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## Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

### PRAYER

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

Let us pray.

Eternal God, nature speaks of Your glory. With every sunrise and sunset, we are reminded of Your power and majesty.

Lord, we think of You when we watch the birds You guide through the boundless skies with flawless flight. We hear Your voice in the pattern of the falling rain and the shouts of the thunder. Great and marvelous are Your works.

Today, rule in the lives of our lawmakers with the sovereignty You hold over nature. Guide our Senators with Your perfect and trustworthy precepts, bringing joy to their hearts because of Your love.

We pray in Your mighty Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDENT pro tempore. The Senator from Nevada.

Ms. ROSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. ROSEN). Without objection, it is so ordered.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

### COVID-19 HATE CRIMES ACT

Mr. SCHUMER. Madam President, after nearly 2 weeks of Democrats and Republicans working together, the Senate is going to take a final vote on the anti-Asian hate crimes bill later this morning. The vote today on the anti-Asian hate crimes bill is proof that when the Senate is given the opportunity to work, the Senate can work to solve important issues.

In the wake of the COVID-19 pandemic, Asian Americans across the country have been victims of the surge of discrimination and racially motivated violence and bigotry. In New York, I attended rally after rally and heard one story after another about Asian Americans who were afraid to ride the subway, afraid to go to work, afraid to walk down the streets, and having to adjust their daily lives for fear of being spat upon, glared at, or even worse. This was not an occasional occurrence. It is occurring every day in just about every corner of America.

Now, racism has always existed in America, unfortunately and sadly, and the legacy of anti-Asian sentiment goes back centuries to dark chapters in our history like the Chinese Exclusion Act and the internment of Japanese-American citizens during World War II.

Now, we have made great strides since those days, but over the past several years, the forces of hate and bigotry seemed to have gained strength, too often encouraged by our former President. It is time for all of us to stand up.

By passing this bill, the Senate makes it very clear that hate and discrimination against any group has no place in America. Bigotry against one is bigotry against all, and I believe that passage of this bill will send two—two—very important messages.

One important message is to the Asian-American community. By passing this bill, we say to the Asian-American community that their government is paying attention to them, has heard their concerns, and will respond to protect them; and, second, by passing this bill, we will send a message to the country that should be all too obvious by now. Hate crimes will not be tolerated, and Federal law enforcement will do everything in its power to detect, deter, and, if necessary, prosecute crimes to the full extent of the law.

So this bill has a one-two punch, to assure the Asian-American community we are going after the bigotry against them and to tell the American people, particularly those bigots, we are going after you in a legal way, of course.

Now, yesterday, we reached an agreement to consider three more Republican amendments to the bill before a final vote. The legislation, as is, already includes significant bipartisan input, including modifications from Senator COLLINS and bipartisan legislation called the No Hate Act developed by Senators MORAN and BLUMENTHAL and modified by Senator SCOTT of Florida. Senator WARNOCK has also made sure the bill recognizes the recent tragedy in Atlanta in which six women of Asian descent were killed.

Through it all, Senators DURBIN, DUCKWORTH, and especially the bill's sponsor, Senator HIRONO, have demonstrated exceptional leadership; the same for Representative MENG in the House.

Over the past 6 years, we have had too few opportunities to work together on timely, bipartisan legislation. Let this be a reminder that when Senators of good will work with each other, at the end of the day, we can achieve a good result. We can do it again in the next few weeks with a bipartisan water infrastructure bill, which will be on the floor next week, and soon thereafter, another bipartisan package of legislation concerning American competitiveness.

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



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Let's continue the bipartisan momentum as we move into next week, but today I want to thank my colleagues who have worked together to bring this bill to the finish line. I look forward to seeing the anti-Asian hate crimes bill passed by this Chamber today and move one step closer to reaching the President's desk.

#### WASHINGTON, D.C. ADMISSION ACT

Mr. SCHUMER. Madam President, on DC statehood, another matter, today the House of Representatives will pass a bill granting the District of Columbia official statehood. I applaud my House Democratic colleagues for taking this important step toward recognizing the full citizenship of more than 700,000 residents of the District of Columbia.

This is a matter of just representation. Our system of government is designed to give everyone in our country a voice in forging their own destiny. Most citizens do that by voting for Members of Congress and Senators from their States to represent them in this temple of democracy to advocate for their interests and to voice their concerns.

The District of Columbia has more residents than Vermont and Wyoming and nearly the same as Delaware, Alaska, and several other States, and they bear the full responsibilities and duties of citizenship, like residents in all those other States. DC residents can be summoned for jury duty. They have served in every war since the American Revolution. They pay Federal income taxes, just like residents from every other State. You can learn that from any license plate outside this building. Yet they are denied real representation in Congress—in the words DC borrowed from the Founding Fathers, “taxation without representation.”

Sadly, the debate over DC statehood has taken a rather dark turn. Some of my colleagues on the other side, rather than fashion any argument on the merits, have taken to denigrating the basic worth of residents of the District of Columbia—a part of our country that is 47 percent African American.

One Member of the minority party went so far as to say lawmakers should “go out to where the real people are across the country and ask them what they think [about DC statehood].” “[Get] out to where the real people are.” Bigotry, bigotry, bigotry. I shouldn't have to remind my colleagues that it is shockingly inappropriate to imply that lives and occupations and rights of DC's residents are somehow less than their fellow citizens in other “more real” and almost always more White parts of the country.

We all know that the minority party opposes DC statehood because it fears giving political power and representation to American citizens if they might not vote for Republicans. It smacks of the effort going on right now in Republican legislatures all across the country to pass laws that overwhelmingly

make it harder for minorities, poorer Americans, and younger Americans to vote.

The far right, the hard right—which seems to be so dominant in the party on the other side—is so afraid of losing political power and so unwilling to appeal to anyone who doesn't already agree with them that their strategy has become to restrict voting rights and deny equal representation in Congress to hundreds of thousands of Americans. So DC statehood, unfortunately, is part of a continuing thread of not allowing people their right to vote, to representation, that seems to be growing in the Republican Party, particularly here in the Senate and in legislatures throughout the country, unfortunately.

Self-government, voting rights: These are not Democratic rights. These are not Republican rights. They are American rights. They are issues of fairness and democracy. It is not about right and left; it is about right and wrong.

DC statehood is an idea whose time has come.

#### CLIMATE LEGISLATION

Mr. SCHUMER. Madam President, now on climate, this year's celebration of Earth Day comes with an ambitious new goal from the Biden administration: The United States should aim to cut its greenhouse gas emissions in half by the end of the decade. It is a great goal. I fully support it.

Not only is President Biden finally returning the United States to a position of global leadership in the fight against climate change, but he is showing that America is ready to ramp up our climate ambition beyond—beyond—the Paris Agreement.

Now, it will take extraordinary action to meet the marker that President Biden laid down, but he was exactly right to do it. If we need any reminders about what America can achieve when it puts its mind to something, President Kennedy committed to landing on the Moon over the course of a single decade. If America could reach that lofty goal in the name of ingenuity, in the name of exploration, surely we can achieve this goal in the name of saving the planet on which we live.

Now, I believe the best way to achieve this ambitious goal is through bold action by this Congress through legislation to reduce carbon pollution while creating millions of jobs and economic prosperity in a new clean energy economy. Any legislation without a serious and bold climate component will make it much, much harder to achieve President Biden's goal, and we must work to have a strong green climate component in the American Jobs Plan.

The Democratic majority here in the Senate is eager to get to work. One of the very first things I did when Democrats took the majority was to instruct every committee chair—the new committee chairs—to hold hearings on the

climate crisis to begin preparing for landmark legislation. I repeat once again that any infrastructure bill we consider here in the Senate must include green infrastructure, create green jobs, and make significant progress toward the reduction of greenhouse gases.

Luckily, the Senate will have an opportunity to address another serious climate-related issue next week. The Senate will consider a Congressional Review Act bill before the end of the work period to reimpose critical regulations concerning the release of methane into our atmosphere.

Methane gets less attention than its big bad brother, carbon dioxide, but in truth, methane is like carbon dioxide on steroids. Over 20 years, a ton of methane will warm the atmosphere more than 86 times as much as a ton of carbon dioxide, but because it breaks down much faster than carbon dioxide, the gains we make in the reduction of methane emissions can reduce global warming even faster. Many of the things we need to do to reduce methane emissions are fairly cheap and cost-effective, like plugging leaks in fossil fuel infrastructure. So this made common sense, especially when our globe is at risk.

The Obama administration had instituted these commonsense rules of the road to encourage that sort of activity. It was widely supported, even by industry. The Trump administration, so typically and so unfortunately, reversed those rules in an act of pure idiocy. The Senate Democratic majority will soon put a bill on the floor to revert back to the original policy, which should never have been tampered with in the first place.

Reducing methane emissions will be only the first of many actions this Senate will take to combat climate change.

#### ARMENIAN GENOCIDE

Mr. SCHUMER. Madam President, one final issue. It has come to my attention that President Biden intends to have the United States formally recognize the Armenian genocide, becoming the first sitting U.S. President to do so. Great news. It is a long time coming and a step that I have called on Presidents of both parties to take.

Each year, I gather with Armenian Americans in Times Square to commemorate the annual anniversary of this atrocity. Every year, my heart breaks for the victims of the genocide and their descendants. There are very few left, but some very elderly people are sitting in the audience each year, reminding us how painful and how real that genocide was. The Turkish Government's idea of saying there was no genocide just defies history. I have seen the victims. I have talked to the victims.

Saturday marks the 106th anniversary of the Armenian genocide. I am so relieved, grateful, and moved that we

can finally commemorate the anniversary with the knowledge that the Government of the United States, led by President Joseph Robinette Biden, has recognized the truth of the Armenian genocide at last.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

#### CLIMATE LEGISLATION

Mr. MCCONNELL. Madam President, yesterday, I mentioned that the DNA of the far-left Green New Deal is all over President Biden's spending bills. That wasn't just my opinion; it was the verdict of our colleague the junior Senator from Massachusetts.

Today, the President is scheduled to meet virtually with a group of the world's leaders on climate policy. His agenda, reportedly, is to encourage them to expand their countries' Paris climate agreement commitments to meet even more ambitious emissions goals. The problem, of course, as our colleagues, no doubt, remember, is that the hollow commitments these countries made back in 2015 carry no serious means for enforcement.

Under the last administration, even from outside this agreement, the U.S. economy proved more than capable of meaningfully reducing CO<sub>2</sub> emissions. But many of the signatories within the supposed deal have largely ignored their stated commitments and continue to emit with reckless abandon.

As the Biden administration climate envoy, John Kerry, once lamented, "[M]ost countries are . . . not getting the job done in living up to Paris." China, for example, has just kept emitting more and done it shamelessly. Their share of greenhouse gas emissions is now nearly double—double—that of the United States.

On a recent trip to Shanghai, Kerry tried to echo President Biden's encouragement on emissions reduction, but the kid-gloves approach didn't seem too successful. China's Vice Minister for Foreign Affairs said: "I'm afraid this is not very realistic." A direct quote from the Chinese Government.

Democrats' zeal for imposing costly environmental agendas on our own country is not something our biggest foreign competitors seem to share. If that is true, our colleagues could inflict as many painful policies on American workers and American industries as they want and still not achieve a

significant change in worldwide emissions or global temperatures.

The cost of these misplaced priorities is already hitting Americans hard. Remember, revoking permitting for the Keystone XL Pipeline and killing thousands of jobs was a day-one priority for this new administration. Now their so-called infrastructure plan would aim at completely decarbonizing our electric grid, which means hurting our coal and natural gas industries and putting good-paying American jobs into the shredder.

Borrowing money in order to kill jobs, now, there is a concept. Meanwhile, a mountain of redtape would keep public works projects smothered, literally smothered in endless environmental reviews, and their plan would thrust the west coast obsession with electric vehicles onto the entire Nation, onto rural school districts, onto industries, whether they like it or not.

Next week, President Biden is set to address a joint session of Congress for the first time. I expect we will hear more claims like the ones that have been debunked by fact checkers that all this Green New Deal DNA would actually create a lot of American jobs. Fact checkers are debunking that claim.

But even the most favorable analyses, even the administration's favorite projections, suggest that the President's plan would be terrible, just terrible at creating jobs. The rosiest numbers you could come up with suggest it might cost American taxpayers more than \$800,000 for every job it might create—more than \$800,000 per job.

And Ivy League economists have calculated that the plan's long-term effects on GDP, capital stocks, and hourly wages would all be negative. Let me say that again. These multiple trillions of dollars would buy us less GDP, less investment, and lower wages. It almost takes talent to craft something that completely disastrous.

So this is quite a one-two punch: toothless requests of our foreign adversaries and maximum pain for American citizens.

#### ELECTIONS

Mr. MCCONNELL. Madam President, now, on another matter, earlier this week, the Democratic leadership of the Judiciary Committee convened a hearing with the embarrassing title of "Jim Crow 2021." It was the latest effort to use shocking rhetoric to distract from the specific details of actual voting laws in States like Georgia.

Amazingly, one of our Democratic colleagues testified before the committee that people actually shouldn't bother combing through the specifics of the law—don't bother reading the actual law. He suggested that "narrow analysis only obscures the larger, unmistakable picture." Put another way, the facts deflate the narrative.

Misrepresentations of Georgia's election law have been debunked by fact

checkers. The real, unmistakable picture is that the bill would expand early voting and make no changes to current election day hours—none. Ironically, Democrats' own star witness at this week's hearing once sponsored and supported an earlier effort that would have cut early voting days in Georgia in half.

The facts puncture the left's big lie. Much of this overheated rhetoric seems like simple projection because there is, indeed, a piece of legislation that would create a stunning one-party takeover of voting laws and elections in our country, and that would be Washington Democrats' darling, H.R. 1. This is the bill that was first introduced back in 2019, with many Democrats still in denial that a Republican had won the White House in 2016.

It was marketed at that time as a wholesale transformation designed to salvage a broken democracy. But now that Democrats got an election outcome they liked better in 2020, what is essentially a xerox copy of the same overhaul is now being marketed, oh, as a modest step, just a modest step to maintain the status quo.

The first sales pitch was actually more honest. This 800-plus-page takeover would give Washington Democrats unprecedented control over 50 States' election laws, over a newly—listen to this—a newly partisan Federal Election Commission, over policing America's political speech. That is what it would do.

Now, Democrats know that the same Senate rules they happily used for the last 6 years will not make it easy to launch this awful proposal, so there is another important piece in their plan. They are aiming the same wild rhetoric at the Senate's own rules—at our rules here in the Senate.

The legislative filibuster which senior Democrats have loudly and proudly defended in the past, which Democrats used repeatedly in recent years, all of a sudden has become an offensive and outdated relic overnight. Isn't it amazing how this new awakening only happened when Democrats felt they had a chance to retake the majority.

Now, the American people can see right through this. Nobody is fooled. Nobody is fooled by their desperation to rewrite 50 States' election laws or the campaign to pack the Supreme Court or the attempt to pack the Senate with new blue States, rewriting the rules of American politics to exclusively benefit one side: their side. That was the Democrats' false charge in Georgia, but it is exactly what they are trying to do in this Capitol on a national scale.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

## CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

## LEGISLATIVE SESSION

## COVID-19 HATE CRIMES ACT— Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 937, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 937) to facilitate the expedited review of COVID-19 hate crimes, and for other purposes.

Pending:

Schumer (for Hirono/Collins) amendment No. 1445, of a perfecting nature.

The PRESIDING OFFICER. The minority leader.

AMENDMENT NOS. 1456, 1425, AND 1458 TO AMENDMENT NO. 1445

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order be executed with respect to the reporting of the three amendments under the consent agreement.

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

The clerk will report the amendments by number.

The senior assistant legislative clerk read as follows:

The Senator from Texas [Mr. CRUZ] proposes an amendment numbered 1456 to amendment No. 1445.

The amendment is, as follows:

[Purpose: To prohibit Federal funding for any institution of higher education that discriminates against Asian Americans in recruitment, applicant review, or admissions]

At the end, add the following:

**SEC. 6. PROHIBITION OF FEDERAL FUNDS FOR INSTITUTIONS OF HIGHER EDUCATION THAT DISCRIMINATE AGAINST ASIAN AMERICANS.**

Notwithstanding any other provision of law, no institution of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)) may receive any Federal funding if the institution has a policy in place or engages in a practice that discriminates against Asian Americans in recruitment, applicant review, or admissions.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. LEE, proposes an amendment numbered 1425 to amendment No. 1445.

The amendment is, as follows:

[Purpose: To require a report on State restrictions on religious exercise during the COVID-19 pandemic]

Strike section 3 and insert the following:

**SEC. 3. REPORT ON RELIGIOUS RESTRICTIONS DURING THE COVID-19 PANDEMIC.**

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall submit to Congress a report on the restrictions on religious exercise imposed by States, the District of Columbia, Puerto Rico, and any other territory

or possession of the United States during the COVID-19 pandemic.

(b) CONTENTS.—The report required to be submitted under subsection (a) shall include—

(1) an analysis of whether the same restrictions applied to religious institutions also applied equally to secular organizations or businesses; and

(2) an analysis of whether each imposed restriction complies with the ruling of the Supreme Court of the United States in Tandon v. Newsom, No. 20A151, 539 U.S. \_\_\_\_ (2021).

The senior assistant legislative clerk read as follows:

The Senator from Tennessee [Mrs. BLACKBURN] proposes an amendment numbered 1458 to amendment No. 1445.

(Purpose: To improve the bill.)

(The amendment is printed in the RECORD of April 21, 2021, under “Text of Amendments.”)

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

EARTH DAY

Mr. DURBIN. Madam President, today is Earth Day, our planet’s largest annual civic event. More than 1 billion people in 192 nations are expected to participate in activities to draw attention to the urgency of the climate crisis and environmental degradation. From the South Side of Chicago to South America and South Asia, ordinary citizens—schoolchildren, scientists, environmental activists, business and government leaders, and others—are calling for help for our ailing planet.

This year, the most important Earth Day gathering is just 16 blocks from where we meet. At the White House today, President Biden is hosting a 2-day virtual summit of leaders from 40 Nations—leaders from the highest emitting countries, China, India, Russia, as well as leaders from countries that suffer the worst consequences, such as Bangladesh and Kenya. The leaders are coming together, after a year of staggering pandemic hardship and climate-related crises, to renew their commitment to save our planet from irreversible climate catastrophe.

With this Earth Day Leaders Summit, President Biden is sending the world a clear message: The United States is back and is ready to be a leader again in combating climate change. The White House Leaders Summit is meant to encourage countries to make strong commitments under the Paris Agreement to prevent the global average temperature from rising more than 1.5 degree Celsius above preindustrial levels. This sounds technical and dry and wonky, but here is what it means. At 1½ degrees Celsius of warming, much of the world will likely see sea level rise that swallows coast-

lines, leaves millions of homes underwater, and produces recordbreaking droughts, floods, and other climate catastrophes. Hundreds of millions of people will be pushed into poverty because of this, and climate-related famine and conflicts would trigger a global refugee crisis worse than anything we have ever seen. That is the future if we do nothing. That is something we must avoid, and the United States needs to show leadership.

President Biden does that today with this meeting. One of his first official acts as President, on his first full day in office, was starting the process of recommitting the United States to join every nation in the world in the Paris Agreement. If you will remember, the previous President decided that America would step away from that.

At the White House Leaders Summit, the President will announce a new goal: to reduce U.S. greenhouse gas emissions by at least 50 percent by the year 2030. The Biden administration’s leadership stands in sharp contrast to what we have seen over the last 4 years. We saw a President withdraw from the Paris Agreement, ridicule science at every opportunity, deny the existence of a growing climate threat, and even censor the remarks of government scientists that might suggest otherwise.

Fortunately, the disengagement by the previous administration didn’t prevent the American people, scientists, real business leaders and entrepreneurs, and cities and States from ignoring President Trump and moving ahead.

There is no substitute, though, for leadership at the top. The American Jobs Plan, which President Biden plans to pass, and I hope there is support, is a plan to secure America’s global economic leadership, strengthen America’s working families, and build the infrastructure of the future we can count on. The American Jobs Plan, of course, will rebuild America’s crumbling rail lines, roads, bridges, ports, and water systems; strengthen America’s power grid; and invest in 5G broadband internet for every community in America. The previous President promised it but didn’t deliver. This President wants to deliver, with our help.

I have heard those on the floor who then criticize that part of the American Jobs Plan, which goes further. President Biden also wants to invest in green energy, wind, solar, and other renewable energy projects. To hear that described by some of his Republican critics, it is just pure socialism. Socialism? It is a realistic response to the 21st challenge of climate change. The American Jobs Plan includes billions of dollars to retrain any workers who are dislocated if they work in the fossil fuel industry and to find better, well-paying jobs with a future in clean energy and other fields. Just this week, the president of the United Mine Workers of America—a sixth generation

West Virginia coal miner—announced that his union was going to support President Biden's American Jobs Plan in exchange for training his coal miners in how they can be effective and also have good jobs in a cleaner energy future. That union understands clean energy. Most Americans do. I hope Senators on both sides of the aisle will.

American business gets it. I have introduced two bills that would bring efficiency and innovation of the marketplace and the financial clout of the Federal Government to reduce greenhouse gas emissions and create a more sustainable economy that works for the people and the planet. My bills are called the America's Clean Future Fund Act and the Climate Change Resiliency Fund for America Act.

We talked about investing in American infrastructure so we can tackle climate change and create renewable energy jobs and the industries of the future. But I want to make it clear that our highest priority is to create those jobs right here in America. I hope my colleagues will work with us and won't filibuster the President's efforts to move our economy forward in a dramatic way.

We can't afford denial, defeatism. We can't afford people who say it is too late to do anything about climate disaster. We owe it to our children, grandchildren, and future generations to do everything in our power to save this planet from what is obviously coming our way.

Safe, effective vaccines have brought us so far in fighting this pandemic. We have developed in a short period of time under this President not only the vaccines but also their delivery and administration to the people of our country at a rate no one ever expected. The research that led to this was good scientific research. Two of the leading vaccines were developed using something called messenger RNA—mRNA—and it worked. The basic science that led to the discovery of mRNA was largely funded by American taxpayers—government programs—and applied by the private industry with great success. And now, because of our investment in science and belief in science, people's lives are being saved in the United States and around the world. Imagine solutions we can find if we harness the power of public partnerships together with science and citizen engagement to address climate change.

The first Earth Day was 51 years ago. It was proposed by a Senator from Wisconsin named Gaylord Nelson. It brought 20 million Americans together at the time, put preservation of our planet on the national agenda, and ushered in a decade of remarkable environmental progress. That decade saw the creation of some of our most important protections of clean air, land, and water.

Ten years later, Gaylord Nelson looked back on that first Earth Day and the decade that followed. His words bear repeating today. And this is what

he said: "So long as the human species inhabits the Earth, proper management of its resources will be the most fundamental issue we face. Our very survival will depend upon whether or not we are able to preserve, protect, and defend our environment. We are not free to decide about whether or not our environment matters. It does matter. Apart from politics, it is fundamental to survival. We disregard the needs of our ecosystem at our mortal peril." That was the lesson of Earth Day, and it should never be forgotten.

S. 937

Madam President, this morning, we are going to take up the COVID-19 Hate Crimes Act that Senator HIRONO and Senator DUCKWORTH bring before us.

In the wake of the COVID-19 pandemic, we have, unfortunately, witnessed an appalling rise in hate incidents targeting the Asian American and Pacific Islander community. The numbers are shocking. Between March 2020 and February 2021, the Stop AAPI Hate Initiative documented nearly 3,800 hate incidents in the United States, and a recent analysis by the Center for the Study of Hate and Extremism found that while hate crimes in 16 of America's largest cities decreased overall by 7 percent in the year 2020, those targeting Asian Americans increased by nearly 150 percent.

Our friends and neighbors in the AAPI community are facing an urgent, imminent threat. It is time to do something about it. That is why I am proud to support the COVID-19 Hate Crimes Act. This will provide State and local law enforcement with guidance and tools to track and address hate crimes and hate incidents.

I am grateful for the bipartisan support, which Senator COLLINS and others have brought to this bill to strengthen it. These efforts include Senator BLUMENTHAL's and Senator MORAN's NO HATE Act, critical legislation that will improve hate crime reporting and expand assistance and resources for victims of hate crimes.

There is so much more we can do and should do to address the broader issue of domestic terrorism, identified by the Director of the FBI as one of the gravest threats to security in our country. That is why I introduced the Domestic Terrorism Prevention Act earlier this year, and I will continue with my efforts to send that legislation to the President's desk.

But today, we have an opportunity to come together—Democrats and Republicans, Americans—and support our friends, our siblings, and our fellow Americans in the AAPI community. Millions of Americans count on us to do that. Let's show them that we can.

I yield the floor.

The PRESIDING OFFICER (Mr. MURPHY). The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am honored to follow our distinguished Judiciary Committee chairman and whip, Senator DURBIN, who has fought

so hard for the principles and values that are embodied in the Jabara-Heyer NO HATE Act, which is part of the legislation. It is, indeed, bipartisan, and, hopefully, we will pass it today.

The fact is that this August marks two excruciatingly sad anniversaries. It will be 4 years since Heather Heyer was killed when a White nationalist drove his car into a crowd of peaceful protesters, and it will be 5 years since Khalid Jabara was shot and killed on his own front porch by his neighbor, an avowed and virulent racist.

The temptation is to get lost in the numbers and statistics about hate crimes. Make no mistake, these statistics are horrifying, especially the surge in hate crimes directed against Asian Americans and Pacific Islanders.

The FBI reported just over 7,300 hate crimes in 2019. The Department of Justice's Bureau of Justice Statistics estimates that there was an average of 198,000 hate crime victimizations in 2017. Hate crimes are vastly underreported. One of the objectives of the Jabara-Heyer NO HATE Act is to spur greater reporting so we know the horrifying dimensions and magnitude of this problem and we can better fashion solutions to fight them.

But what is most important to remember about each of these 198,000 incidents is that they involve real people, real communities, lives torn apart, communities torn asunder. In the most heartbreakingly cases, they involve real lives that are lost forever, real families who will never see their loved ones again.

The NO HATE Act that the Senate is considering today is named for two of those people: Heather Heyer and Khalid Jabara. For just a few moments, I would like to spend this time on the Senate floor honoring them and their families. We are here because of them.

Heather Heyer was counterprotesting the Unite the Right rally in Charlottesville, VA, on August 12, 2019, when she was murdered by a White supremacist who purposefully ran his car into a crowd of protesters, also injuring 19 other people.

Heather is remembered as a young woman with a big heart. She devoted her life to the fight for justice and equality. The foundation named in her honor notes that "Heather was a young woman deeply involved in taking a stand against injustice when she didn't have to do so," who "spoke passionately" about what she believed in. She was just 32 years old when she was murdered.

Khalid Jabara was shot on the steps of his own home, his family's home in Tulsa, OK, by a neighbor who had been harassing the Jabara family for months. That family had come to America to flee civil war and religious persecution in Lebanon, only to be terrorized here by their racist, murderous next door neighbor.

Khalid is remembered for his sense of humor and unfailing devotion to his family.

He cared for our entire family, our friends, and people he didn't even know. He created every Jabara family joke and filled their lives with love and laughter.

Jabara was 37 years old when he was murdered.

Today's vote honors the memory of those two individuals and the thousands of other individuals who have been victims of similar hate crimes—un-American, abhorrent, unacceptable. Today, we make a statement that we will not accept those kinds of hate crimes in America.

I am grateful to the entire Jabara family and to Susan Bro, Heather's mother, for their unfailing devotion to ending hate and their courageous advocacy in support of the NO HATE Act. I also want to thank my partner in this legislation, Senator MORAN of Kansas. We would not be here today without his support and bipartisan cooperation on this bill.

There will always be hateful people who want to lash out violently at the world. They will lash out at Muslims, at Jews, at African Americans, at Asian Americans, at Pacific Islanders. But America is above it. America is better than they are. And we owe Heather Heyer, Khalid Jabara, and every other victim of hate crimes—from the Orlando nightclub massacre to the shooting in El Paso—the kind of action we are taking today.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

#### BIPARTISANSHIP

Mr. THUNE. Mr. President, today we are wrapping up consideration of the COVID-19 Hate Crimes Act. Next week the majority leader has indicated the Senate will take up the Drinking Water and Wastewater Infrastructure Act of 2021. These are both bipartisan pieces of legislation.

The COVID-19 Hate Crimes Act was an initially partisan bill that has now been improved by input from Republicans and I expect will receive strong bipartisan support on final passage.

The Drinking Water and Wastewater Infrastructure Act has been 100 percent bipartisan from the very beginning. Senators DUCKWORTH and CAPITO developed this legislation, along with Democratic Senators CARPER and CARDIN and Republican Senators LUMMIS and CRAMER. The legislation went through regular committee consideration and was reported out of the Environment and Public Works Committee to the full Senate with a unanimous vote. It is a model of how we should work here in the Senate.

Mr. President, after a very partisan start to this Congress, with Democrats and the President steamrolling through a massive, partisan COVID bill packed with non-COVID-related priorities, it is encouraging to see the Senate working the way it should: Senators from both parties talking, negotiating, coming together to work out legislation that both parties can support.

It is particularly encouraging to see the Drinking Water and Wastewater bill—a bipartisan effort from start to finish and a too-rare example of legislation that went through the committee process, which should be our goal for most bills in the Senate. I hope this trend will continue.

Democrats want the Senate to take up infrastructure legislation in the near future—a goal that Republicans support. What we don't support is Democrats' threat to shove through another massive, partisan bill—this time on infrastructure—using reconciliation rules to ensure Republicans don't have a voice in the legislation.

The Senate was designed to promote moderation and consensus. It was intended to be a check on the more partisan—or as the Founders would put it, factious—House of Representatives. The Senate fulfills its constitutional role best when it engages in serious, bipartisan consideration and negotiation and ensures that Members of both parties are heard. This is the framework we should adopt for infrastructure.

I am encouraged by President Biden's decision to meet with Republicans to discuss infrastructure legislation. Republicans have now met with the President at least twice, and more meetings are expected. I anticipate meeting with the President and other Senators soon to discuss broadband infrastructure priorities. I hope we can reach bipartisan agreement on priorities in this area, including closing the digital divide by increasing broadband access in rural America and removing obstacles to digital infrastructure deployment. I know it can be done.

When I served as chairman of the Commerce Committee, for example, we passed bipartisan legislation that reduced the redtape associated with building broadband networks. I introduced bipartisan legislation to accelerate 5G infrastructure deployment. There was a lot of bipartisan agreement to be found on infrastructure in general.

Congress has a history of bipartisan collaboration on infrastructure legislation. Our last major infrastructure bill, the FAST Act, went through regular order and several committees, including the one I led at the time, and was supported by both Democrats and Republicans, and it was a remarkably successful bill.

Not long thereafter, our committee spearheaded enactment of the largest reauthorization of the FAA since the early 1980s, including critical programs to improve airport infrastructure.

Last Congress, the Environment and Public Works Committee here in the Senate developed bipartisan infrastructure legislation.

There is no reason that we shouldn't reach bipartisan agreement on another substantial piece of infrastructure legislation. Senator CAPITO and other Republicans will be releasing a Republican proposal today that will reflect a lot of the bipartisan infrastructure pri-

orities. I hope that after she releases this proposal, Democrats and Republicans will be able to sit down and engage in serious negotiation on our two plans.

Our Founders established a democratic republic instead of a pure democracy because they wanted to balance majority rule with protection for minority rights. They knew that majorities could be tyrants, so they wove protection for minority rights into our system of government. The Senate was one of those protections. That is why we should be preserving rules like the filibuster, which ensures that the minority party and the many Americans it represents have a voice in legislation.

It is always important that the minority party's voice be heard and the Senate engage in bipartisan negotiation and discussion, but it should be especially obvious that in a 50-50 Senate, any major legislation should be bipartisan. If one thing is for sure, it is that a 50-50 Senate is not a mandate for one side to force through its agenda unchecked.

It is absurd for Senate Democrats or House Democrats to pretend they have a mandate for a partisan revolution. Yet much of the legislation that they have been pushing since taking office appears to have been drafted by Members of the extreme left wing of their party.

In his inauguration address, President Biden appeared to recognize the bipartisan character of his mandate and his obligation to work with Members of both parties and promote unity in the country. Unfortunately, to date, his administration has not delivered on that promise of bipartisan leadership. As I said, I am encouraged that it appears he may be changing that when it comes to infrastructure. I hope the Senate and House Democrats will follow his lead.

The ball is in Democrats' court. We can pass a substantial, bipartisan infrastructure bill, or Democrats can continue down the extremely partisan path that they have been pursuing. For the sake of our country, Mr. President, I hope they will choose bipartisanship.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

S. 937

Mr. MORAN. Mr. President, I thank my colleagues who worked diligently to enhance the legislation that we are considering on the floor here this morning. I commend them for the work they put into this effort.

I have an amendment that has been included in a vote we are going to take here momentarily, a NO HATE amendment, and I would like to speak for just a few minutes about this topic. I will limit my remarks to speaking in support of the amendment's language, which simply seeks to collect better data on hate crimes under existing statutes.

We know that crimes committed against specific groups increased in recent years. Anti-Semitic attacks hit a record high in 2019. There are gaps in our knowledge of how prevalent these crimes truly are.

The language included in this amendment, based upon the NO HATE Act introduced by Senator BLUMENTHAL, has bipartisan support in this Chamber and for its companion in the House. It would establish incentives for State and local law enforcement to submit credible and complete hate crime reports, create grants for State-run crime hotlines, require the Department of Justice to collect and analyze data on hate crimes, and allow judges to require community service or educational programs for individuals convicted under existing statutes.

I would also take a moment to express my gratitude to Senator RICK SCOTT for working to help improve the text, and that improvement, in fact, is also found in this agreement.

Kansans have personally been touched by incidents during my time in the Senate.

In 2014, a neo-Nazi killed three at the Jewish Community Center of Greater Kansas City and a Jewish retirement home, both in Overland Park. In late 2016, the FBI thwarted a bomb plot against an apartment complex housing Somali immigrants in Garden City, and the following year, a man shot two Indian immigrants, killing one, at a restaurant in Olathe, KS, after shouting, "Get out of my country."

These were high-profile, well-publicized incidents of hate. It is important that the incidents that do not gain broad attention are nevertheless recorded properly so that the Department of Justice can properly analyze the data.

A bipartisan group of attorneys general for 35 States and territories, including Kansas Attorney General Derek Schmidt, have endorsed the NO HATE Act. It is also backed by Major Cities Chiefs Associations and the National District Attorneys Association.

No statutes are expanded by this amendment, nor are there any mandates. Instead, it will allow for State and local entities to voluntarily seek grants to better provide data on specific crimes in their jurisdictions and to give judges flexibility in sentencing violent offenders.

I condemn the recent attacks on Asian Americans, and assaults on minorities are an assault of our Nation's creed of "e pluribus unum"—out of many, one. That is what our country is—out of many, one.

The crimes Senator BLUMENTHAL and I seek more information on tear at the fabric of our Nation. But out of many crimes, it is time we speak as one to condemn the perpetrators and their ideology, to support the communities that live in fear despite that all of us—all of us—are made in God's own image.

Committed to unifying principles, our diversity is our country's strength.

We continue to strive to make a more perfect union. This amendment is but a small step in that direction.

I urge my colleagues to support the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINES. Mr. President, I rise because it is a historic day. It is a historic day because the House is scheduled to pass H.R. 51, the Washington, D.C. Admission Act. My original intent was to speak about that, but before I do, I want to honor my colleagues who have worked very hard on the hate crimes legislation that we will tackle later today.

I want to thank Senators HIRONO and DUCKWORTH and Senator COLLINS for working with them. I want to thank Senators BLUMENTHAL and MORAN and all the Senators who have worked to get us at the threshold where we will do something bipartisan that will send comfort to people around the country who are worried about being targeted because of who they are.

In honor of my colleagues who have worked hard, I just want to tell you a story about Heather Heyer, the Virginian for whom the NO HATE Act is partially named, who was killed when she was 32 in 2017 by a White supremacist in Charlottesville.

I didn't know Heather—I know her mother Susan pretty well—but I went to Heather's funeral. Let me tell you this amazing story about Heather Heyer.

Heather was a waitress, and she saw an ad in the newspaper to apply to be a paralegal at a local law firm specializing in bankruptcy. A Charlottesville attorney, an African-American man, had a bankruptcy firm. He needed a paralegal, put an ad in the paper, and got a lot of applications. He got this application from Heather Heyer. The other applicants had paralegal degrees. Heather Heyer was a waitress who didn't have a paralegal degree, but something about the letter made him think, well, I at least have to talk to this person.

He interviewed those with the paralegal degrees, and then he interviewed Heather Heyer and was very struck with her personality but said: Look, I am interviewing for people to be a paralegal. You don't have background in this area. You are a waitress. Why do you think you can do this job?

Heather said: Because I am a waitress, I listen to people all day long, and I want to tell you about some of my customers—the elderly widower who comes in every Tuesday for lunch, and I know his order, and I know how to converse with him to lighten his mood.

She went on to describe some of the people in the restaurant she had served for years. Then she looked at this attorney and said: You are a bankruptcy lawyer. The people who come to you are hurting. They need to be listened to. They are worried about losing everything. I think you couldn't do bet-

ter than to hire somebody who has made a specialist out of listening to other people.

He said: Well, you may not have a degree, but you have answered that in a wonderful way, and I am going to hire you.

He hired Heather. Heather ended up, as he described at her funeral service, kind of becoming like the office den mother, manager, et cetera, who was so good dealing with clients who were so very worried when they came to see him.

One night after she had been working with him for a while, they worked late and they left the office. As they left the office, Heather's relatively new boyfriend was waiting outside. Heather introduced him to her boss.

The next day, the attorney noticed that Heather wasn't her normal, talkative self, that she wasn't in a very good mood.

At the end of the day, he said to her: Heather, is something wrong?

She said: Yes. I broke up with my boyfriend last night.

He said: Well, I just met him last night outside the office. He seemed like a wonderful guy.

She said: Well, I thought he was a wonderful guy, but when he saw that I was working for a Black man, he started to criticize me for that, and I had no choice but to break up with him.

She is Heather Heyer. She is the woman whom we are honoring in passing the NO HATE amendment as part of the hate crimes bill today, and I appreciate my colleagues for including her in the NO HATE amendment that will be part of this bill.

#### WASHINGTON, D.C. ADMISSION ACT

Mr. President, our colleagues in the House today are acting on H.R. 51, and there is an equivalent bill, S. 51, the Washington, D.C. Admission Act. As somebody who represents a State just a few miles from DC, I didn't want to let this historic day pass without saying a word about it.

The bill would, as everyone knows, make Washington, DC, the Nation's 51st State. I am proud to serve as an original cosponsor of the Senate version, led by my colleague Senator CARPER. The bill was introduced earlier this year after many previous efforts with a record number of cosponsors, and I am proud to say that statehood for DC is enjoying the largest support in years.

The right to vote is the cornerstone of our American democratic society. Through free and fair elections, ordinary citizens choose the leaders and direction of our country; yet some 712,000 residents of the Nation's Capital do not enjoy the right fully.

For too long, Virginia's neighbors in DC have been denied their civil rights and have been subject to taxation without full representation in Congress, which is a founding principle of our Nation.

Virginians love history. So, on May 29, 1765, Patrick Henry gave his famous

speech before the Virginia House of Burgesses, encouraging the passage of the five resolutions, commonly referred to as the Virginia Resolves, to address the Stamp Act. The act that was passed the following day included four of his resolves.

Everybody remembers that the Stamp Act of 1765 levied an unfair tax on American Colonies on paper goods, newspapers, almanacs, pamphlets, and legal documents. The Crown was worried about the content of those documents, so it levied the tax.

In his first resolve, Henry declared that Virginians should be entitled to “all of the liberties, privileges, franchises, and immunities” that other British subjects enjoyed. He wanted for Virginians the same rights enjoyed by people living in Britain, thousands of miles away.

I can't help but notice the parallel. We stand in the District of Columbia, the seat of our Nation's Federal Government. Not thousands of miles away but just across the Potomac River or just over the border in Maryland, hundreds of thousands of American citizens don't enjoy the same “liberties, privileges, franchises, and immunities” as those in Virginia, Maryland, or other States.

In his third resolve, Patrick Henry stated:

The taxation of the people by themselves, or by persons chosen by themselves to represent them, who can only know what taxes the people can bear, or the easiest method of raising them, and must themselves be affected by every tax laid on the people, is the only security against a burdensome taxation, and the distinguishing characteristic of British freedom, without which the ancient constitution cannot exist.

To date, DC pays more in Federal taxes per capita than any State. Its residents pay more in Federal taxes per capita than any State and more total Federal taxes than 22 States. Yet, for more than 200 years, the people of Washington, DC, have been denied what Patrick Henry urged on the Virginia House of Burgesses as a reason for American independence. DC not only pays more per capita Federal taxes than any State, it is also subject to a higher degree of congressional regulation of its internal affairs than any other State. So it is both taxed and overregulated without representation.

DC meets the two criteria that have always been the test of admission of a new State into the Union: sufficient population and a demonstrated desire by the population for statehood.

Congress used to establish minimal required populations for statehood. The Northwest Ordinance of 1787, for example, incorporated territories into the United States in the upper Midwest and allowed that they could become States once their populations exceeded 60,000. While there is no such statutory minimum today, all would acknowledge that DC, because it has a larger population than both Wyoming and Vermont and is close to the populations of the two Dakotas, is sufficiently sizable to be a State.

DC has also demonstrated its desire to be a State over and over again by popular referendum. Most recently, in 2016, a statehood referendum was supported by 86 percent of DC residents.

So DC meets the traditional test for statehood. Its people are both taxed and regulated by a Congress that does not include representatives who can advocate on their behalf.

Finally, I support adding a 51st star to the American flag because it will show that we are still a thriving nation. We haven't added a State in nearly 70 years. This is the longest period in American history without adding a State. Adding DC as a State will show the world that America is still a confident and growing nation with our best days ahead of us, not a fixed, inward, and static nation with our best days behind us.

With that, I stand here today to call on my colleagues in the Senate to give full and fair consideration to H.R. 51, which will pass today, and S. 51 and provide the more than 700,000 residents of our Nation's Capital the full and equal citizenship that Patrick Henry demanded in 1775 and that the rest of the country enjoys today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I ask unanimous consent that I be permitted to speak for 5 minutes, as well as Senator HIRONO and Senator COTTON for 5 minutes each, prior to the order for 11:30 a.m.

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

S. 937

Ms. COLLINS. Mr. President, I rise to speak in support of Senate amendment No. 1445 that Senator HIRONO and I have introduced.

I want to begin by thanking my colleague from Hawaii for working with me on this amendment and acknowledging her leadership. I also want to thank Senators GRASSLEY, BLUMENTHAL, MORAN, and WARNOCK for their contributions as well.

Crimes motivated by bias against race, national origin, or other characteristics simply cannot be tolerated. Our amendment both denounces these acts and marshals additional resources toward addressing and stopping these despicable crimes.

The amendment that the Senator from Hawaii and I are offering today will improve the underlying bill in a number of key ways, while it will affirm our steadfast commitment to stand with the Asian-American, Pacific Islander community against all forms of violence and harassment.

First, our amendment strongly condemns the hate crimes targeting the AAPI community. In the past year, Stop AAPI Hate reported nearly 3,800 cases of anti-Asian discrimination. The Center for the Study of Hate and Extremism found that the reporting of anti-Asian hate crimes increased by 145 percent in 16 major cities even though

hate crimes declined in those cities overall.

Racially motivated discrimination and violence should never be tolerated.

I want to thank Senator GRASSLEY and Senator WARNOCK for their contributions to this section of our amendment.

Second, the Hirono-Collins amendment directs the Attorney General to assign a point person at the Department of Justice to expedite the review of these hate crimes and requires the Attorney General to issue guidance to State, local, and Tribal law enforcement partners about how to address them. Our amendment would also improve data collection and expand public awareness about hate crimes and ways to support victims. With better information, we can help prevent these crimes before they occur and assist law enforcement in bringing the perpetrators to justice.

Third, our amendment incorporates the Jabara-Heyer NO HATE Act, authored by Senators BLUMENTHAL and MORAN. This bipartisan bill, which I have cosponsored, provides State and local governments and law enforcement agencies with additional tools and resources to understand, identify, and report hate crimes. It provides grants to State and local governments for training and for using the FBI's national hate crimes database to create reporting hotlines and to support community engagement around prevention and services for victims. This is important because far too many hate crimes go unreported, and without data, it is difficult to investigate and prosecute them.

Again, let me thank the Senator from Hawaii for her leadership on this amendment. I enjoyed working with her to strengthen and improve the bill, and I urge my colleagues to support it. In doing so, we can send an unmistakably strong signal that crimes targeting Asian Americans and Pacific Islanders in our country will not be tolerated.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. COTTON. Mr. President, our Nation is in the midst of a historic crime wave that is affecting Americans of every background and walk of life. This surge in violence includes a shocking rise in hate crimes against our fellow citizens of Asian descent. Last year, the total number of hate crimes in America's largest cities dropped by 7 percent, but they surged by nearly 150 percent against Asian Americans.

Often, these hate crimes target the elderly and the frail—people who can't fight back against their vicious assailants.

Just last month, a 65-year-old Asian-American woman was knocked to the ground and repeatedly kicked in broad daylight on the streets of New York City while her attacker shouted anti-Asian slurs. We later learned that her attacker was a convicted murderer who was out on parole, thanks to criminal

leniency policies. Instead of being in prison, locked up, where he belonged, he was brutalizing an innocent victim in broad daylight—yet more proof that being weak on crime doesn't reduce crime; it only invites more crime.

A civilized society can't ignore such attacks on our innocent citizens. We have to protect them. We have to protect every citizen and get tough on violent hate crimes.

Unfortunately, in response to this terrible rise in anti-Asian hate crimes, the Democrats initially introduced an extremely partisan bill intended to score political points. This flawed piece of legislation that the Senator from Hawaii originally sponsored contained provisions tailor-made to muzzle free speech.

For example, the bill would have directed the Department of Justice to tell Americans how they were supposed to talk about this virus. I voted against proceeding to this bill, in part because of this crazy, radical idea to impose a speech code on how Americans can talk about this virus. Some say: How could you vote against it? Very simple. I will never support a speech code imposed on the American people on how they can exercise their First Amendment rights to talk about this pandemic.

This whole idea is deeply concerning, especially because some in the media and some of our Democratic friends believe that even pointing out that the virus came from China is somehow inciting violence. That is as foolish as it is dangerous. Calling this virus—which, yes, came from Wuhan, China—the Wuhan virus is not racist, and it doesn't incite violence. You may recall, after all, that last year, journalists from such esteemed outlets as CNN, Reuters, the Washington Post, and the New York Times all used the terms “Chinese virus,” “Chinese coronavirus,” and “Wuhan coronavirus.” Were they inciting violence? Were they racist? No, of course not. They were following the centuries-old practice of referring to diseases by their geographic names.

It wasn't anti-Spanish to call the influenza outbreak of 1918 the “Spanish flu” even though it didn't even start in Spain. It was not anti-Egyptian to use the term “West Nile virus.” What about the variants of this virus from Brazil? from South Africa? from Great Britain? We use those terms. Is that somehow going to have to be banned from polite society's lexicon as well?

Second, I also want to point out that the Democrats' original bill, supposedly about the violence against Asian Americans, never actually used the term “Asian American”—not once. Instead, it had some new, manufactured, mysterious term called “COVID-19 hate crimes,” which could have set a precedent for the even wider suppression of free speech against citizens who have no animus toward Asians and who haven't committed any crimes—citizens, for instance, who are concerned

about the spread of the coronavirus due to the surge of illegal immigration at our border.

According to the mainstream media, if you so much as ask a question about the unvaccinated and untested persons who are entering our country at the border every day, you are somehow bigoted or nativist or xenophobe. In the original version of the bill, the language “COVID-19 hate crimes” could have resulted in individuals opposed to illegal immigration being reported for merely expressing an opinion.

Yet I am happy to report that this process, which had a bitter, partisan beginning, will soon have a rather uplifting and unifying end. Thanks to the diligent work of one of the hardest working Senators in the U.S. Senate, the Senator from Maine, these offensive provisions of the Democrats' original bill have been removed. The Senator from Maine has helped turn what was a bitter, partisan piece of legislation into something that now Members of both parties can hopefully support. Thanks to her efforts, this legislation is specifically focused on the crisis at hand and will improve the reporting of anti-Asian hate crimes.

Soon, we will also vote on a series of amendments from some of my fellow Senators to improve this legislation even further. I look forward to voting for those amendments, for the substitute amendment, and for the bill, as amended.

Today, this Chamber will take a step forward in fighting the rise of anti-Asian violence. I hope that we continue to make progress so that every victim gets justice and that further attacks are deterred.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, as the author of this bill, I totally disagree with characterizing it as having had a bitter partisan beginning, but my colleague is exercising his free speech right, so there you go.

After 2 weeks of hard work and bipartisan collaboration, the U.S. Senate is poised to take real action to confront the wave of anti-Asian hate sweeping our country. Although we still have some damaging amendments to defeat, I am confident that, in a few hours, the Senate will pass the COVID-19 Hate Crimes Act, as amended, with the substitute Hirono-Collins amendment. By doing so, we will send a powerful message of solidarity to the AAPI community that the Senate will not be a bystander as anti-Asian violence surges in our country.

Over the past years, hate crimes targeting the AAPI have risen 150 percent, as noted. More than 3,800 incidents have been reported across all 50 States and the District of Columbia. These statistics paint a disturbing picture of what is happening in our country, but they only quantify part of the problem. Why? Because hate crimes and other incidents are notoriously underrepresented.

These attacks have not ceased in the 2 weeks since the Senate began debating this bill. Last Sunday, an 80-year-old woman and her 79-year-old husband, both of Korean descent, were taking an evening walk in a local park near their home in Southern California. Suddenly, without warning, an assailant approached the couple and punched them in their faces. That same assailant is also suspected of threatening Sakura Kokumai, a Japanese-American Olympic karate athlete, who, incidentally, was born in Hawaii.

These unprovoked, random attacks and incidents are happening in supermarkets, on our streets, in takeout restaurants—basically, wherever we are. These disturbing and horrifying attacks are in many ways a predictable and foreseeable consequence of the use of racist and inflammatory language like “Chinese virus” or “Kung flu” to describe the pandemic.

I have been heartened by the steps President Biden has taken to denounce this language and confront this epidemic of hate. Under his leadership, the executive branch is doing its part, and in a few short hours, Congress will do ours by passing the COVID-19 Hate Crimes Act.

This is not a controversial bill. It focuses Federal leadership to investigate and report hate crimes and other incidents, and it provides resources for our communities to come together to take a stand against intolerance and hate.

Over the past 2 weeks, I have worked with Senators in both parties to make changes that broaden support for this bill while retaining its original purpose. In particular, I want to acknowledge and thank Senator COLLINS for her good-faith efforts to amend this bill and build support for it in the Republican caucus.

I also want to thank Senator DUCKWORTH for her leadership on this issue; Senators BLUMENTHAL and MORAN, whose NO HATE Act is now included in our legislation; and Senators WARNOCK and GRASSLEY, who contributed important findings to this bill.

This moment would not have been possible without the determined efforts of Leader SCHUMER and Chairman DURBIN and the excellent work of my friend and colleague in the House, Congresswoman GRACE MENG.

I am grateful that the Senate will soon be taking action to confront anti-Asian hate in our country, but ours is not the only community suffering right now. Earlier this week, a jury in Minneapolis delivered justice and accountability for the murder of George Floyd, but make no mistake: One conviction cannot and will not erase the enduring legacy of systemic racism and disparate policing in our country. It is my sincere hope that we can channel and sustain the bipartisan work done on this important piece of legislation into debating and passing the George Floyd Justice in Policing Act, and I understand that bipartisan talks are underway. We are in this together. We are in this together.

Senator COLLINS, I really appreciate your work on this bill. We would not be here without your support.

I yield the floor.

VOTE ON AMENDMENT NO. 1456

The PRESIDING OFFICER. Under the previous order, there will now be 4 minutes of debate equally divided prior to a vote in relation to amendment No. 1456.

Who yields time?

The Senator from Texas.

Mr. CRUZ. Mr. President, I rise in support of amendment No. 1456, which I have introduced, along with Senator KENNEDY from Louisiana.

ADDITIONAL COSPONSOR

Mr. President, I ask unanimous consent that Senator HAGERTY also be added as a cosponsor to the amendment.

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

Mr. CRUZ. Mr. President, this amendment is straightforward. It targets the ongoing discrimination that is being directed against Asian Americans by colleges and universities across the country, including preeminent institutions such as Yale and Harvard, which are denying admission to qualified Asian-American applicants in favor of underrepresented minority groups. The U.S. Department of Justice was suing Yale for its discrimination against Asian Americans until the Biden administration dismissed that lawsuit.

My amendment, simply put, would prohibit institutions of higher education from receiving any Federal funding if they have a policy or if they engage in discrimination against Asian Americans during the recruitment review of applications or admissions.

I urge the adoption of the amendment.

I yield the remainder of my time to Senator KENNEDY.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. KENNEDY. Mr. President, in 2021, the year of our Lord 2021, we have major universities in this country that are discriminating in admissions against Asian Americans. Now, I know they think they know how to discriminate in the right way, but discrimination is discrimination.

At one of these universities in 2013, Harvard admitted that if it admitted Asian Americans purely on the basis of academic achievement, it would have doubled the number of Asian Americans. Now, this is wrong; it is contemptible; it is odious. This amendment doesn't go nearly far enough. It is a baby step, but at least it is a step.

The PRESIDING OFFICER. Who yields time?

The Senator from Hawaii.

Ms. HIRONO. Mr. President, I rise in strong opposition to this amendment. Discrimination against Asian-American students or any students on the basis of race is already prohibited by Federal law.

This amendment is a transparent and cynical attack on longstanding adminis-

sion policies that serve to increase diversity and provide opportunity to students of color in our institutions of higher learning. This amendment also threatens colleges and universities with the loss of all Federal funding for pursuing or using policies that our courts have upheld repeatedly.

I urge everyone to reject this amendment.

I yield back.

The PRESIDING OFFICER. The Senator from Texas.

ADDITIONAL COSPONSOR

Mr. CORNYN. Mr. President, I ask unanimous consent to be added as a cosponsor to this amendment.

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

Ms. HIRONO. Mr. President, I yield back the remainder of my time.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Minnesota (Ms. SMITH) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Utah (Mr. LEE).

The result was announced—yeas 49, nays 48, as follows:

[Rollcall Vote No. 162 Leg.]

YEAS—49

Barrasso	Graham	Risch
Blackburn	Grassley	Romney
Blunt	Hagerty	Rounds
Boozman	Hawley	Rubio
Braun	Hoover	Sasse
Burr	Hyde-Smith	Scott (FL)
Capito	Inhofe	Scott (SC)
Cassidy	Johnson	Shelby
Collins	Kennedy	Sullivan
Cornyn	Lankford	Thune
Cotton	Lummis	Tillis
Cramer	Marshall	Toomey
Crapo	McConnell	Tuberville
Cruz	Moran	Wicker
Daines	Murkowski	Young
Ernst	Paul	
Fischer	Portman	

NAYS—48

Baldwin	Heinrich	Peters
Bennet	Hickenlooper	Reed
Blumenthal	Hirono	Rosen
Booker	Kaine	Sanders
Brown	Kelly	Schatz
Cantwell	King	Schumer
Cardin	Leahy	Shaheen
Carper	Luján	Sinema
Casey	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden

NOT VOTING—3

Klobuchar	Lee	Smith
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The PRESIDING OFFICER (Mr. SCHATZ). On this vote, the yeas are 49, the nays are 48.

Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is not agreed to.

The amendment (No. 1456) was rejected.

VOTE ON AMENDMENT NO. 1425

The PRESIDING OFFICER. Under the previous order, there will now be 4 minutes of debate, equally divided, prior to a vote in relation to amendment No. 1425.

The Senator from Texas.

Mr. CRUZ. Mr. President, I rise to speak in support of Senator LEE's amendment No. 1425.

Despite the protections of the First Amendment, over the course of the pandemic, many States have placed heavy-handed restrictions that have limited Americans' freedom to gather for worship, to meet in smaller groups for religious purposes, or even to sing praise and worship.

At first, many Americans accepted these restrictions. Our Nation was grappling with the new and deadly virus, and the restrictions were only supposed to be temporary. But as the weeks and months dragged on, States lifted restrictions on restaurants, on casinos, on museums, while keeping tight restrictions in place for synagogues, for churches, for temples, for mosques, and other religious gatherings.

Senator LEE's amendment requires the Department of Justice to investigate whether the government applied the same rules to religious groups that were applied to similar nonreligious organizations and businesses and whether those restrictions complied with the First Amendment.

Mr. President, I ask unanimous consent that Senator LEE's written remarks on his amendment be inserted into the RECORD.

The PRESIDING OFFICER. Without objection.

Mr. CRUZ. I urge adoption of the amendment.

The PRESIDING OFFICER. The majority whip.

Mr. DURBIN. Mr. President, if you believe the COVID-19 Hate Crimes Act is a good piece of legislation—and, obviously, over 90 Senators voted to move to proceed to this bill—then you can't vote for the Lee amendment because the first thing he does before he puts out his own idea of what we should consider instead is to strike key sections of the COVID-19 Hate Crimes Act that require the Attorney General to issue guidance to establish online reporting of hate crime incidents, collect data on hate crime incidents, and expand public education in campaigns. The Lee amendment strikes that. He doesn't want us to do that.

He wants us to assign the Attorney General the responsibility, in the next 180 days, to survey every COVID-19 restriction in every State in the Union.

I urge a vote against the Lee amendment.

VOTE ON AMENDMENT NO. 1425

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Minnesota (Ms. SMITH) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Utah (Mr. LEE).

The PRESIDING OFFICER. The result was announced—yeas 49, nays 48, as follows:

[Rollcall Vote No. 163 Leg.]

YEAS—49

Barrasso	Graham	Risch
Blackburn	Grassley	Romney
Blunt	Hagerty	Rounds
Boozman	Hawley	Rubio
Braun	Hoeven	Sasse
Burr	Hyde-Smith	Scott (FL)
Capito	Inhofe	Scott (SC)
Cassidy	Johnson	Shelby
Collins	Kennedy	Sullivan
Cornyn	Lankford	Thune
Cotton	Lummis	Tillis
Cramer	Marshall	Toomey
Crapo	McConnell	Tuberville
Cruz	Moran	Wicker
Daines	Murkowski	Young
Ernst	Paul	
Fischer	Portman	

NAYS—48

Baldwin	Heinrich	Peters
Bennet	Hickenlooper	Reed
Blumenthal	Hirono	Rosen
Booker	Kaine	Sanders
Brown	Kelly	Schatz
Cantwell	King	Schumer
Cardin	Leahy	Shaheen
Carper	Luján	Sinema
Casey	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden

NOT VOTING—3

Klobuchar	Lee	Smith
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The PRESIDING OFFICER (Mr. KING). On this vote, the yeas are 49, the nays are 48.

Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is not agreed to.

The amendment (No. 1425) was rejected.

VOTE ON AMENDMENT NO. 1458

The PRESIDING OFFICER. Under the previous order, there will now be 4 minutes of debate, equally divided prior to a vote in relation to amendment No. 1458.

The PRESIDING OFFICER. The Senator from Tennessee.

Mrs. BLACKBURN. Mr. President, I rise in support of amendment No. 1458, which I introduced. It will narrow the scope of the tangled web of regulatory guidance that the bill calls for and keep politics out of the process of reporting and addressing hate crimes against Asian Americans. It addresses crimes, not incidences.

I don't think it is out of line to introduce a little precision to the process

and make sure the Agency officials who will be responsible for running this program know what they are supposed to be looking for and what they are supposed to be doing with all that information.

I can guarantee my colleagues that support of this change will result in a bill that will fulfill its purpose to protect victims and potential victims of hate crimes, and it will stop their attackers.

I urge adoption of the amendment.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I strongly urge my colleagues to oppose this amendment because it essentially shreds the bill. It removes core provisions.

It would prevent the Department of Justice from tracking hate crime incidents that don't rise to the level of criminal conduct. That provision is contrary to policy of the International Association of Chiefs of Police. It would eliminate a provision from the NO HATE Act that I have advocated that funds creation of State-run hotlines so we know more about these hate crimes.

It would eliminate a judge's ability to order that a person convicted of hate crimes undertake educational classes and provide that kind of remedy as a condition for supervised release.

In short, it eliminates some of the most important provisions of this bill.

I strongly urge opposition to this amendment.

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

Mrs. BLACKBURN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Minnesota (Ms. SMITH) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Utah (Mr. LEE).

The result was announced—yeas 46, nays 51, as follows:

[Rollcall Vote No. 164 Leg.]

YEAS—46

Barrasso	Fischer	Murkowski
Blackburn	Graham	Paul
Boozman	Grassley	Portman
Braun	Hagerty	Risch
Burr	Hoeven	Romney
Capito	Hyde-Smith	Rounds
Cassidy	Inhofe	Rubio
Cornyn	Johnson	Sasse
Cotton	Kennedy	Scott (FL)
Cramer	Lankford	Scott (SC)
Crapo	Lummis	Sullivan
Cruz	Marshall	Shelby
Daines	McConnell	
Ernst	Moran	

Thune  
Tillis

Toomey  
Tuberville

Wicker  
Young

NAYS—51

Baldwin	Hassan	Padilla
Bennet	Hawley	Peters
Blumenthal	Heinrich	Reed
Blunt	Hickenlooper	Rosen
Booker	Hirono	Sanders
Brown	Kaine	Schatz
Cantwell	Kelly	Schumer
Cardin	King	Shaheen
Carper	Leahy	Sinema
Casey	Luján	Stabenow
Coons	Manchin	Tester
Cortez Masto	Markey	Van Hollen
Duckworth	Menendez	Warner
Durbin	Merkley	Warnock
Feinstein	Murphy	Warren
Gillibrand	Murray	Whitehouse
Hassan	Ossoff	Wyden

NOT VOTING—3

Klobuchar  
Lee  
Smith

The PRESIDING OFFICER. On this vote, the yeas are 46, the nays are 51.

Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is not agreed to.

The amendment (No. 1458) was rejected.

VOTE ON AMENDMENT NO. 1445

The PRESIDING OFFICER. Under the previous order, amendment No. 1445 is agreed to.

The amendment (No. 1445) was agreed to.

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

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

Mr. GRASSLEY. Mr. President, today, I express my support for S. 937, as amended by Senators HIRONO and COLLINS.

Every single one of us is horrified to see our fellow Americans attacked because of their race or ethnicity. We are united in our opposition to this despicable violence and to seeing it investigated and prosecuted to the fullest extent of the law. I have introduced a resolution to this effect and asked for a hearing to learn more about Attorney General Garland's review of hate crimes committed against Asian Americans and Pacific Islanders.

It is good to see my Democratic friends acknowledge that bipartisanship is still the way to solve problems in the Senate. We have come together and, with a bipartisan amendment, improved this bill and made it more useful. We have gone beyond merely looking at COVID-related hate crimes to all hate crimes, and we have increased funding for reporting hate crimes.

I would be remiss if I did not say that more bipartisanship could have made the bill even better. I think a committee markup would have been useful. I think if Democrats had allowed us to bring a Republican amendment extending the Violence Against Women Act for a vote, that would have been useful. Women are suffering from terrible violence during this pandemic, and this was a missed opportunity.

Passing amendments by Senators KENNEDY, CRUZ, LEE, and BLACKBURN

would guarantee even more support for marginalized communities, by ensuring Asian Americans are not discriminated against by institutions of higher learning and that religious Americans are free to worship in peace during the pandemic.

But I hope nonetheless that this is a moment where the Senate speaks together about the importance of fighting hate crimes. We all believe that, even though we have different ideas about the best way to do it. This bill is the product of that collaboration. I will be voting for it, and I hope my colleagues will do the same.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, the Senate's passage of this legislation affirms our commitment to stand with the Asian-American and Pacific Islander community against hate crimes. I urge a "yes" vote.

I thank my colleague from Hawaii for working with me to improve the Asian-Americans Hate Crimes Act. Crimes motivated by bias against race, national origin, and other characteristics cannot be tolerated.

The Center for the Study of Hate & Extremism found that reporting of anti-Asian hate crimes increased by 145 percent in 16 major cities, even though hate crimes declined in those cities overall.

The amendment we adopted today and the bill we are about to pass denounces those acts and marshals additional resources toward stopping these despicable crimes. The bill directs the Department of Justice to expedite its review of hate crimes and to issue guidance that will both help prevent them from occurring and improve their reporting.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, in just a few moments, the Senate will take a strong stand against anti-Asian hate in our country.

Passing the COVID-19 Hate Crimes Act sends a clear and unmistakable message of solidarity to the AAPI community, and this moment would not be possible without the collective efforts of so many people, including, of course, my Republican colleagues—one person in particular who just spoke before me.

But I want to especially thank Majority Leader SCHUMER for making this bill a priority for the Senate and working closely with us to shepherd its passage.

I also want to thank my colleagues in the House, especially Congresswoman GRACE MENG for being the dogged advocate for our community during this process, as well as Members of the Congressional Asian Pacific American Caucus, led by Congresswoman JUDY CHU.

I urge all of my colleagues to vote for this legislation.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. I thank my colleague from Maine and my colleague from Ha-

waii, as well as my colleague from Illinois, and so many others who have led on this issue.

In a moment, the Senate will vote on final passage of the anti-Asian hate crimes bill.

This long overdue bill sends two messages to our Asian-American friends: We will not tolerate bigotry against you; and to those perpetrating anti-Asian bigotry, we will pursue you to the fullest extent of the law.

We cannot—we cannot—allow this recent tide of bigotry, intolerance, and prejudice against Asian Americans go unchecked. A bedrock value of our multicultural society is that an attack on any one group is an attack on all of us.

By passing this bill, we tell our law enforcement agencies to prioritize anti-Asian violence and wield the sword to detect, deter, and prosecute hate crimes of all varieties. We send a clear message, a unified message, that hate has no place in America. And so, by passing this bill, we recommit ourselves to the most American of creeds, "e pluribus unum," out of many one.

I urge a unanimous "yes" vote on this legislation, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Minnesota (Ms. SMITH) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mrs. BLACKBURN), the Senator from Utah (Mr. LEE), and the Senator from Kentucky (Mr. PAUL).

The result was announced—yeas 94, nays 1, as follows:

[Rollcall Vote No. 165 Leg.]

YEAS—94

Baldwin	Gillibrand	Ossoff
Barrasso	Graham	Padilla
Bennet	Grassley	Peters
Blumenthal	Hagerty	Portman
Blunt	Hassan	Reed
Booker	Heinrich	Risch
Boozman	Hickenlooper	Romney
Braun	Hirono	Rosen
Brown	Hoover	Rounds
Burr	Hyde-Smith	Rubio
Cantwell	Inhofe	Sanders
Capito	Johnson	Sasse
Cardin	Kaine	Schatz
Carper	Kelly	Schumer
Casey	Kennedy	Scott (FL)
Cassidy	King	Scott (SC)
Collins	Lankford	Shah
Coons	Leahy	Shelby
Cornyn	Luján	Sinema
Cortez Masto	Lummis	Stabenow
Cotton	Manchin	Tucker
Cramer	Markley	Sullivan
Crapo	Marshall	Tester
Cruz	McConnell	Thune
Daines	Menendez	Tillis
Duckworth	Merkley	Toomey
Durbin	Moran	Tuberville
Ernst	Murkowski	Van Hollen
Feinstein	Murphy	Warner
Fischer	Murray	

Warnock  
Warren

Whitehouse  
Wicker

Wyden  
Young

NAYS—1

Hawley

NOT VOTING—5

Blackburn  
Klobuchar

Lee  
Paul

Smith

The PRESIDING OFFICER (Mr. VAN HOLLEN). On this vote, the yeas are 94, the nays are 1.

The 60-vote threshold having been achieved, the bill, as amended, is passed.

The bill (S. 937), as amended, was passed, as follows:

S. 937

*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 "COVID-19 Hate Crimes Act".

**SEC. 2. FINDINGS.**

Congress finds the following:

(1) Following the spread of COVID-19 in 2020, there has been a dramatic increase in hate crimes and violence against Asian-Americans and Pacific Islanders.

(2) According to a recent report, there were nearly 3,800 reported cases of anti-Asian discrimination and incidents related to COVID-19 between March 19, 2020, and February 28, 2021, in all 50 States and the District of Columbia.

(3) During this time frame, race has been cited as the primary reason for discrimination, making up over 90 percent of incidents, and the United States condemns and denounces any and all anti-Asian and Pacific Islander sentiment in any form.

(4) Roughly 36 percent of these incidents took place at a business and more than 2,000,000 Asian-American businesses have contributed to the diverse fabric of American life.

(5) More than 1,900,000 Asian-American and Pacific Islander older adults, particularly those older adults who are recent immigrants or have limited English proficiency, may face even greater challenges in dealing with the COVID-19 pandemic, including discrimination, economic insecurity, and language isolation.

(6) In the midst of this alarming surge in anti-Asian hate crimes and incidents, a shooter murdered the following 8 people in the Atlanta, Georgia region, 7 of whom were women and 6 of whom were women of Asian descent:

- (A) Xiaojie Tan.
- (B) Daoyou Feng.
- (C) Delaina Ashley Yaun González.
- (D) Paul Andre Michels.
- (E) Soon Chung Park.
- (F) Hyun Jung Grant.
- (G) Suncha Kim.
- (H) Yong Ae Yue.

(7) 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 and incidents of hate that have affected the Asian and Pacific Islander communities.

**SEC. 3. REVIEW OF HATE CRIMES.**

(a) IN GENERAL.—Not later than 7 days after the date of enactment of this Act, the Attorney General shall designate an officer or employee of the Department of Justice whose responsibility during the applicable period shall be to facilitate the expedited review of hate crimes (as described in section 249 of title 18, United States Code) and reports of any such crime to Federal, State, local, or Tribal law enforcement agencies.

(b) APPLICABLE PERIOD DEFINED.—In this section, the term “applicable period” means the period beginning on the date on which the officer or employee is designated under subsection (a), and ending on the date that is 1 year after the date on which the emergency period described in subparagraph (B) of section 1135(g)(1) of the Social Security Act (42 U.S.C. 1320b-5(g)(1)) ends, except that the Attorney General may extend such period as appropriate.

#### SEC. 4. GUIDANCE.

(a) GUIDANCE FOR LAW ENFORCEMENT AGENCIES.—The Attorney General shall issue guidance for State, local, and Tribal law enforcement agencies, pursuant to this Act and other applicable law, on how to—

(1) establish online reporting of hate crimes or incidents, and to have online reporting that is equally effective for people with disabilities as for people without disabilities available in multiple languages as determined by the Attorney General;

(2) collect data disaggregated by the protected characteristics described in section 249 of title 18, United States Code; and

(3) expand public education campaigns aimed at raising awareness of hate crimes and reaching victims, that are equally effective for people with disabilities as for people without disabilities.

(b) GUIDANCE RELATING TO COVID-19 PANDEMIC.—The Attorney General and the Secretary of Health and Human Services, in coordination with the COVID-19 Health Equity Task Force and community-based organizations, shall issue guidance aimed at raising awareness of hate crimes during the COVID-19 pandemic.

#### SEC. 5. JABARA-HEYER NO HATE ACT.

(a) SHORT TITLE.—This section may be cited as the ‘‘Khalid Jabara and Heather Heyer National Opposition to Hate, Assault, and Threats to Equality Act of 2021’’ or the ‘‘Jabara-Heyer NO HATE Act’’.

(b) FINDINGS.—Congress finds the following:

(1) The incidence of violence known as hate crimes, or crimes motivated by bias, poses a serious national problem.

(2) According to data obtained by the Federal Bureau of Investigation, the incidence of such violence increased in 2019, the most recent year for which data is available.

(3) In 1990, Congress enacted the Hate Crime Statistics Act (Public Law 101-275; 28 U.S.C. 534 note) to provide the Federal Government, law enforcement agencies, and the public with data regarding the incidence of hate crime. The Hate Crime Statistics Act and the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (division E of Public Law 111-84; 123 Stat. 2835) have enabled Federal authorities to understand and, where appropriate, investigate and prosecute hate crimes.

(4) A more complete understanding of the national problem posed by hate crime is in the public interest and supports the Federal interest in eradicating bias-motivated violence referenced in section 249(b)(1)(C) of title 18, United States Code.

(5) However, a complete understanding of the national problem posed by hate crimes is hindered by incomplete data from Federal, State, and local jurisdictions through the Uniform Crime Reports program authorized under section 534 of title 28, United States Code, and administered by the Federal Bureau of Investigation.

(6) Multiple factors contribute to the provision of inaccurate and incomplete data regarding the incidence of hate crime through the Uniform Crime Reports program. A significant contributing factor is the quality and quantity of training that State and local law enforcement agencies receive on the

identification and reporting of suspected bias-motivated crimes.

(7) The problem of crimes motivated by bias is sufficiently serious, widespread, and interstate in nature as to warrant Federal financial assistance to States and local jurisdictions.

(8) Federal financial assistance with regard to certain violent crimes motivated by bias enables Federal, State, and local authorities to work together as partners in the investigation and prosecution of such crimes.

#### (c) DEFINITIONS.—

In this section:

(1) HATE CRIME.—The term “hate crime” means an act described in section 245, 247, or 249 of title 18, United States Code, or in section 901 of the Civil Rights Act of 1968 (42 U.S.C. 3631).

(2) PRIORITY AGENCY.—The term “priority agency” means—

(A) a law enforcement agency of a unit of local government that serves a population of not less than 100,000, as computed by the Federal Bureau of Investigation; or

(B) a law enforcement agency of a unit of local government that—

(i) serves a population of not less than 50,000 and less than 100,000, as computed by the Federal Bureau of Investigation; and

(ii) has reported no hate crimes through the Uniform Crime Reports program in each of the 3 most recent calendar years for which such data is available.

(3) STATE.—The term “State” has the meaning given the term in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251).

(4) UNIFORM CRIME REPORTS.—The term “Uniform Crime Reports” means the reports authorized under section 534 of title 28, United States Code, and administered by the Federal Bureau of Investigation that compile nationwide criminal statistics for use—

(A) in law enforcement administration, operation, and management; and

(B) to assess the nature and type of crime in the United States.

(5) UNIT OF LOCAL GOVERNMENT.—The term “unit of local government” has the meaning given the term in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251).

#### (d) REPORTING OF HATE CRIMES.—

##### (1) IMPLEMENTATION GRANTS.—

(A) IN GENERAL.—The Attorney General may make grants to States and units of local government to assist the State or unit of local government in implementing the National Incident-Based Reporting System, including to train employees in identifying and classifying hate crimes in the National Incident-Based Reporting System.

(B) PRIORITY.—In making grants under subparagraph (A), the Attorney General shall give priority to States and units of local government that develop and implement the programs and activities described in subsection (f)(2)(A).

##### (2) REPORTING.—

###### (A) COMPLIANCE.—

(i) IN GENERAL.—Except as provided in clause (ii), in each fiscal year beginning after the date that is 3 years after the date on which a State or unit of local government first receives a grant under paragraph (1), the State or unit of local government shall provide to the Attorney General, through the Uniform Crime Reporting system, information pertaining to hate crimes committed in that jurisdiction during the preceding fiscal year.

(ii) EXTENSIONS; WAIVER.—The Attorney General—

(I) may provide a 120-day extension to a State or unit of local government that is making good faith efforts to comply with clause (i); and

(II) shall waive the requirements of clause (i) if compliance with that subparagraph by a State or unit of local government would be unconstitutional under the constitution of the State or of the State in which the unit of local government is located, respectively.

(B) FAILURE TO COMPLY.—If a State or unit of local government that receives a grant under paragraph (1) fails to substantially comply with subparagraph (A) of this paragraph, the State or unit of local government shall repay the grant in full, plus reasonable interest and penalty charges allowable by law or established by the Attorney General.

#### (e) GRANTS FOR STATE-RUN HATE CRIME HOTLINES.—

##### (1) GRANTS AUTHORIZED.—

(A) IN GENERAL.—The Attorney General shall make grants to States to create State-run hate crime reporting hotlines.

(B) GRANT PERIOD.—A grant made under subparagraph (A) shall be for a period of not more than 5 years.

(2) HOTLINE REQUIREMENTS.—A State shall ensure, with respect to a hotline funded by a grant under paragraph (1), that—

(A) the hotline directs individuals to—

(i) law enforcement if appropriate; and

(ii) local support services;

(B) any personally identifiable information that an individual provides to an agency of the State through the hotline is not directly or indirectly disclosed, without the consent of the individual, to—

(i) any other agency of that State;

(ii) any other State;

(iii) the Federal Government; or

(iv) any other person or entity;

(C) the staff members who operate the hotline are trained to be knowledgeable about—

(i) applicable Federal, State, and local hate crime laws; and

(ii) local law enforcement resources and applicable local support services; and

(D) the hotline is accessible to—

(i) individuals with limited English proficiency, where appropriate; and

(ii) individuals with disabilities.

(3) BEST PRACTICES.—The Attorney General shall issue guidance to States on best practices for implementing the requirements of paragraph (2).

#### (f) INFORMATION COLLECTION BY STATES AND UNITS OF LOCAL GOVERNMENT.—

##### (1) DEFINITIONS.—

In this subsection:

(A) COVERED AGENCY.—The term “covered agency” means—

(i) a State law enforcement agency; and

(ii) a priority agency.

(B) ELIGIBLE ENTITY.—The term “eligible entity” means—

(i) a State; or

(ii) a unit of local government that has a priority agency.

##### (2) GRANTS.—

(A) IN GENERAL.—The Attorney General may make grants to eligible entities to assist covered agencies within the jurisdiction of the eligible entity in conducting law enforcement activities or crime reduction programs to prevent, address, or otherwise respond to hate crime, particularly as those activities or programs relate to reporting hate crimes through the Uniform Crime Reports program, including—

(i) adopting a policy on identifying, investigating, and reporting hate crimes;

(ii) developing a standardized system of collecting, analyzing, and reporting the incidence of hate crime;

(iii) establishing a unit specialized in identifying, investigating, and reporting hate crimes;

(iv) engaging in community relations functions related to hate crime prevention and education such as—

(I) establishing a liaison with formal community-based organizations or leaders; and

(II) conducting public meetings or educational forums on the impact of hate crimes, services available to hate crime victims, and the relevant Federal, State, and local laws pertaining to hate crimes; and

(v) providing hate crime trainings for agency personnel.

(B) SUBGRANTS.—A State that receives a grant under subparagraph (A) may award a subgrant to a unit of local government within the State for the purposes under that subparagraph, except that a unit of local government may provide funding from such a subgrant to any law enforcement agency of the unit of local government.

(3) INFORMATION REQUIRED OF STATES AND UNITS OF LOCAL GOVERNMENT.—

(A) IN GENERAL.—For each fiscal year in which a State or unit of local government receives a grant or subgrant under paragraph (2), the State or unit of local government shall—

(i) collect information from each law enforcement agency that receives funding from the grant or subgrant summarizing the law enforcement activities or crime reduction programs conducted by the agency to prevent, address, or otherwise respond to hate crime, particularly as those activities or programs relate to reporting hate crimes through the Uniform Crime Reports program; and

(ii) submit to the Attorney General a report containing the information collected under clause (i).

(B) SEMIANNUAL LAW ENFORCEMENT AGENCY REPORT.—

(i) IN GENERAL.—In collecting the information required under subparagraph (A)(i), a State or unit of local government shall require each law enforcement agency that receives funding from a grant or subgrant awarded to the State or unit of local government under paragraph (2) to submit a semiannual report to the State or unit of local government that includes a summary of the law enforcement activities or crime reduction programs conducted by the agency during the reporting period to prevent, address, or otherwise respond to hate crime, particularly as those activities or programs relate to reporting hate crimes through the Uniform Crime Reports program.

(ii) CONTENTS.—In a report submitted under clause (i), a law enforcement agency shall, at a minimum, disclose—

(I) whether the agency has adopted a policy on identifying, investigating, and reporting hate crimes;

(II) whether the agency has developed a standardized system of collecting, analyzing, and reporting the incidence of hate crime;

(III) whether the agency has established a unit specialized in identifying, investigating, and reporting hate crimes;

(IV) whether the agency engages in community relations functions related to hate crime, such as—

(aa) establishing a liaison with formal community-based organizations or leaders; and

(bb) conducting public meetings or educational forums on the impact of hate crime, services available to hate crime victims, and the relevant Federal, State, and local laws pertaining to hate crime; and

(V) the number of hate crime trainings for agency personnel, including the duration of the trainings, conducted by the agency during the reporting period.

(4) COMPLIANCE AND REDIRECTION OF FUNDS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), beginning not later than 1 year after the date of this Act, a State or unit of local government receiving a grant or subgrant under paragraph (2) shall comply with paragraph (3).

(B) EXTENSIONS; WAIVER.—The Attorney General—

(i) may provide a 120-day extension to a State or unit of local government that is making good faith efforts to collect the information required under paragraph (3); and

(ii) shall waive the requirements of paragraph (3) for a State or unit of local government if compliance with that subsection by the State or unit of local government would be unconstitutional under the constitution of the State or of the State in which the unit of local government is located, respectively.

(g) REQUIREMENTS OF THE ATTORNEY GENERAL.—

(1) INFORMATION COLLECTION AND ANALYSIS; REPORT.—In order to improve the accuracy of data regarding the incidence of hate crime provided through the Uniform Crime Reports program, and promote a more complete understanding of the national problem posed by hate crime, the Attorney General shall—

(A) collect and analyze the information provided by States and units of local government under subsection (f) for the purpose of developing policies related to the provision of accurate data obtained under the Hate Crime Statistics Act (Public Law 101-275; 28 U.S.C. 534 note) by the Federal Bureau of Investigation; and

(B) for each calendar year beginning after the date of enactment of this Act, publish and submit to Congress a report based on the information collected and analyzed under subparagraph (A).

(2) CONTENTS OF REPORT.—A report submitted under paragraph (1) shall include—

(A) a qualitative analysis of the relationship between—

(i) the number of hate crimes reported by State law enforcement agencies or other law enforcement agencies that received funding from a grant or subgrant awarded under paragraph (2) through the Uniform Crime Reports program; and

(ii) the nature and extent of law enforcement activities or crime reduction programs conducted by those agencies to prevent, address, or otherwise respond to hate crime; and

(B) a quantitative analysis of the number of State law enforcement agencies and other law enforcement agencies that received funding from a grant or subgrant awarded under paragraph (2) that have—

(i) adopted a policy on identifying, investigating, and reporting hate crimes;

(ii) developed a standardized system of collecting, analyzing, and reporting the incidence of hate crime;

(iii) established a unit specialized in identifying, investigating, and reporting hate crimes;

(iv) engaged in community relations functions related to hate crime, such as—

(I) establishing a liaison with formal community-based organizations or leaders; and

(II) conducting public meetings or educational forums on the impact of hate crime, services available to hate crime victims, and the relevant Federal, State, and local laws pertaining to hate crime; and

(v) conducted hate crime trainings for agency personnel during the reporting period, including—

(I) the total number of trainings conducted by each agency; and

(II) the duration of the trainings described in subclause (I).

(h) ALTERNATIVE SENTENCING.—Section 249 of title 18, United States Code, is amended by adding at the end the following:

“(e) SUPERVISED RELEASE.—If a court includes, as a part of a sentence of imprisonment imposed for a violation of subsection (a), a requirement that the defendant be placed on a term of supervised release after imprisonment under section 3583, the court

may order, as an explicit condition of supervised release, that the defendant undertake educational classes or community service directly related to the community harmed by the defendant's offense.”.

The PRESIDING OFFICER. The majority leader.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 59.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read nomination of Deanne Bennett Criswell, of New York, to be Administrator of the Federal Emergency Management Agency, Department of Homeland Security.

### CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk.

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

The senior assistant legislative clerk read as follows:

### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 59, Deanne Bennett Criswell, of New York, to be Administrator of the Federal Emergency Management Agency, Department of Homeland Security.

Charles E. Schumer, Gary C. Peters, Ron Wyden, Jack Reed, Benjamin L. Cardin, Patrick J. Leahy, Michael F. Bennet, Tim Kaine, Christopher Murphy, Richard J. Durbin, Christopher A. Coons, Cory A. Booker, Martin Heinrich, Chris Van Hollen, Edward J. Markey, Sherrod Brown, Bernard Sanders, Robert P. Casey, Jr.

## LEGISLATIVE SESSION

Mr. SCHUMER. I move to proceed to legislative session.

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

The motion was agreed to.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 54.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Janet Garvin

McCabe, of Indiana, to be Deputy Administrator of the Environmental Protection Agency.

## CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk.

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

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 54, Janet Garvin McCabe, of Indiana, to be Deputy Administrator of the Environmental Protection Agency.

Charles E. Schumer, Thomas R. Carper, Ron Wyden, Jack Reed, Benjamin L. Cardin, Patrick J. Leahy, Michael F. Bennet, Tim Kaine, Christopher Murphy, Richard J. Durbin, Cory A. Booker, Martin Heinrich, Chris Van Hollen, Edward J. Markey, Sherrod Brown, Bernard Sanders, Robert P. Casey, Jr., Richard Blumenthal.

## LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

Mr. SCHUMER. The question is on agreeing to the motion.

The motion was agreed to.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 68.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Colin Hackett Kahl, of California, to be Under Secretary of Defense for Policy.

## CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk.

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

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 68, Colin Hackett Kahl, of California, to be Under Secretary of Defense for Policy.

Charles E. Schumer, Patrick J. Leahy, Richard J. Durbin, Christopher A. Coons, Ron Wyden, Jack Reed, Benjamin L. Cardin, Michael F. Bennet, Tim Kaine, Christopher Murphy, Richard Blumenthal, Edward J. Markey, Cory A. Booker, Sherrod Brown, Ber-

nard Sanders, Robert P. Casey, Jr., Martin Heinrich.

Act to reauthorize programs under those Acts, and for other purposes.

## CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk.

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

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 34, 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.

Charles E. Schumer, Thomas R. Carper, Tammy Duckworth, Jeff Merkley, Debbie Stabenow, Richard Blumenthal, Jacky Rosen, Michael F. Bennet, Amy Klobuchar, Mazie K. Hirono, Richard J. Durbin, Tammy Baldwin, Alex Padilla, Maria Cantwell, Sheldon Whitehouse, Cory A. Booker, Patty Murray, Elizabeth Warren.

Mr. SCHUMER. Finally, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, April 22, be waived.

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

Mr. SCHUMER. Thank you.

The PRESIDING OFFICER. The Senator from Washington.

## COVID-19 HATE CRIMES ACT

Ms. CANTWELL. Mr. President, I come to the floor to talk about the rise in hate crimes in the Pacific Northwest and to thank my colleague the Senator from Hawaii for her tremendous leadership in guiding us through this process to get this legislation passed in the U.S. Senate.

I want to thank her for her incredible work as a member of the Judiciary Committee and for getting this out and moved to the floor and to thank Senator SCHUMER and Senator McCONNELL for both helping us to get to this point today and our colleagues for passing this incredible legislation. But, again, thanks to Senator HIRONO for knowing—knowing and understanding and being a great member of the Judiciary Committee—that we needed to get this legislation done now.

Asian Americans and Pacific Islanders have a long history in our country. And their contributions have been significant, both in cultural vibrancy to our economy and to our way of life.

But, unfortunately, that has also been marked by periods in our history of hate and damaging stereotypes and xenophobia, and we saw this again with COVID-19. That is why we needed to act today, to pass hate crimes legislation to protect Asian Americans in the United States of America and to make sure that they have tools to protect them.

Our AAPI communities are facing the same challenges we face in the pandemic. And trust me, we have lost

## LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

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

The motion was agreed to.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 58.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Jason Scott Miller, of Maryland, to be Deputy Director for Management, Office of Management and Budget.

## CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk.

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

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 58, Jason Scott Miller, of Maryland, to be Deputy Director for Management, Office of Management and Budget.

Charles E. Schumer, Gary C. Peters, Ron Wyden, Jack Reed, Benjamin L. Cardin, Patrick J. Leahy, Michael F. Bennet, Tim Kaine, Christopher Murphy, Richard J. Durbin, Christopher A. Coons, Cory A. Booker, Chris Van Hollen, Edward J. Markey, Sherrod Brown, Bernard Sanders, Robert P. Casey, Jr., Martin Heinrich.

## LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

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

The motion was agreed to.

## DRINKING WATER AND WASTE-WATER INFRASTRUCTURE ACT OF 2021—Motion to Proceed

Mr. SCHUMER. Mr. President, I move to proceed to Calendar No. 34, S. 914.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 34, S. 914, a bill to amend the Safe Drinking Water Act and the Federal Water Pollution Control

some incredible Asian Americans, who ran markets, who ran restaurants, who were small business leaders and continued to work during this crisis and ultimately paid the price with their lives. But they also, in addition to facing the pandemic, have had to face a range of hate and racism against them during this time period.

According to Stop AAPI Hate, nearly 3,800 incidents of violence and hate against AAPI individuals were reported nationwide over a year since the pandemic. And sadly—sadly—women made up over half of this. Nearly 68 percent of the reported incidents of violence against Asian Americans were against Asian-American women. This must stop.

And it is very important that we think about how a fraction of these statistics that are the reported information—how many more are out there that go unreported.

My State, the State of Washington, has the seventh largest Asian-American population and the third largest Pacific Islander population in the Nation. And like the rest of the United States, we have seen an increase in these incidents.

In fact, in 2020, the State had the third highest rate of hate crimes targeted against AAPI community members. That is why I am for getting a full slate of people over at the Department of Justice, including Kristen Clarke, to deal with hate crimes. Why? Because my State is plagued by these issues, and we are not going to tolerate it. We are going to fight back and make sure that we have the infrastructure in place to recognize these things.

Just this past February, a teacher driving in the Seattle International District was assaulted with a sock containing a rock. The attacker was charged with felony assault but not a hate crime.

We have been told that there are widespread reports of AAPI elders and women throughout Western Washington who have been verbally harassed and randomly physically assaulted. The King County Coalition Against Hate and Bias is collecting information about these attacks. But we know that there have been many throughout many communities in our State.

Just a few months ago, a woman in King County and her two children were accosted with a man yelling, screaming at them just to get out—“Get out! Get out!” And a man was captured on video in downtown Seattle attacking an Asian couple, spitting on them, slapping the man’s face, and yelling at them: “It’s your fault.” So we know these incidents are happening.

In fact, just a week or so ago, I participated in a roundtable of the Asian American-Pacific Islander community from my State to talk about the need for this national legislation and why it is so important we have community-based solutions, which include more cultural education to teach our chil-

dren the history of the Asian-American community in the United States, mental health support in multiple languages, investing in community groups, and this legislation that was passed today that will give us better tools to prosecute those individuals who participate in hate crimes.

This bill would designate a point person within the U.S. Department of Justice to expedite the review of hate crimes and continue to work with all of us.

It requires the Attorney General to issue guidance to State, local, and Tribal law enforcement to establish an online hate crime reporting and data collection system. These are all important tools.

So I, again, want to thank our colleagues, and I want to also thank Senator BLUMENTHAL. His bipartisan amendment would authorize the Attorney General to provide grants to States and localities to better train law enforcement on identifying, investigating, and reporting hate crimes and to operate State-run hate crime reporting hotlines.

So this legislation will help us in shining a very bright light on an alarming rise in violence against the Asian American-Pacific Islander community and help us with new tools to combat that crime.

I, again, thank my colleagues. We all must work together to stop this kind of violence.

I thank the President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. KENNEDY. Mr. President, I want to join my colleague Senator CANTWELL in congratulating Senator HIRONO and all of us for almost unanimously passing this bill that would try to stop discrimination against Asian Americans. I am happy that passed. There was only one vote against it.

I just don’t think it goes far enough. I think it is ludicrous, it is odious to me, that in the year 2021, we have major universities in the United States of America that are setting quotas on their admissions for Asian Americans—not quotas to have enough Asian Americans, quotas to keep Asian Americans out. They are, and everybody in this body knows they are doing that.

Harvard is in litigation over it. Harvard officials have already stated that but for their quotas, there would be twice as many Asian Americans at Harvard as there are now if they base the decision solely on academic achievement. And that is wrong.

There is no way to discriminate in the right way. Discrimination is discrimination. Judge people on the basis of their academic achievements.

President Biden has talked an awful lot about the error of discriminating against Asian Americans, and he is absolutely right. What is the first thing he did? He pulled his Justice Department off of filing litigation to try to stop these quotas on Asian Americans

and universities. I mean, if there weren’t double standards around here, there would be no standards at all.

So I strongly encourage—Senator CRUZ and I offered an amendment to Senator HIRONO’s bill to try to fix this. Unfortunately, we couldn’t get 60 votes. In fact, I don’t think a single—maybe I am wrong in saying this, but not very many of my Democratic friends voted for it.

But I would say to President Biden, now, if you are serious about ending discrimination against Asian Americans, tell your Justice Department to get off its ice cold, lazy rear end and do something about it. Stop the quotas in higher education.

Anyway, that is not, really, what I came up to talk about.

#### DISPOSE UNUSED MEDICATIONS AND PRESCRIPTION OPIOIDS ACT

Mr. KENNEDY. Mr. President, you are aware, as we all are, of the scourge of opioid abuse in this country. It is horrible. It is terrible. We sometimes lose as many as 50,000 of our people a year.

And as you also know, many people who become addicted to opioids don’t necessarily buy the opioids on the street. They get the opioids from family and friends. So one of the best things you can do to try to stop the scourge of opioid abuse is to clear out your medicine cabinet so that people aren’t tempted to use the drugs. Turn them in, if they have been prescribed to you, and you don’t need them any longer.

To make this easier, our DEA, as you know, Mr. President, holds pretty regularly what we call Take Back Days. On a Take Back Day, any person can go into his or her medicine cabinet, find drugs, including opioids, that they are not using anymore, that could be dangerous if abused, and they can take those unused medications and drop them off at a previously announced DEA drop site.

Take Back Day is this Saturday, April 24. I want to encourage all Americans and Louisianans to do this. Go through your medicine cabinet. If you have opioids that have been prescribed to you—legally, of course—and you don’t need them any longer, don’t just leave them hanging around. Turn them in, please.

But not every day is Take Back Day, and last year Congress, in its wisdom, passed a law, a very good law, instructing the Department of Veterans Affairs to ask—well, actually to require—VA medical centers to have these drop boxes permanently so that American veterans can throw away medications, including but not limited to opioids, that they don’t need. And it has worked out really well.

The question that occurred to me after we passed the bill was why limit that kind of access only to our veterans. So I have a bill to basically open up the Veterans Administration drop

boxes for unused drugs, including but not limited to opioids, at VA medical centers to anybody who wants to go get rid of these unused drugs at any time. You don't have to wait until Take Back Day. This would be a permanent program.

The name of the bill is the Dispose Unused Medications and Prescription Opioids Act. And before I offer this bill up, let me just give one more plug. I would remind everyone that this Saturday, April 24, is Take Back Day. If you have unused medications, including opioids, that you want to get rid of, it will have been publicized in your community by the DEA. You can go drop them off, and I hope people will do that.

Mr. President, toward that end, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of my bill, S. 957, and the Senate proceed to its immediate consideration.

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

The senior assistant legislative clerk read as follows:

A bill (S. 957) to direct the Secretary of Veterans Affairs to ensure that certain medical facilities of the Department of Veterans Affairs have physical locations for the disposal of controlled substances medications.

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

Mr. KENNEDY. Mr. President, I further ask that the Kennedy substitute amendment at the desk be considered and agreed to, that the bill, as amended, be read a third time and passed, and that the motion 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 amendment (No. 1459) in the nature of a substitute was agreed to, as follows:

[Purpose: In the nature of a substitute]

Strike all after the enacting clause and insert the following:

**SECTION 1. DESIGNATION OF PERIODS DURING WHICH ANY INDIVIDUAL MAY DISPOSE OF CONTROLLED SUBSTANCES MEDICATIONS AT FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS.**

Section 3009 of the Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020 (Public Law 116-315; 38 U.S.C. 8110 note) is amended—

(1) by redesignating subsection (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following new subsection (b):

“(b) DESIGNATION OF PERIODS FOR ANY INDIVIDUAL TO DISPOSE OF MEDICATION.—

“(1) IN GENERAL.—The Secretary shall designate periods during which any individual may dispose of controlled substances medications at a covered Department medical facility.

“(2) PUBLIC INFORMATION CAMPAIGNS.—The Secretary may carry out public information campaigns regarding the periods designated under paragraph (1).”.

The bill (S. 957), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

**DRINKING WATER AND WASTE-WATER INFRASTRUCTURE ACT OF 2021—MOTION TO PROCEED—Continued**

**SEACOR POWER LIFT BOAT**

Mr. CASSIDY. Mr. President, the year 2020 was a year filled with sadness and grief for me, but, unfortunately, that sadness and grief struck again in the year 2021.

Last Tuesday, 100-mile-per-hour winds capsized a lift boat with a crew of 19 off the coast of Grand Isle, LA, just south of Port Fourchon. The U.S. Coast Guard and a group of Good Samaritan boats rescued six crew members as winds continued between 80 to 90 miles per hour and waves were 7 to 9 feet high.

The Coast Guard credits those Good Samaritans with saving four of the six rescued crew members. So, fortunately, in the midst of a terrible tragedy, it turns out a crew of Coast Guard men and women were on a boat doing a trial run when the SOS went out. And although technically not Coast Guard, they were coastguardsmen, and they went out and aided in the rescue. We are eternally grateful for their efforts, their hard work, and for the risk they took to themselves to bring those crew members back to shore safely, who returned safely.

In this tragedy, which affects us in Louisiana but, in a sense, affects us all, any loss of life is heartbreaking. But there are some who may not be found, and we pray their families find closure. To date, six have been confirmed dead, including Anthony Hartford of New Orleans, James “Tracy” Wallingsford of Gilbert, Captain David Ledet of Thibodaux, Ernest Williams of Arnaudville, Lawrence Warren of Terrytown, and Quinon Pitre of Franklin.

Seven are still missing. Each day that passes, the prognosis—the chance of finding them—obviously decreases. I would like to take a moment to recognize those still missing:

Jay Guevara, Dylan Daspit, Gregory Walcott, Chaz Morales, Jason Krell, Darren Encalade, and Chris Rozands.

Our thoughts and prayers are with the crew members of the capsized vessel, their loved ones, and their communities.

While we mourn this loss, we also rise to recognize the heroic efforts of the Coast Guard, the Good Samaritans, and all involved in the search-and-rescue efforts that continued for 6 straight days.

In just 40 hours, the Coast Guard covered more than 1,440 square miles of the Gulf of Mexico, searching for missing crew members. To put that in perspective, that is an area larger than the State of Rhode Island. By Friday, this area grew to a size larger than Hawaii, searching through sea and air.

Late last week, the National Transportation Safety Board announced they will open an investigation. The team arrived in New Orleans on Thursday, and a preliminary report will be released within the next 2 weeks.

We deeply appreciate the volunteers who assisted the men and women from the Coast Guard and many others in the search and rescue, particularly during the terrible weather. In the light of this tragedy, this team effort demonstrates the best of humanity.

We grieve with the families. We shall always remember the lives of those we lost.

May God watch over their souls. May they find eternal peace.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

**CORONAVIRUS**

Mr. LANKFORD. Mr. President, I bring news back from Oklahoma to this body and a request for dialogue. The COVID bill that was passed a little over a month ago—that bill provided all kinds of relief. As this body knows, we were deeply divided on that bill and some of the issues within it.

One of the issues stretched out the debate all the way to the last moment, and it was the additional unemployment assistance. The conversation about the additional unemployment assistance is this: The economy is reopening. Is this the time to extend additional money above and beyond State unemployment assistance, what we normally do? With unemployment rates going down, should we add more money on top of it?

No one really knew what would happen when that occurred, but we had some suspicions. The 2 weeks I spent traveling around the State, the week before Easter and after Easter, in town after town after town after town after town, I heard the same thing from employees and employers.

Employees would tell me that somebody who used to work next to them is now at home because they are making as much money at home on unemployment assistance as they would when working. So the person standing there working at the factory, the person standing there working at the restaurant is ticked off at the person who is at home watching TV, making as much money as they are.

The employer is just as frustrated or more because they have all kinds of orders coming into their business, saying: Can you send us more of this? And they could, except they don't have enough labor.

An additional \$300 a week was added on top of the unemployment assistance and extended out all the way to the first week of September. At the same time, checks were sent out to every individual. Then they were told they would get a \$10,000 tax break. The combination of those three things together has caused some folks to do what people do in a free market: They look to see where they are going to work based on where they can make the most money at that moment. That is what a free market is like. That is why employers continue to pay a little more to get good employees. But the problem is, in Oklahoma, where there is a low cost of living, many of our employers are struggling to find workers because they are competing against this body.

The employees are ticked because they are at work working, paying taxes, and the person who used to work next to them and probably will return this October got several months off and is making the same, except for the person working is paying for the person not working, and they are a little ticked off about it.

I bring this to you because this is not hypothetical. In Oklahoma, our unemployment rate dropped again to 4.2, but we still have 100,000 people. Our rates continue to rise for people filing first-time claims, but I promise there is not a town you can go to in Oklahoma that doesn't have "help wanted" signs all over town. I heard it from every single town that I went to, from employers in every single place that they cannot compete with what the government is just mailing to people for staying at home.

The very first day I was out a couple of weeks ago, I was in Tulsa at a business there that does manufacturing. He told me that for the first time ever—and he has owned the business a long time—for the first time ever, one of his managers came to him and said: You are not going to believe what just happened.

They had an employee who came up to them and said: I would like for you to fire me.

He said: Well, why in the world would I do that?

He said: Well, I just figured out, with the tax break and what I would get on unemployment assistance, I could make as much staying at home as I could working. But I need you to fire me so I can go file for unemployment.

He literally said to him: I am not going do that. Go back to work.

So the next day, the guy showed up 30 minutes late to work, and at lunchtime, he took an hour and a half off. He did the same thing the next day. The third day, according to protocol in their company, they called him in, talked to him, and wrote it all up. The

fourth day, they did the same thing again—called him in, wrote it up. By the fifth day, they fired him.

His exact words to his manager on the floor: What took you so long?

There is a restaurant in Oklahoma City that told us they were preparing to reopen. Finally, the pandemic is over. We have a very high percentage of folks in Oklahoma who have received the vaccine. We are one of the top 10 States in the country for distributing the vaccines.

Our State, our county, our local offices, our hospitals, and our Tribal areas have done a fantastic job getting the vaccine out. We are open.

One of the restaurants trying to reopen in the Plaza District of Oklahoma City, a beautiful cultural district, couldn't reopen because they couldn't hire people because they got larger unemployment benefits, and they remain closed.

The mayor of Muskogee told me that most employers in their town are struggling to be able to get employees to get back to work.

In Northern Oklahoma, in Perry, there is a restaurant that was talking to one of my staff this week that said they are having to close early because they can't get enough business.

I would tell you, a couple of Sundays ago, my wife and I drove to go eat lunch after church, and we went to two restaurants before we had to go to a third to find a restaurant that was open. The second restaurant literally had a sign on their door: "Closed Due to Labor Shortage."

This is a real issue that was created in this room that is impacting my State trying to reopen. I have no idea if my Democratic colleagues will acknowledge this as a real problem or will just say: That is a hypothetical issue; it is not real. But this is going to continue all the way through September, and my State is not going to be able to reopen. This will get even worse in the days ahead when additional money will start being shipped out to families in the change in the child tax credit, when people will literally start getting checks in August on top of the other checks they are receiving.

I bring this to this body because I would like for us to have a conversation about it and for somebody in this body to acknowledge that a mistake was made and we need to fix this.

We all agreed last year to be able to help during the time of the pandemic. People needed help. Everyone was out of work, and there were no options for work. That is not true anymore; yet these larger benefits are still coming out.

This needs to be addressed. For the sake of getting our economy going again, this needs to be addressed. I would hope we could have a reasonable, rational, fact-based conversation about it.

#### U.S. SUPREME COURT

Madam President, for most of the history of the United States, we have

had nine Supreme Court Justices—nine. Now, we started out originally with six, and then it dropped for just a little while to five and then went right back to six again.

When we added a seventh circuit court in 1807, it popped from six to seven, and there was some discussion about whether it would just continue based on the number of circuit courts. It was determined that, no, that was a bad idea.

Then it went to nine in 1837. Lincoln actually added 1 to make it 10, and they determined that was really too many and brought it back down to 7, actually.

In 1869, we went back to nine again, where we were most of the time before that and where we have remained, nine Supreme Court Justices. That is not just a random number; it seems to be a pretty good number—nine—to be able to open up debate.

I don't just think it is a pretty good number. There is a rather famous and some would say "notorious" Justice named Ruth Bader Ginsburg. She made this statement in 2019 when asked about Court-packing and asked about increasing the size of the Court. In 2019, Ruth Bader Ginsburg said:

Nine seems to be a good number. It's been that way for a long time. . . . I think it was a bad idea when President Franklin Roosevelt tried to pack the court. . . . If anything [it] would make the court look partisan.

That is not just one Justice. Early in April this year, Justice Breyer was speaking at the Harvard Law School, and he addressed this issue of Court-packing while this body is in the middle of a conversation about Court-packing—extremely rare for that to occur. Justice Breyer stated:

I'm an optimist. The rule of law has weathered many threats, but it remains sturdy. I hope and expect that the Court will retain its authority, an authority that my stories have shown was hard-won. But that authority, like the rule of law, depends on trust, a trust that the Court is guided by legal principle, not politics. . . . Structural alteration motivated by the perception of political influence can only feed that latter perception, further eroding that trust. . . . There is no shortcut. Trust in the courts, without which our system cannot function, requires knowledge, it requires understanding, it requires engagement. In a word, it requires work. Work on the part of all citizens. And we must undertake that work together. . . . What I'm trying to do is to make those whose initial instincts may favor important structural change or other similar institutional changes—such as forms of court-packing—think long and hard before they embody those changes in law.

That was so well received, by Justice Breyer, that progressive activists started calling for him to take early retirement.

Court-packing is not a new conversation in this body, but it has not been well received in the past.

The Court has always ebbed and flowed in its liberal or conservative bents. President Obama spoke openly when he was President about the Court

in the 1960s. That was a very progressive Court in the 1960s that drove conservatives crazy with some of the decisions they made, but there was no packing of the Court to try to change the direction of the Court in the 1960s and 1970s. There was a frustration but a realization that nine was the right number.

Over time, the Court, as it does, as it ebbs and flows over the decades, has flowed to be more conservative. In the days ahead, at some point, it will flow to be more liberal. It just will. But the rule of law is important. It is not a new concept that is being addressed, but it is one this body should think long and hard about.

Quite frankly, I agree with Joe Biden on this concept, but not the President Joe Biden, the Senator Joe Biden.

With this body's permission, let me read Joe Biden's speeches when he was in the U.S. Senate and he stood right over there and spoke on this floor or spoke in committee hearings when he was in the Judiciary Committee, speaking often about this issue.

Joe Biden, once speaking, made this statement. He said:

President Roosevelt clearly had the right to send to the U.S. Senate and the U.S. Congress a proposal to pack the Court. It was totally within his right to do that. He violated no law; he was legally absolutely correct. But it was a bonehead idea. It was a terrible, terrible mistake to make. And it put in question, for an entire decade, the independence of the most significant body—including the Congress, in my view—

The most significant body in this country—

—the Supreme Court of the United States of America.

The President had the right to do that. He was totally within his power, and his objective was seen clearly.

Well, the President clearly has the right to do what he is doing, in my view.

But he also called it "bonehead."

Joe Biden, as Senator, also continued with this statement. He was discussing the same issue. He said: "The Senate again stood"—by the way, this was two decades later, after Joe Biden made that statement I just read. Two decades later, Joe Biden still has the same passion. He stated this:

The Senate again stood firm in the 1937 court-packing plan by President Franklin Roosevelt. This particular example of Senate resolve is instructive for today's debates, so let me describe it in some detail. It was the summer of 1937. President Roosevelt had just come off a landslide victory over Alf Landon, and he had a Congress made up of solid New Dealers. But the "nine old men" of the Supreme Court were thwarting his economic agenda, overturning law after law overwhelmingly passed by the Congress and from statehouses across the country.

In this environment, President Roosevelt unveiled his court-packing plan—he wanted to increase the number of Justices on the Court to 15, allowing himself to nominate these additional judges. In an act of great courage, Roosevelt's own party stood up against his institutional power grab. They did not agree with the judicial activism of the Supreme Court, but they believed that Roosevelt was wrong to seek to defy established

traditions as a way of stopping that activism.

In May 1937, the Senate Judiciary Committee—a committee controlled by the Democrats and supportive of his political ends—issued a stinging rebuke. They put out a report condemning Roosevelt's plan, arguing it was an effort "to punish the Justices" and that executive branch attempts to dominate the Judiciary lead inevitably to an autocratic dominance, "the very thing against which the American Colonies revolted, and to prevent which the Constitution was in every particular framed."

Our predecessors in the Senate showed courage that day and stood up to their President as a coequal institution. And they did so not to thwart the agenda of the President, which in fact many agreed with; they did it to preserve our system's checks and balances; they did it to ensure the integrity of the system. When the Founders created a "different kind of legislative body" in the Senate, they envisioned a bulwark against unilateral power—it worked back then and I hope it works now.

Said Joe Biden during that time.

The noted historian Arthur Schlesinger, Jr.—

Joe Biden, continuing as Senator—has argued that in a parliamentary system President Roosevelt's efforts to pack the Court would have succeeded. Schlesinger writes: "The Court bill couldn't have failed if we had a parliamentary system in 1937." A parliamentary legislature would have gone ahead with their President, that's what they do, but the Founders envisioned a different kind of legislature, an independent institution that would think for itself. In the end, Roosevelt's plan failed because Democrats in Congress thought court-packing was dangerous, even if they would have supported the newly-constituted Court rulings. The institution acted as an institution.

In summary, then, what do the Senate's action of 1795, 1805, and 1937 share in common? I believe they are examples of this body acting at its finest, demonstrating its constitutional role as an independent check on the President, even popularly elected Presidents of the same party.

That was from Senator Joe Biden. His challenge to this body was to think long and hard before they destroyed an institution of our government. It was right then; it is right now.

In a final statement from Joe Biden, he spoke about the filibuster—often, actually, about the filibuster. Senator Biden stated this:

The Framers created the Senate as a unique legislative body designed to protect against the excesses of temporary majority, including with respect to judicial nominations; and they left us all the responsibility of guaranteeing an independent Federal judiciary, one price of which is that it sometimes reaches results Senators don't like.

It is up to us to preserve these precious guarantees. Our history, our American sense of fair play, and our Constitution demand it.

Joe Biden continued. As Senator, he said:

I would ask my colleagues who are considering supporting the "nuclear option"—those who propose to "jump off the precipice"—whether they believe that history will judge them favorably. In so many instances throughout this esteemed body's past, our forefathers . . . stepped back from the cliff. In each case, the actions of those statesmen preserved and strengthened the Senate, to the betterment of the health of our constitutional republic and to all of our advantage.

Our careers in the Senate will one day end—as we are only the Senate's temporary officeholders—but the Senate itself will go on. Will historians studying the actions taken in the spring of 2005—

When Joe Biden stated this in the Senate—

[Will they] look upon the current Members of this Senate as statesmen who placed the institution of the United States Senate above party and politics? Or will historians see us as politicians bending to the will of the Executive and to political exigency? I, for one, am comfortable with the role I will play in this upcoming historic moment.

Then he stated this, from Senator Joe Biden:

I hope . . . my colleagues [will] feel the same.

So do I. Less than the days ahead, history will look at the unwinding of the judiciary based on a season in the Supreme Court, as we have had seasons and cycles before. Don't unwind the judiciary for a season.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

#### OPIOID EPIDEMIC

Mr. PORTMAN. Madam President, I appreciate the thoughtful comments from my colleague from Oklahoma of the need for us to have an independent judiciary.

I am on the floor to talk about a different issue, and it is the latest, very troubling information that we are receiving regarding the addiction epidemic and specifically drug overdose deaths in the United States. I am also going to talk about some of the steps we can take right now to address that reality.

One of the top priorities I have had in this body and in the House has been this drug addiction issue. Frankly, this is a moment of frustration because we were making progress, and then COVID-19 hit. Unfortunately, the drug epidemic has hit my State of Ohio particularly hard. The latest data from the Centers for Disease Control and Prevention, the CDC, show that it is a pretty grim picture right now, and it should be a wake-up call to all of us. Overdose deaths rose nearly 30 percent nationwide from September 2019 to September 2020. During this time period, you can see the overdose deaths numbers going up dramatically.

This is heartbreaking for me because we were making progress. After literally decades of increases in drug overdose deaths every single year—decades—going back to the 1990s, we finally here in the 2017, 2018, 2019 periods began to make progress in reducing overdose deaths. In fact, in Ohio, we had a 24-percent decrease in overdose deaths during 1 year, 2018, but, right now, the numbers are getting higher and higher, and it is everywhere.

As you can see from this chart, if something is in any of these colors, this means that there is an increase in overdose deaths. If it is in blue, it means there is a decrease, and this was just during this period of September

2019 to September 2020, the latest data for which we have good information. It doesn't even include all of 2020, and as we know, the pandemic, unfortunately, went all the way through 2020 and into 2021. All of the data show that, as you got further into the pandemic, we had higher rates, so we expect, when the final data come out for 2020, it will be even higher.

Here is where we are now. Look at this. Other than the State of South Dakota, every single State has seen an increase—and a substantial increase in many cases—in overdose deaths. This is in 49 of 50 States. In my own State of Ohio, there has been about a 25-percent increase in overdose deaths during this period.

Only a few years ago, again, we were making progress. One reason that we had begun to turn the tide was because of work that had been done here in the U.S. Congress. Right around this time period, we passed legislation called the Comprehensive Addiction and Recovery Act. We also passed legislation called the 21st Century Cures Act. Both were signed into law in 2016. So it would have been in this period. It became effective in this period and actually helped to reduce overdose deaths for the first time in decades.

I commend my colleagues for that legislation. It was the first time we had ever funded recovery, as an example. We also funded prevention and treatment and provided our law enforcement with more naloxone, this miracle drug that reverses the effects of an overdose. Many of my colleagues have had the opportunity to speak with their local addiction boards or have been with law enforcement or other first responders—firefighters—who have used this naloxone effectively to save lives.

So things were getting better until we saw this big increase in connection with the coronavirus pandemic. The stresses of this unprecedented time, clearly, have contributed to the spike in drug abuse. People have felt lonelier. People have felt more isolated. Specifically, people have not been able to get access to recovery programs. Being in person with a recovery coach is a whole lot different than being on a Zoom call. That is what I hear from recovering addicts, and it makes sense.

I will say that people have turned to drugs to cope during this tough period, but also, many of those who are in recovery have been stalled in their progress because of their inability to be with other recovering addicts. So part of the best practices and best scientific evidence we have is that an effective way to help people overcome their addictions is to be with other people who also have those addictions. We have known this for years in terms of alcohol treatment programs—AA and so on—but this has been one of the problems.

Another issue I am going to raise, which apparently is somewhat con-

troversial, but I hear it from the experts—and those are the people on the ground, in the field, who are dealing with this issue—is that, when we here in Congress provided lump sums to all Americans under a certain income—and you will remember the individual payments—they didn't go out right away because our State offices couldn't process them quickly enough, particularly with regard to unemployment insurance, wherein our workers' comp and our unemployment offices could not get the money out the door on a weekly basis but could retroactively provide those funds.

We had individuals getting—instead of \$300 a week or \$600 a week—\$10,000 a week because it was an accumulation of many weeks. People were owed that, but getting these big lump sums was not helpful in the context of many people who were in recovery because it led to their purchasing drugs and it led to what we are finding out—again, back home—in talking to the experts, were some of the reasons you had this spike. So there are a lot of reasons here.

I guess what we need to focus on now is, How do we get beyond this?

These deaths are happening away from the national headlines because the coronavirus is taking the national headlines, understandably. A story just last week, from a news station in Dayton, OH, summed it up perfectly with a quote from Lori Erion, who is the founding president of Families of Addicts.

She said:

During the pandemic, addiction and families struggling with it haven't gone anywhere. We have been here the whole time.

But they have not gotten much notice. There were 87,000 people who died from overdoses in the September 2019 to the September 2020 period we talked about. There were 87,000 Americans who died. If not for the COVID-19 pandemic, I don't think we would have seen this increase—from everything we are hearing if the correlation is almost precise—but also we would be hearing a lot more about the addiction crisis and doing more about it here.

We did put some funding into the CARES Act and into the two most recent COVID-19 packages to help with behavioral health, people's mental health, and also with addiction. That has been helpful, but we need to go much broader and do something much more comprehensive to take this moment to recommit ourselves to fighting addiction and ensuring that more Americans don't continue to lose their lives to overdoses. We have bipartisan legislation that has been introduced that we have been working on with a lot of people on the outside to try to come up with some new ideas, some ways to address this problem.

In the 5 years since this Comprehensive Addiction and Recovery legislation has become law, which was in part the reason we saw this reduction—also, a lot of great work was done at the local level and the State level—the

substantial, several billion-dollar commitment we made here in this Chamber for more prevention, treatment, and longer term recovery with naloxone and so on, made a difference, but it has been 5 years.

During that time, I have visited with literally hundreds of different organizations in my home State. I have also just talked to a lot of experts about this. I have been to a lot of nonprofits, from Cleveland to Cincinnati and from Portsmouth to Toledo. I have talked to literally hundreds of recovering addicts about what works and what doesn't work for them.

There is legislation that we are introducing now, which we call CARA 3.0. We had the first Comprehensive Addiction and Recovery Act, and we had a second one back in 2018, a smaller one. Now we have this new, bipartisan CARA 3.0 legislation. Senator SHELDON WHITEHOUSE is my coauthor, but we have a number of Members who have joined up to help, and it addresses three major areas.

One is research and education. We still need to find out more, and we still need to get better research and better alternatives to opioids to deal with pain because much of this is being driven, as you know, from opioids—both heroin and prescription drugs but also these new synthetic opioids, which are the deadliest of all.

Second, we focus on education. Getting the prevention message out there is incredibly important to keep people from coming into the funnel of addiction in the first place, which is incredibly powerful and effective.

Third, of course, are treatment programs.

The fourth is recovery. Again, Congress had never funded recovery before; yet all of the best science shows that these recovery programs, when done properly, can be incredibly helpful, and longer term recovery, unfortunately, is needed, which is costly, but the alternative is worse.

Finally, there is criminal justice reform, which I will talk about in a moment.

It will bolster our work to prevent drug abuse before it happens through funding for research and education. A new national drug awareness campaign is part of this legislation, and the research and development of alternative pain treatment methods that don't lead to addiction is part of it.

CARA 3.0 will also take the important step of addressing the disproportionate effect the addiction crisis has had on people in poverty and communities of color. Unfortunately, during this increase, we have seen a higher percentage of overdoses in communities of color. A national commission has been formed to look at this issue to better develop treatments and best practices to avoid overdoses.

Second, our bill will build on what works and how we treat addiction. It will double down on proven, evidence-based addiction treatment methods

while expanding treatment options for groups that are particularly vulnerable to addiction, including young people, new and expecting mothers, rural community residents, and communities of color—individuals who live in those communities. One of the things that we have learned through, again, evidence-based research into what works and what doesn't work is that medication-assisted treatment, when done properly, can be very effective.

It will also make permanent the current expanded telehealth options for addiction treatment that were created temporarily in response to the social distancing required by the COVID-19 pandemic. This is really important. Telehealth is one of the few silver linings in an otherwise very dark cloud of the coronavirus pandemic. Yet, for many individuals, telehealth was effective, particularly with regard to behavioral health and addiction services. So we want to be sure that the temporary ability to pay for those telehealth visits, as an example, through Medicaid as an example or Medicare, can continue past the pandemic.

CARA 3.0 will also bolster the recovery options for individuals who are working to put addiction behind them through funding to support recovery support services and networks. It will enable physicians to provide medication-assisted addiction treatments, like methadone, to a greater number of patients and change the law to allow these drugs to be prescribed via telehealth for a greater ease of access. This will require a change in legislation to allow people to provide these kinds of treatments.

Our bill will also destigmatize addiction recovery in the workplace by ensuring that taking one of these medications—again, medications to get people over their addictions—will not count as a drug-free workplace violation. This may seem like an obvious change, but, unfortunately, it will take a change of law to be able to make that happen.

Finally, CARA 3.0 reforms our criminal justice system to ensure that those who are struggling with addiction, including our veterans, are treated with fairness and compassion by the law, putting them on a path to recovery instead of into a downward spiral of drug abuse.

Importantly, CARA 3.0 funds a Department of Justice grant program to help incarcerated individuals who are struggling with addiction to receive medication-assisted treatment while they are still in the criminal justice system. Again, that may seem like a pretty obvious solution, but there are people who go into the system addicted, and they come out addicted. They are not given the treatment options when they are incarcerated, and they simply go back to lives of addiction. Those people have high rates of recidivism, clearly. Most are rearrested and are back in the system within a relatively short period of time.

So this will reduce recidivism, repeat offenses. It makes sense for the person

addicted, and it certainly makes sense for the community, with fewer crimes being committed. It also makes a lot of sense for the taxpayer because that treatment, although there is an additional expense while in the criminal justice system, will have a much better chance of getting those people back to lives wherein they can go back to work, back to their families, be in recovery, and not be back in the expensive criminal justice system. So it is a win-win-win.

CARA and CARA 2.0 gave States and local communities new resources and authorities to make a real difference in my State and others. CARA 3.0 renews and strengthens those programs, and given the recent spike in addiction we see here, it provides a significant boost in funding as well. When added with the existing CARA programs that were authorized through 2023, we will be investing well over \$1 billion per year to address this longstanding epidemic, putting us on the path toward a brighter future free from addiction.

Another important part of CARA 3.0 is our bipartisan legislation to build on this expanded telehealth option for addiction services.

It was necessary during the pandemic to have it because of social distancing. We found out that, although there is no substitute for face-to-face interaction, telehealth has kept patients in touch with their doctors and allowed physicians to prescribe medication-assisted treatment remotely.

It doesn't make sense to get rid of these options once the pandemic goes away, so again, CARA 3.0 included legislation we had previously introduced separately called the Telehealth Response for E-Prescribing Addiction Therapy, or the TREATS Act, to make permanent a number of temporary waivers for telehealth services and bolster telehealth options for addiction treatment services.

Specifically, it does a couple things. First, it allows for a patient to be prescribed these lower scheduled drugs, like SUBOXONE, through telehealth on their first visit. You can't do that now. Current law requires you to go in person for a visit when needing an initial prescription for controlled substances, but this has been a deterrent to patients in crisis and in urgent need of treatments from schedule III or schedule IV drugs, like SUBOXONE or certain other drugs for a co-occurring mental health condition.

It also limits abusive practices by both audio and visual capabilities to be able to interact with the treatment providers to reduce fraud and abuse when it is your first visit, and it would also keep the existing requirements for in-person visits when prescribing schedule II drugs—these are the harder drugs, like opioids and stimulants—which are much more prone to being abused through these telehealth visits.

So we have a provision in there to avoid abuse, but it is also important to continue this telehealth when other op-

tions aren't there. I think it is a balanced approach that makes sense.

Second, our bill will allow for Medicare to bill for audio only or telephone telehealth visits for mental health and substance abuse if it is not the patient's first visit. Due to access to the broadband or distance, in-person or even video appointments aren't always possible, particularly for our seniors.

We need to focus on safety and robust treatment options, but in order to balance the needs of patients, we have proposed to allow our Nation's seniors under Medicare to use phones for subsequent mental health or behavioral health visits when they don't have access to the internet and where face-to-face interaction isn't possible and isn't necessary.

I believe the TREATS Act will make a difference in the addiction treatment space and will help us prevent more untimely overdoses.

So the legislation I have laid out so far—CARA 3.0 and the TREATS Act—cover an important aspect of the addiction crisis: the addiction treatment efforts that help lessen the demand for drugs, which is the single most important thing, reducing that demand.

But there is also more we have to do on the supply side because as drugs are pouring into our country, they are at a lower price on the streets of Cincinnati or Columbus or Cleveland or Dayton or Toledo. So we do need to do more to curb the supply of these dangerous substances. This is especially true right now because there is such a critical crisis ongoing, and there is a looming deadline to keep one class of very dangerous drugs illegal and off the streets.

I am talking about the kinds of opioids that are—like fentanyl, that are synthetic opioids but have a slight molecular change. So unless we act here in Congress, they will no longer be scheduled, no longer be illegal.

Data from the CDC, again, shows that the biggest driver to this surge in overdose deaths that we see here comes from fentanyl, comes from these synthetic opioids. They are often far more deadly than traditional opioids, like heroin. In fact, fentanyl is 50 times more powerful than heroin. A pound of fentanyl is lethal enough to kill a half a million people. And fentanyl, as you will find out talking to your law enforcement folks and others in the treatment space, it is often now being laced with other drugs, like cocaine, like crystal meth or heroin.

Most of this synthetic opioid is being illegally manufactured in China and then smuggled across our borders, either coming in through the mail system or going to Mexico and then being smuggled across.

There is also evidence now that it is also being produced in Mexico, which is a change and a major concern.

In order to avoid prosecution, prior to 2018, scientists in China—evil scientists in China—and drug traffickers started making slight modifications to fentanyl, sometimes adjusting a single

molecule and creating what are essentially fentanyl copycats.

While these fentanyl-related substances have the same narcotic properties as fentanyl, their tiny variations allowed them to evade prosecution. But oftentimes, these similar substances, like carfentanil, which some of you are aware of, are even deadlier than fentanyl itself.

To address this, the Drug Enforcement Agency in 2018 used its authority to temporarily classify all fentanyl-related drugs as schedule I substances, which allows law enforcement to aggressively intercept and destroy these substances. Unfortunately, this designation was only temporary. That is all DEA could do.

So, in 2019, Congress extended that designation until May 6, 2021, so a 2-year extension until 14 days from now.

If that deadline lapses 14 days from now, criminals who run labs in China and Mexico will be able to avoid law enforcement as they flood the United States with unlimited slight variants of fentanyl that are just as deadly. We can't let that happen.

Let me say that again. At a time when we are experiencing an alarming rise in overdose deaths that we see here, and fentanyl is the major culprit, the No. 1 killer, we may face a situation where law enforcement will lose the ability to aggressively stop these fentanyl copycats in the United States unless Congress acts in the next 14 days.

Fortunately, we have legislation to do that. Our bipartisan FIGHT Fentanyl Act, which I introduced with Senator JOE MANCHIN, will fix this problem by permanently classifying fentanyl-related drugs as schedule I drugs. It would give our law enforcement certainty to go after synthetic opioids in all their forms and show we are committed to addressing the threat posed by this dangerous class of drugs.

Our proposal is the one bipartisan approach to this in the Senate. We structured it to address concerns from the criminal justice community and made sure it does not impose mandatory minimum sentencing under criminal charges brought under our bill. That has been one of the concerns expressed, particularly by some on the other side of the aisle. So we took that out.

I urge my colleagues on both sides of the aisle to come to the table and support this urgent legislation.

The House just passed a 5-month extension this week. That is, to me, very sad. Let's make this permanent. There is no reason to do a short-term extension and to create the uncertainty with law enforcement, and, frankly, to tell these evil scientists in places like China, in 5 months, you are going to be able, potentially—to be able to sell this substance again without worrying about the law. This makes no sense. Let's make it permanent. Let's give the DEA the authority to do what they need to do. And by doing so, let's reduce the amount coming in, which in-

creases the cost on the street, which is an important step toward rededicating our efforts to stop these drugs from stealing thousands of lives and causing so much pain.

In conclusion, I urge my colleagues—our Nation faces a crisis. It is the coronavirus pandemic that is finally winding down, but it is also the addiction crisis. It has been happening underneath the coronavirus. As was said by my constituent—this woman who unfortunately has faced addiction in her own family—we have been here the whole time, and it hasn't gotten better; it has gotten worse.

Many of its victims are suffering in silence. We know a lot about what is going on with COVID. We don't know a lot about what is going on with this pandemic, this epidemic of drugs.

So let's act now, without delay. We have 14 days until DEA loses the authority to go after dangerous fentanyl copycats, but we can do something about it. We can pass legislation right now that will help people at their point of pain, as well as provide law enforcement the tools to cut off the source of their suffering—both the CARA 3.0 legislation to deal with the demand side and the legislation to be sure this poison can't come into our communities freely.

As the CDC data shows, this is an issue that affects every single one of us. Forty-nine States have seen a big increase. We know we need to do it. Let's not wait any longer to get to work once again turning the tide on our addiction crisis.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

TRIBUTE TO BETH TROWBRIDGE

Mr. SULLIVAN. Madam President, it is Thursday, and by now many know—particularly our members of our press corps—that it is time for what I feel is probably one of the best moments in the Senate each week. It is time for the “Alaskan of the Week.”

We get to talk about Alaska, talk about somebody who is doing extraordinary things for our State, for our country a lot of times, and I like to give an update when I do my “Alaskan of the Week” speech on what is going on in Alaska.

It is spring, of course. The Sun is high in most parts of the State—actually, in all parts of the State. Spring—we call it breakup, actually, relating to the ice on the rivers—it is upon us.

Now, of course, it can still snow, and it still gets pretty cold in a lot of places in Alaska, but winter is on the run. The promise of summer is in the air, and what a glorious summer it is going to be.

We aren't out of the woods yet on the pandemic in Alaska, but we have managed—we are proud of it. I am proud of my fellow Alaskans—the pandemic, the virus, as well as possible.

One of the things that is happening right now, our vaccination rates have been, almost from the beginning when

we got the vaccine, the highest per capita in the country. Despite our huge challenges in terms of size, limited population, it is really kind of a minimiracle—No. 1 vaccination rates in America in Alaska. We did it by dog sled, snow machine, small airplanes to make that happen.

So if you are watching, America, please come on up to Alaska. It is safe. It is open for tourism. This summer we want you to come on up.

By the way, not only will you have an amazing experience, our State just announced a few days ago you will get a vaccine if you come to Alaska. If your State is too inefficient or bureaucratic to actually get a vaccine, come on up to Alaska. You can have the trip of a lifetime, and you and your family can get vaccinated. We want you up there. We are open for business. We want to see Americans come on up and enjoy our great State as we are getting through this pandemic.

It is a naturally beautiful place, you will see, but the people in my State work hard to keep it pristine and are really what makes it such a great place.

So, today, in honor of Earth Day, I wanted to honor Homer, AK, resident Beth Trowbridge, who has spent her career—about 40 years, four decades—working to keep our waters in Alaska and our beaches clean and pristine.

So let me tell you a little bit about Beth. Originally from St. Louis, Beth first came to Alaska in 1981 as a college student to work on the Youth Conservation Corps in Fairbanks, AK, the interior.

She only intended to stay a year or so—by the way, this is a very common story—only intended to stay a year or so, but as so many do, she got to Alaska and fell in love with the State so she transferred to the University of Alaska in Fairbanks where she got her degree in Northern and Alaska Native studies.

Now, Beth loves the wilderness. She loves living off the land, studying the plants, studying the animals. She said: “There are beautiful and amazing people and amazing resources” in Alaska. She said she always loved the sense that, while we can all live there, nature in Alaska is always in control—the earthquakes, the volcanoes, the extreme weather, the coldness. They are a constant reminder that, in her words, in Alaska “there are the bigger forces out there”—a lot bigger, and she wants to keep it that way.

So she became a steward of her environment and dedicated her life to educating others so that they, too, could become stewards.

With all the talk about climate change, I fear that not nearly enough attention is given to those outside of politics, like in this town, who work day in and day out to care for the environment in the place they call home—in their communities, in their States, every day on the ground at home, making a difference.

That is what Beth has done. After college, she got a job as the education coordinator for the Prince William Sound Science Center, where she authored the “Alaska Oil Spill Curriculum.”

Then, in 2000, she began her work—in many ways, her life’s work—for the Center for Alaskan Coastal Studies, or CACS, in the drop-dead gorgeous community of Homer, AK, surrounded by the beautiful Kachemak Bay. Some people call Homer “the place where the land ends and the sea begins”; others, “the cosmic hamlet by the sea”; and others, “the halibut capital of the world.”

If you haven’t visited Homer, America, you have got to go to Homer. My goodness, it is beautiful. In Alaska, we just call it awesome, in part because of people like Beth and organizations like hers that keep it that way.

In 2012, Beth became the organization’s executive director and helped expand the good work that CACS has been doing since 1982.

Now, this organization is primarily an educational organization and offers people of all ages, really from across the globe—not just Alaska, not just America, everywhere—opportunities to connect with the outdoors, learn about coastal environments through guided walks, tours, educational programs, overnight school programs, and so much more.

So think about this impact. Homer, where CACS is located, is a town of about 6,000 people. CACS educates roughly 16,000 people through these science-based programs every year. That is a big impact. They have camps for everyone, and I would encourage anyone who is listening who is going to go to Homer to sign up for one of these camps to explore the unique marine ecology, the tidal pools, and the abundant sea life; to watch whales, seals, and sea lions; to swim against the backdrop of the Kenai Mountains; and to go into the forest and learn about the forest, wildlife, and adaptation in the forest. There is so much to do.

One of the big initiatives of this important organization is to deal with marine debris. So today, on Earth Day, let me put a plug in for the marine debris programs in my State and across the country. This is an issue that I have been very focused on since my time as a U.S. Senator, working with my colleagues on both sides of the aisle. We have gotten a lot done.

We passed the Save Our Seas Act a couple of Congresses ago, and we passed the Save Our Seas Act 2.0, which the Congressional Research Service called the most comprehensive ocean cleanup legislation ever in the history of the Senate. It was just passed and signed into law in December. So we are making progress.

I do want to give a shout-out to one of my good friends, Senator SHELDON WHITEHOUSE. You know, some of us miss his weekly “Wake Up” speeches. I think mine is the only weekly speech

anymore. Senator WHITEHOUSE, I am not sure what happened. But Senator WHITEHOUSE and I have worked closely on this kind of legislation—ocean debris, ocean cleanup, and to help organizations like CACS with marine debris cleanup and to call attention to this issue that is solvable. We can solve this—marine debris, ocean plastics—and it is bringing a lot of people in America and across the world together.

One of CACS’s biggest annual events is the annual Kachemak Bay Coast Walk. It involves more than 200 volunteers who adopt a section of Kachemak Bay shoreline. And, again, you have got to visit Kachemak Bay, one of the most beautiful places on the planet Earth. Trust me. Surveying changes, collecting data on marine life and human impact and cleaning up beach litter and marine debris is what people do every year with the Kachemak Bay Coast Walk. It is the kind of great local work that really makes a difference. It brings people from all across Alaska together—people who know how special and beautiful Kachemak Bay is—and it creates community. It creates community, and that is so important, not just for our State but for our oceans and the coastline.

So that is one of the many things Beth has done.

Beth and her husband, Charlie, who is a retired shellfish biologist with the Alaska Department of Fish and Game have four children. The youngest is finishing eighth grade, and the oldest is 33.

Beth develops environmental curriculums for schools. She is a Rotarian, a Girl Scout leader, and keeps CACS running seamlessly. She says she does all of this because she has a passion for sharing the outdoors with people—Alaskans, Americans, people from all over the world, but especially the next generation—and she hopes that her work not only will have an immediate impact on the environment but helps people to understand the challenges of our oceans and to focus more on cleanup, because who doesn’t want to clean up our oceans?

Local businesses, she is noticing, are using more recyclable material. People are leaving less trash behind. People are talking more about cleanup and ownership, and that is how you make a difference at the local level, and it spreads out all over the State and the country.

Beth said:

I hope that, through my work, we can provide the opportunities to understand and appreciate nature. I am proud of where I live. I love Homer. I want to take care of it. I hope that others [in the community] feel that way too.

Beth, that is a great sentiment, and it is also one of the many reasons we are proud to honor you today with this very prestigious award, being our Alaskan of the Week. Congratulations.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

(The remarks of Mr. CORNYN, pertaining to the introduction of S. 1358, are printed in today’s RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

Mr. CORNYN. I yield the floor.

The PRESIDING OFFICER (Mr. WARNOCK). The Senator from Maine.

(The remarks of Ms. COLLINS pertaining to the introduction of S. 1345 are printed in today’s RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

Ms. COLLINS. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### EARTH DAY

Mr. CARPER. Mr. President, today is a special day. It is Earth Day. I had the privilege of actually being at the first Earth Day, at Golden Gate Park, a million years ago. The speaker there that day was Ralph Nader, and there was a huge crowd. Hundreds of thousands of people were there.

Ralph Nader made a lot of fame and fortune writing a book called “Unsafe at Any Speed,” about the Corvair Monza. That was my first car, a Corvair Monza. And as he was there speaking that day, I couldn’t help but think about how much I loved my Corvair Monza and couldn’t believe he wrote that book about it.

He actually made a lot of sense and, certainly, it was a rallying point for people in this country who realized that we were going the wrong way in terms of the cleanliness of our air and the cleanliness of our water.

I had gone to Ohio State and was a Navy ROTC midshipman there, and I ended up in Southeast Asia. I remember being over in Southeast Asia on one of our deployments, and the Cuyahoga River, up the road from Ohio State, in Cleveland, OH, caught on fire. They had too many people drinking the dirty water.

I liked to run outside. I know our Presiding Officer is a big athlete as well. I know there were days that I would run outside, in the 1960s and 1970s—and in some places, even now, around the world—and I was doing more damage than good by breathing the air in those places.

But some amazing things happened in 1970, right around 1970. We saw the creation of the Environmental Protection Agency. I don’t think it was done initially as a bill. I think it was actually done sort of as an Executive order. Richard Nixon was the President then.

I think the Congress came along a few years later and sort of passed legislation to implement the Executive order. The Clean Air Act was signed into law. The Clean Water Act was passed. I think Richard Nixon initially

vetoed the Clean Water Act. But they had huge support—overwhelming support, Democrat and Republican—for both measures.

We didn't give a whole lot of concern in those days to climate change. Nobody really talked, in the 1960s and the 1970s or the 1980s, about climate change. But something started happening on our planet. People said: I think it is getting warmer. The weather seems to be a bit more extreme as time goes by.

Then scientists reported that a hole was being formed in the ozone layer over the North Pole, and it started off small and got bigger and bigger and bigger. And people a lot smarter than me said: This is not good. We have to figure out what is going on here.

They finally figured out that it was something called CFCs, or chlorofluorocarbons, which were actually found in our air-conditioners, our freezers, and refrigerators. They did a really good job in keeping things cool, including us, but, unfortunately, it led to the hole in the ozone.

So some really smart scientists got to work, and they came up with something called HFCs, hydrofluorocarbons. HFCs did a really good job keeping us cool. They also did a good job in terms of the hole in the ozone going away. But the bad thing about HFCs, or hydrofluorocarbons, is that they are a thousand times worse for climate change, the warming of our climate, than carbon, carbon dioxide. So some good but some bad as well.

We passed the legislation, and it was signed—I think unbeknownst to him—last December, by the President. It is legislation that phases down HFCs, or hydrofluorocarbons. So now we are going to have American-made products that will keep us cool and will be good and positive with respect to climate change, and will create a lot of jobs—tens of thousands, maybe hundreds of thousands of jobs, American jobs with American technology—and strengthen our economy in a variety of different ways.

So on this Earth Day, there is a lot to be concerned about, but the HFC phase-down that I just talked about was signed into law and was part of a much bigger package in December, that is worth a half a degree Celsius.

Scientists will tell you that what we want is to be careful to not see the Earth temperature go up by more than 2 or 3 degrees Celsius, and if we do, it becomes sort of irreversible and we are in real trouble then on this planet.

But this one thing that we did, voted on here in this Chamber, phasing down HFCs, is worth about a half a degree Celsius. There is still more to do, but that is a good start.

The greatest source of carbon dioxide on our planet is not HFCs, but it is the emissions from our cars, trucks, and vans—our mobile fleet. About 28 percent of carbon emissions come from our cars, trucks, and vans. About another 25 percent comes from utilities,

powerplants that provide electricity for us, a lot of them powered by coal or natural gas—mostly coal. And another large source of carbon emissions is from industries. Think of cement plants, if you will. If you add those three together, it is about 75 percent of the carbon emissions in our country—just those three sources.

There used to be a guy, a bank robber, whose name was Willie Sutton. You may or may not have heard of him. He lived during the Depression, before either of us. But he robbed a lot of banks. He finally got caught and ended up in trial before the judge.

And the judge said: Mr. Sutton, why do you rob all those banks?

And Willie Sutton replied, famously: That is where the money is, your Honor. That is where the money is.

Well, one of the reasons why we focus on carbon emissions and global warming emissions coming from mobile sources is that that is 28 percent of the emissions. That is not where the money is, but that is where the emissions are, where a lot of them are coming from.

And we are getting really exciting announcements from American companies, auto companies. GM has announced this year that starting in 2035, they will not be manufacturing cars, trucks, or vans that are burning gasoline or diesel fuel. They are just going to be electric. They will be using hydrogen and fuel cells. That is huge—by 2035. That is only like 14 years away.

Ford has made similar kinds of pledges. I think Volkswagen and a number of other companies have made similar pledges. And they are not pledges for things that will take place in like 40 or 50 years. We are talking about right down the road, right down the road. That is great news because the threat of climate change is imminent, and we don't have a lot of time to meet it.

I was in a hearing this morning. One of the committees I serve on is Homeland Security and Governmental Affairs. One of the issues that we have that we are responsible for is the Postal Service. I think, maybe for reasons that go back to my time in the Vietnam war, of being overseas in the war and how, every week, when we would get the mail over there, it was the best part of the week. You would hear from your families, loved ones, friends, newspapers, magazines, care packages. It was a great day.

So I have great affection for the Postal Service, even today. I love the idea of mail-in voting, and I know my friend from Georgia has some affection for people being able to participate and exercise their constitutional rights through the mail. And, hopefully, we will do more of that in smart ways like that in the future.

But the Postal Service still provides a valuable service. We were reminded of that during the election last year. But the Postal Service, the men and women who drive around and deliver

our mail, they drive around in vehicles that are, on average, 25 years and older. Almost all of them are diesel or gasoline powered.

The Postal Service realizes that they need to upgrade their fleet, and they need to do that sooner than later. It is not cheap. It is not a cheap thing to do—165,000 mail trucks that need to be replaced in the next several years.

There is a 10-year plan that the Postal Service has put out—how they plan to, sort of, and return to, if not to profitability, at least to improve over time to a break-even situation. One of the things that is in their plan is to buy and replace their existing fleet of cars, trucks, and vans—mostly trucks and vans.

They are apparently in a contract with a company up in Oshkosh, WI, called Oshkosh, and the idea is to build a bunch of vehicles, tens of thousands of them, over the next decade or so.

We had three nominees today before us who have been nominated to be members of the Board of Governors of the Postal Service. In all, there are nine members of the Board of Governors, nominated by the President, confirmed by the Senate. They have three vacancies, and we had three nominees to fill those vacancies before us.

I wished them all a happy Earth Day, and then I talked to them about what lies ahead in terms of replacing 165,000 vehicles. And, apparently, originally, the first couple of thousand vehicles that will be produced will be gas and diesel, and then, after that, the vehicles could be gas, diesel, or electric—or hydrogen, for that matter.

There is an extra cost when we switch to electric, extra costs when we switch over to, say, hydrogen, if that is the technology that is chosen, because you need electric charging stations and you need the hydrogen fueling stations.

It is easy to take your gasoline-powered vehicle or your diesel-powered vehicle to a gas station. It is on the corner. It is in your town. But if you need to get the electric charger for your battery or you need the hydrogen for your fuel cell vehicle, then that costs some money. And it can't all be on the Postal Service. It can't all be on the Postal Service.

As we put together this next infrastructure package for our country—and we are going to be debating here legislation that Senator CAPITO and I on the Environment and Public Works Committee have been working on with our bipartisan team next week, a big package on wastewater treatment and on drinking water, clean drinking water. That will be the first big infrastructure bill that we pass, I think, in the Senate—hopefully, next week. But there will be, hopefully, a lot more. And part of that will be roads, highways, and bridges coming down the road. And part of that will be charging stations in densely populated corridors all over the country—charging stations for electric vehicles and fueling stations

for hydrogen vehicles, which have a lot of potential, too.

I just want us to keep in mind, when that day comes—I want the Postal Service to keep in mind that we need for them to set an example—for the Postal Service to set an example. If they go out and two-thirds of the new vehicles they buy are gasoline- and diesel-powered, shame on them, and, frankly, shame on us in this body for allowing that to happen.

But we have to remember that the Postal Service is fighting for its life, and we need to be there and be helpful in terms of helping to pay for the infrastructure that they will need when they buy these new vehicles.

I will close with this. Mr. President, I am not sure where Home Depot is headquartered. Are they not headquartered in Georgia? If they are, nod your head. I think they are. I love to talk about Home Depot.

Whenever I go down to Central America, to places like Honduras, Guatemala, and El Salvador—we call them the Northern Triangle countries—we have something in place called the Alliance for Prosperity program. It is designed to help fight corruption, their crime, their violence, and their lack of economic opportunity there.

And we provide money—taxpayer money—to help these countries down there, so people will stop feeling like they have to come up here to escape the violence, the corruption, the crime, and the lack of economic opportunity. So we provide some money, and then we expect them, for every dollar we provide, to provide four or five dollars on their own. We want foundations to put up money. We want businesses to put up money to help produce this as well.

I say to the people of Honduras, Guatemala, and El Salvador, who live in some really terrible situations, when I talk to them about the Alliance for Prosperity, which has been in place now for several years: You can do it. You, those three countries—Honduras, Guatemala, and El Salvador—you can do it. We can help, and I think we have a moral obligation to help.

I think at the Postal Service, they can do it. They can update their fleet. They can do so in a way that is sustainable and is actually good for this planet. This is the only planet we are going to have. We have to take care of it or, otherwise, face huge, huge challenges.

So I would, on this Earth Day, say to my colleagues that the anniversary provides opportunity. The Postal Service is going through its share of adversity, as well, but there is real opportunity, as well, to help the Postal Service and the men and women who work there to do a better and a more reliable job of delivering the mail to all of us but, also, to do so in a way that is good for our planet.

That would be a very, very good thing and make this Earth Day especially memorable.

Mr. President, with that, I am going to bid you adieu. Great weekend to you and the staff. God bless you. Thank you so much.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from Wisconsin.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Ms. BALDWIN. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 59, Deanne Bennett Criswell, of New York, to be Administrator of the Federal Emergency Management Agency, Department of Homeland Security; that the cloture motion be withdrawn, the nomination be confirmed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; and 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.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

#### UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Ms. BALDWIN. Mr. President, as if in executive session, I ask unanimous consent that the cloture motions presented earlier be considered to have been presented in the following order: Miller, McCabe, and Kahl.

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

#### MORNING BUSINESS

Ms. BALDWIN. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

(At the request of Mr. CRUZ, the following statement was ordered to be printed, in the RECORD.)

#### COVID-19 HATE CRIMES ACT

• Mr. LEE. Mr. President, over the past 13 months, Americans have endured extraordinary constraints on one

of the most precious rights guaranteed by our Constitution: the right to freely exercise their religion. There is, perhaps, no freedom more intertwined with our nation's history. It was religious freedom that drove persecuted settlers from England to America just over 400 years ago. And they were not the last. Over the centuries, countless religious minorities from across the world have come to America, seeking refuge from religious warfare and bigotry.

To be clear, we haven't always lived up to this ideal. Members of the church to which I belong were forced to flee across the country due to religious persecution, to name just one example. Despite these aberrations, however, no nation in the history of the world has protected and preserved the rights of religion and conscience like the United States. And that's not an accident. The First Congress recognized the profound importance of religious freedom by protecting it in the very first sentence of the Bill of Rights. That provision—called the First Amendment—states that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." The Supreme Court has applied this prohibition to State and local governments through the 14th Amendment.

So what does this mean, practically? First, governments cannot discriminate against religion or single it out for worse treatment than similar non-religious activities. But, second, if a government does treat religion differently than other similar activities, it must "pass" the "strict scrutiny" test. That means that the government must show that there was absolutely no other way to achieve an extremely important goal than restricting the religious activity in question.

The First Amendment is clear. Religious exercise must be protected. Nevertheless, over the course of the pandemic, governments throughout the country have placed heavy-handed restrictions on this fundamental freedom, restricting Americans' freedom to gather for worship, to meet in smaller groups for religious purposes, or even to sing.

At first, Americans accepted these restrictions. We understood the extraordinary difficulties facing our leaders as they struggled to grapple with a new and deadly virus. And we were assured that these restrictions would be temporary, lasting no longer than necessary. But as the weeks and months dragged on and the prohibitions on religious exercise continued, we began to see a startling trend. As restrictions on restaurants, casinos, and museums began to thaw, in many states, synagogues, churches, temples, mosques, and other religious gatherings were left out in the cold.

In May 2020, the Governor of California allowed some restaurants and retail businesses to operate indoors with up to 50 Percent capacity. Meanwhile, all indoor religious services—of

any size, and even with identical precautions—were outright banned.

California was not alone. In Nevada, the Governor allowed gambling establishments to reopen in June, 2020. As thousands flooded into casinos along the Las Vegas strip, religious gatherings in Nevada remained strictly limited to 50 people. Likewise, in New York, houses of worship were explicitly singled out for worse treatment. In some areas, religious gatherings were restricted to only 10 people, while train stations, acupuncture facilities, and factories in that same area could allow entry to as many as they wished.

And I could go on. Again, and again, COVID lockdown rules left religious Americans on the outside looking in.

Despite several opportunities to overturn these clear, discriminatory restrictions, for most of 2020, the Supreme Court failed to intervene. In *South Bay v. Newsom*, five Justices—without explanation—declined to halt California's ban on all religious services. Likewise, in *Calvary Chapel v. Sisolak*, the Supreme Court left Nevada's discriminatory ban on houses of worship in place. And again, they did so without explanation.

The pandemic stretched on. Some States eased restrictions, allowing worshippers to gather. Others did not. During that time, countless weddings, baptisms, holy days, and, perhaps most heartbreakingly—funerals—were observed in isolation from family, friends, and community. Or not at all.

Finally, in November of last year—after over 8 months of lockdowns—a ray of light broke through. In *Roman Catholic Diocese v. Cuomo*, the Court held that “even in a pandemic, the Constitution cannot be put away and forgotten. [New York's] restrictions . . . strike at the very heart of the First Amendment's guarantee of religious liberty.” Subsequent decisions earlier this year resurrected the First Amendment's robust protections of religious liberty. Just a few weeks ago, in *Tandon v. Newsom*, the Supreme Court resoundingly affirmed religious freedom, summarily rejecting California's discriminatory restrictions. Thanks to God, the First Amendment lives.

It's been a long road to get here. But we can't ignore the lessons of the past 13 months. That's why I offered an amendment to S.937, the COVID-19 Hate Crimes Act, which would require the Attorney General to create a report detailing the restrictions imposed on religious exercise imposed during the pandemic.

This amendment directs the Department of Justice to look into: first, whether governments applied the same rules to religious groups that they applied to similar nonreligious organizations and businesses, and, second, whether those restrictions complied with the First Amendment. The goal here is simple—we need to understand and remember how Americans in 2020 lost their religious freedoms in order to ensure that it never happens again.

#### NOTICE OF THE VOTE UNDER S. RES. 27

Mr. WYDEN. Mr. President, I ask unanimous consent to print the following letter in the CONGRESSIONAL RECORD.

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

*To the Secretary of the Senate:*

PN 124, the nomination of Chiquita Brooks-LaSure, of Virginia, to be Administrator of the Centers for Medicare and Medicaid Services having been referred to the Committee on Finance, the Committee, with a quorum present, has voted on the nomination as follows—

(1) on the question of reporting the nomination favorably with the recommendation that the nomination be confirmed, 14 ayes to 14 noes; and

In accordance with section 3, paragraph (1)(A) of S. Res. 27 of the 117th Congress, I hereby give notice that the Committee has not reported the nomination because of a tie vote, and ask that this notice be printed in the Record pursuant to the resolution.”

#### EARTH DAY

Mr. CARDIN. Mr. President, today I rise to join my friends in celebrating Earth Day. Senator Gaylord Nelson began the tradition in 1970, making today the 51st celebration of Earth Day. While it is always important to set aside a day to pause and reflect on our relationship with the natural world, I consider this Earth Day one of the most important yet. As we begin to emerge from the chaos of the COVID-19 pandemic and reset our new “business as usual,” we are stepping into a new world, ripe with opportunity for progress on climate change with a more meaningful understanding of what it means to live in a global community. Our Nation and planet are at a crossroads in determining the future of our climate. With a new administration that understands the threat of climate change and the role of the United States as a global leader, we are at the precipice of bold action.

The scientific consensus is that climate change will have devastating and far-reaching impacts on the environment, public health, and national security, and we must mitigate and adapt. In 2018, the United Nations U.N. Intergovernmental Panel on Climate Change, IPCC found that if a concerted multilateral effort is not made to keep global temperatures from rising 1.5 degrees Celsius 2.7 degrees Fahrenheit by 2100, we will cross a tipping point and cause the worst damage by climate change. The scientific community has been sounding the alarm for years, which too many of our colleagues have chosen to ignore.

The ongoing COVID-19 pandemic highlighted the challenges and opportunities of our increasingly globalized world. More than ever, we are understanding how decisions governments, corporations, and individuals make have real-world impacts and consequences. Actions that affect our cli-

mate are no different. An understanding of our impact in determining our collective future will only help us in our pursuit of a healthier planet.

Fortunately, our communities have proven resilient and adaptable. Over the past year, Americans have been burdened with collective grief, fear, and uncertainty. Through it all, our Nation has demonstrated a grit and ingenuity unlike anything we have seen in generations. We saw parents step up as teachers, corporations pivot their business models to keep people safe, and an entire population of office workers transition to working from home. In terms of action on climate change, this flexibility proves that a departure from the status quo is not as unrealistic as we may have thought previously. In fact, a change from “business as usual” can have unforeseen benefits for our quality of life and our planet.

Equipped with the lessons learned from the COVID-19 pandemic, I am more confident than ever that our Nation is ready to commit to action on climate change in earnest. Additionally, the Biden administration is already pursuing an aggressive climate agenda by reversing President Trump's shortsighted decisions and doubling down on President Obama's environmental regulations. The Build Back Better agenda recognizes both the need to mitigate emissions and prepare for the impacts of climate change that are already harming our communities. A great and overdue need to update our Nation's infrastructure provides an opportunity to address some of our society's most insidious sources of pollution.

Emissions from passenger and freight transport makes up the largest proportion of our Nation's total greenhouse gas emissions—nearly 30 percent. The Federal Government can and must work quickly to address climate change through transportation and infrastructure policy. As chair of the Transportation and Infrastructure Subcommittee of the Senate Environment and Public Works Committee, I am committed to ensuring that any legislation the committee considers addresses greenhouse gas emissions reductions in a meaningful way. In 2019, the Senate Committee on Environment and Public Works unanimously reported an innovative surface transportation reauthorization that indicates a genuine bipartisan interest in action on climate change. I am confident the newest iteration of this bill will be even more ambitious.

The imperative to address climate change through transportation and infrastructure is particularly important to Maryland, a highly developed, low-lying coastal State with aging public works systems, which makes it particularly vulnerable to the impacts of climate change. My constituents and future generations have a right to good air quality, water quality, and the resilience of infrastructure assets like

roads, bridges, and storm and wastewater systems.

In recent years, Marylanders have seen firsthand the effects of climate change in my State. Intense rainstorms have caused unprecedented flood damage to homes and businesses in Prince George's County, Southwest Baltimore, Ellicott City, and Hagerstown. The cost of rebuilding our infrastructure after these storms is significant. Unless we change the way we think about infrastructure in the future, taxpayer investments will be washed away with the next big storm. I requested a Government Accountability Office GAO report on the Federal Government's fiscal exposure to the effects of climate change. GAO found that in 2018, 14 separate natural and weather disasters occurred, costing the Federal Government a total of \$91 billion. Unsurprisingly, GAO determined that this amount will rise as climate change causes more frequent and more severe weather events. Inaction on this issue amounts to a gross negligence by Congress in our management of taxpayers' funds. I consider it my duty to ensure that the Federal Government takes full advantage of the opportunity before us to make long-sighted upgrades to our systems.

In addition to building back physical infrastructure better, the Nation is in the process of rebuilding its reputation on the international stage as a leader on climate change. By rejoining the Paris Agreement, the United States is signaling its commitment to the global community. As I speak, the President is hosting the Leaders Summit on Climate, where world leaders will outline how their countries will commit to their own ambitious goals. The United States is committing to a bold 2030 emissions target as its new nationally determined contribution under the Paris Agreement. This summit represents the formal return of the United States to its leadership position and an opportunity to regain the trust from our international partners that President Trump decimated.

When President Trump withdrew the United States from the Paris Agreement, I helped to maintain relationships with our partner-members by introducing a bipartisan resolution that expressed support for the Paris Agreement and assuring the international community that, despite President Trump's abdication of his duties, leaders on climate change in the U.S. Senate remained. I previously led the U.S. congressional delegation to the conference where the Paris Agreement was adopted and will continue to position our Nation as a strong partner in the international fight against warming global temperatures.

Domestically, this Earth Day, I will recommit to my long-term endeavor to preserve and restore the Chesapeake Bay. The Chesapeake Bay is the lifeblood of the State of Maryland, and the communities that depend on it are seeing their livelihood threatened as the

climate changes. Saltwater intrusion on agricultural lands and fragile fisheries make it harder for Maryland farmers and fishers to earn a living. In some cases, Marylanders are seeing their communities disappear before their eyes from the dual threat of sea level rise and subsidence. A healthy Chesapeake Bay watershed is essential to a thriving economy. Additionally, the Chesapeake Bay's wetlands are Maryland's best defense against climate change-induced flooding, as they act as natural buffers to storm surge during severe weather.

The good news is that action on climate change, through international commitments, domestic infrastructure improvements, and restoring regional natural resources like the Chesapeake Bay, will stimulate our economy. Stewardship of our environmental can and should go hand in hand with economic development. Our Nation will be grappling with the economic fallout of the COVID-19 pandemic for years to come, and bold Federal action is a time-tested practice for economic recovery. A truly bold investment in action on climate change will pay dividends for generations to come, but it must meet the size and urgency of the challenge before us.

I am certain that our Nation can honor our planet and our future generations with urgent, thoughtful decision-making. Earth Day is one of the most celebrated secular holidays in the world and for good reason. We are all stewards of our planet and now more than ever understand that we are on a journey together. I will embrace this Earth Day and the opportunities for progress that lie ahead. I hope my Senate colleagues and all Americans will join me honoring our planet through diligent work, today and every day.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO MARY LILLY SMITH

• Mr. BLUNT. Mr. President, I rise today to honor a Springfield, MO, resident who has dedicated 38 years of her life in service to the city of Springfield by helping facilitate economic development, creating and retaining thousands of jobs, and bringing life to the downtown area. Mary Lilly Smith started her career in 1983 as a city planner for downtown Springfield, where she helped create the city's initial neighborhood conservation office. During the next 38 years, Mary played an instrumental role in nearly 100 key economic initiatives.

Mary is best known for her 17 years as the economic development director. Along with her commitment to the downtown area, she created the Economic Development Incentives Policy Manual, which became a template for other towns and cities across the State to implement development policies. In addition to her economic development initiatives, Mary made sure to preserve

the city of Springfield's incredible history. Throughout her nearly four decades of service, Mary has developed many different approaches to preserving and honoring the history of the area. She also developed the city's first capital improvement program, which facilitated a change in the review process for protecting architecturally significant historical properties.

Mary leaves behind a legacy for the city of Springfield to be enjoyed by all for years to come. For her many years of service, she has earned her retirement. As she enters this new chapter of her life, I offer Mary best wishes.●

##### TRIBUTE TO ROD OSTERMILLER

• Mr. DAINES. Mr. President, this week I have the honor of recognizing Rod Ostermiller of Yellowstone County for nearly 30 years of service in law enforcement in Montana.

Rod first entered law enforcement in 1991 at the age of 21 and moved up the ranks swiftly. In 2004, he became Chief Deputy Marshal and later served as acting U.S. Marshal when his predecessor retired.

In 2018, I had the distinct honor of nominating Rod to become the U.S. Marshal for Montana, which received unanimous approval in the U.S. Senate. He was then officially appointed by President Trump.

Rod is a Montana native from the south side of Billings. He later attended Montana State University to earn his bachelor's degree in criminal justice.

Since his retirement from law enforcement, Rod went on to become the executive director of the Mental Health Center in Billings, where he continues to help combat the meth crisis we have in Montana in a different capacity. He exemplifies what it means to make one's community better.

It is my honor to recognize Rod for his decades of service to Montana's law enforcement and for his continued efforts to make Montana a safer and better place for all.●

##### 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 which were referred to the appropriate committees.

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

##### MESSAGES FROM THE HOUSE

###### ENROLLED BILL SIGNED

At 10:32 a.m., a message from the House of Representatives, delivered by

Mrs. Alli, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 422. An act to allow Senators, Senators-elect, committees of the Senate, leadership offices, and other offices of the Senate to share employees, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

At 11:07 a.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1333. An act to transfer and limit Executive Branch authority to suspend or restrict the entry of a class of aliens.

H.R. 1392. An act to protect Saudi dissidents in the United States, and for other purposes.

H.R. 1573. An act to clarify the rights of certain persons who are held or detained at a port of entry or at any facility overseen by U.S. Customs and Border Protection.

H.R. 2630. An act to amend the Temporary Reauthorization and Study of the Emergency Scheduling of Fentanyl Analgesics Act to extend under October 2021, a temporary order for fentanyl-related substances.

At 1:09 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 51. An act to provide for the admission of the State of Washington, D.C. into the Union.

H.R. 367. An act to amend the Homeland Security Act of 2002 to establish an acquisition professional career program, and for other purposes.

H.R. 370. An act to amend the Homeland Security Act of 2002 to make technical corrections to the requirement that the Secretary of Homeland Security submit quadrennial homeland security reviews, and for other purposes.

H.R. 396. An act to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to clarify certain allowable uses of funds for public transportation security assistance grants and establish periods of performance for such grants, and for other purposes.

H.R. 397. An act to amend the Homeland Security Act of 2002 to establish chemical, biological, radiological, and nuclear intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Homeland Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to homeland security, and for other purposes.

H.R. 408. An act to amend the Homeland Security Act of 2002 to establish a mentor-protégé program, and for other purposes.

H.R. 490. An act to amend the Homeland Security Act of 2002 to improve morale within the Department of Homeland Security workforce by conferring new responsibilities to the Chief Human Capital Officer, establishing an employee engagement steering committee, requiring action plans, and authorizing an annual employee award program, and for other purposes.

H.R. 965. An act to establish a comprehensive United States Government initiative to build the capacity of young leaders and entrepreneurs in Africa, and for other purposes.

H.R. 1251. An act to support United States international cyber diplomacy, and for other purposes.

H.R. 1395. An act to require the Secretary of Housing and Urban Development to discount FHA single-family mortgage insurance premium payments for first-time homebuyers who complete a financial literacy housing counseling program.

H.R. 1491. An act to amend the Fair Debt Collection Practices Act to provide enhanced protection against debt collector harassment of members of the Armed Forces, and for other purposes.

H.R. 1528. An act to require the Securities and Exchange Commission to carry out a study of Rule 10b5-1 trading plans, and for other purposes.

H.R. 1532. An act to require a review of the effects of FHA mortgage insurance policies, practices, and products on small-dollar mortgage lending, and for other purposes.

H.R. 1565. An act to create an interdivisional taskforce at the Securities and Exchange Commission for senior investors.

H.R. 1602. An act to direct the Commodity Futures Trading Commission and the Securities and Exchange Commission to jointly establish a digital asset working group, and for other purposes.

H.R. 2523. An act to amend the American Rescue Plan Act of 2021 to improve the COVID-19 Veteran Rapid Retraining Assistance program, to make certain technical corrections to the Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020, and for other purposes.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 367. An act to amend the Homeland Security Act of 2002 to establish an acquisition professional career program, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 370. An act to amend the Homeland Security Act of 2002 to make technical corrections to the requirement that the Secretary of Homeland Security submit quadrennial homeland security reviews, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 396. An act to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to clarify certain allowable uses of funds for public transportation security assistance grants and establish periods of performance for such grants, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 397. An act to amend the Homeland Security Act of 2002 to establish chemical, biological, radiological, and nuclear intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Homeland Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to homeland security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 408. An act to amend the Homeland Security Act of 2002 to establish a mentor-protégé program, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 490. An act to amend the Homeland Security Act of 2002 to improve morale within the Department of Homeland Security workforce by conferring new responsibilities to the Chief Human Capital Officer, establishing an employee engagement steering committee, requiring action plans, and authorizing an annual employee award program, and for other purposes.

lishing an employee engagement steering committee, requiring action plans, and authorizing an annual employee award program, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 965. An act to establish a comprehensive United States Government initiative to build the capacity of young leaders and entrepreneurs in Africa, and for other purposes; to the Committee on Foreign Relations.

H.R. 1251. An act to support United States international cyber diplomacy, and for other purposes; to the Committee on Foreign Relations.

H.R. 1333. An act to transfer and limit Executive Branch authority to suspend or restrict the entry of a class of aliens; to the Committee on the Judiciary.

H.R. 1392. An act to protect Saudi dissidents in the United States, and for other purposes; to the Committee on Foreign Relations.

H.R. 1395. An act to require the Secretary of Housing and Urban Development to discount FHA single-family mortgage insurance premium payments for first-time homebuyers who complete a financial literacy housing counseling program; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 1491. An act to amend the Fair Debt Collection Practices Act to provide enhanced protection against debt collector harassment of members of the Armed Forces, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 1528. An act to require the Securities and Exchange Commission to carry out a study of Rule 10b5-1 trading plans, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 1532. An act to require a review of the effects of FHA mortgage insurance policies, practices, and products on small-dollar mortgage lending, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 1565. An act to create an interdivisional taskforce at the Securities and Exchange Commission for senior investors; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 1573. An act to clarify the rights of certain persons who are held or detained at a port of entry or at any facility overseen by U.S. Customs and Border Protection; to the Committee on the Judiciary.

H.R. 1602. An act to direct the Commodity Futures Trading Commission and the Securities and Exchange Commission to jointly establish a digital asset working group, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2523. An act to amend the American Rescue Plan Act of 2021 to improve the COVID-19 Veteran Rapid Retraining Assistance program, to make certain technical corrections to the Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020, and for other purposes; to the Committee on Veterans' Affairs.

#### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, April 22, 2021, she had presented to the President of the United States the following enrolled bill:

S. 422. An act to allow Senators, Senators-elect, committees of the Senate, leadership offices, and other offices of the Senate to share employees, and for other purposes.

## EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-824. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Metaflumizone; Pesticide Tolerances" (FRL No. 10018-60-OCSP) received in the Office of the President of the Senate on April 19, 2021; to the Committee on Agriculture, Nutrition, and Forestry.

EC-825. A communication from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Debt Collection Practices in Connection with the Global COVID-19 Pandemic (Regulation F)" (RIN3170-AA41) received in the Office of the President of the Senate on April 19, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC-826. A communication from the Executive Director, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "WECC Regional Reliability Standard BAL-002-WECC-3 (Contingency Reserve)" (RIN1902-AF75) (Docket No. RM19-20-000) received in the Office of the President of the Senate on April 21, 2021; to the Committee on Energy and Natural Resources.

EC-827. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Regulatory Guide (RG) 1.105 Rev 4, Setpoints for Safety-Related Instrumentation" received in the Office of the President of the Senate on April 19, 2021; to the Committee on Environment and Public Works.

EC-828. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Regulatory Guides (RG) 5.75, 'Training and Qualification of Security Personnel at Nuclear Power Reactor Facilities" received in the Office of the President of the Senate on April 19, 2021; to the Committee on Environment and Public Works.

EC-829. A communication from the Senior Wildlife Inspector, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "2021 Inflation Adjustments for Civil Monetary Penalties" (RIN1018-BF11) received in the Office of the President of the Senate on April 19, 2021; to the Committee on Environment and Public Works.

EC-830. A communication from the Acting Assistant Secretary of State, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "Cuban Compliance with the Migration Accords (October 2020 through April 2021)"; to the Committee on Foreign Relations.

EC-831. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Amendments to Medical Device Classification Regulations to Conform to Medical Software Provisions in the 21st Century Cures Act" (RIN0910-AI45) received in the Office of the President of the Senate on April 21, 2021; to the Committee on Health, Education, Labor, and Pensions.

EC-832. A communication from the Director, Office of Government Ethics, transmit-

ting, pursuant to law, the report of a rule entitled "Post-Employment Conflict of Interest Restrictions; Revision of Department Component Designations" (RIN3209-AA58) received in the Office of the President of the Senate on April 19, 2021; to the Committee on Homeland Security and Governmental Affairs.

EC-833. A communication from the Comptroller General of the United States, Government Accountability Office, transmitting, pursuant to law, a report relative to the Office's audit of the United States government's fiscal years 2020 and 2019 consolidated financial statements; to the Committee on Homeland Security and Governmental Affairs.

EC-834. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Television Broadcasting Services; Corpus Christi, Texas" (MB Docket No. 21-396) received in the Office of the President of the Senate on April 19, 2021; to the Committee on Commerce, Science, and Transportation.

EC-835. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Television Broadcasting Services; Jefferson City, Missouri" (MB Docket No. 21-10) received in the Office of the President of the Senate on April 19, 2021; to the Committee on Commerce, Science, and Transportation.

EC-836. A communication from the Deputy Division Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Auction of AM and FM Broadcast Construction Permits Scheduled for July 27, 2021: Notice of Filing Requirements, Minimum Opening Bids, Upfront Payments, and Other Procedures for Auction 109" (AU Docket No. 21-39) received in the Office of the President of the Senate on April 19, 2021; to the Committee on Commerce, Science, and Transportation.

## PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-12. A petition from a citizen of the State of Texas relative to private prisons; to the Committee on the Judiciary.

## EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. WYDEN for the Committee on Finance.

\*Andrea Joan Palm, of Wisconsin, to be Deputy Secretary of Health and Human Services.

By Mr. TESTER for the Committee on Veterans' Affairs.

\*Richard A. Sauber, of the District of Columbia, to be General Counsel, Department of Veterans Affairs.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first

and second times by unanimous consent, and referred as indicated:

By Mr. WYDEN (for himself, Ms. STABENOW, Mr. SCHUMER, Ms. CANTWELL, Mr. CARPER, Mr. CARDIN, Mr. BENNET, Mr. WHITEHOUSE, Ms. HASSAN, Ms. CORTEZ MASTO, Mrs. FEINSTEIN, Mr. DURBIN, Ms. KLOBUCHAR, Mrs. SHAHEEN, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. SCHATZ, Ms. HIRONO, Mr. HEINRICH, Mr. Kaine, Mr. BOOKER, Mr. VAN HOLLEN, Ms. SMITH, Ms. BALDWIN, Ms. ROSEN, Mr. LEAHY, Mr. KING, and Mr. MURPHY):

S. 1298. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for increased investment in clean energy; to the Committee on Finance.

By Mr. YOUNG (for himself, Ms. CORTEZ MASTO, Mr. SCOTT of South Carolina, Mr. BENNET, Mr. CARDIN, and Mr. GRAHAM):

S. 1299. A bill to amend the Internal Revenue Code of 1986 to provide for the tax-exempt financing of certain government-owned buildings; to the Committee on Finance.

By Mr. CARDIN (for himself, Mr. PORTMAN, Ms. STABENOW, Mr. CRAPO, Ms. CANTWELL, Mr. DAINES, Mr. BROWN, Ms. COLLINS, Mr. CASEY, Mr. RISCH, Mr. WHITEHOUSE, Mr. BLUNT, Ms. HASSAN, Mr. BOOZMAN, Mr. LEAHY, Mrs. FISCHER, Mrs. MURRAY, Ms. ERNST, Mr. SANDERS, Ms. KLOBUCHAR, Mr. TESTER, Mrs. SHAHEEN, Mr. KING, Mr. BOOKER, Mr. PETERS, Mr. VAN HOLLEN, and Ms. DUCKWORTH):

S. 1300. A bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes; to the Committee on Finance.

By Mr. BROWN (for himself, Mr. WICKER, and Mrs. CAPITO):

S. 1301. A bill to provide for the publication by the Secretary of Health and Human Services of physical activity recommendations for Americans; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN (for himself, Ms. COLLINS, Ms. MURKOWSKI, Mr. CASSIDY, Ms. SMITH, Ms. WARREN, Mr. BENNET, Mr. REED, Mr. LEAHY, Mr. CASEY, Mr. MURPHY, Mrs. MURRAY, Mr. MENENDEZ, Mr. WHITEHOUSE, Ms. STABENOW, Ms. CORTEZ MASTO, Mr. BLUMENTHAL, Ms. HASSAN, Mr. MERKLEY, Ms. BALDWIN, Ms. KLOBUCHAR, Mr. VAN HOLLEN, Mr. BOOKER, and Mr. SANDERS):

S. 1302. A bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions; to the Committee on Finance.

By Mr. BROWN (for himself, Mr. PORTMAN, Mr. PETERS, and Mr. BRAUN):

S. 1303. A bill to ensure that certain Federal infrastructure programs require the use of materials produced in the United States, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VAN HOLLEN (for himself, Mr. WYDEN, Mr. MURPHY, Mr. MERKLEY, Mrs. GILLIBRAND, and Mr. BLUMENTHAL):

S. 1304. A bill to establish jobs programs for long-term unemployed workers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BOOKER (for himself, Mr. BROWN, Ms. SMITH, and Mr. VAN HOLLEN):

S. 1305. A bill to promote equity in advanced coursework and programs at elementary and secondary schools; to the Committee on Health, Education, Labor, and Pensions.

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

S. 1306. A bill to provide for domestic sourcing of personal protective equipment, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MORAN:

S. 1307. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to enforce licensure and related requirements for health care professionals of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WICKER (for himself, Mr. BENNET, Mr. BLUNT, Ms. STABENOW, Mrs. CAPITO, Mr. KAIN, and Ms. LUMMIS):

S. 1308. A bill to amend the Internal Revenue Code of 1986 to provide a credit to issuers of American infrastructure bonds; to the Committee on Finance.

By Ms. COLLINS (for herself, Mr. CARDIN, Mr. MARSHALL, and Mrs. SHAHEEN):

S. 1309. A bill to provide payments for home health services furnished via visual or audio telecommunications systems during an emergency period; to the Committee on Finance.

By Mr. WICKER (for himself and Mrs. SHAHEEN):

S. 1310. A bill to oppose violations of religious freedom in Ukraine by Russia and armed groups commanded by Russia; to the Committee on Foreign Relations.

By Mr. COTTON (for himself, Mrs. BLACKBURN, and Mr. TUBERVILLE):

S. 1311. A bill to secure the research enterprise of the United States from the Chinese Communist Party, and for other purposes; to the Committee on Foreign Relations.

By Mr. MURPHY (for himself, Ms. ERNST, Ms. HASSAN, Mrs. SHAHEEN, Mrs. CAPITO, Mr. BLUNT, Mr. BLUMENTHAL, Mr. VAN HOLLEN, Ms. SMITH, and Mr. TESTER):

S. 1312. A bill to amend title II of the Social Security Act to eliminate the waiting periods for disability insurance benefits and Medicare coverage for individuals with metastatic breast cancer and for other purposes; to the Committee on Finance.

By Mrs. GILLIBRAND (for herself, Ms. MURKOWSKI, Ms. KLOBUCHAR, and Ms. SMITH):

S. 1313. A bill to amend title 38, United States Code, to establish a mission statement of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. DURBIN (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. REED, Mr. MERKLEY, Mr. BLUMENTHAL, Mr. MARKEY, and Ms. HIROKO):

S. 1314. A bill to amend the Internal Revenue Code of 1986 to provide tax rate parity among all tobacco products, and for other purposes; to the Committee on Finance.

By Ms. CANTWELL (for herself, Mr. GRASSLEY, Mr. MERKLEY, Mr. YOUNG, Ms. BALDWIN, Mr. BLUNT, Ms. DUCKWORTH, Mr. WICKER, Ms. SINEMA, Mr. RUBIO, Ms. KLOBUCHAR, Ms. ERNST, Ms. SMITH, Mrs. HYDE-SMITH, Mr. REED, Mr. TILLIS, Mr. BROWN, Mr. SULLIVAN, Mr. MARKEY, Mr. DAINES, Mr. CASEY, Mr. SCOTT of South Carolina, Mrs. SHAHEEN, Mrs. CAPITO, Ms. STABENOW, Ms. MURKOWSKI, Mr. CARDIN, Mr. BOOZMAN, Mr. BLUMENTHAL, Mr. ROUNDS, Mr. SCHATZ, Mr. INHOFE, Mr. VAN HOLLEN,

Mr. HOEVEN, Mr. COONS, Mr. SCOTT of Florida, Mr. MENENDEZ, Mr. LANKFORD, Mr. BENNET, Mrs. FISCHER, Ms. CORTEZ MASTO, Mr. GRAHAM, Mrs. MURRAY, Mr. CARPER, Ms. WARREN, Mr. BOOKER, Mr. KING, Mr. DURBIN, Mr. WHITEHOUSE, Mr. TESTER, Mr. WARNER, Ms. ROSEN, Mr. PADILLA, and Mr. KELLY):

S. 1315. A bill to amend title XVIII of the Social Security Act to provide for coverage of certain lymphedema compression treatment items under the Medicare program; to the Committee on Finance.

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

S. 1316. A bill to amend the Homeland Security Act of 2002 to authorize the Secretary of Homeland Security to make a declaration of a significant incident, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KELLY (for himself and Ms. SINEMA):

S. 1317. A bill to modify the boundary of the Sunset Crater Volcano National Monument in the State of Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KELLY (for himself and Ms. SINEMA):

S. 1318. A bill to reauthorize the Yuma Crossing National Heritage Area; to the Committee on Energy and Natural Resources.

By Mr. KELLY (for himself and Mrs. BLACKBURN):

S. 1319. A bill to direct the Secretary of Veterans Affairs to make certain information publicly available on one internet website of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. KELLY (for himself and Ms. SINEMA):

S. 1320. A bill to establish the Chiricahua National Park in the State of Arizona as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KELLY (for himself and Ms. SINEMA):

S. 1321. A bill to modify the boundary of the Casa Grande Ruins National Monument, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MERKLEY:

S. 1322. A bill to establish the Financing Energy Efficient Manufacturing Program at the Department of Energy to provide financial assistance to promote energy efficiency and onsite renewable technologies in manufacturing facilities, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MERKLEY:

S. 1323. A bill to require the Secretary of Health and Human Services to establish reference prices for prescription drugs for purposes of Federal health programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. ROSEN (for herself and Mrs. BLACKBURN):

S. 1324. A bill to establish a Civilian Cyber Security Reserve as a pilot project to address the cyber security needs for the United States with respect to national security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. BLACKBURN (for herself, Mr. DAINES, Mr. BRAUN, Mrs. HYDE-SMITH, Ms. ERNST, Mr. CASSIDY, Mr. CRAMER, Mr. SCOTT of Florida, Mr. ROUNDS, Mr. LANKFORD, and Mr. INHOFE):

S. 1325. A bill to ensure that women seeking an abortion are informed of the medical

risks associated with the abortion procedure and the major developmental characteristics of the unborn child, before giving their informed consent to receive an abortion; to the Committee on Health, Education, Labor, and Pensions.

By Mr. INHOFE (for himself, Mr. TILLIS, Mrs. HYDE-SMITH, and Mr. LANKFORD):

S. 1326. A bill to prohibit the Administrator of the Environmental Protection Agency from issuing greenhouse gas emissions rules or regulations until China, India, and Russia adhere to the same emissions reduction targets as the United States under the Paris Agreement, and for other purposes; to the Committee on Environment and Public Works.

By Ms. WARREN (for herself, Mr. BLUMENTHAL, Mr. MARKEY, Mr. VAN HOLLEN, Mrs. FEINSTEIN, Mr. WARNOCK, Mr. REED, Mr. SANDERS, and Ms. CORTEZ MASTO):

S. 1327. A bill to amend the Federal Reserve Act to add additional demographic reporting requirements, to modify the goals of the Federal Reserve System, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LEAHY (for himself, Mr. TILLIS, Mr. BROWN, and Ms. COLLINS):

S. 1328. A bill to amend the Richard B. Russell National School Lunch Act to reauthorize the farm to school program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. PORTMAN (for himself and Mr. BROWN):

S. 1329. A bill to amend the National Aviation Heritage Area Act to reauthorize the National Aviation Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. SINEMA (for herself and Mr. LANKFORD):

S. 1330. A bill to facilitate the reskilling of Federal employees, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LUJAN (for himself and Mr. SCOTT of Florida):

S. 1331. A bill to require the Secretary of Transportation, acting through the Administrator of the National Highway Traffic Safety Administration, to prescribe a Federal motor vehicle safety standard for advanced drunk and impaired driving prevention technology, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LUJAN (for himself and Mr. SULLIVAN):

S. 1332. A bill to amend title V of the Public Health Service Act; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND:

S. 1333. A bill to address maternal mortality and morbidity; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND:

S. 1334. A bill to amend the Toxic Substance Control Act to codify a Federal cause of action and a type of remedy available for individuals significantly exposed to per- and polyfluoroalkyl substances, to encourage research and accountability for irresponsible discharge of those substances, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MARKEY:

S. 1335. A bill to establish a Global Climate Change Resilience Strategy, to authorize the admission of climate-displaced persons, and for other purposes; to the Committee on Foreign Relations.

By Mr. BOOKER (for himself, Mr. SCHATZ, Mr. MERKLEY, Mr. SANDERS, and Mr. DURBIN):

S. 1336. A bill to discontinue a Federal program that authorizes State and local law enforcement officers to investigate, apprehend, and detain aliens in accordance with a written agreement with the Director of U.S. Immigration and Customs Enforcement and to clarify that immigration enforcement is solely a function of the Federal Government; to the Committee on the Judiciary.

By Mr. HEINRICH (for himself, Mr. SANDERS, Mrs. GILLIBRAND, and Mr. BLUMENTHAL):

S. 1337. A bill to address the impact of climate change on agriculture, and for other purposes; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself, Mr. MURPHY, Mr. DURBIN, Ms. DUCKWORTH, Ms. WARREN, Mr. REED, Mr. SANDERS, Mrs. FEINSTEIN, Mr. MENENDEZ, Mr. MARKEY, Mr. CARPER, Mr. BOOKER, Mr. CARDIN, Mr. VAN HOLLEN, Ms. KLOBUCHAR, Mr. MERKLEY, Mr. PADILLA, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Ms. BALDWIN, Mr. Kaine, and Mr. CASEY):

S. 1338. A bill to repeal the Protection of Lawful Commerce in Arms Act, and provide for the discoverability and admissibility of gun trace information in civil proceedings; to the Committee on the Judiciary.

By Ms. CORTEZ MASTO (for herself and Mr. Toomey):

S. 1339. A bill to amend the Victims of Crime Act of 1984 to ensure crime victims are not denied compensation because of rape kit backlogs, and for other purposes; to the Committee on the Judiciary.

By Mr. TILLIS (for himself and Mr. BURR):

S. 1340. A bill to amend title 28, United States Code, to redefine the eastern and middle judicial districts of North Carolina; to the Committee on the Judiciary.

By Mr. CARDIN (for himself, Mr. BOOZMAN, Mr. MARKEY, and Mr. INHOFE):

S. 1341. A bill to amend the Water Resources Research Act of 1984 to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under that Act; to the Committee on Environment and Public Works.

By Ms. HASSAN (for herself and Ms. ERNST):

S. 1342. A bill to establish an interagency committee on the development of green alert systems that would be activated when a veteran goes missing, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. REED (for himself and Mr. VAN HOLLEN):

S. 1343. A bill to amend the Fair Credit Reporting Act to require that a consumer authorize the release of certain information; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. 1344. A bill to redesignate the Pullman National Monument in the State of Illinois as the Pullman National Historical Park, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. COLLINS (for herself and Mr. CARPER):

S. 1345. A bill to establish a national mercury monitoring program, and for other purposes; to the Committee on Environment and Public Works.

By Ms. BALDWIN (for herself, Mr. RISCH, Ms. COLLINS, Mr. CRAPO, Mr. KING, Mr. LEAHY, Ms. SMITH, and Ms. STABENOW):

S. 1346. A bill to require enforcement against misbranded milk alternatives; to the Committee on Health, Education, Labor, and Pensions.

By Ms. DUCKWORTH (for herself, Mr. BOOKER, and Mr. CARPER):

S. 1347. A bill to require the Administrator of the Environmental Protection Agency to continue to carry out certain programs relating to environmental justice, and for other purposes; to the Committee on Environment and Public Works.

By Mr. HAWLEY (for himself and Mr. BRAUN):

S. 1348. A bill to require the Director of National Intelligence to declassify information relating to the origin of COVID-19, and for other purposes; to the Select Committee on Intelligence.

By Mr. HOEVEN (for himself, Mr. LEAHY, Mr. BOOZMAN, Mr. SANDERS, Mr. ROUNDS, Ms. HASSAN, and Mr. CRAMER):

S. 1349. A bill to amend title 10, United States Code, to authorize concurrent use of Department of Defense Tuition Assistance and Montgomery GI Bill-Selected Reserve benefits, and for other purposes; to the Committee on Armed Services.

By Ms. HASSAN (for herself and Mr. SASSE):

S. 1350. A bill to require the Secretary of Homeland Security to establish a national risk management cycle, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PORTMAN (for himself, Mr. CARPER, Mr. RUBIO, Mr. COONS, Mr. BARRASSO, Ms. CORTEZ MASTO, Mrs. BLACKBURN, Ms. HASSAN, Mr. GRASSLEY, Mr. MANCHIN, Mr. HAWLEY, Mrs. SHAHEEN, Mr. JOHNSON, Mr. LANKFORD, Mr. RISCH, Mr. ROMNEY, Mr. SCOTT of Florida, and Mr. TILLIS):

S. 1351. A bill to strengthen the security and integrity of the United States scientific and research enterprise; to the Committee on Homeland Security and Governmental Affairs.

By Ms. MURKOWSKI (for herself, Mr. SULLIVAN, Mr. CRAMER, Mr. RISCH, Mr. TILLIS, Mrs. CAPITO, Mr. CRAPO, Mr. DAINES, and Mr. LANKFORD):

S. 1352. A bill to improve the quality and timeliness of Federal permitting and review processes with respect to critical mineral production on Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PETERS:

S. 1353. A bill to promote United States values and fulfill agency missions through the use of innovative applied artificial intelligence technologies, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. MURKOWSKI:

S. 1354. A bill to amend the National Trails System Act to designate the Chilkoot National Historic Trail and to provide for a study of the Alaska Long Trail, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BLUMENTHAL:

S. 1355. A bill to amend the Consumer Product Safety Act to strike provisions that limit the disclosure of certain information by the Consumer Product Safety Commission; to the Committee on Commerce, Science, and Transportation.

By Mr. WYDEN:

S. 1356. A bill to amend the Food Security Act of 1985 to create permanent payments within the environmental quality incentives program for soil health practices and carbon sequestration monitoring, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. ERNST (for herself, Mr. COONS, Mr. CASEY, Mrs. HYDE-SMITH, Mr. WICKER, and Mr. BENNET):

S. 1357. A bill to amend the Public Health Service Act to authorize the Director of the

National Institutes of Health to make awards to outstanding scientists, including physician-scientists, to support researchers focusing on pediatric research, including basic, clinical, translational, or pediatric pharmacological research, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORNYN (for himself and Ms. SINEMA):

S. 1358. A bill to establish regional processing centers, to improve the asylum and credible fear processes to promote fairness and efficiency, to require immigration court docketing priorities during irregular migration influx events, and to improve the capability of the Department of Homeland Security to manage migration flows, and for other purposes; to the Committee on the Judiciary.

By Mr. COONS (for himself, Mr. GRAHAM, and Mr. LUJÁN):

S. 1359. A bill to establish the Foundation for Energy Security and Innovation, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. MURRAY (for herself, Mr. CASEY, Ms. HIRONO, Mr. SCHUMER, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. COONS, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. HASSAN, Mr. HEINRICH, Mr. Kaine, Ms. KLOBUCHAR, Mr. LEAHY, Mr. LUJÁN, Mr. MARKEY, Mr. MENENDEZ, Mr. MURPHY, Mr. PETERS, Mr. REED, Ms. ROSEN, Mr. SCHATZ, Ms. SMITH, Mr. VAN HOLLEN, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 1360. A bill to amend the Child Care and Development Block Grant Act of 1990 and the Head Start Act to promote child care and early learning, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARSHALL:

S. 1361. A bill to reduce the size of the seat of the Government of the United States to the area comprised of the principal Federal monuments, the White House, the United States Capitol, the United States Supreme Court Building, and the Federal executive, legislative, and judicial office buildings located adjacent to the Mall and the United States Capitol, to provide for the retrocession of the remaining area of the District of Columbia to the State of Maryland, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MARSHALL:

S.J. Res. 18. A joint resolution proposing an amendment to the Constitution of the United States to repeal the twenty-third article of amendment to the Constitution of the United States; to the Committee on the Judiciary.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. INHOFE (for himself and Mr. LANKFORD):

S. Res. 171. A resolution expressing the sense of the Senate that the International Olympic Committee should correct the Olympic records for Jim Thorpe for his unprecedented accomplishments during the 1912 Olympic Games; to the Committee on Commerce, Science, and Transportation.

By Mr. BROWN (for himself, Mr. BOOKER, Mr. PADILLA, Ms. DUCKWORTH, Mr. WARNOCK, Ms. HIRONO, Mr. MARKEY,

Ms. BALDWIN, Mr. BLUMENTHAL, Mr. KAYNE, Mr. MERKLEY, Mr. CARDIN, Mr. MENENDEZ, Ms. KLOBUCHAR, Mr. WARNER, Mr. CASEY, Mr. BENNET, Ms. WARREN, Ms. SMITH, Ms. STABENOW, Mr. WYDEN, Mr. CARPER, and Mrs. MURRAY):

S. Res. 172. A resolution declaring racism a public health crisis; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCOTT of Florida (for himself, Mr. CRUZ, and Mr. RUBIO):

S. Res. 173. A resolution commending the actions of Cuban democracy and human rights activist Jose Daniel Ferrer Garcia and the pro-democracy and human rights group, the Patriotic Union of Cuba (UNPACU), to uphold fundamental freedoms in Cuba and condemning Cuba's brutal authoritarian Communist regime; to the Committee on Foreign Relations.

By Ms. STABENOW (for herself and Mr. THUNE):

S. Res. 174. A resolution designating April 2021 as "Parkinson's Awareness Month"; to the Committee on the Judiciary.

By Mr. LUJÁN:

S. Res. 175. A resolution supporting the goals and ideals of National Public Health Week; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JOHNSON (for himself, Mrs. SHAHEEN, and Mr. RISCH):

S. Res. 176. A resolution urging all parties in Georgia to seek prompt implementation of the agreement signed on April 19, 2021, and reaffirming the support of the Senate for Georgia, the territorial integrity of Georgia, and the aspirations of Georgians to join the Euro-Atlantic community; to the Committee on Foreign Relations.

By Mr. REED (for himself, Mr. SCOTT of South Carolina, Mr. WHITEHOUSE, Mrs. BLACKBURN, Mr. DURBIN, Mr. CASSIDY, Ms. HASSAN, Ms. ERNST, Mr. WICKER, Mr. COONS, Mr. BARRASSO, Mr. CRAPO, Mr. TILLIS, Mrs. MURRAY, Mr. MARSHALL, Mr. YOUNG, Mr. CARDIN, Mr. MANCHIN, Mr. BRAUN, Mr. DAINES, Ms. ROSEN, Mr. BOOZMAN, Ms. LUMMIS, and Mr. PETERS):

S. Res. 177. A resolution designating April 2021 as "Financial Literacy Month"; considered and agreed to.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. Res. 178. A resolution honoring the life and legacy of award-winning children's author Beverly Cleary; considered and agreed to.

By Mr. SCHUMER (for himself and Mr. MCCONNELL):

S. Res. 179. A resolution to make temporary appointments to the Select Committee on Ethics; considered and agreed to.

By Mr. MERKLEY (for himself, Mr. BOOKER, Mr. MARKEY, Mr. VAN HOLLEN, Mr. WHITEHOUSE, Mr. WYDEN, Mr. PADILLA, Ms. WARREN, Mrs. MURRAY, and Mr. SANDERS):

S. Con. Res. 8. A concurrent resolution recognizing that the climate crisis is disproportionately affecting the health, economic opportunity, and fundamental rights of children, expressing the sense of Congress that renewed leadership by the United States is needed to address the climate crisis, and recognizing the need of the United States to develop a national, comprehensive, and science-based climate recovery plan to phase out fossil fuel emissions, protect and enhance natural sequestration, and put the United States on a path toward stabilizing the climate system; to the Committee on Environment and Public Works.

#### ADDITIONAL COSPONSORS

S. 40

At the request of Mr. BOOKER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 40, a bill to address the fundamental injustice, cruelty, brutality, and inhumanity of slavery in the United States and the 13 American colonies between 1619 and 1865 and to establish a commission to study and consider a national apology and proposal for reparations for the institution of slavery, its subsequent de jure and de facto racial and economic discrimination against African Americans, and the impact of these forces on living African Americans, to make recommendations to the Congress on appropriate remedies, and for other purposes.

S. 168

At the request of Mr. MURPHY, the names of the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 168, a bill to provide temporary licensing reciprocity for telehealth and interstate health care treatment.

S. 204

At the request of Mr. SCHATZ, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 204, a bill to establish the Office of Press Freedom, to create press freedom curriculum at the National Foreign Affairs Training Center, and for other purposes.

S. 231

At the request of Mr. PETERS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 231, a bill to direct the Administrator of the Federal Emergency Management Agency to develop guidance for firefighters and other emergency response personnel on best practices to protect them from exposure to PFAS and to limit and prevent the release of PFAS into the environment, and for other purposes.

S. 306

At the request of Mr. VAN HOLLEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 306, a bill to provide a process for granting lawful permanent resident status to aliens from certain countries who meet specified eligibility requirements, and for other purposes.

S. 386

At the request of Mr. BENNET, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 386, a bill to establish a public health plan.

S. 444

At the request of Ms. COLLINS, the name of the Senator from Ohio (Mr. PORTMAN) 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. 558

At the request of Mr. WICKER, the name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor of S. 558, a bill to establish a national integrated flood information system within the National Oceanic and Atmospheric Administration, and for other purposes.

S. 617

At the request of Mr. THUNE, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors 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. 657

At the request of Mr. BOOZMAN, the names of the Senator from Michigan (Mr. PETERS) and the Senator from Georgia (Mr. WARNOCK) were added as cosponsors of S. 657, a bill to modify the presumption of service connection for veterans who were exposed to herbicide agents while serving in the Armed Forces in Thailand during the Vietnam era, and for other purposes.

S. 659

At the request of Mr. YOUNG, the name of the Senator from Missouri (Mr. BLUNT) 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. 789

At the request of Mr. ROUNDS, the names of the Senator from New Mexico (Mr. LUJÁN) and the Senator from North Dakota (Mr. CRAMER) were added as cosponsors of S. 789, a bill to repeal certain obsolete laws relating to Indians.

S. 792

At the request of Mrs. FISCHER, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 792, a bill to amend the Motor Carrier Safety Improvement Act of 1999 to modify certain agricultural exemptions for hours of service requirements, and for other purposes.

S. 810

At the request of Mr. TESTER, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 810, a bill to amend title 38, United States Code, to expand the list of diseases associated with exposure to certain herbicide agents for which there is a presumption of service connection for veterans who served in the Republic of Vietnam to include hypertension, and for other purposes.

S. 828

At the request of Mr. BARRASSO, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 828, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the

Medicare program, and for other purposes.

S. 839

At the request of Mr. CASSIDY, the names of the Senator from West Virginia (Mrs. CAPITO), the Senator from Texas (Mr. CORNYN), the Senator from North Dakota (Mr. CRAMER), the Senator from Iowa (Ms. ERNST), the Senator from South Carolina (Mr. GRAHAM), the Senator from Iowa (Mr. GRASSLEY), the Senator from Missouri (Mr. HAWLEY), the Senator from Mississippi (Mrs. HYDE-SMITH), the Senator from Utah (Mr. ROMNEY), the Senator from North Carolina (Mr. TILLIS), the Senator from Kansas (Mr. MARSHALL), the Senator from Alaska (Mr. SULLIVAN), the Senator from Wisconsin (Ms. BALDWIN), the Senator from New Jersey (Mr. BOOKER), the Senator from Ohio (Mr. BROWN), the Senator from Pennsylvania (Mr. CASEY), the Senator from New Hampshire (Ms. HASSAN), the Senator from Virginia (Mr. Kaine), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Connecticut (Mr. MURPHY), the Senator from Minnesota (Ms. SMITH), the Senator from Delaware (Mr. COONS), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Colorado (Mr. BENNET) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of S. 839, a bill to establish a postsecondary student data system.

S. 919

At the request of Mr. SCHATZ, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 919, a bill to establish duties for online service providers with respect to end user data that such providers collect and use.

S. 926

At the request of Mrs. MURRAY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 926, a bill to plan, develop, and make recommendations to increase access to sexual assault examinations for survivors by holding hospitals accountable and supporting the providers that serve them.

S. 927

At the request of Mr. TILLIS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 927, a bill to improve the provision of health care and other benefits from the Department of Veterans Affairs for veterans who were exposed to toxic substances, and for other purposes.

S. 951

At the request of Mrs. FISCHER, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 951, a bill to direct the Secretary of Veterans Affairs to make grants to eligible organizations to provide service dogs to veterans with severe post-traumatic stress disorder, and for other purposes.

S. 1039

At the request of Mr. MENENDEZ, the name of the Senator from Michigan

(Mr. PETERS) was added as a cosponsor of 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.

S. 1086

At the request of Mr. BLUMENTHAL, the names of the Senator from Hawaii (Ms. HIRONO), the Senator from California (Mrs. FEINSTEIN), the Senator from Connecticut (Mr. MURPHY), the Senator from Massachusetts (Ms. WARREN), the Senator from New Hampshire (Ms. HASSAN), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Oregon (Mr. MERKLEY), the Senator from Massachusetts (Mr. MARKEY), the Senator from Oregon (Mr. WYDEN), the Senator from Wisconsin (Ms. BALDWIN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Virginia (Mr. WARNER), the Senator from Nevada (Ms. ROSEN), the Senator from Vermont (Mr. SANDERS), the Senator from Colorado (Mr. BENNET), the Senator from New York (Mrs. GILLIBRAND), the Senator from Virginia (Mr. Kaine), the Senator from Maryland (Mr. CARDIN), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Rhode Island (Mr. REED) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 1086, a bill to provide incentives for hate crime reporting, provide grants for State-run hate crime hotlines, and establish alternative sentencing for individuals convicted under the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act.

S. 1106

At the request of Mr. BOOKER, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1106, a bill to prohibit the sale of shark fins, and for other purposes.

S. 1123

At the request of Mrs. BLACKBURN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1123, a bill to preserve non-interference under the Medicare part D Prescription Drug Benefit program.

S. 1135

At the request of Mr. MARKEY, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 1135, a bill to amend the Immigration and Nationality Act to require the President to set a minimum annual goal for the number of refugees to be admitted, and for other purposes.

S. 1180

At the request of Mr. MERKLEY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1180, a bill to provide for the establishment of Medicare part E public health plans, and for other purposes.

S. 1205

At the request of Mrs. BLACKBURN, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 1205, a bill to prohibit the use of Federal funds relating to rejoining the Joint Comprehensive Plan

of Action with Iran unless the President commits to submitting any successor agreement to the Senate for its advice and consent as a treaty.

S. 1238

At the request of Mrs. SHAHEEN, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 1238, a bill to amend title 10, United States Code, to ensure that members of the Armed Forces and their families have access to the contraception they need in order to promote the health and readiness of all members of the Armed Forces, and for other purposes.

S. 1251

At the request of Mr. BRAUN, the names of the Senator from Michigan (Mr. PETERS), the Senator from Illinois (Mr. DURBIN) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 1251, a bill to authorize the Secretary of Agriculture to develop a program to reduce barriers to entry for farmers, ranchers, and private forest landowners in certain voluntary markets, and for other purposes.

S. 1255

At the request of Mr. CARDIN, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 1255, a bill to require the Minority Business Development Agency of the Department of Commerce to promote and administer programs in the public and private sectors to assist the development of minority business enterprises, to ensure that such Agency has the necessary supporting resources, particularly during economic downturns, and for other purposes.

S. 1279

At the request of Ms. STABENOW, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1279, a bill to amend title XVIII of the Social Security Act to provide for an option for any citizen or permanent resident of the United States age 50 to 64 to buy into Medicare.

S. RES. 97

At the request of Mr. RISCH, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Res. 97, a resolution calling on the Government of Ethiopia, the Tigray People's Liberation Front, and other belligerents to cease all hostilities, protect human rights, allow unfettered humanitarian access, and cooperate with independent investigations of credible atrocity allegations pertaining to the conflict in the Tigray Region of Ethiopia.

S. RES. 148

At the request of Ms. WARREN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. Res. 148, a resolution recognizing the importance of paying tribute to those individuals who have faithfully served and retired from the Armed Forces of the United States, designating April 18, 2021, as "Military Retiree Appreciation Day", and encouraging the people of the United

States to honor the past and continued service of military retirees to their local communities and the United States.

## AMENDMENT NO. 1456

At the request of Mr. KENNEDY, his name was added as a cosponsor of amendment No. 1456 proposed to S. 937, a bill to facilitate the expedited review of COVID-19 hate crimes, and for other purposes.

At the request of Mr. CRUZ, the name of the Senator from Tennessee (Mr. HAGERTY) was added as a cosponsor of amendment No. 1456 proposed to S. 937, *supra*.

At the request of Mr. CORNYN, his name was added as a cosponsor of amendment No. 1456 proposed to S. 937, *supra*.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTION

By Ms. COLLINS (for herself, Mr. CARDIN, Mr. MARSHALL, and Mrs. SHAHEEN):

S. 1309. A bill to provide payments for home health services furnished via visual or audio telecommunications systems during an emergency period; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise today, along with my colleagues Senator CARDIN, Senator MARSHALL, and Senator SHAHEEN, to introduce the Home Health Emergency Access to Telehealth (HEAT) Act. This bipartisan bill would help ensure that seniors who rely on home health care have the choice to receive these critical services through telehealth during the COVID-19 pandemic and future public health emergencies.

COVID-19 is the greatest public health challenge since the flu pandemic of 1918 and has claimed the lives of more than 565,000 Americans. This public health emergency has underscored the need for older adults and other at-risk populations to have access to health care in the home setting. Home-based care is crucial to ensuring that this pandemic does not create devastating long-term health consequences due to delayed care. The highly skilled and compassionate care that home health agencies provide is an important component of this in-home care.

I have been a strong supporter of home care since my very first home visit, which took place in my hometown in Aroostook County early in my Senate service. This experience gave me the opportunity to meet and visit with home health patients, where I saw first-hand what a difference highly skilled and caring visiting nurses and other health care professionals make to the lives of patients and their families. I have been a passionate advocate for home care ever since.

Last year, my bipartisan home health legislation, the Home Health Care Planning Improvement Act, became law as part of the Coronavirus Aid, Relief, and Economic Security

(CARES) Act. This law, which I championed for 13 years, will improve the access Medicare beneficiaries have to home health care by allowing physician assistants, nurse practitioners, clinical nurse specialists, and certified nurse midwives to order home health services. Far too often seniors experience unnecessary delays in accessing home health care. To avoid these needless delays, it is common sense that other medical professionals who are familiar with a patient's case should be able to order these services.

Home health professionals have continued to provide face-to-face services during the COVID-19 public health emergency, but this crisis has created additional challenges, including the need to maintain an adequate supply of personal protective equipment to protect themselves, their patients, and their patients' families. The use of telehealth and virtual visits can help address these challenges. Unlike other Medicare providers, however, home health agencies are not eligible to receive Medicare reimbursement for telehealth services during the COVID-19 emergency.

Last May, I chaired Congress' first hearing examining COVID-19's devastating impact on seniors. During the hearing, Dr. Steven Landers, President and CEO of the Visiting Nurse Association Health Group, testified that, despite this lack of Medicare reimbursement, his organization has found telehealth to be an essential part of providing high quality home health care during the COVID-19 public health emergency. He urged action to ensure that home health providers can continue offering these critical services remotely.

Maine home health care providers have also shared their stories about how telehealth is helping them to continue caring for their patients during COVID-19. Through a combination of video visits and care calls, one provider has been able to care for a woman with severe heart and lung disease and keep this patient out of the hospital. The nurse would speak with the woman by phone a couple of times per week to assess any symptoms that needed follow up. If the nurse identified an issue during the call, she would schedule a video visit and also work with the patient's physician to modify medications as needed.

The bill we are introducing today would authorize Medicare reimbursement for home health services provided through telehealth during an emergency period. The services would not be reimbursed unless the beneficiary consents to receiving the services via telehealth. To ensure that the Medicare home health benefit does not become a telehealth-only benefit, Medicare reimbursement would only be provided if the telehealth services constitute no more than half of the billable visits made during the 30-day payment period. The Secretary of Health and Human Services would be required to

issue guidance on the authorization of and payment for home health services provided via telehealth.

Home health serves a vital role in helping our Nation's seniors avoid more costly hospital visits and nursing home stays. The COVID-19 emergency has further underscored the critical importance of home health services and highlighted how these agencies are able to use telehealth to provide skilled care to their patients. The Home Health Emergency Access to Telehealth (HEAT) Act would ensure that seniors in Maine and across the country retain access to remote home health services during the COVID-19 emergency and future public health emergencies.

Thank you, Mr. President.

By Mr. DURBIN (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. REED, Mr. MERKLEY, Mr. BLUMENTHAL, Mr. MARKEY, and Ms. HIRONO):

S. 1314. A bill to amend the Internal Revenue Code of 1986 to provide tax rate parity among all tobacco products, 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. 1314

*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 "Tobacco Tax Equity Act of 2021".

## SEC. 2. INCREASING EXCISE TAXES ON CIGARETTES AND ESTABLISHING EXCISE TAX EQUITY AMONG ALL TOBACCO PRODUCT TAX RATES.

(a) TAX PARITY FOR ROLL-YOUR-OWN TOBACCO.—Section 5701(g) of the Internal Revenue Code of 1986 is amended by striking "\$24.78" and inserting "\$49.56".

(b) TAX PARITY FOR PIPE TOBACCO.—Section 5701(f) of the Internal Revenue Code of 1986 is amended by striking "\$2.8311 cents" and inserting "\$49.56".

(c) TAX PARITY FOR SMOKELESS TOBACCO.—

(1) Section 5701(e) of the Internal Revenue Code of 1986 is amended—

(A) in paragraph (1), by striking "\$1.51" and inserting "\$26.84";

(B) in paragraph (2), by striking "50.33 cents" and inserting "\$10.74"; and

(C) by adding at the end the following:

"(3) SMOKELESS TOBACCO SOLD IN DISCRETE SINGLE-USE UNITS.—On discrete single-use units, \$100.66 per thousand."

(2) Section 5702(m) of such Code is amended—

(A) in paragraph (1), by striking "or chewing tobacco" and inserting ", chewing tobacco, or discrete single-use unit";

(B) in paragraphs (2) and (3), by inserting "that is not a discrete single-use unit" before the period in each such paragraph; and

(C) by adding at the end the following:

"(4) DISCRETE SINGLE-USE UNIT.—The term 'discrete single-use unit' means any product containing, made from, or derived from tobacco or nicotine that—

"(A) is not intended to be smoked; and

"(B) is in the form of a lozenge, tablet, pill, pouch, dissolvable strip, or other discrete single-use or single-dose unit."

(d) TAX PARITY FOR SMALL CIGARS.—Paragraph (1) of section 5701(a) of the Internal Revenue Code of 1986 is amended by striking “\$50.33” and inserting “\$100.66”.

(e) TAX PARITY FOR LARGE CIGARS.—

(1) IN GENERAL.—Paragraph (2) of section 5701(a) of the Internal Revenue Code of 1986 is amended by striking “52.75 percent” and all that follows through the period and inserting the following: “\$49.56 per pound and a proportionate tax at the like rate on all fractional parts of a pound but not less than 10.066 cents per cigar.”.

(2) GUIDANCE.—The Secretary of the Treasury, or the Secretary’s delegate, may issue guidance regarding the appropriate method for determining the weight of large cigars for purposes of calculating the applicable tax under section 5701(a)(2) of the Internal Revenue Code of 1986.

(f) TAX PARITY FOR ROLL-YOUR-OWN TOBACCO AND CERTAIN PROCESSED TOBACCO.—Subsection (o) of section 5702 of the Internal Revenue Code of 1986 is amended by inserting “, and includes processed tobacco that is removed for delivery or delivered to a person other than a person with a permit provided under section 5713, but does not include removals of processed tobacco for exportation” after “wrappers thereof”.

(g) CLARIFYING TAX RATE FOR OTHER TOBACCO PRODUCTS.—

(1) IN GENERAL.—Section 5701 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(i) OTHER TOBACCO PRODUCTS.—Any product not otherwise described under this section that has been determined to be a tobacco product by the Food and Drug Administration through its authorities under the Family Smoking Prevention and Tobacco Control Act shall be taxed at a level of tax equivalent to the tax rate for cigarettes on an estimated per use basis as determined by the Secretary.”.

(2) ESTABLISHING PER USE BASIS.—For purposes of section 5701(i) of the Internal Revenue Code of 1986, not later than 12 months after the later of the date of the enactment of this Act or the date that a product has been determined to be a tobacco product by the Food and Drug Administration, the Secretary of the Treasury (or the Secretary of the Treasury’s delegate) shall issue final regulations establishing the level of tax for such product that is equivalent to the tax rate for cigarettes on an estimated per use basis.

(h) CLARIFYING DEFINITION OF TOBACCO PRODUCTS.—

(1) IN GENERAL.—Subsection (c) of section 5702 of the Internal Revenue Code of 1986 is amended to read as follows:

“(c) TOBACCO PRODUCTS.—The term ‘tobacco products’ means—

“(1) cigars, cigarettes, smokeless tobacco, pipe tobacco, and roll-your-own tobacco, and

“(2) any other product subject to tax pursuant to section 5701(i).”.

(2) CONFORMING AMENDMENTS.—Subsection (d) of section 5702 of such Code is amended by striking “cigars, cigarettes, smokeless tobacco, pipe tobacco, or roll-your-own tobacco” each place it appears and inserting “tobacco products”.

(i) INCREASING TAX ON CIGARETTES.—

(1) SMALL CIGARETTES.—Section 5701(b)(1) of such Code is amended by striking “\$50.33” and inserting “\$100.66”.

(2) LARGE CIGARETTES.—Section 5701(b)(2) of such Code is amended by striking “\$105.69” and inserting “\$211.38”.

(j) TAX RATES ADJUSTED FOR INFLATION.—Section 5701 of such Code, as amended by subsection (g), is amended by adding at the end the following new subsection:

“(j) INFLATION ADJUSTMENT.—

“(1) IN GENERAL.—In the case of any calendar year beginning after 2021, the dollar

amounts provided under this chapter shall each be increased by an amount equal to—

“(A) such dollar amount, multiplied by

“(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting ‘calendar year 2020’ for ‘calendar year 2016’ in subparagraph (A)(ii) thereof.

“(2) ROUNDING.—If any amount as adjusted under paragraph (1) is not a multiple of \$0.01, such amount shall be rounded to the next highest multiple of \$0.01.”.

(k) FLOOR STOCKS TAXES.—

(1) IMPOSITION OF TAX.—On tobacco products manufactured in or imported into the United States which are removed before any tax increase date and held on such date for sale by any person, there is hereby imposed a tax in an amount equal to the excess of—

(A) the tax which would be imposed under section 5701 of the Internal Revenue Code of 1986 on the article if the article had been removed on such date, over

(B) the prior tax (if any) imposed under section 5701 of such Code on such article.

(2) CREDIT AGAINST TAX.—Each person shall be allowed as a credit against the taxes imposed by paragraph (1) an amount equal to \$500. Such credit shall not exceed the amount of taxes imposed by paragraph (1) on such date for which such person is liable.

(3) LIABILITY FOR TAX AND METHOD OF PAYMENT.—

(A) LIABILITY FOR TAX.—A person holding tobacco products on any tax increase date to which any tax imposed by paragraph (1) applies shall be liable for such tax.

(B) METHOD OF PAYMENT.—The tax imposed by paragraph (1) shall be paid in such manner as the Secretary shall prescribe by regulations.

(C) TIME FOR PAYMENT.—The tax imposed by paragraph (1) shall be paid on or before the date that is 120 days after the effective date of the tax rate increase.

(4) ARTICLES IN FOREIGN TRADE ZONES.—Notwithstanding the Act of June 18, 1934 (commonly known as the Foreign Trade Zone Act, 48 Stat. 998, 19 U.S.C. 81a et seq.), or any other provision of law, any article which is located in a foreign trade zone on any tax increase date shall be subject to the tax imposed by paragraph (1) if—

(A) internal revenue taxes have been determined, or customs duties liquidated, with respect to such article before such date pursuant to a request made under the first proviso of section 3(a) of such Act, or

(B) such article is held on such date under the supervision of an officer of the United States Customs and Border Protection of the Department of Homeland Security pursuant to the second proviso of such section 3(a).

(5) DEFINITIONS.—For purposes of this subsection—

(A) IN GENERAL.—Any term used in this subsection which is also used in section 5702 of such Code shall have the same meaning as such term has in such section.

(B) TAX INCREASE DATE.—The term “tax increase date” means the effective date of any increase in any tobacco product excise tax rate pursuant to the amendments made by this section (other than subsection (j) thereof).

(C) SECRETARY.—The term “Secretary” means the Secretary of the Treasury or the Secretary’s delegate.

(6) CONTROLLED GROUPS.—Rules similar to the rules of section 5061(e)(3) of such Code shall apply for purposes of this subsection.

(7) OTHER LAWS APPLICABLE.—All provisions of law, including penalties, applicable with respect to the taxes imposed by section 5701 of such Code shall, insofar as applicable and not inconsistent with the provisions of this subsection, apply to the floor stocks taxes imposed by paragraph (1), to the same

extent as if such taxes were imposed by such section 5701. The Secretary may treat any person who bore the ultimate burden of the tax imposed by paragraph (1) as the person to whom a credit or refund under such provisions may be allowed or made.

(1) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraphs (2) through (4), the amendments made by this section shall apply to articles removed (as defined in section 5702(j) of the Internal Revenue Code of 1986) after the last day of the month which includes the date of the enactment of this Act.

(2) DISCRETE SINGLE-USE UNITS AND PROCESSED TOBACCO.—The amendments made by subsections (c)(1)(C), (c)(2), and (f) shall apply to articles removed (as defined in section 5702(j) of the Internal Revenue Code of 1986) after the date that is 6 months after the date of the enactment of this Act.

(3) LARGE CIGARS.—The amendments made by subsection (e) shall apply to articles removed after December 31, 2021.

(4) OTHER TOBACCO PRODUCTS.—The amendments made by subsection (g)(1) shall apply to products removed after the last day of the month which includes the date that the Secretary of the Treasury (or the Secretary of the Treasury’s delegate) issues final regulations establishing the level of tax for such product.

By Mr. REED (for himself and

Mr. VAN HOLLEN):

S. 1343. A bill to amend the Fair Credit Reporting Act to require that a consumer authorize the release of certain information; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. I am joined by Senator VAN HOLLEN in reintroducing the Consumer Credit Control Act, which gives consumers greater control over when and how their consumer reports are shared by consumer reporting agencies.

Our current consumer reporting system is backwards. Consumer reporting agencies collect massive amounts of personal information on consumers, often without their knowledge, in order to compile consumer reports. These reports are then shared with financial institutions and others, often without consent.

Following Equifax’s failure in 2017 to secure troves of valuable personally identifiable information it collected on approximately 147 million Americans, it remains clear that this system needs to change. Indeed, the National Consumer Law Center’s Chi Chi Wu stated in her October 2017 testimony before the House Financial Services Committee that the Equifax breach “means half of the US population and nearly three-quarters of the consumers with active credit reports are now at risk of identity theft due to one of the worst—if not the worst—breaches of consumer data in American history. These Americans are at risk of having false new credit accounts, phony tax returns, and even spurious medical bills incurred in their good names.” To make matters worse, the risks of identity fraud may only increase with time. As Ed Mierzwinski, U.S. PIRG’s federal Consumer Program Director, explains “unlike credit card numbers, your Social Security Number and Date of Birth don’t change and may even grow more

valuable over time, like gold in a bank vault. Much worse, they are the keys to 'new account identity theft.'

The Consumer Credit Control Act aims to address these concerns and fix the current upside down system. Our legislation, at no cost to the consumer, seeks to give Americans greater control over when and how their consumer reports are released when applying for new credit, a loan, or insurance. It also requires consumer reporting agencies to verify a consumer's identity and secure the consumer's permission before releasing consumer reports in instances that are particularly susceptible to identity theft and fraud. Additionally, our legislation requires every consumer reporting agency to take appropriate steps to prevent unauthorized access to the consumer reports and personal information they maintain. These changes are intended to make it tougher for criminals to open new fraudulent credit or insurance accounts in other people's names.

I urge our colleagues to cosponsor the Consumer Credit Control Act, and I thank Senator VAN HOLLEN, the National Consumer Law Center (on behalf of its low-income clients), U.S. PIRG, Americans for Financial Reform, the Center for Digital Democracy, Consumer Action, the Consumer Federation of America, Consumer Reports, Demos, the NAACP, the National Association of Consumer Advocates, the National Fair Housing Alliance, Public Citizen, Tennessee Citizen Action, and the Woodstock Institute for their support.

By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. 1344. A bill to redesignate the Pullman National Monument in the State of Illinois as the Pullman National Historical Park, and for other purposes; to the Committee on Energy and Natural Resources.

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. 1344

*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 "Pullman National Historical Park Act".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) HISTORICAL PARK.—The term "historical park" means the Pullman National Historical Park.

(2) MAP.—The term "map" means the map entitled "Pullman National Historical Park, Chicago, Illinois, Boundary", numbered \_\_\_\_\_, and dated \_\_\_\_\_.

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

#### SEC. 3. REDESIGNATION OF PULLMAN NATIONAL MONUMENT.

(a) IN GENERAL.—The Pullman National Monument, established by Proclamation Number 9233, dated February 19, 2015, is redesignated as the "Pullman National Historical Park".

(b) AVAILABILITY OF FUNDS.—Any funds available for purposes of the Pullman National Monument shall be available for purposes of the historical park.

(c) REFERENCES.—Any references in a law, regulation, document, record, map, or other paper of the United States to the Pullman National Monument shall be considered to be a reference to the historical park.

(d) PROCLAMATION.—Proclamation Number 9233, dated February 19, 2015, shall have no force or effect.

#### SEC. 4. PURPOSES.

The purposes of the historical park are to preserve, protect, and interpret Pullman's nationally significant cultural and historical resources associated with—

(1) the Nation's labor history and creation of a national Labor Day holiday;

(2) the first planned industrial community in the United States;

(3) the architecture and landscape design of the planned community;

(4) the pivotal role of the Pullman porter in the rise of the African-American middle class; and

(5) the entirety of history, culture, and historic figures embodied in Presidential Proclamation Number 9233.

#### SEC. 5. ADMINISTRATION.

The Secretary shall administer the land within the boundary of the historical park in accordance with—

(1) this Act; and

(2) the laws generally applicable to units of the National Park System, including—

(A) section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753 and 102101 of title 54, United States Code; and

(B) chapter 3201 of title 54, United States Code.

#### SEC. 6. COOPERATIVE AGREEMENTS.

To further the purposes of this subsection and notwithstanding chapter 63 of title 31, United States Code, the Secretary may enter into cooperative agreements with the State, other public and non-profit entities, and other interested parties—

(1) to support collaborative interpretive and educational programs at non-Federal historic properties within the boundaries of the historical park; and

(2) to identify, interpret, and provide assistance for the preservation of non-Federal land within the boundaries of the historical park and at sites in close proximity to the historical park, but located outside the boundaries of the historical park, including providing for placement of directional and interpretive signage, exhibits, and technology-based interpretive devices; and

#### SEC. 7. USE OF FUNDS.

The Secretary may use appropriated funds to mark, interpret, improve, restore, and provide technical assistance with respect to the preservation and interpretation of the properties. Any payment made by the Secretary under this clause shall be subject to an agreement that the conversion, use, or disposal of the project for purposes that are inconsistent with the purposes of this subsection, as determined by the Secretary, shall result in a right of the United States to reimbursement of the greater of—

(1) the amount provided by the Secretary to the project; or

(2) an amount equal to the increase in the value of the project that is attributable to the funds, as determined by the Secretary at the time of the conversion, use, or disposal. Any cooperative agreement entered into under this subparagraph shall provide for reasonable public access to the resources covered by the cooperative agreement.

#### SEC. 8. ACQUISITION OF LAND.

The Secretary may acquire for inclusion in the historical park any land (including inter-

ests in land), buildings, or structures owned by the State, or any other political, private, or nonprofit entity by donation, transfer, exchange, or purchase from a willing seller.

#### SEC. 9. MANAGEMENT PLAN.

Not later than 3 fiscal years after the date on which funds are first made available to carry out this Act, the Secretary shall complete a general management plan for the historical park.

By Ms. COLLINS (for herself and Mr. CARPER):

S. 1345. A bill to establish a national mercury monitoring program, and for other purposes; to the Committee on Environment and Public Works.

Ms. COLLINS. Mr. President, today is Earth Day, and there are many issues, environmental challenges, that each of us could be discussing here on the Senate floor.

I have chosen to speak on a bill that I am introducing today that is called the Comprehensive National Mercury Monitoring Act. I am pleased to be partnering, once again, with my colleague from Delaware, Senator CARPER, who serves as the chairman of the Senate Environment and Public Works Committee. Our bipartisan bill would help ensure that we have accurate information about the extent of mercury pollution in our country.

Mercury is a potent neurotoxin. It poses significant ecological and public health concerns, especially for children and pregnant women. Mercury exposure has gone down as U.S. mercury emissions have declined. However, the levels remain unacceptably high.

It is estimated that nearly 200,000 children born in the United States have been exposed to levels of mercury in the womb that are high enough to impair their neurological development. This exposure can impose a lifelong disability.

In addition, the societal costs of neurocognitive deficits associated with mercury exposure are estimated to be approximately \$4.8 billion per year.

In Maine, some of our lands and bodies of water face higher mercury pollution compared to the national average. Maine has been called the tailpipe of the Nation, as the winds carrying pollution, including mercury, from the West drift into the State of Maine.

A system for collecting information, such as we have for acid rain and other forms of pollution, does not currently exist for mercury, which, ironically, is a more toxic pollutant. A comprehensive mercury monitoring network is needed to protect human health, safeguard our fisheries, and track the effect of emission reductions. This monitoring network would also help policymakers, scientists, and the public better understand the sources, consequences, and trends of mercury pollution in our country.

Specifically, our legislation would do the following:

First, it would direct the EPA, in conjunction with the Fish and Wildlife Service, the U.S. Geological Survey, the National Park Service, the National Oceanic and Atmospheric Administration, and other Federal Agencies, to

establish a national mercury monitoring program to measure and monitor mercury levels in the air and watersheds, water and soil chemistry, and in marine, freshwater, and terrestrial organisms at multiple sites across the Nation.

Second, it would establish a scientific advisory committee to advise on the establishment, site selection, measurement, recording protocols, and operations of this monitoring program.

Third, our bill would establish a centralized database for existing and newly collected environmental mercury data that can be freely accessed on the internet and that is compatible with similar international efforts.

Fourth, our bill would require a report to Congress every 2 years on the program, including trend data, and an assessment every 4 years of the reduction in mercury deposition rates that needs to be achieved in order to prevent adverse human and ecological effects on our environment.

Fifth, our bill would authorize \$95 million over 3 years for these purposes.

We must establish a comprehensive, robust national mercury monitoring network. Otherwise, we will lack the data we need to help make informed decisions that can help protect the people of Maine and the Nation, particularly our children and pregnant women.

I urge my colleagues to join me in supporting this bipartisan bill, the Comprehensive National Mercury Monitoring Act.

Thank you.

By Mr. CORNYN (for himself and Ms. SINEMA):

S. 1358. A bill to establish regional processing centers, to improve the asylum and credible fear processes to promote fairness and efficiency, to require immigration court docketing priorities during irregular migration influx events, and to improve the capability of the Department of Homeland Security to manage migration flows, and for other purposes; to the Committee on the Judiciary.

Mr. CORNYN. Mr. President, over the last few months, we have been spending a lot of time talking about the surge of migrants at our southern border and, as the Presiding Officer knows, we are having bipartisan meetings here to try to figure out how to address that and other challenges of our broken immigration system.

We know the spike in migration is not a new phenomenon, and sadly, neither is the increase in the number of unaccompanied children. But the current surge is unlike anything we have experienced in the past. We are breaking all the wrong kinds of records, including the numbers of unaccompanied children, total monthly border crossings, and capacity levels at care facilities. And, of course, all of this is happening during a pandemic which creates serious risks for our law enforcement and for those caring for these mi-

grants and for the migrants themselves.

Unfortunately, the administration has not yet figured out how to stop this flow of illegal immigration. The President and his team are telling migrants: Don't come. But when it comes to his policies, all of his policies say: Come while you can.

They haven't figured out how to replace Trump-era policies, and so what they have done is left a void that is being exploited by everybody from the coyotes, the human smugglers, the people who smuggle in drugs into the United States, as well as the people who understandably want a better life. Maybe they are fleeing poverty or violence. We all understand why people want to come to the United States, but we also believe the safest and fairest sort of immigration policy is legal immigration into our country.

We are the most generous country in the world. We have naturalized about a million people a year. It is one of our comparative advantages compared to the rest of the world that restricts migration. Over the last few months, like many of us, I have spent a lot of time listening and learning from the folks on the ground in Texas who know the ins and outs of this topic better than anybody else.

I have visited border communities and heard from Border Patrol officers, mayors, county judges, and nongovernmental organizations that try to help these migrants once they make their way to the United States, and whose experience precedes this current surge.

I visited five of the facilities in Texas that are helping take care of the record number of migrant children in Carrizo Springs, Donna, Houston, Midland, and Dallas. I have heard about the heart-breaking circumstances under which many of these children have arrived on our doorsteps. I have seen the incredible ways that our nongovernmental organizations, like Catholic Charities, are trying to ease the burden of this crisis, even after a year of supporting their communities through a global pandemic.

The reality of this situation is that we are quickly nearing a breaking point. We lack the facilities, the personnel, the resources, and the policies needed to manage this crisis. Law enforcement in border communities are being overwhelmed by the sharp increase in migration, and unless something changes, the entire system could collapse.

The light is flashing red, and the time for action is now. That is why today I am proud to introduce the bipartisan Border Solutions Act, along with Senator SINEMA, to address this crisis.

It is no accident that both of us represent border States and that both of us have heard from our communities and stakeholders on the ground about how important it is for Congress to step up and provide some way to mitigate the current crisis.

On the House side, we have two of my friends in the Texas delegation—Congressmen HENRY CUELLAR, from Laredo, and TONY GONZALES, who represents one of the largest border districts in the country. So we truly have a bipartisan, bicameral piece of legislation.

Our knowledge of this crisis doesn't just come from the news or political talking points but, as I suggested, from real conversations with the real people who are dealing with this and have dealt with previous surges. We have heard from State and local leaders, law enforcement, NGOs, as I said, and a range of property owners whose property is being overrun by the coyotes and those who are involved in this illegal immigration process. So their input has been the driving force behind the bill, which includes, I believe, common-sense measures to address this crisis.

It is not, admittedly, a comprehensive immigration bill, but we need to put the fire out first and then build on our success, once we have passed that legislation, to do the other things that I think we can probably agree on, on a consensus basis, such as we discussed with the majority leader and others last evening.

The Bipartisan Border Solutions Act is not about scoring political points. It is about solving a problem, and that problem is getting bigger every day. The most immediate problem is our inability to properly process the sheer number of people crossing our border.

Our Border Patrol and Health and Human Services, and the Office of Refugee Resettlement are simply overwhelmed. In March, we saw the highest number of border crossings on record: 172,000 individuals. That was a dramatic increase from the eye-popping numbers in February, which totaled 100,000.

As I said, we have seen these surges before but never a surge like this magnitude. Now, the busiest months for people to cross the border typically are April, May, and June but not February and not March. So we know that this is only going to get worse based on our historical experience.

If our facilities and people are already overwhelmed, imagine how the strain will intensify if we do nothing. We already know that, in processing these migrants, important steps are being skipped in an effort to expedite the process.

Normally, if someone comes across the border seeking asylum, for example, they will be processed and released with a notice to appear for a future court hearing. That document includes important information like when and where their first court date is set. In many cases, right now, it just isn't happening.

Many migrants are being released in the interior of the United States with incomplete paperwork, and they are not given any notice to appear for a future immigration court date. And, you know, if they don't show up in court, a

default order of deportation will be entered even if they have a meritorious claim for asylum. So it has real consequences.

But what else can our government officials and our local communities do? Unfortunately, they do not want us to continue releasing people to the interior without a court date or information on what is needed in order to assert your claim. And as I said, without appearing in court, a migrant with a valid asylum claim won't be able to receive the relief that U.S. law provides for them.

At one point, the situation was so bad, the Biden administration considered flying migrants to less busy locations on the northern border to be processed. So there is really no question we need to improve our capacity and our process to handle these migrants more thoroughly and efficiently.

Our bipartisan bill here in the Senate and in the House will establish four regional processing centers in high-traffic areas along the border to streamline the intake of migrants. One reason that is so important, just beyond capacity issues, is that the smugglers who smuggle people into the United States for a price—part of transnational criminal organizations—they make a lot of money doing this, and they are smart. They know if they flood the zone with unaccompanied children, that the Border Patrol will go offline in order to take care of those children, which we want those children taken care of. But what the smugglers know and what the transnational criminal organizations know is once those Border Patrol come off the front-line, they are going to exploit that loophole by running drugs into the United States or more migrants.

Last year alone—or the last 12 months alone, 88,000 Americans have died from drug overdoses. And 92 percent of the heroin that comes into the United States comes from Mexico, together with a lot of methamphetamine, fentanyl, cocaine, and you name it. So we are dealing with incredibly shrewd and crafty people who understand the border perhaps better than most of us do.

One of the worst parts of the current crisis is the tens of thousands of unaccompanied children who are making the dangerous trip from Central America or Mexico without their parents. Many of us have seen the heart-breaking video of a young boy, abandoned by smugglers in the Rio Grande Valley, and he was asking for directions because he was lost. Smugglers left him behind. I don't know why. Maybe he was injured or ill or slowing them down, but these smugglers don't care about this young boy or any other human being. All they care about is the money.

And we have also read the story about a young girl who drowned trying to cross the river. And who can forget the young girls, ages 3 and 5, who lit-

erally were dropped over the border wall by human smugglers?

The truth is, migrant children endure unimaginable abuse and trauma in the hands of these criminal organizations. We need to try better, and we need to do better to provide protections to these children and ensure that they will not continue to be traumatized or abused once they cross our borders.

For example, our bill also provides that children cannot be released into the custody of a relative or sponsor who could potentially inflict even more harm upon them. No sex offender, no child abuser, and no other dangerous criminal should be given the responsibility to care for one of these children.

We also need to remove some of the pull factors that encourage migrants to make this dangerous journey to our border in the first place. Many smugglers, known colloquially as coyotes, know our immigration laws better than most Americans, and they know how to exploit them, as I said.

There is no doubt our backlogged legal system is one of the pull factors for these migrants. One of the biggest selling points for the smugglers is the immigration court backlog, which is currently 1.3 million cases. On average, it takes 2½ years to get from the border to an immigration judge.

A person or family can come here illegally and present weak or virtually nonexistent asylum claims with an almost certain guarantee that they will be able to stay in the United States for years while their claims are being adjudicated. That needs to change. Our legislation takes a number of steps to reduce the wait times and eliminate the backlog as a draw for even more illegal immigration and ensure that meritorious claims are recognized in a timely manner.

The first part of this is, we need to hire more people. We need more immigration judges. We need more asylum officials. We need litigation teams and other staff who play a role in these legal proceedings. The only way to eliminate this backlog is to work through it, and this bill allows us to hire hundreds of people to do just that.

Our legislation includes another important change to remove this backlog as a pull factor. During surge events like we are experiencing now, the cases of those arriving will be prioritized. In other words, we will put them at the front of line, not the back of the line where we will never get to them. For those with legitimate asylum claims, that should be good news. About 10 or 12 percent of the people who show up on our front doormat have legitimate asylum claims that are upheld by immigration judges, and we should provide them a timely hearing in front of a judge so they can receive the benefit of U.S. law.

But this will also serve as a deterrent for those who know their asylum claims are weak. Why pay smugglers thousands of dollars to reach the United States if your case will quickly

be heard and dismissed for lack of merit resulting in your return? That is one of the pull factors that we can establish and we can improve to deter people from wasting their hard-earned money with nonexistent or weak asylum claims.

And, finally, the bill will ensure that migrants are treated fairly and humanely so we can be confident that our asylum system is working as we intended. This legislation includes a large number of other commonsense measures to alleviate staffing shortages, improve coordination between Federal, State, and local officials, expand language translation and legal orientation services for migrants, and the list goes on.

Former Border Patrol Chief Carla Provost once described this surge in migration as like holding a bucket under the faucet. It doesn't matter how many buckets you have if you can't turn off the water. In the short term, we do need a bigger bucket. That includes facilities to process these migrants and personnel to adjudicate their asylum claims. But it won't matter how big that bucket is if we don't stop the flow or at least reduce it.

We need to eliminate the pull factors that encourage migrants who do not qualify under our law for asylum from even attempting the dangerous journey to our border in the first place. That is exactly why the Bipartisan Border Solutions Act is the answer or an answer to the crisis at hand.

This bill will deter illegal immigration without interfering with legitimate claims. It will ensure that migrants' claims are processed efficiently, without skipping important steps, and it will provide critical protections for children who come here alone.

The fact that we have a bill that is bipartisan and bicameral is a testament to the commonsense reforms included in this legislation, and I have been proud to work with Senator SINEMA, Congressman CUELLAR, and Congressman GONZALES on this bill, and we would invite our colleagues to look at the bill and join us in cosponsoring it on a bipartisan basis.

Now, one thing I can guarantee is this is not the end-all, be-all. This is not some silver bullet that is going to solve all of our problems, but what I think it will do is help restore public confidence that we are serious about enforcing our laws, while remaining generous in providing legal claims the benefit of a hearing and validation.

We are, in fact, the most generous Nation in the world when it comes to legal immigration—naturalizing, roughly, a million people a year. But the truth is, my State and all our States, those of us on this bill currently, have borne the brunt of this crisis because of the failures of the Federal Government to deal with them.

So we have developed a list of bipartisan cosponsors, and I hope the chairman of the Judiciary Committee and

the minority leader will commit to working with us to solve this crisis in a fair and humane way.

And the last thing I will say is, we are all ears if somebody has a better idea, but so far we haven't seen anybody step up and say: I have got an answer or at least a partial answer or response that has bipartisan and bicameral support.

So I hope our colleagues will take a look at this, will work with us, and if they have got a better idea, as I said, we are all ears.

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 171—EXPRESSING THE SENSE OF THE SENATE THAT THE INTERNATIONAL OLYMPIC COMMITTEE SHOULD CORRECT THE OLYMPIC RECORDS FOR JIM THORPE FOR HIS UNPRECEDENTED ACCOMPLISHMENTS DURING THE 1912 OLYMPIC GAMES

Mr. INHOFE (for himself and Mr. LANKFORD) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 171

Whereas Wa-Tho-Huk or "Bright Path", known as James Francis Thorpe or "Jim Thorpe" of the Thunder Clan of the Sac and Fox Nation, was born May 22, 1887 on the Reservation of the Sac and Fox Nation in Prague, Oklahoma, and died March 28, 1953 in Lomita, California;

Whereas Jim Thorpe attended the Carlisle Indian School in Pennsylvania and established his amateur football record playing halfback, defender, punter, and place-kicker while a student and was subsequently chosen as Walter Camp's First Team All-American Half-Back in 1911 and 1912;

Whereas prior to the 1912 Olympic Games, Jim Thorpe placed second in the pentathlon at the Amateur Athletic Union National Championship Trials in Boston, Massachusetts;

Whereas Jim Thorpe represented the United States as an enrolled member of the Sac and Fox Nation, the largest of 3 federally recognized Tribes of Sauk and Meskwaki (Fox), in the 1912 Olympic Games in Stockholm, Sweden;

Whereas at the 1912 Olympic Games, he won a Gold Medal in the pentathlon, became the first athlete from the United States to win a gold medal in the decathlon, in which he set a world record, and became the only athlete in Olympic history to win both the pentathlon and the decathlon during the same year;

Whereas at the time Jim Thorpe won 2 Gold Medals in the 1912 Olympic Games, and not until 1924 under the Indian Citizenship Act, Native Americans were not recognized as citizens of the United States;

Whereas Native Americans were not granted the right to vote in every State until 1957;

Whereas Jim Thorpe was a founding father of professional football, playing with the Canton Bulldogs, which was the team recognized as world champion in 1916, 1917, and 1919, the Cleveland Indians, the Oorang Indians, the Rock Island Independent, the New York Giants, and the Chicago Cardinals;

Whereas, in 1920, Jim Thorpe was named the first president of the American Profes-

sional Football Association, now known as the National Football League;

Whereas Jim Thorpe was voted America's Greatest All-Around Male Athlete and chosen as the greatest football player of the half-century in 1950 by an Associated Press poll of sportswriters;

Whereas Jim Thorpe was named the Greatest American Football Player in history in a 1977 national poll conducted by Sport Magazine;

Whereas because of his outstanding athletic achievements, Jim Thorpe was the first Native American inducted into the National Track and Field Hall of Fame, the Professional Football Hall of Fame, the Helms Professional Football Hall of Fame, the National Native American Hall of Fame, the Pennsylvania Hall of Fame, and the Oklahoma Hall of Fame;

Whereas the Amateur Athletic Union of 1973 restored the amateur status of Jim Thorpe for the years 1909 through 1912;

Whereas the International Olympic Committee returned duplicates of gold medals won by Jim Thorpe to his family in 1982, but did not list him as the sole gold medal winner for his achievements during the 1912 Olympic Games; and

Whereas the failure of the International Olympic Committee to update the records regarding Jim Thorpe disregards the unprecedented achievements of one of the best athletes in the history of the United States, the only athlete in Olympic history to win both the pentathlon and the decathlon during the same year, the first Native American athlete to win Olympic gold medals for the United States, and the contributions of the Sac and Fox Nation in the history of the United States: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that the International Olympic Committee, through the president of the Committee, should officially recognize the unprecedented athletic achievements of Jim Thorpe as the sole gold medalist in the 1912 pentathlon and decathlon events and correct these inaccuracies in the official Olympic books.

##### SENATE RESOLUTION 172—DECLARING RACISM A PUBLIC HEALTH CRISIS

Mr. BROWN (for himself, Mr. BOOKER, Mr. PADILLA, Ms. DUCKWORTH, Mr. WARNOCK, Ms. HIRONO, Mr. MARKEY, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. Kaine, Mr. MERKLEY, Mr. CARDIN, Mr. MENENDEZ, Ms. KLOBUCHAR, Mr. WARNER, Mr. CASEY, Mr. BENNET, Ms. WARREN, Ms. SMITH, Ms. STABENOW, Mr. WYDEN, Mr. CARPER, and Mrs. MURRAY) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 172

Whereas, since its founding, the United States has had a longstanding history and legacy of racism, mistreatment, and discrimination against African Americans, Latinos, Native Americans, and other people of color;

Whereas the United States ratified over 350 treaties with sovereign indigenous communities, has broken the promises made in such treaties, and has historically failed to carry out its trust responsibilities to Native Americans, including American Indians, Alaska Natives, and Native Hawaiians, as made evident by the chronic and pervasive underfunding of the Indian Health Service and Tribal, Urban Indian, and Native Hawaiian health care, the vast health and socio-

economic disparities faced by Native American people, and the inaccessibility of many Federal public health and social programs in Native American communities;

Whereas people of Mexican and Puerto Rican descent, who became Americans through conquest, were subject to, but never full members of the polity of the United States and experienced widespread discrimination in employment, housing, education, and health care;

Whereas the immoral paradox of slavery and freedom is an indelible wrong traced throughout the history of the United States, as African Americans lived under the oppressive institution of slavery from 1619 through 1865, endured the practices and laws of segregation during the Jim Crow Era, and continue to face the ramifications of systemic racism through unjust and discriminatory structures and policies;

Whereas, before the enactment of the Medicare program, the United States health care system was highly segregated, and, as late as the mid-1960s, hospitals, clinics, and doctors' offices throughout Northern and Southern States complied with Jim Crow laws and were completely segregated by race—leaving Black communities with little to no access to health care services;

Whereas, between 1956 and 1967, the National Association for the Advancement of Colored People (NAACP) Legal Defense and Education Fund litigated a series of court cases to eliminate discrimination in hospitals and professional associations;

Whereas the landmark case *Simkins v. Moses H. Cone Memorial Hospital*, 323 F.2d 959 (1963), challenged the Federal Government's use of public funds to expand, support, and sustain segregated hospital care, and provided justification for title VI of the 1964 Civil Rights Act and the Medicare hospital certification program—establishing Medicare hospital racial integration guidelines that applied to every hospital that participated in the Federal program;

Whereas, in 1967, President Lyndon B. Johnson established the National Advisory Commission on Civil Disorders, which concluded that White racism is responsible for the pervasive discrimination and segregation in employment, education, and housing, resulting in deepened racial division and continued exclusion of Black communities from the benefits of economic progress;

Whereas language minorities, including Latinos, Asian Americans, and Pacific Islanders, were not assured non-discriminatory access to federally funded services, including health services, until the signing of Executive Order 13166 (42 U.S.C. 2000d-1 note; relating to improving access to services for persons with limited English proficiency) in 2000;

Whereas the Patient Protection and Affordable Care Act (Public Law 111-148; 124 Stat. 119)—

(1) included provisions to expand the Medicaid program and—for the first time in the United States—established a Federal prohibition against discrimination on the basis of race, color, national origin, sex, age, or disability in certain health programs, building on other Federal civil rights laws; and

(2) required reporting to Congress on health disparities based on race, color, national origin, sex, age, or disability;

Whereas several Federal programs have been established to address some, but not all, of the health outcomes that are disproportionately experienced by communities of color, including sickle cell disease, tuberculosis, infant mortality, and HIV/AIDS;

Whereas the National Center for Chronic Disease Prevention and Health Promotion works to raise awareness of health disparities faced by minority populations in the

United States, including Native Americans, Asian Americans, Black Americans, and Latino Americans, aiming to reduce risk factors for groups affected by such health disparities;

Whereas the United States health care system and other economic and social structures remain fraught with racism and racial, ethnic, sex (including sexual orientation and gender identity), and class biases that lead to health inequity and health disparities;

Whereas life expectancy rates for Black and Native American people in the United States are significantly lower than those of White people in the United States;

Whereas disparities in health outcomes are exacerbated for LGBTQIA+ people of color;

Whereas disparities in health outcomes are worsened for people of color with disabilities due to bias and inequitable access to health care;

Whereas several States with higher percentages of Black, Latino, and Native American populations have not expanded their Medicaid programs—continuing to disenfranchise minority communities from access to health care to this day;

Whereas 16 States have failed to take advantage of the Federal option to expand access to Medicaid and the Children's Health Insurance Program to lawfully residing immigrant children within the first 5 years of lawfulness, and 26 States have failed to do so for similarly situated pregnant women;

Whereas, between 2016 and 2018, the child uninsured rate increased from 4.7 percent to 5.5 percent and the Latino child uninsured rate increased from 7.7 percent to 8.1 percent, and children of color are far more likely to be uninsured than White children;

Whereas a climate of fear and confusion for immigrant families due to the public charge rule discourages such families from enrolling eligible children in Medicaid and the Children's Health Insurance Program;

Whereas Pacific Islanders from the Freely Associated States experience unique health disparities resulting from United States nuclear weapons tests on their home islands, but such people have been categorically denied access to Medicaid and other Federal health benefits;

Whereas the United States has historically facilitated outsider status toward Asian Americans and Pacific Islanders, such as the authorization of the internment of Japanese Americans during World War II, which resulted in profound economic, social, and psychological burdens for the people impacted;

Whereas the history and persistence of racist and non-scientific medical beliefs are associated with ongoing racial disparities in treatment and health outcomes;

Whereas implicit racial and ethnic biases within the health care system have an impact on the quality of care experienced by communities of color, such as the under-treatment of pain in Black patients;

Whereas the historical context of unethical practices and abuses experienced by Black patients and research participants, such as the Tuskegee Syphilis Study, serve as symbols of the Black community's mistrust of the medical system;

Whereas women of color continue to face attacks, documented throughout history, on their prenatal, maternal, and reproductive health and rights;

Whereas enslaved Black women were forced to endure egregiously unethical and cruel treatment, as subjects of insidious medical experiments, to advance modern gynecology;

Whereas, through the late 1960s and early 1980s, physicians routinely sterilized people of color, performing excessive and medically unnecessary procedures on patients of color without their informed consent;

Whereas Black and Native American women are 2 to 4 times more likely than White women to suffer severe maternal morbidity or die of pregnancy-related complications, and implicit racial biases and lower quality care are contributing factors to the health care disparities that lead to these outcomes;

Whereas Black and Native American infants are twice as likely to die as White infants, and the Black infant mortality rate in the United States is higher than in 97 countries worldwide;

Whereas researchers have developed the analytical framework of "weathering" to describe how the constant stress of racism leads to poor health outcomes for Black Americans;

Whereas the daily experience of racism is associated with stress, depression, and anxiety, and may cause physiological reactivity or contribute to chronic health conditions;

Whereas racism is linked to mental health challenges for children and adolescents;

Whereas children of color are overrepresented in the United States child welfare system, and up to 80 percent of children in foster care enter State custody with significant mental health challenges;

Whereas disparities in educational access and attainment, along with racism experienced in the educational setting, affect the trajectory of academic achievement for children and adolescents, and ultimately impact health and racial inequities in school discipline, which has long-term consequences for children;

Whereas racism and segregation in the United States contribute to poor health outcomes by segregating Black, Latino, and Native American communities from opportunity;

Whereas, for decades, discriminatory housing practices, such as redlining, systematically excluded people of color from housing, robbing them of capital in the form of low-cost, stable mortgages and opportunities to build wealth, and the Federal government used its financial power to segregate renters in newly built public housing;

Whereas environmental injustices, such as proximity and exposure to toxic waste or hazardous air pollutants, continue to harm the health of communities of color, low-income communities, and Indigenous communities around the United States;

Whereas social inequities such as differing access to quality health care, healthy food and safe drinking water, safe neighborhoods, education, job security, and reliable transportation affect health risks and outcomes;

Whereas, during the COVID-19 pandemic, the effects of racism and discrimination are seen in COVID-19 infection, hospitalization, and mortality rates—disproportionately high among Black, Latino, and Native American populations compared to the overall population—exacerbating health disparities and highlighting barriers to care for Black, Latino, and Native American patients across the United States;

Whereas discrimination and harassment relating to the COVID-19 pandemic is on the rise, particularly discrimination and harassment directed towards the Asian American and Pacific Islander (AAPI) community;

Whereas, because of racial and ethnic disparities, people of color are more likely to have pre-existing, preventable, and chronic conditions, which lead to higher COVID-19 morbidity and mortality rates;

Whereas people of color are overrepresented in the number of people in the United States living under poor air quality conditions, which can increase the likelihood of COVID-19 morbidity and mortality;

Whereas the COVID-19 pandemic has worsened barriers for Black, Latino, and Native

American households that suffer from disproportionately higher rates of food insecurity;

Whereas Black and Latino workers make up a disproportionate number of frontline workers, are less likely to receive paid sick leave or have the ability to work from home, and have been excluded from many forms of relief readily available to other groups;

Whereas people of color are disproportionately impacted by the criminal justice and immigration enforcement systems and face a higher risk of contracting COVID-19 within prison populations and detention centers due to the over-incarceration of people of color;

Whereas, during the COVID-19 pandemic, an increased use of anti-Asian rhetoric has resulted in Asian Americans being harassed, assaulted, and scapegoated for the pandemic;

Whereas communities of color continue to bear the burdens of inequitable social, economic, and criminal justice policies, practices, and investments that cause deep disparities, hurt, harm, danger, and mistrust;

Whereas over 40 percent of Latinos report being discriminated against or harassed because they are Hispanic;

Whereas approximately 24 percent of the Latino population in the United States identifies as "Afro-Latino" and is thus potentially subject to both race and national origin discrimination;

Whereas, because of racism, Black people in the United States share a unique set of challenges and experiences that require heightened levels of awareness and risk while performing everyday tasks—such as jogging in neighborhoods, driving while Black, or playing in a park—that are not experienced by other populations;

Whereas Black people in the United States are 3 times more likely to be killed by police than White people in the United States, and police violence is the 6th leading cause of death for young Black men;

Whereas the police brutality and violence experienced by Black people in the United States adversely impacts mental health among Black communities;

Whereas Black communities led the United States in mourning the killings of Ahmaud Arbery, Breonna Taylor, George Floyd, Elijah McClain, and countless other Black Americans—calling for justice and long-term changes to dismantle systems of oppression;

Whereas, throughout the history of the United States, people of color have been at the forefront of civil rights movements for essential freedoms, human rights, and equal protection for marginalized groups and continue to fight for racial and economic justice today;

Whereas a public health issue is defined as meeting the following 4 criteria:

(1) The condition affects many people, is seen as a threat to the public, and is continuing to increase.

(2) The condition is distributed unfairly.

(3) Preventive measures could reduce the effects of the condition.

(4) Those preventive measures are not yet in place;

Whereas racism meets the criteria of a public health crisis, and public health experts agree;

Whereas the Centers for Disease Control and Prevention—

(1) declared racism a serious threat to public health; and

(2) acknowledged the need for additional research and investments to address this serious issue;

Whereas a Federal public health crisis declaration defines racism as a pervasive health issue and alerts the people of the United States to the need to enact immediate and

effective cross-governmental efforts to address the root causes of institutional racism and their downstream impacts; and

Whereas such declaration requires the response of the Government to engage significant resources to empower those communities that are impacted: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the resolutions drafted, introduced, and adopted by cities and localities across the United States declaring racism a public health crisis;

(2) declares racism a public health crisis in the United States;

(3) commits to—

(A) establishing a nationwide strategy to address health disparities and inequity across all sectors in society;

(B) dismantling systemic practices and policies that perpetuate racism;

(C) advancing reforms to address years of neglectful and apathetic policies that have led to poor health outcomes for communities of color; and

(D) promoting efforts to address the social determinants of health—especially for Black, Latino, and Native American people in the United States, and other people of color; and

(4) places a charge on the people of the United States to move forward with urgency to ensure that the United States stands firmly in honoring its moral purpose of advancing the self-evident truths that all people are created equal, that they are endowed with certain unalienable rights, and that among these are life, liberty, and the pursuit of happiness.

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**SENATE RESOLUTION 173—COMMENDING THE ACTIONS OF CUBAN DEMOCRACY AND HUMAN RIGHTS ACTIVIST JOSÉ DANIEL FERRER GARCÍA AND THE PRO-DEMOCRACY AND HUMAN RIGHTS GROUP, THE PATRIOTIC UNION OF CUBA (UNPACU), TO UPHOLD FUNDAMENTAL FREEDOMS IN CUBA AND CONDEMNING CUBA'S BRUTAL AUTHORITARIAN COMMUNIST REGIME**

Mr. SCOTT of Florida (for himself, Mr. CRUZ, and Mr. RUBIO) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 173

Whereas José Daniel Ferrer García is a Cuban democracy and human rights activist who has worked tirelessly to ensure fundamental freedoms for the Cuban people;

Whereas José Daniel Ferrer García was born in Cuba on July 29, 1970, in Santiago de Cuba and has spent most of his adult life fighting for Cubans to have a voice in the matters of their own country and against Cuba's brutal authoritarian Communist dictatorship;

Whereas Cuba's authoritarian Communist regime retaliated against José Daniel Ferrer García over decades by repeatedly imprisoning, beating, and torturing him and constantly threatening and harassing his family and members of the pro-democracy and human rights group that he founded, the Patriotic Union of Cuba (UNPACU);

Whereas, in March 2021, Cuba's brutal authoritarian Communist regime committed the latest human rights violation against José Daniel Ferrer García and members of UNPACU, as Cuban security forces harassed

them, kept them from meeting, and blocked their attempts to distribute aid, food, and medical care to fellow desperate residents of Santiago de Cuba;

Whereas, on March 20, 2021, José Daniel Ferrer García and other courageous members of UNPACU began a hunger strike to protest the constant harassment, human rights violations, and the police siege of the headquarters of UNPACU in Santiago de Cuba;

Whereas the hunger strike underscored the importance of defending the right of the members of UNPACU to deliver food and medication to a group of approximately 250 residents of Santiago de Cuba as the need for aid, food, medicine, and basic necessities has risen during the global pandemic; and

Whereas, on April 10, 2021, José Daniel Ferrer García and several activists from UNPACU ended the hunger strike after 21 days after Cuban security forces lifted the police siege on the headquarters of UNPACU in Santiago de Cuba: Now, therefore, be it

*Resolved*, That the Senate—

(1) commends the actions of José Daniel Ferrer García and his unyielding resolve to advance democracy and defend freedoms and human rights for the Cuban people;

(2) honors the vital contribution and humanitarian efforts of the Patriotic Union of Cuba (UNPACU) and all of its members for their tireless work to defend fundamental freedoms and human rights in Cuba;

(3) condemns the repression of José Daniel Ferrer García and other brave Cuban activists;

(4) condemns Cuba's brutal authoritarian Communist dictatorship and demands an end to the suffering of the Cuban people and the impunity of the regime's human rights abusers, including Miguel Díaz-Canel and Raúl Castro;

(5) calls for the international community to stand with the Cuban people and against Cuba's authoritarian Communist regime for infringing on the freedom of thought, expression, assembly, association, and prosperity of the Cuban people; and

(6) commends the courage of the pro-democracy movement and activists in Cuba for risking everything to bring freedom to the Cuban people.

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**SENATE RESOLUTION 174—DESIGNATING APRIL 2021 AS “PARKINSON'S AWARENESS MONTH”**

Ms. STABENOW (for herself and Mr. THUNE) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 174

Whereas Parkinson's disease is a chronic, progressive neurological disease and the second most common neurodegenerative disease in the United States;

Whereas, although there is inadequate data on the incidence and prevalence of Parkinson's disease, the disease is estimated to affect between 500,000 and 1,000,000 individuals in the United States, with that number expected to more than double by 2040;

Whereas, according to the Centers for Disease Control and Prevention, Parkinson's disease is the 15th leading cause of death in the United States;

Whereas millions of individuals in the United States are greatly impacted by Parkinson's disease, including the caregivers, family members, and friends of individuals living with Parkinson's disease;

Whereas research suggests that the cause of Parkinson's disease is a combination of genetic and environmental factors, but the exact cause of the disease in most individuals is still unknown;

Whereas, as of March 2021, there is no objective test or biomarker with which to diagnose Parkinson's disease;

Whereas there is no known cure or drug to slow or halt the progression of Parkinson's disease, and available treatments are limited in their ability to address the medical needs of patients and remain effective over time;

Whereas the symptoms of Parkinson's disease vary from person to person and may include—

- (1) tremors;
- (2) slowness of movement and rigidity;
- (3) problems with gait and balance;
- (4) disturbances in speech and swallowing;
- (5) cognitive impairment and dementia;
- (6) mood disorders; and
- (7) a variety of other nonmotor symptoms;

Whereas volunteers, researchers, caregivers, and medical professionals are working to improve the quality of life of—

- (1) individuals living with Parkinson's disease; and
- (2) the families of those individuals; and

Whereas increased research, education, and community support services are needed—

- (1) to find more effective treatments; and
- (2) to provide access to quality care to individuals living with Parkinson's disease:

Now, therefore, be it

*Resolved*, That the Senate—

- (1) designates April 2021 as “Parkinson's Awareness Month”;

- (2) supports the goals and ideals of Parkinson's Awareness Month;

- (3) continues to support research to find better treatments and a cure for Parkinson's disease;

- (4) recognizes the individuals living with Parkinson's disease who participate in vital clinical trials to advance the knowledge of the disease; and

- (5) commends the dedication of the organizations, volunteers, researchers, and millions of individuals across the United States who are working to improve the quality of life of—

- (A) individuals living with Parkinson's disease; and

- (B) the families of those individuals.

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**SENATE RESOLUTION 175—SUPPORTING THE GOALS AND IDEALS OF NATIONAL PUBLIC HEALTH WEEK**

Mr. LUJÁN submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 175

Whereas the week of April 5, 2021, is National Public Health Week;

Whereas the theme for National Public Health Week in 2021 is “Building Bridges to Better Health”;

Whereas the goal of National Public Health Week in 2021 is to recognize the contributions of public health in—

- (1) improving the health of the people of the United States; and

- (2) achieving health equity;

Whereas, as of the date of introduction of this resolution, the United States and the global community are responding to the COVID-19 pandemic, which requires support for—

- (1) a robust public health infrastructure and workforce;

- (2) State, territorial, local, and Tribal health departments, health care workers, public health laboratories, and first responders;

- (3) diagnostic testing of new and potential COVID-19 cases and activities related to epidemiology and public health data;

(4) complying with appropriate social distancing and quarantine recommendations;

(5) relieving financial burdens for individuals in the United States hurt by the COVID-19 pandemic, including through public health emergency leave;

(6) State Medicaid programs and community health centers to ensure care for vulnerable populations;

(7) collaboration among the Federal Government, State and local governments, schools, businesses, and employers to support public health measures to decrease community spread of COVID-19;

(8) investments in the Centers for Disease Control and Prevention, which support infectious disease outbreak preparedness and critical public health infrastructure for State and local health departments and public health laboratories;

(9) a comprehensive effort to ensure a successful COVID-19 vaccination campaign that boosts access to vaccines for vulnerable populations and trust in vaccine safety and effectiveness; and

(10) efforts to address racism as a public health crisis and reduce racial and ethnic health disparities related to COVID-19 deaths, vaccine access and testing, and important health outcomes outside of the pandemic such as maternal mortality;

Whereas, in 2020, the life expectancy for the population of the United States dropped a full year, which is the largest drop in life expectancy since 1943;

Whereas many of the leading causes of death for individuals in the United States result from chronic conditions, which are among the most common, costly, and preventable of all health challenges;

Whereas there are significant differences in the health status of individuals living in the most healthy States and those living in the least healthy States, including differences in obesity rates, the prevalence of chronic disease, and the prevalence of infectious disease;

Whereas racial and ethnic minority populations in the United States continue to experience disparities in the burden of illness and death, as compared with the entire population of the United States;

Whereas violence is a leading cause of premature death and it is estimated that more than 7 individuals per hour die a violent death in the United States;

Whereas deaths from homicides cost the economy of the United States billions of dollars and the violence of homicides can cause social and emotional distress, community trauma, injury, disability, depression, anxiety, and post-traumatic stress disorder;

Whereas emergency department visits for suicidal thoughts or self-harm increased 25.5 percent between January 2017 and December 2018, with substantial increases occurring in younger age groups;

Whereas an estimated 1 in 7 children in the United States experiences child abuse and neglect, which imposes an annual lifetime economic burden of approximately \$428,000,000 on the population of the United States;

Whereas, despite significant progress in reducing the infant mortality rate in the United States to a historic low of 5.8 infant deaths per 1,000 live births, in 2017 the infant mortality rate in the United States greatly varies among States;

Whereas women die from pregnancy-related complications in the United States at a higher rate than in many other developed countries and an estimated 60 percent of maternal deaths in the United States are preventable;

Whereas Black mothers experience a maternal mortality rate 3 to 4 times higher than White mothers;

Whereas 81,000 drug overdose deaths occurred in the United States during the 12-month period ending May 2020, the highest level ever recorded during a 12-month period;

Whereas cigarette smoking is the leading cause of preventable disease and death in the United States, accounting for more than 48,000 deaths every year, including more than 41,000 deaths resulting from secondhand smoke;

Whereas the percentage of adults in the United States who smoke cigarettes has decreased from 20.9 percent of the population in 2005 to 13.7 percent of the population in 2018;

Whereas, in 2020, according to data from the National Youth Tobacco Survey 19.6 percent of high school students (3,020,000 students) and 4.7 percent of middle school students (550,000 students) reported current e-cigarette use;

Whereas data from the National Youth Tobacco Survey showed that in 2020 almost 40 percent of high school e-cigarette users were using an e-cigarette on 20 or more days out of the month and almost a quarter of high school e-cigarette users were using e-cigarettes every day, indicating a strong dependence on nicotine among youth;

Whereas in the past 2 decades heat-related mortality for older persons has almost doubled, reaching a record high 19,000 deaths in 2018;

Whereas from 2018 to 2019 the United States spent nearly \$13 per person on climate change adaptation in the health sector, far less than what is needed to prevent the growing health impacts of climate change;

Whereas, in 2016, fine particulate air pollution led to more than 64,000 premature deaths in the United States and Black and Hispanic individuals in the United States were disproportionately impacted;

Whereas public health organizations use National Public Health Week to educate public policymakers and public health professionals on issues that are important to improving the health of the people of the United States;

Whereas studies show that small strategic investments in disease prevention can result in significant savings in health care costs;

Whereas vaccination is one of the most significant public health achievements in history and has resulted in substantial decreases in—

(1) the number of cases, hospitalizations, and deaths associated with vaccine-preventable diseases; and

(2) health care costs associated with vaccine-preventable diseases;

Whereas each 10 percent increase in local public health spending contributes to a—

(1) 6.9 percent decrease in infant deaths;

(2) 3.2 percent decrease in deaths related to cardiovascular disease;

(3) 1.4 percent decrease in deaths due to diabetes; and

(4) 1.1 percent decrease in cancer-related deaths;

Whereas public health professionals help communities prevent, prepare for, mitigate, and recover from the impact of a full range of health threats, including—

(1) disease outbreaks, such as the COVID-19 pandemic;

(2) natural disasters, such as wildfires, flooding, and severe storms; and

(3) other disasters, including disasters caused by human activity and public health emergencies;

Whereas public health professionals collaborate with partners outside of the health sector, including city planners, transportation officials, education officials, and private sector businesses, recognizing that other sectors can influence health outcomes;

Whereas in communities across the United States, individuals are changing the way

they care for their health by avoiding tobacco use, eating healthier, increasing physical activity, and preventing unintentional injuries at home and in the workplace; and

Whereas efforts to adequately support public health and the prevention of disease and injury can continue to transform a health system focused on treating illness into a health system focused on preventing disease and injury and promoting wellness: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the goals and ideals of National Public Health Week;

(2) recognizes the efforts of public health professionals, the Federal Government, States, Tribes, municipalities, local communities, and individuals in preventing disease and injury;

(3) recognizes the role of public health in—

(A) preventing and responding to infectious disease outbreaks, such as the COVID-19 pandemic;

(B) mitigating short-term and long-term impacts of infectious disease outbreaks on the health and wellness of individuals in the United States;

(C) addressing social and other determinants of health, including health disparities experienced by minority populations; and

(D) improving the overall health of individuals and communities in the United States;

(4) encourages increased efforts and resources to—

(A) improve the health of individuals in the United States; and

(B) make the United States, in 1 generation, the healthiest Nation in the world by—

(i) providing greater opportunities to improve community health and prevent disease and injury; and

(ii) strengthening the public health system and workforce in the United States; and

(5) encourages the people of the United States to learn about the role of the public health system in improving health across the United States.

**SENATE RESOLUTION 176—URGING ALL PARTIES IN GEORGIA TO SEEK PROMPT IMPLEMENTATION OF THE AGREEMENT SIGNED ON APRIL 19, 2021, AND REAFFIRMING THE SUPPORT OF THE SENATE FOR GEORGIA, THE TERRITORIAL INTEGRITY OF GEORGIA, AND THE ASPIRATIONS OF GEORGIANS TO JOIN THE EURO-ATLANTIC COMMUNITY**

Mr. JOHNSON (for himself, Mrs. SHAHEEN, and Mr. RISCH) submitted the following resolution; which was referred to the Committee on Foreign Relations:

**S. RES. 176**

Whereas, on April 9, 1991, Georgia declared independence from the Soviet Union, and on March 24, 1992, the United States and Georgia established formal diplomatic relations;

Whereas, since 1993, the territorial integrity of Georgia has been reaffirmed by the international community and numerous United Nations Security Council resolutions;

Whereas, at the 2008 Summit in Bucharest, the North Atlantic Treaty Organization (NATO) recognized the aspirations of Georgia to join NATO and agreed that Georgia would become a member of the Alliance;

Whereas, on January 9, 2009, the United States and Georgia signed the United States-Georgia Charter on Strategic Partnership, affirming the close relationship between the United States and Georgia based on the

shared principles of democracy, free markets, defense and security cooperation, and cultural exchanges;

Whereas Georgia has made significant contributions to the wars in Iraq and Afghanistan and remains the largest troop contributor among NATO partners to the NATO-led Resolute Support Mission in Afghanistan;

Whereas the United States supports the sovereignty and territorial integrity of Georgia within its internationally recognized borders and condemns the continued occupation by the Russian Federation of the Georgian regions of South Ossetia and Abkhazia;

Whereas, in March 2020, the United States and several embassies of European countries in Georgia brokered an agreement among the major political parties in Georgia, which included changes to the electoral system and called on all sides to address the appearance of political interference in the judicial system;

Whereas, on June 29, 2020, the Parliament of Georgia adopted constitutional amendments, establishing a more proportional electoral system and promoting greater political pluralism in future parliaments;

Whereas the United States Embassy in Tbilisi applauded Georgia's electoral reforms and urged the Parliament of Georgia to pass additional legislation that fully incorporates all of the recommendations of the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe (OSCE/ODIHR) and urged Georgian authorities to effectively implement such legislation;

Whereas, on October 31, 2020, Georgia held its first parliamentary elections since adopting the electoral reforms in June 2020;

Whereas the OSCE/ODIHR limited election observation team detailed a number of flaws and partially or completely unimplemented OSCE/ODIHR recommendations, but also concluded that the first round of the October 2020 parliamentary elections in Georgia was "competitive and, overall, fundamental freedoms were respected";

Whereas the United States Embassy in Tbilisi shared the OSCE/ODIHR's assessment of the first round of elections and stressed the importance of fully addressing the deficiencies noted by the OSCE/ODIHR Limited Election Observation Mission Preliminary Report before the second round of elections in November 2020;

Whereas the Georgian opposition refused to recognize the legitimacy of the October 2020 elections, boycotted the second round of elections, called for public voter intimidation of anyone voting in the second round of elections, and declined to take their seats in parliament;

Whereas, on February 23, 2021, Georgian authorities entered the headquarters of United National Movement (UNM) and arrested its leader Nikanor Melia on a bail violation;

Whereas, on March 23, 2021, the Subcommittee on Europe and Regional Security Cooperation of the Committee on Foreign Relations of the Senate held a hearing on Georgia to examine the political situation and to highlight the actions that the Government of Georgia and the opposition could take in order to resolve the impasse and move the country forward;

Whereas, in that hearing, Deputy Assistant Secretary of State George Kent testified that the Russian Federation uses its illegal occupation of Abkhazia and South Ossetia, "economic leverage, cyber attacks, and disinformation to try to force Georgia to abandon its Euro-Atlantic aspirations and to sow division and distrust";

Whereas, at the same hearing, Deputy Assistant Secretary Kent testified, "Georgia has real work to do in strengthening its de-

mocracy . . . Georgia's commitment to democracy and the rule of law is a fundamental element of our strategic relationship, as well as the precondition for the country's further progress.'"; and

Whereas international mediation efforts to resolve the political impasse in Georgia led to an agreement signed on April 19, 2021, by representatives of several political parties and individual Members of Parliament: Now, therefore, be it

*Resolved*, That the Senate—

(1) calls on Georgian Dream, United National Movement, and the other parties elected to the Parliament of Georgia to fully implement the compromise proposed by European Council President Michel on April 18, 2021, and signed on April 19, 2021;

(2) calls on all elected Members of Parliament to take their seats in parliament and begin work without further delay on the challenges facing Georgia, including consequences of the COVID-19 pandemic, a weakened economy, and challenging regional dynamics;

(3) calls on the Government of Georgia to institute systemic reforms, developed through an inclusive and transparent consultation process with stakeholders, to ensure that the judicial system is impartial and independent and not used for political or partisan ends, including by fully adopting and implementing the recommendations of the European Commission for Democracy through Law (commonly known as the "Venice Commission") and other experts;

(4) calls on the Government of Georgia to institute inclusively and transparently developed systemic electoral reforms to address the underlying causes of the political impasse and avoid a recurrence of such a crisis, including by fully adopting and implementing the recommendations of the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe (OSCE/ODIHR);

(5) recognizes that the political situation in Georgia has been exacerbated by the efforts of the Russian Federation to sow chaos throughout Georgia, including the illegally occupied territories of Abkhazia and South Ossetia;

(6) expresses concern that impediments to strengthening Georgia's democratic institutions and processes will slow its progress toward achieving its aspiration of Euro-Atlantic integration and strengthening its economy and could result in conditions placed on United States assistance to Georgia; and

(7) emphasizes that the United States supports a more robust democracy in Georgia, with governing institutions that demonstrate integrity, checks and balances, transparency, the capacity to counter Russian and other malign influence, and the ability to achieve the Euro-Atlantic aspirations of the people of Georgia.

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SENATE RESOLUTION 177—DESIGNATING APRIL 2021 AS "FINANCIAL LITERACY MONTH"

Mr. REED (for himself, Mr. SCOTT of South Carolina, Mr. WHITEHOUSE, Mrs. BLACKBURN, Mr. DURBIN, Mr. CASSIDY, Ms. HASSAN, Ms. ERNST, Mr. WICKER, Mr. COONS, Mr. BARRASSO, Mr. CRAPO, Mr. TILLIS, Mrs. MURRAY, Mr. MARSHALL, Mr. YOUNG, Mr. CARDIN, Mr. MANCHIN, Mr. BRAUN, Mr. DAINES, Ms. ROSEN, Mr. BOOZMAN, Ms. LUMMIS, and Mr. PETERS) submitted the following resolution; which was considered and agreed to:

Whereas, according to the 2019 report entitled "Economic Well-Being of U.S. Households" by the Board of Governors of the Federal Reserve System, 37 percent of adults in the United States cannot cover an unexpected expense of \$400;

Whereas, according to the 2019 report entitled "How America Banks: Household Use of Banking and Financial Services" by the Federal Deposit Insurance Corporation, approximately 5.4 percent of households in the United States are unbanked and, therefore, have limited or no access to savings, lending, and other basic financial services;

Whereas, according to the 2020 Consumer Financial Literacy Survey final report of the National Foundation for Credit Counseling that was conducted prior to COVID-19 lockdowns—

(1) a majority (62 percent) of adults in the United States had credit card debt during the 1-year period ending on the date of publication of the report;

(2) over  $\frac{1}{2}$  (43 percent) of adults in the United States carry credit card debt from month to month; and

(3) approximately 47 percent of adults in the United States maintain a budget;

Whereas, according to the statistical release of the Board of Governors of the Federal Reserve System for the fourth quarter of 2020 entitled "Household Debt and Credit"—

(1) outstanding household debt in the United States has been increasing steadily since 2013 and was \$414,000,000,000 higher than at the end of 2019; and

(2) outstanding student loan balances have more than doubled in the last decade to approximately \$1,560,000,000,000;

Whereas, according to the 2020 report entitled "Survey of the States: Economic and Personal Finance Education in Our Nation's Schools", by the Council for Economic Education—

(1) only 25 States require students to take an economics course as a high school graduation requirement; and

(2) only 21 States require students to take a personal finance course as a high school graduation requirement, either independently or as part of an economics course;

Whereas, according to the Gallup-HOPE Index, in 2016 only 57 percent of students in the United States had money in a bank or credit union account;

Whereas expanding access to the safe, mainstream financial system will provide individuals with less expensive and more secure options for managing finances and building wealth;

Whereas quality personal financial education is essential to ensure that individuals are prepared—

(1) to manage money, credit, and debt; and (2) to become responsible workers, heads of household, investors, entrepreneurs, business leaders, and citizens;

Whereas increased financial literacy—

(1) empowers individuals to make wise financial decisions; and

(2) reduces the confusion caused by an increasingly complex economy;

Whereas a greater understanding of, and familiarity with, financial markets and institutions will lead to increased economic activity and growth; and

Whereas, in 2003, Congress—

(1) determined that coordinating Federal financial literacy efforts and formulating a national strategy is important; and

(2) in light of that determination, passed the Financial Literacy and Education Improvement Act (20 U.S.C. 9701 et seq.), establishing the Financial Literacy and Education Commission: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates April 2021 as “Financial Literacy Month” to raise public awareness about—

(A) the importance of personal financial education in the United States; and

(B) the serious consequences that may result from a lack of understanding about personal finances; and

(2) calls on the Federal Government, States, localities, schools, nonprofit organizations, businesses, and the people of the United States to observe Financial Literacy Month with appropriate programs and activities.

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**SENATE RESOLUTION 178—HONORING THE LIFE AND LEGACY OF AWARD-WINNING CHILDREN'S AUTHOR BEVERLY CLEARY**

Mr. WYDEN (for himself and Mr. MERKLEY) submitted the following resolution; which was considered and agreed to:

**S. RES. 178**

Whereas Beverly Atlee Cleary was born Beverly Atlee Bunn to Chester Lloyd Bunn and Mable Atlee Bunn on April 12, 1916, in McMinnville, Oregon;

Whereas Beverly Cleary grew up on her family's farm near Yamhill, Oregon, and titled her 1988 memoir “A Girl From Yamhill”;

Whereas Beverly Cleary moved north to Portland, Oregon, with her family when she was 6 years old;

Whereas Beverly Cleary attended grade school in Portland and graduated from Grant High School in 1934;

Whereas Beverly Cleary attended Chaffey College in Ontario, California, and then graduated from the University of California, Berkeley, with a bachelor's degree in English in 1938;

Whereas, in 1939, Beverly Cleary earned a master's degree in library science from what was then the School of Librarianship at the University of Washington;

Whereas, in 1940, Beverly Cleary eloped with Clarence Cleary, whom Beverly Cleary met while studying at the University of California, Berkeley;

Whereas Beverly Cleary worked as a children's librarian in Yakima, Washington, and later at an Army hospital in Oakland, California;

Whereas, in 1950, William Morrow published the first book by Beverly Cleary, “Henry Huggins”, which is about the adventures of a young boy who lived on Klickitat Street in Northeast Portland, Oregon, and was the first book in the Henry Huggins series;

Whereas, in 1955, William Morrow published the first book in the Ramona series, “Beezus and Ramona”, which is about 9-year-old Beatrice “Beezus” Quimby and her 4-year-old sister, who, like Henry Huggins, also lived on Klickitat Street in Northeast Portland, Oregon;

Whereas Beverly Cleary's books earned praise for engaging young readers and capturing the world as children saw and understood it;

Whereas Beverly Cleary wrote more than 40 children's books, which sold more than 85,000,000 copies by enchanting readers of all ages with the adventures of Ramona, Henry, and many other memorable characters;

Whereas Beverly Cleary's books continue to resonate with audiences across the United States, sparking the imagination of countless children and instilling a lifelong love of reading;

Whereas Beverly Cleary won numerous awards and accolades throughout her career, including—

(1) the Laura Ingalls Wilder Medal in 1975 for substantial contributions to children's literature;

(2) a Newbery Honor in 1978 for “Ramona and Her Father”;

(3) a National Book Award in 1981 for “Ramona and Her Mother”;

(4) a Newbery Honor in 1982 for “Ramona Quimby, Age 8”;

(5) a Newbery Medal in 1984 for “Dear Mr. Henshaw”;

(6) the Library of Congress “Living Legend” award in 2000 for her creative contributions to American life; and

(7) the National Medal of Arts in 2003, the highest award given to artists by the United States Government; and

Whereas Beverly Cleary died on March 25, 2021, at the age of 104, leaving a behind a legacy of relatable characters and skillful storytelling; Now, therefore, be it

*Resolved*, That the Senate—

(1) honors the life and legacy of award-winning children's author Beverly Cleary, including—

(A) the lifelong commitment of Beverly Cleary to brightening the lives of children; and

(B) the outstanding contributions of Beverly Cleary to children's literature;

(2) expresses its profound regret at the announcement of the passing of beloved author Beverly Cleary;

(3) extends its sympathy to the family of Beverly Cleary;

(4) recognizes Beverly Cleary as one of the most significant and successful authors of the 20th century; and

(5) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to the family of Beverly Cleary.

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**SENATE RESOLUTION 179—TO MAKE TEMPORARY APPOINTMENTS TO THE SELECT COMMITTEE ON ETHICS**

Mr. SCHUMER (for himself and Mr. McCONNELL) submitted the following resolution; which was considered and agreed to:

**S. RES. 179**

*Resolved*, That (a) for matters before the Select Committee on Ethics involving Preliminary Inquiry Case Numbers 30094 and 30226, and subsequent action by the Committee with respect to these matters, if any, the Senator from Delaware (Mr. Coons) and the Senator from Oklahoma (Mr. Lankford) shall be replaced by the Senator from New Mexico (Mr. Luján) and the Senator from Arkansas (Mr. Boozman). The Senator from Hawaii (Mr. Schatz) shall act as Chairman and the Senator from Idaho (Mr. Risch) shall act as Vice Chairman for those matters only.

(b) The membership of the Select Committee on Ethics shall be unchanged with respect to all matters before that Committee other than the matters referred to in subsection (a).

**SENATE CONCURRENT RESOLUTION 8—RECOGNIZING THAT THE CLIMATE CRISIS IS DISPROPORTIONATELY AFFECTING THE HEALTH, ECONOMIC OPPORTUNITY, AND FUNDAMENTAL RIGHTS OF CHILDREN, EXPRESSING THE SENSE OF CONGRESS THAT RENEWED LEADERSHIP BY THE UNITED STATES IS NEEDED TO ADDRESS THE CLIMATE CRISIS, AND RECOGNIZING THE NEED OF THE UNITED STATES TO DEVELOP A NATIONAL, COMPREHENSIVE, AND SCIENCE-BASED CLIMATE RECOVERY PLAN TO PHASE OUT FOSSIL FUEL EMISSIONS, PROTECT AND ENHANCE NATURAL SEQUESTRATION, AND PUT THE UNITED STATES ON A PATH TOWARD STABILIZING THE CLIMATE SYSTEM**

Mr. MERKLEY (for himself, Mr. BOOKER, Mr. MARKEY, Mr. VAN HOLLEN, Mr. WHITEHOUSE, Mr. WYDEN, Mr. PADILLA, Ms. WARREN, Mrs. MURRAY, and Mr. SANDERS) submitted the following concurrent resolution; which was referred to the Committee on Environment and Public Works:

**S. CON. RES. 8**

Whereas a stable climate system at the founding of the United States allowed human life and human civilization to flourish;

Whereas the United States was founded on the deeply rooted principle of securing “the Blessings of Liberty to ourselves and our Posterity”;

Whereas the Constitution of the United States protects the fundamental rights to life, liberty, property, and equal protection of the laws;

Whereas a climate system capable of sustaining human life—

(1) is fundamental to a free and ordered society; and

(2) is preservative of fundamental rights, including the rights to life, liberty, property, personal security, family autonomy, bodily integrity, and the ability to learn, practice, and transmit cultural and religious traditions;

Whereas the Federal Government sets the energy policy of the United States, which has resulted in a national energy system in which approximately 80 percent of the energy in the United States comes from fossil fuels;

Whereas the national fossil fuel-based energy system has led to carbon dioxide emissions from the United States constituting more than 1/4 of cumulative global carbon dioxide emissions;

Whereas the United States is the largest producer of oil and gas in the world, due in substantial part to the Federal Government—

(1) opening up Federal public land and water for fossil fuel extraction; and

(2) actively supporting fossil fuel energy;

Whereas there is an overwhelming scientific consensus that—

(1) human-caused climate change is occurring; and

(2) the rate of global heating and ocean acidification as of April 2021 is a result of the buildup of atmospheric greenhouse gas emissions, primarily carbon dioxide emissions, largely from the combustion of fossil fuels;

Whereas atmospheric carbon dioxide levels of over 400 parts per million as of April 2021 have caused a dangerous planetary energy

imbalance, equivalent to the quantity of energy of exploding more than 400,000 atomic bombs of the kind dropped on Hiroshima, Japan, per day, 365 days per year, across the planet;

Whereas the latest climate science and real-world observations of that energy imbalance demonstrate that the approximately 1 degree Celsius of warming that has already occurred as a result of human-caused climate change is already dangerous and negatively affecting all aspects of society and the economy of the United States;

Whereas the last time that atmospheric concentrations of carbon dioxide were over 400 parts per million—

- (1) the seas were 70 to 90 feet higher;
- (2) Greenland had no ice; and
- (3) coral reefs suffered a major extinction;

Whereas similar conditions will result if the United States does not drastically reduce carbon dioxide emissions and naturally sequester excess concentrations of atmospheric carbon dioxide during the 21st century;

Whereas climate change is a threat to national security, as climate change contributes to and exacerbates global instability and conflict;

Whereas the generation of today's children was born into a climate system made hazardous to their health and well-being because of human-caused climate change;

Whereas children are uniquely vulnerable to human-caused climate change because of their developing bodies, higher exposure to air, food, and water per unit of body weight, unique behavior patterns, dependence on caregivers, and longevity on the planet;

Whereas human-caused climate change is a public health emergency that is adversely impacting the physical and mental health of children through—

- (1) extreme weather events;
- (2) rising temperatures and increased heat exposure;
- (3) decreased air quality;
- (4) altered infectious disease patterns;
- (5) food and water insecurity; and
- (6) other effects;

Whereas the best scientific information available projects a 15- to 30-foot rise in sea level by the year 2100 if current trends continue, with ever greater rises and acceleration in subsequent centuries, resulting in increased erosion and the loss of land, causing the loss of communities, homes, infrastructure, agriculture, and coastal ecosystems for children affected, until such time as levels of carbon dioxide in the atmosphere are dramatically reduced and steps are taken to cool the upper portion of the ocean;

Whereas infant mortality increases 25 percent on extremely hot days, with the first 7 days of life representing a period of critical vulnerability;

Whereas heat illness is a leading cause of death and illness in high school athletes, with nearly 10,000 episodes of heat illness occurring annually;

Whereas 8.4 percent of children suffer from allergic rhinitis, and the ragweed pollen season in North America has grown 13 to 27 days longer since 1995 due to higher temperatures and greater atmospheric carbon dioxide levels;

Whereas children are especially susceptible to air pollution given their developing lungs, higher ventilation rate, and higher levels of physical activity;

Whereas children exposed to smoke from wildfires, which have increased in frequency and severity due to rising temperatures and droughts, suffer substantial—

- (1) eye symptoms; and
- (2) upper and lower respiratory symptoms that lead to increased rates of asthma-related hospitalizations and emergency room visits;

Whereas long-term exposure to fine particulate matter, including from sources of air pollution and smoke from wildfires, is associated with higher COVID-19 mortality rates;

Whereas extreme weather events can negatively impact the mental health of children due to—

- (1) family loss or separation;
- (2) school interruption;
- (3) scarcities of food, water, and shelter; and
- (4) public service outages;

Whereas, without immediate steps to address human-caused climate change, the health effects of climate change on children will—

- (1) increase in severity and in terms of the number of children impacted; and
- (2) cost the United States billions of dollars per year by the end of the 21st century;

Whereas children will largely shoulder the costs of human-caused climate change;

Whereas further increases in global temperature will saddle children with an enormous, perhaps incalculable, cost burden, undermining their economic security and the economic security of the United States;

Whereas children are deserving of special consideration and protection with respect to human-caused climate change;

Whereas children on the frontlines of human-caused climate change across the United States and globally have risen up and called upon government leaders around the world to take concrete, science-based, and equitable action—

- (1) to address human-caused climate change; and
- (2) to ensure environmental and climate justice for their generation and future generations, including children from vulnerable communities that have borne the brunt of climate change;

Whereas children within environmental justice communities, including communities of color, low-income communities, and indigenous communities, that have contributed the least to emissions—

- (1) have long suffered from systemic environmental racism and social and economic injustices;
- (2) are disproportionately burdened by adverse health or environmental effects; and
- (3) are subjected to disproportionate energy burdens;

Whereas members and children from frontline and environmental justice communities, who are more likely to reside in areas with greater exposure to air pollution, are disproportionately impacted by the COVID-19 pandemic;

Whereas global atmospheric carbon dioxide concentrations must be reduced to less than 350 parts per million by the end of the 21st century, with further reductions thereafter, to restore the energy balance of the planet, stabilize the climate system, and protect the ice sheets and oceans for posterity;

Whereas existing and future adverse public health and other impacts and costs to children and the United States can be significantly mitigated if the United States acts promptly to reduce emissions from fossil fuels in the United States;

Whereas numerous experts have concluded that there are multiple technically and economically feasible pathways to place all sectors of the economy of the United States on an emissions-reduction path consistent with returning global atmospheric carbon dioxide to 350 parts per million by 2100;

Whereas producing energy in the United States with non-carbon emitting sources will result in energy costs within the range of recent experience, ultimately saving consumers money and stabilizing the cost of energy, while increasing the number of jobs in the energy sector; and

Whereas multiple Federal departments and agencies can exercise authority delegated by Congress to prevent and respond to climate change, including—

- (1) the Department of Energy;
- (2) the Department of the Interior;
- (3) the Department of Agriculture;
- (4) the Environmental Protection Agency;
- (5) the Department of Commerce; and
- (6) the Department of State: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—*

(1) renewed leadership by the United States is needed immediately to address the human-caused climate crisis that is disproportionately affecting the health, economic opportunity, and fundamental rights of the children of the United States; and

(2) there is an urgent human-caused climate crisis that—

(A) has inspired children across the United States to organize and demand immediate government action to protect their fundamental rights from the perils of climate change; and

(B) demands a national, comprehensive, science-based, and just climate recovery plan that—

(i) is prepared by Federal departments and agencies pursuant to delegated authority over energy and climate policy; and

(ii) upholds the fundamental rights of children and puts the United States on a trajectory consistent with reducing global atmospheric carbon dioxide to less than 350 parts per million by 2100.

## AMENDMENTS SUBMITTED AND PROPOSED

**SA 1459.** Mr. KENNEDY (for himself, Mr. MORAN, and Mr. TESTER) proposed an amendment to the bill S. 957, to direct the Secretary of Veterans Affairs to ensure that certain medical facilities of the Department of Veterans Affairs have physical locations for the disposal of controlled substances medications.

## TEXT OF AMENDMENTS

**SA 1459.** Mr. KENNEDY (for himself, Mr. MORAN, and Mr. TESTER) proposed an amendment to the bill S. 957, to direct the Secretary of Veterans Affairs to ensure that certain medical facilities of the Department of Veterans Affairs have physical locations for the disposal of controlled substances medications; as follows:

Strike all after the enacting clause and insert the following:

### SECTION 1. DESIGNATION OF PERIODS DURING WHICH ANY INDIVIDUAL MAY DISPOSE OF CONTROLLED SUBSTANCES MEDICATIONS AT FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS.

Section 3009 of the Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020 (Public Law 116-315; 38 U.S.C. 8110 note) is amended—

(1) by redesignating subsection (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following new subsection (b):

“(b) DESIGNATION OF PERIODS FOR ANY INDIVIDUAL TO DISPOSE OF MEDICATION.—

“(1) IN GENERAL.—The Secretary shall designate periods during which any individual may dispose of controlled substances medications at a covered Department medical facility.

“(2) PUBLIC INFORMATION CAMPAIGNS.—The Secretary may carry out public information campaigns regarding the periods designated under paragraph (1).”

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**AUTHORITY FOR COMMITTEES TO MEET**

Mr. BALDWIN. Mr. President, I have 11 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 Thursday, April 22, 2021, at 9:30 a.m., to conduct a hearing on nominations.

**COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY**

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Thursday, April 22, 2021, at 9:30 a.m., to conduct a hearing.

**COMMITTEE ON ARMED SERVICES**

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, April 22, 2021, at 9:30 a.m., to conduct a hearing.

**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, April 22, 2021, at 9:30 a.m., to conduct a hearing.

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, April 22, 2021, at 9:30 a.m., to conduct a hearing.

**COMMITTEE ON FINANCE**

The Committee on Finance is authorized to meet during the session of the Senate on Thursday, April 22, 2021, at 9:30 a.m., to conduct a hearing on nominations.

**COMMITTEE ON FINANCE**

The Committee on Finance is authorized to meet during the session of the Senate on Thursday, April 22, 2021, at 9:30 a.m., to conduct a hearing.

**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 on Thursday, April 22, 2021, at 9:30 a.m., to conduct a hearing.

**COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS**

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Thursday, April 22, 2021, at 10:15 a.m., to conduct a hearing on nominations.

**COMMITTEE ON VETERANS’ AFFAIRS**

The Committee on Veterans’ Affairs is authorized to meet during the session of the Senate on Thursday, April 22, 2021, at to be determined, to conduct a hearing on nominations.

**COMMITTEE ON THE JUDICIARY**

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, September 30, 2020, at 10 a.m., to conduct a hearing.

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**FINANCIAL LITERACY MONTH**

Ms. BALDWIN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 177, 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. 177) designating April 2021 as “Financial Literacy Month”.

There being no objection, the Senate proceeded to consider the resolution.

Ms. BALDWIN. Mr. President, I know of no further debate on the resolution.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on adoption of the resolution.

The resolution (S. Res. 177) was agreed to.

Ms. BALDWIN. Mr. President, I ask unanimous consent that the preamble be agreed to and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

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**HONORING THE LIFE AND LEGACY OF AWARD-WINNING CHILDREN’S AUTHOR BEVERLY CLEARY**

Ms. BALDWIN. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. Res. 178, 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. 178) honoring the life and legacy of award-winning children’s author Beverly Cleary.

There being no objection, the Senate proceeded to consider the resolution.

Ms. BALDWIN. I ask unanimous consent 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. 178) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

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**MAKING TEMPORARY APPOINTMENTS TO THE SELECT COMMITTEE ON ETHICS**

Ms. BALDWIN. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. Res. 179, introduced 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. 179) to make temporary appointments to the Select Committee on Ethics.

There being no objection, the Senate proceeded to consider the resolution.

Ms. BALDWIN. I ask unanimous consent the resolution be agreed to and the motion 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. 179) was agreed to.

(The resolution is printed in today’s RECORD under “Submitted Resolutions.”)

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**ORDERS FOR MONDAY, APRIL 26, 2021**

Ms. BALDWIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, April 26; 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; that upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Miller nomination; finally, that the cloture motions filed during today’s session ripen at 5:30 p.m. on Monday.

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

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**ADJOURNMENT UNTIL MONDAY, APRIL 26, 2021, AT 3 P.M.**

Ms. BALDWIN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:05 p.m., adjourned until Monday, April 26, 2021, at 3 p.m.

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**NOMINATIONS**

Executive nominations received by the Senate:

**DEPARTMENT OF ENERGY**

JILL HRUBY, OF NEW MEXICO, TO BE UNDER SECRETARY FOR NUCLEAR SECURITY, DEPARTMENT OF ENERGY, VICE LISA GORDON-HAGERTY, RESIGNED.

## DEPARTMENT OF DEFENSE

MARA ELIZABETH KARLIN, OF WISCONSIN, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE VICTOR G. MERCADO.

## NATIONAL INSTITUTE OF BUILDING SCIENCES

EVELYN M. FUJIMOTO, OF TEXAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2022, VICE JAMES T. RYAN, TERM EXPIRED.

LORI PEEK, OF COLORADO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2022, VICE JOSEPH BYRNIE DONOVAN, TERM EXPIRED.

## DEPARTMENT OF TRANSPORTATION

CHRISTOPHER A. COES, OF GEORGIA, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION, VICE CARLOS A. MONJE, JR.

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

PAMELA A. MELROY, OF NEW YORK, TO BE DEPUTY ADMINISTRATOR OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, VICE JAMES MORHARD.

## ENVIRONMENTAL PROTECTION AGENCY

MICHAL ILANA FREEDHOFF, OF MARYLAND, TO BE ASSISTANT ADMINISTRATOR FOR TOXIC SUBSTANCES OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE ALEXANDRA DAPOLITO DUNN.

## TENNESSEE VALLEY AUTHORITY

BETH PRITCHARD GEER, OF TENNESSEE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2026, VICE KENNETH E. ALLEN, TERM EXPIRING.

ROBERT P. KLEIN, OF TENNESSEE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2026, VICE JOHN L. RYDER, TERM EXPIRING.

KIMBERLY CAUDLE LEWIS, OF ALABAMA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TEN-

NESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2025, VICE RICHARD CAPEL HOWORTH, TERM EXPIRED.

L. MICHELLE MOORE, OF GEORGIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR THE REMAINDER OF THE TERM EXPIRING MAY 18, 2021, VICE JAMES R. THOMPSON III.

L. MICHELLE MOORE, OF GEORGIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2026, (RE-APPOINTMENT)

## DEPARTMENT OF THE TREASURY

BENJAMIN HARRIS, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE MICHAEL FAULKENDER.

J. NELLIE LIANG, OF MARYLAND, TO BE AN UNDER SECRETARY OF THE TREASURY, VICE MARY JOHN MILLER, RESIGNED.

## UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

MARCELA ESCOBARI, OF MASSACHUSETTS, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE JOHN BARSA.

## DEPARTMENT OF STATE

C.S. ELIOT KANG, OF NEW JERSEY, TO BE AN ASSISTANT SECRETARY OF STATE (INTERNATIONAL SECURITY AND NON-PROLIFERATION), VICE CHRISTOPHER ASHLEY FORD.

EUGENE S. YOUNG, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE CONGO.

## DEPARTMENT OF EDUCATION

GWEN GRAHAM, OF FLORIDA, TO BE ASSISTANT SECRETARY FOR LEGISLATION AND CONGRESSIONAL AFFAIRS, DEPARTMENT OF EDUCATION, VICE PETER LOUIS OPPENHEIM, RESIGNED.

## DEPARTMENT OF LABOR

TARYN MACKENZIE WILLIAMS, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF LABOR, VICE KATHLEEN MARTINEZ, RESIGNED.

## DEPARTMENT OF HOMELAND SECURITY

JEN EASTERLY, OF NEW YORK, TO BE DIRECTOR OF THE CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY, DEPARTMENT OF HOMELAND SECURITY, VICE CHRISTOPHER KREBS.

JOHN K. TIEN, OF GEORGIA, TO BE DEPUTY SECRETARY OF HOMELAND SECURITY, VICE ELAINE C. DUKE.

## DEPARTMENT OF JUSTICE

ANNE MILGRAM, OF NEW JERSEY, TO BE ADMINISTRATOR OF DRUG ENFORCEMENT, VICE MICHELE MARIE LEONHART.

KENNETH ALLEN POLITE, JR., OF LOUISIANA, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE BRIAN ALLEN BENCZKOWSKI.

## IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE COMMANDANT IN THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED PURSUANT TO THE AUTHORITY OF TITLE 14, U.S.C., SECTION 304:

*To be admiral*

VICE ADM. LINDA L. FAGAN

## CONFIRMATION

Executive nomination confirmed by the Senate April 22, 2021:

## DEPARTMENT OF HOMELAND SECURITY

DEANNE BENNETT CRISWELL, OF NEW YORK, TO BE ADMINISTRATOR OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, DEPARTMENT OF HOMELAND SECURITY.