, on or after the date on which a court orders the expungement of a juvenile record of a person, the person is convicted of a crime, adjudicated delinquent for an act of juvenile delinquency, or engaged in active criminal court proceedings or juvenile delinquency proceedings, the court that ordered the expungement shall—

(i) vacate the order; and

(ii) notify the person who is the subject of the juvenile record, and either entity or person described in subsection (c)(2)(A), that the order has been vacated; and

(B) the record—

(i) shall not be expunged; or

(ii) if the record has been expunged because 1 year has elapsed since the date of the final disposition of the arrest or of the proceedings, shall not be treated as having been expunged.

(e) INCLUSION OF STATE JUVENILE DELINQUENCY ADJUDICATIONS AND PROCEEDINGS.—For purposes of paragraphs (A), (B), and (C) of subsection (b)(1) and paragraphs (1) and (2) of subsection (d), the term ‘juvenile delinquency’ includes the violation of a law of a State committed by a person before attaining the age of 18 years which would have been a crime if committed by an adult.

(f) TECNOLOGY-ENABLING AMENDMENT.—The table of sections for chapter 403 of title 18, United States Code, is amended by adding at the end the following:

3042. Sealing.
3045. Expungement.
3049. Electronic records.
3050. Preservation.
3051. Access to a record for employment, housing, credit, or other type of application; and

(II) a Federal criminal proceeding;

(v) the term ‘reporting jurisdiction’ means an entity or person that provides a record to the Attorney General under this section; and

(vi) the term ‘requesting entity’—

(iv) a person or entity that seeks the exchange of a record for civil purposes that include employment, housing, credit, or any other type of application; and

(II) does not include a law enforcement or intelligence agency that seeks the exchange of a record for—

(II) incomplete or inaccurate records.

The Attorney General shall establish and enforce procedures to ensure the prompt release of accurate records exchanged for employment-related purposes through the records system created under this section.

(II) REQUIRED PROCEDURES.—The procedures established under paragraph (2) shall include the following:

(a) INACCURATE RECORD OR INFORMATION.—If the Attorney General determines that a record is inaccurate, the Attorney General shall promptly correct the record, including by making deletions to the record if appropriate.

(b) INCOMPLETE RECORD.—

(i) IN GENERAL.—If the Attorney General determines that a record is incomplete or cannot be verified, the Attorney General—

(ii) shall attempt to complete or verify the record; and

(ii) if unable to complete or verify the record, may promptly make any changes or deletions to the record.

(iii) LACK OF DISPOSITION OF ARREST.—For purposes of this paragraph, an incomplete or unverifiable record indicates that there was an arrest and does not include the disposition of the arrest.
“(iii) Obtaining Disposition of Arrest.—If the Attorney General determines that a record is an incomplete record described in clause (ii), the Attorney General shall not later than 10 days after the date on which the requesting entity requests the exchange and before the exchange is made, obtain the disposition (if any) of the arrest.

(C) Appointments Reporting Jurisdiction.—The Attorney General shall notify each appropriate reporting jurisdiction of any action taken under subparagraph (A) or (B).

(D) Opportunity to Review Records by Applicant.—In connection with an exchange of a record under this section, the Attorney General shall—

(i) notify the applicant that the applicant can obtain a copy of the record as described in clause (ii) if the applicant demonstrates a reasonable basis for the applicant’s review of the record;

(ii) provide to the applicant an opportunity, upon request and in accordance with clause (i), to—

(A) obtain a copy of the record; and

(B) challenge the accuracy and completeness of the record;

(iii) promptly notify the requesting entity of any such challenge;

(iv) not later than 30 days after the date on which such challenge is made, complete an investigation of the challenge;

(v) provide to the applicant the specific findings and results of that investigation;

(vi) make any changes or deletions to the records required as a result of the challenge; and

(vii) report those changes to the requesting entity.

(E) Certain Exchanges Prohibited.—

(i) In General.—An exchange shall not include the record—

(A) except as provided in clause (ii), about an arrest more than 2 years old as of the date of the request for the exchange, that does not also include a disposition (if any) of that arrest;

(B) relating to an adult or juvenile nonserious offense of the sort described in section 20.32(b) of title 28, Code of Federal Regulations, as in effect on July 1, 2006; or

(C) to the extent the record is not clearly an arrest or a disposition of an arrest.

(ii) For Sensitive Positions.—The prohibition under clause (1)(D) shall not apply in the case of a background check that relates to—

(A) law enforcement; or

(B) any position that a Federal agency designates as—

(aa) national security position; or

(bb) high-risk, public trust position.

(F) Fees.—The Attorney General may collect a reasonable fee for an exchange of records for employment-related purposes through the records system created under this section to defray the costs associated with exchanges for those purposes, including any costs associated with the investigation of incomplete records.

(b) Regulations on Reasonable Procedures.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall promulgate regulations to carry out section 534(g) of title 28, United States Code, as added by subsection (a).

(c) Report Required.—(1) Definition.—In this subsection, the term ‘record’ has the meaning given in the term in subsection (g) of section 534 of title 28, United States Code, as added by subsection (a), that includes—

(A) the number of exchanges of records for employment-related purposes made with entities in the United States, including in the United States, the Offices of the Corporation for National and Community Service, the Peace Corps, and the Peace Corps Volunteers Program, and in each State through the records system created under such section 534; and

(B) any prolonged failure of a Federal agency to comply with a request by the Attorney General for information about dispositions of arrests; and

(C) the numbers of successful and unsuccessful challenges to the accuracy and completeness of records organized by the Federal agency from which each record originated.

By Mr. DURBIN (for himself, Mr. BOOZMAN, Mr. INHOFE, Mr. BOOKER, and Mr. CARDIN):

S. 1022. A bill to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DURBIN. Mr. President, I ask unanimous consent to print the text of this bill in the RECORD.

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

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 “Increasing American Jobs Through Greater Exports to Africa Act of 2021”.

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Export growth helps United States business grow and create United States jobs. Ninety-eight percent of United States exports came from approximately 300,000 small- and medium-sized businesses supporting 4,000,000 United States jobs.

(2) In a February 5, 2021, message to an African Union Summit, President Joseph R. Biden reaffirmed the United States relationship with African countries as partners in the continent-wide spirit of entrepreneurship and innovation.

(3) Many countries have trade-distorting export promotion programs that aggressively subsidize exports to Africa and other countries around the world. In 2019, there were 115 known official export credit providers around the world, including export credit agencies, up from 85 in 2015—a 35 percent increase from 2015 to 2019. The increasing investment by foreign governments into valuable commodities such as oil and copper, typically without regard to environmental, human rights, labor, or governance standards, is a new challenge.

(b) PURPOSE.—The purpose of this Act is to create jobs in the United States by expanding programs that will result in increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years.

SEC. 3. DEFINITIONS.

In this Act:

(1) AFRICA.—The term ‘Africa’ means the entire continent of Africa and its 54 countries, including the Republic of South Sudan.

(2) AFRICAN DIASPORA.—The term ‘African diaspora’ means the people of African origin living in the United States, irrespective of their citizenship and nationality, who are willing to contribute to the development of Africa.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

(A) the Committee on Appropriations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on Finance of the Senate; and

(B) the Committee on Appropriations, the Committee on Energy and Commerce, the Committee on Financial Services, the Committee on Foreign Affairs, and the Committee on Ways and Means of the House of Representatives.

(4) DEVELOPMENT AGENCIES.—The term ‘development agencies’ includes the United States Department of State, the United States Agency for International Development, the Millennium Challenge Corporation, the United States International Development Finance Corporation, the United States Trade and Development Agency, the United States Department of Agriculture, and the principles of the Organization for Economic Co-operation and Development, and relevant multilateral development banks.

(5) MULTILATERAL DEVELOPMENT BANKS.—The term ‘multilateral development banks’ has the meaning given that term in section 122 of the International Financial Institutions Act (22 U.S.C. 262r) and includes the World Bank.

(6) SUB-SAHARAN REGION.—The term ‘sub-Saharan region’ refers to the 49 countries...

(7) TRADE POLICY STAFF COMMITTEE.—The term ‘‘Trade Policy Staff Committee’’ means the Trade Policy Staff Committee established pursuant to section 202.2 of title 15, Code of Federal Regulations, which is composed of representatives of Federal agencies in charge of developing and coordinating United States positions on international trade and trade-related investment issues.

(8) TRADE PROMOTION COORDINATING COMMITEE.—The term ‘‘Trade Promotion Coordinating Committee’’ means the Trade Promotion Coordinating Committee established under section 2312 of the Export Enhancement Act of 1988 (15 U.S.C. 472). The United States International Trade Representative, the Secretary of Commerce, and the Assistant Secretary for Trade Promotion and Trade Negotiations of the Department of Commerce shall serve as ex officio members of the Trade Promotion Coordinating Committee, and the Committee shall meet at least once every 12 months.

(9) UNITED STATES AND FOREIGN COMMERCIAL SERVICE.—The term ‘‘United States and Foreign Commercial Service’’ means the United States Department of State, Bureau of Economic and Business Affairs, in charge of developing and coordinating United States positions on international trade and trade-related investment and trade promotion activities.

SEC. 4. STRATEGY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall establish a comprehensive strategy for public and private sector development and economic growth in Africa.

(b) FOCUS OF STRATEGY.—The strategy required by paragraph (a) shall focus on:

(1) increasing exports of United States goods and services to Africa by 200 percent in real dollar value within 10 years from the date of the enactment of this Act;

(2) promoting the alignment of United States commercial interests with development priorities in Africa;

(3) developing relationships between the governments of countries in Africa and United States businesses that have an expertise in such issues as critical energy security, infrastructure development, technology, telecommunication, and agriculture;

(4) improving the competitiveness of United States businesses in Africa, including by encouraging the adoption of United States construction codes and product standards, with emphasis on those designated as American National Standards by the American National Standards Institute where applicable;

(5) exploring the role the African diaspora can play in increasing the competitiveness of United States businesses in Africa and ways that African diaspora remittances can help communities in Africa tackle economic, development, and infrastructure financing needs;

(6) promoting economic integration in Africa through working with the subregional economic communities, supporting efforts for deeper integration through the development of customs unions within western and central Africa and within eastern and southern Africa, facilitating the competitiveness of United States businesses in Africa and ways that African diaspora remittances can help communities in Africa tackle economic, development, and infrastructure financing needs;

(7) encouraging a greater understanding among United States business and financial communities of the opportunities Africa holds for United States exports;

(8) fostering partnership opportunities between United States and African small- and medium-sized enterprises;

(9) supporting African entrepreneurship and private sector development as a means to sustainable economic growth and security; and

(10) monitoring:

(A) the implementation rates and the availability of capital for United States business investment in Africa;

(B) loan rates offered by the governments of other countries for investment in Africa; and

(C) the policies of other countries with respect to investments by United States investors in Africa that are predatory or distort markets.

(c) CONSULTATIONS.—In developing the strategy required by subsection (a), the President shall consult with:

(1) Congress;

(2) each agency that is a member of the Trade Promotion Coordinating Committee;

(3) the registered development banks, in coordination with the Secretary of the Treasury and the respective United States Executive Directors of such banks;

(4) each of the development agencies in the Trade Policy Staff Committee;

(5) the President’s Export Council;

(6) each of the development agencies;

(7) any other Federal agencies with responsibility for export promotion or financing and development; and

(8) the private sector, including businesses, nongovernmental organizations, and African diaspora groups.

(d) SUBMISSION TO CONGRESS.—

(1) STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to Congress the strategy required by subsection (a).

(2) PROGRESS REPORT.—Not later than 3 years after the date of the enactment of this Act, the President shall submit to Congress a report on the implementation of the strategy required by subsection (a).

(3) CONTENT OF REPORT.—The report required by paragraph (2) shall include an accounting of all current United States Government programs to promote exports to and trade with Africa and to assist United States businesses competing in the African market as well as an assessment of the extent to which the strategy required by subsection (a) has been successful in developing critical analyses of policies to increase exports to Africa;

(4) has been successful in increasing the competitiveness of United States businesses in Africa;

(5) has been successful in creating jobs in the United States, including the nature and sustainability of such jobs;

(6) has provided sufficient United States Government support to meet third-country competition and ensure that African businesses are able to compete;

(7) has been successful in helping the African diaspora in the United States participate in economic growth in Africa;

(8) has been successful in promoting economic integration in Africa;

(9) has encouraged specific policies and programs in Africa that provide a stable, safe, and transparent environment in which business and entrepreneurship can thrive; and

(10) has made a meaningful contribution to the transformation of Africa and its full integration into the 21st century world economy, not only as a supplier of primary products but also as full participant in international supply and distribution chains and as a consumer of international goods and services.

SEC. 5. SPECIAL AFRICA EXPORT STRATEGY COORDINATOR.

The President shall designate an individual to serve as Special Africa Export Strategy Coordinator:

(1) to oversee the development and implementation of the strategy required by section 4; and

(2) to coordinate with the Trade Promotion Coordinating Committee, the Assistant Secretary for Economic and Business Affairs, and United States Trade Representative for African Affairs, and development agencies with respect to developing and implementing the strategy.

SEC. 6. TRADE MISSION TO AFRICA.

It is the sense of Congress that, not later than 180 days after the date of the enactment of this Act, the Secretary of Commerce and other high-level officials of the United States Government with responsibility for export promotion, financing, and development should conduct a joint trade mission to Africa.

SEC. 7. PERSONNEL.

(a) UNITED STATES AND FOREIGN COMMERCIAL SERVICE.

(1) IN GENERAL.—The Secretary of Commerce shall ensure that not less than 10 total United States and Foreign Commercial Service officers are assigned to each of the first 5 fiscal years beginning after the date of the enactment of this Act.

(2) ASSIGNMENT.—The Secretary shall, in consultation with the Trade Promotion Coordinating Committee and the Special Africa Export Strategy Coordinator, assign the United States and Foreign Commercial Service officers described in paragraph (1) to United States embassies or consulates in Africa after conducting a timely resource allocation analysis that represents a forward-looking assessment of the United States trade opportunities in Africa.

(b) MULTILATERAL DEVELOPMENT BANKS.—

(1) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Secretary of Commerce shall, using existing staff, assign not less than 1 full-time United States and Foreign Commercial Service officers to be split between the Office of the United States Executive Director at the World Bank and the African Development Bank.

(2) RESPONSIBILITIES.—Each United States and Foreign Commercial Service officer assigned under subparagraph (a) shall be responsible for:

(i) increasing the access of United States businesses to procurement contracts with the multinational development bank to which the officer is assigned; and

(ii) facilitating the access of United States businesses to risk insurance, equity investments, consulting services, and lending provided by that bank.

(b) EXPORT-IMPORT BANK OF THE UNITED STATES.

(1) The amounts collected by the Export-Import Bank that remain after paying expenses the Bank is authorized to pay from such amounts for administrative expenses, the Bank shall use sufficient funds to do the following:

(2) Increase the number of staff dedicated to expanding business development for Africa, including increasing the number of business development trips the Bank conducts to Africa and the amount of time staff spends in Africa to meet the goals set forth in section 9 and paragraph (5) of section 6(a) of the Export-Import Bank Act of 1945, as added by section 9(a)(2).

(3) Maintain an appropriate number of employees of the Bank assigned to United States field offices of the Bank to be distributed geographically throughout the United States. Such offices shall coordinate with the related export efforts undertaken by the Small Business Administration regional field offices.

(3) U.S. INTERNATIONAL DEVELOPMENT FINANCE CORPORATION.

(1) STAFFING.—Of the amounts offsetting collections by the Corporation, not less than 1 full-time United States International Development Finance Corporation employee shall serve as Special Africa Export Strategy Coordinator.

(2) The Corporation shall, in coordination with the Special Africa Export Strategy Coordinator, assign the United States International Development Finance Corporation employee described in paragraph (1) to United States embassies or consulates in Africa after conducting a timely resource allocation analysis that represents a forward-looking assessment of the United States trade opportunities in Africa.

(3) U.S. INTERNATIONAL DEVELOPMENT FINANCE CORPORATION.

(1) STAFFING.—Of the amounts offsetting collections by the Corporation, not less than 1 full-time United States International Development Finance Corporation employee shall serve as Special Africa Export Strategy Coordinator.

(2) The Corporation shall, in coordination with the Special Africa Export Strategy Coordinator, assign the United States International Development Finance Corporation employee described in paragraph (1) to United States embassies or consulates in Africa after conducting a timely resource allocation analysis that represents a forward-looking assessment of the United States trade opportunities in Africa.

(3) U.S. INTERNATIONAL DEVELOPMENT FINANCE CORPORATION.
Corporation shall use sufficient funds to increase by not more than 2 the staff needed to promote stable and sustainable economic growth and development in Africa, to strengthen the private sector, and to increase access to Africa, and to facilitate the general economic development of Africa, with a particular focus on helping United States businesses qualify for African markets.

(2) REPORT.—The Corporation shall report to the appropriate congressional committees on whether recent technology upgrades have resulted in more effective promotion and tracking of applications for financing received by the Corporation.

(3) CERTAIN COSTS NOT CONSIDERED ADMINISTRATIVE EXPENSES.—Nothing in this section shall be construed as permitting the reduction of personnel of the Department of Commerce, the Department of State, the Export-Import Bank of the United States, or the United States International Development Finance Corporation or the alteration of systems infrastructure costs associated with activities authorized by the Better Utilization of Investments Leading to Development Act of 2018 (22 U.S.C. 6961 et seq.) shall not be considered administrative expenses.

(4) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as permitting the reduction of personnel of the Department of Commerce, the Department of State, the Export-Import Bank of the United States, or the United States Agency for International Development, except where a personnel decrease was previously anticipated or where decreased financing received by the Corporation.

SEC. 9. EXPORT-IMPORT BANK FINANCING.

(a) FINANCING FOR PROJECTS IN AFRICA.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that foreign export credit agencies are providing financing in Africa that is not compliant with the Arrangement of the Organisation for Economic Co-operation and Development or preferential, tied aid, or other related non-market loans offered by other countries with which United States businesses are also competing or interested in competing.

(2) REPORT REQUIRED.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for 5 years, the Export-Import Bank shall submit to the committees specified in subsection (d) a report on all loans made or rejected by the Bank during the preceding year that were considered to counter trade-distorting financing that is not compliant with the Arrangement of the Organisation for Economic Co-operation and Development or preferential, tied aid, or other related non-market loans offered by other countries with which United States businesses are also competing or interested in competing.

(B) AVAILABILITY OF PORTION OF CAPITALIZATION TO COMPETE AGAINST FOREIGN CREDIT AGENCIES.—

(1) IN GENERAL.—The Bank shall make available annual such amounts as are necessary for loans that counter trade-distorting financing that is not compliant with the Arrangement of the Organisation for Economic Co-operation and Development or preferential, tied aid, or other related non-market loans offered by other countries with which United States businesses are also competing or interested in competing.

(2) REPORT REQUIRED.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for 5 years, the Export-Import Bank shall submit to the committees specified in subsection (d) a report on all loans made or rejected by the Bank during the preceding year that were considered to counter trade-distorting financing that is not compliant with the Arrangement of the Organisation for Economic Co-operation and Development or preferential, tied aid, or other related non-market loans offered by other countries with which United States businesses are also competing or interested in competing.

(B) INCLUSION.—Each report required by subparagraph (A) shall include a description of the terms of the financing described in such subparagraph offered by other countries to firms that competed against the United States firms.

(c) TRADE SECRETS ACT.—A report required by subsection (a)(3) or subsection (b)(2) may not disclose any information that is confidential or business proprietary, or that would violate section 1905 of title 18, United States Code (commonly referred to as the "Trade Secrets Act").

(d) COMMITTEES SPECIFIED.—The committees specified in this subsection are—

(1) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate.

(2) the Committee on Financial Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SEC. 10. SMALL BUSINESS ADMINISTRATION.

Section 22(b) of the Small Business Act (15 U.S.C. 649(b)) is amended—

(1) in the matter preceding paragraph (1), by striking "Director of the United States Trade and Development Agency," and inserting "the Director of the United States Trade and Development Agency, the Trade Promotion Coordinating Committee,"; and

(2) in paragraph (3), by inserting "small and

SEC. 11. BILATERAL, SUBREGIONAL, AND REGIONS, AND MULTILATERAL AGREEMENTS.

(a) IN GENERAL.—Where applicable, the President shall explore opportunities to negotiate bilateral, subregional, and regional agreements that encourage trade and eliminate nontariff barriers to trade between countries, such as negotiating investor-friendly double-taxation treaties and investment promotion agreements.

(b) AGREEMENTS WITH AFRICAN COUNTRIES.—To the extent any agreement described in subsection (a) exists between the United States and an African country, the President shall ensure that the agreement is being implemented in a manner that maximizes the positive effects for United States trade, export, and labor interests as well as the economic development of the countries in Africa.

(c) CONSIDERATION OF OBJECTIVES.—United States negotiators in multilateral fora should take into account the objectives of this Act.

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

S. 1023. A bill to provide tax credits to encourage moderate-income individuals for certain computer and education expenses, to direct the Federal Communications Commission to modify the requirements for the Lifeline program to provide increased support, and for other purposes; to the Committee on Finance.

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

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

S. 1023

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 "Computer and Internet Access Equity Act".

SEC. 2. INCREASED LIFELINE SUPPORT.

(a) DEPRECIATION.—In this section:

(1) COMMISSION.—The term "Commission" means the Federal Communications Commission.

(2) TERMS DEFINED IN REGULATIONS.—The terms defined in section 54.400 of title 47, Code of Federal Regulations (or any successor regulation), have the meanings given those terms in that section.

(3) REGULATIONS.—Not later than 14 days after the date of enactment of this Act, the Commission shall promulgate regulations to carry out the requirements for the Lifeline program set forth in subpart E of part 54 of title 47, Code of Federal Regulations (as in effect on the date of enactment of this Act) to provide for the following:

(1) The amount of Lifeline support that a provider of Lifeline service may receive for providing such service to each qualifying low-income consumer shall be increased by the lesser of—

(A) $83.33 per month; or

(B) the amount needed to make the amount of Lifeline support received by the provider equal to the cost of providing such service, except that such cost may not exceed the cost to the provider of providing an equivalent level of voice service or broadband internet access service (as applicable) to a consumer who does not receive Lifeline service.

(2) the percentage of the Federal Poverty Guidelines (as specified in section 54.409(a)(1) of title 47, Code of Federal Regulations) at or below which a consumer’s household income must be in order for the consumer to constitute a qualifying low-income consumer on the basis of income shall be increased to 135 percent.

(3) A provider of broadband internet access service shall not be required to be designated as an eligible telecommunications carrier under section 214(e) of the Communications Act of 1934 (47 U.S.C. 214(e)) in order to receive Lifeline support for providing such service to a qualifying low-income consumer.

By Mr. DURBIN.

March 25, 2021

S1828

CONGRESSIONAL RECORD—SENATE

Mr. BOOKER:

---

S. 1023
(c) DURATION.—The modifications made by the regulations promulgated under subsection (b) shall cease to have any force or effect on the date that is 12 years after the date on which the regulations are promulgated.

(d) CONSUMER PROTECTIONS.—

(1) PROVIDER OF BROADBAND INTERNET ACCESS SERVICE.—A provider of broadband internet access service that receives Lifeline support for providing such service to a qualified low-income consumer—

(A) shall provide such service to the consumer at a minimum speed of 25 megabits per second for downloads and 3 megabits per second for uploads, which minimum speed shall be reevaluated and, if appropriate, increased by the Commission not less frequently than once every 3 years;

(B) shall provide a level of customer service to that service that is comparable to the customer service that the provider provides to consumers of broadband internet access service who do not receive Lifeline service;

(C) shall offer such service to each qualified low-income consumer in the designated service area of the provider; and

(D)(i) shall advertise the availability of such service and the charges therefore using media of general distribution throughout the designated service area of the provider to increase awareness among consumers (including non-English speaking consumers) that they may be eligible for such service; and

(ii) in addition, each State agency responsible for the provision of social assistance and service programs in conducting advertising under clause (i).

(2) DESIGNATED SERVICE AREA.—A State commission or the Commission, as applicable, shall establish a designated service area for a provider of broadband internet access service described in paragraph (1) for purposes of that paragraph in the same manner as the State commission or Commission establishes a designated service area for a common carrier under paragraphs (5) or (6), as applicable, of section 214(e) of the Communications Act of 1934 (47 U.S.C. 214(e)).

SEC. 3. INTERNET EDUCATION AND TRAINING GRANT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ‘Commission’ means the Federal Communications Commission.

(2) COMMUNITY-BASED ORGANIZATION.—The term ‘community-based organization’ has the meaning given the term in section 54.400 of the Federal Register.

(3) DIGITAL LITERACY.—The term ‘digital literacy’ means the skills associated with using technology.

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

(A) a nonprofit organization;

(B) a not-for-profit social welfare organization; or

(C) a community-based organization.

(5) FEDERAL POVERTY GUIDELINES.—The term ‘Federal Poverty Guidelines’ means the Federal Poverty Guidelines used for purposes of section 54.400(a)(1) of title 47, Code of Federal Regulations (or any successor regulation).

(6) HOUSING.—The term ‘housing’ has the meaning given in section 54.400 of title 47, Code of Federal Regulations (or any successor regulation).

(7) INCOME.—The term ‘income’ has the meaning given in section 54.400 of title 47, Code of Federal Regulations (or any successor regulation).

(8) NONPROFIT ORGANIZATION.—The term ‘nonprofit organization’ means an organization described in section 501(a)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(9) NOT-FOR-PROFIT SOCIAL WELFARE ORGANIZATION.—The term ‘not-for-profit social welfare organization’ means an organization described in section 501(c)(4) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(b) GRANTS AUTHORIZED.—Not later than 90 days after the date of enactment of this Act, the Commission shall establish a program to make grants on a competitive basis to eligible entities to develop and carry out an internet safety education or training program.

(c) APPLICATIONS.—An eligible entity that wishes to receive a grant under this section shall submit to the Commission an application at a designated location containing such information as the Commission may require.

(d) USE OF FUNDS.—An eligible entity that receives a grant under this section shall use grant funds to—

(1) develop a program to provide internet education and training, which may address cyberbullying, online privacy, cybersecurity, and digital literacy, to individuals living in households with an income at or below 435 percent of the Federal Poverty Guidelines for households of the applicable size; and

(2) provide such education or training to such individuals through such program.

(e) REPORTS.—

(1) REPORTS TO COMMISSION.—Not later than 3 years after the date on which an eligible entity receives a grant under this section, such entity shall submit to the Commission a report that—

(A) describes the use of the grant by the eligible entity, including the number of individuals served by the eligible entity using grant funds;

(B) describes the progress of the eligible entity toward fulfilling the objectives for which the grant was awarded; and

(C) includes any additional information required by the Commission.

(2) REPORT TO CONGRESS.—Not later than 5 years after the date of enactment of this Act, the Commission shall publish and submit to Congress a report that—

(A) summarizes the data from the reports that the Commission has received under paragraph (1); and

(B) assesses the effectiveness and cost-effec-

tiveness of the grant program established under this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—

There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 4. CREDIT FOR COMPUTER COSTS.

(a) IN GENERAL.—Subpart C of part IV of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 36B the following new section:

SEC. 36C. CREDIT FOR COMPUTER COSTS.

‘‘(a) In General.—In the case of an eligible individual, there shall be allowed as a credit against the tax imposed by this subtitle for the taxable year an amount equal to the lesser of—

‘‘(1) the amount of qualified computer costs paid or incurred by the taxpayer during such taxable year,

‘‘(2) $2,000 ($4,000 in the case of a joint return), or

‘‘(3) $50,000 ($100,000 in the case of a joint return) minus the sum of any credits allowed to the taxpayer under this section for any preceding taxable year.

‘‘(b) LIMITATION.—For purposes of this section—

(1) the term ‘qualified computer costs’ means amounts paid or incurred for computers, printers, and other education-related technology;

(2) the term ‘eligible individual’ means any individual other than—

(A) any nonresident alien individual, or

(B) any individual who, if a deduction under section 151 is allowable to another taxpayer for a taxable year beginning in the calendar year in which the individual’s taxable year begins, and

(C) any estate or trust.

(3) IN GENERAL.—The Secretary may make payments under subsection (a) only to the extent that the total amount of such payments made to any taxpayer during the taxable year does not exceed the amount of the credit determined under subsection (a) of section 36C, as determined based on application of subsection (c) of such section using the adjusted gross income of the taxpayer for the most recent taxable year for which a return has been filed during any of the preceding 3 taxable years.

‘‘(d) RECONCILIATION OF CREDIT AND ADVANCE CREDIT.—Section 36C of such Code, as added by subsection (a), is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (f) the following new subsection:

‘‘(e) RECONCILIATION OF CREDIT AND ADVANCE CREDIT.—

‘‘(1) In General.—The amount of the credit allowed under this section for any taxable year shall be reduced (but not below zero) by the aggregate amount of any advance payments of such credit under section 7527B for such taxable year.

‘‘(2) LIMITATION.—

‘‘(A) In General.—If the aggregate amount of advance payments under section 7527B for the taxable year exceeds the amount of the credit allowed under this section for such taxable year (determined without regard to paragraph (1)), the tax imposed by this chapter for such taxable year shall be increased by an amount equal to such excess.

(B) RETURN REQUIREMENT.—If the tax imposed by this chapter for the taxable year is
increased under this paragraph, the taxpayer shall, notwithstanding section 6012, be required to file a return with respect to the taxes imposed under this subtitle.

(c) OTHER AMENDMENTS.—(1) Section 6211(b)(4)(A) of the Internal Revenue Code of 1986 is amended—

(A) by inserting “36C,” after “36B,” and (B) by striking “and 7527A” and inserting “7527A, and 7527B”.

(2) Paragraph (2) of section 1324(b) of title 31, United States Code, is amended—

(A) by striking “36C,” after “36B,”, and (B) by striking “or 7527A” and inserting “7527A, or 7527B”.

(3) The table of sections for subpart C of part 3 of subchapter A of chapter 3 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 363 the following new item:

“Sec. 36C. Credit for Computer Costs.”.

(4) The table of sections for chapter 77 of such Code is amended by inserting after the item relating to section 7527A the following new item:

“Sec. 7527B. Advance payment of credit for computer costs.”.

(d) PUBLIC AWARENESS CAMPAIGN.—The Secretary of the Treasury (or the Secretary’s delegate) shall conduct a public awareness campaign in consultation with the Commissioner of Social Security, the Secretary of Veterans Affairs, and the heads of other relevant Federal and State agencies, to provide information to the public (including non-English speaking populations) regarding the availability of the credit allowed under section 36C of the Internal Revenue Code of 1986 and advance payment of such credit pursuant to section 7527B of such Code (as added by this section).

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to costs incurred in taxable years beginning after December 31, 2020.

By Mr. THUNE (for himself, Mrs. SHAEKEN, and Mrs. FISCHER):

S. 1058. A bill to amend the Small Business Investment Act of 1958 to provide opportunities for rural business investment companies, and for other purposes; to the Committee on Small Business and Entrepreneurship.

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

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

S. 1058

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 “Rural Capital Investment Act of 1988.”

SEC. 2. DEFINITIONS.

In this Act—

(1) the term “Administration” means the Small Business Administration;

(2) the term “Administrator” means the Administrator of the Administration;

(3) the term “appropriate committees of Congress” means—

(A) the Committee on Small Business and Entrepreneurship of the Senate;

(B) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(C) the Committee on Small Business of the House of Representatives; and

(D) the Committee on Agriculture of the House of Representatives;

(4) the term “rural business investment company” has the meaning given the term in section 384A of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc); and

(5) the term “Secretary” means the Secretary of Agriculture; and

(6) the term “rural group” means the interagency working group established under section 4(a).

SEC. 3. RURAL BUSINESS INVESTMENT.

(a) IN GENERAL.—The Small Business Investment Act of 1958 (15 U.S.C. 631 et seq.) is amended—

(1) in part A of title III (15 U.S.C. 631 et seq.)—

(A) in section 305(b)(2) (15 U.S.C. 631(b)(2)), by adding at the end the following:

“(E) INVESTMENTS IN RURAL AREAS.—

(1) In paragraph (1), the term ‘rural area’ has the meaning given the term in section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)).

(II) ADDITIONAL LEVERAGE.—

(1) IN GENERAL.—In calculating the outstanding leverage of a company for the purposes of subparagraph (A), the Administrator shall not include the amount of the cost basis of any equity investment made by the company in a smaller enterprise located in a rural area if the Administrator, after performing an appropriate evaluation, determines that such an exclusion will not result in additional risk to the Administration or the Federal Government.

(II) LIMITATION.—The amount excluded under subclause (I) for a company shall not exceed $25,000,000 in any fiscal year.

(B) in section 308(g)(3) (15 U.S.C. 687(g)(3))—

(i) in subparagraph (D), by striking “and” and inserting “; and”;

(ii) in paragraph (1), (a) SBA REQUIREMENTS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (5), the Administrator shall ensure, to the maximum extent practicable, that those terms and conditions are not—

(aa) duplicative of other requirements applicable to rural business investment companies;

(bb) otherwise unnecessary; and

(2) CONDITIONS.—With respect to leverage grant¬ed under section 321, and with respect to leverage granted under section 321, after “retained by the Administration under this section”,

(i) ensure, to the maximum extent practicable, that those terms and conditions are not—

(aa) duplicative of other requirements applicable to rural business investment companies;

(bb) otherwise unnecessary; and

(ii) take into consideration how rural business investment companies that have been licensed under section 384(d) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc–3(e)) before the date of enactment of this section could qualify to receive that leverage.

(c) INTERNAL EVALUATION.—Not later than June 1 of each year, the Administrator shall perform an evaluation to determine whether the Administration will be able to expend all of the covered amounts for the fiscal year in which the evaluation is made.

(2) in section 358(g) (15 U.S.C. 697(g)), by inserting—

“(a) E STABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with the Secretary, shall establish an interagency working group to develop—

(1) administrative recommendations for improving the coordination between the Administration and the Department of Agriculture in administering the program carried out under part A of title III of the Small Business Investment Act of 1958 (15 U.S.C. 631 et seq.), and the program carried out under subtitle H of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc et seq.), respectively; and

(2) legislative recommendations for improving capital access and investment in rural areas of the United States through the program described in this section, including by increasing the number of licenses under those programs.

SEC. 4. INTERAGENCY WORKING GROUP.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with the Secretary, shall establish an interagency working group to develop—

(1) administrative recommendations for improving the coordination between the Administration and the Department of Agriculture in administering the program carried out under part A of title III of the Small Business Investment Act of 1958 (15 U.S.C. 631 et seq.), and the program carried out under subtitle H of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc et seq.), respectively; and

(2) legislative recommendations for improving capital access and investment in rural areas of the United States through the program described in this section, including by increasing the number of licenses under those programs.
early says that the Fed will be tasked with keeping interest rates low by making the Federal government, through the Fed, the consistent (if not the primary) purchaser of bonds. This is a different role for the Fed than it has now. The Fed would no longer be tasked with intervening to keep prices stable because it would be too busy buying bonds. Thus, it would induce inflation. The Fed would no longer be an independent manager of the economy.

(3) MMT destroys foreign confidence in America’s finances. . . . Holders of U.S. debt (in the form of treasuries) expect stability in value, a predictable interest rate, and the ability to be paid back. MMT blows that up. Bondholders would no longer be assured a return on their investment, and it will no longer be as desirable for our creditors to hold U.S. debt.

Whereas, on May 17, 2019, Joel Griffith, a research fellow at The Heritage Foundation, wrote in an article entitled “The Aburdity of Modern Monetary Theory’’ the following: “There is no free lunch. We will pay either through the visible burden of direct taxation, the hidden cost of higher borrowing costs (as the government competes with businesses for available capital). Such realities might not make for a great stump speech, but should not cast a shadow on the promise that deficits can save us a lot of headaches down the road.”

Whereas, on March 25, 2019, Janet Yellen, former Chair of the Board of Governors of the Federal Reserve System, disagreed with those individuals promoting MMT who suggest that “you don’t have to worry about interest-rate costs, the central bank can buy the debt”, stating: “That’s a very wrong-minded theory because that’s how you get hyper-inflation.”

Whereas former Secretary of the Treasury and Director of the National Economic Council Lawrence H. Summers (1) on March 5, 2019, wrote in an opinion piece in the Washington Post entitled “The left’s embrace of modern monetary theory is a recipe for disaster” that, “contrary to the claims of modern monetary theorists, it is not true that governments can simply create new money to pay all liabilities coming due and avoid default. As the experience of any number of emerging markets demonstrates, past a certain point, this approach leads to hyperinflation.”; and

(2) on March 4, 2019, said that “MMT is fallacious at multiple levels; (A) MMT is fallacious at multiple levels; (B) past a certain point, MMT leads to hyperinflation; and (C) a policy of relying on a central bank to finance government deficits, as advocated by MMT theorists, would likely result in a collapsing exchange rate.”

Whereas, on February 26, 2019, Jerome Powell, Chair of the Board of Governors of the Federal Reserve System, stated: “The idea that deficits don’t matter for countries that can print their own currency I think is just wrong.”; and

Whereas, on February 24, 2019, Matt Bruenig, founder of the People’s Policy Project, wrote in an article entitled “What’s the Point of Modern Monetary Theory” that “the real point of MMT seems to be to disempower the public, to tell them that—-and debt can’t go to infinity—it gets ever higher people will demand ever-increasing returns to hold it. So at some point the government would be forced to run large enough deficits to ensure that primary (non-interest) surpluses to limit debt growth.”; and

Whereas, on November 15, 2019, Jason Fichtner and Kody Carmody of the Bipartisan Policy Center wrote in an article entitled “Does the National Debt Matter? A Look at Modern Monetary Theory, or MMT” that “(1) deficits do have a role to play in public finance but, “as interest rates rise, some private-sector projects no longer make financial sense and are forgiven. Crowding out private investment is ultimately a misallocation of resources away from their most economically productive use, hampering economic growth... The more we today, the more it will be to continue borrowing in the future. At some point, debt has to be paid back. There is no free lunch.”; and

(2) MMT underestimates other downside risks of debt” and “MMT advocates note that inflation is the only restraint on debt-financed spending. This leads some to conclude that under the theory of MMT, debt is not a concern, as governments can simply print more money to pay off debt. Such a theory has been roundly rejected by academic economists on both sides of the political spectrum.”; and

(3) printing money has costs, including a “distortion of the credibility of the currency”, an “inflation risk”, and exacerbating “exchange rates”;

(b) MEMBERS.—

(1) IN GENERAL.—The Administrator, in consultation with the Secretary, shall appoint to the working group such representatives of the Department of Agriculture, and such non-Federal industry stakeholders, as the Administrator, in consultation with the Secretary, determines to be appropriate.

(2) COMPENSATION.—No member of the working group may receive any compensation by reason of the service of the member on the working group.

(c) REPORT TO CONGRESS.—Not later than 180 days after the date on which the working group is established under subsection (a), the working group shall submit to the appropriate committees of Congress a report that contains—

(1) the administrative actions that the Administrator and the Department of Agriculture shall take to make the improvements described in paragraph (1) of that subsection; and

(2) the legislative recommendations described in paragraph (2) of that subsection.

(d) TERMINATION.—The working group shall terminate upon submission of the report required under subsection (c).

(e) IMPLEMENTATION OF RECOMMENDATIONS.—Not later than 90 days after the date on which the working group submits the report required under subsection (c), the Administration and the Department of Agriculture shall take the administrative actions described in paragraph (1) of that subsection.

(f) INAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply with respect to the working group or the activities of the working group.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 136—RECOGNIZING THE DUTY OF THE SENATE TO ABANDON MODERN MONETARY THEORY AND RECOGNIZING THAT THE ACCEPTANCE OF MODERN MONETARY THEORY WOULD LEAD TO HIGHER DEFICITS AND HIGHER INFLATION

[199x762]CONGRESSIONAL RECORD — SENATE
S1831

Mr. BRAUN (for himself, Ms. ERNST, and M. TULLIS) submitted the following resolution, which was referred to the Committee on Banking, Housing, and Urban Affairs:

S. Res. 136

Whereas noted economists from across the political spectrum have warned that the implementation of Modern Monetary Theory (referred to in this preamble as “MMT”) would pose a clear danger to the economy of the United States;

Whereas, in July 2019, Zacholler, a policy director of the economic program at Third Way, wrote in a memo the problems associated with MMT, including that—

(1) “Under an MMT policy, policymakers would need to respond to inflation by doing two of the most unpopular things ever: raising taxes and cutting spending. . . . We can easily imagine divided government’s paralyzing tactics to fight inflation: Republicans refusing to raise taxes and Democrats refusing to cutting spending.”

(2) MMT “ends our central non-political economic manager” and “markets trust the Federal Reserve and, as a result, businesses and individuals have well-anchored inflation expectations. To solve the challenges higher interest rates create, including a possible interest financing spiral, MMT gener-
(4) “MMT assumes away politics” and puts “the onus of inflation control on Congress, the institution that lately seems worst-equipped to handle it. The Federal Reserve—which has, in time building extensive credibility in its commitment to fight inflation—would be largely sidelined.”;

(5) “even MMT admits that deficits and debt may be a problem” in the article that Stephanie Kelton has stated: “I would never take the position that we ought to move forward, passing legislation with no offsets, to do Green New Deals but not make sure that the Senate is, in 1 crucial respect, more equipped to handle it. The Federal Reserve—”

(6) it is “hard to pin MMT down on anything at all” due, in large part, to the fact that “prominent supporters of MMT have taken sometimes contradictory positions: When politicians make claims about paying for the Green New Deal through MMT, stay silent, and when economists criticize this view, claim you are being misunderstood.”

 Whereas the March 2019 report entitled “How Reliable is Modern Monetary Theory as a Policy Tool?” by Scott Sumner and Patrick Horan of the Mercatus Center at George Mason University found that—

(1) A has a flawed model of inflation, which overstates the importance of economic slack;

(2) Overstates the revenue that can be earned from the creation of money;

(3) Underestimates the potency of fiscal policy, while understimating the effectiveness of monetary policy;

(4) Understates the ability of fiscal authorities to control inflation; and

(5) Does not provide safeguards against the risks of excessive public debt; and

(6) An MMT agenda of having fiscal authorities manage monetary policy would run the risk of—

(A) Very high debts;

(B) Very high inflation;

(C) Very high debts and very high inflation;

(4) MMT claims to rely on the Treasury to cover expenditures, Congress is, in 1 crucial respect, more constrained than an ordinary household or business is when that household or business relies on a bank to cover expenditures because, if Congress is to avoid running out of money, Congress cannot write checks in amounts exceeding the balances in the general account of the Treasury; and

(2) MMT theorists succeed in turning otherwise banal truths about the workings of contemporary monetary systems into novel policy pronouncements that, although tautologizing, are false: Now, therefore, be it

Resolved, That the Senate—

(1) realises that large deficits are unsustainable, irresponsible, and dangerous; and

(2) recognizes—

(A) that the acceptance of Modern Monetary Theory would lead to higher deficits and higher inflation; and

(B) that MMT advocates would promote the government to abandon Modern Monetary Theory in favor of mainstream fiscal and monetary frameworks.

SENATE RESOLUTION 137—SUPPORTING THE GOALS OF WORLD TUBERCULOSIS DAY TO RAISE AWARENESS ABOUT TUBERCULOSIS

Mr. BROWN (for himself and Mr. SULLIVAN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. Res. 137

Whereas, in 2019, nearly 1/4 of the global population was infected with the tuberculosis bacterium (referred to in this preamble as “TB”);

Whereas the World Health Organization (referred to in this preamble as the “WHO”) estimates that 10,000,000 people developed TB in 2019, 8.2 percent of whom were also infected with the human immunodeficiency virus (referred to in this preamble as “HIV”);

Whereas, in 2019, TB killed an estimated 1,408,000 people, causing more deaths worldwide than any other single infectious agent;

Whereas, globally in 2019, an estimated 2,000,000 children developed TB, and in 2017, 2,900,000 children died of TB;

Whereas 1/3 of new TB infections in 2019 occurred in 8 countries: India, Indonesia, China, the Philippines, Pakistan, Nigeria, Bangladesh, and South Africa;

Whereas TB is a leading killer of people infected with HIV, and 208,000 people with HIV died of TB in 2019;

Whereas vulnerable populations also at high risk for developing TB include individuals who are pregnant and newborns;

Whereas, in 2018, TB was one of the 6 leading causes of death among adult women between the ages of 15 and 49 in low-income countries;

Whereas, in some settings, women with TB can face social isolation, and ostracization by their families and communities;

Whereas the global TB epidemic and the spread of drug-resistant TB represent a persistent public health threat to the United States because the disease does not recognize borders;

Whereas antibiotic-resistant pathogens are a growing problem worldwide, and drug-resistant TB can occur when the drugs used to treat TB are mismanaged or not made consistently accessible;

Whereas studies have demonstrated direct person-to-person transmission of drug-resistant TB;

Whereas multi-drug-resistant TB (referred to in this preamble as “MDR-TB”) is caused by bacteria with resistance to rifampin and isoniazid, the 2 most potent treatments for TB infection;

Whereas, in 2019, according to the 2020 WHO Global Tuberculosis Report, an estimated 3.3 percent of all new TB cases and 18 percent of previously treated cases were MDR-TB or rifampin-resistant TB;

Whereas, in 2019, an estimated 465,000 people were treated for drug-susceptible TB;

Whereas, in 2019, every WHO region reported XDR-TB cases;

Whereas, in 2019, the Centers for Disease Control and Prevention (referred to in this preamble as “CDC”) estimated that the average cost of treating a single patient with XDR-TB was $170,000, and the average cost of treating a patient with XDR-TB was even higher at $533,000, compared with $20,000 to treat a patient with drug-susceptible TB;

Whereas, between 2005 and 2007, according to an analysis by CDC, MDR-TB and XDR-TB cases in the United States collectively cost the health care system an estimated $35,000,000;

Whereas CDC estimates that costs resulting from all forms of TB in the United States totaled more than $600,000,000 in 2019;

Whereas, in a 2000 report, the Institute of Medicine found that a decrease in TB control funding and the spread of HIV and acquired immune deficiency syndrome (commonly referred to as “AIDS”) caused a resurgence of TB in the late 1980s and early 1990s;

Whereas a total of 1,053,113 TB cases were reported in the United States in 2019, representing all 50 States and the District of Columbia, and up to 13,000,000 people in the United States are estimated to be living with latent TB infection;

Whereas 75 percent of States have reported an increase in the proportion of complex cases of TB in recent years due to factors such as homelessness, HIV infection, drug resistance, substance abuse, refugee status, and other factors;

Whereas the rate of TB disease in African Americans is 8 times higher than the rate of disease in White, non-Hispanic Americans, and significant disparities among other minorities in the United States, including Asian Americans, Hispanic Americans, and Native Americans and Alaska Natives, with approximately 86 percent of all reported TB cases in the United States in 2019 occurring in racial or ethnic minorities;

Whereas smoking (1) greatly increases the risks of contracting TB and infection recurrence; and (2) impairs therapeutic efficacy;

Whereas diabetes is a major risk factor for TB, and people with diabetes are more likely to develop and succumb to TB;

Whereas bedaquiline is an antibiotic that extends an MDR-TB drug treatment regimen to 9 months for patients with XDR-TB was even higher at $553,000, and the age cost of treating a patient with XDR-TB was even higher at $533,000, which boil down to a disagreement over how much room there is to borrow without accelerating inflation—

...
Comprehensive Tuberculosis Elimination Act of 2008 (Public Law 110-302; 122 Stat. 3195) led to a historic United States commitment to support the global eradication of TB, including the treatment of 2,500,000 patients and 90,000 MDR-TB patients between 2009 and 2013 and to provide additional treatment through coordinated multilateral efforts.

Whereas USAID—
(1) provides technical assistance to 55 countries and implements bilateral programs in 23 high-burden TB countries that—
(A) build capacity, and
(B) supports the expansion of state-of-the-art TB-related technologies;
(2) supports the development of new diagnostic and treatment tools; and
(3) reaffirms the commitment to strengthen the leadership role of the United States in, able to the global response to the end of the tuberculosis epidemic.

SENATE RESOLUTION 139—URGING THE EUROPEAN PARLIAMENT TO EXEMPT CERTAIN TECHNICAL MEASURES USED TO DETECT CHILD SEXUAL EXPLOITATION FROM EUROPEAN UNION EPRIVACY DIRECTIVE
Mr. COTTON (for himself, Mr. BOOZMAN, and Ms. MURKOWSKI) submitted the following resolution; which was referred to the Committee on Foreign Relations:

Whereas ensuring the safety of children online is a global issue that nations must address together;

Whereas the online trafficking of child sexual abuse material has this preamble as ‘‘CSAM’’ and onlineenticement of children (also known as ‘‘grooming’’) are pervasive problems that are growing at dramatic rates;

Whereas crucial tools in detecting CSAM and grooming online and protecting children using online platforms from child predators are hashing, PhotoDNA, and anti-grooming technologies that are voluntarily used by electronic service providers (referred to in this preamble as ‘‘ESPs’’); to detect, report, and remove CSAM;

Whereas the use of hashing, PhotoDNA, and anti-grooming technology by ESPs has generated millions of reports annually to the CyberTipline of the National Center for Missing & Exploited Children;

Whereas the CyberTipline is a global hotline for reports related to child sexual exploitation that was authorized by Congress in 1998;

Whereas in 2019, more than 69,000,000 images, videos, and files related to child sexual abuse were reported to the CyberTipline, with more than 5,000,000 of these images, videos, and files related to an offender or child victim in the European Union (referred to in this preamble as the ‘‘EU’’);

Whereas in a Communication to the European Parliament, dated July 24, 2020, the European Commission noted, ‘‘the EU has become the largest host of child sexual abuse material globally (from more than half in 2016 to more than two thirds in 2019)’’;

Whereas in 2018, an EU Directive extended the scope of personal data in the electronic communications sector to cover interpersonnal communications, such as messenger services and e-mail;

Whereas this EU Directive caused ESPs to lose the legal basis to use hashing, PhotoDNA, and anti-grooming technologies to detect and report CSAM and online enticement of children to the CyberTipline;

Whereas this EU Directive took effect on December 21, 2020, without any derogation to exempt the voluntary practice of using these technical measures for the protection of personal data in the electronic communications sector to cover interpersonnal communications, such as messenger services and e-mail;

Whereas because of these early efforts, highbush blueberries are large, sweet, juicy berries that can be commercially produced and shipped;

Whereas wild blueberries—
(1) are small and sweet; and
(2) are not planted, but still grow and are harvested where they have naturally occurred for thousands of years;

Whereas the blueberry industry in the United States is an important sector of

S. RES. 139
Ms. STABENOW (for herself, Mr. WARNOCK, Mr. PETERS, Mr. BOOKER, Mr. MENENDEZ, Ms. COLLINS, Ms. CANTWELL, Mr. KING, Mr. MERKLEY, Mrs. MURRAY, and Mr. WYDEN) submitted the following resolution which was referred to the Committee on the Judiciary:

"WHEREAS blueberries are a native North American fruit, first managed and harvested as wild blueberries by the native Wabanaki; and

Whereas wild blueberries continue to be managed and harvested in Maine by farmers including the Wabanaki, as a native, naturally occurring crop; and

Whereas the pioneering work conducted in New Jersey in the early 1900s by Elizabeth White and Dr. Frederick Coville, a botanist at the Department of Agriculture, to domesticate wild lowbush blueberries resulted in the development of the hybrid for cultivated highbush blueberries; and

Resolved, That the Senate—
(1) finds that blueberry production supports more than 29 percent since 2000;

Whereas it is unclear whether ESPs—
(1) will be able to partition the use of hashing, PhotoDNA, and anti-grooming technologies to detect CM and grooming is stopped, the exploitation of children globally will largely go undetected and continue to proliferate; and

Whereas Congress agrees with the European Commission that ‘‘immediate action must be taken to address this issue’’: Now, therefore, be it
Resolved, That the Senate—
(1) supports the goals of World Tuberculosis Day to raise awareness about tuberculosis, the United States Agency for International Development, the Centers for Disease Control and Prevention, the National Institutes of Health, the World Health Organization, and the Global Fund to Fight AIDS, Tuberculosis and Malaria; and
(2) reaffirms the commitment to strengthen the leadership role of the United States in the global response to the end of tuberculosis epidemic.

SENATE RESOLUTION 139—RECOGNIZING THE IMPORTANCE OF THE BLUEBERRY INDUSTRY TO THE UNITED STATES AND DESIGNATING JULY 2021 AS ‘‘NATIONAL BLUEBERRY MONTH’’

Whereas blueberries are a native North American fruit, first managed and harvested as wild blueberries by the native Wabanaki; and

Whereas wild blueberries continue to be managed and harvested in Maine by farmers including the Wabanaki, as a native, naturally occurring crop; and

Resolved, That the Senate—
(1) supports the goals of World Tuberculosis Day to raise awareness about tuberculosis, the United States Agency for International Development, the Centers for Disease Control and Prevention, the National Institutes of Health, the World Health Organization, and the Global Fund to Fight AIDS, Tuberculosis and Malaria; and
(3) reaffirms the commitment to strengthen the leadership role of the United States in the global response to the end of tuberculosis epidemic.

SENATE RESOLUTION 139—URGING THE EUROPEAN PARLIAMENT TO EXEMPT CERTAIN TECHNICAL MEASURES USED TO DETECT CHILD SEXUAL EXPLOITATION FROM EUROPEAN UNION EPRIVACY DIRECTIVE
Mr. COTTON (for himself, Mr. BOOZMAN, and Ms. MURKOWSKI) submitted the following resolution; which was referred to the Committee on Foreign Relations:

Whereas the online trafficking of child sexual abuse material has this preamble as ‘‘CSAM’’ and onlineenticement of children (also known as ‘‘grooming’’) are pervasive problems that are growing at dramatic rates;

Whereas crucial tools in detecting CSAM and grooming online and protecting children using online platforms from child predators are hashing, PhotoDNA, and anti-grooming technologies that are voluntarily used by electronic service providers (referred to in this preamble as ‘‘ESPs’’); to detect, report, and remove CSAM;

Whereas the use of hashing, PhotoDNA, and anti-grooming technology by ESPs has generated millions of reports annually to the CyberTipline of the National Center for Missing & Exploited Children;

Whereas the CyberTipline is a global hotline for reports related to child sexual exploitation that was authorized by Congress in 1998;

Whereas in 2019, more than 69,000,000 images, videos, and files related to child sexual abuse were reported to the CyberTipline, with more than 5,000,000 of these images, videos, and files related to an offender or child victim in the European Union (referred to in this preamble as the ‘‘EU’’);

Whereas in a Communication to the European Parliament, dated July 24, 2020, the European Commission noted, ‘‘the EU has become the largest host of child sexual abuse material globally (from more than half in 2016 to more than two thirds in 2019)’’;

Whereas in 2018, an EU Directive extended the scope of personal data in the electronic communications sector to cover interpersonnal communications, such as messenger services and e-mail;

Whereas this EU Directive caused ESPs to lose the legal basis to use hashing, PhotoDNA, and anti-grooming technologies to detect and report CSAM and online enticement of children to the CyberTipline;

Whereas this EU Directive took effect on December 21, 2020, without any derogation to exempt the voluntary practice of using these technical measures for the protection of personal data in the electronic communications sector to cover interpersonnal communications, such as messenger services and e-mail;

Whereas because of these early efforts, highbush blueberries are large, sweet, juicy berries that can be commercially produced and shipped;

Whereas wild blueberries—
(1) are small and sweet; and
(2) are not planted, but still grow and are harvested where they have naturally occurred for thousands of years;

Whereas the blueberry industry in the United States is an important sector of
United States agriculture with an annual economic impact of $4,700,000,000; whereas highbush and wild blueberries have a total harvested area estimated at more than 140,000 acres and are produced in 48 States by nearly 13,185 farms; whereas blueberry production in the United States has continually increased, with the average annual yield of the 21st century, to reach a harvest of 730,000,000 pounds in 2020; whereas blueberries are low in fat and a source of dietary fiber, vitamins, and minerals; whereas blueberries are being studied to examine the role the berries may play in promoting good health in areas such as cardiovascular health, brain health, exercise, insulin response, and gut health; and whereas blueberries are harvested in the United States from March through early September, with the harvest reaching its peak in July; Now, therefore, be it
Resolved, That the Senate—
(1) designates July 2021 as "National Blueberry Month"; (2) recognizes the contributions of blueberry growers in the United States and their families; and (3) recognizes that purchasing blueberries grown in the United States supports farmers, jobs, communities, and the economy of the United States.

SENATE RESOLUTION 140—CONDEMNING THE HORRIFIC SHOOTINGS IN ATLANTA, GEORGIA, ON MARCH 16, 2021, AND REAFFIRMING THE COMMITMENT OF THE SENATE TO COMBATING HATE, BIGOTRY, AND VIOLENCE AGAINST THE ASIAN-AMERICAN AND PACIFIC ISLANDER COMMUNITY

Whereas 54-year-old Paul Andre Michels was a maintenance worker for the United States Army veteran who did maintenance work for one of the spas and is survived by his wife; whereas 63-year-old Yong Ae Yue was a mother and grandmother who was known for her kindness and generosity and her love of her pet Shih Tzu; whereas 74-year-old Soon Chung "Julie" Park was a mother and grandmother who helped manage the spa and helped to prepare meals for the employees; whereas 51-year-old Hyun Jung Grant was a former elementary school teacher and hardworking single mother who dedicated her life to raising her 2 sons; whereas 69-year-old Suncha Kim was a wife, mother, and grandmother who enjoyed line dancing and had been married for more than 50 years; whereas the Georgia shootings came in the midst of an alarming surge in anti-Asian hate crimes and incidents that have caused many Asian Americans across the United States to feel unsafe and afraid; whereas the use of anti-Asian terminology and rhetoric to refer to COVID-19, such as the "Chinese virus", "Wuhan virus", and "kung flu", perpetuates anti-Asian stigma that has resulted in Asian Americans being harassed, assaulted, and scapegoated for the COVID-19 pandemic; whereas, in 2020, anti-Asian hate crimes increased by nearly 150 percent in major cities throughout the United States; whereas, according to a recent report by Stop AAPI Hate, there were nearly 3,800 reported cases of anti-Asian discrimination related to COVID-19 between March 19, 2020 and February 28, 2021; whereas 68 percent of reported incidents of anti-Asian hate targeted Asian-American women, a population that has been historically marginalized, sexualized, and fetishized; whereas, on March 19, 2021, President Joe Biden and Vice President Kamala Harris met with leaders of the Asian American and Pacific Islander community and reaffirmed their strong commitment to condemning and combating racism, xenophobia, and violence targeting the Asian-American community; and whereas the people of the United States will always remember the victims of these shootings and stand in solidarity with those affected by this senseless tragedy: Now, therefore, be it
Resolved, That the Senate—
(1) condemns the heinous and inexcusable acts of gun violence that led to the tragic loss of 8 lives in Georgia on March 16, 2021; (2) condemns any racism and sexism in the choice of the shooter to target Asian American-owned businesses and murder 6 women of Asian descent; (3) honors the memory of the victims, offers heartfelt condolences to the families of the victims, and recognizes that the healing process will be long and difficult for the Asian American and Pacific Islander community and all communities impacted by this tragedy; and (4) reaffirms the commitment of the United States Federal Government to combating hate, bigotry, and violence against Asian Americans and Pacific Islanders and to preventing tragedies like this from ever happening again.

SENATE RESOLUTION 141—RECOGNIZING THE CRITICAL IMPORTANCE OF ACCESS TO RELIABLE, CLEAN DRINKING WATER FOR NATIVE AMERICANS AND ALASKA NATIVES AND CONFIRMING THE FEDERAL GOVERNMENT’S OBSESSION TO ENSURE SUCH WATER ACCESS

Whereas access to reliable, clean drinking water is an essential human need that is critical to the public health, well-being, educational attainment, and economic development of all communities in the United States; whereas many countries, along with the United Nations, have recognized the urgency of water access by passing laws or resolutions regarding the human right to water, including recognition of these needs among indigenous peoples and establishing aggressive targets for achieving universal access to this basic service; whereas reliable, clean drinking water has been long a significant problem in many Tribal communities and in many Alaskan Native villages, such that nearly half of all five American households still do not have access to reliable water sources, clean drinking water, and are significantly more likely than White households to lack indoor plumbing; whereas reliable, clean drinking water may be unavailable to these households for a number of reasons, including because there is no piped water system connecting to the house; the water available to the household does not meet minimum protective standards; the water infrastructure is deteriorating or insufficient; (4) Indian Tribes face challenges in supporting the operation and maintenance needs of existing water infrastructure; whereas the Federal government, through the Indian Health Service of the Department of Health and Human Services, the Environmental Protection Agency, the Department of Agriculture, and other Federal and State agencies, have been unsuccessful in developing the infrastructure necessary to provide reliable, clean drinking water for some Tribal communities; whereas many Indian Tribes have significant unsolved claims for Federally reserved water rights, many of which have been unresolved for decades and which may not be resolved for many years to come, due in part to the complex and significant issues typically involved in water rights adjudications of Tribal settlements; whereas the development of water infrastructure in Tribal communities has frequently been conditioned on the settlement of such Tribal reserved water rights, and has been prevented or delayed by continuing uncertainty over the status of Tribal water rights, by the years-long process of Tribal water rights settlements, or by continued conflict over the quantification of Tribal reserved water rights in State water rights adjudications; whereas the quantity of water that would be required to supply reliable, clean drinking water to provide for the basic needs of the

399x762 S. RES. 141 March 25, 2021

S1834 CONGRESSIONAL RECORD — SENATE

Whereas access to reliable, clean drinking water is an essential human need that is critical to the public health, well-being, educational attainment, and economic development of all communities in the United States; whereas many countries, along with the United Nations, have recognized the urgency of water access by passing laws or resolutions regarding the human right to water, including recognition of these needs among indigenous peoples and establishing aggressive targets for achieving universal access to this basic service; whereas reliable, clean drinking water has been long a significant problem in many Tribal communities and in many Alaskan Native villages, such that nearly half of all five American households still do not have access to reliable water sources, clean drinking water, and are significantly more likely than White households to lack indoor plumbing; whereas reliable, clean drinking water may be unavailable to these households for a number of reasons, including because there is no piped water system connecting to the house; the water available to the household does not meet minimum protective standards; the water infrastructure is deteriorating or insufficient; (4) Indian Tribes face challenges in supporting the operation and maintenance needs of existing water infrastructure; whereas the Federal government, through the Indian Health Service of the Department of Health and Human Services, the Environmental Protection Agency, the Department of Agriculture, and other Federal and State agencies, have been unsuccessful in developing the infrastructure necessary to provide reliable, clean drinking water for some Tribal communities; whereas many Indian Tribes have significant unsolved claims for Federally reserved water rights, many of which have been unresolved for decades and which may not be resolved for many years to come, due in part to the complex and significant issues typically involved in water rights adjudications of Tribal settlements; whereas the development of water infrastructure in Tribal communities has frequently been conditioned on the settlement of such Tribal reserved water rights, and has been prevented or delayed by continuing uncertainty over the status of Tribal water rights, by the years-long process of Tribal water rights settlements, or by continued conflict over the quantification of Tribal reserved water rights in State water rights adjudications; whereas the quantity of water that would be required to supply reliable, clean drinking water to provide for the basic needs of the

Whereas access to reliable, clean drinking water is an essential human need that is critical to the public health, well-being, educational attainment, and economic development of all communities in the United States; whereas many countries, along with the United Nations, have recognized the urgency of water access by passing laws or resolutions regarding the human right to water, including recognition of these needs among indigenous peoples and establishing aggressive targets for achieving universal access to this basic service; whereas reliable, clean drinking water may be unavailable to these households for a number of reasons, including because there is no piped water system connecting to the house; the water available to the household does not meet minimum protective standards; the water infrastructure is deteriorating or insufficient; (4) Indian Tribes face challenges in supporting the operation and maintenance needs of existing water infrastructure; whereas the Federal government, through the Indian Health Service of the Department of Health and Human Services, the Environmental Protection Agency, the Department of Agriculture, and other Federal and State agencies, have been unsuccessful in developing the infrastructure necessary to provide reliable, clean drinking water for some Tribal communities; whereas many Indian Tribes have significant unsolved claims for Federally reserved water rights, many of which have been unresolved for decades and which may not be resolved for many years to come, due in part to the complex and significant issues typically involved in water rights adjudications of Tribal settlements; whereas the development of water infrastructure in Tribal communities has frequently been conditioned on the settlement of such Tribal reserved water rights, and has been prevented or delayed by continuing uncertainty over the status of Tribal water rights, by the years-long process of Tribal water rights settlements, or by continued conflict over the quantification of Tribal reserved water rights in State water rights adjudications; whereas the quantity of water that would be required to supply reliable, clean drinking water to provide for the basic needs of the
RESOLVED, That—

(1) It is the sense of the Senate that—

(A) access to reliable, clean drinking water in Tribal communities and in Alaska Native Villages is an essential human need, is critical to the health, well-being, and economic development of people living on such communities, and the Federal Government is integral to maintaining the public health of the entire United States;

(B) settlement or adjudication of Tribal claims of reserved water rights is not and should not be a prerequisite to the provision of this basic human service to households located in Tribal communities and in Alaska Native Villages, nor should the provision of such basic human services be used to leverage the resolution of Tribal reserved water rights and adjudication;

(C) the provision of reliable, clean drinking water to support the domestic requirements of Tribal members and Tribal communities is an essential component of the Federal trust responsibility to Indian Tribes; and

(2) the Senate—

(A) calls upon the Federal Executive Branch to collaborate with Tribal governments and with any relevant State and local jurisdictions to expedite the planning, design, development, and operation of the infrastructure necessary to provide reliable, clean drinking water in Tribal communities and in Alaska Native Villages, and to inform Congress of further authorizations and expenditures that may be necessary to meet this objective;

(B) calls upon the Federal Executive Branch to employ a ‘whole of government’ approach to ensure the provision of reliable, clean drinking water to households in Tribal communities and in Alaska Native Villages and to create an interagency task force consisting of high-level representatives from departments and agencies with authority to provide water infrastructure that will work to remove barriers, optimize funding, and make it more tangible, predictable, and certain that our people will have safe, clean, and reliable drinking water; and

(C) calls upon the Federal Executive Branch to work with Tribal water agencies to affirmatively support decoupling the planning, design, development, and operation of such infrastructure from the settlement or adjudication of Tribal reserved water rights, and to support the development of that infrastructure necessary to provide clean drinking water in Tribal communities independent of such settlements or adjudications;

SENNATE RESOLUTION 142—RECOGNIZING THE IMPORTANCE OF THE UNITED STATES-JAPAN RELATIONSHIP TO BUILDING GLOBAL SECURITY, PROSPERITY, AND HUMAN RIGHTS AND WELCOMING THE VISIT OF PRIME MINISTER YOSHISHIDE SUGA TO THE UNITED STATES

Mr. MENENDEZ (for himself, Mr. HAGERTY, Mr. MARKET, Mr. ROMNEY, and Mr. COONS) submitted the following resolution: which was referred to the Committee on Foreign Relations:

S. RES. 142

Whereas the United States-Japan alliance is a cornerstone of global peace and stability, and an underpinning of the future United States commitment to the stability and prosperity of Japan and the Indo-Pacific region;

Whereas the United States and Japan established diplomatic relations on March 31, 1854, with the signing of the Treaty of Peace and Amity;

Whereas 2021 marks the 76th anniversary of the end of World War II, a conflict in which the United States and Japan were enemies, and the strength of the alliance is a testament to the ability of great nations to overcome the past and to work together to create a more secure and prosperous future;

Whereas, January 19, 2020 marked the 61st anniversary of the signing of the Treaty of Mutual Cooperation and Security between the United States and Japan;

Whereas the U.S.–Japan Security Consultative Committee (2+2) met on March 16, 2021, in Tokyo and “reaffirmed that the U.S.-Japan Alliance remains the cornerstone of peace, security and prosperity in the Indo-Pacific region’’;

Whereas the American and Japanese people share deeply rooted values of defending freedom and democracy, upholding human rights, championing women’s empowerment, combating climate change, promoting regional and global peace, security, and the rule of law in the Indo-Pacific and across the globe;

Whereas a robust and effective trilateral relationship between and among the United States, the ROK, and Japan is critical for joint security and interests in defending freedom and democracy, upholding human rights, championing women’s empowerment, combating climate change, promoting regional and global peace, security, and the rule of law in the Indo-Pacific and across the globe;

Whereas the United States-Japan economic cooperation has also led to close collaboration in science and technology, and promoted shared values in research, including on COVID-19 response, the digital economy, national security, innovation, screening, quantum sciences, artificial intelligence, space exploration, biosciences, collaborative 5G networks, and interoperable approaches for Open RAN (radio access network) technologies;

Whereas, following a year of delay due to the COVID–19 pandemic, Japan will host the Olympic and Paralympic Games in the summer of 2021, bringing together athletes from around the world in a celebration of the resilience of the human spirit;

Whereas United States-Japan economic cooperation is an essential component of the United States-Japan Security Consultative Committee (2+2) met on March 16, 2021, in Tokyo and “reaffirmed that the U.S.-Japan Alliance remains the cornerstone of peace, security and prosperity in the Indo-Pacific region’’;

Whereas the American and Japanese people share deeply rooted values of defending freedom and democracy, upholding human rights, championing women’s empowerment, combating climate change, promoting regional and global peace, security, and the rule of law in the Indo-Pacific and across the globe;

Whereas a robust and effective trilateral relationship between and among the United States, the ROK, and Japan is critical for joint security and interests in defending freedom and democracy, upholding human rights, championing women’s empowerment, combating climate change, promoting regional and global peace, security, and the rule of law in the Indo-Pacific and across the globe;

Whereas the United States-Japan alliance is essential for ensuring maritime security and freedom of navigation, commerce, and overflight in the waters of the East China Sea;

Whereas the United States invests significant military resources to meet the Alliance’s contributions to maritime security challenges and through the U.S.-Japan Host Nation Support framework, the Government of Japan pays the share of stationing United States forces in Japan of 13.7% of the total cost of the United States-Japan alliance, making Japan the biggest contributor to the United States and the biggest job creator in the United States manufactur-
WHEREAS people-to-people ties between the United States and Japan are long-standing and strengthened by the gift of the beautiful cherry trees that dot our Nation’s capital from the People of Japan to the People of the United States in 1912, and the cherry blossom festivals currently taking place across the Nation, signifying an unbreakable bond between the two nations; and

Whereas, in April 2021, Prime Minister Yoshihide Suga will visit the United States at the invitation of President Joe Biden: Now, therefore, be it

Resolved, That the Senate—

(1) welcomes Prime Minister Yoshihide Suga to the United States;

(2) reaffirms the importance of the United States-Japan alliance for maintaining peace and stability in a free and open Indo-Pacific region and beyond;

(3) supports ongoing efforts to further strengthen the United States-Japan alliance, including the Japan Security Consultative Committee (2+2) to confront threats posed by aggressive actors that threaten the peace and safety of both nations;

(4) supports strong cooperation between the United States and Japan in safeguarding maritime security and ensuring freedom of navigation, commerce, and flight in the East and South China Seas;

(5) affirms the Senkaku Islands fall within the scope of Article V of the U.S.-Japan Security Treaty of Mutual Cooperation and Security, and remain opposed to any unilateral action that attempts to change the status quo in the East and South China Seas;

(6) acknowledges Japan’s critical role as the sole East Asian member of the Quad, and remains committed to its role;

WHEREAS, throughout the United States, the coronavirus disease 2019 (COVID–19) pandemic (referred to in this preamble as the “pandemic”) has devastated veterans and their families;

WHEREAS the Department of Veterans Affairs (VA) has tested or treated over 220,000 cases of COVID–19 and has recorded over 10,000 known deaths caused by COVID–19;

WHEREAS over 1,000,000 veterans lost their jobs because of the pandemic, with veteran unemployment reaching nearly 12 percent in April 2020;

WHEREAS many veterans have experienced feelings of isolation and loneliness caused by the public health restrictions needed to curb the spread of COVID–19;

WHEREAS, since their inception, Veterans Service Organizations (referred to in this preamble as the “VSOs”) have always supported and advocated on behalf of members of the Armed Forces, veterans, and their families;

WHEREAS VSOs have adapted to the unique challenges posed by the pandemic in order to continue to support veterans and advocate for the veteran community;

WHEREAS members of VSOs have fostered a sense of connection and community amid the pandemic by—

(1) calling, emailing, or writing to fellow veterans;

(2) delivering food and groceries to fellow veterans and their families; and

(3) hosting virtual and socially distanced events;

WHEREAS members of VSOs have conducted thousands of peer-wellness checks to combat the ongoing mental health crisis that has been exacerbated by the pandemic;

WHEREAS VSOs have continued to help veterans access healthcare during the pandemic by—

(1) assisting veterans with enrollment in VA healthcare plans;

(2) enabling access to telehealth; and

(3) providing hundreds of thousands of rides to medical appointments;

WHEREAS VSOs have helped veterans find jobs by—

(1) connecting veterans to employers;

(2) hosting virtual job fairs; and

(3) providing online job search resources;

WHEREAS representatives of VSOs have helped hundreds of thousands of veterans navigate a VA benefits claims process that has been changed by the pandemic;

WHEREAS VSOs are playing an essential role in encouraging all veterans to get vaccinated;

WHEREAS members of VSOs are volunteering at vaccination sites across the United States and helping millions of veterans and all other individuals in the United States receive the COVID–19 vaccine; and

WHEREAS VSOs continue to play an instrumental role representing and supporting the veteran community as the United States moves forward on the path towards recovering from the pandemic; Now, therefore, be it

Resolved, That the Senate—

(1) honors and recognizes the patriotism and service to the United States provided by Veterans Service Organizations (referred to in this resolution as “VSOs”) during the COVID–19 pandemic;

(2) commends efforts by VSOs to improvise and adapt to the challenges posed by COVID–19 to continue to support veterans in need, especially those left most vulnerable by the COVID–19 pandemic; and

(3) supports efforts by VSOs to enable veterans, their families, and their caregivers to receive the COVID–19 vaccine.

NOW, THEREFORE, BE IT RESOLVED, That the Senate—

(1) designates the week of March 21 through March 27, 2021, as “NATIONAL POISON PREVENTION WEEK” and encouraging communities across the United States to raise awareness of the dangers of poisoning and promote poison prevention; and

(2) encourages all levels of government and all sectors of society to support poison prevention education and activities throughout the year.
treated in emergency departments for poisoning every day, and more than 130 children 19 years of age and younger die as a result of being poisoned each year.

Whereas in 2021, children younger than 6 years of age constituted 43 percent of all poison exposures;

Whereas, from 2000 to 2018, data from poison control centers revealed a significant increase of an average of 3.4 percent per year in the number of intentional suicide patients who were adolescents 10 to 24 years of age, and that increase disproportionately occurred among females;

Whereas, in 2021, poison control centers are seeing an increase in suspected suicides in individuals ranging from 11 to 14 years of age;

Whereas, in 2019, more than 114,000 children 19 years of age and younger were treated in an emergency room due to unintended pediatric poisoning, and more than 90 percent of those incidents occurred in the home, most often with blood pressure medications, acetaminophen, laundry detergent, bleach, or sedatives or anti-anxiety medication;

Whereas there was a 44 percent increase in pediatric medication ingestion cases reported to United States poison control centers from 2018 to 2019 based on an analysis of the National Poison Data System (NPDS), demonstrating the significant risk of injury from high-powered magnet ingestions;

Whereas 70,237 cases of death due to drug overdoses were reported in the United States in 2017, and the majority of those cases approximately 68 percent, involved an opioid;

Whereas, in 2019, the common medications that adults called the poison help line about were prescription and non-prescription pain relievers, household cleaning substances, cosmetics and personal care products, and antidepressants;

Whereas pain medications lead the list of the most common substances implicated in adult poison exposures, and are the single most frequent cause of pediatric fatalities reported to the AAPCC;

Whereas poison control centers issue guidance and provide support to individuals, including individuals who experience medication and dosing errors;

Whereas more than 60 percent of calls to the poison help line are from individuals 10 years of age and older, more than half of those calls involving patients older than 50 years of age, and a common reason for those calls are medication errors, including interactions regarding drug interactions, incorrect dosing routine, timing of doses, and double doses;

Whereas normal, curious children younger than 6 years of age are in stages of growth and development in which they are constantly exploring and investigating the world around them, and are often unable to read or recognize warning labels;

Whereas the AAPCC engages in community outreach by educating the public on poison safety and prevention, providing educational resources, materials, and guidelines to educate the public on poisoning prevention;

Whereas individuals can reach a poison control center from anywhere in the United States by calling the poison help line at 1-800-222-1222;

Whereas, despite regulations of the Consumer Product Safety Commission requiring that a child-resistant package be designed or constructed to be significantly difficult for children under 5 years of age to open, or contain a harmful amount of the contents, within a reasonable time, children can still open child-resistant packages; and

Whereas during National Poison Prevention Week, the Federal Government assesses the progress made by the Federal Government in saving lives and reaffirms the national commitment of the Federal Government to preventing injuries and deaths from poisoning; now, therefore, be it Resolved—

(1) recognizes the week of March 21 through March 27, 2021, as "National Poison Prevention Week";

(2) expresses gratitude for the people who operate or support poison control centers in their local communities;

(3) expresses gratitude for frontline workers supporting poison prevention during the COVID–19 pandemic;

(4) supports efforts and resources to provide poison prevention guidance or emergency assistance in response to poisonings; and

(5) encourages—

(A) that the people of the United States to educate their communities and families about poison safety and poisoning prevention; and

(B) health care providers to practice and promote poison safety and poisoning prevention.

SENATE RESOLUTION 145—DESIGNATING THE FIRST WEEK OF APRIL 2021 AS "NATIONAL ASBESTOS AWARENESS WEEK"

Mr. TESTER (for himself, Mr. MERKLEY, Mr. WHITEHOUSE, Mr. Daines, Mr. CARPER, and Mr. DURBIN) submitted the following resolution, which was considered and agreed to:

S. Res. 145

Whereas dangerous asbestos fibers are invisible and cannot be smelled or tasted;

Whereas the inhalation of airborne asbestos fibers can cause significant damage;

Whereas asbestos fibers can cause cancer (such as mesothelioma), asbestosis, and other health problems;

Whereas symptoms of asbestos-related diseases can take between 10 and 50 years to present themselves;

Whereas the projected life expectancy for an individual diagnosed with mesothelioma is between 6 and 24 months;

Whereas little is known about late-stage treatment of asbestos-related diseases, and there is no cure for those diseases;

Whereas early detection of asbestos-related diseases may give some patients increased survival rates, which may improve the prognoses of those patients;

Whereas, although the consumption of asbestos within the United States has been substantially reduced, the United States continues to consume tons of the fibrous mineral each year for use in certain products;

Whereas thousands of people in the United States have died from asbestos-related diseases and thousands more die every year from those diseases;

Whereas individuals continue to be exposed to asbestos, safety measures relating to the prevention of asbestos exposure have significantly reduced the incidence of asbestos-related diseases and can further reduce the incidence of those diseases;

Whereas thousands of workers in the United States face significant asbestos exposure, which has been a cause of occupational cancer;

Whereas a significant percentage of victims of asbestos-related diseases were exposed to asbestos on naval ships and in shipyards;

Whereas asbestos was used in the construction of a significant number of office buildings and public schools before 1978;

Whereas people in the small community of Libby, Montana, suffer from asbestos-related diseases, including mesothelioma, at a significantly higher rate than individuals in the United States as a whole; and

Whereas the designation of a ‘National Asbestos Awareness Week’ public health awareness about the prevalence of asbestos-related diseases and the dangers of asbestos exposure; now, therefore, be it Resolved—

(1) designates the first week of April 2021 as "National Asbestos Awareness Week’’;

(2) urges the Surgeon General of the United States to warn and educate people about the public health issue of asbestos exposure, which may be hazardous to their health; and

(3) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the Office of the Surgeon General.

SENATE RESOLUTION 146—DESIGNATING APRIL 2021 AS "SECOND CHANCE MONTH"

Mr. PORTMAN (for himself and Ms. KLOBUCHAR) submitted the following resolution, which was referred to the Committee on the Judiciary:

S. Res. 146

Whereas every individual is endowed with human dignity and value;

Whereas redemption and second chances are values of the United States;

Whereas millions of citizens of the United States have a criminal record;

Whereas hundreds of thousands of individuals return to their communities from Federal and State prisons every year;

Whereas individuals returning from Federal and State prisons have paid their debt for committing crimes but still face significant legal and societal barriers (referred to in this preamble as 'collateral consequences’);

Whereas collateral consequences for an individual returning from a Federal or State prison are often mandatory and take effect automatically; regardless of—

(1) whether there is a nexus between the crime and public safety;

(2) the seriousness of the crime;

(3) the time that has passed since the individual committed the crime; or

(4) the efforts of the individual to make amends or earn back the trust of the public;

Whereas, for individuals returning to their communities from Federal and State prisons, the designation of a 'Second Chance Month' will raise awareness about the prevalence of collateral consequences, and has significant difficulty acquiring admission to, and funding for, educational programs and professional licenses;

Whereas, in addition to employment, education has also been shown to be a significant predictor of successful reentry for individuals returning from Federal and State prisons;

Whereas individuals returning from Federal and State prisons are often faced with educational attainment that is lower than the general population and has significant difficulty acquiring admission to, and funding for, educational programs and professional licenses;

Whereas an individual with a criminal record often has a more difficult public safety benefit;

Whereas many States have laws that prohibit an individual with a criminal record from working in certain industries or obtaining professional licenses;

Whereas, in addition to employment, education has also been shown to be a significant predictor of successful reentry for individuals returning from Federal and State prisons;

Whereas an individual with a criminal record often has a more difficult time finding employment because of collateral consequences, which are often not directly related to the offenses the individuals committed or any proven public safety benefit;

Whereas many States have laws that prohibit an individual with a criminal record from working in certain industries or obtaining professional licenses;

Whereas, in addition to employment, education has also been shown to be a significant predictor of successful reentry for individuals returning from Federal and State prisons;

Whereas an individual with a criminal record often has a more difficult time finding employment because of collateral consequences, which are often not directly related to the offenses the individuals committed or any proven public safety benefit;
(1) faces collateral consequences in securing a place to live; and
(2) is often barred from seeking access to public housing;
Whereas collateral consequences prevent millions of individuals in the United States from contributing fully to their families and communities;
Whereas collateral consequences can contribute to recidivism, which increases crime and victimization and decreases public safety;
Whereas collateral consequences have particularly impacted underserved communities of color and community rates of employment, housing stability, and recidivism;
Whereas the inability to find gainful employment and other collateral consequences of conviction inhibit the economic mobility of an individual with a criminal record, which can negatively impact the well-being of the children and families of the individual for generations;
Whereas the COVID–19 pandemic and economic and public health consequences of the COVID–19 pandemic have made the pursuit of gainful employment and access to community supports more daunting for individuals with a criminal record;
Whereas the bipartisan First Step Act of 2018 (Public Law 115–391; 132 Stat. 5194) was signed into law on December 21, 2018, to increase opportunities for individuals incarcerated in Federal prisons to participate in meaningful reentry reduction programs and prepare for their second chances;
Whereas the programs authorized by the Second Chance Act of 2007 (Public Law 110–189; 122 Stat. 657)—
(1) have provided reentry services to more than 164,000 individuals in 49 States and the District of Columbia since the date of enactment of the Act; and
(2) were reauthorized by the First Step Act of 2018 (Public Law 115–391; 132 Stat. 5194);
Whereas the anniversary of the death of Charles Colson, who used his second chance following his incarceration for a Watergate–related crime to found Prison Fellowship, the largest program in the United States that provides outreach to prisoners, former prisoners, and their families, falls on April 21; and
Whereas the designation of April as “Second Chance Month” may contribute to—
(1) increased public awareness about—
(A) the impact of collateral consequences; and
(B) the need for closure for individuals with a criminal record who have paid their debt; and
(2) opportunities for individuals, employers, congregations, and communities to extend second chances to those individuals: Now, therefore, be it
Resolved, That the Senate—
(1) designates April 2021 as “Second Chance Month”;
(2) honors the work of communities, governmental institutions, nonprofit organizations, congregations, employers, and individuals to remove unnecessary legal and societal barriers that prevent individuals with criminal records from becoming productive members of society; and
(3) calls upon the people of the United States to observe “Second Chance Month” through actions and programs that—
(A) promote awareness of those unnecessary barriers and;
(B) provide closure for individuals with a criminal record who have paid their debt.

SENATE RESOLUTION 147—RECOGNIZING THE NATIONAL DEBT AS A THREAT TO NATIONAL SECURITY
Mr. BRAUN (for himself, Mrs. BLACKBURN, Mr. SCOTT of Florida, and Ms. ERNST) submitted the following resolution; which was referred to the Committee on Finance.
S. RES. 147
Whereas, in September 2020, the total public debt outstanding was more than $26,000,000,000,000, resulting in a total interest expense of more than $717,000,000,000 for fiscal year 2020;
Whereas, in September 2019, the total public debt as a percentage of gross domestic product was about 100 percent;
Whereas leaders of the Congressional Budget Office and the Government Accountability Office have testified that—
(1) the growth of the public debt is unsustainable; and
(2) Congress must undertake extensive fiscal consolidation to combat that growth;
Whereas the last Federal budget surplus occurred in 2001;
Whereas, in fiscal year 2020, Federal tax receipts totaled $3,637,000,000,000, but Fedex outlays totaled $6,652,000,000,000, leaving the Federal Government with a 1-year deficit of $3,152,000,000,000;
Whereas, since the last Federal budget surplus occurred in 2001, Congress—
(1) has failed to maintain a fiscally responsible budget; and
(2) has had to raise the debt ceiling repeatedly;
Whereas the Medicare Board of Trustees projects that the Medicare Hospital Insurance Trust Fund will be depleted in 2026;
Whereas the Social Security and Medicare Boards of Trustees project that the Disability Insurance and the Federal Old–Age and Survivors Insurance Trust Funds will be depleted in 2026 and 2031, respectively;
Whereas heavy indebtedness increases the exposure of the Federal Government to interest rate risks;
Whereas the credit rating of the United States was reduced by Standard and Poor’s from AAA to AA+ on August 5, 2011, and has remained at that level ever since;
Whereas, without a targeted effort to balance the Federal budget, the credit rating of the United States will fall;
Whereas improvements in the business climate in populous countries, and aging populations around the world, will likely contribute to higher global interest rates;
Whereas more than $7,000,000,000,000 of Federal debt is owned by individuals not located in the United States, including more than $1,000,000,000,000 of which is owned by individuals in China;
Whereas China and the European Union are developing alternative payment systems to weaken the dominant position of the United States dollar as a reserve currency;
Whereas rapidly increasing interest rates will squeeze all policy priorities of the United States, including defense policy and foreign policy priorities;
Whereas the National Security Strategy of the United States, as of the date of adoption of this Act, recognizes the need to reduce the national debt through fiscal responsibility;
Whereas, on April 12, 2018, former Secretary of Defense James Mattis warned that “any Nation that can’t keep its fiscal house in order eventually cannot maintain its military power”;
Whereas, on March 6, 2018, Director of National Intelligence Dan Coats warned: “Our continued plunge into debt is unsustainable and represents a dire future threat to our economy and to our national security”;
Whereas, on November 15, 2017, former Secretary of Defense Leon Panetta, Ash Carter, and Chuck Hagel warned in the debt will, in the absence of a comprehensive budget that addresses both entitlements and revenues, force even deeper reductions in our national security capabilities;
Whereas, on September 22, 2011, former Chairman of the Joint Chiefs of Staff Michel Mullen warned: “I believe the single, biggest threat to our national security is debt”:

Resolved, That the Senate—
(1) recognizes that the national debt is a threat to the national security of the United States;
(2) realizes that persistent, structural deficits are unsustainable, irresponsible, and dangerous; and
(3) commits to addressing the looming fiscal crisis faced by the United States.

AMENDMENTS SUBMITTED AND PROPOSED
SA 1409. Mr. SCOTT, of South Carolina (for himself and Ms. ERNST) submitted an amendment intended to be proposed by him to the bill H.R. 1799, to amend the Small Business Act and the CARES Act to extend the covered period for the paycheck protection program, and for other purposes; which was ordered to lie on the table:
SA 1410. Ms. SHAHEEN (for herself and Ms. COLLINS) proposed an amendment to the bill H.R. 1868, to prevent across-the-board direct spending cuts, and for other purposes:
SA 1411. Mr. SCOTT, of Florida proposed an amendment to the bill H.R. 1868, supra.

TEXT OF AMENDMENTS
SA 1409. Mr. SCOTT of South Carolina (for himself and Ms. ERNST) submitted an amendment intended to be proposed by him to the bill H.R. 1799, to amend the Small Business Act and the CARES Act to extend the covered period for the paycheck protection program, and for other purposes; which was ordered to lie on the table; as follows:
At the appropriate place, insert the following:
SEC. 3. PROHIBITION ON PAYCHECK PROTECTION PROGRAM LOANS AND SECOND DRAW LOANS FOR APPLICANTS CONVICTED OF, OR WHO PLEADED GUILTY TO, ASSAULTING A LAW ENFORCEMENT OFFICER.
(a) In General.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended—
(1) in paragraph (36), by adding at the end the following:
(3) commits to addressing the looming fiscal crisis faced by the United States.

SA 1410. Ms. SHAHEEN (for herself and Ms. COLLINS) proposed an amendment to the bill H.R. 1868, to prevent across-the-board direct spending cuts, and for other purposes:
At the appropriate place, insert the following:
SEC. 3. PROHIBITION.—An applicant is not eligible to receive a covered loan if an owner of the applicant has, as of the date of the application, been convicted of or pleaded guilty to assaulting a law enforcement officer.
(b) In General.—The amendments made by subsection (a) shall apply with respect to an application for a loan under paragraph (36) or (37) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)) that is submitted on or after the date of enactment of this Act.
SA 1410. Mrs. SHAHEEN (for herself and Ms. COLLINS) proposed an amendment to the bill H.R. 1868, to prevent across-the-board direct spending cuts, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SEC. 1. EXTENSION OF TEMPORARY SUSPENSION OF MEDICARE SEQUESTRATION.

(a) ENACTMENT.—

(1) IN GENERAL.—Section 3709(a) of division A of the CARES Act (2 U.S.C. 901a note) is amended by striking paragraph (1) on March 31, 2021, and inserting “December 31, 2021.”

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect as if included in the enactment of the Consolidated Appropriations Act, 2021 (Public Law 116–260).

(b) ADDITIONAL AMOUNT FOR CERTAIN HOSPITALS WITH HIGH DISPROPORTIONATE SHARE.—Effective as if included in the enactment of section 203(a) of title II of division CC of Public Law 116–260, subsection (g) of section 1923 of the Social Security Act (42 U.S.C. 1396r–4), as amended by such section, is amended by adding at the end the following:

“(3) CONTINUOUS APPLICATION OF GRANDFATHERED TRANSITION RULE.—Notwithstanding paragraph (2) of this subsection (as in effect on October 1, 2021), paragraph (2) of this subsection (as in effect on September 30, 2021, and as applied under section 4721(e) of the Balanced Budget Act of 1997, as amended by section 607 of the Medicare, Medicaid, and SCHIP Balanced Budget Reconciliation Act of 1997 (Public Law 113–175)) shall apply in determining whether a payment adjustment for a hospital in a State referenced in section 4721(e) of the Balanced Budget Act of 1997 during a State fiscal year that is considered consistent with subsection (c).”.

SA 1411. Mr. SCOTT of Florida proposed an amendment to the bill H.R. 1868, to prevent across-the-board direct spending cuts, and for other purposes; as follows:

Strike section 2(b).

AUTHORITY FOR COMMITTEES TO MEET

Mr. BOOKER. 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 AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on March 25, 2021 at 9:30 a.m. in 106 Dirksen Senate Office Building, Washington, DC, in order to conduct a hearing entitled “Child Nutrition Reauthorization: Healthy Meals and Healthy Futures.”

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, March 25, 2021, at 9:30 a.m., in closed session to receive a briefing on U.S. Special Operations Command and U.S. Cyber Command in review of the Defense Authorization Request for fiscal year 2022 and the Future Years Defense Program.

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 Thursday, March 25, 2021, at 10 a.m. to meet in open session to conduct a hearing entitled, “American Rescue Plan: Shots in Arms and Money in Pockets.”

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate in order to hold a hearing on Thursday, March 25, 2021, at 9:45 a.m. in Room SD–366 of the Dirksen Senate Office Building in Washington, DC.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Thursday, March 25, 2021, at 9:30 a.m., virtually using Webex, to conduct a hearing entitled “How U.S. International Tax Policy Impacts American Workers, Jobs, and Investment.”

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, March 25, 2021, at 10 a.m. to hold a subcommittee hearing on “U.S. Response to the Coup in Burma.”

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet, during the session of the Senate, in order to conduct a hearing entitled “Examining Our COVID–19 Response: Improving Health Equity and Outcomes by Addressing Health Disparities” on Thursday, March 25, at 10 a.m., in room 430 of the Dirksen Senate Office Building.

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 Thursday, March 25, at 10:15 a.m. in order to conduct a hearing on the nomination of Deanne B. Criswell to be Administrator, Federal Emergency Management Agency, U.S. Department of Homeland Security.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I ask that the Chair initiate the agreed-upon procedures with respect to the Adeyemo nomination.

PRESIDENT PRO Tempore. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.
The legislative clerk read the nomination of Adewale O. Adeyemo, of California, to be Deputy Secretary of the Treasury.

Thereupon, the Senate proceeded to consider the nomination.

NOMINATION OF ADEWALE D. ADEYEMO

Mr. WYDEN. Mr. President, the Senate is debating the nomination of Wally Adeyemo to serve as the next Deputy Treasury Secretary. I expect his nomination is going to pass with a big, bipartisan margin, but I want to take a few minutes to lay out a few reasons why every Senator ought to support this nominee.

First, you hear a lot these days about how Members of the Senate are looking for unity. Three weeks ago, the Finance Committee approved the Adeyemo nomination unanimously by voice vote, and you can’t get more unified than that.

That unanimous vote followed an excellent hearing, in which Mr. Adeyemo demonstrated his command of all the various issues the Treasury is confronting today. A severe jobs crisis. Worsening inequality. A dangerous shortage of domestic manufacturing in critical areas of our economy. Intense economic competition and cooperation with China, including job rip-offs and trade cheating that have undermined American workers for too long. And many other big challenges.

Members understand that there will be policy disagreements with the other party, but Mr. Adeyemo made it clear that he wants to work on a bipartisan basis to confront these challenges. Members take him seriously on that and trust him because he has done it before at the Treasury as a member of the Obama administration.

Second, the pandemic economic crisis is far from over, and it is essential that the Treasury Department has its leadership team in place. COVID cases and deaths are still tragically high. Jobless claims are still incredibly high—they spent an entire year above the previous peaks. So millions of families in Oregon and around the country are still walking an economic tightrope, and that is one of the key reasons why Senate Democrats passed the American Rescue Plan earlier this month.

The Treasury is right at the center of the enormous effort to implement that legislation and coordinate extraordinary challenging work. Getting relief payments out to tens of millions of Americans in a timely way. Saving millions of jobs at the State and local level, particularly teachers, firefighters and municipal workers. Launching a landmark expansion and reinvention of the child tax credit to cut child poverty in half. This is difficult work. It requires the kind of strong and committed leadership that Wally Adeyemo will bring to the Treasury Department.

I am also looking forward to working with him on the issue of shell companies. Late last year Congress passed landmark legislation to end the use of anonymous shell companies in the United States. Several members of the Finance Committee had spent years working to get that legislation passed. Now that it has become law, it is up to the Treasury Department to write strong rules and implement it. This is going to be critical to the vitality of American companies for a long time coming. So I am very much looking forward to working with Mr. Adeyemo once he is confirmed. He is as highly qualified as they come. He is also a history-making nominee because he will be the first African American Deputy Treasury Secretary.

I support his nomination 100 percent. He got 100 percent of the Finance Committee’s support a few weeks ago. I believe he will have strong bipartisan support from the Senate, and I urge all Members to vote to confirm this nomination.

Mr. SCOTT of Florida. Mr. President, I rise in opposition to the nomination of Wally Adeyemo for Deputy Secretary of the Treasury. The U.S. Treasury Department plays a significant part in enforcing American foreign policy through economic sanctions. We know that sanctions work and that the strong application of these policies, including Communist China, Iran, North Korea, Cuba, Venezuela, and Nicaragua, are essential to holding the brutal dictators and their enablers who hold power in these nations accountable.

Communist China is the biggest threat to our Nation faces. Communist China is committing a genocide against the Uyghurs, stripping Hong Kongers of their basic rights, and continues to threaten to take Taiwan by force. I am concerned that Mr. Adeyemo does not understand the risk Communist China poses to our national and economic security and to our allies. Communist China is not a strategic competitor; they are an adversary and must be treated as such. Any U.S. official who thinks that Communist China can play a positive role in the world is mistaken.

I am also concerned that Mr. Adeyemo will not be strong when standing up to Castro’s Communist regime in Cuba. I cannot support anyone who will back a return to the failed Obama-Biden appeasement policies, which did nothing to help the Cuban people and allowed Havana to extend its reach and expand its control, giving power to other ruthless dictators in Latin America.

Currently, our Nation is on track to reach $30 trillion in debt. We have to get serious about Federal spending and the impacts it will have on our children and grandchildren. President Biden’s massive spending policies are already causing the cost of living in America to rise. I cannot support candidates who think the solution to America’s economic woes is more spending by government, more taxes and more regulation, not more individual opportunity. That is wrong and will only send us further into debt and our families further into despair. We need to focus on growing the economy and growing jobs in order to preserve the American dream.

For all these reasons, I oppose Mr. Adeyemo’s nomination and urge my colleagues to do the same.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Adeyemo nomination? The nomination was confirmed.

The PRESIDING OFFICER. The motion to reconsider is disposed of and laid upon the table, and the President will be immediately notified of the Senate’s action.

MORNING BUSINESS—Continued

The PRESIDING OFFICER. The Senator from Mississippi.

ALEXEI NAVALNY

Mr. WICKER. Madam President, I rise this afternoon to call attention to a courageous Russian hero who is in danger even as I speak. He is a man who has consistently stood up to Vladimir Putin and his cronies, on numerous occasions, placed his own life in jeopardy to bring the truth to light. The lawless thugs in the Kremlin often avoid saying his name in public, but here on the Senate floor, I am proud to stand in solidarity with Alexei Navalny.

It was just last August that Alexei Navalny, Russia’s foremost opposition leader, was poisoned with a deadly nerve agent. Millions of us remember seeing the video of his being stricken on an airplane and hearing his painful cries, the crew members unsure how to soothe his pain. Thanks to the quick diplomatic work of our friends in Germany, Mr. Navalny was evacuated to Berlin, where he received expert medical attention and, against all odds, recovered from this poisoning.

An ordinary man would have stayed safe and very far away from the Kremlin, but Alexei Navalny is no ordinary man. He is a Russian patriot who envisions a different kind of Russia, one where citizens have a say in government, where freedom blooms, and where the President does not siphon away funds intended for hospitals in order to build secret palaces or to enrich members of his kleptocracy.

So, 3 months ago, Mr. Navalny returned to Russia, knowing full well the dangers he would face. Immediately upon his arrival, he was arrested at the airport for a parole violation, which resulted from his hospitalisation, which resulted from his poisoning. He now sits in one of the most notorious penal colonies in Russia, known for its psychological torture. He has been deemed a flight risk and is awakened eight times a night under the guard of monitoring team. His lawyers were recently prevented from seeing him. Reports are that he is suffering from severe back pain and other health
concerns and has received inadequate medical care.

This is a familiar sounding story, but one thing is clear: The Russian dictatorship is terrified of Alexei Navalny. He is a threat to them because he has exposed their unbridled corruption and upheld the rights to which all men and women are entitled.

Because of that, Alexei Navalny’s life is in danger at this very moment.

The tens of thousands of demonstrators who turned out across Russia to support this hailed opposition leader send an unmistakable message to the Kremlin: You cannot suppress the voice of the people indefinitely.

Freedom-loving Americans and freedom-loving people around the world are today, crying out for justice for Alexei Navalny. He endures the suffering of many before him—in Russia, people like Sergei Magnitsky and Boris Nemtsov and, abroad, people like Nelson Mandela and Mahatma Gandhi—whose public legacy and movements did not rot while they were in prison but, instead, helped to bring down oppressive governments.

At this point, I yield to the Senator from Colorado for a brief intervention before I close with a thought or two.

Mr. BENNET. Madam President, I rise on behalf of Senator CARDIN, who will make a huge difference in our world.

Mr. WICKER. In reclaiming my time, I appreciate the work of my friend Senator CARDIN.

Senator Coons from Delaware was also here, but, unfortunately, he had to leave.

They also wanted to make it clear that, on a bipartisan basis, on both sides of the aisle, the U.S. Senate stands for freedom-loving people in Russia and for their spokesman, Alexei Navalny.

We intend to shine the light of public opinion on the actions of the Russian kleptocracy and dictatorship with regard to prisoners and patriots like Alexei Navalny.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

CONFIRMATION OF ADEWALE O. ADEYEMO

Mr. BROWN. Madam President, before we hear from Senator BOOKER and Senator BENNET and Senator WARNock on one of the best things this Senate has done in my career, that being the extension of the child tax credit and the earned income tax credit. I just want to say a few words about someone we just voted on at the Department of the Treasury who is so, so important, Adewale Adeyemo, who will be Janet Yellen’s—one exemplary Treasury Secretary—Chief of Staff. He is a terrific public servant.

Senator CORTEZ MASTO, the President, and I were talking a few minutes ago about the importance of the Treasury Department in so many things, the child tax credit, to the passing of this tax bill, so many things that we do that matter—getting the $1,400 checks out and making sure our tax system is fair.

Senator BENNET and I serve together on the Committee on Finance. What that means and what we are trying to do on that committee is to take away these loopholes. We need a Treasury Secretary, and we need Adewale Adeyemo, who will make a huge difference in our work there.

So I thank Senator SCHUMER and those on both sides of the aisle for finally confirming him today and getting him to work.

I yield to Senator BENNET, who, I think, is going to start or, maybe, Senator BOOKER.

Less than 2 weeks ago, President Biden signed the American Rescue Plan into law. He ushered in some of the most transformative economic policies to come out of Washington in generations.

By expanding access to and eligi-

ibility for the child tax credit and the earned income tax credit, the American Rescue Plan is going to lift 10 million kids above or closer to the poverty line and put money in the pockets of 17 million American workers across the country.

I want to start out by noting that both child and earned income credit policies are important for people who are in low-income and middle-income families and workers potentially qualify for these credits, and they will be issued periodically via check and direct deposit. American workers should know this was a profound change that will benefit you.

American workers also have to know that they won’t have to wait until next year. You won’t have to start to see advanced payments of these credits 6, 7, 10 months down—you will see them as early as July. And because of the changes that we made, if you didn’t previously qualify because you didn’t have a high enough income, you could be eligible now.

I am so proud to be here today alongside Senator BROWN, Senator BENNET, Senator WARNock, the President Offi-
r

ce

er, who are in large part responsible for this powerful lifeline to the American people and, critically, for our children.

Senator BENNET, Senator Brown, Senator WARNock, thank you. You are champions who have been fighting in and out of the Senate and understand not just the economic urgency but the moral urgency to address poverty. And that is really what we are all here to talk about—the urgency of the crisis of poverty and specifically child poverty.

In America, this is unacceptable. In the wealthiest Nation on the planet Earth, the question of poverty is not a moral obscenity that the richest living in poverty. It is nothing less than a moral obscenity that the richest Nation in the world should have the highest rates of child poverty in the developed world.

For adults, poverty has a technical definition. It is a federally defined guideline—an amount of annual income that you fall under that also takes into account how many people are in your household.

For kids, poverty is defined by what they experience every single day, by what happens to them. It is growing up being more likely to deal with food insecurity, not knowing where your next meal will come from when it will come. It is facing housing insecurity. A quarter of kids living in poverty will have gone through an eviction before they turn 15 years old.

Kids in poverty have worse health outcomes, worse educational outcomes, and are more likely to become entrapped in our broken criminal justice system. And kids who grow up in poverty are more likely to be poor as adults.

As JPEG after study has shown how children who live in poverty have higher levels of stress hormones. The stress of poverty literally affects their brains. It inhibits brain development. It is violence against the brain of a child.

One child poverty expert described the stress hormones that are constantly released in kids growing up in poverty as similar to the feeling that an adult would get after a car crash—every single day. This is violence.

We know that when a child experiences poverty, there are lifelong psychological and physiological effects they carry with them. Study after study has borne this out.
For kids, poverty is literally dangerous for their development, dangerous for their health, and they could have permanent and lasting damage to their brains.

The cruelty of this crisis is that no parent could ever choose for their child. Poor parents do not choose for their kids to experience the daily trauma of poverty. They do not choose to condemn their kids to a life of worse education outcomes, worse health outcomes, and worse social outcomes.

What we must understand is that child poverty is not a choice that low-income parents make. It is a failure of our country to take collective responsibility for the well-being of American children. This is a moral sin. It is not a sin to be poor but a sin to tolerate such poverty in our communities.

Almost 2 weeks ago, Congress and President Biden made the choice to do something about this American sin, this unacceptable reality, this moral obscenity happening to so many children. They did something about it; we did something about it in the American Rescue Plan. And now we are calling on our—really, we are on our way for a year to cut child poverty in half, for all kids and families.

That is millions of kids across the country who will not face that violence of poverty. In New Jersey, that is 89,000 kids and their families who are not just going to be lifted out of poverty but will be given the opportunities and the freedoms that come with being able to build a life and a future beyond without the trauma that comes with poverty.

That is why we are together here this afternoon—because lifting kids out of poverty is not just about ending a crisis but about beginning a new American tradition of giving every child what every child should have in America as a birthright. It is about creating freedom and liberty from the oppression of poverty. We have the power to do this. We have the tools to do it, and we know it makes good economic sense to get kids and adults out of poverty.

I love what James Baldwin wrote. He said: “Anyone who has ever struggled with poverty knows how . . . expensive it is to be poor.” Well, that is also true for whether we are talking about the poverty of the children or not, child poverty is expensive for all of us, costing our country $1.1 trillion every year. But investing in ending poverty benefits us all. Every dollar spent on combatting child poverty saves this Nation $7 down the road; $1 invested saves us $7 later. Other countries, our peers, have made these kinds of investments in children and families and have reaped rewards that we are denying ourselves.

Expanding the child tax credit and the earned income tax credit and making them permanent are proven, data-driven, evidence-based, result-apparent ways to respond to some of the most morally and economically urgent challenges of the United States of America. These are the kinds of investments in our people that will change life trajectories and have a ripple effect for generations yet to come.

If you give the child—a child firmer ground on which to grow, they will blossom and reap a harvest beyond our imagination. But if you punish them in the trauma, in the violence of poverty, you decimate not just their destinies but all of ours.

I am so grateful to have champions that are here today alongside me in this effort, and, together, I know this is a crisis we are going to meet, and this crisis we can overcome. I am proud of the work we have done. Now we should make those changes to the earned income tax credit and the child tax credit permanent.

I am proud to pass the microphone and the moment on to a great champion of the child tax credit and the earned income tax credit, one of the original authors of the legislation that was pulled from for our recovery plan, and that is the Senator from Ohio, Sherrod Brown.

Mr. BROWN. Thank you, Senator. The PRESIDING OFFICER (Mr. WARNOCK). The Senator from Ohio.

Mr. BROWN. Mr. President, thanks to Senator Booker, I will be very brief. I want to hear from Senator BENNET, and I know that the Presiding Officer is going to switch chairs and be out here speaking on this.

I am so appreciative of the Presiding Officer, who won his election just in—on January 5. He was declared the winner—I don’t know. Georgia elections are a little different from those of us from other places, and as soon as he was named the winner of that election, he came here and has been in the Senate about 6 or 7 weeks now and is already a leader on this fight that Senator BOOKER talked about in the child tax credit and the earned income tax credit.

I have been here long enough to remember when the earned income tax credit was—people just didn’t know much about it, including our constituents.

I used to, when I was a Member of the House, I would ask accountants—CPAs and public accountants—to volunteer their time a couple of Saturdays a month for the 2 or 3 months before April 15 to prepare their clients’ returns for free, and we encouraged people to sign up for the earned income tax credit, and people making $20,000 or $25,000 a year with kids would often get $2,000 or $3,000 in a tax refund, in real dollars back, because they benefited from the earned income tax credit.

So what Senator BENNET and I have worked on for a number of years is to continue to expand the earned income tax credit and now a big expansion of the child tax credit. Senator BENNET and I have worked on this expansion, and we worked together with Senator BOOKER and now Senator WARNOCK to make a huge difference.

When I voted from this chair on January—I am sorry, on March 6, we had been in session all night. We had voted time after time after time. It was a partisan vote.

I mean, partisanship is not what Senator WARNOCK and Senator BOOKER and Republican colleagues say it is. Something that is partisan or nonpartisan is what the voters think, and the voters overwhelmingly support the earned income tax credit, the child tax credit, and the whole American Rescue Plan Act, and it will make such a huge difference in peoples’ lives.

But I remember after that vote—it was 1 o’clock in the afternoon. I was walking out of the building to drive back to Ohio. I drive every week or a young man drives with me every week back home. And a reporter stopped me and said: What do you think? I said: This is the best day of my political life because we—what we did, as Cory Booker said, are cutting the child poverty rate in half.

In my State—and I don’t think Colorado or Georgia is much different. In my State, 92 percent of children in my State—92 percent of children will benefit from the child tax credit and their families often also benefit from the earned income tax credit. What is not to love about that?

That is why, like, 40 Democratic Senators are signing a letter to the President—Mr. BROWN. Thank you, Senator. The PRESIDING OFFICER (Mr. WARNOCK). The Senator from Ohio.

Mr. BROWN. Mr. President, thanks to Senator BOOKER, I will be very brief. I want to hear from Senator BENNET, and I know that the Presiding Officer is going to switch chairs and be out here speaking on this.

I am so appreciative of the Presiding Officer, who won his election just in—on January 5. He was declared the winner—I don’t know. Georgia elections are a little different from those of us from other places, and as soon as he was named the winner of that election, he came here and has been in the Senate about 6 or 7 weeks now and is already a leader on this fight that Senator BOOKER talked about in the child tax credit and the earned income tax credit.

I have been here long enough to remember when the earned income tax credit was—people just didn’t know much about it, including our constituents.

I used to, when I was a Member of the House, I would ask accountants—CPAs and public accountants—to volunteer their time a couple of Saturdays a month for the 2 or 3 months before April 15 to prepare their clients’ returns for free, and we encouraged people to sign up for the earned income tax credit, and people making $20,000 or $25,000 a year with kids would often get $2,000 or $3,000 in a tax refund, in real dollars back, because they benefited from the earned income tax credit.

So what Senator BENNET and I have worked on for a number of years is to continue to expand the earned income tax credit and now a big expansion of the child tax credit. Senator BENNET and I have worked on this expansion, and we worked together with Senator BOOKER and now Senator WARNOCK to make a huge difference.

When I voted from this chair on January—I am sorry, on March 6, we had been in session all night. We had voted time after time after time. It was a partisan vote.

I mean, partisanship is not what Senator WARNOCK and Senator BOOKER and Republican colleagues say it is. Something that is partisan or nonpartisan is what the voters think, and the voters overwhelmingly support the earned income tax credit, the child tax credit, and the whole American Rescue Plan Act, and it will make such a huge difference in peoples’ lives.

But I remember after that vote—it was 1 o’clock in the afternoon. I was walking out of the building to drive back to Ohio. I drive every week or a young man drives with me every week back home. And a reporter stopped me and said: What do you think? I said: This is the best day of my political life because we—what we did, as Cory Booker said, are cutting the child poverty rate in half.

In my State—and I don’t think Colorado or Georgia is much different. In my State, 92 percent of children in my State—92 percent of children will benefit from the child tax credit and their families often also benefit from the earned income tax credit. What is not to love about that?

That is why, like, 40 Democratic Senators are signing a letter to the President—Mr. BROWN. Thank you, Senator. The PRESIDING OFFICER (Mr. WARNOCK). The Senator from Ohio.

Mr. BROWN. Mr. President, thanks to Senator BOOKER, I will be very brief. I want to hear from Senator BENNET, and I know that the Presiding Officer is going to switch chairs and be out here speaking on this.

I am so appreciative of the Presiding Officer, who won his election just in—on January 5. He was declared the winner—I don’t know. Georgia elections are a little different from those of us from other places, and as soon as he was named the winner of that election, he came here and has been in the Senate about 6 or 7 weeks now and is already a leader on this fight that Senator BOOKER talked about in the child tax credit and the earned income tax credit.

I have been here long enough to remember when the earned income tax credit was—people just didn’t know much about it, including our constituents.

I used to, when I was a Member of the House, I would ask accountants—CPAs and public accountants—to volunteer their time a couple of Saturdays a month for the 2 or 3 months before April 15 to prepare their clients’ returns for free, and we encouraged people to sign up for the earned income tax credit, and people making $20,000 or $25,000 a year with kids would often get $2,000 or $3,000 in a tax refund, in real dollars back, because they benefited from the earned income tax credit.

So what Senator BENNET and I have worked on for a number of years is to continue to expand the earned income tax credit and now a big expansion of the child tax credit. Senator BENNET and I have worked on this expansion, and we worked together with Senator BOOKER and now Senator WARNOCK to make a huge difference.
I yield to my friend from Colorado, Senator BENNET.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. BENNET. Mr. President, thank you very much for being a part of this effort, and I want to thank my colleague from Ohio for his extraordinary leadership from the very beginning on both of these bills. He led on the EITC bill, and I was very grateful to have the chance to join him on that, and I'm the child tax credit, and he was my partner from the very beginning on that, as was Senator BOOKER and Senator HARRIS, before she became Vice President Harris.

I have only been here for 11 years, Mr. President, and you have been here a shorter time than that, and I never thought this day would come. I never thought we would see this day.

Before I came to the Senate, I was the superintendent of the Denver Public Schools. That is a large urban district in Colorado. Most of the kids are kids of color and most of the kids are kids living in poverty, and parents are working two and three jobs, many of them. I used to say, what in the world can’t your kids get their kids out of poverty. No matter what they do, no matter how hard they work, they are not paid enough to get their kids out of poverty.

Over the last 11 years, I have had the great privilege of traveling the State of Colorado, and it is a diverse State. Politically, it is a diverse State. We have urban areas and rural areas, and we have got some of the most dynamic economic and business environments in the country, and therefore on the planet. And yet, if I had to summarize those townhalls, it is really easy. It is people who are coming and saying: Michael, we are working really hard, but no matter what we do, we can't save. We think our kids are going to live a more diminished life than the life that we would, and we are already living in a good life than our parents did.

And that is the anecdotal reflection of an economy that, for the last 50 years, has worked really well for the top 10 percent of Americans but has not worked for the bottom 90 percent. The bottom 90 percent is all of America, and their wages have been flat. We have seen income inequality grow through two recessions, the great recession and now the COVID recession, and the gaps between more affluent families and poorer families have only grown as a result.

And everywhere I went this year—I went to all 64 counties of Colorado during the pandemic, and everywhere I went the same thing: Give us a little bit of hope.

That is what the American Rescue Plan is going to do. It is going to give people just a little bit of hope, make it a little bit easier for people to buy groceries for their families, not to pay the col- rent at the end of the month, pay their mortgage, set up a savings fund for their kids’ college education.

That might sound like an obvious thing for us to want to do, but Washington, for years, has done exactly the opposite of what we are doing in this plan. Washington has passed one regressive tax cut after another saying they were cutting taxes for the middle class. That was a complete smoke-screen. Since 2000, they have cut listen to this—$5 trillion of taxes. Almost all of that has gone to the wealthiest people in the country, when we have got the evidence that we have had since 1928. It doesn’t make any sense.

Can you imagine if the mayor of Atlanta went to his citizens and said: We are going to withdraw a bunch of money from the Chinese. We are going to borrow more money than we ever have before. And you say: Well, that kind of worries me. What are you going to use that money for? Are you building infra- structure and roads and bridges? No. Are you going to invest in our schools? No. Our sewers? No. Mental health, something we need desperately across this country? No. Healthcare? No.

What are you doing with the money? You are helping our rich friends, what are you doing with the money?

We are going to give it to the two wealthiest neighborhoods in Atlanta and hope that somehow it is going to trickle down to everybody else. That is how you write a bill, which is the Trump tax bill, where 42 percent of the benefit of that bill—it was a $2 trillion bill—42 percent went to the top 5 percent of Americans, to the people who needed it least.

This is exactly the opposite of that. Sixty percent of our bill—I am not going to give you a lot of numbers, but 60 percent of our bill, the majority of our bill, goes to people making $50,000 or less. And as my colleague from Colorado has said, we are cutting childhood poverty in half this year as a result of what we are doing, and 90 percent of American children are going to benefit from what we are doing. That is how broad-based and progressive in the sense that the greatest benefit is going to the poorest kids because the credit means the most to the people making the least, but if you are mak- ing up to $150,000 as a couple, you are going to have a benefit for your kids. You will get the full tax credit for your kids.

So let me describe it a little bit, and then I will talk about the earned in- come tax credit, and then I am going to take over for the Presiding Officer, and I look forward to hearing what he has to say.

Most families under this change to the law are going to receive $250 a month for kids under the age of 6. It is fully refundable. What does that mean? Well, there was a view about this tax credit before that said that you had to make a certain amount of money before you could get the tax credit because there was a theory that, you know, if you got the tax credit, you wouldn’t work.

That is not the problem. People are killing themselves. They are not getting paid. And so we say that you get the tax credit from dollar zero, which means, finally, millions of America’s poorest children who have been completely overlooked—not just overlooked, ignored—at the tax credit. So millions and millions and millions of children who were too poor to benefit from what was going on here while we were cutting taxes for the richest people in America are now going to benefit from the tax credit, and it will make the biggest difference for them.

We are the wealthiest country in human history, and yet we have one of the largest, if not the largest, child- hood poverty rates in America. As my colleague from New Jersey, Senator BOOKER, said—I lost my train of thought—wait until I get it back. I am so excited about what we are doing, I can’t believe it.

As Senator BOOKER said, the largest group of poor people in America are children. In other words, children have the highest percentage poverty rates in our country. How can that be? How can we accept that as a permanent state of things? Well, we are not. Because of Joe Biden’s bill, we are cutting it in half. And we are saying, in the richest country in the world, it is unacceptable for us to have one of the highest pov- erty rates. Other countries have cut their poverty rates in half, why can’t we? Well, today we are.

We also have some of the worst eco- nomic mobility rates in the industri- alized world as well, meaning it is hard to move up on the economic ladder. We used to say we are the land of oppor- tunity. Unfortunately, there are a lot of other countries where people are able to get ahead by working hard. We want that to be our country again, and we want to give poor children a chance here. There is not a single child who chooses to be born poor.

The Senator from New Jersey quoted James Baldwin. He is one of my favor- ite authors, too, about how expensive it is to be poor.

The other thing that we have done in America is we have made it incredibly hard to be poor, incredibly hard to be poor. And that is one of the interesting things about this bill. In countries that have child benefits like this child ben- efit, they actually have a much lower percentage of people in the workforce than we do. And why is that? It makes total sense. It makes total sense because if you have got a little bit of breathing room at the end of every month, you can fix a car that breaks down, and you can stay on your job. If you can afford to pay for a little bit of childcare for a few hours in the afternoon, maybe that lets you stay on the job.

For working moms in particular, I think it is going to really create the opportunity for them to earn income over the long haul because it will be easier for them to stay in their jobs than not.
As I mentioned, nationwide over 90 percent of children are going to benefit. So, over many nights, late nights often, on this floor, I have come here with one complaint or another about how we have turned our back on America’s children. I have come here and I have asked my colleagues if we are treating America’s children like they are someone else’s children, not like they are America’s children. And you know what? In this bill, we treated America’s children like they are America’s children. They really matter to us, like we believe in their future and the future of our country; that they are filled with promise. No matter how poor they are, no matter what ZIP Code they live in, rural or urban, they matter to us. They are visible to us, and we are going to make them a priority.

This is the biggest reduction in childhood poverty in the history of our country, and we need to make it permanent. If we do not make it permanent, we will lose the support of President Biden saying that we are going to work with him to find a way to make this permanent.

My goal is to end childhood poverty in this country. That is where I really want to be. When I will know we are really not going to hold some child’s economic circumstances against them, but we are going to give every child in America the chance to run the race of life. We are going to give them the opportunity we have seen out of Washington in generations.

I want to just mention a few words also about the other bill that Senator Brown led on the earned income tax credit, which triples that credit for low-income workers who don’t have kids. So these are workers who don’t have kids, who won’t benefit from what we are doing in the child tax credit but will benefit from what we are doing on the earned income tax credit. Know that elevated earning is the best thing we have seen out of Washington in generations.

Believe it or not, until now, until we passed this bill, Washington, DC, was actually taxing people into poverty. In other words, people were working; they were earning a living; and then they had to pay their taxes. And then they were in poverty because we were tripling the tax credit from about $500 to $1,500. That no longer will be true.

We also bring the minimum age down from 25 down to 17, and we lift the cap for single people more people can benefit from this tax credit. In fact, 17 million people in this country are going to benefit from this change. There are 300,000 workers in my home State of Colorado. And these changes are going to transform lives. They are going to give folks a chance to breathe.

Just like all of you, I want an economy that when the economy grows, it grows for everybody. It doesn’t grow just for the people at the very top. That is the economy that we have had for the last 50 years. Such an economy is a threat to democracy. You cannot have a democracy if you don’t have an economy where everybody feels like they get ahead. It won’t work. It has never worked in human history, and I think it would be unreasonable for us to expect it would work here.

It has created a lot of uncertainty and, in many places, a lot of anger about whether the American Dream will ever work for most, everyone. I believe we will be able to dream again here, and we are going to need, as I said, an economy that works for everybody. That means investing in our infrastructure. That means having an approach to competition from the Chinese Government that doesn’t just leave us and our industries as collateral damage but creates thriving supply chains here, high-paying jobs here, and making sure that we own auto manufacturing here and other kind of manufacturing.

It means having an education system that can prepare people to do the jobs of the 21st century. That is work we still have to do. It means making sure that every high school kid or every single kid that graduates from high school graduates knowing they can earn not just a minimum wage but a living wage the day they walk out of their high school. That is what we need to do.

But, in the meantime, this tax cut for working people and for low-income people means that people are going to be able to put food on the table, save a little bit of money, get through this pandemic, make their lives a little bit better, and give their kids a little bit more hope.

I am really grateful. I am really grateful that we elected a President and a Vice President who is not treating America’s children like they are someone else’s children but treating them like they are our children. That is not only the right thing to do for them. That is the essential thing to do if this democracy is going to survive.

I was the tax counsel for the American Rescue Plan. That has been a critical time in our country, and in a critical moment like that, when we are scheduled to lose graduated rates and unemployment benefits, we lifted the cap on Wall Street and what is happening soaring and children struggling and no help for the poor. That is the essential thing to do.

I am really grateful that we elected a President and a Vice President who is not treating America’s children like they are someone else’s children but treating them like they are our children. That is not only the right thing to do for them. That is the essential thing to do if this democracy is going to survive.

I was the tax counsel for the American Rescue Plan. That has been a critical time in our country, and in a critical moment like that, when we are scheduled to lose graduated rates and unemployment benefits, we lifted the cap on Wall Street and what is happening soaring and children struggling and no help for the poor. That is the essential thing to do.

I am really grateful that we elected a President and a Vice President who is not treating America’s children like they are someone else’s children but treating them like they are our children. That is not only the right thing to do for them. That is the essential thing to do if this democracy is going to survive.

I was the tax counsel for the American Rescue Plan. That has been a critical time in our country, and in a critical moment like that, when we are scheduled to lose graduated rates and unemployment benefits, we lifted the cap on Wall Street and what is happening soaring and children struggling and no help for the poor. That is the essential thing to do.

I was the tax counsel for the American Rescue Plan. That has been a critical time in our country, and in a critical moment like that, when we are scheduled to lose graduated rates and unemployment benefits, we lifted the cap on Wall Street and what is happening soaring and children struggling and no help for the poor. That is the essential thing to do.

I was the tax counsel for the American Rescue Plan. That has been a critical time in our country, and in a critical moment like that, when we are scheduled to lose graduated rates and unemployment benefits, we lifted the cap on Wall Street and what is happening soaring and children struggling and no help for the poor. That is the essential thing to do.
Often, we tell our children to stay on the right road, to stay out of trouble, and we should—stay focused—but we also have the support they need to pay the costs of living. I am glad that Senators BOOKER, BROWN, and BENNET—I feel a little left out here—but I am so glad that we were able to push through the American Rescue Plan, a landmark expansion of two tax credit programs: the child tax credit and the earned income tax credit.

Now, I am calling on all my Senate colleagues to join us in making these expansions permanent. By increasing the child tax credit, thousands of more dollars a year will flow into the pockets of the children and families who need it most. We have included this in the American Rescue Plan, a landmark expansion of two tax credit programs: the child tax credit and the earned income tax credit.

In Georgia, more than 1 million families with children will benefit from the increased tax refund, and it will lift more than 171,000 Georgia children out of poverty. Those are kids around my church and who attend my church.

So I want to be clear. Not only were we able to expand the tax refund so that more families are getting more money, but we were able to do so in such a way that it gives families a monthly cash payment providing greater financial security.

This is going to be a game-changer for so many families, especially those who did not previously qualify for the credit when it was used just to offset taxes already owed to the government. Prior to this expansion, we had folk who were too poor to get our help. There is something wrong about that—too poor to get our help. This expansion corrects that. Now, we are putting dollars directly into the hands of the families who need it the most.

In the COVID package, we were able to strengthen the earned income tax credit, nearly tripling the maximum tax refund allowed for qualifying workers because we have to make sure that childless families in our communities also have the support they need to pay their rent, keep food on the table, and more to keep our communities strong. Taken together, expanding and extending these programs are a major move toward eliminating child poverty and poverty in general once and for all.

Mr. SCHUMER. I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration and the Senate now proceed to S. Res. 109.

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

The resolution (S. Res. 109) designating April 4 as his birthday. April 4 is also Easter this year. Let’s make these tax credits permanent and resurrect hope and possibility and promise for all of America’s children.

I yield the floor.

The PRESIDING OFFICER (Mr. WARNICK). The majority leader is recognized.

Mr. SCHUMER. I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration and the Senate now proceed to the consideration of S. Res. 144, submitted earlier today.

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

The resolution (S. Res. 144) was agreed to.

The preamble was agreed to.

The resolution (S. Res. 144) recognizing the week of March 21 through March 27, 2021, as “National Poison Prevention Week” and encouraging communities across the United States to raise awareness of the dangers of poisoning and promote poison prevention.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 144) was agreed to.

The preamble was agreed to.

The resolution (S. Res. 144) was printed in the RECORD of March 23, 2021, under “Submitted Resolutions.”

NATIONAL NATIVE PLANT MONTH

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration and the Senate now proceed to S. Res. 109.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 109) designating April 2021 as “Native Native Plant Month”.

There being no objection, the Committee on Foreign Relations be discharged, and the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 109) was agreed to.

The preamble was agreed to.

The resolution (S. Res. 109) was printed in the RECORD of March 15, 2021, under “Submitted Resolutions.”

REMEMBERING THE 5TH ANNIVERSARY OF THE TERRORIST ATTACKS AT BRUSSELS AIRPORT AND THE MAALBEEK METRO STATION IN BELGIUM

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration and the Senate now proceed to S. Res. 130.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 130) remembering the 5th anniversary of the terrorist attacks at Brussels Airport and the Maalbeek metro station in Belgium and honoring the victims of the terrorist attacks.

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

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 130) was agreed to.

The preamble was agreed to.

The resolution (S. Res. 130) was printed in the RECORD of March 23, 2021, under “Submitted Resolutions.”

NATIONAL POISON PREVENTION WEEK

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 144, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 144) recognizing the week of March 21 through March 27, 2021, as “National Poison Prevention Week” and encouraging communities across the United States to raise awareness of the dangers of poisoning and promote poison prevention.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 144) was agreed to.

The preamble was agreed to.

The resolution (S. Res. 144) was printed in the RECORD of March 23, 2021, under “Submitted Resolutions.”

NATIONAL ASBESTOS AWARENESS WEEK

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 145, submitted earlier today.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 145) was agreed to.

The preamble was agreed to.

The resolution (S. Res. 145) was printed in the RECORD of March 23, 2021, under “Submitted Resolutions.”
The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 145) designating the first week of April 2021 as "National Asbestos Awareness Week".

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 145) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

RECOGNIZING THE 200TH ANNIVERSARY OF THE INDEPENDENCE OF GREECE, CELEBRATING DEMOCRACY IN GREECE AND THE UNITED STATES

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 17, S. Res. 34.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 34) recognizing the 200th anniversary of the independence of Greece and celebrating democracy in Greece and the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MENENDEZ. Mr. President, I come to the floor in honor of an historic occasion: the 200th anniversary of Greece’s independence. I am delighted to join the Greek-American community in New Jersey and across the United States in celebrating this bicentennial. The bonds of friendship between the United States and Greece are unbreakable, and as I stand here, in the center of American democracy, I am reminded of the strength of the shared democratic values on which our long partnership is based.

Greece has made incredible contributions to the world, not least of which is developing the ideals of democracy and rule of law that inspired our Founding Fathers to establish our American system of government. The very architecture of the Capitol building is a tribute to the foundational role Greece played in the shaping of our democracy and society. The democratic ideals developed in ancient Greece continue to motivate Americans and people around the world today.

The people of the United States in turn worked to support the people of Greece as they began their own struggle for independence 200 years ago.

American Philhellenic Committees, comprised of ordinary Americans, sprung up to support the Greek fight for freedom through fundraising and humanitarian assistance.

Members of Congress, including Daniel Webster, a quintessential example of an interesting and gallant people...contending against fearful odds...for the common privilege of human nature.” In a letter to Greek scholar Adamantios Koraes, whose work formed the intellectual basis for the Greek independence struggle, Thomas Jefferson demonstrated his support by writing that “no people sympathize more feelingly than ours with the sufferings of your countrymen, none offer more sincere and ardent prayers to heaven for their success.”

Several American Philhellenes traveled to Greece to assist the Greek people more directly. Dr. Samuel Gridley Howe, who later became a prominent voice in America’s fight to end slavery, served with clay as a surgeon and a soldier. Jonathan Peckham Miller, another future noted abolitionist, also served in the Greek army. George Jarvis fought alongside the Greek people, as well as working to provide food, medicine, and clothing to those who needed it with the support of the American Philhellenic Committees.

The bonds between the peoples and governments of Greece and the United States have lasted throughout our country’s history, and they are stronger than ever today. Greece is an invaluable partner to the United States as a NATO member, as an EU member, and in promoting peace and stability in the Balkans and the Eastern Mediterranean region. Greece’s unwavering commitment to democracy and the rule of law makes it a truly reliable ally in the region and an increasingly critical one as we face the challenges of the 21st century.

I am proud that Congress demonstrated its support for further boosting U.S.-Greece cooperation and U.S. support for the Greece-Cyprus-Israel trilateral, with the passage of the Eastern Mediterranean Security and Energy Partnership Act a little over a year ago. Ensuring full implementation of this act is one of my priorities as chairman of the Foreign Relations Committee.

The past few years have seen critical developments in U.S.-Greece relations. I am grateful to the leadership of officials in both countries whose work has helped U.S.-Greece ties reach their strongest level ever, including Ambassador Geoff Pyatt, and I look forward to building on their fantastic efforts in the months and years to come.

This 200th anniversary of Greece’s independence truly is a time to celebrate: a time to celebrate Greece’s hard-won freedom; a time to celebrate the bonds between our peoples, and especially the many contributions Greek Americans have made to this country; and a time to celebrate our countries’ shared history and democratic values, which will be the basis of our countries’ cooperation for years to come.

This week, the Senate Foreign Relations Committee unanimously approved a resolution congratulating the people of Greece on the 200th anniversary of their independence. I be grateful to Senator BARRASSO for joining me in leading this resolution and to my many Senate colleagues on both sides of the aisle who have cosponsored this resolution. With the passage of this resolution every year, and especially through us, the American people—send a clear message of support for the Greek people and our countries’ enduring partnership.

Greece’s 200th anniversary celebration serves not only as a reminder of our countries’ long friendship, but also as a time for us to look to build on that history and strengthen our partnership for generations to come. The Eastern Mediterranean region and the world face unprecedented challenges, and growing the U.S.-Greece relationship is more critical than ever for our shared security and stability. I look forward to working with the people of Greece to build on the American community to make the vision of a stronger U.S.-Greece relationship a reality.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 34) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of February 4, 2021, under “Submitted Resolutions.”)

APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the Republican Leader, pursuant to Public Law 70-770, the appointment of the following individual to the Migratory Bird Conservation Commission: The Honorable John Boozman of Arkansas.

The Chair, on behalf of the Vice President, pursuant to Public Law 94-304, as amended by Public Law 99-7, appoints the following Senators as members of the Commission on Security and Cooperation in Europe (Helsinki) during the 117th Congress: The Honorable Roger Wicker of Mississippi; The Honorable John Boozman of Arkansas; The Honorable Marco Rubio of Florida; and The Honorable Thom Tillis of North Carolina.

The Chair announces, on behalf of the Republican Leader, pursuant to Public Law 101-509 the reappointment of the following individual to serve as a member of the Advisory Committee on the Records of Congress: Deborah Skaggs of Kentucky.

The Chair, on behalf of the Majority Leader, pursuant to the provisions of...
EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. I ask unanimous consent to consent to the Senate proceeding to executive session to consider the following nominations: Calendar Nos. 41, 44, 45, 46, 47, 48, 49, 50, 51, 52, 56, and all nominations placed on the Secretary’s desk in the Air Force, Army, Marine Corps, Navy, and Space Force; nominations be confirmed en bloc. I further ask that the motion to consider be considered; made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; that the President be immediately notified of the Senate’s action; and the Senate then resume legislative session.

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

The nominations considered and confirmed are as follows:

IN THE SPACE FORCE

The following named officers for appointment in the United States Space Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general
Col. Dennis O. Bythewood
Col. Todd R. Moore
Col. Devin R. Pepper
Col. James E. Smith

To be rear admiral
Rear Adm. (h) Joseph D. Noble, Jr.

IN THE NAVY

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general
Col. Joseph R. Clearfield
Col. Mark H. Clington
Col. Simon M. Doran
Col. Ralph R. Smith, III
Col. Devin R. Pepper
Col. Dennis O. Bythewood
Col. Anthony M. Henderson
Col. Michael E. McWilliams
Col. Matthew T. Mowerey
Col. Andrew M. Niebel
Col. Ahmed T. Williamson
Col. Simon M. Doran

To be rear admiral
Rear Adm. (h) William E. Calmes, III
Rear Adm. (h) John A. Okon

IN THE MARINE CORPS

The following named officers for appointment in the United States Marine Corps to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general
Col. Ahmed T. Williamson
Col. Andrew M. Niebel
Col. Anthony M. Henderson
Col. Simon M. Doran

To be rear admiral
Rear Adm. (h) Joseph D. Noble, Jr.
Rear Adm. (h) John A. Okon

IN THE COAST GUARD

The following named officer for appointment in the United States Coast Guard to the grade indicated under title 10, U.S.C., section 12303:

To be commander
Capt. Ronald J. Piret
Capt. Ralph R. Smith, III

NOMINATIONS PLACED ON THE SECRETARY’S DESK

IN THE AIR FORCE

PN135 AIR FORCE nominations (241) beginning TASHIF AHMED, and ending ISAAC D. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN137 AIR FORCE nominations (113) beginning DANIEL JAMES ABER, and ending DANIEL SCOTT ZEVITZ, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN138 AIR FORCE nominations (75) beginning ERIN E. ARIZT, and ending SETH P. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN139 AIR FORCE nominations (123) beginning MICHELLE R. ALDERS, and ending APRIL LASHLE WOODY, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN141 AIR FORCE nominations (41) beginning AARON D. AGIRRE, and ending GREGORY S. ZILINSKI, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN142 AIR FORCE nominations (23) beginning DIAMOND J. JUDGE, and ending CLINTON K. WAHL, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN143 AIR FORCE nominations (55) beginning JOSE C. AGUIRRE, and ending SCOTT M. ZELABSKO, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN144 AIR FORCE nominations (14) beginning NICHOLAS B. DUVALL, and ending SETH D. WHITFORD, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN145 AIR FORCE nomination of Conn P. McKelvey, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN146 AIR FORCE nominations (74) beginning BRYAN MARK BAILEY, and ending JASON P. WILLEY, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN147 AIR FORCE nomination of Conn P. McKelvey, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN148 AIR FORCE nominations (3) beginning ADAM H. FISHER, and ending SYLVETTE ORTIZ, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN149 AIR FORCE nominations (26) beginning TINA C. HENIVEGA, and ending GIA MARIE WILSON-MACKEY, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN150 AIR FORCE nominations (5) beginning GARY L. FRISARD, and ending BRIAN J. PEARSON, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN151 AIR FORCE nominations (2) beginning BARRY E. DICKSON, JR., and ending AMY L. HUNT, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

THOMAS M. WOOLF, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN152 AIR FORCE nominations (3) beginning AMIE M. DOUGLAS, and ending SEMIHI S. KUMB, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN153 AIR FORCE nominations (12) beginning ROBERT E. BEYLER, and ending NICHOLAS I. WISHART, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN154 AIR FORCE nominations (18) beginning BRIAN D. WELLS, and ending RICHARD M. DEBEK, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN155 AIR FORCE nominations (2) beginning JASON P. WILLEY, and ending JASON P. WILLEY, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

NOMINATIONS PLACED ON THE SECRETARY’S DESK

IN THE AIR FORCE

PN135 AIR FORCE nominations (241) beginning TASHIF AHMED, and ending ISAAC D. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN137 AIR FORCE nominations (113) beginning DANIEL JAMES ABER, and ending DANIEL SCOTT ZEVITZ, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN138 AIR FORCE nominations (75) beginning ERIN E. ARIZT, and ending SETH P. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN139 AIR FORCE nominations (123) beginning MICHELLE R. ALDERS, and ending APRIL LASHLE WOODY, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN141 AIR FORCE nominations (41) beginning AARON D. AGIRRE, and ending GREGORY S. ZILINSKI, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN142 AIR FORCE nominations (23) beginning DIAMOND J. JUDGE, and ending CLINTON K. WAHL, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN143 AIR FORCE nominations (55) beginning JOSE C. AGUIRRE, and ending SCOTT M. ZELABSKO, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN144 AIR FORCE nominations (14) beginning NICHOLAS B. DUVALL, and ending SETH D. WHITFORD, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN145 AIR FORCE nomination of Conn P. McKelvey, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN146 AIR FORCE nominations (74) beginning BRYAN MARK BAILEY, and ending JASON P. WILLEY, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN147 AIR FORCE nomination of Conn P. McKelvey, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN148 AIR FORCE nominations (3) beginning ADAM H. FISHER, and ending SYLVETTE ORTIZ, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN149 AIR FORCE nominations (26) beginning TINA C. HENIVEGA, and ending GIA MARIE WILSON-MACKEY, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN150 AIR FORCE nominations (5) beginning GARY L. FRISARD, and ending BRIAN J. PEARSON, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN151 AIR FORCE nominations (2) beginning BARRY E. DICKSON, JR., and ending AMY L. HUNT, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

THOMAS M. WOOLF, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN152 AIR FORCE nominations (3) beginning AMIE M. DOUGLAS, and ending SEMIHI S. KUMB, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN153 AIR FORCE nominations (12) beginning ROBERT E. BEYLER, and ending NICHOLAS I. WISHART, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN154 AIR FORCE nominations (18) beginning BRIAN D. WELLS, and ending RICHARD M. DEBEK, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

NOMINATIONS PLACED ON THE SECRETARY’S DESK
PN154 AIR FORCE nominations (12) beginning CHARLOTTE C. APPLETON, and ending JOHN M. TUDELA, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN155 AIR FORCE nominations (3) beginning JENNIFER A. ALFAR, and ending MATTHEW L. HUDKINS, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN156 AIR FORCE nominations (9) beginning LOUIS EDWARD BELLACE, and ending CYNTHIA M. WASHINGTON, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN157 AIR FORCE nomination of Paul Joseph King, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN158 AIR FORCE nomination of Christopher J. Blaney, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN159 AIR FORCE nomination of Richard D. Euninck, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN160 AIR FORCE nomination of Elizabeth A. Becht, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN161 AIR FORCE nominations (22) beginning JEFFREY D. ADKINS, and ending ME- LISSA M. TALLENT, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN162 AIR FORCE nomination of David L. Walker, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN163 AIR FORCE nomination of Raeann H. Macalma, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN164 AIR FORCE nomination of Joshua B. Allen, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN165 AIR FORCE nominations (4) beginning MICHAEL JON BATES, and ending DAVID D. SCHWARTZ, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN166 AIR FORCE nomination of Laurie Ann Flagg Inacio, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN167 AIR FORCE nominations (53) beginning MATTHEW R. ALLEN, and ending SHAUN WILLHITE, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN168 AIR FORCE nominations (83) beginning PETE SECHRISTENSEN II, and ending CHRISTOPHER C. WOOD, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN169 AIR FORCE nominations (230) beginning GREGORY M. ADAMS, and ending RYAN A. ZEITLER, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN170 AIR FORCE nominations (38) beginning OBI AGBOROBESONG, and ending DANNY D. CARLTON, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN171 AIR FORCE nominations (7) beginning KEVIN W. BYRD, and ending WILLIAM L. WEIFORD, III, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN172 AIR FORCE nominations (77) beginning MICHAEL R. ANDREWS, and ending BONNIE A. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN173 AIR FORCE nominations (152) beginning KATHLEEN A. GAMBLE, and ending KATELYN M. ZERINGUE, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE ARMY

PN174 ARMY nominations (3) beginning MARK S. BORN, and ending HENRY CARTAGENA, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN175 ARMY nominations (5) beginning MICHAEL L. BARNETT, and ending JAMES B. BRISIOCK, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE NAVY

PN176 ARMY nomination of Lawrence B. Austin, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE MARINE CORPS

PN177 ARMY nomination of John R. Blackburn, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE NAVY

PN178 ARMY nomination of Carlos J. Kavetsky, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE MARINE CORPS

PN179 ARMY nomination of Laronda D. Davis, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE NAVY

PN180 ARMY nomination of Alvin D. Schwartz, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE MARINE CORPS

PN181 ARMY nomination of Randall S. Bosler, Jr., which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE NAVY

PN182 ARMY nominations (2) beginning JOSEPH A. MARTY, and ending BRIAN W. MCCOY, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE MARINE CORPS

PN183 ARMY nominations (5) beginning JENNIFER J. HARKINS, and ending FENICIA L. JACKSON, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE NAVY

PN184 ARMY nomination of Jermain Y. Williams, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE MARINE CORPS

PN185 ARMY nominations (30) beginning TIMOTHY M. BENEDICT, and ending SUSAN STANKORB, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE NAVY

PN186 ARMY nominations (120) beginning HARRIS A. ABRAHAMS, and ending DOLPHUS O. CLARK, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE MARINE CORPS

PN187 ARMY nominations (81) beginning SILAS C. ABRENCIA, and ending DANIEL J. YOURK, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE NAVY

PN188 ARMY nominations (34) beginning PAUL E. BAKER, and ending STEPHEN L. WILLSON, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE MARINE CORPS

PN189 ARMY nominations (523) beginning JONATHAN E. ABISHIRE, and ending DOUGLAS D. SIMPSON, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE NAVY

PN190 ARMY nominations (564) beginning NATHANAEL B. ACHOR, and ending DONALD B. AROLPH, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE MARINE CORPS

PN191 ARMY nomination of Ikechukwu L. Eweama, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE NAVY

PN192 ARMY nomination of Edward F. Burke, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE MARINE CORPS

PN193 ARMY nominations (16) beginning ROB R. BILLINGS, and ending OVID VILLARREAL, JR., which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE NAVY

PN194 ARMY nominations (2) beginning JAMES ACEVEDO, and ending LASHELL Y. NAYIS, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE MARINE CORPS

PN195 ARMY nominations (22) beginning JOHN A. ANDERSON, and ending JOHN M. WINSTON, III, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE NAVY

PN196 ARMY nominations (2) beginning JAMES A. BOSSLER, Jr., and ending RICHARD W. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE MARINE CORPS

PN197 ARMY nomination of Douglas W. Hedrick, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE NAVY

PN198 ARMY nominations (921) beginning NICHOLAU S. A. ABBOTT, and ending DOLPHUS O. CLARK, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE MARINE CORPS

PN199 ARMY nominations (4) beginning MICHAEL J. ALLEN, and ending CHRISTOPHER M. SMITH, which nominations were received by the Senate and appeared in the Congressional Record of January 6, 2021.

IN THE NAVY

PN200 ARMY nominations (564) beginning NATHANAEL B. ACHOR, and ending CHRISTOPHER M. SMITH, which nominations were received by the Senate and appeared in the Congressional Record of January 6, 2021.

IN THE MARINE CORPS

PN201 ARMY nominations (2) beginning JAMES A. BOSSLER, Jr., and ending RICHARD W. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE NAVY

PN202 NAVY nomination of Hassan A. Brown, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE MARINE CORPS

PN203 NAVY nomination of James G. O’Loughlin, which was received by the Senate and appeared in the Congressional Record of February 22, 2021.

IN THE NAVY

PN204 NAVY nominations (7) beginning PHILLIP P. CASTELLANO, and ending
ADJOURNMENT UNTIL MONDAY, MARCH 29, 2021, AT 11 A.M.

Mr. SCHUMER. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:30 p.m., adjourned until Monday, March 29, 2021, at 11 a.m.

NOMINATIONS
Executive nominations confirmed by the Senate March 25, 2021:

FEBRUARY 22, 2021.

CONFIRMATIONS
Executive nominations confirmed by the Senate March 25, 2021:

LEGISLATIVE SESSION
The PRESIDING OFFICER. The Senate will now resume legislative session.

ORDERS FOR MONDAY, MARCH 29, 2021, THROUGH TUESDAY, APRIL 12, 2021

Mr. SCHUMER, Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned to then convene for pro forma sessions only, with no business being conducted, on the following dates and times; and that following each pro forma session, the Senate adjourn until the next pro forma session: Monday, March 29 at 11 a.m.; Thursday, April 1 at 10 a.m.; Monday, April 5 at 2 p.m.; Thursday, April 8 at 5:30 p.m. I further ask that when the Senate adjourns on Thursday, April 8, it next convene at 8 a.m. Monday, April 12; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; finally, upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Tottenberg nomination to be Deputy Secretary of Transportation; finally, that the cloture motions filed during today’s session ripen at 5:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.
AIR FORCE NOMINATIONS BEGINNING WITH TINA C. BENIVIGOA AND ENDING WITH GIA MARIE WILSON-MACKEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH GARY L. FRIED AND ENDING WITH BRIAN J. FEARON WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH BABY E. DICKSON, Jr. AND ENDING WITH AMY L. HUNT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH AMIE M. DOUGLAS AND ENDING WITH SEMMI S. KUMIC, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH ROBERT E. BRYLER AND ENDING WITH NICOLE P. WISHART, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH CHARLOTTA R. GLEWYT AND ENDING WITH M. TUDERIA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH JENNIFER A. ALFAY, ENDING WITH MATTHEW L. RUSKINS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH LOUIS EDWARD BELLACE AND ENDING WITH CYNTHELA M. WASHINGTON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH PAUL JOSEPH SINKO, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH JEFFREY D. ADDINS AND ENDING WITH MELISSA M. TALLENT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH MICHAEL A. CARLSON, ENDING WITH MICHAEL R. SMITH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH JOSHUA A. ALLAN AND ENDING WITH JENNIFER D. ENGLE. WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH DAVID L. WALKER, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH BARBARA H. MACALMA, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH JOSHUA B. ALLEN, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH MICHAEL JON K. RAYMOND AND ENDING WITH CAROL J. ANTHONY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH LAURIE ANN FLAIG INNADIA AND ENDING WITH KIMBERLY D. D'AMICO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH MATTHEW R. KELLEHER, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH PETER BRIAN ABERCROMBIE II AND ENDING WITH CHRISTOPHER C. WOOD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH GREGORY M. ADAMS AND ENDING WITH RYAN A. CARRUTHERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH ORI AGBORRHSOON AND ENDING WITH BRYCE D. WAREEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH KEVIN W. BYRD AND ENDING WITH WILLIAM L. WILFORD III, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.
HIGHLIGHTS

Senate passed H.R. 1799, PPP Extension Act.
Senate passed H.R. 1868, Medicare Sequester Act, as amended.

Chamber Action

Routine Proceedings, pages S1791–S1850

Measures Introduced: One hundred one bills and fifteen resolutions were introduced, as follows: S. 965–1065, S.J. Res. 14–16, and S. Res. 136–147.

Measures Reported:
S. Res. 114, commending the United States African Development Foundation on the occasion of its 40th anniversary for creating pathways to prosperity for underserved communities on the African continent through community-led development.

Measures Passed:

PPP Extension Act: By 92 yeas to 7 nays (Vote No. 140), Senate passed H.R. 1799, to amend the Small Business Act and the CARES Act to extend the covered period for the paycheck protection program, by the order of the Senate of Wednesday, March 24, 2021, 60 Senators having voted in the affirmative, after agreeing to the motion to proceed, and taking action on the following amendments and motion proposed thereto:

Pages S1792–S1800

Rejected:

By 48 yeas to 52 nays (Vote No. 137), Kennedy Amendment No. 1401, to prohibit paycheck protection program loans and second draw loans for applicants convicted of a felony in relation to a riot or civil disorder during the 2-year period preceding the date of the application.

Pages S1795–96

By 48 yeas to 52 nays (Vote No. 138), Rubio Amendment No. 1405, to establish appropriate limitations on the Administrator of the Small Business Administration establishing new priorities for processing lender applications.

During consideration of this measure today, Senate also took the following action:

By 64 yeas to 36 nays (Vote No. 139), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive section 4(g)(3) of the Statutory Pay-As-You-Go Act of 2010, and all applicable sections of that Act and other budget related Acts and applicable budget resolutions, with respect to the bill. Subsequently, the point of order that the bill was in violation of section 404(a) of the Statutory Pay-As-You-Go provision in S. Con. Res. 13, was not sustained, and thus the point of order fell.

Medicare Sequester Act: By 90 yeas to 2 nays (Vote No. 142), Senate passed H.R. 1868, to prevent across-the-board direct spending cuts, 60 Senators having voted in the affirmative, and after taking action on the following amendments proposed thereto:

Adopted:
Shaheen/Collins Amendment No. 1410, in the nature of a substitute.

Pages S1801–04

Rejected:

By 47 yeas to 50 nays (Vote No. 141), Scott (FL) Amendment No. 1411 (to 1410), of a perfecting nature.

Pages S1802–03

National Native Plant Month: Committee on the Judiciary was discharged from further consideration of S. Res. 109, designating April 2021 as "National Native Plant Month", and the resolution was then agreed to.

Pages S1845

Remembering the 5th Anniversary of the Terrorist Attacks at Brussels Airport and the Maalbeek Metro Station: Committee on Foreign Relations was discharged from further consideration of S. Res. 130, remembering the 5th anniversary of the terrorist attacks at Brussels Airport and the Maalbeek metro station in Belgium and honoring the victims of the terrorist attacks, and the resolution was then agreed to.

Pages S1845

National Poison Prevention Week: Senate agreed to S. Res. 144, recognizing the week of March 21
through March 27, 2021, as "National Poison Prevention Week" and encouraging communities across the United States to raise awareness of the dangers of poisoning and promote poison prevention.

Page S1845

**National Asbestos Awareness Week:** Senate agreed to S. Res. 145, designating the first week of April 2021 as "National Asbestos Awareness Week".

Pages S1845–46

**Independence of Greece 200th Anniversary:** Senate agreed to S. Res. 34, recognizing the 200th anniversary of the independence of Greece and celebrating democracy in Greece and the United States.

Page S1846

**Measures Considered:**

**COVID–19 Hate Crimes Act—Cloture:** Senate began consideration of the motion to proceed to consideration of S. 937, to facilitate the expedited review of COVID–19 hate crimes.

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Brenda Mallory, of Maryland, to be a Member of the Council on Environmental Quality.

Prior to the consideration of the motion to proceed, Senate took the following action:

- Senate agreed to the motion to proceed to Legislative Session.

**Appointments:**

**Migratory Bird Conservation Commission:** The Chair announced, on behalf of the Republican Leader, pursuant to Public Law 70–770, the appointment of the following individual to the Migratory Bird Conservation Commission: Senator Boozman.

Page S1846

**Advisory Committee on the Records of Congress:** The Chair announced, on behalf of the Republican Leader, pursuant to Public Law 101–509, the reappointment of the following individual to serve as a member of the Advisory Committee on the Records of Congress: Deborah Skaggs of Kentucky.

Page S1846

**Commission on Security and Cooperation in Europe (Helsinki):** The Chair, on behalf of the Vice President, pursuant to Public Law 94–304, as amended by Public law 99–7, appointed the following Senators as members of the Commission on Security and Cooperation in Europe (Helsinki) during the 117th Congress: Senators Wicker, Boozman, Rubio, and Tillis.

Page S1846

**Senate National Security Working Group:** The Chair, on behalf of the Majority Leader, pursuant to the provisions of S. Res. 64, adopted March 5, 2013, appointed the following Senators as members of the Senate National Security Working Group for the 117th Congress: Senators Feinstein (Administrative Co-Chair), Reed (Co-Chair), Menendez (Co-Chair), Durbin (Co-Chair), Cardin, Casey, Duckworth, Hassan, Sinema, and Warnock.

Pages S1846–47

**Pro Forma Sessions—Agreement:** A unanimous-consent agreement was reached providing that the Senate adjourn, to then convene for pro forma sessions only, with no business being conducted on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Monday, March 29, 2021, at 11 a.m.; Thursday, April 1, 2021, at 10 a.m.; Monday, April 5, 2021 at 2 p.m.; Thursday, April 8, 2021, at 5:30 p.m.; and that when the Senate adjourns on Thursday, April 8, 2021, it next convene at 3 p.m., on Monday, April 12, 2021.

Page S1849

**Trottenberg Nomination—Cloture:** Senate began consideration of the nomination of Polly Ellen Trottenberg, of New York, to be Deputy Secretary of Transportation.

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, March 25, 2021, a vote on cloture will occur at 5:30 p.m., on Monday, April 12, 2021.

Prior to the consideration of this nomination, Senate took the following action:

- Senate agreed to the motion to proceed to Executive Session to consider the nomination.

**Sherman Nomination—Cloture:** Senate began consideration of the nomination of Wendy Ruth Sherman, of Maryland, to be Deputy Secretary of State.

A unanimous-consent agreement was reached providing that Senate resume consideration of the nomination at approximately 3 p.m., on Monday, April 12, 2021; and that the motions to invoke cloture filed during the session of Thursday, March 25, 2021 ripen at 5:30 p.m. on Monday, April 12, 2021.

Page S1849

Page S1804

Page S1804

Page S1804

Page S1804

Page S1804

Page S1804

Page S1804

Page S1804

Page S1804
Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session.  
Senate agreed to the motion to proceed to Executive Session to consider the nomination.

Gensler Nomination—Cloture: Senate began consideration of the nomination of Gary Gensler, of Maryland, to be a Member of the Securities and Exchange Commission. A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Wendy Ruth Sherman, of Maryland, to be Deputy Secretary of State.

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session.  
Senate agreed to the motion to proceed to Executive Session to consider the nomination.

Mallory Nomination—Cloture: Senate began consideration of the nomination of Brenda Mallory, of Maryland, to be a Member of the Council on Environmental Quality.  

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Gary Gensler, of Maryland, to be a Member of the Securities and Exchange Commission.

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session.  
Senate agreed to the motion to proceed to Executive Session to consider the nomination.

Nominations Confirmed: Senate confirmed the following nominations:

Adewale O. Adeyemo, of California, to be Deputy Secretary of the Treasury.  
11 Marine Corps nominations in the rank of general.  
36 Navy nominations in the rank of admiral.  
4 Space Force nominations in the rank of general.  
Routine lists in the Air Force, Army, Coast Guard, Marine Corps, Navy, and Space Force.

Nominations Received: Senate received the following nominations:

Adrienne Todman, of the Virgin Islands, to be Deputy Secretary of Housing and Urban Development.

Dawn Myers O’Connell, of the District of Columbia, to be Assistant Secretary for Preparedness and Response, Department of Health and Human Services.

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

Neera Tanden, of Massachusetts, to be Director of the Office of Management and Budget, which was sent to the Senate on January 20, 2021.

Measures Placed on the Calendar:

Executive Communications:

Executive Reports of Committees:

Notice of a Tie Vote Under S. Res. 27:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Amendments Submitted:

Authorities for Committees to Meet:

Record Votes: Six record votes were taken today. (Total—142)

Adjournment: Senate convened at 10 a.m. and adjourned at 5:30 p.m., until 11 a.m. on Monday, March 29, 2021. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S1849.)

Committee Meetings

(Committees not listed did not meet)

CHILD NUTRITION REAUTHORIZATION

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine Child Nutrition Reauthorization, focusing on healthy meals and healthy futures, after receiving testimony from Diane Golzynski, Michigan Department of Education Office of Health and Nutrition Services, Lansing; Heidi M. Hoffman, Colorado Department of Public Health and Environment Colorado State WIC, Denver; Jessica Gould, Littleton Public Schools, Littleton, Colorado; Lee Savio Beers, American Academy of Pediatrics, Washington, D.C.; Reynaldo Green, Quality Care for Children, Atlanta, Georgia; and Carlos Rodriguez, Community FoodBank of New Jersey, Hillside.
DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Committee concluded open and closed sessions to examine United States Special Operations Command and United States Cyber Command in review of the Defense Authorization Request for fiscal year 2022 and the Future Years Defense Program, after receiving testimony from Christopher P. Maier, Acting Assistant Secretary for Special Operations and Low-Intensity Conflict, General Richard D. Clarke, USA, Commander, United States Special Operations Command, and General Paul M. Nakasone, USA, Commander, United States Cyber Command, Director, National Security Agency, Chief, Central Security Service, all of the Department of Defense.

AMERICAN RESCUE PLAN

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the American Rescue Plan, focusing on shots in arms and money in pockets, after receiving testimony from Amy K. Matsui, National Women’s Law Center, Sharon Parrott, Center for Budget and Policy Priorities, and Angela Rachidi, American Enterprise Institute, all of Washington, D.C.; and Rory Cooper, Falls Church, Virginia.

TAX CODE

Committee on the Budget: Committee concluded a hearing to examine the tax code, focusing on making the wealthiest people and largest corporations pay their fair share of taxes, after receiving testimony from Abigail E. Disney, Fork Films, New York, New York; Gabriel Zucman, University of California, Berkeley; and Amy Hanauer, Institute of Taxation and Economic Policy, Maya MacGuineas, Committee for a Responsible Federal Budget, and Scott A. Hodge, Tax Foundation, all of Washington, D.C.

NUCLEAR ENERGY

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the latest developments in the nuclear energy sector, focusing on ways to maintain and expand the use of nuclear energy in the United States and abroad, after receiving testimony from Jeffery J. Lyash, President and Chief Executive Officer, Tennessee Valley Authority, Knoxville; Chris Levesque, TerraPower, Bellevue, Washington; Scott Melbye, Uranium Energy Corporation, Castle Rock, Colorado, on behalf of the Uranium Producers of America; Amy C. Roma, Atlantic Council’s Nuclear Energy and National Security Coalition, Washington, D.C.; and J. Clay Sell, X-energy, Rockville, Maryland.

INTERNATIONAL TAX POLICY

Committee on Finance: Committee concluded a hearing to examine how U.S. international tax policy impacts American workers, jobs, and investment, after receiving testimony from Kimberly A. Clausing, Deputy Assistant Secretary for Tax Analysis, and Pamela F. Olson, former Assistant Secretary for Tax Policy, both of the Department of the Treasury; Chye-Ching Huang, New York University School of Law The Tax Law Center, New York, New York; and James R. Hines, Jr., University of Michigan, Ann Arbor.

COUP IN BURMA

Committee on Foreign Relations: Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy concluded a hearing to examine the U.S. response to the coup in Burma, after receiving testimony from former Representative Tom Andrews, United Nations Special Rapporteur on the situation of human rights in Myanmar, Fairfax, Virginia; Atul Keshap, Principal Deputy Assistant Secretary for East Asian and Pacific Affairs, and Scott Busby, Acting Principal Deputy Assistant Secretary for Democracy, Human Rights, and Labor, both of the Department of State; and Kelley Currie, former United States Ambassador-at-Large for Global Women’s Issues, Washington, D.C.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Deanne Bennett Criswell, of New York, to be Administrator of the Federal Emergency Management Agency, Department of Homeland Security, after the nominee, who was introduced by Senator Gillibrand, testified and answered questions in her own behalf.

COVID–19 RESPONSE

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine our COVID–19 response, focusing on improving health equity and outcomes by addressing health disparities, after receiving testimony from Consuelo H. Wilkins, Vanderbilt University Medical Center, Nashville, Tennessee; Abigail Echo-Hawk, Seattle Indian Health Board, Seattle, Washington; Taryn Mackenzie Williams, Center for American Progress, Washington, D.C.; and Eugene A. Woods, Atrium Health, Charlotte, North Carolina.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nomination of Lisa O. Monaco, of the District of Columbia, to be Deputy Attorney General, Department of Justice.
House of Representatives

Chamber Action
The House was not in session today. The House is scheduled to meet in Pro Forma session at 2 p.m. on Friday, March 26, 2021.

Committee Meetings

A HEARING TO REVIEW THE STATE OF BLACK FARMERS IN THE U.S.
Committee on Agriculture: Full Committee held a hearing entitled “A Hearing to Review the State of Black Farmers in the U.S.”. Testimony was heard from Tom Vilsack, Secretary, Department of Agriculture; and public witnesses.

LEADING BY ACTION: THE FIERCE URGENCY FOR DIVERSITY AND INCLUSION IN THE FOREIGN POLICY WORKFORCE
Committee on Appropriations: Subcommittee on State, Foreign Operations, and Related Programs held a hearing entitled “Leading by Action: The Fierce Urgency for Diversity and Inclusion in the Foreign Policy Workforce”. Testimony was heard from public witnesses.

THE EFFECTS OF COVID–19 ON ARTS AND HUMANITIES ORGANIZATIONS
Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing entitled “The Effects of COVID–19 on Arts and Humanities Organizations”. Testimony was heard from public witnesses.

CREATING EQUITABLE COMMUNITIES THROUGH TRANSPORTATION AND HOUSING
Committee on Appropriations: Subcommittee on Transportation, and Housing and Urban Development, and Related Agencies held a hearing entitled “Creating Equitable Communities Through Transportation and Housing”. Testimony was heard from Dorval R. Carter, President, Chicago Transit Authority, Illinois; and public witnesses.

LESSONS LEARNED: CHARTING THE PATH TO EDUCATIONAL EQUITY POST-COVID–19
Committee on Education and Labor: Subcommittee on Early Childhood, Elementary, and Secondary Education held a hearing entitled “Lessons Learned: Charting the Path to Educational Equity Post-COVID–19”. Testimony was heard from Alberto M. Carvalho, Superintendent of Schools, Miami-Dade County Public Schools, Florida; and public witnesses.

DISINFORMATION NATION: SOCIAL MEDIA’S ROLE IN PROMOTING EXTREMISM AND MISINFORMATION
Committee on Energy and Commerce: Subcommittee on Communications and Technology; and Subcommittee on Consumer Protection and Commerce held a joint hearing entitled “Disinformation Nation: Social Media’s Role in Promoting Extremism and Misinformation”. Testimony was heard from public witnesses.

ENDING EXPLOITATION: HOW THE FINANCIAL SYSTEM CAN WORK TO DISMANTLE THE BUSINESS OF HUMAN TRAFFICKING

MISCELLANEOUS MEASURES
Committee on Foreign Affairs: Full Committee held a markup on H.R. 391, the “Global Health Security Act of 2021”; H.R. 1079, the “Desert Locust Control Act”; H.R. 1145, to direct the Secretary of State to develop a strategy to regain observer status for Taiwan in the World Health Organization, and for other purposes; H.R. 1500, to direct the Administrator of the USAID to submit to Congress a report on the impact of the COVID–19 pandemic on global basic education programs; H.R. 1158, to provide women and girls safe access to sanitation facilities in refugee camps; H.R. 1083, the “Southeast Asia Strategy Act”; H.R. 1392, the “Protection of Saudi Dissidents Act of 2021”; H.R. 1464, the “Khashoggi Accountability Act”; H.R. 256, to repeal the Authorization for Use of Military Force Against Iraq Resolution of 2002; H.R. 2118, the “Securing America From Epidemics Act”; H. Res. 245, calling for renewed, decisive, and robust international collaboration and coordination to fight COVID–19 across Africa; and H.R. 1934, the “Promoting United States International Leadership in 5G Act”. H.R. 391 and H.R. 1464 were ordered reported, as amended. H.R. 1145, H.R. 1500, H.R. 1158, H.R. 1083, H. Res. 245, H.R. 1079, H.R. 1934, H.R. 1392, H.R. 2118, and H.R. 256 were ordered reported, without amendment.
THE IMPORTANCE OF A DIVERSE FEDERAL JUDICIARY

Committee on the Judiciary: Subcommittee on Courts, Intellectual Property, and the Internet held a hearing entitled “The Importance of a Diverse Federal Judiciary”. Testimony was heard from Frank J. Bailey, Bankruptcy Judge, U.S. Bankruptcy Court, District of Massachusetts; Edward M. Chen, District Judge, U.S. District Court, Northern District of California; Bernice B. Donald, Circuit Judge, U.S. Court of Appeals for the Sixth Circuit; James C. Ho, Circuit Judge, U.S. Court of Appeals for the Fifth Circuit; Peter N. Kirsanow, Commissioner, U.S. Commission on Civil Rights; Carlton W. Reeves, District Judge, U.S. District Court, Southern District of Mississippi; and public witnesses.

ROOTING OUT FRAUD IN SMALL BUSINESS RELIEF PROGRAMS

Committee on Oversight and Reform: Select Subcommittee on the Coronavirus Crisis held a hearing entitled “Rooting Out Fraud in Small Business Relief Programs”. Testimony was heard from Michael E. Horowitz, Chair, Pandemic Response Accountability Committee, Inspector General, Department of Justice; William B. Shear, Director, Financial Markets and Community Investment, Government Accountability Office; and Hannibal Ware, Inspector General, Small Business Administration.

BUILDING TECHNOLOGIES RESEARCH FOR A SUSTAINABLE FUTURE

Committee on Science, Space, and Technology: Subcommittee on Energy held a hearing entitled “Building Technologies Research for a Sustainable Future”. Testimony was heard from Roderick Jackson, Laboratory Program Manager for Buildings Research at National Renewable Energy Laboratory, Department of Energy; and public witnesses.

THE ADMINISTRATION’S PRIORITIES FOR TRANSPORTATION INFRASTRUCTURE

Committee on Transportation and Infrastructure: Full Committee held a hearing entitled “The Administration’s Priorities for Transportation Infrastructure”. Testimony was heard from Pete Buttigieg, Secretary, Department of Transportation.

RESTORING FAITH BY BUILDING TRUST: VA’S FIRST 100 DAYS

Committee on Veterans’ Affairs: Full Committee held a hearing entitled “Restoring Faith by Building Trust: VA’s First 100 Days”. Testimony was heard from Denis R. McDonough, Secretary, Department of Veterans Affairs.

EXAMINING PRIVATE EQUITY’S EXPANDED ROLE IN THE U.S. HEALTH CARE SYSTEM

Committee on Ways and Means: Subcommittee on Oversight held a hearing entitled “Examining Private Equity’s Expanded Role in the U.S. Health Care System”. Testimony was heard from public witnesses.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D289)

H.R. 1276, to authorize the Secretary of Veterans Affairs to furnish COVID–19 vaccines to certain individuals. Signed on March 24, 2021. (Public Law 117–4)

COMMITTEE MEETINGS FOR FRIDAY, MARCH 26, 2021

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Armed Services, Subcommittee on Intelligence and Special Operations, hearing entitled “SOF Culture and Climate: The Future of the Force”, 11 a.m., Webex.

Subcommittee on Readiness, hearing entitled “Installation Resiliency: Lessons Learned from Winter Storm Uri and Beyond”, 3 p.m., Webex.

Committee on Foreign Affairs, Full Committee, hearing entitled “Member Day Hearing”, 3 p.m., Webex.

Committee on the Judiciary, Subcommittee on Crime, Terrorism, and Homeland Security, hearing entitled “From Miranda to Gideon: A Call for Pretrial Reform”, 11 a.m., Webex.
Next Meeting of the SENATE
11 a.m., Monday, March 29

Senate Chamber

Program for Monday: Senate will meet in a pro forma session.

Next Meeting of the HOUSE OF REPRESENTATIVES
2 p.m., Friday, March 26

House Chamber

Program for Friday: House will meet in Pro Forma session at 2 p.m.