amount of such funds may be expended after September 30, 2028.'';

(2) in section 602—

(A) in subsection (a)(1), by inserting ''(except as provided in subsection (c)(4))'' after ''December 31, 2024''; and

(B) in subsection (c)—

(i) in paragraph (1), in the matter preceding subparagraph (A), by striking ''paragraph (3)'' and inserting ''paragraphs (3) and (4)''; and

(ii) by adding at the end the following new paragraph:

''(4) AUTHORITY TO USE FUNDS FOR CERTAIN INFRASTRUCTURE PROJECTS.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, a State, territory, or Tribal government receiving a payment under this section may use funds provided under such payment for a project described in subparagraph (B), including—

''(i) in the case of a project described in clause (xi), (xii), or (xiii) of that subparagraph, to satisfy a non-Federal share requirement applicable to such a project; and

''(ii) in the case of a project described in clause (xiii) of that subparagraph, to repay a loan provided under the program described in that clause.

''(B) PROJECTS DESCRIBED.—A project referred to in subparagraph (A) is any of the following:

''(i) A project eligible under section 133 of title 23, United States Code.

''(ii) A project eligible under section 119 of title 23, United States Code.

''(iii) A project eligible under section 148 of title 23, United States Code.

''(iv) A project eligible under section 167 of title 23, United States Code.

''(v) A project eligible under section 149 of title 23, United States Code.

''(vi) An activity to carry out section 134 of title 23, United States Code.

''(vii) A project eligible under section 202 of title 23, United States Code.

''(viii) A project eligible under section 203 of title 23, United States Code.

''(ix) A project eligible under section 204 of title 23, United States Code.

''(x) A project eligible under section 165 of title 23, United States Code.

''(xi) A project that receives a grant under section 117 of title 23, United States Code.

''(xii) A project that receives a grant under the program for national infrastructure investments (commonly known as the 'Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant program').

''(xiii) A project that receives credit assistance under the TIFIA program under chapter 6 of title 23, United States Code.

''(xiv) A project that receives a grant under section 5309 of title 49, United States Code.

''(xv) A project that receives a grant under section 5337 of title 49, United States Code.

''(xvi) A project that receives a grant under section 5339 of title 49, United States Code.

''(xvii) A project that receives a grant under section 5307 of title 49, United States Code.

''(xviii) A project that receives a grant under section 5311 of title 49, United States Code.

''(xix) A project that receives a grant under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.).

''(C) NON-FEDERAL SHARE.—Notwithstanding any other provision of law, in the case of a project described in clauses (i) through (x) of subparagraph (B) that is carried out with funds provided under a payment made under this section, the State, territory, or Tribal government shall not be required to provide a non-Federal share.

''(D) LIMITATION; APPLICATION OF REQUIREMENTS.—

''(i) LIMITATION ON OPERATING EXPENSES.—Funds provided under a payment made under this section shall not be used for operating expenses of a project described in clauses (xiv) through (xviii) of subparagraph (B).

''(ii) APPLICATION OF REQUIREMENTS TO CDBG BROADBAND PROJECTS.—The requirements of section 60102 of the Infrastructure Investment and Jobs Act shall apply to funds provided under a payment made under this section that are used for a project described in clause (xx) of subparagraph (B) that relates to broadband infrastructure.

''(E) AVAILABILITY.—Funds provided under a payment made under this section to a State, territory, or Tribal government shall remain available for obligation for a use described in subparagraph (A) through December 31, 2024, except that no amount of such funds may be expended after September 30, 2028.''; and

(3) in subsection 603—

(A) in subsection (a), by inserting ''(except as provided in subsection (c)(5))'' after ''December 31, 2024''; and

(B) in subsection (c)—

(i) in paragraph (1), in the matter preceding subparagraph (A), by striking ''paragraphs (3) and (4)'' and inserting ''paragraphs (3), (4), and (5)''; and

(ii) by adding at the end the following new paragraph:

''(5) AUTHORITY TO USE FUNDS FOR CERTAIN INFRASTRUCTURE PROJECTS.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, a metropolitan city, nonentitlement unit of local government, or county receiving a payment under this section may use funds provided under such payment for a project described in subparagraph (B), including—

''(i) in the case of a project described in clause (xi), (xii), or (xiii) of that subparagraph, to satisfy a non-Federal share requirement applicable to such a project; and

''(ii) in the case of a project described in clause (xiii) of that subparagraph, to repay a loan provided under the program described in that clause.

''(B) PROJECTS DESCRIBED.—A project referred to in subparagraph (A) is any of the following:

''(i) A project eligible under section 133 of title 23, United States Code.

''(ii) A project eligible under section 119 of title 23, United States Code.

''(iii) A project eligible under section 148 of title 23, United States Code.

''(iv) A project eligible under section 167 of title 23, United States Code.

''(v) A project eligible under section 149 of title 23, United States Code.

''(vi) An activity to carry out section 134 of title 23, United States Code.

''(vii) A project eligible under section 202 of title 23, United States Code.

''(viii) A project eligible under section 203 of title 23, United States Code.

''(ix) A project eligible under section 204 of title 23, United States Code.

''(x) A project eligible under section 165 of title 23, United States Code.

''(xi) A project that receives a grant under section 117 of title 23, United States Code.

''(xii) A project that receives a grant under the program for national infrastructure investments (commonly known as the 'Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant program').

''(xiii) A project that receives credit assistance under the TIFIA program under chapter 6 of title 23, United States Code.

''(xiv) A project that receives a grant under section 5309 of title 49, United States Code.

''(xv) A project that receives a grant under section 5337 of title 49, United States Code.

''(xvi) A project that receives a grant under section 5339 of title 49, United States Code.

''(xvii) A project that receives a grant under section 5307 of title 49, United States Code.

''(xviii) A project that receives a grant under section 5311 of title 49, United States Code.

''(xix) A project that receives a grant under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.).

''(C) NON-FEDERAL SHARE.—Notwithstanding any other provision of law, in the case of a project described in clauses (i) through (x) of subparagraph (B) that is carried out with funds provided under a payment made under this section, the metropolitan city, nonentitlement unit of local government, or county shall not be required to provide a non-Federal share.

''(D) LIMITATION; APPLICATION OF REQUIREMENTS.—

''(i) LIMITATION ON OPERATING EXPENSES.—Funds provided under a payment made under this section shall not be used for operating expenses of a project described in clauses (xiv) through (xviii) of subparagraph (B).

''(ii) APPLICATION OF REQUIREMENTS TO CDBG BROADBAND PROJECTS.—The requirements of section 60102 of the Infrastructure Investment and Jobs Act shall apply to funds provided under a payment made under this section that are used for a project described in clause (xx) of subparagraph (B) that relates to broadband infrastructure.

''(E) AVAILABILITY.—Funds provided under a payment made under this section to a metropolitan city, nonentitlement unit of local government, or county shall remain available for obligation for a use described in subparagraph (A) through December 31, 2024, except that no amount of such funds may be expended after September 30, 2028.''.

(b) TECHNICAL AMENDMENTS.—Sections 602(c)(3) and 603(c)(3) of title VI of the Social Security Act (42 U.S.C. 802(c)(3), 803(c)(3)) are each amended by striking ''paragraph (17) of''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in—

(1) in the case of the amendments made by subsection (a)(1), the enactment of the CARES Act (Public Law 116–136); and

(2) in the case of the amendments made by paragraphs (2) and (3) of subsection (a) and subsection (b), the enactment of the American Rescue Plan Act of 2021 (Public Law 117–2).

SA 2410. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON USE OF FUNDS TO ENFORCE MASK MANDATES.

None of the amounts made available under any division of this Act, including an amendment made by any division of this Act, may

be used for the enforcement of a requirement to wear a mask or face covering on any mode of public transportation.

SA 2411. Mr. MARSHALL (for himself, Ms. ERNST, and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division G, add the following:

TITLE XII—AGRICULTURAL TRADE

SEC. 71201. SHORT TITLE.

This title may be cited as the ''Exposing Agricultural Trade Suppression Act''.

SEC. 71202. PROHIBITION AGAINST INTERFERENCE BY STATE AND LOCAL GOVERNMENTS WITH PRODUCTION OR MANUFACTURE OF ITEMS IN OTHER STATES.

(a) DEFINITION OF AGRICULTURAL PRODUCTS.—In this section, the term ''agricultural products'' has the meaning given the term in section 207 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1626).

(b) PROHIBITION.—Consistent with the Commerce Clause of section 8 of article I of the Constitution of the United States, the government of a State or a unit of local government within a State shall not impose a standard or condition on the production or manufacture of any agricultural products sold or offered for sale in interstate commerce if—

(1) the production or manufacture occurs in another State; and

(2) the standard or condition is in addition to the standards and conditions applicable to the production or manufacture pursuant to—

(A) Federal law; and

(B) the laws of the State and unit of local government in which the production or manufacture occurs.

SEC. 71203. FEDERAL CAUSE OF ACTION TO CHALLENGE STATE REGULATION OF INTERSTATE COMMERCE.

(a) DEFINITION OF AGRICULTURAL PRODUCTS.—In this section, the term ''agricultural products'' has the meaning given the term in section 207 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1626).

(b) PRIVATE RIGHT OF ACTION.—A person, including a producer, a transporter, a distributer, a consumer, a laborer, a trade association, the Federal Government, a State government, or a unit of local government, that is affected by a regulation of a State or unit of local government that regulates any aspect of 1 or more agricultural products that are sold in interstate commerce, including any aspect of the method of production, or any means or instrumentality through which 1 or more agricultural products are sold in interstate commerce may bring an action in the appropriate court to invalidate that regulation and seek damages for economic loss resulting from that regulation.

(c) PRELIMINARY INJUNCTION.—On a motion of the plaintiff in an action brought under subsection (b), the court shall issue a preliminary injunction to preclude the applicable State or unit of local government from enforcing the regulation at issue until such time as the court enters a final judgment in the case, unless the State or unit of local government proves by clear and convincing evidence that—

(1) the State or unit of local government is likely to prevail on the merits at trial; and

(2) the injunction would cause irreparable harm to the State or unit of local government.

(d) STATUTE OF LIMITATIONS.—No action shall be maintained under this section unless the action is commenced not later than 10 years after the cause of action arose.

(e) JURISDICTION.—A person described in subsection (b) may bring an action under that subsection in—

(1) the district court of the United States for the judicial district in which the person—

(A) is affected by a regulation described in that subsection; or

(B) resides, operates, or does business; or

(2) any other appropriate court otherwise having jurisdiction.

SA 2412. Mrs. BLACKBURN (for herself and Mr. HAGERTY) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division I, insert the following:

SEC. 90_____. ADDING SERVICE AND SUPPORT COMPANIES TO THE SHUTTERED VENUE OPERATORS GRANT PROGRAM.

(a) IN GENERAL.—Section 324 of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116–260) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by inserting ''a service and support company,'' after ''theatre operator,'';

(II) in clause (i)—

(aa) in the matter preceding subclause (I), by inserting ''the service and support company,'' after ''theatre operator,''; and

(bb) in subclause (I), by inserting ''a service and support company,'' after ''theatre operator,'';

(III) in clause (ii)—

(aa) in subclause (III), by striking ''and'' at the end;

(bb) in subclause (IV), by adding ''and'' at the end; and

(cc) by adding at the end the following:

''(V) the service and support company is or intends to resume the services and activities described in paragraph (11);''; and

(IV) in clause (vi), by inserting ''the service and support company,'' after ''theatre operator,'' each place that term appears; and

(ii) in subparagraph (B), by inserting ''service and support company,'' after ''theatre operator,'' each place that term appears; and

(B) by adding at the end the following:

''(11) SERVICE AND SUPPORT COMPANY.—The term 'service and support company'—

''(A) means an individual or entity—

''(i) that is assigned a North American Industry Classification System code of 532490, 541410, 541420, 541430, 541490, 561920, 711190, or 711320, as appears on the most recent income tax filing or on the application for a loan under paragraph (36) or (37) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)) of the individual or entity, if applicable; and

''(ii) that—

''(I)(aa) as a principal business activity, provide stages, lighting, sound, casts, or other support for live performing arts events; and

''(bb) for which not less than 70 percent of the earned revenue generated through providing the support described in item (aa) is for live performing arts events organized, promoted, produced, managed, or hosted by an eligible person or entity described in paragraph (1)(A)(iii); or

''(II)(aa) showcases performers or pre-packaged productions to potential buyers; and

''(bb) for which not less than 70 percent of the earned revenue generated through showcasing performers or pre-packaged productions described in item (aa) is for live performing arts events—

''(AA) organized, promoted, produced, managed, or hosted by an eligible person or entity described in paragraph (1)(A)(iii); or

''(BB) hosted in a hotel or convention center facility;

''(B) includes an individual or entity described in subparagraph (A) that—

''(i) operates for profit;

''(ii) is a nonprofit organization;

''(iii) is government-owned; or

''(iv) is a corporation, limited liability company, or partnership or operated as a sole proprietorship; and

''(C) does not include—

''(i) an individual or entity described in subparagraph (A) that—

''(I) employs more than 250 full-time employees; or

''(II) is registered or operates outside of the United States; or

''(ii) an entity that is majority owned or controlled by an entity that is an issuer, the securities of which are listed on a national securities exchange under section 6 of the Securities Exchange Act of 1934 (15 U.S.C. 78f).''; and

(2) in subsection (b)(2)(B), by adding at the end the following:

''(iii) PRIORITY FOR AWARDS TO SERVICE AND SUPPORT COMPANIES.—

''(I) FIRST PRIORITY IN AWARDING GRANTS.—During the initial 14-day period during which service and support companies are eligible to receive a grant under this paragraph, in making awards to those companies, the Administrator shall only award grants to those companies with revenue during the period beginning on April 1, 2020 and ending on December 31, 2020, that is not more than 10 percent of the revenue of the company during the period beginning on April 1, 2019 and ending on December 31, 2019, due to the COVID–19 pandemic.

''(II) SECOND PRIORITY IN AWARDING GRANTS.—During the 14-day period immediately following the14-day period described in clause (i), in making awards to service and support companies under this paragraph, the Administrator shall only award grants to those companies with revenue, during the period beginning on April 1, 2020 and ending on December 31, 2020, that is not more than 30 percent of the revenue of the company during the period beginning on April 1, 2019 and ending on December 31, 2019, due to the COVID–19 pandemic.''.

(b) TRANSFER OF AMOUNTS FROM CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS TO SHUTTERED VENUE OPERATORS PROGRAM.—

(1) RESCISSION.—Of the unobligated balances of amounts appropriated under sections 602(a)(1) and 603(a) of the Social Security Act (as added by section 9901 of the American Rescue Plan Act of 2021 (Public Law 117–2)) on the date of enactment of this Act, $4,000,000,000 is rescinded, provided that amounts shall be rescinded from the unobligated balance of amounts appropriated under such section 602(a)(1) first, and amounts shall then be rescinded from the unobligated balance of amounts appropriated under such